KERN COUNTY and INCORPORATED CITIES HAZARDOUS WASTE MANAGEMENT PLAN
KERN COUNTY and INCORPORATED CITIES
HAZARDOUS WASTE MANAGEMENT PLAN and
ENVIRONMENTAL IMPACT REPORT

MAY 13, 1991
LOCALLY ADOPTED Version

SCH# 88032111

KERN COUNTY DEPARTMENT of PLANNING and DEVELOPMENT SERVICES
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RESOLUTIONS OF ADOPTION

KERN COUNTY BOARD OF SUPERVISORS

CITY OF ARVIN

CITY OF BAKERSFIELD

CALIFORNIA CITY

CITY OF DELANO

CITY OF McFARLAND

CITY OF RIDGECREST

CITY OF SHAFTER

CITY OF TEHACHAPI

CITY OF WASCO

Cities not approving this version of the Plan:

CITY OF MARICOPA

CITY OF TAFT
SECTION 0.0
EXECUTIVE SUMMARY

Safe and responsible management of hazardous wastes is one of the most significant problems facing Kern County as well as the rest of the State. The proper and timely solution to this problem is critical to protection of public health and environment and to future economic growth.

In 1986, Kern County amended its General Plan to include a Hazardous Waste Component. This pioneering effort won a national award for innovation. In September of that year, State of California passed legislation which authorized all counties to adopt County Hazardous Waste Management Plans (CHWMPs) as part of their General Plans.

The new law (known as the Tanner Bill) requires CHWMPs to be broader in scope than Kern County's earlier Hazardous Waste Component. Therefore, Kern County and incorporated cities have prepared this plan to comply with State requirements. This plan replaces the County's Hazardous Waste Component. Differences include:

- While the Hazardous Waste Component considered only areas in county jurisdiction, this plan includes incorporated cities and state and federal lands. The majority of cities must approve the CHWMP and must also adopt similar plans.

- While the earlier plan was oriented toward large disposal facilities, this CHWMP includes smaller facilities of various types as well as programs to address special needs of small businesses and households.

Main features of this plan include:

- An analysis of where Kern County's hazardous wastes come from.

- Siting criteria and permit requirements for various types of hazardous waste management facilities.

- An assessment of what types of facilities will be needed to safely manage hazardous wastes produced in Kern County through Year 2000.

- Transportation routes on which commercial shipping of hazardous waste will be allowed or restricted.

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Programs to address the following needs:

1. Assistance to business and industry, especially small business, to help them manage their hazardous wastes safely and to provide technical assistance to achieve realistic source reduction goals.

2. Education and assistance for safe management of hazardous waste from households.

3. Continuing public participation in the planning process and in decision making on hazardous waste facilities and programs.

4. Effective and equitable enforcement, surveillance, and monitoring of compliance with hazardous waste laws.

5. Implementation programs for the CHWMP.

6. Environmental impacts of the plan (this plan incorporates its own Environmental Impact Report).

WHAT IS HAZARDOUS WASTE?

Hazardous waste is defined by state and federal laws as any waste which because of its quantity, concentration, or physical, chemical, or infectious characteristics may either

- Cause or significantly contribute to an increase in mortality or serious illness, or

- Pose a substantial hazard to human health or environment when improperly managed.

Wastes may be identified as hazardous either if they are included on official lists or if they are ignitable, reactive, corrosive, toxic, or infectious.
WHAT HAZARDOUS WASTES DOES KERN COUNTY INDUSTRY PRODUCE?

Industry, business, agriculture, and households in Kern County generate about 36,140 tons of hazardous waste each year. Over half of the waste is from petroleum production and refining industries; much of this is of relatively low toxicity and is disposed at a facility near Buttonwillow. A growing portion hazardous wastes comes from cleanups; contaminated soils, asbestos, polychlorinated biphenyls (PCBs) from old transformers. Principal types and relative quantities of hazardous wastes in Kern County are shown below.

![Kern County Industrial Hazardous Waste Production Diagram]

Tons per Year

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WHERE DO KERN COUNTY'S HAZARDOUS WASTES GO?

Much of the hazardous and non-hazardous waste generated by the petroleum industry within Kern County is sent to a facility nearby Buttonwillow. One company has its own disposal sites for its oil production wastes. Most other wastes are sent out of Kern County; either for recycling or for disposal. Some hazardous waste solvents are used as fuel at a cement plant near the community of Lebec in southern Kern County. A refinery in Bakersfield has begun to recycle significant amounts of oily wastes.

Kern County also receives wastes from other counties including oil industry wastes at the Buttonwillow Lokern Road facility and solvent recycling residues at the cement plant near Lebec.

WHAT ARE KERN COUNTY'S HAZARDOUS WASTE FACILITY NEEDS?

One goal of this plan is to seek reciprocal agreements so that there will be some equity in transfer of wastes among other counties in the immediate region.

Assembly Bill 2948 - Tanner [HSC Section 25135 et seq.] requires Kern County to assess the County's hazardous waste management needs through Year 2000. Using projected levels of local hazardous waste generation, a Class I residuals repository, or incineration capacity of 20,000 tons per year would be adequate through Year 2000 to serve local needs. There is no disposal or treatment capacity within Kern County for all types of hazardous waste generated locally. These hazardous waste streams, if future capacity is not constructed in Kern County, will require agreements with other counties having excess capacity in their facilities which can accept the waste stream(s).

Additional facilities will be needed within Kern County for recycling or treating other types of hazardous wastes if Kern County is to manage all waste streams it generates. A facility will also be needed for disposal of residual wastes from treatment of recycling. This would be a new type of land disposal facility called a "residuals repository."

An important type of facility which is needed is transfer stations to collect wastes from those who produce very small quantities of hazardous wastes, such as small businesses and households. While Kern County and incorporated cities intend to encourage private industry to build any other needed facilities, they are considering building several small transfer stations at Kern County's sanitary landfills.

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WASTE REDUCTION AND THE WASTE MANAGEMENT HIERARCHY

A designated County agency, in coordination with incorporated cities and an appointed sub-committee of the Local Advisory Committee will implement active programs which monitor and assist waste reduction programs on part of hazardous waste generators. All generators will be requested to voluntarily reduce the amount of hazardous waste produced. Any large generators (generating 1000 kilograms or more hazardous waste per month) shall be involved in a formal source reduction review and planning program.

The Source Reduction Plan Sub-committee shall work closely with staff to prepare a comprehensive source reduction plan, necessary implementing ordinances study and address funding needs and data base needs. The following requirements shall be used as a framework to prepare a comprehensive plan:

Hazardous Waste Source Reduction Reviews and Plans

Each large generator shall submit a "hazardous waste source reduction review" and a "hazardous waste source reduction plan."

Generator's review shall consist of the following major components:

- Identification of each routinely generated hazardous waste stream resulting from an ongoing production process or operation.

- Evaluation of hazardous waste reduction approaches available to the generator which, if adopted, would result in a reduction in the amount of hazardous waste generated or toxicity of hazardous waste generated.

- Assessment of the applicability of each of six hazardous waste reduction approaches specified below, for each identified production process or operation in which a hazardous waste is generated.

The generator's hazardous waste source reduction plan shall set forth measures to be taken to reduce generation of hazardous waste within each major process or operation, with timetables for making reasonable and measurable progress. The plan must address the feasibility of at

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least the following six approaches for each identified process or operation:

- Input Change
- Product Reformulation
- Production Process Change
- Operational Improvement
- In-process Recycling
- Onsite and Off-site Recycling

The policy is to follow a hierarchy of methods for hazardous waste management, which is considered the best order of priorities from the viewpoint of protecting health, safety, and environment and also is generally least costly for industry in the long run. The Kern County hierarchy consists of the following priorities:

- Source Reduction Programs requiring Kern County's large generators to prepare plans for reduction of the amount of hazardous waste generated; a voluntary program to help small generators also realize source reduction goals of the plan [First priority]

- Onsite Recycling and Resource Recovery as the first alternative to source reduction programs [Second priority]

- Off-site Recycling, Resource Recovery, and Onsite Treatment [Third priority]

- Off-site Treatment [Fourth priority]

- Residual Repositories or Incineration [Last priority]

Educational and technical assistance services are proposed to aid small business and households in reducing and disposing of their hazardous wastes.
SITING CRITERIA

Selection of suitable hazardous waste management facility sites is crucial to protection of public health, safety and Kern County's environment. This plan includes siting criteria, based on facility capacity, for recycling, treatment, transfer and storage, disposal - repository facilities.

Any proposed specified hazardous waste management facility shall be consistent with goals and policies of this plan. In particular, any proposed facility shall be consistent with the fair share principle, and with any inter-county agreements on hazardous waste management.

Some of this plan's siting criteria are:

- **Site specific environmental review**: Studies and public review and hearing process conducted pursuant to the California Environmental Quality Act (CEQA) should result in mitigative measures tailored to a specific facility type and geographic location.

- **High hazard areas**: Facilities should not be placed in wetlands, critical habitat areas, or near active faults; large facilities must be more than 200 feet from active (Holocene) earthquake faults. Large facilities or residuals repositories are also not allowed in steep slope areas or on unstable soils or floodplains. Each proposed facility, or significant expansion of an existing facility shall be developed consistent with findings established by a formal and comprehensive "risk assessment" prepared for the project.

- **Water protection**: There are siting restrictions in major recharge areas for groundwater and also where there is shallow groundwater and/or soil is permeable. Areas near surface waters are also restricted, including rivers, lakes, aqueducts, and canals.

- **Air quality protection**: Facilities may not cause air quality standards to be exceeded; "risk assessments" must be performed to show whether any air emissions can be mitigated, will significantly contribute to non-attainment of air quality standards, or are significantly greater than those which would be caused by transporting hazardous wastes elsewhere.

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**Public Safety:** Repository facilities must have a 2,000-foot buffer zone around them unless state department of health services determines that a different buffer configuration is needed. Other large facilities must have a minimum 1200-foot buffer zone of open space or resource designations such as Intensive or Extensive Agriculture, Mineral and Petroleum Extraction, or Resource Management designations. Medium and heavy industrial designated areas are also suitable buffer zones. Land use control buffers for each proposed facility, or significant expansion of an existing facility shall be established consistent with findings established by a formal and comprehensive "risk assessment" prepared for the project.

Small facilities must have a 200-foot setback from property lines with additional buffer zones between the facilities and homes, schools, hospitals, and other sensitive land uses which must be determined depending on the particular location and type of facility. Small hazardous waste management facilities in Kern County that require a 200-foot setback can apply for a waiver from that requirement. The waiver can be considered during the Local Assessment Committee process in compliance with Health and Safety Code Sections 25199 - 25199.14.

**Transportation:** All new large facilities, except existing remote heavy industrial plants managing specified hazardous waste streams, must be sited as near as possible to a state- or federally-maintained road.

Although adequate transportation facilities and routes are afforded by the state-maintained highway system, use of county-maintained roads by traffic associated with hazardous waste management facilities may warrant exactions from the project proponent to defray road maintenance costs and necessary upgrades. The local legislative body may impose suitable conditions and provisions on the operator of the facility to defray potential road maintenance costs, and necessary upgrades and reconstruction costs associated with traffic to and from the facility. The route shall be signed and listed in the same manner as state-maintained routes.

Facilities should be located near areas where hazardous wastes are generated but should generally be outside urban areas in Kern County except for residuals repositories (which may be in remote areas).
Deep Well Injection of Class I Waste: Present federal law which regulates discharge of hazardous waste to land in injection wells is inadequate to fully protect California's water supplies from contamination [HSC Section 25159.10 (b)]. Without adequate groundwater monitoring, and specific geologic information, state-of-the-art design and operational safeguards of injection wells cannot guarantee that migration of hazardous wastes into underground sources of drinking water will not occur [HSC Section 25159.10 (c)]. Monitoring requirements specified in federal law are not adequate to detect all leaks from injection wells, and there are no requirements in federal law for monitoring movement of wastes in the substrata to ensure that wastes have not escaped the injection zone or have not reacted with or breached the confining strata [HSC Section 25159.10 (d)]. Underground injection of hazardous waste presents a serious short-term and long-term threat to the quality of waters in the State.

On June 7, 1988 the people of Kern County passed Initiative Measure B. This measure imposes the following:

"There is hereby imposed a moratorium on and no department, agency, or employee of Kern County shall hereafter allow the filing of, processing of, or continued processing of, review of, evaluation of, response to, permitting of, or approval of, any application for a general plan amendment to change any existing map code designation to a map code designation of 3.5 (hazardous waste facilities on the land surface) or 3.6 (Deep Well Injection Facilities). As used herein, the term "application for general plan amendment" includes all supporting documents, reports, studies, correspondence and findings, including, but not limited to environmental impact reports and draft environmental impact reports. The moratorium shall remain in effect until such time as 90 days shall have expired following the adoption by Kern County of a County Hazardous Waste Management Plan and final approval thereof by the State of California as provided in Sections 25135 through 25135.7 of the Health and Safety Code of the State of California".

On June 7, 1988, the people of Kern County, in adopting Initiative Measure B, determined that "it is the policy of Kern County to not allow the siting of any new hazardous waste facility in Kern County that exclusively or particularly relies on any underground injection of
hazardous waste whether treated or untreated, and no such new facility will be permitted."

OTHER IMPORTANT SECTIONS OF THE PLAN

This plan establishes mechanisms for instituting, continuing, or strengthening the following:

- **Fair Share.** Kern County and incorporated cities within the County recognize their collective responsibility to assure that adequate treatment and disposal capacity is available to manage hazardous waste generated within the County in an environmentally sound manner.

- **Oil Field Waste.** Some wastes generated during production of crude oil are termed "oil field waste", in contrast to wastes generated during refining, which are termed refinery wastes. Most oil field wastes are classified as not hazardous, or as special wastes by DHS and are classified as "Designated" by the State Water Quality Control Board (SWRCB). Thus, most oil field wastes must go to Class I hazardous waste management facilities. Other oil field wastes may be non-hazardous and can be managed by a Class II facility. Additionally, other oil field wastes are considered inert and may be disposed in unclassified facilities.

Types of wastes typically generated in oil field operations consist primarily of produced water, tank bottoms, water softener regeneration fluids, scrubber wastes from air pollution control equipment, drilling muds and cuttings, and small volumes of other wastes, such as contaminated soils, acids and bases, and slop oils. Of these, some tank bottoms, scrubber waste, drilling muds, and others are classified as hazardous while the majority are non-hazardous.

While approximately half of the manifested wastes generated in Kern County are oil field waste, a much larger quantity of non-hazardous oil field waste is disposed. Using data submitted to Regional Water Quality Control Board (RWQCB) for 1986, a facility nearby Buttonwillow disposed of 379,200 tons of non-hazardous waste and a facility called Liquid Waste Management Inc. disposed of approximately 17,000 tons of non-hazardous waste. Liquid Waste Management Inc., located in the McKittrick area, accepts only non-hazardous waste although it has a

HEALTHY AND SUSTAINABLE

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Conditional Use Permit as a hazardous waste facility. Private facilities treated approximately 19,000 tons of non-hazardous waste. The Naval Petroleum Reserve facility disposed approximately 74,800 tons in 1986.

- **Infectious Wastes.** Infectious waste must be burned in approved incinerators that meet Air Pollution Control District (APCD) requirements. Autoclaving (sterilizing) and disposing in a municipal (Class III) landfill is an alternative method of disposal if approval is obtained from Kern County's Health Officer.

Infectious waste differs from most other hazardous waste in that infectious waste has a short infectious or hazardous life, and usually requires a living host or specific substrate to survive. The State regulations establish rules concerning infectious waste which recognize these facts.

Kern County has 11 acute care hospitals, approximately 12 convalescent hospitals, about 15 clinical laboratories, and other facilities subject to the State regulations, as well as an estimated 370 private physicians and 160 dentists.

Kern County, unlike most others, has had a commercial incinerator which destroyed and detoxified infectious waste from many of these generators.

The total amount of infectious waste produced in Kern County is estimated at 1,000 tons per year. The amount is increasing as medical facilities come into compliance with regulations.

Most hospitals and clinics in Kern County either treat their own infectious wastes or send them for off-site treatment. However, physicians in private practice and dentists may need increased education and services for proper disposal of their infectious waste, as do other very small generators. There have been instances of illegal industrial waste disposal in Kern County, which caused hazards to public health.

- **Agricultural Wastes.** Large farms may generate manifested wastes, while small farms may be classified as small quantity generators (SQGs). Because so much agriculture exists in Kern County, some special consideration is warranted.
In 1986, ninety tons of pesticide rinse water, pesticides, and pesticide production waste were manifested. Eleven tons of empty pesticide containers larger than 30 gallons were also manifested. Manifested amounts of hazardous waste are small because of approved disposal practices for pesticides containers. Small pesticide containers are triple rinsed with water, which is returned to spray application equipment. This rinse water is then applied to the crop or site for which the pesticide is intended.

In the past, impoundments were sometimes used for disposal of pesticide formulation wastes and airplane rinsing. Several impoundments in Kern County are in process of being properly closed in 1988.

Closed rinse systems, as recommended by Kern County Agricultural Commissioner are being substituted in some cases. There is a potential for significant volumes of pesticide contaminated soil waste from cleanup of pesticide operation sites.

Records of actual amounts of pesticides used in Kern County are maintained. There is a large amount of pesticides used that are not required to be reported.

- **Commercial Hazardous Waste Shipments.** This plan includes provisions for designating safe commercial haul routes for transportation of hazardous wastes and improving safety of hazardous waste shipping in and through Kern County.

- **Public education and participation.** It is important for the public to be well informed about hazardous wastes and their safe management, including those wastes within their own homes. It is also crucial that they be involved in public policy decisions which will be made in the next few years on local programs and on siting of any hazardous waste facilities which are proposed.

- **Regulations.** Effective and equitable enforcement of state and local regulations.

- **Data Management.** Management of data gathered in various programs, including waste reduction programs.

This plan is a working document with support from cities, Kern County, industry, environmental groups, and public. It was first adopted by

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Kern County and each incorporated city before September 30, 1988 and will be updated every three years.
SECTION 1.0
INTRODUCTION

1.1 PURPOSE

Safe and responsible management of hazardous wastes is one of the most important environmental problems facing Kern County at the present time. It is critical to protection of public health and environment and to future economic growth.

The intent of this Kern County and Incorporated Cities Hazardous Waste Management Plan (CHWMP) is to serve as the primary planning document for hazardous waste management in Kern County and in incorporated cities within Kern County through Year 2000.

This plan will be integrated with other land use planning activities and hazardous waste programs to ensure safe management of hazardous wastes produced within or imported into, and exported out of Kern County.

The General Plan. In February, 1986, Kern County adopted a Hazardous Waste Component to the Land Use, Open Space and Conservation Element of the Kern County General Plan. This component elucidated goals, policies, and implementation strategies for hazardous waste management. It also included zoning and siting criteria.

In September, 1986, State of California adopted Assembly Bill 2948 - Tanner [HSC Section 25135 et. seq.], which requires all counties to adopt hazardous waste management plans as part of their general plans or solid waste management plans. The legislation contains requirements that certain information and elements be included in the county hazardous waste management plan. Therefore, this plan, once adopted by Kern County Board of Supervisors, will supersede Kern County's earlier Hazardous Waste Management Component to conform with the Tanner Bill.

This plan also includes goals, policies, and implementation measures directed at Kern County's Safety and Seismic Safety Element, and the Circulation Element. In addition to Government Code requirements for internal consistency between all local jurisdictions' general plans, consistency of various land development and related ordinances must be achieved.

The concept of internal consistency, as used in California Planning Law, means that no policy conflicts exist, either textual or diagrammatic, between components of the general plan. All elements of the general plan have equal legal status. No element is legally subordinate to another. All general plan elements, whether mandatory or optional, must be consistent with each other. The general plan represents an officially adopted statement of local policy regarding

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community development. The local general plan is to function as the foundation upon which all land use decisions are based. Government Code Sections 65860 and 66473.5 require that local zoning and subdivision ordinances and activities be consistent with the general plan.

Recent legislation, Senate Bill 477 - Greene, requires that all incorporated cities within each county must amend their general plans and affected ordinances to also achieve consistency with the plan.

Companion legislation, Assembly Bill 650 - Tanner, requires hazardous waste management plans from all California counties to be compiled into a State Hazardous Waste Management Plan intended to bring California into compliance with federal Superfund requirements.

This plan has broader scope than the earlier Kern County Hazardous Waste Management Component in several respects. While the earlier plan considered areas under County planning jurisdiction, this plan includes incorporated cities, state and federal lands within Kern County. While the earlier plan was oriented toward large off-site disposal facilities, this plan includes, for example, provisions for managing small quantity hazardous waste generators and household hazardous waste.

Prior to adoption of this plan, no incorporated city within Kern County had special hazardous waste management policies or programs in their general plans.

1.2 LEGAL BASIS

This plan has been prepared by Kern County Department of Planning and Development Services, acting as Lead Agency, as authorized by AB 2948 [California Health and Safety Code (HSC) Section 25135 et seq.]. A copy of AB 2948 is included in the Appendix.

Mandated programs and activities. Health and Safety Code Section 25135 et. seq. mandates several activities to be documented in the CHWMP:

- Analysis of Kern County's hazardous waste stream through year 1994 pursuant to HSC Section 25135.1(d)(1).

- Descriptions of existing hazardous waste facilities, including capacities.

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Analysis of any potential for recycling and/or reducing hazardous waste stream through year 1994 pursuant to HSC Section 25135.1(d)(1).

Management strategies addressing small business and household hazardous wastes.

Analysis of need for additional facilities. The legislature has declared that it is in the public interest to establish an effective process for hazardous waste management planning at the local level. This process is consistent with responsibility of local governments to assure that adequate treatment and disposal capacity is available to manage hazardous wastes generated within their jurisdiction. HSC Section 25135(b).

Identification of facilities which can be expanded.

Description of general areas or specific sites for new facilities using the plan's siting criteria. It is the intent of the State Legislature that hazardous waste management plans prepared pursuant to Article 3.5 of Health and Safety Code (HSC) serve as the primary planning document for hazardous waste management at the local level; that the plans be integrated with other local land use planning activities to ensure that suitable locations are available for needed hazardous waste facilities; for hazardous waste facilities which address the county's needs, or proposed sites for these facilities, are compatible with their operation; and that plans are prepared with the full meaningful involvement of the public, environmental groups, civic associations, generators of hazardous wastes, and the hazardous waste management industry. HSC Section 25135(c).

Goals, objectives, and policies for management of hazardous wastes within Kern County through year 2000.

An implementation program through year 2000.

The CHWMP may include other local programs such as public education, enforcement, surveillance, transportation, and administration.

As required by Assembly Bill 2948, this plan has been prepared in harmony with the Guidelines for the Preparation of Hazardous Waste Management Plans ("Guidelines"), and Technical Reference Manual ("TRM"), California Department of Health Services (DHS), June 1987.

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Accordingly, this Plan contains specific references to appropriate Guidelines Sections and TRM Parts.

1.3 CEQA REQUIREMENTS

The California Environmental Quality Act (CEQA - Public Resources Code Section 21000 et seq.) requires preparation of environmental documents as a decision-making tool for all discretionary projects. For this purpose, a project is defined as the whole of an action, which has potential for resulting in physical change in the environment, directly or ultimately (CEQA Guidelines, California Code of Regulations, Section 15378).

Kern County has chosen to fully integrate environmental documentation with this plan. Since this plan may lead to changes in hazardous waste management practices in Kern County with resultant significant environmental effects and its adoption requires discretionary action by one or more public agencies, it is considered a project under CEQA. This plan addresses environmental effects and various management alternatives. The Environmental Impact Report Section 15 and documentation included in the Appendix includes both beneficial and adverse environmental effects of this program. In many cases, mitigative measures of significant adverse effects are contained within this plan, itself.

This plan will not consider specific sites for new facilities or expansion of existing sites. Therefore, the Environmental Impact Report portion of this plan will be a "program" or "tiered" report. It will be necessary to prepare individual environmental documentation for any proposed expansion or new facility.

1.4 RELATIONSHIPS TO OTHER CITY AND COUNTY PLANS AND ACTIVITIES

Hazardous waste disposal, transportation, circulation, public and environmental health, land use, and other issue-oriented programs which interact with responsible hazardous waste management are addressed by a variety of county and city departments.

The Kern County Department of Environmental Health Services currently administers most state laws regulating hazardous wastes.

Kern County and various city fire departments administer laws regulating hazardous materials storage. The Kern County Fire
Department heads an interdepartmental Hazardous Materials emergency response team.

Municipal solid waste disposal is addressed by the Kern County Solid Waste Management Plan (CoSWMP), and administered by the Kern County Department of Public Works.

The issue of household hazardous waste encroaches upon municipal waste management by virtue of the effects improper disposal of hazardous waste in sanitary landfills. The State Solid Waste Management Board mandates household hazardous waste programs to be incorporated into CoSWMP's.

Surveillance and enforcement of implementation measures in this plan could involve Kern County Department of Environmental Health Services, Air Pollution Control District, Fire Departments, Sheriff, city police departments, Department of Planning and Development Services and the city counter-parts, and the District Attorney's Office.

A majority of incorporated cities with a majority of the incorporated population must approve this plan. In addition, Senate Bill 477 - Greene, requires all cities within the county to adopt their own hazardous waste management plans. This plan is intended to be used by the cities for that purpose.

1.5 DEFINITIONS

Some important terms used frequently in this plan are defined below. Additional terms are listed in the Glossary section of the Appendix, as well as more technical definitions of terms listed here. Acronyms are also listed in the Glossary.

Terms Related to Local or State Programs

Acutely Hazardous Material: An extremely hazardous material. EPA has compiled a list of such materials.

Area Plan: A plan for response to emergencies involving hazardous materials or wastes under the authority of HSC Chapter 6.95, the Hazardous Materials Release Response Plans and Inventory Law.

Business Plan: A plan which each business with appreciable quantities of hazardous materials (including wastes) must prepare under Health and Safety Code Chapter 6.95. The Business Plan must include an inventory of hazardous materials on the property, as well as

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information needed for fire departments and others to respond to site emergencies.

**Designated County Agency:** One or more Kern County agencies given responsibility to oversee, coordinate, and implement the Kern County and Incorporated Cities Hazardous Waste Management Plan.

**Hazardous Waste Facility:** All contiguous land and structures, other appurtenances, and improvements on land, used for handling, treating, storing, or disposing of hazardous wastes (22 CCR, Section 66096).

**Hazardous Waste Facility Project:** A project undertaken for the purpose of siting and constructing a new hazardous waste facility or for the purpose of significantly expanding or modifying an existing hazardous waste facility that is being used or operated under a permit issued pursuant to HSC Section 25200 or a grant of interim status pursuant to HSC Section 25200.5. Unless expressly provided otherwise, "hazardous waste facility project" includes a specified hazardous waste facility project.

**Hazardous Waste Generator:** Anyone producing hazardous wastes.

**Hazardous Waste Management:** Systematic control of the collection, source separation, storage, transportation, processing, treatment, recovery, and disposal of hazardous waste (22 CCR, Section 66130).

**Land Disposal Facility:** A hazardous waste facility where hazardous waste is disposed in, on, under, or to land.

**Local Assessment Committee:** A seven member committee convened according to Health and Safety Code Section 25199.7 et seq. to advise the County or a city on a specific proposal to site a specified hazardous waste management facility.

**Local Advisory Committee:** Kern County's Hazardous Waste Management Plan eleven member Advisory Committee convened according to Health and Safety Code Section 25135.2.

**Specified Hazardous Waste Facility:** An off-site facility which serves more than one producer of hazardous waste.

**Terms for Hazardous Materials and Wastes**

**Acutely Hazardous Material:** An extremely hazardous material. Environmental Protection Agency has compiled a list of such materials.
Characteristic Waste: A waste that is hazardous because of ignitable, reactive, corrosive, toxic, or infectious characteristics, even if the waste is not included on any list.

Extremely or Acutely Hazardous Waste: Wastes which could cause death or severe illness in humans. Generally, such wastes either pose an extreme hazard to public health due to their carcinogenicity, great acute or chronic toxicity, or persistence in the environment; or they react violently with water. A special permit must be obtained from the State to dispose of extremely hazardous waste (22 CCR Section 66717).

Extremely Hazardous Material: A substance or combination of substances which may likely result in death, disabling injury, or serious illness if a person is exposed (22 CCR Section 66060).

Hazardous Material: A substance or combination of substances which, because of its quantity, concentration, or physical, chemical, or infectious characteristics, may either:

1. cause, or significantly contribute to an increase in mortality or an increase in serious irreversible, or incapacitating reversible, illness; or

2. pose a substantial present or potential hazard to human health or environment when improperly treated, stored, transported, or disposed of or otherwise managed.

Unless expressly provided otherwise, the term "hazardous material" shall be understood to also include extremely hazardous material (22 CCR, Section 66084).

Hazardous Substance: This term means:

(a) Any substance designated pursuant to Section 1321(b)(2)(A) of Title 33 of the United States Code.

(b) Any element, compound, mixture, solution, or substance designated pursuant to Section 102 of the Federal Act. (42 U.S.C. 9602)

(c) Any hazardous waste having the characteristics identified under or listed pursuant to Section 6921 of Title 42 of the United States Code, but not including any waste the regulation of which under the Solid Waste Disposal Act has been suspended by act of Congress.

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(d) Any toxic pollutant listed under Section 1317(a) of Title 33 of the United States Code.

(e) Any hazardous air pollutant listed under Section 7412 of Title 42 of the United States Code.

(f) Any imminently hazardous chemical substance or mixture with respect to which the Administrator of the Environmental Protection Agency has taken action pursuant to Section 2606 of Title 15 of the United States Code.

(g) Any hazardous waste or extremely hazardous waste as defined by Sections 25117 and 25115, respectively, unless expressly excluded (Health and Safety Code Section 25316).

Hazardous Waste: Any hazardous material which has been used, or no longer can be used, and which is to be recycled, treated, or disposed. The waste may be a solid, liquid, or contained gas. If a hazardous material is released to the environment in an accident, it may become a hazardous waste. Hazardous waste is defined in Federal Law (RCRA, see Appendix) and in state law (Health and Safety Code, Section 25117) as any waste or combination of wastes which because of its quantity, concentration, or physical, chemical, or infectious characteristics may either cause or significantly contribute to an increase in mortality or serious illness, or pose a substantial hazard to human health or the environment when improperly managed. Wastes may be identified as hazardous either if they are included on official lists, or if they have the various characteristics of hazardous wastes.

Listed Wastes: RCRA regulations include four lists of various hazardous wastes. Most wastes are listed specifically by substances they contain. A few are listed by process which produces them. The California Code of Regulations contains additional lists, which include some wastes which are exempt from RCRA.


Special Wastes: A waste which is a hazardous waste only because it contains an inorganic substance or substances which cause it to pose a chronic toxicity hazard to human health or environment and which meets all criteria and requirements of Section 66742 and has been classified a Special Waste pursuant to Section 66744 (22 CCR, Section 66191).
Waste Stream: A quantitative assessment of the generation, transportation, and disposal of hazardous waste within a given area or region.
SECTION 2.0
PLANNING AREA

Under Assembly Bill 2948, Kern County is responsible for hazardous waste management planning to meet needs of industries and households within its jurisdiction. This Plan accounts for all hazardous wastes generated in Year 1986 within the geographical boundaries of Kern County, including those from State and Federal lands.

2.1 DESCRIPTION OF THE ENVIRONMENT

The planning area for this plan includes all of Kern County, its incorporated cities, state and federal lands. Figure 2-1 indicates Kern County's relationship to the other 57 counties in the state. Figure 2-2 depicts general topography of Kern County and existing circulation patterns.

The Kern County Master Environmental Assessment/Master Environmental Impact Report [SCH #79020667] describes the environmental setting more fully.

Kern County includes 8,073.5 square miles, 6,256 square miles (4,003,840 acres) are within the direct land use control of the Kern County Board of Supervisors. The remainder are incorporated cities, state lands, and large federal holdings including Sequoia and Los Padres National Forests, Naval Weapons Center at China Lake, Edwards Air Force Base, and Naval Petroleum Reserve #1 at Elk Hills.

Kern County, the nation's third most productive agricultural county, is a semi-arid region which relies on an adequate water supply for its farming activities. Rainfall ranges from 4+ inches per year in desert areas to more than 24 inches in mountain catchments.

Within the San Joaquin Valley, a vast underground basin, a major river, and two water-importation projects provide usable water supply. About 60 percent of the water used for domestic and agricultural use is pumped groundwater. Kern River's 700,000 acre-feet run-off per year is valuable as a source for irrigation of more than one million acres of crop land and for recharge of the underground basin.

California consists of twelve geomorphic provinces, including the continental shelf/sea floor. Six of these provinces are found in Kern County, more than any other county in California. Different provinces influence climate and meteorology, wildlife, vegetation, hydrology, etc. Most of Kern County provinces are bounded by major active faults, including the San Andreas and Garlock fault systems.

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In 1988, Kern County had an estimated population of 523,000 persons residing in approximately 175,000 households. Eleven incorporated cities contain one-half the total population. The cities, listed from largest population to smallest are: Bakersfield (163,252), Ridgecrest (25,872), Delano (20,795), Wasco (11,774), Arvin (8,574), Shafter (8,069), Taft (6,728), McFarland (6,407), Tehachapi (4,569), California City (3,354), and Maricopa (1,504).
Figure 2-1. Regional Setting of Kern County
2.2 DESCRIPTION OF WASTE STREAM

Hazardous waste is any waste which may cause harm to human health or environment when improperly treated, stored, transported, handled, or disposed. Wastes may be hazardous because of their quantity, concentration, or physical, chemical, or infectious characteristics. Environmental Protection Agency (EPA) has established four fundamental characteristics to assist in identifying hazardous wastes:

- **Ignitability**: The ability to catch on fire (for example, solvents).
- **Corrosivity**: The ability to destroy materials, including metals or living tissue (such as human skin), by chemical action (e.g., acids).
- **Reactivity**: The ability to cause a violent chemical reaction, including wastes that are explosive or emit fumes (such as cyanide or sulfides).
- **Toxicity**: The ability to cause illness, injury or death, either immediately or in the long term.

Hazardous wastes are produced by several industrial and domestic activities, ranging from large chemical plants to individual households. In California, some 65 percent of all hazardous wastes are produced by oil and gas extraction, petroleum refining, and production of chemical and associated products (estimate from Southern California Hazardous Waste Management Project). In Kern County, much of the hazardous waste is generated by oil industry. Kern County also has many small quantity generators of hazardous wastes, who include dry cleaners, hospitals and laboratories, automotive maintenance, agriculture, metal plating, and schools. Cleanup of contaminated sites such as leaking gasoline tanks, agricultural product formulators or asbestos produces a significant portion of hazardous wastes in Kern County. Closed hazardous waste management facilities may contain large volumes of contaminated soil but decommissioning would probably occur by on-site remediation.

The most important source of data on a waste stream in California is State Department of Health Services (DHS) shipping manifest system. The system uses sixty-eight categories to designate particular types of hazardous waste. For planning purposes, DHS has grouped these categories into seventeen more general categories based on the potential for similar treatment and waste reduction technology. Both of these designation schemes are listed in Section 16.1. A hazardous waste stream description is given in Section 4.

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2.3 DESCRIPTION OF TRANSPORTATION NETWORK

California has established a series of state-constructed and maintained routes in accordance with Street and Highway Code, Article 3, Section 300 et seq. State highways in Kern County consist of Interstate freeways, freeways, expressways, highways, and surface streets.

The County circulation system is based upon an adopted Circulation Element of the Kern County General Plan. The county-maintained system is composed of three classifications of roads: major highways, secondary highways and local streets. Three community services area maintenance systems exist in the County, Bear Valley Springs, Pine Mountain Club, and Stallion Springs.

Kern County is served by two major railroad systems: Southern Pacific; and Atchison Topeka and Sante Fe. Hazardous materials are transported by rail, via both railroad systems. Amtrak "San Joaquin" runs on Sante Fe tracks from Bakersfield to Richmond.

Kern County is traversed with hundreds of miles of high-pressure petroleum and natural gas transmission lines. Potential always exist for leaks from pipeline failure which usually result in hazardous wastes being created.

Seven County-operated airports and three special district-operated airports satisfy needs of the County with respect to air cargo, private and commercial domestic aviation. Two major military airports in eastern Kern County are involved in very important national defense and research projects such as weapons development and testing, and space shuttle landings.
SECTION 3.0
ISSUES, GOALS, AND POLICIES

As Kern County approaches the twenty-first century, important issues and policy decisions confront its leaders, citizens, and industries about the way hazardous wastes from our modern technological lifestyle are produced, stored, moved, and disposed. Hazardous waste facilities pose environmental threats to soil, groundwater, and air quality. Kern County acknowledges these and other concerns while also recognizing importance of economic growth. Policies presented in this section are intended to provide the means for Kern County to effectively manage its hazardous waste needs through year 2000.

Kern County and the incorporated cities within the County recognize their collective responsibility to assure that adequate treatment and disposal capacity is available to manage hazardous waste generated within Kern County in an environmentally sound manner.

The County and the incorporated cities recognize as part of their responsibility for management of hazardous wastes the need for regional cooperation in order to effectively manage the hazardous waste generated in the region as well. Sound hazardous waste management planning, waste reduction efforts, and appropriate facility siting are the mutual responsibility of all governments. To this end the County and its cities encourage multi-county and regional efforts to plan and implement alternatives to land disposal of untreated hazardous wastes around the state. Agreements for new facilities to provide off-site capacity needed for hazardous waste treatment and residuals disposal should be reached among jurisdictions within the region on an equality-based approach and according to each jurisdiction's environmental suitability for different types and sizes of facilities.

Local legislative bodies of Kern County will work closely with neighboring counties and cities not already represented through the Southern California Hazardous Waste Management Authority to define an agreement with a common goal of resolving hazardous waste management facility needs, siting criteria and transportation strategies as well as planning for the effective administration of the hazardous waste management hierarchy within the region.

It is also recognized that because of economies of scale in facility size there will be proposals ranging in size from those designed primarily to meet the capacity needs of specific waste streams generated within the County to those sized to accept and handle amounts of hazardous waste beyond the needs of the County.

Therefore, if the location of a particular type of hazardous waste management facility needed in this county is not environmentally appropriate or economically viable, the County shall seek to reach an

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agreement with one or more other counties to share in the use of a larger, environmentally appropriate and economically viable facility (or facilities) to be located elsewhere. This County and its cities, in turn, agree to actively consider and, if appropriate, to commit as part of an inter-county agreement to approve siting of an environmentally appropriate facility (or facilities) within its own borders designed to serve hazardous waste management needs of other counties as well as in this County.

Absent an inter-jurisdictional agreement for the siting of facilities, this county will consider the siting of environmentally appropriate facilities with a capacity significantly in excess of the hazardous waste management needs of this county only where the project proponent demonstrates that a smaller facility designed to meet the needs of the County is economically non-viable.

It is imperative that any such facilities be constructed, operated and decommissioned in a manner which ensures environmental safety. Conflicts may exist between the siting and operation of certain facilities as profitable businesses, necessary services for industry, and preservation of natural resources for the common good.

It is clear from the amount of waste currently imported for disposal in Kern County, and current destinations of Kern's exported hazardous waste as far as Arkansas and Idaho, that several issues must be considered in a regional scope greater than the limits of the County itself. Because hazardous waste issues know no geographical or jurisdictional boundaries, a comprehensive plan for hazardous waste management in Kern County requires a notable degree of cooperation and coordination between Kern County and city governments which must comply with state and federal laws and regulations.

During preparation of this plan, some common themes, or concepts were identified regarding various facets of hazardous waste management in Kern County.

The Local Advisory Committee (LAC) acknowledged these concepts and elected to form three sub-committees to focus on topics assigned to them. Sub-committee #1 was assigned general hazardous waste management concepts and waste stream; Sub-committee #2 was assigned source reduction and household hazardous waste management; Sub-committee #3 was assigned facility siting and transportation. Each sub-committee met several times to identify plan issues, to formulate useful and realistic goals, and to draft policy and implementation measures which could achieve the identified goals. Each sub-committee developed their own interim and final reports which were presented to the full LAC during public meetings.

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This Section is structured around the various aforementioned sub-committee concepts. This Section is intended to be a compendium of issues, goals, and policies contained throughout remaining Sections of this plan. This Section can be viewed as a synopsis of the most important aspects and useful material presented in the remaining Sections.

3.1 GENERAL HAZARDOUS WASTE MANAGEMENT CONCEPTS

Issues

Local Control of permitting and operation of hazardous waste transportation, storage, and disposal is a critical issue addressed in this plan. One aspect of this is control of the size and type of hazardous waste facilities. Another significant issue expressed by residents is the current lack of viable control over the origin of the waste.

Surveillance and enforcement issues of this CHWMP include but are not limited to:

- Land use and zoning restrictions,
- Hazardous waste minimization,
- Safe storage of hazardous wastes,
- Transportation route restrictions, placarding, and safety regulations.

Goals

Overall Goal. The overall goal in hazardous waste management for Kern County and the incorporated cities is to protect public health and safety of its residents and to preserve its environment while ensuring that a fair share hazardous waste management system exists based on need to serve industry and public alike.

Policies

Disposal to land of hazardous waste has been the most common management method in the past. Other approaches may offer a preferable strategy as the primary methods for the future. Innovative
technologies to manage hazardous waste streams generated in Kern County and the incorporated cities will be encouraged. Local jurisdictions will be required to enforce proper closure of facilities if and when this occurs. There will, however, be a continuing need for disposal of certain hazardous wastes or treatment residuals.

**Funding.** The County should seek all avenues of available funding, starting with available state and federal funding and grant programs, to augment current work being done on fair share hazardous waste management and planning. Imposition of user fees and taxes of up to 10% of gross receipts from commercial disposal units are two of several techniques which should be reviewed for applicability in Kern County in addition to funding from several general fund sources for programs providing for the common good. Specific programs to implement these goals and objectives are discussed in Section 13.

**Local Control.** Ensure proper handling, storage and disposal of hazardous wastes by industries and businesses in Kern County through a regulatory program of permits, inspection, enforcement and education. Encourage private industry responsibility for hazardous waste management in coordination with local agencies. Develop formal relationships with the federal and state governments to define federal, state, regional and local responsibilities for enforcement of hazardous waste laws and inspection of hazardous waste facilities, provided that local control is maintained in land use decision-making for hazardous waste management in Kern County and the incorporated cities.

**By law, county's, and any incorporated city's, permit system cannot limit the geographic origin of hazardous wastes accepted by commercial facility operators.** The County intends to construct county-owned transfer stations for household and small quantity generator hazardous wastes.

**Neighboring Counties:**

Kern County is committed to work closely with neighboring counties and cities to define a compact or memorandum of understanding with the common goal of resolving regional hazardous waste management facility needs, siting criteria and transportation strategies. Kern County expressly recognizes its responsibility to cooperate with other adjacent or nearby jurisdictions and the state in planning for effective management of hazardous waste. This is consistent with the Guidelines suggestion that inter-jurisdictional agreements may be used in developing and implementing waste management policies. However, these agreements take considerable time to investigate and devise.

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Inter-county and inter-regional agreements between Kern County and other counties for siting hazardous waste management facilities either in Kern County or elsewhere could include mitigative measures addressing significant adverse environmental effects in the host county. During implementation, Kern County's program will address specifics of inter-jurisdictional agreements. The program (see Appendix) includes three separate tasks fostering inter-governmental coordination. Inter-jurisdictional agreements would be Kern County's primary goal in fulfillment of these tasks.

The county and its cities recognize their collective responsibility to cooperate with other adjacent or nearby governments and the state in planning for the effective management of the hazardous waste management hierarchy. Sound hazardous waste management planning, waste reduction efforts, and appropriate facility siting are the mutual responsibility of all governments. To this end, the county and its cities encourage multi-county and regional efforts to plan and implement alternatives to land disposal of untreated hazardous wastes around the state.

3.2 WASTE STREAM CONCEPTS

Issues

Lack of Comprehensive Data and Information. Existing systems of manifesting hazardous waste streams require further refinement in order to provide a sufficient representation of the total local hazardous waste environment for the purpose of providing sound advice to decision-making bodies, industries, and public.

Goals

Information. To secure and maintain complete and accurate information on the identity, volume, location and management methods of all hazardous wastes generated, handled, stored, treated, transported and disposed of in Kern County to aid in planning of a fair share of hazardous waste management and emergency response.

Policies

The County of Kern shall establish a comprehensive data and information program based on State Department of Health Services computerized manifest tracking system.

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3.3 SOURCE REDUCTION CONCEPTS

Issues

Acknowledgement. Kern County and the incorporated cities must acknowledge that reduction of the amount and toxicity of hazardous waste generated is an important first step to reducing the amount disposed.

Goals

Hazardous Waste Reduction. To reduce to the greatest degree possible the amount of hazardous waste to be disposed of. This should be accomplished by minimizing amounts of hazardous wastes produced, and by encouraging private industry to construct and manage an economically viable system of transfer stations, recycling facilities, treatment plants, and other hazardous waste management facilities.

Management hierarchy. To establish and maintain a hazardous waste management hierarchy which promotes waste minimization and reduces need for off-site treatment and disposal.

Legislation. Endeavor to promote legislation that would allow collection of, or establish some type of "trade-off" scheme with other Counties, compensation for accepting and disposing other county wastes.

Policies

Develop and implement a local hazardous waste source reduction program which includes providing technical assistance to industry; which ensures that hazardous wastes are not produced unnecessarily; and ensures that land disposal is used only for those wastes that do not pose a threat to public health and environment, now or in the future.

Designate a Kern County agency to coordinate activities of all County Departments and incorporated cities with responsibilities and duties related to hazardous waste. The designated agency shall promote coordinated efforts to encourage reduction of hazardous waste. Coordination between the hazardous waste management program and other relevant county agencies and incorporated cities' programs, shall, to the greatest extent possible, include joint planning processes, procedures, and activities.

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The designated County agency, in coordination with the incorporated cities, will implement active programs which monitor and assist waste reduction programs on part of hazardous waste generators. All generators will be requested to voluntarily reduce the amount of waste produced. Any large generators (generating 1000 kilograms or more hazardous waste per month) shall be involved in a formal source reduction review and planning program.

Priority in granting permits and map code designations will be given to facilities employing improved technology which has been demonstrated most effective in disposing of specified waste streams without harming the environment.

Adhere to a Hazardous Waste Management Hierarchy. The Hierarchy shall consist of the following priorities:

Source Reduction [First priority]

- Reduce or eliminate use of hazardous materials by "materials substitution" or "product substitution."

- Reduce or eliminate generation of hazardous waste by application of current technology and/or industrial equipment modifications, improved plant operations, and in-process recycling.

Onsite Recycling and Resource Recovery [Second priority]

- Recommend onsite recycling and/or resource recovery of hazardous waste (leaves hazardous waste residual which must be disposed of).

Off-site Recycling, Resource Recovery, and Onsite Treatment [Third priority]

- Recommend off-site recycling and/or resource recovery of hazardous waste (leaves hazardous waste residual which must be disposed of).

- Recommend onsite treatment of hazardous waste through either physical, chemical, biological, thermal (includes environmentally acceptable incineration methods), or a combination of methods (leaves hazardous waste residuals and/or air/water release to the environment).

Off-site Treatment [Fourth priority]
Recommend off-site treatment of hazardous waste through either physical, chemical, biological, thermal, or a combination of methods (leaves hazardous waste residuals and/or involves air/water release to the environment).

Recommend siting of off-site treatment facilities to comply fully with siting and transportation policies of this plan.

Residual Repositories or Incineration [Last priority]

- Dry solid residuals from recycling and treatment should be placed into a Residual Repository.
- Liquid hazardous waste residuals of recycling and treatment which can not be solidified should be destroyed by incineration.

3.4 HOUSEHOLD AND SQG HAZARDOUS WASTE MANAGEMENT

[It should be noted that household hazardous wastes are not categorized as such by state procedures or regulations]

Issues

Educational and Technical Programs. Households and small quantity generators currently lack educational and technical programs to assist them in proper management of household hazardous wastes.

Household Hazardous Waste is a growing concern as citizens realize the amount of toxic chemicals in their own homes.

Small Quantity Generators (SQGs) are primarily small businesses and industries which produce limited amount of hazardous waste and often have problems achieving proper waste management.

Goals

To provide for safe and efficient collection, treatment and disposal of hazardous wastes from small quantity generators and households in Kern County.

Policies

Vigorously pursue educational programs which include development and distribution of flyers and brochures for use by homeowners on
various health effects and proper disposal options for household wastes.

Critical needs of SQGs are education and information about all aspects of hazardous materials and waste management. The County should provide workshops as well as written material in such critical areas as:

- Safe storage, handling and shipping of hazardous wastes;
- Local, state, and federal regulations;
- How to fill out a manifest (identified as an urgent need by haulers and disposal facilities);
- Source reduction measures which SQGs can use;
- Information on local and state hazardous waste and materials programs, on what services and facilities are available, and on where to get more specific information;
- Information on hazardous materials and underground tank regulations and programs, and on safe management of hazardous materials, since accidental release of hazardous materials or leakage of tanks produces hazardous waste.

Consider providing a manual on hazardous waste regulations, programs, and services. This manual would be useful for all generators, but would be particularly useful for SQGs. This manual could include information on hazardous materials programs as well, such as the hazardous materials inventory and business emergency response plans required by HSC Chapter 6.95, and regulations on underground storage tanks.

Develop a program of household hazardous waste collection which offers Kern County citizens an alternative to improper disposal.

Build collection and transfer stations at Kern County sanitary landfill system sites which have concentrations of SQGs nearby. Alternatively, private industry could construct such facilities. These transfer stations should be sized and designed to handle the types and quantities of wastes expected from SQGs and from households. Any transfer station which is built to serve large generators should be encouraged to provide for wastes from SQGs as well.
3.5 FACILITY SITING CONCEPTS

Because this CHWMP will become an element of the Kern County General Plan, as permitted by Health and Safety Code section 25135.7(b), it must be consistent with Kern County's local topographic, geologic, climatologic, political, socioeconomic, economic, cultural, and historic diversities which have compelled the unique design of other adopted local general plan elements. (See OPR General Plan Guidelines, Chapter III, "Relationships Among Elements and Issues," page 80.) Consequently, this Plan's facility siting criteria reflect extensive local public and industry input into the planning process and are, in part, derived from the Master Environmental Assessment and Master Environmental Impact Report (SCH #79020667). These studies were done in relation with adoption of the current General Plan hazardous waste policies in 1986. These criteria are clearly a reflection of local policy.

Local Acceptance and Environmental Soundness. The process required to develop this Plan has involved a concerted effort to inform and educate the public about local hazardous waste management concepts. This Plan is the result of active and comprehensive input from general public, industry, environmental groups and other governmental entities.

This Plan places strong emphasis on practical, environmentally sound and, most essential, locally acceptable siting criteria.

Environmental review, "risk assessment," and the public hearing process to consider proposed or expansion of specified hazardous waste facilities will provide an opportunity for site-specific conditions to be placed on them which may include per diem and capacity limits.

Issues

Consistency with Other Local Planning and Land Use Programs and Policies. Siting criteria in this Plan need to be the product of a local legislative process.

Commitment. Siting of any hazardous waste facility is considered a long-term land use commitment which must be considered a permanent use of land, pre-empting or having subsequent effects upon most other land uses in or near the site for many years.

Water Quality and danger of contamination are a long-term public health concern as a threat from mismanagement of hazardous waste.
**Deep Well Injection of Class I Waste.** Present federal law which regulates discharge of hazardous waste to land in injection wells is inadequate to fully protect California's water supplies from contamination [HSC Section 25159.10 (b)]. Without adequate groundwater monitoring, and specific geologic information, state-of-the-art design and operational safe-guards of injection wells cannot guarantee that migration of hazardous wastes into underground sources of drinking water will not occur [HSC Section 25159.10 (c)]. Monitoring requirements specified in federal law are not adequate to detect all leaks from injection wells, and there are no requirements in federal law for monitoring movement of wastes in the substrata to ensure that wastes have not escaped the injection zone or have not reacted with or breached the confining strata [HSC Section 25159.10 (d)]. Underground injection of hazardous waste presents a serious short-term and long-term threat to quality of waters in the State.

AB 2948 and the Guidelines has no requirement that mandates inclusion of deep well hazardous waste injection facilities in the CHWMP. On the contrary, Guidelines Section 3.5.3, TSDF Inventory, includes the provision "in view of the ban on land disposal of untreated waste after May 8, 1990, injection wells should not be included in the capacity analysis." Additionally, Technical Reference Manual, Part J, does not list, mention, or describe deep well injection as a type of facility which may be used to manage hazardous wastes. Part J also states "all hazardous waste facilities, by their very nature, can potentially produce adverse environmental impacts."

**Goals**

**Facility Needs.** Ensure that facilities are provided in accordance with the fair share principle.

**Water Quality.** Insure that all facilities are designed to prevent water contamination. Although treatment and incinerator facilities may not directly contribute to water quality degradation, hazardous waste storage, hazardous waste transportation spills, and other hazardous waste stream management steps should insure that proper monitoring is performed to demonstrate that contamination is not taking place.

**Land Fill Disposal.** Provide for adequate, secure and well planned state-of-the-art hazardous waste disposal facilities with capacities limited by geologic and land use factors associated with a particular site, which will be available for disposal of treatment residuals and other hazardous waste.
Permitting. Utilize zoning and land use process to minimize possible emergencies involving hazardous waste which threaten public health, safety, or welfare.

Policies

Fair Share Principle.

a) Approval of any proposed hazardous waste management facility will depend on conformance with the siting criteria of the CHWMP and other criteria required by existing law.

b) Kern County may disapprove any facility not in conformance with effective inter-jurisdictional agreements which provide for adequate capacity for the specific hazardous waste which the facility would have handled in another California County.

c) Kern County may reject a proposed hazardous waste management facility/project that exceeds the needs of the county if there are effective inter-jurisdictional agreements for the management of the specific hazardous waste generated in the County or there is adequate capacity to handle these wastes in the County.

d) If adequate capacity does not exists in the County or effective inter-jurisdictional agreements do not exist, Kern County shall not reject hazardous waste management proposals that exceed fair share if the proponent demonstrates that the fair share facility (i.e. Smaller facility) is economically non-viable, except in cases where the jurisdiction demonstrates that the facility would pose an increased health risk to the public health and safety or is not environmentally sound.

Capacity and Containment. Hazardous waste facility site and per diem capacity limits will be incorporated as a provision of the approved County or city permit if necessary, to avoid adverse environmental effects on the surrounding residents and properties or to avoid imminent or substantial endangerment to public health, safety, and welfare. The capacity of specific hazardous waste management facilities will be determined after a site-specific analysis based on "risk assessment," CEQA evaluation and public hearing process.

Origin of Waste Stream. This CHWMP does not limit the geographic origin of hazardous wastes accepted by commercial operators. However, knowledge of the waste stream origin is important to planning
for safe transportation of hazardous waste in accordance with provisions of the Guidelines.

Applications for any hazardous waste facility permit shall include information which describes specific hazardous waste streams to be served by the proposed facility. The information should include type of waste and the geographic location where the waste is generated.

Treatment Before Disposal. For each hazardous waste type, it must be demonstrated that the waste to be incinerated or placed in a repository sited in Kern County or incorporated city is the residual of pertinent treatment, recycling, or destruction programs which are economically and technologically feasible. Permitted capacity for a hazardous waste facility shall be in accordance with the identified fair share waste stream amounts.

Permitting. In establishing conditions for the issuance of the permit, the decision-makers shall balance environmental consequences with public need, establishing permitted capacity based on physical conditions ensuring safe containment, projected active and post closure life of the facility, and characteristics of the waste stream to be served.

On June 7, 1988, the people of Kern County, in adopting Initiative Measure B, determined that "it is the policy of Kern County to not allow the siting of any new hazardous waste facility in Kern County that exclusively or particularly relies on any underground injection of hazardous waste whether treated or untreated, and no such new facility will be permitted." Measure B passed by more than seventy percent of Kern County voters. Consequently, this concept has the broad support of the people of Kern County.

Required Findings

Statutory and case law concerning general plans and zoning, clearly indicate that preparation and adoption of a CHWMP is a legislative act and as such the county has broad discretion in determining what is reasonable in endeavoring to protect the public health, safety and general welfare. The Guidelines conform with this approach through recognition of the CHWMP as a comprehensive planning document which needs to be consistent with existing county general plans.

Kern County has determined that the following findings are necessary to foster the protection of public health, safety and general welfare:
A. Neither Kern County or any incorporated city shall approve development of any hazardous waste management facility unless the legislative body makes a finding that the hazardous waste facility siting and development plan approval, general plan amendments, and permits will be consistent with and subject to all applicable and current policies and ordinances.

B. Neither Kern County or any incorporated city shall approve development of any hazardous waste management facility unless the legislative body makes a finding that potential adverse environmental impacts of the proposed facility have been or will be mitigated to the maximum feasible extent.

C. Neither Kern County or any incorporated city shall approve development of any hazardous waste management facility unless the legislative body makes a finding that substantial evidence in the public record indicates a demonstrated need to site and develop the facility based upon the fair share concept in tandem with goals and policies dealing with such facilities contained in the Kern County and Incorporated Cities Hazardous Waste Management Plan and implementing ordinances.

Air Quality. Any proposed new hazardous waste disposal facility or expanding facility in the Southeast Desert Air Basin shall comply with requirements of the Kern County Air Pollution Control District. Any proposed new hazardous waste disposal facility or expanding facility in the San Joaquin Valley Air Basin shall comply with requirements of the San Joaquin Valley Air Pollution Control Management District. Site locations and waste streams shall be such that no odors or dust resulting from the proposed project would have significant impacts on any off-site receptors.

Five-year Permit. County or city permits for new or expanding hazardous waste facilities shall be approved for a period not to exceed five (5) years. No renewal of a permit will be granted unless all federal and state permits are obtained. If the County or city renews a permit, it may impose any new conditions and restrictions that are required to bring the facility into conformity with this plan.

Facility Capacity Categories.

Policies on per diem and capacity limits are designed to provide the opportunity for site-specific conditions to meet environmental concerns.

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Any facility permitted under this plan must have a designated capacity. In applying siting criteria, two capacity classes are established:

**Small Facilities vs Large Facilities** - Differentiation between small and large facility siting criteria is derived directly from the DHS Guidelines. The Guidelines, Section 3.3, Goals and Objectives, provide that "in order that local decision makers maintain pre-eminence over land use control, the CHWMPs should include goals, objectives and policies which address a wide range of types and sizes of facilities." Also, this Plan uses Part J of the Technical Reference Manual to set up a basis to distinguish between small facilities within urbanized areas and large facilities in rural areas. This aspect of the Plan, local land use control over different sizes of facilities allowed in different situations, is afforded by the Guidelines.

Uncertainties about potential regulatory requirements and economic forces prevent any reliable prediction of what type, size, and market service area of a hazardous waste facility would be economically feasible and attractive for private sector investment. Whether a facility (or any other proposed use) is "economically viable" is generally irrelevant to the determination of whether the project conforms to siting criteria or is an otherwise appropriate facility for the site.

**PRIVATE ONSITE LARGE FACILITIES** - Facilities permitted in any non-urban (outside city limits and not within County Urban Areas) heavy industrially-planned or designated petroleum extraction (County Map Code 8.4) area if the hazardous waste facility is sized to serve, and is an adjunctive component to the manufacturing or resource extraction process of the primary industrial use of the land or, is sited and used solely by the manufacturer or company as a component of a larger industrial or resource extraction process.

Siting large onsite facilities inside cities or county urban areas is not appropriate because in Kern County, heavy and medium industrial urban zones may also include, or be proximate to a variety of sensitive land uses. It is likely that nearby sensitive populations or residential neighborhoods would be near the hazardous waste facilities in these zones. Adequate land exists in nearby areas which are less problematic. Existing heavy and medium industrial zones were not established in any of the urban areas with the possibility of siting large hazardous waste facilities in mind.)

**EXISTING HEAVY INDUSTRIAL FACILITIES** - Facilities which convert to waste treatment or destruction. An existing heavy industrial facility which incorporates treatment or destruction of hazardous waste into
its previous operation is permitted to operate at its existing location if such operation complies with all other provisions of this plan.

General Plan Requirements. A number of Kern County Land Use, Open Space and Conservation Element map code designations are instituted as part of this plan. The siting criteria in this Plan are the product of the local legislative process. Applying the adopted siting criteria yields sufficient areas that might be candidate siting area for large facilities demonstrating that significant land is available for siting. This Plan's criteria do not unreasonably impair the feasibility of siting new facilities.

Incorporated cities may devise similar map designations for their general plans. These designations must be applied to sites of proposed hazardous waste facilities, or existing facilities when seeking a renewal or modification of an existing Conditional Use Permit or zone district, in accordance with this Kern County and Incorporated Cities Hazardous Waste Management Plan and other applicable General Plan Elements.

Currently, facilities described in Section 5 are consistent with this plan's facility siting criteria, and all existing hazardous waste facilities would also have the opportunity to apply for expansion under policies of this plan if deemed necessary by any operator.

Where Figure 7-1 in Section 7 indicates land available for consideration as specified hazardous waste facilities sites, amend the Kern County General Plan Land Use, Open Space and Conservation Element, Bakersfield 2010 General Plan, and other affected adopted plans and diagrams as necessary to signify:

"Suitable general areas where a general plan amendment is not required for the location of a specified hazardous waste management facility. A proposed facility must comply with all CHWMP siting criteria and be evaluated for suitability on the basis of "risk assessment," environmental review and the public hearing process.

"Within County jurisdiction, use overlay map code 3.5, "Non-constrained land subject to hazardous waste facility siting consideration in accordance with CHWMP siting criteria." Within map code 3.5, or equivalent areas, the lead agency shall process hazardous waste facility applications using a conditional use permit (cup) and Health and Safety Code Sections 25199 through 25199.14, or equivalent procedures."

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SITING CRITERIA

Several general criteria are required for any hazardous waste facility to be sited at a location in Kern County.

Physical Conditions. The physical conditions of any hazardous waste facility site must be such that there is no reasonable doubt of permanent safe containment of the total amount of waste to be present at the time of closure of the facility.

FACILITY TYPE ALLOWED

<table>
<thead>
<tr>
<th>Facility Type</th>
<th>County Map Code</th>
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<tbody>
<tr>
<td>Treatment Facility Designation</td>
<td>3.5.1</td>
</tr>
<tr>
<td>Transfer and Storage Facility Designation</td>
<td>3.5.2</td>
</tr>
<tr>
<td>Incinerator Facility Designation</td>
<td>3.5.3</td>
</tr>
<tr>
<td>Residuals Repository Facility Designation</td>
<td>3.5.4</td>
</tr>
</tbody>
</table>

Buffer Zones. Health and Safety Code Section 25135(c) indicates that land uses adjacent to, or near, hazardous waste facilities, or proposed sites for these facilities, are to be compatible with their operation. The State Department of Health Services suggests that "risk assessments" be used to establish land use buffer zones.

To satisfy this legislative intent, and to allow for reasonable and compatible land use types to occur and continue adjacent to, and nearby hazardous waste facilities, all repository facilities must have a 2,000-foot buffer zone around them unless State Department of Health Services determines that a different buffer configuration is needed as determined on the basis of "risk assessment," CEQA evaluation and public hearing process. Other large facilities must have a minimum 1200-foot buffer zone of open space or resource designations such as Intensive or Extensive Agriculture, Mineral and Petroleum Extraction, or Resource Management designations. Similar open space uses should be used for buffers on any applicable incorporated city general plan. Medium and heavy industrial designated areas may also afford suitable buffer zones. These can be determined through CEQA, "risk assessment," and public hearing process.

Heavy and Medium Industrial Sites. Small facilities of appropriate types are allowed within heavy and medium industrial areas (Kern County Map Code 7.3 and 7.2). Small facilities must have a 200-foot
setback from property lines with additional buffer zones between the facilities and homes, schools, hospitals, and other sensitive land uses which must be determined depending on the particular location and type of facility. The 200-foot setback will be imposed unless the lead agency determines that a different buffer configuration is needed as determined on the basis of "risk assessment," CEQA evaluation and public hearing process. Small hazardous waste management facilities in Kern County that require a 200-foot setback can apply for a waiver from that requirement. The waiver can be considered during the Local Assessment Committee process in compliance with Health and Safety Code Sections 25199 - 25199.14.

LARGE FACILITIES - Any type of transfer, storage, or disposal facility which manages an onsite and/or off-site waste stream of 15,000 tons per year or more. Large facilities have potential for correspondingly larger environmental effects, including the potential need to evacuate a larger surrounding area in case of accidental release.
Large Facility Siting Criteria

1. Large facilities (15,000 tons per year or greater throughput or disposal of commercial or private hazardous waste) are permitted in certain rural areas. The criteria uniquely suited to Kern County include:

<table>
<thead>
<tr>
<th>General Siting Criteria affecting sites</th>
<th>County equivalent Map Code</th>
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<tbody>
<tr>
<td>Active (Holocene) earthquake faults</td>
<td>Setback minimum 200 feet</td>
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<tr>
<td>Shallow Groundwater Areas</td>
<td>(Map Code 2.3)</td>
</tr>
<tr>
<td>Steep Slope Areas</td>
<td>(Greater than 60%)</td>
</tr>
<tr>
<td>Flood Hazard - Zone A</td>
<td>(Map Code 2.5)</td>
</tr>
<tr>
<td>Surface Water</td>
<td>(Rivers, Streams, Lakes, Reservoirs, Aqueducts, Canals)</td>
</tr>
</tbody>
</table>

Accepted Sensitive Land Use Commitments (Defined in General Plan)

| Intensive Agriculture                  | (Map Code 8.1)              |
| Planned Communities                    | (Map Code 4.X)              |
| State and Federal Land                 | (Map Code 1.1)              |
| Military Reservations                  | (Map Code 1.1)              |
| Recreational Areas                     | (Map Code 3.1)              |
| Educational Facilities                 | (Map Code 3.2)              |
| Residential Areas                      | (Map Code 5.X)              |
| Commercial Areas                       | (Map Code 6.X)              |
| Industrial Areas                       | (Map Code 7.X)              |

2. Large facilities must be located as near as possible to Commercial Hazardous Waste Shipping Routes, which are to be selected from available state or federally maintained roads (see Section 8).

The above transportation policy was developed to minimize distances to major routes. The policy is intended to limit travel on roads not designed to accommodate heavy vehicles, and travel near residential neighborhoods or on roads not demonstrated to be safe (DHS Guidelines, p. 3-16), and to clarify policies used in selecting connector routes (DHS Guidelines, p. 3-19).

3. All repository facilities must have a 2,000-foot buffer zone around them unless State Department of Health Services determines that a different buffer configuration is needed. Other large facilities must have a minimum 1200-foot buffer zone of open space or resource designations such as Intensive or Extensive Agriculture, Mineral and

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Petroleum Extraction, or Resource Management (County Map Code 8.X) designations. Similar open space uses should be used for buffers on any applicable incorporated city general plan. Medium and heavy industrial designated areas may also afford suitable buffer zones. These can be determined through CEQA, "risk assessment," and public hearing process.

HSC Section 25135(c) indicates that land uses adjacent to, or near, hazardous waste facilities, or proposed sites for these facilities, are to be compatible with their operation. To satisfy this legislative intent, and to allow for reasonable and compatible land use types to occur and continue adjacent to, and nearby hazardous waste facilities, land use buffers are deemed necessary.

A description and map of designated general areas in Kern County and incorporated cities that are not categorically ruled out by criteria listed in #1 above is provided in Section 7. This information was developed by evaluating the County on a one-square-mile (surveyed sections) basis. Additional site-specific evaluation would be required for any general area described.
SMALL FACILITIES - Any type of transfer, storage, or disposal facility which manages an onsite and/or off-site waste stream less than 15,000 tons per year. (DHS Guidelines, Technical Reference Manual - Part J, Table 1 - gives the range of sizes for small facilities. Except for residuals repositories, DHS maximum capacities for all types of small facilities are 15,000 tons per year or smaller.)

Small facilities may be sited within:

- County-operated landfills;
- Heavy and medium industrially-planned areas: All siting criteria for large facilities apply, except that a small facility can be in a heavy or medium industrial zone, within or outside incorporated cities or County Urban Areas.
- Areas appropriate for large facilities. This applies to commercial off-site small facilities.

1. Requirements for particular types of small facilities are given in definitions above. With regard to small facility siting, it is likely such operations could be sited in heavy and medium industrial zones. But in Kern County, these zones are not restricted to heavy industry. Schools, hospitals, and residences may be located in heavy and medium industrial zones. In such mixed-use neighborhoods, setbacks of at least 200 feet would appear necessary for safety reasons. The 200-foot setback will be imposed unless the lead agency determines that a different buffer configuration is needed as determined on basis of "risk assessment," CEQA evaluation and public hearing process. Small hazardous waste management facilities in Kern County that require a 200-foot setback can apply for a waiver from that requirement. The waiver can be considered during the Local Assessment Committee process in compliance with Health and Safety Code Sections 25199 – 25199.14.

2. Small facilities may be sited in heavy and medium industrial zoned areas provided that physical constraint criteria, as listed under Large Facility Siting Criteria, are adhered to.
Small Facility Siting Criteria

Small facilities (Less than 15,000 tons per year throughput or disposal of commercial or private hazardous waste) are permitted in certain urban and rural areas. The siting criteria uniquely suited to Kern County include:

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<tr>
<td>Light Industrial Areas</td>
<td>(Map Code 7.1)</td>
</tr>
</tbody>
</table>
STATE DHS REQUIREMENTS. Where this plan's siting and land use buffer zone criteria are more restrictive or more detailed than the State Department of Health Services mandatory siting criteria, the more restrictive and/or more detailed requirements shall apply. In absence of specific siting criteria listed above, the State Department of Health Services mandatory siting criteria shall apply. Mandatory State siting criteria are summarized below and are completely listed in Section 16.2.2:

Seismic. No facilities shall be placed within 200 feet of an active or recently active fault [DHS Guidelines Section 3.5.7.2] (active means demonstrated ground movement in Holocene time).

Floodplains. Evaluate and comply with requirements regarding areas subject to flooding by dam or levee failure and natural causes such as river flooding. [DHS Guidelines Section 3.5.7.2]

Wetlands. No facilities allowed in wetlands such as fresh water, and brackish marshes, swamps, and bogs inundated by surface or groundwater with a frequency to support, under normal circumstances, a prevalence of vegetative or aquatic life. [DHS Guidelines Section 3.5.7.2]

Habitat of Endangered Species. No facilities in critical habitat areas. [DHS Guidelines Section 3.5.7.2]

Unstable Soils. Facilities located within these areas should have engineered design features to assure structural stability. Includes steep slopes, subsidence and potential liquefaction areas. [DHS Guidelines Section 3.5.7.2]

Major Recharge Aquifers. Repositories not allowed in these areas; other facilities should be discouraged from locating in these areas. If located in these areas, engineered spill prevention containment features must be designed into project. [DHS Guidelines Section 3.5.7.2]

Distance from Residences. Buffer zone of 2,000 feet is required around repositories. "Risk assessments" are required of all proposed facilities. [DHS Guidelines Section 3.5.7.2]

Distance from Immobile Populations. "Risk assessments" required, performed at time of permitting, shall be used to determine size of buffer area required. [DHS Guidelines Section 3.5.7.2]

Proximity to Transportation Routes. Roads serving a facility shall not pass through residential neighborhoods, should minimize residential frontages in other areas, and should be safe with regard to road design and construction, accident rates, excessive traffic, etc. [DHS Guidelines Section 3.5.7.2]

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Permeable Strata and Soils. Repositories shall conform to State Water Resources Control Board requirements. Other above ground facilities should be engineered to be consistent with industrial standards. [DHS Guidelines Section 3.5.7.2]

Non-attainment Air Basins. Siting should not be precluded from these areas unless "risk assessments" performed as a part of permitting, considering physical and chemical characteristics of the specific wastes that will be handled and design features of the facility, show that emissions will significantly contribute to non-attainment of standards, that such emissions cannot be mitigated and that emissions from such facilities are significantly greater than those associated with transporting hazardous waste out of the area. [DHS Guidelines Section 3.5.7.2]

Prevention of Significant Deterioration (PSD) Air Areas. Transfer and storage facilities allowed in PSD's. Unless emissions cannot be adequately mitigated, all other facilities allowed in PSD's, except near or within national parks, wilderness areas, and the like. [DHS Guidelines Section 3.5.7.2]

Prime Agricultural Areas. Overriding public service needs must be demonstrated to permit siting any facility in these areas. [DHS Guidelines Section 3.5.7.2]

Depth to Groundwater. Repositories shall meet siting requirements of the State Water Resources Control Board. Other facilities may be located in high groundwater areas if the containment structure(s) are engineered to withstand failure because of geologic or soil failures. [DHS Guidelines Section 3.5.7.2]

Proximity to Public Facilities. Most facilities would be expected to be self-sufficient. Where transfer and storage facilities may be sited in urban areas, public services should be available to serve the facility. [DHS Guidelines Section 3.5.7.2]

Proximity to Waste Generation Stream. Repositories may be located distant from generation sources because of their need for larger land areas. Other facilities should be located close to waste generation sources to minimize the risks of transportation. [DHS Guidelines Section 3.5.7.2]

Industrial, Commercial, and other Specially Zoned Land. Hazardous waste management facilities, other than repositories, are basically industrial facilities. Generally, it is appropriate to site them in industrial and commercial zones. However, siting these facilities is not limited to these zones if special zones are created for such purpose. All counties should

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have some type of zoning which will allow siting of different types of facilities. [DHS Guidelines Section 3.5.7.2]

Recreational, Cultural, or Aesthetic Areas. Low-volume Transfer and Storage Facilities may be allowed in these areas if necessary to handle wastes generated by visitors, workers, or residents in these areas. Other facilities should not be allowed in these areas. [DHS Guidelines Section 3.5.7.2]

Mineral Resource Areas. No facilities should be sited to preclude extraction of resources necessary to sustain the economy of the State. [DHS Guidelines Section 3.5.7.2]

Military Lands. It is the policy of the Department of Defense that military land shall not be considered for siting hazardous waste facilities. [DHS Guidelines Section 3.5.7.2]

Other State, Federal and Indian Lands. Use the criteria listed above for siting facilities in these areas. [DHS Guidelines Section 3.5.7.2]

SECTION 3.6 TRANSPORTATION CONCEPTS

Issues

Prime Concern. Transportation of hazardous waste on roads pose a short-term threat to public health. Of prime concern to residents of Kern County and incorporated cities is the safety of the transportation system for hazardous waste, especially extremely hazardous waste, in and through Kern County.

Goals

Safe Routes. Minimize the risk to public health from transportation of hazardous waste by designation of safe routes, shipment of wastes in the least hazardous form, requirements of proper equipment and training of operators. Handle and transport extremely hazardous wastes in a safe manner.

Policies

Restrict shipping routes for hazardous wastes; develop procedures to help prevent releases of toxics during transport; and maintain emergency response capabilities for transportation accidents involving hazardous wastes.

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In order to minimize use of County-maintained roads and city-maintained streets, allow proponents of new facilities to apply for designation of exclusively state- and federally-maintained roads as Commercial Hazardous Waste Shipping Routes serving the proposed facility in and through Kern County. Commercial shipping of hazardous waste within and through Kern County and any incorporated city shall be restricted, in cooperation with and full participation by the California Highway Patrol, to specified, posted routes as designated on the Kern County and Incorporated Cities Hazardous Waste Management Plan and the affected jurisdiction's General Plan Circulation Element and in accordance with Vehicle Code Sections 31303 et seq. All restrictions shall be imposed in accordance with and in conjunction with all California Highway Patrol requirements and procedures. Limitation of commercial hazardous waste shipping routes should allow for better monitoring of hazardous waste transportation. Roads serving a facility shall not pass through residential neighborhoods, should minimize residential frontages in other areas, and should be safe with regard to road design and construction, accident rates, excessive traffic, etc. [DHS Guidelines Section 3.5.7.2]

Each commercial shipping route shall be defined as a Commercial Hazardous Waste Shipping Route. Each route shall be signed appropriately as specified by the CalTrans Traffic Manual and listed by the California Highway Patrol as specified by California Vehicle Code.

Selection of Transportation Routes. A map of state- and federally-maintained roads within the County is shown in Figure 8-1. These are the routes from which Commercial Hazardous Waste Shipping Routes for a particular facility may be selected. This map does not mean that hazardous waste will actually be transported over all routes shown.

Linkage between facilities and Transportation Routes. Hazardous waste which is generated or has a point of origin at a location not on designated Commercial Hazardous Waste Shipping Routes may be transported over other roads, using the shortest and safest route to connect with designated routes.

Although adequate transportation facilities and routes are generally afforded by the state-maintained highway system, use of county-maintained routes may warrant imposition of necessary upgrades and road maintenance costs. The local legislative body may impose suitable conditions and provisions on the facility operator to defray potential road maintenance costs, and necessary upgrades and reconstruction costs associated with traffic to and from the facility. The route shall be signed and listed in the same manner as state-maintained routes.
SECTION 3.7 ADDITIONAL TOPICS

Issues

Information. Lack of information about hazardous waste generation, treatment, transfer, and disposal has caused local unfamiliarity with essential facts needed for industry, government, and the public to make appropriate decisions.

Goals

Public Participation. Local citizen participation in implementation of this CHWMP is important. Citizens can understand and help control processes which will affect their health and safety. All avenues should be opened for ample citizen participation.

Policies

Provide for education of local industry, business, government and citizens regarding proper and safe hazardous waste management procedures and responsibilities and waste reduction opportunities.

Maintain an on-going system of active involvement of local industry, business, government, and citizens in steering the course of such management.
Quantities of hazardous waste that have been generated annually and disposed of in Kern County are described in detail in Section 16.1. Most of these are transported on roads in the County and incorporated cities, but a significant additional quantity generated or disposed of elsewhere is transported through the County.

Several factors affect numerical projections of Kern County's hazardous waste stream through year 2000. Increased population will result in a corresponding increase in certain types of waste. Waste reduction programs will result in generation of less waste of certain types even with a constant level of economic activity. The economic future of certain important components of Kern County's industrial and resource related economy which generate much of the hazardous waste is a major factor.

Since hazardous waste treatment and disposal in Kern County are limited to a small number of facilities, projected quantities requiring proper management through year 2000 are contingent upon continued operation of these facilities. Significant changes in operation of Petroleum Waste Incorporated's (PWI) facility that disposes the majority of hazardous waste within the County will take effect in June 1988, so this plan's projections are rather tentative.

4.1 HAZARDOUS WASTES GENERATED IN KERN COUNTY

4.1.1 Large Quantity Generators

DHS Manifest System. Industries which generate hazardous waste, shipping companies which transport hazardous waste, and treatment or disposal facilities which receive hazardous waste all have EPA identification numbers. DHS requires each off-site shipment of hazardous waste to be accompanied by a manifest. The manifest identifies, using an EPA numbering system, generator, transporter, and disposer. The waste type is recorded on the manifest by a three-digit DHS code number. Computer compilations of DHS manifest data provide the best available source of information about large industrial hazardous waste streams.

Kern County Hazardous Waste Generation. More than four years of DHS manifest data on hazardous waste managed in Kern County are available. Current rate of generation is about 36,140 tons per year. Yearly totals for 1983 through 1987 are shown in Figure 4-1. Detailed breakdowns of 1983 and 1984 indicate that large amounts of hazardous waste generated
are due to a few anomalous waste categories. These amounts are not characteristic of present trends. Lower totals in 1985 through 1987 do not indicate a general reduction of industrial hazardous waste generation. A detailed analysis of year 1986 data is included in Section 16.1.

Grouping by Waste Types is required by DHS for CHWMP data analyses. DHS has grouped the various types of hazardous wastes into seventeen general categories which are presumably amenable to similar treatment and waste reduction methods. Waste types accounting for more than ten percent each of Kern County's 1986 hazardous waste generation are waste oil, organic sludges and solids, and contaminated soil. This should be representative of waste generation for the immediate future. In 1986, disposal in Kern County exceeded production for all but three of the seventeen categories.

The majority of hazardous waste generated in Kern County is by a small number of generators. Of approximately 220 generators listed in DHS data, 10 percent (or 22 generators) produced about 85 percent of the total manifested waste produced in 1985 and 1986. Most of these are involved in the petroleum industry.

Non-manifested hazardous wastes from SQGs were estimated using a method suggested by DHS. The calculated amount was 19,006 tons, of which 15,349 tons were waste oil, and all other wastes were less than 3700 tons.

Projection Through Year 2000. A projection of hazardous waste generation may be based on the per capita amount in correlation with population projections, or industry specific economic projections. Another factor which may be considered is the effect of waste reduction programs. Using a population basis, the projected figure for year 2000 without waste reduction programs is approximately 52,746 tons per year generation rate. This represents an increase of approximately 16,000 tons per year over what Kern County is currently generating. It is probable that a favorable economic climate could result in generation rates which might approach or exceed this amount, however, any projections of realistic generation rates would have to account for future source reduction programs and state mandated liquid hazardous waste solidification requirements. Therefore, even with a measurable increase in industrial growth, an overall decrease in the Kern County's hazardous waste generation rate should be apparent through the next twelve years.

Since the majority of hazardous waste currently generated is associated with the petroleum industry, a projection of economic activity in that industry is relevant. This projection has received considerable attention from professionals in the industry, but is uncertain due to

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influences of uncontrollable events in other parts of the world. Figure 4-2 shows projected oil production by Kern County relative to various pricing scenarios. Under either of the low pricing scenarios, production in year 2000 would be about one third or less of 1986 production. This fraction may be used as a lower limit when projecting hazardous waste generation. This analysis yields a projected year 2000 generation rate of 12,000 tons of hazardous waste per year.

It is important to note that the 12,000 tons per year projection is only used as a lower limit, and would appear too low for a variety of reasons:

- Wastes associated with oil refining (instead of production) will continue if crude oil is imported from other counties for refining.

- Extraneous events could invalidate any oil production projection used.

- Other waste streams are not included.

Projections were also made taking into account all known and anticipated waste streams. Only petroleum production and related waste streams were calculated using pricing scenarios in Figure 4-2. Under the lowest pricing scenario, production in year 2000 would be one-fourth of 1986 production. If hazardous waste generated per ton of product remains constant, projected year 2000 generation rate would be 5,200 tons of oil production-related hazardous waste per year. Under the highest pricing scenario, year 2000 oil production would be two-thirds of 1986 production, with related hazardous waste generation of 12,700 tons.
KERN COUNTY ANNUAL GENERATION
Based on DHS Shipping Manifest Data

Thousands

High amount in 1983 due to ash containing load

1984 had large quantity of contaminated soil

260.64 120.879 33.992 30.464 42.86

tons per year

FIGURE 4-1

LOCALLY ADOPTED
May 13, 1991
Since no other useful economic projections are available for Kern County, it was necessary to make assumptions for other sectors of the economy. The activity levels of military bases and oil refining were assumed to remain constant. All other sectors, including most small quantity generators, were assumed to increase with population growth.

The higher quantity, with a source reduction program, is projected to be 49,267 tons per year. Rounding off, it may reasonably be expected that actual year 2000 hazardous waste generation rate in Kern County would be about 52,000 tons per year. It is also probable that hazardous waste generation rates in year 2000 will be lower than at present, even without considering the effect of any voluntary or mandatory waste reduction program alternatives.
PROJECTED KERN COUNTY ANNUAL OIL PRODUCTION

Source: Kern County Assessor

- Case I: Oil prices return to 1985 levels and are assumed to be stable
- Case II: Oil prices stabilize in the $10-$15 per barrel range
- Case III: Oil prices decline to $8-$10 per barrel

Projected Kern County Annual Oil Production.

LOCALLY ADOPTED
May 13, 1991
4.1.2 Small Quantity Generators (SQGs)

While a few large generators currently generate most of Kern County's hazardous waste, several other large and small businesses, industries, and households generate small amounts.

State Department of Health Services term "small quantity generator" (SQG) refers to anyone generating under 1000 kg (a little more than one ton) of hazardous waste per month. Examples of SQGs are gas stations, automotive repair shops, dry cleaners, photo finishers, pest control and agricultural services, medical and dental laboratories and clinics, and painters.

Small businesses and households pose an exceptional comprehensive hazardous waste management problem. One reason being it is difficult to obtain accurate data on the waste stream to be managed.

Approximately sixty percent of Kern County's generators shipping manifested hazardous waste are SQGs. About one percent of total manifested hazardous wastes shipped in Kern County are from SQGs.

The main problems faced by SQGs are: 1) Lack of information and complexity of regulations. 2) Costs of implementing programs by SQGs and providing information and enforcement by regulators.

4.1.3 Household Hazardous Wastes (HHW)

An estimate prepared during development of this plan indicated that individual households contribute the equivalent of less than 3 percent (about 600 tons per year) of hazardous waste shipped in Kern County. Most HHW are currently included in municipal solid waste, and therefore are deposited in sanitary landfills. Since these facilities were not designed to handle hazardous wastes, HHW suggest a certain threat to water supplies if it leaches from sanitary landfills, and/or to air quality if it evaporates. Additionally, HHW may cause refuse collection truck fires, and injuries to collectors and landfill operators. Although HHW may be relatively expensive to properly manage on a pound per pound basis compared to industrial hazardous waste generation rates, programs to do so should have significant public health and educational benefits.

What are Household Hazardous Wastes? A variety of hazardous materials are used around the house. These are often associated with painting and maintenance, automobiles, kitchens, gardens, and hobbies. If these materials or nearly-empty containers are discarded, they become HHW.
Studies of HHW generation and disposal patterns in many localities have been documented. Results suggest that about 60 g (0.14 lb) of hazardous waste per week per household is typical, although individual study statistics vary widely.

Estimates of amounts and types of HHW in Kern County have been made using data from studies in other areas (see Table 4-1). Estimates are wed for applicability in Kern County in addition to funding from several general fund sources for programs providing for the common good. Specific programs to implement these goals and objectives are discussed in Section 13.

**Local Control.** Ensure proper handling, storage and disposal of hazardous wastes by industries and businesses in Kern County through a regulatory program of permits, inspection, enforcement and education. Encourage private industry responsibility for hazardous waste management in coordination with local agencies. Develop formal relationships with federal and state government agencies to define federal, state, regional and local responsibilities for enforcement of hazardous waste laws and inspection of hazardous waste facilities, provided that local control is maintained in land use decision-making for hazardous waste management in Kern County and the incorporated cities.

By law, county's, and any incorporated city's, permit system cannot limit the geographic origin of hazardous wastes accepted by commercial facility operators. The County intends to construct county-owned transfer stations for household and small quantity generator hazardous wastes.

LOCALLY ADOPTED
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Table 4-1. ESTIMATED HOUSEHOLD HAZARDOUS WASTE IN KERN COUNTY (1987)

<table>
<thead>
<tr>
<th>WASTE TYPE</th>
<th>% TOTAL</th>
<th>1986</th>
<th>1990</th>
<th>2000</th>
</tr>
</thead>
<tbody>
<tr>
<td>household cleaners</td>
<td>12.7%</td>
<td>152.04</td>
<td>168.63</td>
<td>193.12</td>
</tr>
<tr>
<td>auto maintenance</td>
<td>10.0%</td>
<td>120.50</td>
<td>133.65</td>
<td>153.06</td>
</tr>
<tr>
<td>household maintenance</td>
<td>25.6%</td>
<td>307.63</td>
<td>341.19</td>
<td>390.75</td>
</tr>
<tr>
<td>pesticides/yard maint.</td>
<td>7.6%</td>
<td>90.85</td>
<td>100.76</td>
<td>115.39</td>
</tr>
<tr>
<td>batteries</td>
<td>26.6%</td>
<td>319.74</td>
<td>354.63</td>
<td>406.14</td>
</tr>
<tr>
<td>prescription drugs</td>
<td>2.6%</td>
<td>31.54</td>
<td>34.98</td>
<td>40.06</td>
</tr>
<tr>
<td>selected cosmetics</td>
<td>6.6%</td>
<td>79.78</td>
<td>88.48</td>
<td>101.34</td>
</tr>
<tr>
<td>other (hobbies)</td>
<td>7.7%</td>
<td>92.73</td>
<td>102.84</td>
<td>117.78</td>
</tr>
<tr>
<td><strong>TOTALS</strong></td>
<td><strong>99.5%</strong></td>
<td><strong>1194.81</strong></td>
<td><strong>1325.15</strong></td>
<td><strong>1517.64</strong></td>
</tr>
</tbody>
</table>

1. Calculated from total amounts of municipal waste disposed in Kern County sanitary landfills. Studies in Los Angeles County (1979) indicate about 1.4% of such waste is household hazardous waste.

2. Absolute values in Marin County report included only products which could be weighed or separated from containers. Containers and some other wastes (such as oily rags) were not included. Percentages are considered to be the most accurate available, but quantities are approximately half of quantities projected by other methods which include containers.

3. Characterization of household hazardous wastes in Marin County (Association of Bay Area Governments, 1987, Garbage Project report)


LOBALLY ADOPTED
May 13, 1991
Important Household Hazardous Waste Types:

Oil Based Paints and paint containers are hazardous because they contain petroleum solvents, and must be properly disposed.

Solvents remain from cleaning, automotive, and hobby uses. Latex Paints are classified as hazardous while still liquid, but not if dried. Dried latex can be disposed in municipal trash.

Pesticides, herbicides and poisons are hazardous. Commercial users are carefully regulated for waste disposal; but household are not.

Empty oil cans contain residual oil.

Cleaners - Many cleaners are caustic or corrosive.

Waste oil has metals and combustion products, so is hazardous, but can be recycled.

Acids and Bases may be left from swimming pool maintenance or cleaning operations.

Batteries from automobiles contain lead and acid; dry cell batteries contain toxic metals.

4.1.4 Military Air Base Hazardous Wastes

Kern County has two military bases, Edwards Air Force Base and the Naval Weapons Center at China Lake. Portions of each base are in adjoining counties, but that administrative centers are in Kern, and each base is regarded as a hazardous waste generator in Kern.

Principal sources of hazardous waste generated at Edwards Air Force Base are from aircraft, vehicle, and support equipment maintenance. Additional wastes are generated from circuit board manufacturing, fuels research programs and other base support activities. DHS manifest data show 251 tons generated in 1985 and 421 tons in 1986. Edwards Air Force Base has a comprehensive hazardous waste management plan with provisions for tracking hazardous materials and wastes, waste minimization, recycling and treatment, with the intent of significantly reducing or eliminating the amount of hazardous waste and non-usable hazardous material.

The Naval Weapons Center at China Lake is listed in the DHS manifest system under two generator numbers, one by that name and "one named "DPDO" off site branch China Lake" which functions as a transfer station. Using both numbers, the facility generated 190 tons in 1985
and 148 tons in 1986. The 1985 figure includes 49 tons of asbestos waste. The ongoing waste streams consist of solutions, solvents, oil, organics, laboratory wastes, photo wastes, empty containers, and various small quantities of other wastes. No hazardous waste management plan has been prepared for Naval Weapons Center operations.

4.2 WASTE DISPOSAL IN KERN COUNTY

4.2.1 Off-site Disposal

Most hazardous waste generated in Kern County is disposed within the County; about 65 percent was disposed locally in 1987. However, some waste types must be disposed in Class I facilities located in Santa Barbara County (Casmalia) or Kings County (Chemical Waste Management at Kettleman Hills). Shipments to other counties than Santa Barbara and Kings are primarily to other Class I facilities, transfer stations or recyclers, so the ultimate fate of these wastes is currently unknown.

Due primarily to existence of a large commercial disposal facility, Petroleum Waste Inc. (PWI) in Buttonwillow, significantly greater volumes of hazardous waste has been imported than generated in Kern County. In 1986, Kern County imports were 4-1/2 times generation. For the first seven months of 1987, imports were 2-1/2 times generation.

Hazardous waste imported into Kern County originated in a variety of other counties, with Los Angeles leading the list. Other counties with significant oil production and refining contributed sizeable amounts. A significant amount of this imported waste may be the result of refining operations which refine Kern County crude oil. Crude oil pipelines out of the County include a Mobil Oil Corporation pipeline to a refinery in Torrance (Los Angeles County), a Chevron, U.S.A. pipeline to Richmond (Contra Costa County), and a Texaco Production pipeline to Martinez (Contra Costa County). Shell Oil Company ships crude oil via rail to a refinery in Wilmington (Los Angeles County).

In 1986, two facilities which accepted hazardous waste commercially account for almost all of the waste disposal and treatment. Detailed descriptions of these facilities are provided in Section 5.

The largest facility (PWI) accepted 86 percent of the total disposal in 1986, and 87 percent in the first seven months of 1987. Wastes were disposed primarily in large surface impoundments. As discussed in
Section 5, a phase out of liquid impoundments will change this facility's operation in 1988.

Another facility is a cement plant near Lebec which burns liquids with sufficient energy content in the cement production process. This accounted for 11 percent of disposal in 1986 and 9 percent in the first seven months of 1987. Comparison of manifest data with records kept by the cement plant indicate that DHS tracked 92 percent of liquid waste actually burned in 1986.

A small refinery (Gibson) operated as an oily waste recycling facility for the last three months in 1987. This accounted for about 6% of "disposal" in 1987. This facility is described further in Section 5.0.

Until recently, a small incinerator facility in Bakersfield provided high temperature incineration of infectious wastes, destroying 190 tons in 1986 of infectious waste from hospitals and clinics.

There are also some transfer stations and recycling services in the County, as well as "non-commercial" facilities which are only available to specific companies. For instance, an oil company is operating facilities for its own oil production wastes.
4.2.2 On-site Disposal

Since wastes disposed on-site do not require DHS shipping manifests, data are difficult to obtain. There are certain facilities that have Conditional Use Permits for on-site disposal.

Chevron operates two sites near Maricopa and Taft for disposal of its oil field wastes from within the County. These are classified by the State as "on-site" facilities. However, all hazardous wastes treated at these facilities are manifested. About 3% (1986) to 5% (1987) of the total waste disposal, representing 15% of all manifested wastes generated in Kern County, are sent to these facilities.

In the past, on-site disposal of oil field and refinery waste has been common, utilizing sumps, ponds, and landfills. Some production sumps may be in continued operation, but may be used only for non-hazardous waste.

Another industry for which on-site disposal may become the favored option is mining. It is anticipated that large mining operations in the County may implement such options prior to year 2000. Tonnages of mining waste may be large compared to current manifested waste streams.

4.3 WASTES SHIPPED OUT OF KERN COUNTY

Thirty-five percent of Kern County's hazardous waste is shipped out of the County for disposal. According to DHS manifest system, hazardous wastes are shipped to Kings County (Chemical Waste Management's Kettleman Hills disposal site), Santa Barbara County (Casmalia Resources), and several other counties within California. A large "unknown" category represents both out-of-state disposal and defects in the State's data base.
4.4 WASTE REDUCTION

Although no active hazardous waste reduction program has been pursued by either Kern County or any incorporated city in the past, this plan outlines an aggressive program of information and auditing to encourage private industry to reduce waste at the source. This program is outlined in Section 6, and implementation measures in Section 13.

4.5 CONTAMINATED SITES IN KERN COUNTY

Contaminated sites are typically identified by Kern County Department of Environmental Health Services or the Regional Water Quality Control Board. Contaminated sites in Kern County include commercial aerial crop dusting services landing fields, several gasoline stations with leaking tanks, soil in oil production and refining locations, closed hazardous waste facilities, and areas of historic fuel dumping at military air fields (See Figure 4-3). Future management of these hazardous waste sources ranges from removal through onsite treatment to capping and monitoring.

There is not enough data available to accurately calculate the amount of wastes from contaminated sites in the County. Few known sites have been characterized thoroughly. More sites which are presently contaminated, will be discovered in the future. Spills and accidents will continue to create new contaminated sites requiring cleanup.
Locations of identified hazardous waste and/or hazardous substance sites as listed by DHS. Most sites involve contaminated soil and some have contaminated groundwater. Contaminated water wells are also included.
In 1986, approximately 4700 tons of cleanup wastes were generated in Kern County. A few known sites have been studied enough to estimate amounts of wastes at those sites which will be cleaned up during the next several years. These will add at least 66,000 tons to the present cleanup amount. Assuming cleanup would take 10 years (6600 tons per year), the lower limit on contaminated soils and other cleanup wastes would be 6600 tons per year. Since many sites can be remediated without removing soil, this estimate will be used for the purpose of projecting waste treatment needs from contaminated sites.

4.6 SPECIALIZED PROGRAMS FOR SELECTED HAZARDOUS WASTES

Some hazardous wastes have specialized programs designed to facilitate proper management of these wastes. Several types of wastes, including certain oil field wastes and infectious wastes, may be shipped without a manifest. Infectious wastes are considered hazardous wastes in California. Some oil field wastes are considered a lesser threat to the environment, and are therefore classified as non-hazardous.

4.6.1 Oil Field Wastes

Some wastes generated during production of crude oil are termed "oil field waste", in contrast to wastes generated during refining, which are termed refinery wastes. Most oil field wastes are classified as not hazardous, or as special wastes by DHS and are classified as "Designated" by State Water Quality Control Board (SWRCB). Thus, most oil field wastes must go to Class I or II facilities. Some oil field wastes are considered hazardous and must be disposed of in a Class I facility. Other oil field wastes may be non-hazardous and can be disposed of in a Class II facility. Additionally, other oil field wastes are considered inert and may be disposed in unclassified facilities.

Types of wastes typically generated in oil field operations consist primarily of produced water, tank bottoms, water softener regeneration fluids, scrubber wastes from air pollution control equipment, drilling muds and cuttings, and small volumes of other wastes, such as contaminated soils, acids and bases, and slop.
oils. Of these, some tank bottoms, scrubber waste, drilling muds, and others are classified as hazardous while a majority are non-hazardous.

While approximately half of the manifested wastes generated in Kern County are oil field waste, a much larger quantity of non-hazardous oil field waste is disposed. Using data submitted to Regional Water Quality Control Board (RWQCB) for 1986, a facility nearby Buttonwillow disposed of 379,200 tons of non-hazardous waste and a facility called Liquid Waste Management Inc. disposed of approximately 17,000 tons of non-hazardous waste. Liquid Waste Management Inc., located in the McKittrick area, accepts only non-hazardous waste although it has a Conditional Use Permit as a hazardous waste facility. Private facilities treated approximately 19,000 tons of non-hazardous waste. The Naval Petroleum Reserve facility disposed approximately 74,800 tons of non-hazardous waste in 1986.

4.6.2 Infectious Wastes

Infectious waste is defined as potentially disease producing waste generated from hospitals and other medical facilities within Kern County. Generally, since these wastes must be contained in red plastic bags, they are known as "Red Bag" wastes. This chapter describes current procedures for handling, storing, treating, transporting and disposing of infectious wastes within Kern County.

Authority over the treatment of infectious wastes is exercised at state and county levels. The State Department of Health Services administers regulations (CCR, Title 22, Section 66835-66865). Kern County Department of Environmental Health Services implements and enforces regulations, and administers County programs (Ordinance G4464, 1987).

Infectious waste must be burned in approved incinerators that meet Air Pollution Control District (APCD) requirements. Autoclaving (sterilizing) and disposing in a municipal (Class III) landfill is an alternative method of disposal if approval is obtained from the County's Health Officer.

Infectious waste differs from most other hazardous waste in that infectious waste has a short infectious or hazardous life, and usually requires a living host or specific substrate to survive. The State regulations establish rules concerning infectious waste which recognize these facts.

Major aspects of the infectious waste regulations may be summarized as follows:

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Generators. Requirements for storage of infectious waste provide for compliance by licensed health care facilities, and any generator of more than 100 kilograms per month. Smaller generators have less comprehensive regulations.

Hauler Registration. Haulers of infectious waste are required to register as a hazardous waste hauler. Small quantity generators may haul up to 100 kilograms a month of their own waste without registration.

Permits. Hazardous waste facility permits issued by Hazardous Waste Management Branch of DHS are required for off-site treatment, storage, and disposal facilities with exception of Class III landfills. Class III landfills must adhere to an operating plan for disposal of infectious waste approved by the County's Health Officer. Hazardous waste permits are not required for crematoriums, cemeteries, or onsite autoclaves or incinerators. Methods other than incineration (i.e., autoclaving) must be approved by the local Health Officer. Licensed infectious waste generators in Kern County must obtain health care facility permits from County Environmental Health.

Manifests. Manifests are not required for infectious waste haulers, producers or disposal facilities. This section of the regulations differs from current regulations covering other categories of hazardous waste.

Inspection/Monitoring. Registered haulers, off-site facilities, onsite treatment facilities, Class III landfills and generators, are inspected by Kern County Environmental Health.

Fees. Kern County Department of Environmental Health Services recovers costs of implementing regulations through fees.

Kern County has 11 acute care hospitals, approximately 12 convalescent hospitals, about 15 clinical laboratories, and other facilities subject to the state regulations, as well as an estimated 370 private physicians and 160 dentists.

The County, unlike most others, has had a commercial incinerator which destroyed and detoxified infectious waste from many of these generators.

Keystone Resources incinerated about 290 tons per year of infectious waste in 1987 (see Section 5).

Total amount of infectious waste produced in the County is estimated at 1,000 tons per year (based on projections using Caretech data of

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infectious waste generators). The amount is increasing as medical facilities come into compliance with regulations.

Keystone Resources (now Continental Caretech Environmental, Inc.) shut down its incinerator in 1988. Currently Caretech is hauling infectious wastes to Los Angeles County for disposal. The firm has applied for a permit to treat infectious waste at its new site in Kern County. It anticipates a primary treatment method other than incineration. Certain wastes would continue to be incinerated.

Most hospitals and clinics in Kern County either treat their own infectious wastes or send them for off-site treatment. However, physicians in private practice and dentists may need increased education and services for proper disposal of their infectious waste, as do other very small generators. There have been instances of illegal industrial waste disposal in the County, which caused hazards to public health.

4.6.3 Agricultural Wastes

Large farms may generate manifested wastes, while small farms may be SQGs. Because so much agriculture exists in Kern County, some special consideration is warranted.

In 1986, ninety tons of pesticide rinse water, pesticides, and pesticide production waste were manifested. Eleven tons of empty pesticide containers larger than 30 gallons were also manifested. The reason amounts of manifested hazardous waste are small is the approved disposal practice for pesticide containers. Small pesticide containers are triple rinsed with water, which is returned to spray application equipment. This rinse water is then applied to the crop or site for which pesticide is intended.

In the past, impoundments were sometimes used for disposal of pesticide formulation wastes and airplane rinsing. Several impoundments in Kern County were properly closed in 1988 under direction of RWQCB due to the TPCA.

Closed rinse systems, as recommended by the Kern County Agricultural Commissioner are being substituted in some cases. There is a potential for significant volumes of pesticide contaminated soil waste from cleanup of pesticide operation sites. Known sites are included in estimates of cleanup wastes (Section 4.5).

Records of actual amounts of pesticides used in Kern County are maintained. There is a large amount of pesticides used that are not
required to be reported. The Kern County Agricultural Commissioner keeps records of the following:

Names of growers permitted to use restricted pesticides.

Amounts of restricted pesticides used by growers, and of all pesticides used by registered applicators. This is available only by pesticide, not by user or grower. It is estimated to represent 1/2 to 2/3 of the actual amounts used.

Number of containers disposed at municipal landfills. These containers are required to be triple rinsed, after which DHS considers them non-hazardous.

Five to ten percent of Kern County farmers use no restricted pesticides; they apparently use only non-restricted pesticides or practice agriculture without pesticides.

A majority of herbicides are not restricted. There would appear to be an extensive use by cotton farmers of "Treflan", a non-restricted herbicide. "Surflan", "Roundup", and "Goal", are non-restricted herbicides used on grapes and almonds. Unopened, unused concentrates are often returned to dealers. At the end of a season, unused herbicides may be stored for the next season.

An ongoing Kern County Agriculture Commissioner education program attempts to teach farmers proper disposal practices. There is also an inspection program to verify triple rinsing of containers. Some pesticides are purchased in powder or granular form, in paper bags or cardboard containers. These often have soluble plastic inner bags, so that the outer container is not contaminated. Outer containers are usually burned by farmers, as allowed by the Air Pollution Control District.

Triple-rinsed containers are disposed at some Kern County sanitary landfills five (5) days each month, during which a Kern County Agriculture Department inspector is present. The inspector issues certificates showing that the containers have been rinsed. In 1985 and 1986, about 255 certificates were issued each year (from 8 to 30 per month), for a total of approximately 77,000 pesticide containers. In addition, 30,000 one-pint "Pro-Gib" (a plant growth regulator) containers were disposed in 1985. In 1987, 317 certificates were issued and 78,000 pesticide containers plus 32,000 Pro-Gib containers disposed.
Available records do not indicate how many growers are represented by the 255 certificates. Applicators, as well as growers, often dispose containers in this program.

Information on the Agricultural Commissioner's farmer/worker education programs, and on the container disposal program is included in Section 16.

The federal government maintains information regarding banned pesticides such as ethylene dibromide (EDB).

Problems in pesticide waste disposal include:

- Required records do not include all uses of agricultural pesticides.
- Farmers have accumulated pesticide containers, which should be disposed of as hazardous wastes.
- Banned pesticides may still be stored and may become hazardous wastes. There is no easy method to estimate amounts of such waste pesticides.
- At the end of a growing season, insecticides may need disposal.
- Some pesticides which have been banned for commercial use are still sold in small amounts to households and commercial gardeners.
- When property changes hands, old pesticides may be found by the new owner, who then needs to dispose of them.

Possible programs to deal with pesticide wastes may include:

- A pesticide collection day at least two times a year. The first such collection might be aimed specifically at accumulations of older pesticides.
- Increased education in pesticide control and disposal.
- Continuation of disposal of triple-rinsed containers at municipal landfills.

There is some concern about plastic containers, which should not be burned. The preferred method presently is disposal at sanitary landfills, but plastics have been shown to degrade and cause pollution problems in landfills elsewhere in the country.

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4.7 NEW WASTE STREAMS

New hazardous wastes may be produced by new industries, or by new processes within existing industries. New regulations may result in wastes which are now discharged into air or into waste water being disposed or treated as hazardous waste in the future.

Specific new waste streams in Kern County may result from:

Compliance with new wastewater pre-treatment requirements for sewered wastes.

APCD permit modifications, triggered by process changes at facilities, may result in hazardous wastes requiring treatment or disposal.

Dewatering of certain non-hazardous wastes may result in a hazardous waste residue.

Ash from proposed new hazardous or non-hazardous waste incinerators is presently being studied by DHS to discover if the ash might be hazardous or non-hazardous.

With presently available information, it is not feasible to quantitatively estimate amounts of hazardous wastes in any of these possible new waste streams. The most likely source of additional wastes which must be treated as hazardous is the implementation of wastewater pretreatment. Bakersfield has begun a pre-treatment program for industry served by its wastewater treatment plants. It is not yet known how many industries are already pre-treating their wastewater, or how many will be required to do so in the future. Of the first five wastewater discharge permits issued, only one involved a real pretreatment system. When data are available from this program, potential amounts of wastes can be determined.
SECTION 5.0
INVENTORY OF TRANSFER, STORAGE AND DISPOSAL FACILITIES

A small number of facilities accounted for hazardous waste disposed in Kern County in 1986 and 1987. Disposal methods used for petroleum industry wastes in those years changed in 1988 to comply with state law (TPCA - Assembly Bill 3566, year 1984) banning improperly constructed surface impoundments. Since this is Kern County's largest waste stream, waste management practices are now somewhat different than those reflected in the data presented.

Facilities operating in 1988 that accepted manifested hazardous waste included:

Petroleum Waste Inc., Buttonwillow

National Cement Company Los Robles Cement Plant, Lebec

Gibson Refinery, Bakersfield

Chevron U.S.A.(Private), Maricopa and Taft

International Technology Corp. (IT), Taft

Facilities Descriptions:

Petroleum Waste Inc. (PWI). PWI served the petroleum industry exclusively. In 1986 and 1987 the facility disposed DHS listed wastes and RCRA listed liquid wastes in lined surface impoundments. In 1986, the facility nearby Buttonwillow disposed of 144,062 tons of hazardous waste according to the DHS manifest system. However, PWI's own records, as submitted to RWQCB, show disposal of 166,411 tons of hazardous waste. The yearly capacity as estimated by DHS is 200,000 tons/year, but this is based on the antiquated disposal methods.

In addition to hazardous waste, the facility nearby Buttonwillow disposed of 379,200 tons of non-hazardous waste in 1986. These were mainly brines and drilling mud, which are disposed in impoundments which are not used for hazardous waste.

Since June 1988, disposal of hazardous liquids has been prohibited by the Toxic Pits Cleanup Act (TPCA) of 1984. To comply, the facility nearby Buttonwillow solidified all contents of its hazardous waste impoundments. Operators of the facility constructed hazardous solid waste landfill areas which are intended to meet existing standards for lining and leachate collection. (The requirement for solidification of waste only applies to hazardous waste.)
In 1987, some asbestos waste and oil-contaminated soils were deposited at PWI. These were the only wastes the facility nearby Buttonwillow was allowed to take other than liquid oil field wastes and some refinery wastes. The operators applied for permits necessary to change the hazardous waste disposal portion of its total operation from surface impoundments to landfills, but these permits have not yet been approved by DHS. In addition, EPA must grant permits for certain wastes (known as RCRA wastes).

Existing volume available for disposal of hazardous waste at the facility nearby Buttonwillow is estimated to be three million cubic yards. How this volume translates to a yearly capacity for hazardous waste depends on ratio of hazardous to non-hazardous wastes accepted in the future, and to changing methods of hazardous waste disposal.

**National Cement Company Los Robles Cement Plant.** Liquid hazardous wastes are substituted as fuel in the cement kiln. The facility uses wastes with a heat value of at least 10,000 BTU per pound, with less than three percent halogenated solvent content, and with low viscosity. Hazardous wastes accepted are typically residues from solvent, paint and ink recycling or reclaiming. While most of the hazardous wastes are imported from reclaimers out of Kern County, a considerable fraction originated within Kern County, was shipped to reclaimers, and then was returned to the cement plant.

Hazardous wastes are rendered non-hazardous in the cement production process. Ash is incorporated in manufactured cement, as is at least half of the airborne dust. This dust is collected in a bag-house under a Kern County Air Pollution Control District permit. The remainder of the dust consists of unusable materials which are classified by DHS as special wastes and disposed of on site.

The amount of manifested hazardous wastes accepted is restricted by a County APCD permit to 25 percent of its fuel volume, about 20,000 tons per year. However, its DHS permit allows up to 40 percent, or 32,000 tons per year. The latter represents a potential future capacity. In addition, waste streams may change in the future to accommodate more SQGs within Kern County. SQGs with spent solvent's presently must send any residual solids for reclamation or (more often) disposal out of the County. In the future, both solvents and residual solids may be incinerated at Los Robles. Additional information about the facility are provided in Section 16.2.1.

**Gibson Refinery.** Gibson Refinery is a facility operating in Bakersfield which changed its operations in mid-1987 to emphasize service to oily waste streams. Waste are "centrifuged" and "filter-pressed", resulting in separation into oil which is recycled; water
which can be recycled or injected in deep wells; and solids which are
disposed of at other locations. Wastes accepted are limited to those
which result only in non-toxic products and residues.

In past years, Gibson accepted small amounts of waste oil. It is
anticipated that future capacity with no plant expansion is
approximately 50,000 tons/year.

Chevron Maricopa and Taft (Private TSD facilities for Chevron's use
only). Chevron operates waste disposal facilities for its own wastes.
These are permitted by Conditional Use Permit and other permits as
disposal facilities, but are actually operated as land treatment
facilities, where waste constituents are degraded biologically or
stabilized at shallow levels in soil. The facilities are near Maricopa
(5k) and Taft (3c). According to Chevron's records for 1986, the
following quantities of Chevron's hazardous wastes were managed:

<table>
<thead>
<tr>
<th>Facility</th>
<th>Maricopa (5k)</th>
<th>Taft (3c)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1986 hazardous</td>
<td>2,900 tons</td>
<td>1,800 tons</td>
</tr>
<tr>
<td>wastes disposed</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

According to reports submitted by Chevron to RWQCB, waste types were
oil sump sludge, drilling mud, and tank bottom sediment. No changes in
Chevron's current operations are anticipated.

International Technology Corporation (IT). IT Corporation operates a
transfer facility in Taft which primarily provides temporary storage
of spill clean-up and similar hazardous waste. This facility is of
substantial benefit to the local CalTrans District.

As of January 1, 1991, no new facilities are pending in Kern County. No
new applications have been received by Kern County for any specified
hazardous waste facility.

5.1 NEEDS ANALYSIS

Most hazardous wastes can be treated by the following methods:

- Recycling of oils, solvents, and other materials;
- Aqueous treatment of organic compounds or of metals, acids, and
  other inorganic substances;
- Thermal (heat);
o Stabilization.

Generally, some residue remains after treatment. A few wastes cannot be treated by any method presently known. These non-treatable hazardous wastes and residues require placement in repositories.

Needs for new treatment and recycling facilities are underscored by state and federal laws which ban all land disposal of untreated hazardous wastes by 1990.

Often a given waste may be treated by more than one method. Table 5-1 shows estimates of present needs for treatment under two scenarios:

Scenario A:

All hazardous wastes are treated according to priorities of this plan's hazardous waste management hierarchy (See Section 3.3).

Scenario B:

Scenario A, except appropriate hazardous wastes are used as a fuel at a cement plant.

The amount of residual repository capacity required by each scenario is important. Scenario "A", would require about 7400 tons repository capacity per year. Scenario "B" would require 5600 tons of residual repository capacity per year.

While either scenario depends on new treatment and recycling facilities which do not exist in Kern County at present, each scenario demonstrates required capacity which would be needed to manage Kern County's waste stream through year 2000 according to this plan's hazardous waste management hierarchy.

Scenarios Related to Existing Facilities

Bearing in mind that capacity for waste management according to each category of this plan's hazardous waste management hierarchy does not presently exist within Kern County, and that locally generated wastes are currently being disposed both inside and outside of the county, three facility scenarios are examined to determine capacity excess or shortage:

(1) Existing Facilities Meet the Rules and Regulations

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The in-county facilities are described in the first part of Section 5. Out-of-county facilities include Chemical Waste Management's Kettleman Hills Class I disposal facility (KHF) in Kings County, Casmalia Resources Class I disposal facility in Santa Barbara County, various recycling facilities in other counties within California, and disposal facilities located outside California.

If rules and regulations stayed the same as in 1986 and 1987, the pattern of hazardous waste disposal would remain similar to that shown in Figure 4-6. In fact, with the ban on hazardous liquids which has already affected operation of PWI, it can be expected that the 47 percent share disposed in Kern County will decline since oil waste streams will be reduced in liquid quantity by process changes at the location of generation. However, waste streams currently shipped out of county will not be affected by change in operation at PWI. While remaining relatively constant in tonnage, their percentage may increase. Actual documentation of changes in Kern County's waste stream will be performed as part of the Data Management Program to be implemented as part of this plan (Chapter 14).

Any unanticipated increase in waste volume would be handled under this scenario according to the particular type of waste. Since the major generator industry, petroleum, is not projected to expand, and new major generator industries are not anticipated, a major increase would likely be associated with clean-up of contaminated soils. Capacities for such solid waste exists at two facilities now taking the great majority of wastes, the facility nearby Buttonwillow and Kettleman Hills Facility in Kings County.

(2) Existing Facilities Do Not Meet the Rules and Regulations, and Choose Not to Modify, or are Denied a Permit and Close.

As with Scenario 1, attention will be focused on the facility nearby Buttonwillow and KHF since they dispose over 60 percent of traceable manifested hazardous waste generated in the County.

Closure of the facility nearby Buttonwillow would require a major change in the destination of the greatest single fraction of Kern County's hazardous waste. Although this material (solid hazardous waste after mid 1988) could be accepted at KHF or Casmalia, this would be much more expensive than at PWI, and out-of-state options might be more attractive to generators. In any event, capacity to dispose these waste streams does exist.

Closure of KHF could not be compensated by capacity at the facility nearby Buttonwillow since most waste streams accepted at KHF are prohibited at the facility nearby Buttonwillow. While some capacity

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for such wastes exists at Casmalia, out-of-state disposal would probably be attractive to many generators. Siting criteria in this CHWMP would allow for a Class I facility to handle such waste streams to be sited within Kern County, but a private industry proponent would need to actually propose such a project.

As with Scenario 1, any unanticipated increase in waste generation could be accommodated at the remaining or possible new facilities.

(3) Existing Facilities are Modified to Meet Rules and Regulations on an Unknown Timetable.

As discussed in Scenario 1, the major disposal facility in Kern County is in the process of modifying operations to shift from primarily liquid disposal in ponds to solid disposal in landfills. A Draft Environmental Impact Report (DEIR) has been prepared on this modification. A reasonable time estimate for all permitting changes to be accomplished might be two to three years. Actual verification of the time history of this change will be part of the Data Management Program established by this plan.


**TABLE 5-1. Current County Needs Assessment for Commercial Hazardous Waste Treatment and Disposal Capacity in Kern County.**

**Scenario A. All treatment chosen strictly by waste hierarchy. All residuals to residuals repositories.**

<table>
<thead>
<tr>
<th>General Treatment</th>
<th>Required Capacity</th>
<th>Treatment Residuals</th>
</tr>
</thead>
<tbody>
<tr>
<td>Oil Recycling</td>
<td>4733</td>
<td>20%</td>
</tr>
<tr>
<td>Solvent Recovery</td>
<td>10512</td>
<td>20%</td>
</tr>
<tr>
<td>Other Recycling</td>
<td>10627</td>
<td>15%</td>
</tr>
<tr>
<td>Incineration</td>
<td>312</td>
<td>10%</td>
</tr>
<tr>
<td>Aqueous Organic Treatment</td>
<td>0</td>
<td>10%</td>
</tr>
<tr>
<td>Aqueous-Metals/Neutralization</td>
<td>4250</td>
<td>50%</td>
</tr>
<tr>
<td>stabilization</td>
<td>506</td>
<td>120%</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Residuals Disposal</strong></td>
<td><strong>7408</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Totals</strong></td>
<td><strong>38350</strong></td>
<td></td>
</tr>
</tbody>
</table>

**Scenario B. All appropriate wastes to be sent to a cement plant for use as a fuel.**

<table>
<thead>
<tr>
<th>General Treatment</th>
<th>Required Capacity</th>
<th>Treatment Residuals</th>
</tr>
</thead>
<tbody>
<tr>
<td>Oil Recycling</td>
<td>4733</td>
<td>20%</td>
</tr>
<tr>
<td>Solvent Recovery</td>
<td>9466</td>
<td>20%</td>
</tr>
<tr>
<td>Other Recycling</td>
<td>10616</td>
<td>15%</td>
</tr>
<tr>
<td>Incineration/Cement Plant Fuel</td>
<td>3219</td>
<td>10%</td>
</tr>
<tr>
<td>Aqueous Organic Treatment</td>
<td>0</td>
<td>10%</td>
</tr>
<tr>
<td>Aqueous-Metals/Neutralization</td>
<td>4250</td>
<td>50%</td>
</tr>
<tr>
<td>Stabilization</td>
<td>506</td>
<td>120%</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Residuals Disposal</strong></td>
<td><strong>5594</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Totals</strong></td>
<td><strong>38387</strong></td>
<td></td>
</tr>
</tbody>
</table>
Similarly, any potential major modification of operations at KHF, at other minor facilities serving Kern County hazardous waste streams, or permitting and construction of new facilities within Kern County, would require two to three years or longer. In case of existing facilities, actual operational changes might be accomplished within the short end of this time frame, while construction of new facilities would likely require longer time frames.

In event of unanticipated increases in hazardous waste generation within the County, size of required facility construction or modification would increase, but the time frame for accomplishing changes would remain the same.

5.1.1 Effect of Hazardous Waste Reduction on Projected Needs

Hazardous wastes may be reduced in various ways, which are discussed in Section 6. Major source reduction in Kern County will occur from dewatering of oil field production wastes. Other wastes may be dewatered as well. While amounts of hazardous waste to be treated will be smaller, extracted water will need to be managed. In some cases, there may be an increased burden to municipal waste-water treatment plants called upon to accept wastewater from treatment of hazardous waste streams.

5.2 CAPACITY EXCESS OR SHORTFALL

Disposal or treatment capacity is not available within the County for all types of hazardous wastes. Hazardous wastes requiring disposal at a Class I site (other than oil industry wastes) are usually exported to Chemical Waste Management's Kettlemens Hills facility in Kings County.

Other hazardous wastes are sent as far away as Arkansas for treatment or disposal. The Tanner legislation suggests that each county either provide facilities for all of its wastes, or make agreements with other counties with facilities which can accept hazardous wastes.
Residuals Disposal

An estimate based on current levels of hazardous waste generation and projections discussed above is that Class I residuals disposal capacity of 11,000 tons per year would be adequate through year 2000 to serve Kern County's needs. This estimation is based on the difference between required capacity reported in Section 16, Table Q, and projected average sustained disposal capacity which is in place in Kern County at the current time.

In event that all commercial hazardous waste landfills in present use were closed and it was necessary to provide residuals repository capacity within Kern County through year 2000, two repository cells of 200,000 cubic yards would be adequate, provided that they were properly permitted to accept Kern County generator's hazardous waste streams. Sufficient general areas within the County exist for siting the required facilities and are described in Section 7.

Solvent recycling.
In addition, a small solvent recycling facility (10,000 tons/year) might be viable. However, some of the waste solvents might be used as fuel at the National Cement kiln (see Incineration below), which would reduce need for an additional facility. Values in Section 16, Table P were used for this and the following projections of needs. (Table P includes all needs estimates except that for residuals disposal, which is calculated in Table Q.)

Other recycling.
Various waste-streams may be treated by the general treatment method of "other recycling". Nearly half of the total amount in this category (6600 tons per year) is contaminated soil. Some soil will be treated onsite, either by bioremediation or by another method. Transportable treatment units rather than permanent facilities may also be appropriate for cleanup of contaminated sites.

Wastes treatable by "other recycling" include organic and inorganic liquids, sludges and solids, empty containers, and pesticides. Since these wastes are so diverse, several different facilities might be needed to treat them all. Volumes generated in Kern County (projected to be 5-7000 tons per year) are not great enough to support a viable commercial "other recycling" facility. Some of these wastes might be recyclable onsite, either by small permanent treatment units or using transportable treatment units.

Aqueous metals treatment or neutralization, and stabilization.
Need for these treatments is projected to be under 3000 tons per year each. According to State Department of Health Services, small
stabilization facilities would treat at least 5000 tons, and aqueous
treatment facilities, 10,000 tons per year.

Incineration and aqueous organics treatment.

No demand is projected for either of these general treatment methods.
In 1986 (the base year for projections), no wastes were generated
within Kern County which would need aqueous organics treatment and
could not be recycled.

PCBs and dioxins are the only hazardous wastes which must be
incinerated. Neither is known to be generated in Kern County except
for cleanup wastes. Currently State of California does not have
facilities which can accept these wastes.

Waste solvents, and residues from solvent recycling, are used as fuel
in the cement kiln. While this facility is shown in Section 16 Tables as
incineration capacity, State Department of Health Services considers
the disposal method recycling (letter from DHS to SYSTECH Corporation,
April 5, 1988). Thus, some of the demand for solvent recycling might be
met by this facility.

Total projected capacity. If the oil recycling facility (Gibson
Refinery) and the cement kiln remain at present capacity, there will be
70,400 tons per year of treatment capacity within Kern County. This
total amount is greater than the projected amount of hazardous wastes
for Kern County in year 2000. Proposed facilities including residuals
disposal at Petroleum Waste Inc., would increase the total projected
capacity to nearly 600,000 tons per year. The County's waste
generation is projected as about 60,000 tons per year.

Triple-rinsed containers are disposed at some Kern County sanitary
landfills five (5) days each month, during which a Kern County
Agriculture Department inspector is present. The inspector issues
certificates showing that the containers have been rinsed. In 1985 and
1986, about 255 certificates were issued each year (from 8 to 30 per
month), for a total of approximately 77,000 pesticide containers. In
addition, 30,000 one-pint "Pro-Gib" (a plant growth regulator)
containers were disposed in 1985. In 1987, 317 certificates were
issued and 78,000 pesticide containers plus 32,000 Pro-Gib containers
disposed.
Available records do not indicate how many growers are represented by 255 certificates. Applicators, as well as growers, often dispose containers in this program.

Information on the Agricultural Commissioner's farmer/worker education programs, and on the container disposal program is included in Section 16.

The federal government maintains information regarding banned pesticides such as ethylene dibromide (EDB).

Problems in pesticide waste disposal include:

- Required records do not include all uses of agricultural pesticides.
- Farmers have accumulated pesticide containers, which should be disposed of as hazardous wastes.
- Banned pesticides may still be stored and may become hazardous wastes. There is no easy method to estimate amounts of such waste pesticides.
- At the end of a growing season, insecticides may need disposal.
- Some pesticides which have been banned for commercial use are still sold in small amounts to households and commercial gardeners.
- When property changes hands, old pesticides may be found by the new owner, who then needs to dispose of them.

Possible programs to deal with pesticide wastes may include:

- A pesticide collection day at least two times a year. The first such collection might be aimed specifically at accumulations of older pesticides.
- Increased education in pesticide control and disposal.
- Continuation of disposal of triple-rinsed containers at municipal landfills.

There is some concern about plastic containers, which should not be burned. The preferred method presently is disposal at sanitary landfills, but plastics have been shown to degrade and cause pollution problems in landfills elsewhere in the country.

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SECTION 6.0
HAZARDOUS WASTE REDUCTION

The best way to reduce the amount of hazardous waste requiring disposal is to avoid producing it in the first place. Past practices in managing hazardous waste have almost always focused on "end of the pipe" control. With increasing evidence that this approach has not been effective, attention is now focused on prevention of waste generation at its source. Waste reduction is recognized as a key component of CHWMPs pursuant to HSC Section 25135 et. seq.

Hazardous waste reduction and waste minimization are overall terms for many techniques which avoid or reduce the amount and hazard of wastes which must be disposed.

Source reduction, the avoidance of generation of unnecessary hazardous wastes, is often both the most effective and most economical way of preventing the problem of hazardous waste. Source reduction includes source control and product substitution. Good housekeeping practices (such as repairing leaky valves), modifying type of materials used in a process (using less hazardous raw materials), and modifying the technology used in the process (such as improving control of temperature or other parameters) are source control methods.

For those hazardous wastes remaining after source reduction, recycling and treatment offer further waste minimization opportunities. Onsite recycling and treatment decrease risk and cost associated with transportation of hazardous wastes, but are not always economically feasible. It is important to recognize that even with the best waste minimization techniques, total elimination of hazardous wastes is not presently possible.

6.1 HAZARDOUS WASTE REDUCTION PROGRAMS

Many Kern County hazardous waste generators are practicing some form of hazardous waste reduction. During 1988, it is presumed that hazardous wastes which have in the past contained high percentages of water will be dewatered due to new restrictions on "landfilling" and surface impoundments. Dewatering reduces amount of hazardous waste which must be disposed, although in some cases it may actually increase toxicity or hazard of waste. Some wastes are recycled or reclaimed off-site, often by reclaimers located outside Kern County.

Most formal hazardous waste reduction programs include extensive efforts to educate larger generators in methods and benefits of waste reduction, including performing plant inspections and waste reduction consultations, conducting seminars and workshops, providing technical information, enlisting support of industry management, and

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recognizing those industries which had achieved progress. The programs usually are voluntary, and conducted in an atmosphere of cooperation between industry and local governments.

State legislation has been adopted (Robert) that mandates large hazardous waste generators to prepare and implement waste reduction plans.

6.2 INCENTIVES AND BARRIERS TO HAZARDOUS WASTE REDUCTION

The greatest benefit of hazardous waste minimization is that it avoids or reduces a source of hazardous waste. Incentives seen by industry include decreased costs, liabilities and risks, and improved public relations. Despite these strong incentives, there are technical, financial, institutional, and physical barriers which industry usually has to overcome to implement hazardous waste reduction.

Technical barriers include a lack of expertise within some companies, limited awareness of availability and application of hazardous waste reduction techniques, or incompatibilities of such techniques with a generator's plant operations. Generators may be reluctant to modify a production process for fear that they may risk the quality of their products.

Financial barriers can also be the strongest barrier to realistic hazardous waste reduction. However, cost savings can be the most powerful incentive to institute waste minimization because waste reduction practices normally lead to considerable cost savings in the long term. Small companies in particular may be unable to finance improvements needed. As hazardous waste management costs increase, and more wastes are banned from land disposal, cost of hazardous waste reduction is becoming competitive. This is particularly true when potential cost of future long-term liability is taken into account.

Institutional barriers include those within company organizations; and barriers imposed by regulatory agencies. For some hazardous waste reduction techniques, facilities must obtain DHS and local permits as transfer, storage or disposal facilities. This process, pursuant to the Tanner legislation, involves considerable time and expense. Within the company, management may not be committed to the process, or may be reluctant to spend capital funds for this purpose.
Physical barriers. Inability to retrofit old buildings and equipment may present physical barriers to hazardous waste reduction modifications.
SECTION 7.0
FACILITY SITING AND EXPANSION

Definite procedures and requirements are set forth in this plan (Section 3) for establishment of new hazardous waste facilities or expansion of existing facilities. Major components of facility siting are: 1) site selection, 2) site evaluation and "risk assessment," 3) site permitting, and 4) facility permitting. Specific required procedures of the permitting process may involve appropriate changes to the county's or a city's general plan and zoning designations or granting of a Conditional Use Permit and justification of waivers to setback requirements. In addition to applicable local permits required of an applicant, all federal and State of California permits must be obtained prior to facility operation.

Six types of facilities are anticipated as possible choices to meet hazardous waste management needs of Kern County and the incorporated cities, although others may develop as technology advances. Although innovative technology is encouraged, any method used must have a demonstrated technological and environmental safeguard superiority above other alternative management methods. The six types are:

1. Transfer and storage facilities
2. Treatment facilities
3. Recycling facilities
4. Solidification or stabilization facilities
5. Thermal recovery and Incineration facilities
6. Repositories for treated residues.

Conceptual descriptions of each of these, provided by DHS, are contained in Section 16.2.1.

Any hazardous waste facility permitted under this plan must have a designated capacity. In applying siting criteria, two capacity classes are established:

Small Facilities - Any hazardous waste facility which manages a hazardous waste stream of less than 15,000 tons per year is regarded as a small facility. Small facilities will normally meet localized needs of particular generators, and are subject to less stringent constraints than large facilities. Small facilities may be sited within:

- County-operated landfills;
Heavy and medium industrially-planned areas. All siting criteria for large facilities apply, except that a small facility can be in a heavy or medium industrial zone, within or outside incorporated cities or County Urban Areas.

Areas appropriate for large facilities. This applies to commercial off-site small facilities.

Large Facilities – Facilities which manage a hazardous waste stream of 15,000 tons/year or more are regarded as large facilities.

In addition to these capacity categories, the following categories are recognized:

Private Onsite Large Facilities – Facilities permitted in any non-urban (outside city limits and not within County Designated Urban Areas) medium, or heavy industrially - planned or designated petroleum extraction (County Map Code 8.4) area if the hazardous waste facility is sized to serve, and is an adjunctive component to the manufacturing or resource extraction process of the primary industrial use of land or, is sited and used solely by the manufacturer or company as a component of a larger industrial or resource extraction process.

Existing Heavy Industrial Facilities – Facilities which convert to hazardous waste treatment or destruction. An existing heavy industrial facility which incorporates treatment or destruction of hazardous waste into its previous operation may be permitted to operate at its existing location if such operation does not pose an increased human health or environmental threat.

Incorporated cities will need to adopt criteria and requirements for siting hazardous waste facilities which are consistent with those in this plan. Most incorporated cities have heavy and medium industrial areas which might be suitable for small facilities such as transfer stations for household and small generator wastes. Such areas were considered in the designated areas described in Section 7.3.

Close coordination will be necessary between the cities and the County, to ensure that facility siting within one jurisdiction does not affect sensitive land uses existing or planned within an adjacent jurisdiction.

State Senate Bill 477 (Greene – 1987) requires all cities to either: 1) adopt hazardous waste management plans consistent with the DHS-approved CHWMP, 2) incorporate applicable portions of the CHWMP, by
reference, into the city's general plan. 3) enact an ordinance requiring all applicable zoning, subdivision, conditional use permits, and variance decisions to be consistent with siting criteria in the CHWMP.

A city may attach appropriate conditions to any of the city's hazardous waste facility land use approvals in order to protect public health, safety, or welfare. A city may establish more stringent planning requirements or siting criteria than those specified in the CHWMP [HSC 25135.7(d)].

Specified Hazardous Waste Facilities

When commercial hazardous waste facilities are proposed, the County or city must appoint a Local Assessment Committee, broadly constituted to reflect the makeup of the community. This committee is separate from the Local Advisory Committee which advises staff and the legislative bodies on the CHWMP.

The Local Assessment Committee shall include three representatives of the community at large, two representatives of environmental or public interest groups, and two representatives of affected industries or businesses. These members must have no direct financial interest in the proposed facility.

The Local Assessment Committee shall:

- Enter into a dialogue with the proponent for the proposed hazardous waste facility project in an effort to reach an understanding with the proponent on both of the following:

  1. The measures that should be taken by the proponent in connection with the operation of the proposed hazardous waste facility project to protect the public health, safety, and welfare, and the environment of the city or county;

  2. The special benefits and renumeration negotiated between the LAC and the proponent that will provide compensation for the local costs associated with the operation of the facility.

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Represent, generally, in meeting with the project proponent, the interests of the residents of the city or county and the interests of adjacent communities;

Receive and expend any technical assistance grants made available by the local legislative body;

Adopt rules and procedures which are necessary to perform its duties;

Advise the legislative body of the city or the county of the terms, provisions and conditions for a project approval which has been successfully negotiated with the project proponent and any additional information the committee deems appropriate. [Health and Safety Code Sections 25199.7(d)(1)–(4).]

The Board of Supervisors or affected city council may use the Local Assessment Committee's advice in its independent consideration of the project.

7.1 DESIGNATED GENERAL AREAS NOT ELIMINATED BY PRESENTLY IDENTIFIED CONSTRAINTS

Siting criteria have been used in a screening process of the entire County to designate general areas remaining after physical, transportation, and land use planning constraints were delineated. The general areas remaining are not intended to indicate any particular new hazardous waste facility site location, but will serve as a guide for facility proponents in locating areas which might have plausible attributes for further, more detailed site qualification study. A data base with discrete information on individual surveyed 10-acre grid cells (sixty-four cells equals one square mile) yields a number of general areas where additional site-specific study and "risk assessments" might qualify for large or small facility sites.

The quantity of general areas are more than adequate as potential locations to accommodate the County's fair share through year 2000. A map has been prepared (Figure 7-1) which depicts location of physical and land use constraints, location of existing heavy industrial areas, and other information required by DHS Guidelines.

Any actual proposed site would need a much more thorough evaluation for suitability. The study would have to be structured for a particular type of facility. For example, a residuals repository site

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would need an extensive hydro-geologic and soil permeability investigation, while an incinerator would require evaluation of downwind air quality receptors.

Where Figure 7-1 indicates land available for consideration as specified hazardous waste facilities sites, the Kern County General Plan Land Use, Open Space and Conservation Element, Bakersfield 2010 General Plan, and other affected adopted plans and diagrams will be amended as necessary to signify:

"Suitable general areas where a general plan amendment is not required for the location of a specified hazardous waste management facility. A proposed facility must comply with all CHWMP siting criteria and be evaluated for suitability on basis of "risk assessment," environmental review and public hearing process.

"Within County jurisdiction, use overlay map code 3.5, "Non-constrained land subject to hazardous waste facility siting consideration in accordance with CHWMP siting criteria." Within map code 3.5, or equivalent areas, the lead agency shall process hazardous waste facility applications using a conditional use permit (cup) and Health and Safety Code Sections 25199 through 25199.14, or equivalent procedures."

7.2 ZONING REQUIREMENTS

Within 180 days (pursuant to SB 477 – Greene, 1989) after DHS approves this plan and notifies Kern County, all applicable zoning districts in Kern County and the incorporated cities will be required by ordinance to be consistent with this plan [HSC 25135.7(d)].

7.3 OTHER LOCAL PERMIT REQUIREMENTS

All applicable local use permits, subdivisions, variances, and other permits will be required by ordinance to be consistent with this plan.

On June 7, 1988 the people of Kern County passed Initiative Measure B. This measure imposes the following:

There is hereby imposed a moratorium on and no department, agency, or employee of Kern County shall hereafter allow the filling of, processing of, or continued processing of, review of,
evaluation of, response to, permitting of, or approval of, any application for a general plan amendment to change any existing map code designation to a map code designation of 3.5 or 3.6. As used herein, the term "application for general plan amendment" includes all supporting documents, reports, studies, correspondence and findings, including, but not limited to environmental impact reports and draft environmental impact reports. The moratorium shall remain in effect until such time as 90 days shall have expired following the adoption by Kern County of a county hazardous waste management plan and final approval thereof by the State of California as provided in Sections 25135 through 25135.7 of the Health and Safety Code of the State of California.
SECTION 8.0
TRANSPORTATION — COMMERCIAL SHIPPING ROUTES

Because a significant short-term danger to public health and environment associated with hazardous waste management occurs during transportation of wastes, particular Commercial Hazardous Waste Shipping Routes are designated with the intent of minimizing distance wastes are transported and proximity to vulnerable locations.

In order to minimize use of County-maintained roads and city-maintained streets, this plan designates state- and federally-maintained roads as candidate Commercial Hazardous Waste Shipping Routes through Kern County. This policy is subject to exceptions as outlined in Section 3 of this Plan. Commercial shipping of hazardous waste within and through Kern County and any incorporated city shall be restricted, in full cooperation with California Highway Patrol, to specified, CalTrans-posted routes as designated on this Kern County and Incorporated Cities Hazardous Waste Management Plan and the affected jurisdiction's General Plan Circulation Element and in accordance with Vehicle Code Sections 31303 et seq.

Hazardous wastes that are life threatening in case of spill or other accident shall be afforded stricter controls than wastes of lesser toxicity. Emergency response personnel cognizance of the type and timing of transport of extremely hazardous wastes through the County and cities would be valuable in preventing and responding to spills or other accidents.

An important concern relevant to trucking of hazardous wastes on highways is the vulnerability of schools, school buses, and school children. Since many school buses routinely use hazardous waste shipping routes, children may be directly at risk from spills or accidents, or may be greatly inconvenienced by delays associated with such events.

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Figure B.1. State- and Federally-Maintained Highways within Kern County. Particular roads from this map will be designated as Commercial Hazardous Waste Shipping Routes for any new facility.

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SECTION 9.0
PUBLIC EDUCATION AND PARTICIPATION

Concern on part of the general public about issues of hazardous waste management has increased greatly in recent years. The inclusion in recent and upcoming elections of ballot measures relating to hazardous wastes exhibits public desire to be directly involved in plan development and decision making. For this involvement to be effective, adequate information and education are necessary.

One aspect of this plan which relates directly to individual members of the public is emphasis on household hazardous waste. Along with its beneficial environmental effects, this emphasis will help the public to better understand what hazardous wastes are and proper hazardous waste management techniques.

Most information currently received by the public about hazardous waste comes from printed or electronic media. Thus continued flow and ready accessibility of up-to-date, accurate information to reporters is crucial in reaching the public.

9.1 DURING PLAN PREPARATION

An open, public process is one aspect of hazardous waste management planning under the Tanner legislation. The bill specifies that each county must form a local advisory committee (LAC) with representatives of industry, environmental organizations, the public, and the cities. The LAC should also have other members with expertise in hazardous waste management planning, including engineering, geology, and water quality, if possible.

Kern County's LAC was formed as the bill specifies. All committee meetings are open to the public, and are well publicized in advance. The public is also welcome to attend sub-committee meetings.

Two series of public open house workshops have been held throughout Kern County, so that residents could both learn about the CHWMP and contribute their ideas. Public open-house workshops held in 1987 served also as scoping hearings for the Environmental Impact Report.

A questionnaire was distributed at the workshops held in 1987 and through the mail. Both specific responses and general comments were invited. Information gathered from this questionnaire aided in formulating policies expressed in this plan.
A mailing list has been compiled and is continuously updated to be used by County agencies to keep public, industry, and incorporated cities informed on progress during this plan's development process.

9.2 DURING PLAN IMPLEMENTATION AND REVISION

The intent of the Tanner legislation is to make the CHWMP an ongoing process, with continuing active public participation. Revision or review should occur every three years. Implementation will require continuing involvement of all sectors of the community to succeed.
SECTION 10.0
REGULATIONS, ENFORCEMENT, SURVEILLANCE

10.1 DEPARTMENTAL RESPONSIBILITIES

Regulation of hazardous waste management in Kern County is divided among several departments:

Department of Planning and Development Services is the primary agency for land use and siting matters, as well as for preparation of this plan.

Department of Environmental Health Services has a Hazardous Materials Management Program. At present, employees deal solely with hazardous materials and waste. All state laws dealing with hazardous waste and materials are enforced by this group, except for HSC Chapter 6.95 (hazardous material storage) program. Kern County's Underground Tank Ordinance and infectious materials programs are enforced by the Kern County Department of Environmental Health Services. The Department's inspectors conduct the necessary surveillance, and carry out inspections. Emergency response functions are carried out jointly by the Fire Department and Kern County Department of Environmental Health Services.

Kern County Fire Department Hazardous Materials Response Team responds to hazardous materials emergencies. The Department, as with the various incorporated city fire departments enforce the Fire Code. Each department's inspections include verifying that hazardous materials are stored safely. In addition, local administering agencies, as defined by Health and Safety Code, Chapter 6.95 (AB 2185) are responsible for hazardous materials inventories and emergency planning required by HSC Chapter 6.95. Within Kern County, four local administering agencies currently exist - City of Bakersfield Fire Department, California City Fire Department, City of Taft Fire Department, and the Kern County Fire Department for all remaining areas in Kern County. These agencies maintain a database of hazardous materials stored in businesses and industries throughout their jurisdiction. The information is being entered into a computer database for ready access. The Kern County Fire Department most likely will also handle federal SARA Title III responsibilities.

Kern County Agricultural Commissioner is charged with enforcing pesticide regulations. Refer to Section 4.6.3 for details of the Agriculture Department's duties and programs related to hazardous waste generators.

Kern County Air Pollution Control District (APCD) is one of the local agencies which enforces federal and state air quality standards for stationary sources, that is, for all types of facilities. APCD does not

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have authority over air pollution from vehicles. The Board of Supervisors is the District's board of directors, and the County and all cities are included within the District. APCD programs are funded by user fees. The APCD issues permits for those facilities which have the potential to cause air pollution. New facilities must obtain an Authority to Construct. This includes requirements to describe in detail amounts of pollutants expected, and measures to control them so that standards will be met. The District may require an Air Quality Impact Assessment, similar to a risk assessment. Facilities must also have permits to operate, which are renewed annually. These permits are changed only if there is a change in emission rates or types, that is, if the facility changes its operations. Permits can be revoked for non-compliance.

A recently adopted APCD rule (Rule 428) regulates all commercial off-site multi-user hazardous waste and nonhazardous waste disposal facilities. Most types of hazardous waste treatment or recycling facilities would be subject to regulation by the APCD.

Many hazardous waste generators also come under APCD rules. APCD rules are designed to prevent hazardous waste from being disposed into the air. Contaminants which are removed from the air must often be disposed of as hazardous waste. As new and revised APCD permits are issued, there may be new hazardous waste streams produced.

10.2 STORAGE REGULATIONS

Kern County and the incorporated cities are committed to the goal of safe handling of hazardous wastes and of using zoning and the land use decision-making process to minimize the possibility of public health, safety, or welfare emergencies involving hazardous materials.

Hazardous wastes are subject to state law and regulations (CCR, Title 22, Section 66508) for safe storage. The wastes must be properly contained and labeled, with incompatible wastes separated. The storage area must be secure, must be designed and operated to contain any leaks or spills, and must have visible warning signs such as "Caution" or "No Smoking" when applicable.

SQGs are allowed to accumulate up to 100 kilograms of waste or 1 kilogram of extremely hazardous waste without time limits. However, once this limit is reached (or if it is reached in any month) the wastes may only be accumulated for up to 90 days unless the facility obtains a special DHS permit.
Hazardous waste storage is also regulated along with other hazardous materials by Hazardous Materials Release Response Plans and Inventory Law, HSC Chapter 6.95 (as amended by AB 2187) and by AB 3777, which regulates storage of extremely hazardous materials. This legislation is embodied in Chapter 6.95 of the Health and Safety Code. All businesses which handle any regulated materials must:

- Immediately report any release or threatened release of hazardous materials to the local administering agency and the State Office of Emergency Services.

- Submit a Business Plan to the local administering agency, which includes an inventory of hazardous materials; facility layouts, emergency procedures in case of a release or threatened release of hazardous materials, and other emergency information; and implementation of training for employees in safety procedures.

- If there are acutely hazardous materials, the business must file a registration form. The local administering agency may require a Risk Management and Prevention Plan for existing operations; new operations must prepare such a plan. If the plan identifies measures which should be taken to improve safety, these measures must be implemented within a year.

There is an exemption for businesses that store small quantities of hazardous materials, and government agencies are not included in the law. Agriculture is subject to most but not all provisions. Most information obtained by the local administering agency on hazardous materials inventories must be made available to the public on request.

Recent amendments to the federal Superfund (SARA Title III) contain similar provisions, including very strong public disclosure requirements. This program is in its infancy, and efforts are being made by California to conform the two programs so that they can be administered together. Both programs address disclosure and emergency planning, although neither actually regulates how materials may be stored.

The Uniform Fire Code, enforced by Kern County Fire Department and various incorporated cities' fire departments, includes provisions for safe storage of hazardous materials, including hazardous wastes. The Uniform Fire Code will be updated in 1988, and is expected to have even stronger hazardous materials storage standards.

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Home Occupations. Some occupations such as pool service or gardening which are often based in the owner's residence involve storage of hazardous materials. Typically, amounts may be too small to be covered under existing storage regulations, but represent a real danger of fire or accident.

Other Land Use Issues. Issues related to storage of hazardous and extremely hazardous wastes and materials include extending the "buffer zone" concept to hazardous or extremely hazardous materials storage, requiring setbacks from residences or sensitive populations, and prohibiting new residential development in areas near which large amounts of such materials are stored.
SECTION 11.0
PROGRAMS TO ADDRESS SPECIAL NEEDS

11.1 CONTAMINATED SITES

Sites contaminated with hazardous wastes range from gas stations with leaky tanks to closed hazardous waste disposal facilities which have yet to be properly decommissioned. Some contamination must be removed, such as drums indiscriminately dumped in a field. In the past, all contaminated soil was also removed. Soil was shipped to a landfill for burial. In some cases, this is still the best procedure. However, in many instances it is possible to detoxify or destroy wastes at the site, without transporting soil.

Contaminated sites are generally cleaned up under state and federal regulations, with enforcement and surveillance by Kern County Department of Environmental Health Services.

Onsite treatment should be required whenever feasible. This is in line with Kern County's policy of minimizing both the amount of hazardous waste and the transportation of the hazardous waste.

11.2 SMALL QUANTITY GENERATORS (SQGs)

A goal of this plan is to require safe and efficient collection, treatment and disposal of hazardous wastes from SQGs. SQGs face special problems in managing their hazardous wastes. Many do not have personnel trained in technical aspects of hazardous waste management, necessary record keeping, or the many regulations which apply to hazardous wastes. SQGs may be unaware of methods to reduce, recycle, or treat their wastes, or may not have capital funds to install needed equipment to accomplish these goals. Often SQGs discover the cost to dispose of a few gallons of hazardous waste is prohibitive.

To provide safe alternatives, physical facilities, services, and programs are needed. These are discussed below.

Physical Facilities. Transfer stations serve as a collection point for hazardous wastes. The wastes are temporarily stored, and then sent on to recycling, treatment, or disposal facilities. Transfer stations are described more fully in Appendix. Their advantage to SQGs is in consolidating small amounts of hazardous wastes from many generators into more economical, larger loads. In addition, they can provide technical assistance in analyzing the hazardous wastes and in directing them to the best final destination.

The County should build collection and transfer stations at the Kern County sanitary landfill system sites which have concentrations of
SQGs nearby. Alternatively, private industry could construct such facilities. These transfer stations should be sized and designed to handle the types and quantities of hazardous wastes expected from SQGs and from households. Any transfer station which is built to serve large generators should be encouraged to provide for wastes from SQGs as well.

**Services.** Most SQGs have quantities of hazardous wastes too large to legally transport themselves, but much smaller than a truckload. Industry should be encouraged to establish "milk runs" in which a licensed hazardous waste hauler would pick up small loads from several SQGs and transport the combined load, often to a transfer station. A few such services presently exist. For instance, a company named "Refineries Service" collects waste oil and transmission fluid from gasoline stations and shops. These are hauled to Stanislaus County where they are recycled to make crude fuel oil.

Consideration should be given to allowing very small generators to bring their wastes to household hazardous waste collection days. State law limits the amount transported in a private vehicle (not specially licensed) to 5 gallons or 50 pounds. Anyone who generates this little hazardous waste (or even enough for two or three carloads) has great difficulty disposing of it economically and safely. The County, cities, or special districts could provide this service free or charge a reasonable fee.

**Programs.** Critical needs of SQGs are education and information about all aspects of hazardous waste management. Kern County should provide workshops as well as written material in such critical areas as:

- Safe storage, handling and shipping of hazardous wastes;
- Local, state, and federal regulations;
- How to fill out a manifest (identified as an urgent need by haulers and disposal facilities);
- Source reduction measures which SQGs can use;
- Information on local and state hazardous waste programs, on what services and facilities are available, and on where to get more specific information;

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Manual of Regulations. The County should consider providing a manual on hazardous waste regulations, programs, and services. This manual would be useful for all generators, but would be particularly useful for SQGs.

Hazardous Waste Management Inspections. Inspections can be used to give information and technical assistance in waste management and reduction. Inspectors would not need to be experts, but would need to identify areas for improvement and either suggest ways to improve operations and comply with the law, or tell generators where to seek further help and information.

11.3 HOUSEHOLD HAZARDOUS WASTES (HHW)

Nearly every household generates some hazardous wastes. California law categorizes HHW as non-hazardous at the present time. Collection, proper handling and disposal of HHW is currently not being accomplished for approximately 175,000 households in Kern County.

Facilities. Transfer and storage facilities as described above for SQG wastes should also be available for household hazardous wastes. These facilities should be sited at sanitary landfills.

Services. Periodic collection days provide a method for collecting household hazardous wastes before permanent facilities are in place. They can also be an excellent way to make the public more aware of hazardous wastes in their own homes. Collection days facilitate proper disposal of accumulations of HHW which residents have stored. Collection days could be for all types of wastes, or specifically for certain types (pesticides, for instance). They could be open only to households, or could include SQGs or agriculture as well.

Programs. Households, like small quantity generators, can benefit from a combination of educational and technical programs to assist them in proper management of hazardous wastes. Kern County and the incorporated cities should vigorously pursue educational programs which include development and distribution of flyers and brochures for use by homeowners on various health effects and proper disposal options for household wastes.

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11.4 CONTAINER MANAGEMENT

A program similar to the drum triple rinse system established for agriculture should be established for the remainder of Kern County's industrial component.
Kern County submitted an Area Plan for Hazardous Material Incident Responses to State Office of Emergency Services (OES) in December 1987. This plan was mandated under Chapter 6.95 of Health and Safety Code (Assembly Bill 2185). There are currently four local administering agencies for Chapter 6.95 mandates in Kern County – City of Bakersfield Fire Department, California City Fire Department, City of Taft Fire Department, and Kern County Fire Department for the remainder of Kern County. Each agency is responsible for submission and updating of an Area Plan. Each plan spells out the response to hazardous materials and wastes emergencies of all varieties within the respective jurisdiction.
SECTION 13.0
IMPLEMENTATION PROGRAM

This plan provides the framework for an active role on part of Kern County, incorporated cities, State and Federal departments and agencies, private businesses, and households in managing hazardous waste. One designated agency of County government should function as a centralized directorate for implementation of various aspects of hazardous waste management. The designated agency should coordinate efforts with agencies such as CalTrans, fire departments, and city administrations who will continue to administer some aspects of hazardous waste management.

Funding for new programs could be derived from fees levied on commercial hazardous waste operations.

13.1 GENERAL HAZARDOUS WASTE MANAGEMENT IMPLEMENTATION MEASURES

Public participation and education are vital to the planning process. To assure that public participation continues, Kern County shall implement the following programs.

CHWMP Revisions. The plan shall be reviewed and revised as necessary, at least every three years, beginning in 1991. For each revision, the Local Advisory Committee and any sub-committees which the local advisory committee may appoint shall meet and confer on a regular basis for continuity and public input into the revision process. Any intra-county agreements and memorandum(s) of understanding for management of hazardous waste streams should be reviewed by the Local Advisory Committee.

Waste Management Decisions. When the County or the cities make decisions on hazardous waste management issues, including programs, funding, and land use issues, and Inter-county Memorandum of Understanding and Inter-jurisdictional Agreement procedures, adequate information shall be disseminated to the Local Advisory Committee, public and industry and their participation shall be invited. Education about hazardous wastes and their safe management shall be provided to various segments of the community. In addition to the education aspects of various other components of the CHWMP, the following programs will be established or strengthened:

Schools. Public and private schools are encouraged to include units in their curricula on hazardous wastes management. The designated County agency should assist schools in obtaining up-to-date programs from various sources.

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General public. Kern County should provide the public with general information on hazardous wastes safety. This may include written materials, presentations, and videotapes.

Media. Since many members of the public learn about hazardous waste issues via printed and electronic media, an on-going spirit of cooperation between the designated County agency and representatives of the media is essential. Periodic press releases will be an important facet of the program's effectiveness.

Designated County Agency. A designated County agency should oversee and coordinate all hazardous waste management within the County. Certain other agencies, such as CalTrans, California Highway Patrol, and incorporated cities must necessarily remain autonomous. The designated County agency would maintain regular contact with these other entities.

Cooperation and Coordination. Close cooperation and coordination among all hazardous waste programs, and among entities with related responsibilities, are essential to the implementation of this plan.

Program Funding. This implementation section suggests programs to be initiated which will require staff, training, materials, and equipment. While these measures should be coordinated by the designated County agency, the measures cannot be reasonably funded within the current County budget.

Therefore, funding for particular programs should be derived from their beneficiaries. Collection of revenues from commercial disposal facilities can be used for all related programs. A ballot measure may be necessary in order to exceed the "Gann" spending limit.

Because the State allows deductions from certain fees for duplicate local fees, the County may be able to increase some of its charges without added cost to the regulated community. In addition, programs funded by user fees may be exempt from the Gann limit.

Monitoring and Evaluation. The designated County agency will be responsible for evaluating all programs related to hazardous waste management.

Annual Report. An annual report will be submitted to the Board of Supervisors, with copies to all incorporated cities. The report will report specific progress in all areas listed in this Section and report on other pertinent topics as it deems necessary.

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If appropriate, the Local Advisory Committee may meet from time to time to help draft and review the annual report.

13.2 WASTE STREAM CONCEPTS IMPLEMENTATION MEASURES

It is important that current information about all pertinent programs be kept by the designated agency to avoid duplication of efforts while ensuring that all programs are being effectively implemented.

In order to secure complete and accurate information on all hazardous wastes generated, handled, stored, treated, transported, and disposed of within Kern County, the following programs will be implemented:

Unified Database. The designated County agency will maintain information on generation and storage of hazardous wastes within the County and incorporated cities. Information gathered through programs that regulate hazardous waste generators shall be included.

Since much information about various aspects of hazardous waste management will be maintained on computers, it is essential that compatibility between systems utilized by various agencies involved with hazardous materials management is integrated as a basic design criterion.

DHS Manifest System Counterpart. An important part of the unified database effort will involve maintenance archives of DHS shipping manifest data. This will be compared on a regular basis with data from other sources, such as RWQCB reports on disposal sites.

Extremely Hazardous Wastes List. Information gathered through various programs should be coordinated and consolidated. Data should be on a unified computer database, possibly linked with DHS data base computers in Sacramento, so that the same information will be readily accessible for planning, inspection, emergency response, and other programs. The County should expedite gathering of information and development of data management and computer linkage with DHS in Sacramento as necessary for emergency response.

Source Reduction Information. An important element of this program is an accurate and usable data and information system. The system should be maintained by the designated County agency.
13.3 SOURCE REDUCTION IMPLEMENTATION MEASURES

The designated County agency, in coordination with incorporated cities, will implement active programs which monitor and assist hazardous waste reduction programs on part of hazardous waste generators. All hazardous waste generators will be requested to voluntarily reduce the amount of waste produced. Any large generators (generating 1000 kilograms or more hazardous waste per month) shall be involved in a formal Source Reduction Review and Planning program. At time of preparation of the draft plan, eighty-six large generators existed in Kern County, based on DHS manifest data.

The County should attempt to establish a Memorandum of Understanding with State Department of Health Services. This could provide the County with authority to enforce state laws and collection of fees currently generated by those laws. If this is unsuccessful, funding for this program could be provided by fees levied on large hazardous waste generators. Fees could be based on amount of hazardous waste produced in the most recent available full manifest data year. The funds would be administered by the designated County agency. The ability to implement this source reduction program is contingent upon the availability of sufficient funding.

This program is intended to address requirements of SB 714 — Roberti [SB 714, at the time of this writing, is not state law.]

Source Reduction Implementation Program.

A committee composed of various businesses, industry, public, special interests and governmental interests shall be established to develop and oversee a source reduction review and planning program. The committee will investigate funding, legal constraints and other factors affecting such a program.

Under Kern County Local Advisory Committee (LAC) Bylaws, sub-committees may be appointed by the LAC for any length of time, on any matter pertinent to the committee’s work. The LAC has made the recommendation that the Source Reduction Implementation Committee be composed of the following:

A five member sub-committee appointed by the LAC, made up of the existing four members of the current (August, 1988) Source Reduction and Household Hazardous Waste Sub-committee and the addition of one member of the Kern County Board of Supervisors.

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The Source Reduction Plan Committee shall work closely with staff to prepare a comprehensive source reduction plan, necessary implementing ordinances study and address funding needs and database needs. The following requirements shall be used as a framework to prepare the comprehensive plan:

- **Hazardous Waste Source Reduction Reviews and Plans**

Each large generator shall submit a "hazardous waste source reduction review" and a "hazardous waste source reduction plan."

The generator's review shall consist of the following major components:

- Identification of each routinely generated hazardous waste stream resulting from an ongoing production process or operation.

- Evaluation of hazardous waste reduction approaches available to the generator which, if adopted, would result in a reduction in amount of hazardous waste generated or toxicity of hazardous waste generated.

- Assessment of applicability of each of six hazardous waste reduction approaches specified below, for each identified production process or operation in which a hazardous waste is generated.

The generator's hazardous waste source reduction plan shall set forth measures to be taken to reduce generation of hazardous waste within each major process or operation, with timetables for making reasonable and measurable progress. The plan must address feasibility of at least the following six approaches for each identified process or operation:

1. **Input Change** - a change in raw materials or feedstocks (sic) used in a production process or operation so as to reduce, avoid, or eliminate generation of hazardous waste. [SB 714, 6/8/88]

2. **Product Reformulation** - changes in design, composition, or specifications of end products, including product substitution, so as to reduce, avoid, or eliminate generation of hazardous waste. [SB 714, 6/8/88]

3. **Production Process Change** - a change in a process, method, or technique which is used to produce a product or a desired result, including return of materials or their components,

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reuses within existing processes or operations, so as to reduce, avoid, or eliminate generation of hazardous waste. [SB 714, 6/8/88]

4. **Operational Improvement** – improved site management so as to reduce, avoid, or eliminate generation of hazardous waste. [SB 714, 6/8/88]

5. **In-process Recycling** – ["recycle" not defined by SB 714, see HSC Section 25121]

6. **Onsite and Off-site Recycling** ["recycling" not defined by SB 714, see HSC Section 25121] – Hazardous waste source reduction measures addressed by the plan are required to be integrated into manufacturing process so as not to address only hazardous waste after it has been generated.

- **Source Reduction Timetable.** The program, if implemented properly, will adhere to the following recommended timetable. This timetable is initiated after the adoption of this plan, and no later than January 1, 1990.

  Month 1 – Designated County agency staff and Source Reduction Committee in place; staff training and administrative requirements developed and/or amplified.

  Month 6 – Establish a technical assistance program to assist generators in identifying and applying methods of hazardous waste reduction. A special effort will be made to notify small businesses about this technical assistance program. The program shall include at least the following, which shall be coordinated with other hazardous waste and materials information and assistance programs in the County:

- Onsite waste reduction consultations and waste minimization audits.

- Seminars, workshops, and other activities to educate generators about waste reduction methods, opportunities, and available technical or economic assistance.

- Dissemination of information about waste reduction methods that may be applicable to particular types of waste generators within the County, services available from government or private sector
to aid in hazardous waste reduction, and regulatory requirements.

- Identify, categorize, and rank priorities for best achieving hazardous waste reduction goals of this plan.

**Month 9** - Request that identified large generators provide the designated County agency the hazardous waste source reduction review and hazardous waste source reduction plan.

When the review and plan are submitted to the County, the generator would certify that measures identified in the plan have been implemented, or could be implemented according to the schedule given in the plan.

**Month 12** - Draft Plans received. Staff evaluation of reviews and plans submitted by generators begins. The director of the designated County agency shall certify the plan and the review only if they meet the requirements of this sub-section.

**Month 15** - Each designated generator of hazardous waste submits a final plan.

- **Hazardous Waste Management Performance Report.** Every four years thereafter, each large generator shall prepare a Hazardous Waste Management Performance Report documenting hazardous waste management approaches implemented by the generator. This report shall include:

For each hazardous waste stream identified in the hazardous waste reduction plan, provide the following information:

- An estimate of quantity of hazardous waste generated and amount managed both on and off-site during the current reporting year and baseline year. (Baseline year means the year in which the final plan is submitted directed by "Month 15" of the Timetable).

- A description of effects of each hazardous waste management approach implemented since baseline year. An evaluation of onsite and off-site management methods affecting the hazardous waste stream during the current year.

- A description of factors, since baseline year, that influenced hazardous waste generation. A description of factors since the baseline year that affected onsite and off-site hazardous waste management methods and amounts.

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13.4 HOUSEHOLD AND SQG HAZARDOUS WASTE MANAGEMENT
IMPLEMENTATION MEASURES

Establish technical assistance, education, and on-site consultation
programs for small quantity generators (SQGs), especially small
businesses. Such programs include those described in the sections on
waste reduction, storage, and emergency response.

In cooperation with the Agricultural Commissioner's office, continue
and expand current pesticide management programs for the
agricultural sector.

Encourage private industry to establish transfer stations and
collection services for small generators.

Investigate feasibility of siting transfer stations at County sanitary
landfills. These transfer stations would serve as collection points
for manifested or non-manifested hazardous wastes from SQGs and
households.

Evaluate feasibility of collection days for household and SQG
hazardous wastes, including pesticides and other agricultural
hazardous wastes.

Pursue educational programs on household hazardous wastes. These
programs should address alternatives to use of hazardous materials,
hazards involved with improper use, storage and disposal of these
materials, and options for proper disposal. The goal of waste
reduction should be stressed in these educational programs.

Evaluate incentives to commercial automotive service stations to
accept waste oil from households.

Funding for household hazardous waste services should be
investigated. One possible source is an increase in solid waste
disposal fees.

Container Management Program.
As previously noted for other Kern County industrial components as is
currently being accomplished in agriculture.
13.5 FACILITY SITING CONCEPTS IMPLEMENTATION MEASURES

Facility siting criteria are to be implemented by an active demonstration on part of an applicant that criteria are met by the proposed site. The burden of proof is on the applicant for a new facility or expansion of an existing facility. In addition to submission of information required for a County Conditional Use Permit or appropriate city permit, the application will be subjected to a complete review and evaluation procedure as required by the Tanner legislation. Applicant's will have access to this plan's data base (see section 14) when preparing applications for submittal.

Where Figure 7-1 in Section 7 indicates land available for consideration as specified hazardous waste facilities sites, amend the Kern County General Plan Land Use, Open Space and Conservation Element, Bakersfield 2010 General Plan, and other affected adopted plans and diagrams as necessary to signify:

"Suitable general areas where a general plan amendment is not required for the location of a specified hazardous waste management facility. A proposed facility must comply with all CHWMP siting criteria and be evaluated for suitability on basis of "risk assessment," environmental review and public hearing process.

"Within County jurisdiction, use overlay map code 3.5, "Non-constrained land subject to hazardous waste facility siting consideration in accordance with CHWMP siting criteria." Within map code 3.5, or equivalent areas, the lead agency shall process hazardous waste facility applications using a conditional use permit (CUP) and Health and Safety Code Sections 25199 through 25199.14, or equivalent procedures."

Requirements of the Applicant

- The applicant must identify the waste stream. Using DHS shipping manifests, or equivalent data, waste streams to be served by a proposed hazardous waste facility shall be quantitatively identified as to type of waste and the geographic location where the waste is generated. If the facility is proposed to be a residual repository or incorporate destruction by incineration, for each waste type, it must be shown that the waste to be handled is the residual of pertinent treatment, recycling, or neutralization programs that are economically and technologically feasible. Permitted capacity for a
hazardous waste facility shall be in accordance with identified waste stream capacity.

- The applicant must identify the proposed facility location. Much of the land in Kern County is not suitable for hazardous waste disposal facilities due to physical constraints and/or planned and existing cultural uses. Additional pertinent criteria for siting any hazardous waste facility include soil permeability, buffer zone, commercial shipping and other transportation routes, and consideration of biota, paleontology, and archaeology. The burden of proof of suitability of any particular proposed new or expansion of existing hazardous waste site is on the applicant.

- The applicant must identify commercial shipping transportation routes. Specific state and federally maintained highways can be designated for commercial shipment of hazardous waste. Potential routes are shown in Section 7. Permit applications shall identify which particular routes will be used by the facility, anticipated volume to be transported over these routes, and a complete, scientifically valid demonstration that the facility will not result in exceeding applicable air quality standards. Site locations and waste streams shall be such that no odors or dust resulting from the proposed project would have significant impacts on any off-site receptors.

13.6 TRANSPORTATION CONCEPTS IMPLEMENTATION MEASURES

Although implementation measures described here are oriented toward trucking on roads, potential exists for transportation by other means, including rail, air, and pipeline. The designated County agency will maintain pertinent information in the event that such other means are used to transport hazardous waste.

Shipping Routes. The County shall establish State and Federally maintained roads as candidate Commercial Hazardous Waste Shipping Routes in and through the County (except that necessary to collect locally-generated hazardous wastes). The County may further restrict hazardous waste shipping on routes which pose a threat to surface water bodies or aqueducts, or on roads which are generally unsafe as determined by specified hazardous waste facility applicants' transportation risk assessments and by guidelines afforded by DHS and V.C. Section 31304, and CCR Title 26 Division 6 provisions. All

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restrictions shall be imposed in accordance with California Highway Patrol requirements and procedures.

Adopted routes shall be established with full cooperation of California Highway Patrol, posted, and specified in the affected jurisdiction's General Plan Circulation Element and in accordance with Vehicle Code Sections 31303 et seq.

**Transportation of Extremely Hazardous Waste.** The designated county agency shall develop a list of extremely hazardous wastes commonly transported in the County and cities. The agency shall also develop a process of notification of the affected county and city agencies regarding the timing and route of extremely hazardous wastes shipments. Actual and necessary costs of implementing these policies shall be born by the transporters.

The County should consider feasibility of restricting shipping times of extremely hazardous wastes to off-peak traffic periods.

The County should request that California Highway Patrol designate specially trained officers to patrol roads within Kern County, to inspect hazardous waste trucks for safety and roadability as well as for proper placarding, shipping papers, and manifests. Actual and necessary costs of implementing these policies shall be born by the transporters.

State of California should also study need for additional permanent or mobile CHP truck safety inspection stations along major shipping routes.

The County should include transportation safety in its technical assistance program for hazardous waste generators and commercial hazardous waste transporters. The program should involve enforcement, placarding and labeling regulations on vehicles in the County. It should pursue methods of more clearly marking vehicles carrying extremely hazardous waste, including painting trucks a distinctive color, large signs or labels such as are now required for poison gases, or other labeling which will give clear warnings to the public of the nature of materials carried. State or federal legislation may be required to achieve this objective. Actual and necessary costs of implementing these policies shall be born by commercial hazardous waste transporters. State or federal legislation may be necessary to establish necessary fees.
13.7 ADDITIONAL TOPICS IMPLEMENTATION MEASURES

Storage. To ensure that hazardous wastes are handled safely, it is necessary to develop storage regulations and enforcement procedures. The mechanism for much of this is already in place, but needs strengthening in some areas.

Inspections. Regular inspections should be carried out under the program to regulate hazardous waste generators. Time limits set by state and federal law for storage of hazardous wastes should be enforced. In some cases longer storage times may be appropriate; if so, the County should advise generators how to obtain waivers from the time limits.

Contaminated Sites. The County is actively participating in efforts to assess and clean up sites which have been contaminated by uncontrolled hazardous wastes.

Legislation. Support legislation to improve access to state and federal Superfunds for cleanup of orphan sites.

Clean-ups. Develop a coordinated effort for oversight and regulation of site assessment and cleanup. Establish a program to monitor transfer of ownership or change in occupancy of industrial or commercial properties, to ensure that contaminated sites are mitigated before different land uses are allowed or new structures built.

Contaminated Sites. Encourage on-site biological remediation or other on-site treatment of contaminated sites, to minimize the amount of contaminated soils disposed in landfills or transported to off-site incinerators.

Farmland Contamination. Investigate feasibility of remediation of farmland contaminated with agricultural chemicals used in the past.

Emergency Response. Kern County and the incorporated cities have a coordinated program for response to hazardous waste incidents. Emergency response exercises should be held on a regular basis.

Applicants for new facilities generating, treating, or disposing of hazardous waste shall be required to submit emergency response plans which meet requirements of state and federal laws, including Risk Management and Prevention Plans or Community Hazard Assessments if extremely hazardous wastes will be managed at the facility.

Regulations, Enforcement, and Surveillance. A designated County agency shall recommend and adopt any regulations needed to implement
various facets of this plan. Enforcement and surveillance shall be pursued vigorously. Emphasis should be on education, technical assistance, and voluntary cooperation first and enforcement actions in cases where this approach fails. Enforcement and surveillance will either be carried out by the designated County agency directly or coordinated by that agency when it is necessary for another department to actually carry out this function.

Monitoring. Require monitoring at all hazardous waste storage, treatment, recycling, or disposal facilities where there is a possibility that hazardous wastes will be released to any medium (air, water, or land). Other facilities handling or generating hazardous wastes shall also be monitored as required by law or as deemed necessary by the County.
SECTION 14.0
DATA MANAGEMENT PROGRAM

One of the pressing needs in the County's hazardous waste programs is handling the data on hazardous waste generation, storage, treatment and disposal within the County. This Section will summarize the present system of data management, and make recommendations on its extension for new types of data being gathered. The designated County agency will assure that data are maintained in a form available to the public, industry, and other governmental agencies.

Data relevant to hazardous waste management range from DHS shipping manifest reports through RWQCB disposal data, files of various agencies and incorporated cities, and information collected as part of the Waste Reduction Program, to the minutes of meetings from the plan development process. Many of these data sources and information systems needs are described in some detail in Sections 10 and 13.

0 STATE DATA

Information from State Department of Health Services' manifest database (Hazardous Waste Information System, or HWIS) includes a detailed list of each shipment of hazardous waste from generators in the County, and of each shipment to transfer, treatment, or disposal facilities within the County. This list is compiled in a computer at DHS, and can be supplied to the County on diskette for use in the County's computers as well. From the list, DHS prints out various summaries, such as total amounts of wastes of various types generated and disposed in Kern County. These data were the basis of most of the tables in this plan. The County should maintain archives of DHS manifest data for each year. Printouts of much of the data for 1983–86, and printouts along with the raw data in computer format, have begun this archive collection.

Regional Water Quality Control Boards receive reports from facilities with waste discharge or NPDES permits, which control discharge of wastewater or protect quality of underlying groundwater. These data, along with other RWQCB data on contaminated sites, have also been used in this plan.

State Board of Equalization receives data for tax purposes from hazardous waste generators with mailing addresses in Kern County. This does not necessarily mean that hazardous waste is actually generated within the County; however, archives will be maintained for comparison with other data.

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LOCAL DATA

Other data collected by Kern County and local agencies include the following:

- Hazardous materials storage (including hazardous wastes) and annual hazardous waste generation, along with emergency response information, is gathered currently by four local administering agencies under the State HSC Chapter 6.95 and federal SARA Title III programs.

- Information on underground tank storage of hazardous materials including hazardous wastes is obtained by Kern County Department of Environmental Health Services, under County ordinance (G-3941 [1984] or current update).

- Contaminated site data are compiled from various sources by State Office of Planning and Research, with additional data available from Kern County Department of Environmental Health Services which administers the program locally.

- Data on compliance with hazardous waste generator regulations are gathered by Kern County Department of Environmental Health Services. Presently inspections are performed only in response to complaints. The inspection program needs to be expanded.

- Air quality and emissions data are the responsibility of the Air Pollution Control District.

- Spills or releases are recorded by the Fire Department.

- Kern County Agricultural Commissioner has data on usage of certain pesticides, as explained in Section 4.6.3. Agriculture is also covered under HSC Chapter 6.95 program.

It will be responsibility of the designated County agency to make sure that records of these various types of data are organized and maintained, in cooperation with other agencies involved. It is recommended that actual maintenance of computerized data management system remain with the Kern County Fire Department.

The County Fire Department's Hazardous Materials Control Unit presently maintains a computer database with information from the hazardous materials programs which the Department administers. These programs are described in Section 10. Information in the database includes:
Inventories of all hazardous materials (including hazardous wastes) stored in more than minimum amounts by regulated businesses, an estimate of annual amount of hazardous waste of each type generated, and an estimate of annual amount of each hazardous material used.

Other information needed for emergency response at each regulated business, such as response procedures at the facility, location of hazardous materials, special hazards, etc.

Additional information on extremely hazardous materials may include Risk Management and Prevention Plans (RMPPs) or hazard assessments.

A history of any violations found during inspections, and of any accidents or spills to which the County responded at a business facility.

Detailed safety data for many of the hazardous chemicals found in local industry. The chemical database includes information on hazards, symptoms and medical treatment, evacuation distances, and other facts useful for emergency response and planning.

Administrative matters, including inspection schedules, timetables for businesses to comply with regulations, records of compliance dates.

Fee schedules, billing, invoicing, and records of payments.

All of this data are maintained on a microcomputer at the Fire Department, on a sophisticated software system known as Material Safety Data System (MSDS). The software was designed specifically for hazardous materials compliance programs, which include hazardous wastes. Kern County was one of the first jurisdictions to use this software, and is considered a model by other counties.

The unified database recommended in Section 13.2 should be maintained using software presently used by the Fire Department. Much information needed is already entered on this database, and additional data elements can be readily included. The system can easily be used for integrating data from related programs such as those regulating underground storage tanks, hazardous waste generators, and hazardous waste reduction. Extremely hazardous wastes list, also recommended in Section 13.2, could be a part of the chemical database module.
This system will also assist in coordination of various programs. It could consolidate billing for user fees. In addition, inspections for different programs can scheduled and consolidated. Deadlines and time schedules can be flagged for either administrative or compliance purposes.

DHS manifest system data will need to be maintained separately. However, this data are available on computer disk in a form compatible with the system described above. Therefore, information from the County and from DHS can be compared and combined.

Use of microcomputers will enable use of the unified database to meet different needs -- health or land use planning, emergency response, public right-to-know, as well as various regulatory programs. Each department or program can have a copy of the database for its own use, while data entry can be centralized for efficiency.

**SCHEDULE FOR IMPLEMENTATION.**

Data entry is a time-consuming part of implementing a unified database. In May 1988, complete storage data (hazardous wastes and materials) had been entered in the Fire Department's database for some 440 businesses, out of approximately 3000. Data for all firms is expected to be computerized by mid-1990, at present rate of entry. Methods for speeding up this process should be explored, including additional or temporary data entry personnel, or encouraging firms to submit their data on disk.
SECTION 15.0
ENVIRONMENTAL IMPACTS

California Environmental Quality Act (CEQA) requires all agencies to consider environmental issues in their decision-making process. CEQA applies to all discretionary projects. Projects are defined as the whole of an action, which has potential for resulting in physical change in the environment, directly or ultimately. Since the definition includes adoption, or amendment, of General Plan elements, this plan is subject to CEQA requirements.

The proposed action is an amendment to General Plans of Kern County and incorporated cities, known as the Kern County and Incorporated Cities Hazardous Waste Management Plan (CHWMP). The Board of Supervisors adopted this version of the CHWMP on May 13, 1991; in addition, the City Councils of a majority of the cities with a majority of the population within cities (City of Bakersfield contains the majority of the incorporated population within Kern County) approved the document during public hearings scheduled between April 11, 1991 and May 7, 1991. Each incorporated city must also adopt the CHWMP or a consistent general plan amendment or other implementing measures, as explained in Section 7.

15.1 SUMMARY AND PROJECT DESCRIPTION

This plan consists of goals, policies, and programs to be implemented for the improvement of hazardous waste management within Kern County, as well as siting criteria for various types of hazardous waste facilities that may in the future be proposed in the County or cities.

Programs. A number of programs are proposed for implementation by the County or cities. In general, these programs are intended to mitigate any adverse environmental effects that might be caused by mismanagement of hazardous wastes, either at new or existing hazardous waste management facilities, at the place where the wastes are produced, or during transportation.

Facilities. This CHWMP is a planning document under which future hazardous waste management facilities may be constructed, or existing facilities may be expanded. This plan does not address specific future facilities; when facilities are proposed, they must be considered individual projects which will require environmental review. Thus, this review will be limited to general, overall impacts of various types of facilities. The purpose of constructing new, or expanding existing hazardous waste management facilities will be to improve the quality of the environment and to protect human health. While this CHWMP has as a primary goal of minimizing hazardous waste at its source,
facilities will still be necessary to store, transfer, recycle, treat, and
dispose of residual hazardous wastes. In this regard, there is a
potential for some significant indirect effects. The various needed
types of facilities are identified in the Appendix, Section 16.
Planning goals and policies are in Section 3, and various
implementation programs are in Section 13, and in the sections
discussing specific topics. This plan's facility siting, construction
criteria, and regulatory programs are intended as mitigative measures
for any significant adverse effects of present and future waste
management practices.

This plan's purpose is to decrease risks to human health and
environment which are associated with management of hazardous
wastes. Therefore, the net environmental impact of the project is
expected to be positive.

Significant effects and mitigative measures. Human habitation and
other land uses could be affected by future hazardous waste
facilities, or by proximity to transportation routes for hazardous
wastes. Mitigative measures include restricting routes (Section 8) and
the location of sites (Section 7) to avoid and protect residential and
other sensitive land uses. Buffer areas around facilities would
restrict future land uses; however, the buffer areas themselves would
serve to mitigate the above effects.

Transportation and circulation could be affected by an increase in
traffic along selected, designated routes, by transporting hazardous
wastes to and from facilities which may be permitted in the future as a
result of the CHWMP or to facilities in other counties. In addition to
the usual traffic impacts, hazardous waste transportation has a
potential for accidents and spills. Routing restrictions (see Section
8) are intended to mitigate traffic impacts, as are the siting criteria
and permit requirements in Section 13 that deal with transportation.
Section 13 contains mitigative measures including increased
surveillance and enforcement of safety standards, and education of
waste generators on how to transport hazardous wastes safely.
Section 12 discusses emergency response. Sections 6 and 13.3 contain
a suggested program for waste reduction which would decrease both the
volume and the hazard of hazardous wastes transported.

Ground and surface water could be contaminated by spills, leaks, or
discharges from any facility, company, or place where hazardous
wastes are generated, stored, treated, or disposed. Specific measures
to protect water resources include siting criteria and design
requirements in Sections 7 and 13; regulations (particularly those on
storage, and on monitoring of facilities) in Sections 10, and 13.6;
contaminated sites in Sections 11 and 13. Assistance to small quantity
generators and to households regarding proper management of their hazardous wastes (Section 11 and 13), and implementation of hazardous waste reduction programs (Sections 6 and 13) will also help protect water sources.

Air quality could be affected by emissions from facilities which might be expanded or built in the future, or by transportation of hazardous wastes. Siting criteria and permit conditions, risk assessments, routing restrictions, and source reduction are available viable mitigative measures. In addition, many facilities will require permits from the Air Pollution Control District, and will be required to perform air pollution-specific risk assessments designed to identify potential air pollution, thus mitigating any significant adverse effects at a specific facility. Emissions from uncontrolled hazardous waste disposal could be mitigated by implementation of this project as a whole.

Economic development may be affected by an increase in taxes and fees, as well as the expenses of implementation measures on the part of both business and government. Expenses to industry should be offset by a decrease in liability for long-term environmental effects. Source reduction and recycling should frequently result in cost savings compared to hazardous waste transportation and disposal expenses. It is probable that a favorable economic climate could result in the need to accommodate greater hazardous waste generation rates, but this is unlikely during the relatively short time period of this plan which is nine years.

Health hazards and risk of upset are always a primary concern when discussing hazardous wastes. Any industrial or commercial facility, and any hazardous waste management facility generating, storing, treating, or disposing of hazardous wastes has the potential for accidents or upsets. Households, likewise have the potential to exhibit health risk as long as hazardous wastes are stored or disposed of improperly. In all cases, there may be small leaks or regular emissions or discharges to the air or water. Mitigative measures include those mentioned above, which could protect ambient air and water quality, as well as siting criteria, land use control buffer, permit conditions, operational and monitoring requirements.

Technical assistance, educational programs, surveillance and enforcement measures would address the need to decrease routine or accidental discharges. Particularly important for mitigating the effects of accidents are emergency planning and response programs described in Section 12 and household hazardous waste management techniques discussed in Section 13. The project is intended to improve the safety of management of hazardous wastes. Thus, long-term
cumulative effects of the project are all expected to be beneficial to the environment. This CHWMP has been designed to avoid anticipated future adverse environmental effects due to generally acknowledged current hazardous waste mismanagement practices.

This plan also addresses remedies for present adverse effects at contaminated sites caused by some past handling and disposal of hazardous wastes.

15.2 ENVIRONMENTAL SETTING

The area covered by programs in this plan includes the entire County, including cities, state, and federal lands. For those land use matters which fall under jurisdiction of the incorporated cities, the cities will adopt consistent city hazardous waste management plans. A brief environmental setting is discussed in Section 2, and is described comprehensively in the Kern County Master Environmental Assessment (State Clearinghouse No. 7920667).

15.3 ENVIRONMENTAL IMPACTS OF THE PROPOSED PROJECT FOUND NOT TO BE SIGNIFICANT

An initial study has determined that no significant environmental effect to existing physical conditions will result from the proposed action. These include ground and surface water resources, geology and seismicity, climate, vegetation, wildlife, and human interest. The exceptions are ground and surface water quality, air quality, and noise which are discussed below.

It would appear the proposed action should protect and, if practical, enhance physical conditions as they relate to transporting and management of hazardous wastes generated in Kern County. The proposed action would enhance and sustain natural resource development and recovery within the County by virtue of managing industrial and resource recovery produced hazardous waste streams in an environmentally safe manner.

The proposed action would result in no significant environmental impact to certain types of social conditions. These include parks and recreation, which are in areas which would be excluded from hazardous
waste facility siting, and demographics, since such facilities do not cause population or structure changes.

Proposed action would not appear to affect existing domestic infrastructure.

15.4 THE SIGNIFICANT ENVIRONMENTAL IMPACTS OF THE PROPOSED PROJECT

Any specific environmental impacts of the proposed project are necessarily somewhat speculative, since the document in and of itself does not impact the environment. Future projects permitted will require their own CEQA reviews. However, by indirectly leading to particular future uses, the proposed action would have significant adverse social effects due to physically siting new, or expanding existing, hazardous waste facilities within the County.

Human Habitation. Human habitation and other specific land uses have potential to be impacted by future projects. By virtue of siting new, and expanding existing, hazardous waste facilities, a land use control buffer around such facilities may impede opportunities for land use choice beyond land use entitlements existing at time of facility siting approval. Sensitive land uses along, and the traveling public using, selected and approved commercial hazardous waste transportation routes could be significantly affected should an accident, spill, or other malfunction occur during transportation of hazardous wastes.

Transportation/Circulation. Transportation is the characteristic with greatest potential impact away from the actual sites. The mode of transport could take several methods: rail, small truck, large truck, and possibly air and pipelines. However, the largest volume transport mode at present and for the foreseeable future is large truck.

Transportation between generators of hazardous waste and any given off-site facility creates the danger of accidents and spills. Potential exists for contamination of water, soil and air along roads and railroads. Regarding accidental spills, it would appear this is a very real short-term danger, and a lesser long-term danger, since most spills can be cleaned up leaving no permanent environmental impact. This danger also exists from shipping of hazardous materials which are not a subject of this plan.

There is concern that some road and rail routes pass close to school facilities and large trucks hauling hazardous wastes travel the same routes as school buses. At least one evacuation in Kern County has

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been necessary in the past, from a leaking car carrying hazardous materials.

Energy. The proposed action would not appear to affect energy production or generation except to enhance systems which generate hazardous waste as a by-product which must be managed and disposed. Energy usage and transmission impacts will depend on the types of facilities constructed, and on the methods of waste reduction or treatment used.

Water Resources. Present and future management of hazardous wastes, as well as future facilities which may be constructed, have potential to contaminate ground or surface water.

Air Quality. Some facilities, if sited, have the potential to increase toxic and other air emissions. Transportation of hazardous wastes will have an effect on air quality depending on the routes used and the amount of vehicle miles travelled.

Economic Development. Economic development may be affected in that taxes and fees can increase government revenues while increasing industrial expenses. Implementation measures may increase industrial and government expenditures. This increase could be significantly offset by source reduction and similar hazardous waste management techniques called for by this plan.

Health Hazards (risk of upset). Agencies involved in emergency services, surveillance and enforcement, and education may be affected. This plan includes components of surveillance and enforcement, and emergency response, which discuss these impacts. Potential environmental impact to human health may be considerable. If hazardous waste facilities operate as designed, there should be no impacts to human health. In this regard, this plan does not in itself pose significant adverse effects but could foster an increase in potential for accidents, spills, leaks, and the like by theoretically increasing the degree of risk associated with more or larger hazardous waste facilities.

15.5 BENEFICIAL EFFECTS

This CHWMP is intended to mitigate the effects of past mismanagement of hazardous wastes, and to avoid and mitigate the adverse effects of their future mismanagement. Beneficial environmental effects which may be realized due to this plan include:

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This plan includes measures to mitigate contamination from past mismanagement of hazardous wastes, and to avoid contamination in the future by encouraging proper hazardous waste management.

The project should have a beneficial effect on wastewater treatment plants and on Kern County's domestic sanitary landfills by providing facilities for collection of household and SQG hazardous wastes resulting in a decrease in apparent current practices of improper discharge of hazardous wastes to domestic sewers and sanitary landfills.

Economic benefits to industry would be realized by responsible source reduction programs. Cost savings have been demonstrated in other counties involved in source reduction through:

- Reduction of generator fees and taxes
- Reduction of onsite waste storage and handling
- Reduction of permitting, reporting, and record keeping costs
- Reduction of pollution liability insurance costs
- Reduction of operating and maintenance costs

The cumulative effect of the project is expected to be beneficial to the environment, because it is designed to avoid anticipated future adverse environmental effects due to mismanagement of hazardous wastes.

15.6 **MITIGATION MEASURES PROPOSED TO MINIMIZE THE SIGNIFICANT EFFECTS**

This plan is intended to protect the natural and physical environment and social conditions to the maximum degree while allowing responsible management of hazardous wastes as required by citizens and industry. Potential impacts to human habitation and other specific land uses are mitigated by this plan's policies (and existing state and federal law) dealing with facility site selection criteria, facility

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construction, operation, monitoring, and decommissioning requirements.

Potential adverse affects associated with transportation will be partially mitigated by restricting roads available for commercial hazardous waste shipments. The county, in concert with CalTrans, CHP, and other local jurisdictions, can declare certain public roads off limits to hazardous wastes shipment. Such roads are to be posted with signs notifying drivers.

Commercial hazardous waste shipping on Interstate Route-5 is greater than would be indicated by the analysis of Kern County waste streams, due to wastes from southern California bound for disposal at Kettleman Hills in adjacent Kings County. Certain routes may be designated by the County for existing facilities, and any general plan amendment and conditional use permit application for a new, or expanding existing, specified hazardous waste facility must include a description of routes requested to serve the proposed facility.

Source Reduction, which is emphasized in the plan, should also reduce the net amount of energy use, especially transportation related energy savings resulting from hazardous waste volume reduction. This impact is one which will depend greatly on the nature of future projects to be considered in the future.

This plan includes programs to mitigate presently contaminated sites that threaten water quality, and to avoid future contamination. Any facility, and the transportation routes serving such facility, may pose a threat to ground or surface water quality.

This plan's siting and transportation route selection criteria and site specific conditions imposed according to criteria and measures given, as well as existing state and federal regulations are ample and suitable mitigative measures.

The environmental resource demonstrating the greatest long-term vulnerability to improper management of hazardous waste is groundwater. Numerous examples nationwide of groundwater contamination resulting from improper hazardous waste management practices are evident. Facility siting criteria and monitoring requirements for any new, or expanding of an existing facility, involving close proximity of hazardous wastes to soil or groundwater are intended to minimize this potential threat.

All facilities would need to meet siting criteria and construction standards intended to mitigate air quality impacts. APCD permits would
be required as appropriate. Capacity limitations of facilities in certain areas are intended in part to meet air quality concerns.

Implementation expenses to government may be largely met be increased taxes and fees, and an overall reduction of the amount of hazardous wastes to be managed. Costs to industry may be offset by savings associated with source reduction measures, as well as by decreased liability due to safer management of their hazardous wastes. Mitigative measures for economic impacts to government agencies are discussed above. These agencies may require additional personnel, training, and equipment to properly effectuate needed mitigation and monitoring programs.

This plan's facility siting criteria are designed specifically to mitigate potential danger to human health from future hazardous waste facility projects permitted in accordance with appropriate steps outlined. Siting policies, with respect to current land use classifications and physical constraints, insure any hazardous waste facility location will be one of minimal threat to human health. Once a facility has obtained a permit, actual operation will be under the jurisdiction of state laws.

All hazardous waste management facilities in California are licensed and monitored by the California Department of Health Services. Operating permits for hazardous waste management facilities incorporate numerous conditions to prevent or mitigate impacts on human health and the environment. Basic conditions are required by statute and more stringent conditions can be applied on a case-by-case basis. Section 66391 of Title 22 the California Code of Regulations sets the basic conditions which the application to operate a hazardous waste management facility in California must contain.

15.7 ANY SIGNIFICANT EFFECTS WHICH CANNOT BE AVOIDED IF THE PROPOSAL IS IMPLEMENTED

Permitting hazardous waste management facilities could result in changes to the environment at sites, and along transportation routes, with danger of more widespread effects. Changes to environment could be avoided completely by not permitting any facilities. However, Kern County has traditionally had the philosophy that it should responsibly manage hazardous wastes generated within the County. The purpose of this project, the plan, is to insure that such fair share management techniques and facilities are accomplished in a manner that minimizes adverse effects to the environment.

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15.8 THE RELATIONSHIP BETWEEN LOCAL SHORT-TERM USES OF MAN'S ENVIRONMENT AND THE MAINTENANCE AND ENHANCEMENT OF LONG-TERM PRODUCTIVITY

Conditional Use Permits granted in accordance with the plan could allow short-term uses of specific locations within this County which would profoundly affect the long-term environment at those locations with the possibility of much more widespread effects.

The projected life of a typical hazardous waste management facility, considered "short term," is 20 to 30 years. The Conditional Use Permit granted to a facility would be for five consecutive years. After 5 years, the permit would be reviewed at a public hearing to ensure that the most up-to-date mitigation is made part of the conditions affecting any renewal action granted the facility for up to another five consecutive years of operation.

Adverse effects of placing toxic substances in the environment which may continue for thousands of years are considered "long term." Any hazardous waste project requires cautious, well-reasoned plans. However, as shown by the analysis of Kern County waste streams, there exists a need for properly designed and operated facilities. Future alternatives can be addressed as amendments to the General Plan or as conditional use permit requirements for specific projects.

15.9 ANY SIGNIFICANT IRREVERSIBLE ENVIRONMENTAL CHANGES WHICH WOULD BE INVOLVED IN THE PROPOSED ACTION SHOULD IT BE IMPLEMENTED, AND THE GROWTH-INDUCING IMPACTS OF THE PROPOSED ACTION

Several important segments of Kern County's economy are hazardous waste generators. The petroleum production and refining industry generates a significant volume of hazardous wastes. Agriculture uses chemical pesticides, herbicides, and fertilizers which leave residual hazardous wastes and containers. Mining and cement production produce hazardous wastes. Military operations produce various wastes, including small volumes of exotic substances whose toxic and environmental effects are not known. Ability to manage these economic sector's hazardous waste will affect their respective economic viability, with associated economic and population effects on the.

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County. This is probably most crucial for the petroleum industry, which currently manages a great majority of Kern County's hazardous waste stream.

This plan should not directly cause environmental changes, and discussion of particular locations of any future facilities would be speculative. However, a hazardous waste management facility permitted in accordance with this plan may cause irreversible changes and there could be a potential danger from accidents. Use of a particular location for a hazardous waste facility site will amount to consumption of that site's land resource such that it may not be usable by future generations. Provisions of the plan which encourage source reduction are intended to minimize the amount of land resources which would be consumed. Facility design provisions are intended to minimize the possibility of accidents which would cause widespread environmental degradation.

Restrictions on commercial transportation are intended to minimize danger to areas of the County outside the facility locations themselves.

An urgent present need exists for responsible management of hazardous waste. This plan is intended to establish policies, programs, and related procedures to deal with this need, while preserving and enhancing as much of the environment as feasible for future generations.

A minimum effect on County demographics would result from residential and other sensitive land use restrictions in buffer zones around large facilities. Thousands of vacant acres exist which could be considered available for consideration as candidate hazardous waste facility sites.

Economic and Social Effects. The needs of various sectors of Kern County economy which require proper hazardous waste management facilities as part of their required infrastructure have been discussed previously. Short-term social disruption may result from spills and emissions of toxic or nuisance air pollutants.

Long-term social disruption may result from contamination of soils and groundwater.
15.10 ALTERNATIVES TO THE PROPOSED ACTION

The proposed action, this plan, is being carried out to insure that Kern County is in compliance with State law and the guidelines promulgated by DHS. Alternatives to the County policy of permitting commercial facilities adequate for county generated wastes (fair share concept).

A range of reasonable alternatives to the project which could feasibly attain the basic objectives of the project [CEQA Guidelines Section 15126(d)] are listed below:

No Project. If no CHWMP is adopted by the County and cities, there will be no systematic means of planning for the hazardous waste management needs of industry, businesses, households, and other hazardous waste generators within the County. Nor will there be zoning and siting criteria for treatment or disposal facilities other than landfills, which are included in the present County General Plan. These criteria would remain in effect until superseded by the plan. "No Project" would probably allow substantially increased significant environmental effects to occur, compared to adoption of this plan. The only foreseeable opportunity to attain a "no project" alternative would be if there was no hazardous waste generated in the County.

Utilize Sites in Other Counties. Kern County currently exports hazardous wastes which cannot be properly disposed in the County, primarily to Santa Barbara and Kings County. These destinations cannot be considered totally reliable, since many hazardous waste facilities in southern California have been closed and remaining facilities may have environmental problems; the resultant places significant competition and economic burden on Kern County hazardous waste generators to compete with southern California generators for the same extra-county capacity. There is no existing capacity in nearby counties to accommodate the oil industry hazardous waste currently managed in Kern County. In accordance with state law, this plan provides for managing Kern County's fair share of hazardous wastes.

Active Role in Finding New Sites: This plan establishes a framework for evaluating applications which may be submitted for particular sites, and identifies general facility siting areas
where further study may afford suitable sites. However, the
initiative in searching for potential sites lies with the private
sector. The County could, as an alternative, actually select
individual sites and encourage private operators to invest in
them. It is not necessary for the County to pursue such an
alternative since sufficient interest in hazardous waste
facilities exists on the part of local industry.

The possibility of the County Owning Facilities has been
discussed. This plan includes provisions for public ownership
of transfer stations for household hazardous wastes. For larger
facilities, this alternative would appear to allow greater County
control over the origin of hazardous wastes to be disposed at a
public-owned facility. However, adverse economic impacts to
private industry might be incurred.

The recommended alternative to provide siting criteria which
will allow for needed facilities, together with conditions and
requirements for mitigation of environmental effects. Coupled
with this is a program to require source reduction plans for
each large generator (generating <1000 kg/month); to encourage
safer hazardous waste handling through education, assistance,
surveillance and enforcement; and to have adequate emergency
response capability.

15.11 ENVIRONMENTAL FINDINGS PER SECTION 15091 OF THE STATE EIR
GUIDELINES

Any specific environmental impacts of the proposed project are
necessarily somewhat speculative, since the document in and of itself
does not impact the environment. Future projects permitted will
require their own CEQA reviews. However, by 'indirectly leading to
particular future uses, the proposed action would have significant
adverse social effects due to physically siting new, or expanding
existing, hazardous waste facilities within the County.

SIGNIFICANT EFFECT: Human Habitation.

Human habitation and other specific land uses have the potential to
be impacted by future projects. By virtue of siting new, and expanding

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existing, hazardous waste facilities, a land use control buffer around such facilities may impede opportunities for land use choice beyond land use entitlements existing at time of facility siting approval. Sensitive land uses along, and the traveling public using, selected and approved commercial hazardous waste transportation routes could be significantly affected should an accident, spill, or other malfunction occur during transportation of hazardous wastes.

SUGGESTED FINDINGS:

a. Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant environmental effects thereof, as identified in the final EIR.

b. Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.

SUPPORTIVE EVIDENCE:

The proposed project is intended to mitigate the effects of past mismanagement of hazardous wastes, and to avoid and mitigate the adverse effects of their future mismanagement. Beneficial environmental effects which may be realized due to this plan include:

This plan includes measures to mitigate contamination from past mismanagement of hazardous wastes, and to avoid contamination in the future by encouraging proper hazardous waste management.

The project should have a beneficial effect on wastewater treatment plants and on Kern County's domestic sanitary landfills by providing facilities for collection of household and SQG hazardous wastes resulting in a decrease in apparent current practices of improper discharge of hazardous wastes to domestic sewers and sanitary landfills.

Economic benefits to industry would be realized by responsible source reduction programs. Cost savings have been demonstrated in other counties involved in source reduction through:

- reduction of disposal fees
- reduction of generator fees and taxes

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reduction of transportation costs
reduction of onsite waste storage and handling
reduction of pre-disposal treatment costs
reduction of permitting, reporting, and record keeping costs
reduction of emergency preparedness and site cleanup costs
reduction of pollution liability insurance costs
reduction of raw materials required
reduction of operating and maintenance costs

The cumulative effect of the project is expected to be beneficial to the environment, because it is designed to avoid anticipated future adverse environmental effects due to mismanagement of hazardous wastes.

AUTHORITATIVE REFERENCES:


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SIGNIFICANT EFFECT: Transportation/Circulation.

Transportation is the characteristic with greatest potential impact away from the actual sites. The mode of transport could take several methods: rail, small truck, large truck, and possibly air and pipelines. However, the largest volume transport mode at present and for the foreseeable future is large truck.

Transportation between generators of hazardous waste and any given off-site facility creates the danger of accidents and spills. The potential exists for the contamination of water, soil and air along roads and railroads. Regarding accidental spills, it would appear this is a very high short-term danger, and a lesser long-term danger, since most spills can be cleaned up leaving no permanent environmental impact. This danger also exists from shipping of hazardous materials which are not a subject of this plan.

There is concern that some road and rail routes pass close to school facilities and that large trucks hauling hazardous wastes travel the same routes as school buses. At least one evacuation has been necessary in the past, from a leaking car carrying hazardous materials.

SUGGESTED FINDINGS:

a. Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant environmental effects thereof, as identified in the final EIR.

b. Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.

SUPPORTIVE EVIDENCE:

Several important segments of Kern County's economy are hazardous waste generators. The petroleum production and refining industry generates a significant volume of hazardous wastes. Agriculture uses chemical pesticides, herbicides, and fertilizers which leave residual hazardous wastes and containers. Mining and cement production produce hazardous wastes. Military operations produce various wastes, including small volumes of exotic substances whose toxic and environmental effects are not known. Ability to manage these economic sector's hazardous waste will affect their respective economic

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viability, with associated economic and population effects on the County. This is probably most crucial for the petroleum industry, which currently manages a great majority of Kern County's hazardous waste stream.

This CHWMP should not directly cause any environmental changes, and discussion of particular locations of any future facilities would be speculative. However, a hazardous waste management facility permitted in accordance with this plan may cause irreversible changes and there could be a potential danger from accidents. Use of a particular location for a hazardous waste facility site will amount to consumption of that site's land resource such that it may not be usable by future generations.

Provisions of this CHWMP which encourage source reduction are intended to minimize the amount of land resources which would be consumed. Facility design provisions are intended to minimize the possibility of accidents which would cause widespread environmental degradation. Restrictions on commercial transportation are intended to minimize danger to areas of the County outside the facility locations themselves.

An urgent present need exists for responsible management of hazardous waste. This CHWMP is intended to establish policies, programs, and related procedures to deal with this need, while preserving and enhancing as much of the environment as feasible for future generations.

AUTHORITATIVE REFERENCES:


LOCALLY ADOPTED
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**SIGNIFICANT EFFECT:** Energy.

The proposed action would not appear to affect energy production or generation except to enhance systems which generate hazardous waste as a by-product which must be managed and disposed. Energy usage and transmission impacts will depend on the types of facilities constructed, and on the methods of waste reduction or treatment used.

**SUGGESTED FINDINGS:**

a. Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant environmental effects thereof, as identified in the final EIR.

**SUPPORTIVE EVIDENCE:**

Source Reduction, which is emphasized in the CHWMP, should also reduce the net amount of energy use, especially transportation related energy savings resulting from hazardous waste volume reduction. This impact is one which will depend greatly on the nature of future projects to be considered in the future.

**AUTHORITATIVE REFERENCES:**


SIGNIFICANT EFFECT: Water Resources.

Present and future management of hazardous wastes, as well as future facilities which may be constructed, have potential to contaminate ground or surface water.

SUGGESTED FINDINGS:

a. Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant environmental effects thereof, as identified in the final EIR.

b. Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.

SUPPORTIVE EVIDENCE:

This plan includes programs to mitigate presently contaminated sites that threaten water quality, and to avoid future contamination. Any facility, and the transportation routes serving such facility, may pose a threat to ground or surface water quality. This plan's siting and transportation route selection criteria and site specific conditions imposed according to criteria and measures given, as well as existing state and federal regulations are ample and suitable mitigative measures.

The environmental resource demonstrating the greatest long-term vulnerability to improper management of hazardous waste is groundwater. Numerous examples nationwide of groundwater contamination resulting from improper hazardous waste management practices are evident. Facility siting criteria and monitoring requirements for any new, or expanding of an existing facility, involving close proximity of hazardous wastes to soil or groundwater are intended to minimize this potential threat.

The project should have a beneficial effect on wastewater treatment plants and on Kern County's domestic sanitary landfills by providing facilities for collection of household and SQG hazardous wastes resulting in a decrease in apparent current practices of improper discharge of hazardous wastes to domestic sewers and sanitary landfills.
AUTHORITATIVE REFERENCES:


California Partnership for Safe Hazardous Waste Management, Hazardous Materials Program Matrix (Prepublication version). (for availability, see above.)


U.S. Environmental Protection Agency, Minimization of Hazardous Waste (PB87-114336); and Appendices (PB87-114344), October 1986.

SIGNIFICANT EFFECT: Air Quality.

Some facilities, if sited, have the potential to increase toxic and other air emissions. Transportation of hazardous wastes will have an effect on air quality depending on the routes used and the amount of vehicle miles travelled.

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SUGGESTED FINDINGS:

a. Changes or alterations have been required in, or incorporated
   into, the project which mitigate or avoid the significant
   environmental effects thereof, as identified in the final EIR.

b. Such changes or alterations are within the responsibility and
   jurisdiction of another public agency and not the agency making
   the finding. Such changes have been adopted by such other
   agency or can and should be adopted by such other agency.

SUPPORTIVE EVIDENCE:

All facilities would need to meet siting criteria and construction
standards intended to mitigate air quality impacts. APCD permits would
be required as appropriate. Capacity limitations of facilities in
certain areas are intended in part to meet air quality concerns.

Permitting of hazardous waste management facilities could result in
changes to the environment at sites, and along transportation routes,
with danger of more widespread effects. Changes to the environment
could be avoided completely by not permitting any facilities. However,
the County has traditionally had the philosophy that it should
responsibly manage hazardous wastes generated within the County.
The purpose of this CHWMP is to insure that such fair share
management techniques and facilities are accomplished in a manner
that minimizes adverse effects to the environment.

AUTHORITATIVE REFERENCES:

County of Kern, Final Environmental Impact Report, Kern County

County of Kern, General Plan: Land Use, Open Space, and Conservation
Element. Hazardous Waste Component; Chapter 3, Public Facilities;
Appendix G, Solid Waste Facilities, Guidelines and Locations; Appendix

SIGNIFICANT EFFECT: Economic Development.

Economic development may be affected in that taxes and fees can
increase government revenues while increasing industrial expenses.
Implementation measures may increase industrial and government
expenditures. This increase could be significantly offset by source
reduction and similar hazardous waste management techniques called for by this plan.

SUGGESTED FINDINGS:

a. Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant environmental effects thereof, as identified in the final EIR.

b. Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.

SUPPORTIVE EVIDENCE:

Several important segments of Kern County's economy are hazardous waste generators. The petroleum production and refining industry generates a significant volume of hazardous wastes. Agriculture uses chemical pesticides, herbicides, and fertilizers which leave residual hazardous wastes and containers. Mining and cement production produce hazardous wastes. Military operations produce various wastes, including small volumes of exotic substances whose toxic and environmental effects are not known. Ability to manage these economic sector's hazardous waste will affect their respective economic viability, with associated economic and population effects on the County. This is probably most crucial for the petroleum industry, which currently manages a great majority of Kern County's hazardous waste stream.

Implementation expenses to government may be largely met be increased taxes and fees, and an overall reduction of the amount of hazardous wastes to be managed. Costs to industry may be offset by savings associated with source reduction measures, as well as by decreased liability due to safer management of their hazardous wastes.

Mitigative measures for economic impacts to government agencies are discussed above. These agencies may require additional personnel, training, and equipment to properly effectuate needed mitigation and monitoring programs.
Economic benefits to industry would be realized by responsible source reduction programs. Cost savings have been demonstrated in other counties involved in source reduction through:

- reduction of disposal fees
- reduction of generator fees and taxes
- reduction of transportation costs
- reduction of onsite waste storage and handling
- reduction of pre-disposal treatment costs
- reduction of permitting, reporting, and record keeping costs
- reduction of emergency preparedness and site cleanup contingency costs
- reduction of pollution liability insurance costs
- reduction of raw materials required
- reduction of operating and maintenance costs

AUTHORITATIVE REFERENCES:


SIGNIFICANT EFFECT: Health Hazards (risk of upset).

Agencies involved in emergency services, surveillance and enforcement, and education may be affected. This plan includes components of surveillance and enforcement, and emergency response, which discuss these impacts.

The potential environmental impact to human health may be considerable. If hazardous waste facilities operate as designed, there

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should be no impacts to human health. In this regard, the proposed action does not in itself pose significant adverse effects but could foster an increase in potential for accidents, spills, leaks, and the like by theoretically increasing the degree of risk associated with more or larger hazardous waste facilities.

SUGGESTED FINDINGS:

a. Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant environmental effects thereof, as identified in the final EIR.

b. Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.

SUPPORTIVE EVIDENCE:

This plan's facility siting criteria are designed specifically to mitigate potential danger to human health from future hazardous waste facility projects permitted in accordance with the appropriate steps outlined. The siting policies with respect to current land use classifications and physical constraints insure that any hazardous waste facility location will be one of minimal threat to human health. Once a facility has obtained a permit, actual operation will be under the jurisdiction of state laws.

All hazardous waste management facilities in California are licensed and monitored by the California Department of Health Services. The operating permits for hazardous waste management facilities incorporate numerous conditions to prevent or mitigate impacts on human health and the environment. Basic conditions are required by statute and more stringent conditions can be applied on a case-by-case basis. Section 66391 of the California Code of Regulations sets the basic conditions which the application to operate a hazardous waste management facility in California must contain.

Adverse effects of placing toxic substances in the environment which may continue for thousands of years are considered "long term." Any hazardous waste project requires cautious, well-reasoned plans. However, as shown by the analysis of Kern County waste streams, there exists a need for properly designed and operated facilities. Future alternatives can be addressed as amendments to the General Plan or as conditional use permit requirements for specific projects.

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AUTHORITATIVE REFERENCES:


California Partnership for Safe Hazardous Waste Management, Hazardous Materials Program Matrix (Prepublication version).(for availability, see above.)


1. Similar program to California's HSC Chapter 6.95 Program.
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<th>Page</th>
</tr>
</thead>
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16.1 WASTE STREAM DATA

KERN COUNTY DATA ANALYSIS TABLES SUMMARY

Department of Health Services (DHS) Guidelines suggest a number of tables to evaluate Kern County's hazardous waste stream based on data provided by that agency (called HWTS Data). Tables contained here substantially comply with the Guidelines.

A brief description of each table follows:

Table A. Hazardous Waste Shipped Off-Site By Generators in Kern County. DHS manifest data are given for 1986. Hazardous wastes are listed by 17 general treatment groups, as suggested in the Technical Reference Manual. Miscellaneous hazardous wastes are analyzed by individual three-digit manifest codes.

Table A (revised). Shows data for 1986, corrected for certain non-manifested hazardous wastes and for some hazardous wastes which would have been "double counted".

Table B. Capacity Needed For Commercial Treatment and Disposal. Using the conversion scheme of Table E-1 of DHS Guidelines Technical Reference Manual, total treatment capacity needed for each generalized treatment method has been calculated.

Table C. Capacities of Commercial Treatment and Disposal Facilities. Two facilities were in operation in 1986 that are still in operation today.

Table D. Comparison of Treatment and Disposal Needs with Current Capacity. Needs from Table B are compared with capacities from Table C. Capacity of PWI is not used, since impoundments formerly in service are closed. Excess capacity exists for oil recycling and incineration. All others show deficiencies.

Table E. Hazardous Waste Imported Into Kern County. Data for 1986 by county of generation are listed separately for two facilities, PWI and National Cement kiln. Very small amounts of hazardous wastes were also listed as imported to other facilities.

Table F. Hazardous Waste Exported From Kern County. Data for 1986 are listed by county of disposal or treatment, broken down into hazardous waste groups. Exports to Kings and Santa Barbara Counties are to Class I land disposal sites (Kettleman Hills and Casmalia, respectively). Exports to Contra Costa and Los Angeles Counties are primarily to recyclers.

Table G. Commercial Hazardous Waste Storage Capacity. Only one commercial facility indicates storage capacity. This is the National Cement Plant, which has a storage tank to contain hazardous wastes which it uses as fuel.

Table H. Private and On-Site Treatment of Hazardous Waste. Private facilities treating hazardous waste in 1986 were two sites owned by Chevron U.S.A. utilizing land treatment of oil production waste. These are not strictly on-site facilities, since wastes are transported on public roads from

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various Kern County locations. All hazardous wastes received by these facilities are manifested.

Table I. Estimates for Planning of Hazardous Waste Generation. Table A (revised) is modified to exclude one-time, and extremely variable waste streams, and wastes counted twice due to being shipped in and out of transfer stations. An estimate of non-manifested hazardous wastes from SQGs is provided. Totals may be used to project waste streams.

Table J. Industrial Sources of Hazardous Waste. Since a majority of hazardous wastes generated in Kern County are from the petroleum industry, the most meaningful classification of generators is by this industry sector, with other hazardous waste generation divided into various "others" sectors. This analysis is for projections.

Table K. Projected Quantities of Hazardous Waste Generation. Hazardous waste generation is projected for the year 2000. Methodology is explained in the footnotes to the table.

Table L. Projected Quantities of Cleanup Wastes. An estimate is made on the amounts of future cleanup hazardous wastes. However, as discussed in Section 4.5, there is not yet enough information on contaminated sites to provide accurate projections of cleanup hazardous wastes.

Table M. Projected Quantities of New Hazardous Waste Streams. Although this table is included, it is not possible with currently available information to project new hazardous waste streams in Kern County. Totally new industrial sectors are not anticipated. Changes in hazardous waste management techniques could drastically reduce current waste types, while some new types may be generated.

Table N. Total Projected Quantities of Hazardous Waste Generation. Hazardous wastes generated in year 2000 are projected. Industrial wastes, including those from SQGs, cleanup, new waste streams, and household hazardous wastes, are included. Projections are made with and without waste reduction.

Table O. Projected Treatment Capacity Needs. Treatment capacity needs in year 2000 are projected, using projections from the above tables.

Table P. Projected Treatment and Disposal. Capacities of general types of treatment and disposal facilities are calculated to meet projected hazardous waste generation in year 2000, and are compared with the capacities of present and proposed facilities within Kern County. Table P is presented both with and without consideration of waste reduction.

Table Q. Projected Quantities of Residuals Generation. Residuals are projected for wastes treated as shown in Table P. The quantities are those for the year 2000, with and without waste reduction.

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<table>
<thead>
<tr>
<th>WASTE GROUP</th>
<th>1986 (tons)</th>
<th>GENERAL TREATMENT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Waste Oil</td>
<td>3080.4</td>
<td>Oil Recycle</td>
</tr>
<tr>
<td>Halogenated Solvents</td>
<td>11.0</td>
<td>Solvent Recycle</td>
</tr>
<tr>
<td>Non-halogenated Solvents</td>
<td>611.9</td>
<td>Solvent Recycle</td>
</tr>
<tr>
<td>Organic Liquids</td>
<td>542.0</td>
<td>Other Recycle</td>
</tr>
<tr>
<td>Pesticides</td>
<td>90.1</td>
<td>Other Recycle</td>
</tr>
<tr>
<td>Dioxins and PCB's</td>
<td>274.2</td>
<td>Incineration</td>
</tr>
<tr>
<td>Oily Sludges</td>
<td>1653.0</td>
<td>Oil Recycle</td>
</tr>
<tr>
<td>Halogenated Organic Sludges &amp; Solids</td>
<td>5.8</td>
<td>Solvent Recycle</td>
</tr>
<tr>
<td>Non-halogenated Org. Sludges &amp; Solids</td>
<td>9466.5</td>
<td>Other Recycle</td>
</tr>
<tr>
<td>Dye and Paint Sludges and Resins</td>
<td>11.0</td>
<td>Other Recycle</td>
</tr>
<tr>
<td>Metal-containing Liquids</td>
<td>367.4</td>
<td>Other Recycle</td>
</tr>
<tr>
<td>Cyanide and Metal Liquids</td>
<td>0.0</td>
<td>Other Recycle</td>
</tr>
<tr>
<td>Non-metallic Inorganic Liquids</td>
<td>2713.8</td>
<td>Other Recycle</td>
</tr>
<tr>
<td>Metal-containing Sludges</td>
<td>42.3</td>
<td>Other Recycle</td>
</tr>
<tr>
<td>Non-metallic Inorganic Sludges</td>
<td>394.8</td>
<td>Other Recycle</td>
</tr>
<tr>
<td>Soil</td>
<td>3929.1</td>
<td>Other Recycle</td>
</tr>
<tr>
<td>Miscellaneous Wastes</td>
<td>7270.8</td>
<td>Analysis Next Page</td>
</tr>
</tbody>
</table>

Totals                           | 30464.0 tons |
### TABLE A (cont.) ANALYSIS OF MISCELLANEOUS WASTES IN KERN COUNTY

<table>
<thead>
<tr>
<th>WASTE CATEGORY/NUMBER</th>
<th>1986</th>
<th>GENERAL TREATMENT</th>
</tr>
</thead>
<tbody>
<tr>
<td>322 Biological Waste except Sewage Sludge</td>
<td>0.0</td>
<td>Aqueous Organic</td>
</tr>
<tr>
<td>581 Gas Scrubber Waste</td>
<td>4250.8</td>
<td>Aqueous-Metals/Neutral</td>
</tr>
<tr>
<td>512 Other Empty Containers &gt;= 30 gallons</td>
<td>179.3</td>
<td>Other Recycle</td>
</tr>
<tr>
<td>511 Empty Pesticide Containers &gt;= 30 gallons</td>
<td>11.0</td>
<td>Other Recycle</td>
</tr>
<tr>
<td>513 Empty Containers &lt; 30 gallons</td>
<td>7.0</td>
<td>Other Recycle</td>
</tr>
<tr>
<td>172 Metal Dust and Machining Waste</td>
<td>2.9</td>
<td>Other Recycle</td>
</tr>
<tr>
<td>561 Detergent and Soap</td>
<td>0.0</td>
<td>Other Recycle</td>
</tr>
<tr>
<td>181 Other Inorganic Solid Waste</td>
<td>2135.5</td>
<td>Other Recycle</td>
</tr>
<tr>
<td>331 Off-spec. Aged, or Surplus Organics</td>
<td>17.4</td>
<td>Other Recycle</td>
</tr>
<tr>
<td>541 Photochemical/Photo-processing Waste</td>
<td>11.4</td>
<td>Other Recycle</td>
</tr>
<tr>
<td>612 Household Wastes</td>
<td>4.2</td>
<td>Other Recycle</td>
</tr>
<tr>
<td>551 Laboratory Waste Chemicals</td>
<td>13.2</td>
<td>Other Recycle</td>
</tr>
<tr>
<td>591 Bag-house Waste</td>
<td>52.6</td>
<td>Stabilization</td>
</tr>
<tr>
<td>151 Asbestos-containing Waste</td>
<td>454.0</td>
<td>Stabilization</td>
</tr>
<tr>
<td>141 Off-spec. Aged, or Surplus Organics</td>
<td>6.1</td>
<td>Other Recycle</td>
</tr>
<tr>
<td>162 Other Spent Catalyst</td>
<td>125.6</td>
<td>Other Recycle</td>
</tr>
<tr>
<td>161 Fluid Catalytic Cracker Waste</td>
<td>0.0</td>
<td>Other Recycle</td>
</tr>
</tbody>
</table>

**Total**  
7270.8 tons

Data sources for Table A:

OMS manifest database. Generalized treatment methods are from the Technical Reference Manual, which gives two methods for most waste groups. The method shown best conforms to the waste management hierarchy.

The waste groups used in each of these tables were chosen by OMS because of the utility of this grouping for planning purposes. Actual waste streams are designated by waste codes. Table A shows the waste codes for the "miscellaneous wastes" category.

Only manifested wastes are shown in Table A. Non-manifested wastes, such as those from small quantity generators and households, are not included.
REVISED TABLE A (CORRECTED FOR ROUTE HAULERS AND OUT OF STATE SHIPMENTS)

<table>
<thead>
<tr>
<th>WASTE GROUP</th>
<th>MANIFESTED 1986</th>
<th>ADD (a)</th>
<th>ADD (b)</th>
<th>CORRECTED AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Waste oil</td>
<td>3080.4</td>
<td></td>
<td></td>
<td>3080.40</td>
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<tr>
<td>Halogenated solvents</td>
<td>11.0</td>
<td>13.5</td>
<td></td>
<td>24.47</td>
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<tr>
<td>Non-halogenated solvents</td>
<td>611.9</td>
<td>343.8</td>
<td>60.0</td>
<td>1015.67</td>
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<td>Organic liquids</td>
<td>542.0</td>
<td></td>
<td>23.1</td>
<td>565.06</td>
</tr>
<tr>
<td>Pesticides</td>
<td>90.1</td>
<td></td>
<td></td>
<td>90.09</td>
</tr>
<tr>
<td>Dioxins and PCBs</td>
<td>274.2</td>
<td>38.7</td>
<td></td>
<td>312.91</td>
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<tr>
<td>Oily sludges</td>
<td>1653.0</td>
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<td>1652.95</td>
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<tr>
<td>Halogenated org. sludges &amp; solids</td>
<td>5.8</td>
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<td>5.79</td>
</tr>
<tr>
<td>Non-halogenated org. sludges &amp; solids</td>
<td>9466.5</td>
<td></td>
<td></td>
<td>9466.48</td>
</tr>
<tr>
<td>Dye &amp; paint sludges &amp; resins</td>
<td>11.0</td>
<td></td>
<td></td>
<td>11.00</td>
</tr>
<tr>
<td>Metal-containing liquids</td>
<td>317.4</td>
<td></td>
<td></td>
<td>317.38</td>
</tr>
<tr>
<td>Oxyanide &amp; metal liquids</td>
<td>0.0</td>
<td></td>
<td></td>
<td>0.00</td>
</tr>
<tr>
<td>Non-metallic inorganic liquids</td>
<td>2713.8</td>
<td></td>
<td></td>
<td>2713.82</td>
</tr>
<tr>
<td>Metal-containing sludges</td>
<td>42.3</td>
<td></td>
<td></td>
<td>42.34</td>
</tr>
<tr>
<td>Non-metallic inorganic sludges</td>
<td>394.8</td>
<td></td>
<td></td>
<td>394.81</td>
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<tr>
<td>Soil</td>
<td>3929.1</td>
<td></td>
<td></td>
<td>3929.12</td>
</tr>
<tr>
<td>Miscellaneous wastes</td>
<td>7270.8</td>
<td></td>
<td></td>
<td>7270.77</td>
</tr>
<tr>
<td><strong>Totals</strong></td>
<td><strong>30454.0</strong></td>
<td><strong>357.3</strong></td>
<td><strong>121.8</strong></td>
<td><strong>30943.10</strong></td>
</tr>
</tbody>
</table>

(a) Wastes manifested by route haulers in other counties, but originating in Kern County. Source: DHS mailing 8/28/87, attachments 1.1 and 1.2.

(b) Wastes sent out-of-state without California manifest. Source: DHS mailing 8/28/87. All wastes sent out-of-state with California manifests are included in the original Table A, and are therefore not included in this correction.


The waste groups used in each of these tables were chosen by DHS because of the utility of this grouping for planning purposes. Actual waste streams are designated by waste codes. Table A shows the waste codes for the 'miscellaneous wastes' category.

Only manifested wastes are shown in Revised Table A. Non-manifested wastes, such as those from small quantity generators and households, are not included.
<table>
<thead>
<tr>
<th>GENERAL TREATMENT</th>
<th>Required Capacity (tons)</th>
<th>Residuals Factor</th>
<th>Treatment Residuals (tons)</th>
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<tbody>
<tr>
<td>Oil recycling</td>
<td>4733.4</td>
<td>20%</td>
<td>946.7</td>
</tr>
<tr>
<td>Solvent recycling</td>
<td>10512.4</td>
<td>20%</td>
<td>2102.5</td>
</tr>
<tr>
<td>Other recycling</td>
<td>10627.1</td>
<td>15%</td>
<td>1594.1</td>
</tr>
<tr>
<td>Incineration</td>
<td>312.9</td>
<td>10%</td>
<td>31.3</td>
</tr>
<tr>
<td>Aq organics treatment</td>
<td>000.0</td>
<td>10%</td>
<td>000.0</td>
</tr>
<tr>
<td>Aq-metals/neutralization</td>
<td>4250.8</td>
<td>50%</td>
<td>2125.4</td>
</tr>
<tr>
<td>Stabilization</td>
<td>506.6</td>
<td>120%</td>
<td>607.9</td>
</tr>
<tr>
<td>Totals</td>
<td>30943.2</td>
<td>19%</td>
<td>7407.8</td>
</tr>
</tbody>
</table>

Note: Data source: See Revised Table A. Residuals are calculated using ratios given in TRM, p. E-10. Percentage of residuals from "Other Recycling" approximated by the average (15%) of residuals from oil and solvent recycling. Treatment types are those shown on Table A.
<table>
<thead>
<tr>
<th>FACILITY</th>
<th>ACTUAL METHOD</th>
<th>GENERAL METHOD</th>
<th>TONS WASTE TREATED</th>
<th>TONS WASTE DISPOSED</th>
<th>% OF NON-HAZARDOUS WASTE DISPOSED</th>
<th>FUTURE CAPACITY</th>
</tr>
</thead>
<tbody>
<tr>
<td>PHI</td>
<td>Surface Impoundment</td>
<td>N.A.</td>
<td>200000</td>
<td>179600</td>
<td>90%</td>
<td>0</td>
</tr>
<tr>
<td>National Cement</td>
<td>Incineration (cement kiln)</td>
<td>INCIN</td>
<td>20000</td>
<td>20000</td>
<td>100%</td>
<td>20000</td>
</tr>
</tbody>
</table>

Petroleum Waste Incorporated - PHI: 1988 data, from PHI report to RHCCS. Actual capacity depends on weather conditions. Surface impoundments to be closed in 1988. Future capacity presently estimated as zero. It is recognized that surface impoundments are not designated as specified treatment methods. This category is included for completeness because until 1988, it was the largest treatment or disposal method in Kern County.

National Cement kiln: Note that this facility does not incinerate PCBs, the only wastes produced in Kern County for which incineration is the only disposal method available. Capacity is limited by Kern County Air Pollution Control District permit. Source: Facility annual report.
TABLE D  COMPARISON OF TREATMENT AND DISPOSAL NEEDS WITH 1986 CAPACITY

(TONS - 1986)

<table>
<thead>
<tr>
<th>GENERAL TREATMENT</th>
<th>Required Capacity (tons) [1]</th>
<th>Existing (tons) [2]</th>
<th>Excess or (Deficiency) (tons) [3]</th>
</tr>
</thead>
<tbody>
<tr>
<td>Oil recycling</td>
<td>4733.4</td>
<td></td>
<td>( 4733)</td>
</tr>
<tr>
<td>Solvent recycling</td>
<td>10512.4</td>
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<tr>
<td>Other recycling</td>
<td>10627.1</td>
<td></td>
<td>( 10627)</td>
</tr>
<tr>
<td>Incineration</td>
<td>312.9</td>
<td>20000</td>
<td>19687</td>
</tr>
<tr>
<td>Aq organics treatment</td>
<td>000.0</td>
<td></td>
<td>0</td>
</tr>
<tr>
<td>Aq-metals/neutralization</td>
<td>4250.8</td>
<td></td>
<td>( 4251)</td>
</tr>
<tr>
<td>Stabilization</td>
<td>506.6</td>
<td></td>
<td>( 507)</td>
</tr>
<tr>
<td>Residuals disposal</td>
<td>0.0</td>
<td></td>
<td>0</td>
</tr>
</tbody>
</table>

Other Methods available in 1986:

| Surface Impoundments [4]           | 7407.8                      | 200000              | 194274                           |
| Land Treatment [5]                 | 4688.0                      | 4688                | 0                                |

Totals                                | 43039                       | 224688              | 181649                           

Notes:

[1] Source: Table B.
[2] Source: Table C. Only facilities which conformed to 1986 laws and accepted manifested hazardous wastes that year are included.
[4] Petroleum Waste Incorporated; see Table C.
[5] Chevron USA's private facilities; see Tables H and J-2. Manifested hazardous wastes treated in 1986 by Chevron included the following methods and amounts:

- Oil recycling: 196.6 tons
- Solvent recycling: 4491.4 tons
- Chevron Total: 4688.0 tons

The "capacity" shown for land treatment represents the actual amount of Column 1 hazardous wastes treated by Chevron. While the facilities could physically handle more hazardous wastes, inclusion of additional capacity in Table D would be unrealistic to this analysis.
THOUSANDS of TONS

WASTE OIL
HALOGEN SOLVENTS
NON HALOGEN SOLVENTS
ORGANIC LIQUIDS
PESTICIDES
PCB and DIOXEN
OILY SLUDGE
HALOGEN SLUDGE and SOLID
NON HALOGEN SLUDGE and SOLID
DYE and PAINT SLUDGE and SOLID
METALLIC LIQUIDS
CYANIDE and METAL LIQUIDS
NON METALLIC LIQUIDS
METALLIC SLUDGE
NON METALLIC SLUDGE
CONTAMINATED SOIL
MISCELLANEOUS

HAZARDOUS WASTE GENERATION
1986 DHS Shipping Manifest Data - GENERALIZED WASTE TYPES

KERN COUNTY VS. DISPOSAL
### TABLE 2  HAZARDOUS WASTE IMPORTED INTO KERN COUNTY (1986)  
BY COUNTY OF GENERATION – DESTINATION FACILITY:  
PETROLEUM WASTE INC. (FWI)

<table>
<thead>
<tr>
<th>WASTE GROUP</th>
<th>Alameda</th>
<th>Costa</th>
<th>Fresno</th>
<th>Glenn</th>
<th>Contra Costa</th>
<th>Kings</th>
<th>Lake</th>
<th>Los Angeles</th>
<th>Monterey</th>
<th>Orange</th>
</tr>
</thead>
<tbody>
<tr>
<td>Waste Oil</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
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<td>Non-halogenated Solvents</td>
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<td></td>
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<tr>
<td>Organic Liquids</td>
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<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Oily Sludges</td>
<td>96</td>
<td>1167</td>
<td>404</td>
<td>1401</td>
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<td></td>
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<tr>
<td>Halogenated Organic Sludges &amp; Solids</td>
<td>1612</td>
<td>1496</td>
<td>53</td>
<td>373</td>
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<td></td>
<td></td>
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<td></td>
<td></td>
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<td>53</td>
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<td>280</td>
<td>2</td>
<td>53</td>
<td>373</td>
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<td>Non-metallic Inorganic Liquids</td>
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<tr>
<td>Non-metallic Inorganic Sludges</td>
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<td></td>
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</tr>
<tr>
<td>Soil</td>
<td>135</td>
<td>3157</td>
<td>40</td>
<td>194</td>
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**Totals (tons)**

289
15507
1825
15
752
47
57806
9825
2402.3

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<tr>
<th>WASTE GROUP</th>
<th>Placer</th>
<th>San Bernardino</th>
<th>San Diego</th>
<th>San Francisco</th>
<th>San Joaquin</th>
<th>San Luis Obispo</th>
<th>Santa Barbara</th>
<th>Solano</th>
<th>Sonoma</th>
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</thead>
<tbody>
<tr>
<td>Waste Oil</td>
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<td>299</td>
<td>19</td>
<td>530</td>
<td>15</td>
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<td></td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>Oily Sludges</td>
<td>17</td>
<td>13</td>
<td>0.7</td>
<td>263</td>
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<td></td>
</tr>
<tr>
<td>Non-halogenated Organic Sludges &amp; Solids</td>
<td></td>
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<td></td>
<td></td>
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<td></td>
<td></td>
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<td></td>
</tr>
<tr>
<td>Metal-containing Liquids</td>
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<td></td>
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<tr>
<td>Non-metallic Inorganic Liquids</td>
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<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Soil</td>
<td>94</td>
<td>20</td>
<td>440</td>
<td>1003</td>
<td>1495</td>
<td>653</td>
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</table>

**Totals (tons)**

94
27
319
457
143
1003.7
10781
11714
4

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<thead>
<tr>
<th>WASTE GROUP</th>
<th>Ventura</th>
<th>Unknown</th>
<th>Other</th>
<th>Offshore (CA)</th>
<th>Total Imports</th>
</tr>
</thead>
<tbody>
<tr>
<td>Waste Oil</td>
<td>313</td>
<td>180</td>
<td>338</td>
<td>5289</td>
<td></td>
</tr>
<tr>
<td>Non-halogenated Solvents</td>
<td></td>
<td></td>
<td></td>
<td>18</td>
<td></td>
</tr>
<tr>
<td>Organic Liquids</td>
<td>408</td>
<td>154</td>
<td>186</td>
<td>11</td>
<td>2314</td>
</tr>
<tr>
<td>Oily Sludges</td>
<td>966</td>
<td>459</td>
<td>186</td>
<td>11</td>
<td>5147</td>
</tr>
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<td>Halogenated Organic Sludges &amp; Solids</td>
<td>431</td>
<td>962</td>
<td>128</td>
<td>130</td>
<td>27935</td>
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<td>Non-halogenated Organic Sludges &amp; Solids</td>
<td>316</td>
<td>427</td>
<td>448</td>
<td>315</td>
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<td>Non-metallic Inorganic Liquids</td>
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<td></td>
<td></td>
</tr>
<tr>
<td>Non-metallic Inorganic Sludges</td>
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<td></td>
<td></td>
<td>6907</td>
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<tr>
<td>Soil</td>
<td>807</td>
<td>4314</td>
<td>143</td>
<td>587</td>
<td>127569</td>
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<tr>
<td>Miscellaneous Wastes</td>
<td>925</td>
<td>414</td>
<td></td>
<td>617</td>
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</tr>
</tbody>
</table>

**Totals (tons)**

5516
1968
667
587
127569 tons

---

Source of data: Department of Health Services Manifest System
TABLE E - (Continued) HAZARDOUS WASTE IMPORTED INTO KERN COUNTY (1986) BY COUNTY OF GENERATION – DESTINATION FACILITY: NATIONAL CEMENT

<table>
<thead>
<tr>
<th>WASTE GROUP</th>
<th>Contra Costa</th>
<th>Fresno</th>
<th>Glenn</th>
<th>Kings</th>
<th>Lake</th>
<th>Los Angeles</th>
<th>Merced</th>
<th>Orange</th>
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<tbody>
<tr>
<td>Waste Oil</td>
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<td>63</td>
<td>8</td>
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<td></td>
<td></td>
<td></td>
<td>30</td>
<td>5</td>
<td></td>
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<td></td>
<td></td>
<td></td>
<td>11072</td>
<td>17</td>
<td>870</td>
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<tr>
<td>Organic Liquids</td>
<td>118</td>
<td>18</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Halogenated Organic Sludges &amp; Solids</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>35</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Dye and Paint Sludges and Resins</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>255</td>
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<td>21</td>
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<td>18</td>
<td>0</td>
<td>0</td>
<td>118</td>
<td>0</td>
<td>11443</td>
<td>55</td>
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<tr>
<th>WASTE GROUP</th>
<th>Riverside</th>
<th>San Bernardino</th>
<th>San Diego</th>
<th>San Mateo</th>
<th>Santa Clara</th>
<th>San Luis Obispo</th>
<th>Santa Barbara</th>
<th>Solano</th>
<th>Sonoma</th>
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<tbody>
<tr>
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<td></td>
<td></td>
<td></td>
<td></td>
<td>51</td>
<td>870</td>
<td>338</td>
<td>4557</td>
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<td>Non-halogenated Solvents</td>
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<td></td>
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<tr>
<td>Organic Liquids</td>
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<td>44</td>
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<tr>
<td>Halogenated Organic Sludges &amp; Solids</td>
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<td></td>
<td>51</td>
<td>482</td>
<td>162</td>
<td>4556</td>
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<td>367</td>
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<td></td>
<td></td>
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<tr>
<td><strong>Totals (tons)</strong></td>
<td>51</td>
<td>482</td>
<td>162</td>
<td>4556</td>
<td>441</td>
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<tr>
<th>WASTE GROUP</th>
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<th>Other</th>
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<th>Total Imports</th>
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<td>192</td>
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<td></td>
<td></td>
<td>79</td>
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<td></td>
<td></td>
<td>17572</td>
</tr>
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<td>Organic Liquids</td>
<td>41</td>
<td></td>
<td></td>
<td></td>
<td>177</td>
</tr>
<tr>
<td>Halogenated Organic Sludges &amp; Solids</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>35</td>
</tr>
<tr>
<td>Dye and Paint Sludges and Resins</td>
<td></td>
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<td></td>
<td></td>
<td>276</td>
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<tr>
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<td>0</td>
<td>52</td>
<td>18331 tons</td>
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Source of data: Department of Health Services Manifest System
TABLE E (CONTINUED) - SUMMARY

HAZARDOUS WASTES IMPORTED INTO KERN COUNTY
BY FACILITY IMPORTING (1986)

TONS AT EACH FACILITY

<table>
<thead>
<tr>
<th>WASTE GROUP</th>
<th>CHEVRON USA EASTSIDE (a)</th>
<th>EPC WESTSIDE (c)</th>
<th>IT CORP NATIONAL CEMENT (d)</th>
<th>PETROLEUM WASTE INC. (e)</th>
<th>REFINERIES VALLEY SERVICE INC (f)</th>
<th>WESTERN ASPHALT (g)</th>
<th>1986 TOTAL</th>
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<tr>
<td>3</td>
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<tr>
<td>8</td>
<td>35</td>
<td>73</td>
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<td>9</td>
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<td>16219</td>
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<tr>
<td>TOTAL</td>
<td>36</td>
<td>10</td>
<td>106</td>
<td>18331</td>
<td>127649</td>
<td>982</td>
<td>147222</td>
</tr>
</tbody>
</table>

Wastes are listed by groups; see Table L.

(a) Chevron 3c and 5k sites. Errors in database; all wastes originated locally.
(b) Facility closed in 1986
(c) Facility closed in 1986
(d) Transfer station
(e) Cement kiln (Los Robles); some 1986 wastes were manifested under former name, General Portland.
(f) Petroleum Industry wastes only.
(g) Route hauler, based in Stanislaus County.
(h) Wastes were all "other inorganic solid wastes" (cat. 181).
(i) Hauler for Gibson Refinery during initial facility testing, recycler of oily wastes.
TABLE E (CONT.) – WASTES IMPORTED TO MINOR FACILITIES IN KERN COUNTY, 1986

(All quantities in tons)

<table>
<thead>
<tr>
<th>WASTE GROUP</th>
<th>CHEVRON 5K</th>
<th>FACILITY / GENERATING COUNTY</th>
<th>EPC EASTSIDE</th>
<th>EPC WESTSIDE</th>
<th>NI-TAFT (TRANSFER)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>UNKNOWN TOTAL</td>
<td>EPC EASTSIDE</td>
<td>EPC WESTSIDE</td>
<td>L.A.</td>
<td>ORANGE</td>
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<tr>
<td>1</td>
<td>36</td>
<td>36</td>
<td>18</td>
<td>84</td>
<td>102</td>
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<td>10</td>
<td>10</td>
<td>18</td>
<td>88</td>
<td>106</td>
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</tr>
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<td>16</td>
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</tr>
<tr>
<td>17</td>
<td>26</td>
<td>29</td>
<td>55</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Wastes are listed by “Group number”. For names of waste groups, see Table L.

Kern County and Incorporated Cities
Hazardous Waste Management Plan
<table>
<thead>
<tr>
<th>WASTE GROUP</th>
<th>Kern Generated for comparison purposes</th>
<th>Exported from Kern</th>
<th>Contra Costa</th>
<th>Fresno</th>
<th>Kings</th>
<th>Los Angeles</th>
<th>Sacramento</th>
<th>San Diego</th>
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</thead>
<tbody>
<tr>
<td>Waste Oil</td>
<td>3080</td>
<td>2701</td>
<td>400</td>
<td></td>
<td>107</td>
<td>1300</td>
<td>3</td>
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<tr>
<td>Halogenated Solvents</td>
<td>11</td>
<td>11</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Non-Halogenated Solvents</td>
<td>612</td>
<td>600</td>
<td>439</td>
<td></td>
<td>16</td>
<td>14</td>
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<tr>
<td>Organic Liquids</td>
<td>542</td>
<td>524</td>
<td>18</td>
<td></td>
<td></td>
<td>248</td>
<td>39</td>
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<td>Pesticides</td>
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<td>90</td>
<td></td>
<td></td>
<td></td>
<td>38</td>
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<td></td>
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<tr>
<td>PCBs and Dioxins</td>
<td>274</td>
<td>273</td>
<td></td>
<td></td>
<td></td>
<td>143</td>
<td>37</td>
<td></td>
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<td>760</td>
<td></td>
<td></td>
<td></td>
<td>134</td>
<td>61</td>
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<td>Halogenated Organic Sludges &amp; Solids</td>
<td>6</td>
<td>5</td>
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<td></td>
<td></td>
<td></td>
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<tr>
<td>Non-Halogen Org. Sludges &amp; Solids</td>
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<td>648</td>
<td>50</td>
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<td></td>
<td>128</td>
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<td>Dye and Paint Sludges and Resins</td>
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<td>11</td>
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<tr>
<td>Soil</td>
<td>3929</td>
<td>1876</td>
<td></td>
<td></td>
<td></td>
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<td></td>
<td></td>
<td>765</td>
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<td>Totals (tons)</td>
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<td>9933</td>
<td>987</td>
<td>17</td>
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<td>1757</td>
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<table>
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<tr>
<th>WASTE GROUP</th>
<th>San Mateo</th>
<th>Santa Barbara</th>
<th>Solano</th>
<th>Stanislaus</th>
<th>Unknown</th>
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<tr>
<td>Waste Oil</td>
<td>138</td>
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<td>Halogenated Solvents</td>
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<td>1</td>
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<td>3</td>
<td></td>
</tr>
<tr>
<td>Non-Halogenated Solvents</td>
<td>15</td>
<td>28</td>
<td></td>
<td>43</td>
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</tr>
<tr>
<td>Organic Liquids</td>
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<td>Pesticides</td>
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<td></td>
</tr>
<tr>
<td>PCBs and Dioxins</td>
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<td>467</td>
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<td></td>
<td></td>
<td></td>
</tr>
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<td>Non-Halogen Org. Sludges &amp; Solids</td>
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<td></td>
<td></td>
<td>461</td>
<td></td>
</tr>
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<td>Dye and Paint Sludges and Resins</td>
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<td>1</td>
<td></td>
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<td>78</td>
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<tr>
<td>Non-metallic Inorganic Sludges</td>
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<tr>
<td>Soil</td>
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<td>416</td>
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<tr>
<td>Miscellaneous Wastes</td>
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<td>287</td>
<td></td>
<td>461</td>
<td></td>
</tr>
<tr>
<td>Totals (tons)</td>
<td>161</td>
<td>700</td>
<td>1024</td>
<td>133</td>
<td>3022</td>
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</table>

Source of data: Department of Health Services Manifest System

---

1 "Unknown" may include hazardous wastes shipped out of California, as well as errors in the DHS Manifest System.
<table>
<thead>
<tr>
<th>Storage Method</th>
<th>Average monthly quantity of wastes stored over 90 days</th>
<th>Storage capacity</th>
<th>% of storage capacity used</th>
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</thead>
<tbody>
<tr>
<td>S01 Container</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>S02 Tank</td>
<td>564 tons</td>
<td>1560 tons</td>
<td>36%</td>
</tr>
<tr>
<td>S03 Waste Pile</td>
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<td></td>
</tr>
<tr>
<td>S04 Impoundment</td>
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</tr>
<tr>
<td>S05 Other</td>
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<td></td>
</tr>
</tbody>
</table>

Source: DHS, Alternative Technology Section, Commercial Facility Capacity Summary. DHS mailing, September 30, 1987. (This facility uses a tank to store hazardous waste which is used as fuel in the cement kiln.)
### Table H
PRIVATE AND ON-SITE TREATMENT OF HAZARDOUS WASTE IN KERN COUNTY – CHEVRON U.S.A.

3c and 5k Private Hazardous Waste Facilities
Tons Per Year (1986)

[All hazardous wastes included in Table A]

<table>
<thead>
<tr>
<th>Site</th>
<th>Quantity Treated/ Disposed</th>
<th>Capacity</th>
<th>Percent of Capacity Used</th>
</tr>
</thead>
<tbody>
<tr>
<td>3c</td>
<td>1793</td>
<td>36532</td>
<td>4.9</td>
</tr>
<tr>
<td>5k</td>
<td>2895</td>
<td>73755</td>
<td>3.9</td>
</tr>
</tbody>
</table>

| Total (Tons) | 4688 | 110287 | 4.3 |

Notes: Physical capacity of both facilities is much greater than anticipated private company usage.

Treatment method: Land treatment. Only non-hazardous and hazardous wastes from Chevron U.S.A.'s Kern County petroleum production is accepted. No "RCRA" wastes are disposed at these facilities. Because of the nature of the waste, this treatment method, while not one of the methods specified by DHS, is expected to be continued. A DHS "Part B" application is presently being prepared. Disposal is expected to continue at approximately the present level. Since hazardous waste is transported to this site under manifests, it is included in Table A.

Source of data: Regional Water Quality Control Board – Tulare Basin
## TABLE I  PLANNING ESTIMATE

(TONS, 1986)

<table>
<thead>
<tr>
<th>Manifested Wastes</th>
<th>Cleanup Wastes</th>
<th>Transfer Station</th>
<th>Corrected Amount</th>
<th>Variances/Exempted Wastes</th>
<th>Wastes from SQGs</th>
<th>Total Industry Wastes</th>
<th>Household Hazardous Wastes</th>
<th>Grand TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1)</td>
<td>(2)</td>
<td>(3)</td>
<td>(4)</td>
<td>(5)</td>
<td>(6)</td>
<td>(7)</td>
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<td>24.5</td>
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<td></td>
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<tr>
<td>Non-halogenated Solvents</td>
<td>1015.7</td>
<td>30.1</td>
<td>985.6</td>
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<td>1822.8</td>
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<td>9.6</td>
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<td>79.0</td>
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<tr>
<td>Dioxins and PCBs</td>
<td>312.9</td>
<td>312.9</td>
<td>1.7</td>
<td>0.8</td>
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<tr>
<td>Oily sludges</td>
<td>1653.0</td>
<td>3.4</td>
<td>1649.6</td>
<td>78.2</td>
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<td>Halogenated organic sludge/solid</td>
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<td>5.8</td>
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<tr>
<td>Non-halogen. org. sludge/solid</td>
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<td>9293.5</td>
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<td>307.6</td>
<td>2645.4</td>
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<tr>
<td>Dye &amp; paint sludge &amp; resin</td>
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<td>11.0</td>
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<td>Metal-containing liquid</td>
<td>687.1</td>
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<td>367.4</td>
<td>1956.3</td>
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<td>319.7</td>
<td>2645.4</td>
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<td>Cyanide/metal wastes</td>
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<td>0.0</td>
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<tr>
<td>Non-metallic inorganic liquid</td>
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<td>184.0</td>
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<td>42.3</td>
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<td>42.3</td>
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<tr>
<td>Non-metallic sludges</td>
<td>394.8</td>
<td>25.9</td>
<td>369.9</td>
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<td>Contaminated soil</td>
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</tr>
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<td>1.0</td>
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<td>258.8</td>
<td>7083.4</td>
<td>276.2</td>
<td>7359.6</td>
</tr>
<tr>
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<td><strong>19005.3</strong></td>
<td><strong>44991.7</strong></td>
<td><strong>1194.6</strong></td>
<td><strong>46186.3</strong></td>
</tr>
</tbody>
</table>

(All amounts are in tons)

Sources of data for each column:

1. Table A revised: "corrected amount"
2. All contaminated soils, asbestos, "1X" wastes, and PCBs were included in this column. Source: HNIS, 1986.
3. Wastes from IT's Taft transfer station. Source: HNIS. Note that some of these wastes were recorded in the database with treatment codes other than H01. However, according to the facility, its only activity is as a transfer station.
4. Column (1) minus columns (2) and (3)
5. No information is available on variances/exempted wastes in Kern County.
6. Wastes from small quantity generators. The SQG amounts are discussed below. These are estimates only. Particularly the waste oil amount is believed to be unrealistically high.
7. Total of columns (1) through (6).
8. Household hazardous wastes. This is discussed in the text (Section 4.1.3). Each waste in table 4-1 was assigned to a waste group according to the table supplied in DHS' October 1987 mailing. Where a waste group could not be assigned, a household waste stream was assigned to miscellaneous wastes, with stabilization as the treatment.
9. Column (7) plus Column (8)

### SMALL QUANTITY GENERATOR WASTES:

The number of small quantity generators in Kern County is not known. Estimates were prepared by compiling several sources: the Chapter 6.95 program, which had not yet completed a facility identification; telephone books; the Electronic Yellow Pages, a computer "super telephone book" available on the Dialog Information System. Because telephone-book sources do not identify small versus large facilities, and may double-count a facility which lists its name in two categories (auto repair and service station, for example), the number of facilities in some categories is probably much too high. Therefore the amount of waste (particularly waste oil) is also high. The SQG amounts were calculated using the multipliers for different SQG sectors of the economy, from the TRM, Part F (as corrected by DHS). Types of wastes given in the TRM for SQGs did not correspond to the waste groups used for planning purposes in this document. Therefore, the initial waste types were converted to waste groups (also as suggested by DHS). Used oil was calculated using DHS' suggested factors. The industries listed on the table in DHS' mailing were matched to the corresponding SQG groups listed. In one case (educational/vocational shops) the factor used was an average of two factors: those for wood-working and metal shops.
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**TOTAL**                      | 2286     | 29.53   | 3588.6| 757.4| 9.6 | 79.0| 78.2| 239.2| 57.4| 1958.3| 0.0 |

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**TOTAL**                      | 8.0| 184.0| 27.8| 258.8| 15348.6| 19006.2| 19006.2| 19006.2| 19006.2| 19006.2| 19006.2|

Kern County and Incorporated Cities

Hazardous Waste Management Plan
### TABLE J-1  INDUSTRIAL HAZARDOUS WASTES GENERATED BY SECTORS OF THE ECONOMY (TONS, 1986)

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<th>Sector (all amounts in tons)</th>
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<th>Chemicals</th>
<th>Hauling</th>
<th>Military</th>
<th>Oil production</th>
<th>Oil prod. Services</th>
<th>Oil refining</th>
<th>Other</th>
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Totals: 349.4 1296.5 2294.5 620.8 15565.4 1101.4 2954.7 19767.6 44991.5

Source of data:

Manifest database for 1985 (on disk) corrected as shown in Table I, column 7. Small discrepancies occur due to round-off errors.

The purpose of this table is to provide a basis for projections of future hazardous waste generation. For Kern County, there are few economic projections available. The greatest amount of hazardous waste is related to the oil industry. Projections are available for oil production (Figure 4-3). It was necessary to make approximations of growth in other sectors. It is believed that agriculture and the military will continue to generate about the same amount of hazardous wastes. A significant amount of hazardous wastes are manifested to haulers. These may be from small quantity generators. Oil related sectors include chemicals, oil production, and various services. Oil refining, however, may continue at approximately the same level as presently even if oil production declines. Other sectors serve the public in various ways. These were projected to grow at about the same level as the population.

For small quantity generators, assignments to sectors are shown in the SQG Planning Estimate under Table I.

It would not be fruitful to break down the sectors of the economy in this county in greater detail. Oil-related industry has several unrelated SIC codes, for instance. It is believed that this level of detail is sufficient for projections with the data presently available on economic growth in the county.
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<td>HALOGENATED ORG. SLUDGES &amp; SOLIDS</td>
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<td></td>
</tr>
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<td>NON-HALOGENATED ORG. SLUDGES &amp; SOLIDS</td>
<td>4491.4</td>
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<tr>
<td>11</td>
<td>METAL-CONTAINING LIQUIDS</td>
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<td>CYANIDE &amp; METAL LIQUIDS</td>
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<td>NON-METALLIC INORGANIC LIQUIDS</td>
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<tr>
<td>16</td>
<td>SOIL</td>
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<tr>
<td>17</td>
<td>MISCELLANEOUS WASTES</td>
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<tr>
<td></td>
<td>TOTAL</td>
<td></td>
<td>4688.0</td>
</tr>
</tbody>
</table>

**Note:** Facilities reported are Chevron U.S.A. 3C and 5K sites. All hazardous wastes are manifested and therefore are included in other tables.
### TABLE K  PROJECTED HAZARDOUS WASTE GENERATION

<table>
<thead>
<tr>
<th>Sector of Economy (All Amounts in Tons)</th>
<th>Industrial Waste Total</th>
<th>Household Waste Total</th>
<th>TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
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</tr>
<tr>
<td>Agri Service</td>
<td>Chemical</td>
<td>Hauling</td>
<td>Military</td>
</tr>
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<td>678</td>
</tr>
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<td>5</td>
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<tr>
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<td>67</td>
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<tr>
<td>4</td>
<td>2</td>
<td>15</td>
<td>67</td>
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<td>7</td>
<td>79</td>
<td>532</td>
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<td>1</td>
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</tr>
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<td>9</td>
<td>10</td>
<td>30</td>
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<td>4</td>
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</tr>
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<td>4</td>
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<td>35</td>
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<td>17</td>
<td>77</td>
<td>7</td>
<td>22</td>
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<tr>
<td>Total</td>
<td>444</td>
<td>861</td>
<td>2825</td>
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</table>

### MISCELLANEOUS WASTES BY CALIFORNIA WASTE CODE

<table>
<thead>
<tr>
<th>CAT</th>
<th>22</th>
<th>73</th>
<th>12</th>
<th>4</th>
<th>25</th>
<th>157</th>
<th>157</th>
</tr>
</thead>
<tbody>
<tr>
<td>= CAT 322</td>
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<td></td>
<td></td>
<td></td>
<td></td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>= CAT 581</td>
<td>22</td>
<td>73</td>
<td>42</td>
<td>12</td>
<td>4</td>
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<td>157</td>
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<td>= CAT 512</td>
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<td>2835</td>
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<td>= CAT 511</td>
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<tr>
<td>= CAT 513</td>
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<td>2</td>
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<td>0</td>
</tr>
<tr>
<td>= CAT 172</td>
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<td>0</td>
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<td>157</td>
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<tr>
<td>= CAT 561</td>
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<td>1169</td>
<td>279</td>
<td>113</td>
<td>1567</td>
<td>1567</td>
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<td>21</td>
</tr>
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<td>11</td>
<td></td>
<td></td>
<td>11</td>
<td>11</td>
<td>11</td>
<td>11</td>
</tr>
<tr>
<td>= CAT 612</td>
<td></td>
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<td></td>
<td>11</td>
<td>11</td>
<td>11</td>
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<td>67</td>
<td>67</td>
</tr>
<tr>
<td>= CAT 591</td>
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<td>3</td>
<td>1</td>
<td>5</td>
<td>5</td>
<td>67</td>
<td>67</td>
</tr>
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<td>= CAT 151</td>
<td></td>
<td>7</td>
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<td>7</td>
<td>7</td>
</tr>
<tr>
<td>= CAT 141</td>
<td>7</td>
<td>7</td>
<td>7</td>
<td>7</td>
<td>7</td>
<td>7</td>
<td>7</td>
</tr>
<tr>
<td>= CAT 162</td>
<td>125</td>
<td>126</td>
<td>126</td>
<td>126</td>
<td>0</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Note: Projection assuming the higher oil price curve on Figure 4-3. Oil production in year 2000 is projected to be 66.4% of that in 1986. Population (Kern County Annual Population and Housing Report, 1986) in year 2000 is projected as 127% of 1986 population.


**TABLE K (Continued)**

**Methodology Used for Table K**

Growth Factors for Various Sectors of the Economy  
Ratio of Year 2000/Year 1986

<table>
<thead>
<tr>
<th>Sector</th>
<th>Growth Factor</th>
<th>Basis</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ag. Service</td>
<td>1.270</td>
<td>Population Growth</td>
</tr>
<tr>
<td>Chemical</td>
<td>.664</td>
<td>Oil Production Increase</td>
</tr>
<tr>
<td>Haulers</td>
<td>1.270</td>
<td>Population Growth</td>
</tr>
<tr>
<td>HHW</td>
<td>1.270</td>
<td>Population Growth</td>
</tr>
<tr>
<td>Military</td>
<td>1.000</td>
<td>No Change in Current Level</td>
</tr>
<tr>
<td>Oil Production</td>
<td>.664</td>
<td>Oil Production Increase</td>
</tr>
<tr>
<td>Oil Prod. Service</td>
<td>.664</td>
<td>Oil Production Increase</td>
</tr>
<tr>
<td>Oil Refining</td>
<td>1.000</td>
<td>No Change in Current Level</td>
</tr>
<tr>
<td>Other</td>
<td>1.270</td>
<td>Population Growth</td>
</tr>
</tbody>
</table>

See Section 4.1.1

The only industrial growth projection available is for oil production which is projected to decrease even in an optimistic scenario. All services directly related to oil production would decrease correspondingly. The military and oil refining were assumed constant. Population-related services would increase with population growth.

Oil production in year 2000 would be 68.4 percent of 1986 (assuming the higher oil price curve shown in Figure 4.3). Population would be .27 percent of 1986 (see Table 4-1 for population projections).

Source of data: Table J; Figure 4-3 (from Briefing Papers for the Kern County Energy Conference, October 29-30, 1987); Kern County 1986 Annual Population and Housing Report.

Methodology: Each sector's hazardous waste generation in Table J (Household Hazardous Waste from Table I) was multiplied by the appropriate growth factor.
TABLE K-2  MAJOR HAZARDOUS WASTE STREAMS MANAGED ONSITE OR PRIVATELY IN KERN COUNTY - YEAR 2000 PROJECTION

INDUSTRY SECTOR

(TONS/YEAR)

<table>
<thead>
<tr>
<th>GP #</th>
<th>WASTE GROUP</th>
<th>OIL PRODUCTION</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>WASTE OIL</td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>HALOGENATED SOLVENTS</td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>NON-HALOGENATED SOLVENTS</td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>ORGANIC LIQUIDS</td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>PESTICIDES</td>
<td></td>
</tr>
<tr>
<td>6</td>
<td>DIOXINS</td>
<td></td>
</tr>
<tr>
<td>7</td>
<td>OILY SLUDGES</td>
<td>130.5</td>
</tr>
<tr>
<td>8</td>
<td>HALOGENATED ORG. SLUDGES &amp; SOLIDS</td>
<td></td>
</tr>
<tr>
<td>9</td>
<td>NON-HALOGENATED ORG SLUDGES &amp; SOLIDS</td>
<td>2982.3</td>
</tr>
<tr>
<td>10</td>
<td>DYE &amp; PAINT SLUDGES &amp; RESINS</td>
<td></td>
</tr>
<tr>
<td>11</td>
<td>METAL-CONTAINING LIQUIDS</td>
<td></td>
</tr>
<tr>
<td>12</td>
<td>CYANIDE &amp; METAL LIQUIDS</td>
<td></td>
</tr>
<tr>
<td>13</td>
<td>NON-METALLIC INORGANIC LIQUIDS</td>
<td></td>
</tr>
<tr>
<td>14</td>
<td>METAL-CONTAINING SLUDGES</td>
<td></td>
</tr>
<tr>
<td>15</td>
<td>NON-METALLIC INORGANIC SLUDGES</td>
<td></td>
</tr>
<tr>
<td>16</td>
<td>SOIL</td>
<td></td>
</tr>
<tr>
<td>17</td>
<td>MISCELLANEOUS WASTES</td>
<td></td>
</tr>
<tr>
<td></td>
<td>TOTAL</td>
<td>3112.8</td>
</tr>
</tbody>
</table>

NOTE: Facilities reported are Chevron U.S.A. 3C and 5K sites. All hazardous wastes are manifested and therefore are included in other tables.

Methodology: Amounts reported in Table J-2 were multiplied by 0.664, the growth factor for year 2000 oil production.
### TABLE L: PROJECTED QUANTITIES OF CLEANUP WASTES

<table>
<thead>
<tr>
<th>GP #</th>
<th>WASTE GROUP</th>
<th>Underground Tanks</th>
<th>Old Disposal Sites</th>
<th>Closed Toxic Pits</th>
<th>Other Cleanup Wastes</th>
<th>Total</th>
<th>Yearly Average (10 years)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>WASTE OIL</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>HALOGENATED SOLVENTS</td>
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<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>NON-HALOGENATED SOLVENTS</td>
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<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>ORGANIC LIQUIDS</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
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<td>5</td>
<td>PESTICIDES</td>
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<td></td>
<td></td>
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<td></td>
</tr>
<tr>
<td>6</td>
<td>DIOXINS</td>
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<td></td>
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<td></td>
<td></td>
</tr>
<tr>
<td>7</td>
<td>OILY SLUDGES</td>
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<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>8</td>
<td>HALOGENATED ORG. SLUDGES &amp; SOLIDS</td>
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<td></td>
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</tr>
<tr>
<td>9</td>
<td>NON-HALOGENATED ORG. SLUDGES &amp; SOLIDS</td>
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<td></td>
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</tr>
<tr>
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<td>DYE &amp; PAINT SLUDGES &amp; RESINS</td>
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</tr>
<tr>
<td>11</td>
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<td></td>
</tr>
<tr>
<td>12</td>
<td>CYANIDE &amp; METAL LIQUIDS</td>
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<td>6620</td>
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</tr>
</tbody>
</table>

Little quantitative information is available on future quantities of cleanup wastes in Kern County. Amounts are taken from the Site Reporting Forms sent by DHS for sites on the Bond Expenditure Plan list. For those sites on the list which had no estimates of cleanup amounts, but which were classified as "small, medium, or large," the largest amount given for a site of the same general size was used. This gave the following figures which were used in the table for cleanup wastes:

For sites with non-characterized amounts, assume these amounts of contaminated soil to be shipped off-site:

<table>
<thead>
<tr>
<th>Number of sites (DHS mailing)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Large: 7000 cu yd</td>
</tr>
<tr>
<td>Medium: 500 cu yd</td>
</tr>
<tr>
<td>Small: 100 cu yd</td>
</tr>
</tbody>
</table>

The disposal site in Column 1 is Rio Bravo; information from the Site Reporting Form for this facility. The "Toxic pits" column includes the other facilities with quantities already estimated in the Site Reporting Forms, since these were generally closed impoundments or pesticide disposal basins.

The estimate of cleanup wastes is low. No information is available on amounts of contaminated soil from underground storage tanks, or on how much of such wastes will need off-site disposal. It is also expected that more contaminated sites will be discovered in the future. This table should be revised during the first update of the CHMP to reflect the better data which should be available at that time.
TABLE M  PROJECTED QUANTITIES OF NEW WASTE STREAMS  
IN KERN COUNTY IN THE YEAR 2000  

<table>
<thead>
<tr>
<th>GP #</th>
<th>WASTE GROUP</th>
<th>Additional Pretreatment Sludges *</th>
<th>Other New Wastes **</th>
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</thead>
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<tr>
<td>1</td>
<td>WASTE OIL</td>
<td>0.0</td>
<td>0.0</td>
</tr>
<tr>
<td>2</td>
<td>HALOGENATED SOLVENTS</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>NON-HALOGENATED SOLVENTS</td>
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<td></td>
</tr>
<tr>
<td>4</td>
<td>ORGANIC LIQUIDS</td>
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</tr>
<tr>
<td>5</td>
<td>PESTICIDES</td>
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</tr>
<tr>
<td>6</td>
<td>DIOXINS</td>
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<td></td>
</tr>
<tr>
<td>7</td>
<td>OILY SLUDGES</td>
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<td></td>
</tr>
<tr>
<td>8</td>
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</tr>
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<tr>
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<td>DYE &amp; PAINT SLUDGES &amp; RESINS</td>
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<tr>
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<td>CYANIDE &amp; METAL LIQUIDS</td>
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<td>13</td>
<td>NON-METALLIC INORGANIC LIQUIDS</td>
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<tr>
<td>14</td>
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<tr>
<td>16</td>
<td>SOIL</td>
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<td></td>
</tr>
<tr>
<td>17</td>
<td>MISCELLANEOUS WASTES</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

* Pretreatment data not available as of March 1988.  
** All projected wastes accounted for in Table K.
### TABLE N TOTAL PROJECTED HAZARDOUS WASTE GENERATION
HIGH PROJECTION, NO WASTE REDUCTION (YEAR 2000)

**PROJECTED WASTE STREAMS (tons/year)**

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>WASTE OIL</td>
<td>22361</td>
<td>153</td>
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<td>459</td>
</tr>
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<td>PESTICIDES</td>
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<td>328</td>
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<td>DIOXINS/POs</td>
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<tr>
<td>SOIL</td>
<td></td>
<td></td>
<td></td>
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<td>6578</td>
</tr>
<tr>
<td>MISCELLANEOUS</td>
<td>5146</td>
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<td>351</td>
<td>5539</td>
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</tbody>
</table>

**Totals:** 44609 6620 0 1517 52745

**Sources:** The tables indicated below for various columns. This table does not take into account any source reduction program.

- [1] Table K, Industrial Hazardous Waste column
- [2] Table L, Yearly Average column
- [3] Table M, Total
- [4] Table K, Household Hazardous Waste (HHW) column
TABLE N (Continued)
TOTAL PROJECTED HAZARDOUS WASTE GENERATION
HIGH PROJECTION, WITH SOURCE REDUCTION
PROGRAM (YEAR 2000)

<table>
<thead>
<tr>
<th></th>
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</thead>
<tbody>
<tr>
<td>WASTE OIL</td>
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<td></td>
<td>153</td>
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<tr>
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<td>25</td>
<td>27</td>
<td>.09</td>
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<tr>
<td>NON-HALOGENATED SOLVENTS</td>
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<td>101</td>
<td>2207</td>
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<td>.01</td>
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<tr>
<td>ORGANIC LIQUID</td>
<td>441</td>
<td></td>
<td></td>
<td>441</td>
<td></td>
<td>.04</td>
</tr>
<tr>
<td>PESTICIDES</td>
<td>209</td>
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<td>115</td>
<td>324</td>
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<tr>
<td>DIOXINS/PCBs</td>
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<td></td>
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<td></td>
<td></td>
<td>.08</td>
</tr>
<tr>
<td>OILY SLUDGES</td>
<td>1166</td>
<td></td>
<td></td>
<td>1166</td>
<td></td>
<td>.08</td>
</tr>
<tr>
<td>HALOGENATED ORG SLUDGES</td>
<td>96</td>
<td></td>
<td></td>
<td>96</td>
<td></td>
<td>.09</td>
</tr>
<tr>
<td>NON-HALOGENATED SLUDGES</td>
<td>7336</td>
<td></td>
<td></td>
<td>7336</td>
<td></td>
<td>.09</td>
</tr>
<tr>
<td>DYE &amp; PAINT SLUDGES</td>
<td>83</td>
<td></td>
<td>391</td>
<td>474</td>
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<tr>
<td>METAL-CONTAINING LIQ</td>
<td>2141</td>
<td></td>
<td>406</td>
<td>2547</td>
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<td>.25</td>
</tr>
<tr>
<td>CYANIDE &amp; METAL LIQS</td>
<td>6</td>
<td></td>
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<td>6</td>
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<td>.25</td>
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<tr>
<td>NON-METALLIC INORG LIQ</td>
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<td></td>
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<td>.25</td>
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<tr>
<td>METAL-CONTAINING SLUDGE</td>
<td>43</td>
<td></td>
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<td>43</td>
<td></td>
<td>.25</td>
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<tr>
<td>NON-METALLIC INORG SLUDGE</td>
<td>184</td>
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<td>SOIL</td>
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<td>MISCELLANEOUS</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>.02</td>
</tr>
<tr>
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<td>41130</td>
<td>6620</td>
<td>0</td>
<td>1517</td>
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</tr>
</tbody>
</table>

Notes: This table is the same as the previous one, except source reduction programs are accounted for.

Methodology: For each hazardous waste group, the industrial hazardous waste from Table N (column 1) is reduced by the Source Reduction Factor shown in column [6]. Household hazardous waste and cleanup hazardous wastes are not reduced for this table.

[6] Source reduction factors used in this column are from TRM, page H-1.
TABLE 0 PROJECTED COMMERCIAL HAZARDOUS WASTE TREATMENT/DISPOSAL CAPACITY IN KERN COUNTY IN THE YEAR 2000

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Oil Recycling</td>
<td></td>
<td></td>
<td></td>
<td>50400</td>
</tr>
<tr>
<td>Solvent Recycling</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Other Recycling</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Incineration</td>
<td>20000</td>
<td></td>
<td></td>
<td>20000</td>
</tr>
<tr>
<td>Aqueous Organic Treatment</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>As. Metals/neutralization</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Stabilization</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Residuals Disposal</td>
<td></td>
<td>180000</td>
<td></td>
<td>180000</td>
</tr>
<tr>
<td>Sub-total</td>
<td>20000</td>
<td>230400</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Other Methods, Impoundments</td>
<td>200000</td>
<td></td>
<td></td>
<td>200000</td>
</tr>
<tr>
<td>Year 1985 total</td>
<td>220000</td>
<td>230400</td>
<td>200000</td>
<td>250400</td>
</tr>
</tbody>
</table>

*: [1] Table D amounts

This table includes Petroleum Waste Inc. impoundments that were operational in 1985. These facilities are in the process of closure.

This table does not include private disposal sites used for some oil production hazardous wastes are not included (see Table H).
### Table P: Projected Kern County Needs for Commercial Hazardous Waste Treatment/Disposal Capacity – No Waste Reduction

#### Projected Capacities (Year 2000)

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Oil recycling</td>
<td>23781</td>
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<td>23781</td>
<td>50400</td>
<td>26619</td>
</tr>
<tr>
<td>Solvent recycling</td>
<td>9771</td>
<td></td>
<td>9771</td>
<td>(9771)</td>
<td></td>
</tr>
<tr>
<td>Other recycling</td>
<td>7292</td>
<td>6620</td>
<td>13912</td>
<td>(13912)</td>
<td></td>
</tr>
<tr>
<td>Inclination</td>
<td></td>
<td></td>
<td></td>
<td>20000</td>
<td></td>
</tr>
<tr>
<td>Ag organics treatment</td>
<td></td>
<td></td>
<td></td>
<td>(0)</td>
<td></td>
</tr>
<tr>
<td>Ag-metals/neutralization</td>
<td>2835</td>
<td></td>
<td>2835</td>
<td>(2835)</td>
<td></td>
</tr>
<tr>
<td>Stabilization</td>
<td>2448</td>
<td></td>
<td>2448</td>
<td>(2448)</td>
<td></td>
</tr>
<tr>
<td>Residuals disposal</td>
<td></td>
<td></td>
<td></td>
<td>180000</td>
<td>180000</td>
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<tr>
<td>Private Facilities</td>
<td>3113</td>
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<td>3113</td>
<td>(0)</td>
<td></td>
</tr>
</tbody>
</table>

Totals (Tons): 49240 6520 55860 253533 197653

### Table P: Projected Kern County Needs for Commercial Hazardous Waste Treatment/Disposal Capacity – With Waste Reduction

#### Projected Capacities (Year 2000)

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Oil recycling</td>
<td>21081</td>
<td></td>
<td>21081</td>
<td>50400</td>
<td>28509</td>
</tr>
<tr>
<td>Solvent recycling</td>
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<td></td>
<td>9664</td>
<td>(9664)</td>
<td></td>
</tr>
<tr>
<td>Other recycling</td>
<td>5909</td>
<td>6220</td>
<td>12529</td>
<td>(12529)</td>
<td></td>
</tr>
<tr>
<td>Inclination</td>
<td></td>
<td></td>
<td></td>
<td>20000</td>
<td>20000</td>
</tr>
<tr>
<td>Ag organics treatment</td>
<td></td>
<td></td>
<td></td>
<td>(0)</td>
<td></td>
</tr>
<tr>
<td>Ag-metals/neutralization</td>
<td>2779</td>
<td></td>
<td>2779</td>
<td>(2779)</td>
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</tr>
<tr>
<td>Stabilization</td>
<td>2405</td>
<td></td>
<td>2405</td>
<td>(2405)</td>
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</tr>
<tr>
<td>Residuals disposal</td>
<td></td>
<td></td>
<td></td>
<td>180000</td>
<td>180000</td>
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<tr>
<td>Private Facilities</td>
<td>2865</td>
<td></td>
<td>2865</td>
<td>(248)</td>
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</tbody>
</table>

Totals (Tons): 45514 6620 52134 253513 201379

### PROJECTED KERN COUNTY QUANTITIES OF RESIDUALS GENERATION
- **NO WASTE REDUCTION**

#### PROJECTED QUANTITIES in TONS (YEAR 2000)

<table>
<thead>
<tr>
<th>GENERAL TREATMENT</th>
<th>Total capacity Generation needed</th>
<th>Residual Multiplier</th>
<th>Projected Quantity of Residuals</th>
</tr>
</thead>
<tbody>
<tr>
<td>Oil recycling</td>
<td>23781</td>
<td>10%</td>
<td>2378</td>
</tr>
<tr>
<td>Solvent recycling</td>
<td>9771</td>
<td>20%</td>
<td>1954</td>
</tr>
<tr>
<td>Other recycling</td>
<td>13912</td>
<td>15%</td>
<td>2087</td>
</tr>
<tr>
<td>Incineration</td>
<td></td>
<td>10%</td>
<td>0</td>
</tr>
<tr>
<td>Aq organics treatment</td>
<td></td>
<td>10%</td>
<td>0</td>
</tr>
<tr>
<td>Aq-metals/neutralization</td>
<td>2835</td>
<td>50%</td>
<td>2938</td>
</tr>
<tr>
<td>Stabilization</td>
<td>2448</td>
<td>120%</td>
<td>2938</td>
</tr>
<tr>
<td><strong>Totals</strong></td>
<td>52747</td>
<td></td>
<td><strong>10775</strong></td>
</tr>
</tbody>
</table>

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### WITH WASTE REDUCTION

#### PROJECTED QUANTITIES in TONS (YEAR 2000)

<table>
<thead>
<tr>
<th>GENERAL TREATMENT</th>
<th>Total capacity Generation needed</th>
<th>Residual Multiplier</th>
<th>Projected Quantity of Residuals</th>
</tr>
</thead>
<tbody>
<tr>
<td>Oil recycling</td>
<td>21891</td>
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<td>9584</td>
<td>20%</td>
<td>1933</td>
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<tr>
<td>Other recycling</td>
<td>12529</td>
<td>15%</td>
<td>1879</td>
</tr>
<tr>
<td>Incineration</td>
<td></td>
<td>10%</td>
<td>0</td>
</tr>
<tr>
<td>Aq organics treatment</td>
<td></td>
<td>10%</td>
<td>0</td>
</tr>
<tr>
<td>Aq-metals/neutralization</td>
<td>2779</td>
<td>50%</td>
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<tr>
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</tr>
<tr>
<td><strong>Totals</strong></td>
<td>49259</td>
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<td><strong>10278</strong></td>
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</table>

**Notes:**
16.2 TECHNICAL FACILITY SITING INFORMATION

16.2.1 GENERAL CHARACTERISTICS OF HAZARDOUS WASTE MANAGEMENT FACILITIES

Several basic types of facilities may be utilized to manage hazardous wastes. Design variations are common, but the general descriptions which follow (adapted from Technical Reference Manual, DHS, June 1987, Appendix J) will illustrate principles involved. Each type of facility could either be established as a separate facility or could serve as one component of a larger integrated complex. Facility types:

- Transfer and storage
- Treatment
- Recycling
- Solidification or stabilization
- Incineration
- Repositories for treated residues

Transfer and Storage Facilities

Hazardous waste transfer and storage facilities are essential to comprehensive hazardous waste management. Typically, such facilities serve as collection stations for small quantities of waste, combining like wastes until quantities become large enough to be economically shipped to a treatment or recycling facility. Such facilities are usually located in urban-industrial areas at or near source of waste generation although they may also be located in rural areas where waste volumes are typically too small from a single generator to justify shipping costs to a treatment or recycling center. Some transfer stations are designed for household hazardous wastes and may be on a much smaller scale than the description below.

Hazardous wastes may arrive at transfer and storage stations by rail and by vacuum, flatbed, or tank trucks. Small volumes may arrive by pickup truck or automobile. The waste manifest is examined; and wastes

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May 13, 1991
are analyzed to confirm their identity, degree of hazard, and compatibility with other wastes. They are then separated as liquids, solids, and sludges according to their overall chemical characteristics and kept separate from incompatible wastes. Drums may be transferred directly out of transporting vehicles to a storage area, or they may be transferred by forklift from a receiving area to storage buildings.

Non-containerized dry, solid hazardous waste is transferred to bins or tanks by dump truck and, in some cases, by conveyor systems. Non-containerized liquids, sludges, or slurries are transferred by pipeline from tank trucks to storage tanks. Wastes are then transported from the center to a treatment or recovery facility, an incinerator, or a stabilization unit.

Control over emissions of air pollutants at waste transfer and storage facilities is achieved by specially designed air pollution control equipment in accordance with requirements of local air pollution control or air quality control districts. DHS requirements must also be met. Some general examples of air pollution control technology include:

- Operational controls at conveyor belts, tank and bin stacks, and equipment vents.

- Dusts and vapors are collected or contained by dust-handling and vapor recovery systems, utilizing flexible booms, hoods, blowers, ducts, bag-houses, scrubbers, and associated equipment.

- Tight seals are maintained at storage tanks, valves, flanges, and fittings to avoid releases of liquids.

- Inert or pacified materials are used to prevent corrosive chemicals from mixing with incompatible substances.

These control technologies do not necessarily constitute Best Available Control Technology (BACT), which the APCD may require in order to provide maximum degree of available protection. APCD will take into account on a case-by-case basis energy, environmental, and economic impacts as well as technology feasibility.

Typical examples of water pollution control mechanisms include dikes, drains, curbs, impermeable floors, and loading areas designed to contain possible spills. Regular monitoring of ground and surface water may be required by Regional Water Quality Control Board to provide early warning of any leaks. (Note: interim storage tanks may be present not only at transfer stations but at treatment and

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May 13, 1991
recycling facilities as well. As a result, these facilities are likely to need water quality control measures also.)

A typical transfer station occupies from one to ten acres and has between two and ten employees. Its annual waste throughput of 10,000 to 40,000 tons could involve weekly incoming traffic ranging from 6 to 75 or more trucks or 3 to 38 or more rail cars. This level of transportation activity may increase noise and congestion in vicinity of the facility. Overall, however, impacts of such a facility upon the community can be expected to be minimal, given modern emissions control technologies and good management procedures. An emergency response plan would be an integral part of this facility's basic hazardous waste management plan.

Visually, a typical waste transfer and storage facility will be distinguished primarily by its storage tanks surrounded by protective dikes. In many industrial areas, these tanks and warehouse-style truck transfer building often would be visually compatible with their surroundings.

A household hazardous waste transfer station would be much smaller and have less traffic and visual impact than those mentioned above.

**Treatment Facilities** [Example: Aqueous Hazardous Waste Treatment Facilities (not to be misconstrued as dilution methods)]

Aqueous treatment processes include both fairly straightforward physical, chemical, and biological processes similar to those used at municipal wastewater plants and "high tech" operations such as wet air oxidation and super-critical water technology.

A small liquid waste treatment facility might involve 3 acres, whereas a large facility might require 30 acres. Such advanced waste treatment technologies typically employ 15 to 40 trained workers. A large facility can treat up to 200,000 tons of liquid wastes annually. This would imply arrival of at least 185 tanker trucks or 120 rail-cars every week. Smaller treatment facilities would have commensurately lower traffic volumes. Typically, an aqueous treatment center visually resembles a municipal sewage treatment plant.

Water contaminated with hazardous wastes arrives at a treatment facility from a transfer station, from a liquid organics recovery facility, or at times, directly from a large waste-generating industry. Various processes are then employed to remove heavy metals, reactive ions, and organic matter. Acid and alkaline wastes undergo pretreatment in separate unloading basins. Segregated wastes are then neutralized and/or oxidized to precipitate metals or to detoxify

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May 13, 1991
selected chemicals. Treated wastewater effluent is discharged either to a sewer or to an evaporation pond. Sludges that are formed are sent to an incinerator or to a biological waste converter or are stabilized for subsequent land disposal.

Air pollution control techniques are applied, and containment facilities are designed to prevent releases of wastewater to surface or groundwater. Monitoring of air emissions and local groundwater is practiced as required in the facility's permit.

**Recycling [Example: Organics Recovery Facilities]**

Facilities for recovery of liquid organics, solvent distillation, and oil refining have many similarities to a small refinery or petrochemical plant. Indeed, they may be small refineries. It is also possible for an existing refinery to be retrofitted as a recycling facility for certain wastes with little change in operations or in impacts.

Typical liquid organics recovery facility could cover between one and ten acres. Employment would range from 15 to 60 individuals. Amount of waste throughput and resulting truck or rail traffic would be roughly equivalent to that found at a typical waste transfer and storage facility.

Liquid hazardous wastes containing solvents, oils, and other organics, arriving at the recovery facility, are analyzed at an on-site laboratory to identify those constituents valuable enough to recycle. Decisions are made regarding those components which will be reclaimed, incinerated, or clarified by physical processes such as distillation/condensation and filtration. Toxic vapors are destroyed by incineration or collected on adsorbents. Purified solvents and oils are recycled, blended into fuels, or shipped out as industrial raw materials. Any hazardous residues or sludges from this facility are incinerated, extracted for metals, or "stabilized" prior to land disposal. Aqueous hazardous wastes remaining after recovery procedures have been completed are then sent to an aqueous waste treatment facility for further processing.

As at transfer and storage facilities, good seals at flanges, valves, and fittings are relied upon to prevent emissions of harmful vapors from organics recovery facilities. Possible leaks or spills would be contained by dikes, drains, and basins. Detectors, alarms, and process controls monitor air emissions and water effluent. An emergency response plan is developed for the facility as for all hazardous waste management facilities. Storage tanks and transfer lines utilize vapor recovery and vacuum transfer. With equipment properly operating, no
odors, fires, or explosions are anticipated from a recovery facility; however, steam plumes from its operations may be visible.

Solidification and Stabilization Facilities

Some hazardous waste that cannot be recycled, treated, or destroyed can be solidified or "stabilized." Liquid wastes and sludges can be solidified by use of special additives. Inorganic sludges can be fixed by adding lime and fly ash. Other wastes can be encapsulated in asphalt or plastic (polymer) coatings for lengthy storage or ultimate retrieval.

Any solidified waste must pass a standardized leachate test to ensure that harmful constituents would not migrate and cause water pollution when eventually placed in a residuals repository. Monitoring of air emissions from the encapsulation process and of water effluent from a solidification tank is necessary to maintain environmental standards. Containment of spills or leakage would be required.

A solidification facility would be seen as a large industrial building with several tall silos attached for storage of dry chemicals. These facilities range from 1 to 10 acres in size and employ 5 to 30 individuals. A wide range of waste throughput is possible from a low of 5,000 tons per year of material to be solidified up to 100,000 tons per year. Transportation requirements would vary as a function of the quantities of waste actually being handled.

Incinerators

Organic liquids and solids that cannot be reclaimed economically may be burned in incinerators (infectious wastes may be incinerated similarly). Liquid feed-streams are filtered and solids shredded prior to entry of wastes into the incinerator. Satisfactory destruction efficiency requires adequate temperature, time, and turbulence. Thus, hazardous waste incinerators include well-designed primary heating and secondary after-burner zones. While a fixed-hearth burner with liquid injection can be used for liquids, a rotary kiln has the added advantage of good mixing and residence time for solid hazardous wastes. Many waste streams have sufficient heat of combustion to reduce cost of incineration through recovery of heat as process steam or by cogeneration of electricity. Waste liquids may be used as supplemental fuel in rotary cement kilns.

A typical rotary kiln has some obvious visual and aesthetic impacts. The tall smokestack is evident as are storage tanks and support buildings. Careful operation of the rotary kiln is mandatory; this includes good monitoring of quality of waste feed-streams, stack
exhaust, and the "bottoms" residue. Spill containment and establishment of an emergency response plan are included in the facility's management plan. Cyclones and electrostatic precipitators or bag-houses may be needed to trap fly ash and aerosols to avoid their entry into the atmosphere. Scrubbers or alkaline additives may be required to limit acidic gases to acceptable levels.

Incinerator operations typically require 4 to 10 acres of land and employ 2 to 12 individuals. A small incinerator might handle 5,000 to 15,000 tons of waste per year necessitating only perhaps 5 to 15 truckloads of waste per week. A large incinerator could handle up to 200,000 tons annually and be served by 200 trucks per week.

A more complete description of a rotary cement kiln is included below as an example of environmental risk assessment.

Repositories for Treated Residues

A repository for treated residues would be sited only in a rural area meeting geologic and other requirements of State Water Resources Control Board for Class 1 landfills for hazardous waste (CCR Section 2531, et seq., of Title 23). Additionally, a repository for treated residues would have the following features:

Material accepted for deposition would be subject to three principal limitations: (1) Only solid materials, resulting from treatment of hazardous wastes, are acceptable; (2) No free liquids would be accepted; and (3) Hazardous organic wastes would not be acceptable unless stabilized or solidified and encapsulated.

Design and operation of the facility would be such as to keep residuals as dry as practical in order to prevent formation of leachate.

By adhering to the above, a residuals repository would be set apart from the traditional Class 1 landfill and would be more environmentally benign.

The Southern California Hazardous Waste Management Authority commissioned a conceptual design and feasibility study of a 200-acre facility to receive and deposit 160,000 cubic yards of residual materials per year for 25 years, design life of the facility (D'Appolonia Waste Management Services, Residuals Repository Conceptual Design and Feasibility Study, February 1984). Three distinct types of cells were devised for residuals emplacement as follows:

LOCALLY ADOPTED
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1. **Main Cells:** Four cells of approximately 530 feet by 1,600 feet dimensions and having a total height of 60 feet would be constructed.

2. **Wet Weather Cells:** Three cells of approximately 120 feet by 800 feet dimension and having a total height of 20 feet would be constructed. A mobile, permanent roof structure would cover the active deposition area to prevent precipitation from reaching residues.

3. **Special Purpose Cells:** Three cells, sized and operated as wet weather cells, would be constructed to dispose of residues which are judged to have a relatively high potential for recovery at some future time.

Major cells would be operated during normal dry weather in order to promote drying of residues prior to final cover. During periods of rain, temporary sheeting would be used to keep the cells dry. Permanent closure would be accomplished as residuals are received.

The concept for a residuals repository applies only to those solid materials resulting from treatment of hazardous wastes. Generally, residual treatment solids will be inorganic and will be oxidized by-products of various waste treatment processes. They may also have high concentrations of heavy metals which may be stabilized into a relatively nonreactive form.

Residuals are solids with low organic content, relatively insoluble toxic inorganic components, and among the most inert and least mobile wastes presented for land disposal. Thus, a properly designed and operated residuals repository should present very low environmental risk.

Additional details are included below as an example of a risk assessment.
GENERIC ENVIRONMENTAL RISK ASSESSMENTS

[December 1987, KAMAN Sciences – Tempo Division]

Risk assessment is a fairly recently evolved discipline. A risk assessment, as envisioned by DHS, is an evaluation technique for determining site suitability for hazardous waste facilities. It incorporates a variety of other disciplines, including statistics, epidemiology, toxicology, engineering, geology, meteorology, and to some extent psychology. Perception of risk is an important factor in the siting of hazardous waste management facilities.

Described below are excerpts from two case studies published by DHS: (1) a supplemental fuel incinerator project, and (2) a residuals repository. These are included to indicate the level of review which will be done prior to the operation of a hazardous waste management facility.

These are in most respects nontypical facilities. Most new hazardous waste management facilities will be smaller and less complex.

Case Study #1: Hazardous Waste Substitution for Fuels.

The National Cement Company Los Robles Cement Plant near Lebec manufactures cement by heating limestone (quarried on the site) with clay, sand, and iron oxides in a kiln. The kiln consists of a steel cylinder lined with refractory brick, which is supported on rollers and rotated along its axis. It is supported on an incline so that raw materials introduced into the raised end travel toward the lower end, and that fuels introduced at the lower end release combustion gases, water vapor, and carbon dioxide as they travel toward the raised end.

Coal, petroleum coke, Number 6 fuel oil, or natural gas are supplemented by waste industrial solvents as fuels for the kiln. These are common solvents originating from the painting, printing, and petrochemical industries. Most are classified as hazardous.

The substitution of waste solvent for coal or other fossil fuel could increase or decrease the amount of by-products of combustion that are formed in the gases released by the kiln, captured by the air pollution control equipment, or absorbed by the clinker product. However, compliance tests performed by Chemecology, Inc., for the local air district and "technology" testing performed by the Air Resources Board confirmed that the emissions of criteria pollutants (SO$_x$, NO$_x$, CO) and particulate matter decreased with the use of supplemental fuels.

LOCALLY ADOPTED
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Trial burns conducted by the Air Resources Board demonstrated that organic compounds contained in the wastes were destroyed at high efficiency (99.99 percent) by maintaining proper conditions in the kiln. The current Environmental Protection Agency (EPA) standard of destruction and removal efficiency for hazardous waste incinerators is 99.99 percent.

Extended testing to characterize the kiln's ability to "burn" highly difficult to destruct, fluorinated, tracer chemicals was performed in 1984 and indicated destruction removal efficiencies of greater than 99.999 percent for the tracers.

The kiln operates under negative pressure to minimize fugitive emissions. Most of the particulate emissions from combustion are captured in a bag-house and recycled to the kiln for mixing with the raw materials. Some waste kiln dust (which has been classified as special waste by DHS) will be stored on the site with adequate containment as specified in the permit. Ash is mixed with raw materials and incorporated into the cement.

The following potential environmental effects are discussed in relation to the Los Robles Cement Plant Supplemental Fuel Project. Similar rotary kilns using supplemental fuel sources will have similar environmental impacts.

- **Air Quality:** The project has not resulted in significant increases in emissions of criteria air pollutants or hazardous by-products of waste combustion. A comprehensive test program did not detect any appreciable change in the level of emissions from the facility when supplemental fuels were used. The facility has the capability to significantly reduce the evaporation (air emissions) of land-disposed volatile organic hazardous compounds statewide.

- **Noise:** There has been no significant increase in existing noise levels from the project. The number of vehicles transporting supplementary fuels (waste solvents) to the Los Robles Cement Plant is approximately equal to the number of vehicles which transported conventional (coal) fuel to the plant had the project not been undertaken.

- **Upsets:** The risk of an explosion or the release of hazardous substances is not expected to increase substantially due to the project for the following reasons:

  (a) Safety measures, including emergency response protocols, have been implemented as part of the operation plan. Due to these safety measures, the project presents no substantially greater risk than
the storage and use of conventional fuels at that plant even though the solvents are more flammable.

(b) The transportation of waste solvents to the plant poses no greater risk than the transportation of those solvents to a land disposal site.

- **Traffic Hazards:** There has been no significant increase in traffic hazards. The number of vehicles transporting supplementary fuels (waste solvents) to the Los Robles Cement Plant approximately equals that to transport conventional fuels to this remote plant if the project had not been undertaken.

- **Energy Requirements:** The plant formerly used substantial amounts of fuel but now instead provides a twofold benefit: (1) waste solvents substitute for conventional fuels; and (2) they did not have to be disposed in scarce land disposal sites which may release contaminants to the air or water.

- **Health Hazards:** The project is not expected to create any significant new health hazard for the following reasons:

  (a) The waste solvents to be transported, transferred, stored, and burned during the project period are limited to selected flammable wastes of low to moderate toxicity. None of the wastes will be hazardous wastes containing PCB's.

  (b) Through transportation, transfer, and incineration, the waste solvents are contained so virtually none will be released to the environment.

- **Worker Exposure:** The project has not exposed workers at the plant to potential health hazards because of the extremely low probability of exposure in the open air environment of the plant and because appropriate safeguards in conforming with governmental safety standards are employed.

The project does not expose members of the public to significant health hazards because of the emissions control measures implemented as required by DHS for the fuel storage facility, the waste dust disposal area, and the kiln with its associated equipment.

DHS has concluded that the project will not have a significant deleterious effect on the environment due to the permit conditions and requirements imposed by DHS and mitigative measures implemented by the company. In addition, both DHS and Kern County APCD required the following environmental protection requirements:

**Locally Adopted**

May 13, 1991
The use of haulers, registered with DHS, to transport hazardous waste solvents to the project and the use of the hazardous waste manifests.

Complete containment of the waste solvents throughout all steps involved in their handling and unsaturated soil zone monitoring in the vicinity of the existing larger storage tank.

Implementation of quality assurance protocols in the screening of incoming waste solvents to ensure that only suitable solvents are accepted.

Operation of the project in accordance with pertinent experience that the proponent and other cement companies have developed at other plants.

The use of waste solvents only as supplementary fuels to preclude dependence on them if the Department or other agency requirements cannot be met.

Close monitoring of the chemical composition of the waste solvents, of the kiln's emissions, and of the kiln operating conditions (including temperature, residence time, and oxygen concentration).

Adequate security at the storage and/or transfer site.

An acceptable emergency response plan for spills or other unplanned events.

Containment of waste (kiln) dust using methods which would preclude wind dispersal and potential leaching of trace contaminants.

Case Study #2, A Residuals Repository

The following is taken from the D'Appolonia Waste Management Services, Residuals Repository Conceptual Design and Feasibility Study, February 1984. The environmental risks discussed are based on the design in the report for a 200-acre repository in a rural area.

"...The environmental risks of a residuals repository are related to the ways that a hazardous substance could move from the repository cell to a point of concern in the environment. We consider here risk to

 Locally Adopted
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be a combined consideration of probability of occurrence and consequence of occurrence of an event or process. Additionally, there is an overriding concern for health and safety from which consequences can be incurred more rapidly. The last area is that categorized as public nuisance.

The media which potentially could transport hazardous substances from the repository cell are water, air, and solids. The nature of the risks from each is discussed briefly below; however, a generic preamble discussion is warranted. Residuals from treatment processes are distinctly different than the raw, untreated wastes from which they result. As stated earlier, the residuals are solids. The organic content is low or for specialized residues rendered immobile by stabilization and/or solidification and encapsulation. Inorganic components that are toxic, (e.g., heavy metals) have been rendered to a form which is less soluble in water than these precursor raw wastes. Thus, by-and-large, residuals are among the most inert and least mobile wastes disposed of anywhere, including municipal refuse landfills.

Water - The principal source of environmental impairment is migration of hazardous substances...into surface and groundwater. For this to occur, a series of related processes must occur. First, hazardous substances must enter a mobile water phase. Second, the water then must migrate through or around any containment features (natural or engineered) and lastly reach the groundwater or a surface water body. The probability of environmental impairment via the water vector is judged to be very low for the following reasons (all features of the repository):

- Residues would be solids with low-to-moderate initial water content (i.e., not saturated).

- Through a combination of engineered features:
  - Surface waters are diverted from the site,
  - The residues are capped to limit rainfall infiltration to a minimum,
  - The residues are lined on sides by low-permeability material, and
  - The residues are separated from the highest groundwater levels by an adequate separation.

- Monitor systems can forewarn of impending...conditions...permitting remediation before any environmental impairment.

Some components of the residues may be moderately to highly soluble. It is expected that residues will contain materials such as alkali chloride salts (e.g., table salt) which could impair water quality.

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Although the risk from this source is judged very low,...the conse-
quence of any risk is potentially significant. Because...hazardous
substances (would be detected by monitoring before) reaching the
groundwater (or surface water),...the consequence is moderate...In
summary, the risk here combines a very low probability of occurrence
times a moderate consequence, for a low to nil risk. On a similar basis,
the risk of a Class I landfill would be moderate to high.

Air - The repository will receive much dry material which could be
transported from control areas by winds. Routine care to control dust
is expected to result in only a small quantity of material escaping.
Some moisture addition [may] be necessary to suppress dust..., but the
amount can be limited to that well below concern for formation of
leachates. The dust would be primarily inert or low-solubility
material. The environmental risk via this vector is extremely low.

Solids - Mass movements of solids could occur due primarily to poor
design and construction control of slopes, seismic activity, fault
movement, or excessive rain. The probability of the combination of
inadequate design/construction coupled with a sufficient trigger
event is very low. The consequences may best be described as a "mess."
Unless coupled with very heavy rainfall, the resulting environmental
consequence could be low. Therefore, provided the facility is designed
and constructed in accordance with normal and prudent engineering
practice, the risk from this source is extremely low.

Health and safety of the facility staff or on-site personnel (truck
drivers, visitors, etc.) and adjacent public is of paramount concern,
but these are not "environmental risks." Design features and proce-
dures will be in place to limit risks in this regard to a minimum.

Public nuisance can be created by noise, dust, odors, traffic obstruc-
tion, and visual impacts among other factors. Dust will be controlled,
and odors are expected to be minimal and not objectionable. We
anticipate 50 to 100 trucks per day with on-site parking, thus the
traffic impact is relatively small...Visually, the facility at inter-
mediate stages of construction would not be attractive; however,
grading and landscaping, especially of the perimeter berm and dikes,
can essentially present a clean image from the fence.

RISK MITIGATION MEASURES

Risk mitigation measures would be incorporated into the facility
design and operation. It is expected that many if not most would be
incorporated into the permit to construct and operate, thus providing
a large measure of public control.

LOCALLY ADOPTED
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The principal mitigation measures are:

- Residual material acceptance criteria,
- An appropriate measure of quality control on receipt of residuals to confirm they meet criteria,
- Operational and design features to keep the residuals dry,
- Monitoring systems to verify performance, and
- Wisdom in siting.

The overall risk of environmental impairment is very low during the facility's operating life. The repository should be designed with the intent of perpetual confinement although we or future generations may elect to recycle or reclaim the residues. Thus, final closure becomes very important. A provision would be made that a portion of the annual revenue be set aside in an interest-bearing escrow account (or a performance bond, irrevocable letter of credit, etc.) during the operating life to provide funds for final site closure..."
16.2.2 CRITERIA FROM CALIFORNIA DEPARTMENT OF HEALTH SERVICES

[Reference DHS Tanner CHWMP Guidelines, June 30, 1987]

Description of Specific Siting Criteria:

HIGH HAZARD AREAS: (Those areas in which human and animal life could be jeopardized if fugitive releases occur):

SEISMIC: No facilities should be placed within 200 feet of an active or recently active fault (California Administrative Code (CAC), Title 22, Section 66391 (a) (11) A (1) and (2)).

FLOODPLAINS: This includes areas subject to flooding by dam or levee failure and natural causes such as river flooding, rainfall or snow melt, tsunami, seiche, and coastal flooding. Repositories: Repositories may not be located in areas subject to 100-year events, even with protection [Code of Federal Regulations (CFR), Title 40, Section 264.18 (b); and CAC Title 22, Section 66391 (a)(11)(b)]. All Other Facilities: May be built in areas subject to 100-year flooding if protected by engineered solutions such as berm, raising above flood levels, etc.

WETLANDS: No facilities shall be located in wetlands such as saltwater, fresh water, brackish marshes, swamps, and bogs inundated by surface or groundwater with a frequency to support under normal circumstances a prevalence of vegetative or aquatic life which requires saturated soil conditions for growth and reproduction as defined in adopted general, regional, or state plans.

HABITAT OF ENDANGERED SPECIES: No facilities should be located within critical habitat as defined in adopted general, regional, or state plans.

UNSTABLE SOILS: Facilities located within these areas should have engineered design features to assure structural stability. This category includes steep slopes and areas subject to liquefaction and subsidence due to natural causes.

MAJOR RECHARGE AREAS FOR AQUIFERS: Repositories: Repositories should be prohibited within areas known or suspected to be supplying

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principal recharge to a regional aquifer as defined in adopted general, regional, and state plans. All Other Facilities: Facilities should be discouraged from being located in such areas. If located in these areas, facilities should provide properly engineered spill containment features, inspection measures, and other environmental protection controls.

PUBLIC SAFETY: (Those areas in which criteria should protect the public):

DISTANCE FROM RESIDENCES: Repositories: A buffer zone of 2,000 feet is required for any hazardous waste residual repository [Health and Safety Code, Section 25202.5 (b) and (d)], unless the owner proves to the Department's satisfaction that a 2,000-foot buffer zone is not required to protect public health and safety. All Other Facilities: Risk assessments shall be made when permitting a facility. This should consider the physical and chemical characteristics of the specific type of wastes that will be handled, the design features of the facility, and any need for buffering residential areas or other sensitive areas from adverse emissions from a proposed facility.

DISTANCE FROM IMMOBILE POPULATIONS: All Facilities: Risk assessments, performed at time of permitting, shall be used to determine the need for buffer zones between the facility and immobile populations. This risk assessment will consider the physical and chemical characteristics of the specific types of wastes which will be handled and the design features of the facility and proximity to immobile populations. Immobile populations include schools, hospitals, convalescent homes, prisons, facilities for the mentally ill, etc.

PROXIMITY TO MAJOR TRANSPORTATION ROUTES: Repositories: Repositories should have good access to major transportation routes but may have to be located further from waste generation sites than other types of facilities because of their need for larger land areas. All Other Facilities: Facilities other than repositories should be located so as to minimize distances to major transportation routes and designed to accommodate heavy vehicles. All Facilities: Road networks leading to major transportation routes should not pass through residential neighborhoods, should minimize residential frontages in other areas, and should be demonstrated to be safe with regard to road design and construction, accident rates, excessive traffic, etc.

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PHYSICAL LIMITATIONS OF THE SITE AREAS: (Areas which because of their existing physical characteristics must be utilized in specified ways):

PERMEABLE STRATA AND SOILS: Repositories: Repositories shall conform to the requirements of State Water Resources Control Board. All Other Facilities: All above-ground facilities should have engineered structural design features common to other types of industrial facilities. These features would include spill containment and monitoring devices.

NON-ATTAINMENT AIR AREAS: All Facilities: Siting should not be precluded from these areas unless risk assessments performed as a part of permitting (considering the physical and chemical characteristics of the specific types of wastes that will be handled and design features of the facility) show that emissions will significantly contribute to non-attainment of standards, that such emissions cannot be mitigated, and that the emissions from such facilities are significantly greater than those associated with transportation of hazardous wastes out of this area.

PSD AIR AREAS: Transfer and Storage Facilities: These facilities could be permitted in PSD areas if they are necessary to also handle potentially hazardous wastes generated by visitors or residents in recreational or cultural facility areas which are in the PSD zone. All Other Facilities: Unless an analysis for a specific proposed facility shows that air emissions cannot be adequately mitigated, other facilities can be established in PSD areas. These facilities, however, may not be located near or within national parks, wilderness and memorial areas, and other similarly dedicated areas.

PRIME AGRICULTURAL LANDS: All Facilities: Prime agricultural lands under California Law may not be used for urban purposes unless an overriding public need is served. When siting hazardous waste management facilities in these areas, overriding public service needs must be demonstrated.

DEPTH TO GROUNDWATER: Repositories: Repositories shall meet siting requirements of the State Water Resources Control Board. All Other Facilities: Other facilities may be located in high groundwater areas if the engineered design of the containment structure is capable of withstanding failure because of geologic or soil failures which may arise.

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LOCATION–SPECIFIC CRITERIA: (These are criteria which could affect the location of the sites but are not necessarily site specific):

PROXIMITY TO PUBLIC FACILITIES: All Facilities: Potential adverse impacts which could occur because of proximity of the facilities to places where large numbers of people may gather shall be determined as a part of the risk assessment conducted in the permitting process. This should consider the physical and chemical characteristics of the wastes that will be handled and the design features of the facility. Proximity to other public facilities such as corporation yards, utilities, roads, large open spaces on military reservations, and state school lands in remote areas may be acceptable. Repositories: Self–sufficient services may be necessary. Transfer/Storage Facilities: Self–sufficient services may be appropriate where these facilities are necessary to serve remote rural areas. In urban areas, public services should be available. All Other Facilities: Public water and sewer services and emergency services should be readily available.

PROXIMITY TO WASTE GENERATION STREAM: Repositories: Repositories may be located more distant from waste generation sources than other facilities because of their need for larger land areas. All Other Facilities: These should be located close to waste generation sources to minimize the risks of transportation.

INDUSTRIAL, COMMERCIAL, AND SPECIALY ZONED LAND: Hazardous waste management facilities, other than residuals repositories, are basically industrial facilities. Generally, it is appropriate to site them in industrial and commercial zones. However, the siting of hazardous waste management facilities is not required to be limited to these zones if special zones are created. Because repositories usually require large land areas, it may not be practical or economical to site them in developed commercial or industrial areas. Specially zoned areas or rezoning of other areas may be appropriate. All counties should have some type of zoning which will allow siting of different types of hazardous waste management facilities.

RECREATIONAL, CULTURAL, OR AESTHETIC AREAS: Low–volume Transfer and Storage Facilities: Such facilities may be allowed in these areas, if necessary, to handle hazardous wastes generated by visitors, workers, or residents in these areas. All Other Facilities: Other facilities should not be allowed in these areas.

MINERAL RESOURCES AREAS: All Facilities: No facilities should be sited so as to preclude extraction of minerals necessary to sustain the economy of the State.
MILITARY LANDS: It is the policy of the Department of Defense (DOD) that military land shall not be considered for establishment of public hazardous waste management facilities. This policy is considered nonnegotiable by DOD.

OTHER STATE, FEDERAL AND INDIAN LANDS: The criteria listed above are suitable for use in determining the suitability of lands within these areas for siting of hazardous waste management facilities.
16.2.3 EXPLANATION OF DIFFERENCES BETWEEN KERN COUNTY AND STATE-MANDATED CRITERIA

Kern County has generally incorporated the siting criteria suggested in the DHS guidelines into its CHWMP by reference. Exceptions and additions to the DHS criteria are noted below. Many of the County's criteria have been taken from the Hazardous Waste Component of the Land Use, Open Space, and Conservation Element of the Kern County General Plan, adopted in 1986. Zoning and map codes for disposal facilities were designated at that time.

While some potential sites may have been limited or eliminated by the County's criteria, the description of general areas explains that adequate area exists for needed facilities. It is also important to note that Kern County presently contains two regional treatment or disposal facilities: Petroleum Waste, Inc., and the Los Robles Cement Kiln. The County imports much more waste than it generates.

Capacity. Kern County criteria limit the capacity of facilities within urban areas, requiring most off-site and all large facilities to be sited in rural areas. Because the County is primarily rural and because much of the waste is produced outside of urban areas, the County considers this preferable to transporting wastes into urban areas. In addition, exceptions are made for small on-site facilities and for small treatment, storage, and transfer stations. Existing facilities which convert to waste treatment by incorporating the treatment into their previous operations may operate if there is no increased environmental threat.

Surface Water other than wetlands is not addressed in the DHS guidelines. The California Aqueduct, a major drinking water source for Southern California, passes through Kern County. In addition, the County has an extensive open canal system, Lake Isabella, and the Kern River. In an area with about seven inches of annual rainfall, all water sources need protection.

Unstable soils, shallow groundwater, floodplains, intensive agriculture (prime agricultural lands), residential, and other sensitive areas: These are called out specifically by map codes. The restrictions which apply specifically to large facilities and off-site commercial facilities are similar to those in the earlier Hazardous Waste Component. Sensitive land uses are those spelled out in the General Plan and correspond to residences, immobile populations, and public facilities in the guidelines.

LOCALLY ADOPTED
May 13, 1991
Buffer zones are required for large facilities. To satisfy this legislative intent, and to allow for reasonable and compatible land use types to occur and continue adjacent to, and nearby hazardous waste facilities, all repository facilities must have a 2,000-foot buffer zone around them unless State Department of Health Services determines that a different buffer configuration is needed as determined on the basis of "risk assessment," CEQA evaluation and public hearing process. Other large facilities must have a minimum 1200-foot buffer zone of open space or resource designations such as Intensive or Extensive Agriculture, Mineral and Petroleum Extraction, or Resource Management designations. Medium and heavy industrial designated areas may also afford suitable buffer zones. Small hazardous waste management facilities in Kern County that require a 200-foot setback can apply for a waiver from that requirement. The waiver can be considered during the Local Assessment Committee process in compliance with Health and Safety Code Sections 25199 – 25199.14.
16.2.4 SITING CRITERIA OF THE INCORPORATED CITIES

This section is reserved for City Hazardous Waste Management Plans (CHWMPS).

Incorporated cities:

Arvin    McFarland
Bakersfield    Ridgecrest
California City    Shafter
Delano    Taft
Maricopa    Tehachapi

For each incorporated city, the following should be included in this document:

1. Ordinances or resolutions adopting plan or other implementation measures;

2. Siting criteria if different from or in addition to those adopted in the CHWMP;

3. Programs if different from or in addition to those in the CHWMP.

LOCALLY ADOPTED
May 13, 1991
16.3 ENVIRONMENTAL DOCUMENTS

16.3.1 INITIAL STUDY
March 14, 1988

ADDRESSEES (see next page)

Re: Draft Environmental Impact Report for Kern County and Incorporated Cities Hazardous Waste Management Plan

Ladies and Gentlemen:

Enclosed is a copy of the Draft Environmental Impact Report (EIR) for the referenced case.

We request your input on the sufficiency of the Draft EIR in the area(s) of your expertise. Your comments will provide decision makers with information needed to render an objective decision.

If we have not received a reply from your office by May 6, 1988, we will assume that you have no comments regarding this Draft EIR.

Your cooperation in this matter is appreciated.

Should you have any questions, please contact Melvin Krause or Fred Simon, of this Department at the above number.

Very truly yours,

RANDALL L. ABBOTT, Director
Planning and Development Services

By Fred Simon
Principal Planner

FS: cms

Enclosure
KERN COUNTY DEPARTMENTS

Agriculture Department
Airports Department
Air Pollution Control District
Community Development
County Administrative Officer
District Attorney
Farm and Home Advisor
Fire
General Services
   Communications
   Property Management
Health Department
LAFCO
Library/Each Branch (29)
Museum
Parks and Recreation
Public Works
   Roads
Sheriff's Department
Superintendent of Schools
Groundwater Quality Committee

CITIES

Arvin
Bakersfield
California City
Delano
Maricopa
McFarland
Ridgecrest
Shafter
Taft
Tehachapi
Wasco

COUNTIES

Inyo
Kings
Los Angeles
San Bernardino
San Luis Obispo
Santa Barbara
Tulare
Ventura

STATE

State Clearinghouse
California Archaeological Inventory
California State University/
   Bakersfield
Fish and Game/Asserson
Fish and Game/Crew
Fish and Game/Consoli
Division of Oil and Gas/Bakersfield
California Highway Patrol
   Bakersfield
   Lebec
   Mojave

FEDERAL

Department of Agriculture
   Forest Service
      Los Padres National Forest
      Sequoia National Forest
   Soil Conservation Service
      Bakersfield
      Tehachapi
      Lancaster
Department of Air Force
   Edwards Air Force Base
Department of the Army
   Corps of Engineers/Lake Isabella
Department of Commerce
   NOAA/National Weather Services
Department of Energy
   Naval Petroleum Reserve/Elk Hills
Department of Interior
   Bureau of Land Management
      Caliente
      Ridgecrest
   U.S. Geological Survey
Department of the Navy
   Naval Weapons Center/China Lake
Department of Transportation
   Federal Aviation Administration
   Environmental Protection Agency
      San Francisco

OTHER PUBLIC AGENCIES

KernCOC
Bakersfield College/Library
   Cerro-Cosco/Ridgecrest
Bear Mountain Parks and Recreation
   District
OTHER PUBLIC AGENCIES (cont)

Buttonwillow Recreation District
Golden Empire Transit District
Kern County Water Agency
McFarland Recreation District
North Bakersfield Recreation and Park District
Shafter Recreation District
Southern California Hazardous Waste Management Authority
Tehachapi Parks and Recreation District
Wasco Recreation and Parks District
West Kern Community College District

SCHOOLS

Elementary School Districts
Arvin Union School District
Beardsley School District
Belridge School District
Blake School District
Buena Vista School District
Buttonwillow Union School District
Caliente Union School District
Delano Union School District
DiGiorgio School District
Edison School District
Elk Hills School District
El Tejon Union School District
Fairfax School District
Fruitvale School District
General Shafter School District
Greenfield Union School District
Kernville Union School District
Lakeside Union School District
Lamont School District
Llano School District
Linns Valley-Poso Flat Union School District
Lost Hills Union School District
Maple School District
Mckittrick School District
Midway School District
Norris School District
Panama Union School District
Pond Union School District
Richland School District
Rio Bravo-Greeley Union School District
Rosedale Union School District
Semitropic School District

SPECIAL DISTRICTS

Antelope Valley-East Kern Water Agency
Arvin-Edison Water Storage District
Belridge Water Storage District
Berrenda Mesa Water Storage District
Buena Vista Water Storage District
Buttonwillow Water District
Cawelo Water District
Delano-Earlimart Irrigation District
Greenfield Water District
Keene Water District
Kern-Tulare Water District
Kern Delta Water District
Kern Mosquito Abatement District
Lebec Water District
Lost Hills Water District
Indian Wells Valley Water District
North Kern Water Storage District
North of the River Sanitary District
Rag Gulch Water District
Rand Communities County Water District
Rosedale-Rio Bravo Water Storage District
Shafter-Wasco Irrigation District

South Fork Union School District
Standard School District
Taft City School District
Vineland School District
Wasco Union School District

Unified School Districts
Maricopa Unified School District
McFarland Unified School District
Mojave Unified School District
Murco Unified School District
Sierra Sands Unified School District
Southern Kern Unified School District
Tehachapi Unified School District

High School Districts
Delano Joint Union High School
Kern Union High School District
Taft Union High School District
Wasco Union High School District

City of Bakersfield School District
SPECIAL DISTRICTS (cont)

Semitropic Water Storage District
Southern San Joaquin Municipal Water District
Tehachapi-Cummings County Water District
Tejon-Castaic Water District
Wheeler Ridge-Maricopa Water Storage District
West Kern County Water District

Boron Community Services District
Buttonwillow Improvement District
Desert Lake Community Services
Mojave Public Utilities District
Pond-Poso Improvement District

Antelope Valley Resource Conservation District
Buena Vista Resource Conservation District
Eastern Kern Resource Conservation District
Pond-Poso Resource Conservation District
Rosedale-Rio Bravo Resource Conservation District
Shafter-Wasco Resource Conservation District
Tehachapi Resource Conservation District
Western Kern Resource Conservation District

PRIVATE PERSONS/GROUPS (cont)

Shell California Production, Inc.
Attention Ray Oulette
LAMCO/Ben Laverty
Kern Valley Action Network
A. Sue Luft
TSD Corporation
Local Advisory Committee Members (11)
Local Assessment Committee - TSD (7)

PRIVATE PERSONS/GROUPS

California Research Station
National Audubon Society
Kern Audubon Society
California Federation of Women's Club
American Indian Counsel of Central California
Sierra Club
Project Land Use
Kern River Parkway Committee
Nature Conservancy/Tehach Subchapter
Kern Historical Society
Tejon Ranch
Bakersfield Californian/Hardisty
SECTION II. IDENTIFICATION OF ENVIRONMENTAL EFFECTS

PURPOSE: To conduct an Initial Study to determine if the project may have a significant effect on the environment. If any aspect of the project may cause a significant effect, whether the overall effect is adverse or beneficial, then an EIR must be prepared.

INSTRUCTIONS: In the space opposite the existing characteristics and conditions, check the possible degree of effect. (See * below for explanation of degree.) Provide a written explanation of any characteristic or condition marked "3," "4," or "U." Explanations for "1," "2," or "N/A" may be provided.

<table>
<thead>
<tr>
<th>DEGREE OF EFFECT</th>
<th>EXISTING CHARACTERISTICS &amp; CONDITIONS</th>
<th>REMARKS</th>
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<tbody>
<tr>
<td>N/A</td>
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<tr>
<td>1</td>
<td>A. Physical Conditions</td>
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<td>1. Water Resources</td>
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<td></td>
<td>a. Groundwater Hydrology</td>
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<td>1) Quality</td>
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<td>2) Quantity</td>
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<td>3) Recharge</td>
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<td>b. Surface Hydrology</td>
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<td></td>
<td>1) Quality</td>
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<td></td>
<td>2) Quantity</td>
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<td></td>
<td>3) Drainage Patterns</td>
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<td>4) Runoff</td>
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<td>5) Flooding</td>
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<td>6) Catchment/Retention</td>
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<td>7) Temperature of Water</td>
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<td>8) Evapotranspiration (ET)</td>
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<td>2. Geology/Seismicity</td>
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<td>a. Faulting</td>
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<td>b. Landslides</td>
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<td>c. Subsidence</td>
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<td></td>
<td>d. Liquefaction</td>
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<td>3. Natural Resources</td>
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<td></td>
<td>a. Minerals</td>
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<td></td>
<td>b. Petroleum</td>
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<td>c. Construction Material</td>
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<td>d. Soils</td>
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<td>1) Capability</td>
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<td>2) Compaction</td>
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<td></td>
<td>3) Alteration</td>
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<td></td>
<td>4) Erosion</td>
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</tbody>
</table>

"Explanation: Degree of Effect
(N/A) Not Applicable
(1) No Effect
(2) Slight Effect
(3) Moderate effect: mitigation measure should be employed
(4) Significant effect: mitigation measure required (Section 15063)
(U) Unknown: additional information necessary to provide competent assessment

1. Proposed action includes programs to mitigate contaminated sites that threaten water quality and to avoid future contamination. Any facilities sited may pose a threat to water quality, which must be mitigated by site specific conditions imposed according to criteria and measures given in the CHWMP.

2. Proposed action would enhance and sustain natural resource development and recovery within the County by virtue of managing industrial and resource recovery produced hazardous waste streams in an environmentally safe manner.
<table>
<thead>
<tr>
<th>DEGREE OF EFFECT</th>
<th>EXISTING CHARACTERISTICS &amp; CONDITIONS</th>
<th>REMARKS</th>
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<tbody>
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<td>N/A 1 2 3 4 U</td>
<td>4. Climate</td>
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<tr>
<td>X</td>
<td>a. Precipitation</td>
<td></td>
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<tr>
<td>X</td>
<td>b. Air Movement</td>
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<td>X</td>
<td>c. Temperature</td>
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<tr>
<td>X</td>
<td>d. Humidity</td>
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<tr>
<td>X</td>
<td>e. Severe Weather</td>
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<tr>
<td>X</td>
<td>5. Air Quality</td>
<td></td>
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<tr>
<td>X</td>
<td>a. Mobile Sources</td>
<td></td>
</tr>
<tr>
<td>X</td>
<td>b. Stationary Sources</td>
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<tr>
<td>X</td>
<td>6. Vegetation</td>
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<tr>
<td>X</td>
<td>a. Trees</td>
<td></td>
</tr>
<tr>
<td>X</td>
<td>b. Shrubs</td>
<td></td>
</tr>
<tr>
<td>X</td>
<td>c. Grass</td>
<td></td>
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<tr>
<td>X</td>
<td>d. Microflora</td>
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<tr>
<td>X</td>
<td>e. Endangered Species</td>
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<tr>
<td>X</td>
<td>f. Barriers</td>
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<td>X</td>
<td>g. Corridors</td>
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<td>X</td>
<td>h. Fire</td>
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<tr>
<td>X</td>
<td>i. Crops</td>
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<tr>
<td>X</td>
<td>7. Wildlife</td>
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<tr>
<td>X</td>
<td>a. Birds</td>
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<tr>
<td>X</td>
<td>b. Mammals</td>
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<tr>
<td>X</td>
<td>c. Reptiles</td>
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<tr>
<td>X</td>
<td>d. Fish</td>
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<tr>
<td>X</td>
<td>e. Insects</td>
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<td>X</td>
<td>f. Microfauna</td>
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<td>X</td>
<td>g. Endangered Species</td>
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<td>X</td>
<td>h. Barriers</td>
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<tr>
<td>X</td>
<td>i. Corridors</td>
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<tr>
<td>X</td>
<td>8. Noise &amp; Vibrations</td>
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<tr>
<td>X</td>
<td>a. Mobile Sources</td>
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<td>X</td>
<td>b. Stationary Sources</td>
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<tr>
<td>X</td>
<td>c. Barriers</td>
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<tr>
<td>X</td>
<td>9. Human Interest</td>
<td></td>
</tr>
<tr>
<td>X</td>
<td>a. Wilderness Areas</td>
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</tr>
<tr>
<td>X</td>
<td>b. Open-space Qualities</td>
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<tr>
<td>X</td>
<td>c. Visual Value</td>
<td></td>
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<tr>
<td>X</td>
<td>d. Unique Physical Features</td>
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<tr>
<td>X</td>
<td>8. Social Conditions</td>
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<tr>
<td>X</td>
<td>1. Parks &amp; Recreation</td>
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<tr>
<td>X</td>
<td>a. Park Capacities</td>
<td></td>
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<tr>
<td>X</td>
<td>b. Hunting/Fishing</td>
<td></td>
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<tr>
<td>X</td>
<td>c. Swimming/Boating</td>
<td></td>
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<tr>
<td>X</td>
<td>d. Camping/Hiking</td>
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<tr>
<td>X</td>
<td>e. Day Use</td>
<td></td>
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<tr>
<td>X</td>
<td>f. Equestrian Use</td>
<td></td>
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<tr>
<td>X</td>
<td>g. Off-road Vehicles/Motorcycles</td>
<td></td>
</tr>
</tbody>
</table>

5. Some facilities, if sited, have the potential to increase toxic and other air emissions. Transportation of hazardous wastes will have an effect on air quality depending on the routes used.

8. Certain facilities may have noise impacts. Depending on the routes used for transport, increased noise levels may result.

1. Proposed action could have significant adverse social effects if new, or expanding existing, hazardous waste facilities are sited within the county.
<table>
<thead>
<tr>
<th>DEGREE OF EFFECT</th>
<th>EXISTING CHARACTERISTICS &amp; CONDITIONS</th>
<th>REMARKS</th>
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<tbody>
<tr>
<td>N/A 1 2 3 4 U</td>
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</tr>
</tbody>
</table>

1. Human Habitation
   a. Land Use Relationships, Density
      1) Residential
      2) Commercial
      3) Industrial
      4) Agriculture
      5) Grazing
      6) Open Space
      7) Natural Areas
   b. Demographics
      1) Population
      2) Work Force
   c. Structures
      1) Design
      2) Illumination

3. Transportation/Circulation
   a. Vehicle Quantities
   b. Vehicle Capacities/Congestion
   c. Parking
   d. Mass Transit
   e. Hazards

4. Economic Development
   a. Revenue Sources
   b. Government Expense
   c. Market Area

5. Social Development
   a. Law Enforcement
   b. Fire Protection
   c. Educational Facilities
   d. Medical Facilities
   e. Child Day-care

6. Service Systems
   a. Water Supply - Domestic
   b. Sewage Disposal
   c. Solid Waste Disposal
   d. Resource Recovery Systems
   e. Water Supply - Agriculture
   f. Storm Drainage

7. Energy
   a. Electrical
   b. Natural Gas
   c. Petroleum Fuels
   d. Transmission Facilities
   e. Forms of Generation

8. Human Health/Risk of Upset
   a. Health
   b. Risk of Upset

2) Required buffer zones and perceived risks will preempt and discourage other land use options near facilities sited. Sensitive land uses along transportation routes could be affected by accidents, spills, and traffic.

3) Volumes, modes, and routes of waste transportation depend on facility locations. The proposed action includes measures to mitigate transportation impacts, including risks of highway accidents and spills.

4) Taxes and fees can increase government revenues while increasing industrial expenses. Implementation measures may increase government expenditures.

5) Agencies involved in emergency services, surveillance and enforcement, and education may be affected.

6) Project will have beneficial effect by decreasing toxic discharges to sewers and solid waste.

7) Energy impacts depend on types of facilities.

8) Proposed action is intended to minimize public health risks from accidents, spills, and leaks associated with hazardous waste management.
<table>
<thead>
<tr>
<th>DEGREE OF EFFECT</th>
<th>EXISTING CHARACTERISTICS &amp; CONDITIONS</th>
<th>REMARKS</th>
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<tbody>
<tr>
<td>N/A</td>
<td>9. Archaeology/History</td>
<td>C. Potential non-monitorable and non-retrievable waste streams with unknown long-term hazardous results. Proposed activity includes measures to mitigate such contamination.</td>
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<tr>
<td></td>
<td>a. Paleontological Resources</td>
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<td>b. Archaeological Resources</td>
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<td></td>
<td>c. Historical Resources</td>
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<tr>
<td></td>
<td><strong>C. Other Underground effects</strong></td>
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<tr>
<td></td>
<td>1. long-term effects associated with deep-well-injection of hazardous materials.</td>
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<td>2. underground migration of volatile hazardous substances.</td>
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SECTION III. MANDATORY FINDINGS OF SIGNIFICANCE (Section 15064)

Finding
A project shall be found to have a significant effect on the environment if:

(a) The project has the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major period of California history or prehistory.

(b) The project has the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals.

(c) The project has possible environmental effects which are individually limited but cumulatively considerable. "Cumulatively considerable" means that the incremental effects of an individual project are considerable when viewed in connection with the effects of probable future projects.

(d) The environmental effects of a project will cause substantial adverse effects on human beings, either directly or indirectly.

<table>
<thead>
<tr>
<th>Significance</th>
<th>Yes</th>
<th>Maybe</th>
<th>No</th>
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</table>
SECTION IV. COMPATIBILITY WITH GENERAL PLAN ELEMENTS AND ZONING

General Plan Designation: Project would establish
Land Use Element: General Plan and subsequent
Other Element(s): specific plan policies for
Specific Plans: sitting, buffering, and managing
Compatible: Yes No X

Zoning: hazardous waste facilities on and/or below existing land use.

Explain if "No": Some specific plans may have to
be revised according to General Plan policies
regarding transportation routes, buffer zones around
facilities, and siting procedures established by
this project.

SECTION V. DETERMINATION

On the basis of this initial study: this project.

☐ I find that the proposed project could not have a significant effect on
the environment. and a NEGATIVE DECLARATION will be prepared.

☐ I find that although the proposed project could have a significant effect
on the environment, there will not be a significant effect in this case
because the mitigation measures described will be made a part of the
project. A MITIGATED NEGATIVE DECLARATION will be prepared.

☒ I find that the proposed project may have a significant effect on the
environment, and an ENVIRONMENTAL IMPACT REPORT is required.

SECTION VI. MITIGATION MEASURES

The project (the CHWMP) is a planning document under which facilities may in the
future be sited. This project is not intended to address specific future facilities.
Environmental impacts must be addressed for each proposed facility, on a site
specific basis.

The CHWMP includes siting and construction criteria and regulatory programs that
are intended as mitigation measures for the adverse effects of present and future
waste management practices.

The CHWMP's purpose is to decrease the risks to human health and the environment
which are associated with management of hazardous wastes. Therefore, the net
environmental impact of the project is expected to be positive.

(The attached sheet, if necessary, provides additional explanation.)

Determination Made by: [Signature] 
RANDELL L. ABBOTT, Director 
Planning and Development Services 
Kern County Environmental Department

Date of Decision: March 1, 1986

KCDP&DS Form #122 (11/86)
16.3.2 COMMENTS RECEIVED DURING PLAN PREPARATION (CEQA)
March 16, 1988

Randall L. Abbott, Planning Director
Kern County Department of Planning
& Development Services
1415 Truxtun Avenue
Bakersfield, CA 93308

ATTENTION: Melvin H. Krause, Senior Planner


Dear Mr. Krause:

Thank you for the opportunity to review and comment on the Draft Kern County and Incorporated Cities Hazardous Waste Management Plan. After review, we find the document concise and well organized.

Our specific comments and recommendations on the Draft Plan are listed below and serve to supplement our original correspondence submitted to your office on February 8, 1988:

(1) Again, this department supports the Inclusion Issue No. 10, page 3-2, related to deep well injection of hazardous waste. This issue outlines pitfalls of hazardous waste injection wells.

We recommend that the plan includes specific safeguards and definite procedures for the establishment of this type of facility to insure that the migration of hazardous wastes into underground sources of drinking water will not occur. If this is not possible, injection wells should be prohibited.

(2) The Draft (HWMP) identifies Garces Highway, between State Highway 65 and 99 as a hazardous waste transportation route. The use of Garces Highway for transporting hazardous waste would expose sensitive land uses, including preschools, parks, hospitals, hotels and residential areas to potential health hazards within the Delano City limits. We request revision of the Draft Plan to exclude Garces Highway as a hazardous waste transportation route.
Randall L. Abbott, Planning Director
March 16, 1988
Page 2

(3) We concur with your finding that an Environmental Impact Report is required for this project. If Garces Highway No. 155, between 99 and 65 is proposed as a hazardous waste transportation route, a detailed transportation risk assessment should be included in the proposed (EIR) Environmental Impact Report.

(4) As indicated in the Draft Document and previous correspondence from your office, the proposed plan has been prepared for both incorporated cities and Kern County. This should be indicated on the cover page of the Plan.

Thank you again for the opportunity to comment and review the Draft Hazardous Waste Management Plan. Should you have any questions regarding our recommendations and comments, please contact my office.

Sincerely,

[Signature]

Ken Cott
Economic Development/Planning Director

cc: Henry Hesling, City Manager
City Council
Ted James, Kern County Planning Department

KC:1ps
MEMORANDUM

MAY 13, 1988

TO: MEL KRAUSE, SENIOR PLANNER
FROM: BARRY HAND, PRINCIPAL PLANNER

SUBJECT: KERN COUNTY AND INCORPORATED CITIES HAZARDOUS WASTE MANAGEMENT PLAN MARCH 31, 1988 DRAFT.

Transmitted for your consideration are staff comments on the March 31, 1988 KCHWMP submitted to the State Department of Health Services. Improvements to the document could be made in the following areas.

SOURCE REDUCTION

Previous drafts of this document had goals, policies, and programs which provided positive direction and a workable frame work to achieve a reduction in the volume of hazardous waste. The March 31st draft simply calls for the issue to be studied.

Generators of hazardous waste will respond to the incentives of cost savings and legislative mandates. This document provides neither of these incentives. The goals, policies, and programs need to be substantially strengthened.

Although it may not be possible to establish a detailed program at this time, there are a variety of options which provide direction. The document could place a maximum limit on volume of hazardous waste to be imported for disposal. A separate limit could be adopted for hazardous waste produced locally. A reduction percentage could be established as an annual goal. The highest volume generators could be targeted for specific levels of reduction. Generalized fee structures could be created which tie increased disposal cost with increased volume. Disposal capacity could be provided to those generators who document significant reduction. Only wastes that have been reduced at the source point could be permitted for disposal. Incentives could be created and become effective after the waste has been reduced below a certain threshold.

The issue of waste stream reduction is central to planning for hazardous waste. The guiding policy document needs to provide more direction than simply to study the issue.
RISK ASSESSMENT

Risk assessment can be a useful tool in evaluating any application for hazardous waste disposal. Page 38 references risk assessment as a requirement of all repositories located near residences and immobile populations. This could be expanded to include transportation routes, transfer stations, environmental hazards, and risks associated with less densely populated areas. It is important during the public review of any proposed facility to have thorough and complete knowledge of advantages and disadvantages. Full disclosure of the risks and associated hazards will provide the public and decision makers with thorough knowledge for evaluating an application. Risk assessment should be featured as a tool and requirement throughout this policy document.

INSURANCE

Requirements for insurance can be typically applied to site closure at the end of its useful life, or site cleanup after an accident. Guarantee of sufficient cleanup funds can serve as a mitigation measure when technology fails. Adequate insurance should be a requirement of all applications for handling and disposal of hazardous waste.

INCORPORATED CITY PROGRAMS

Incorporated cities who have their own fire department, such as Bakersfield, have the same functions as the Kern County Fire Department with respect to hazardous materials. Examples of this includes a Hazardous Materials Response Team and Hazardous Waste Materials Division which administers AB2185, SARA Title III, and Chapter 6.95. The City Fire Department is responsible for implementing these laws within the incorporated boundary. However, the draft policy document typically references only the County Fire Department. Throughout the document, wherever references are made to one fire department it should be clear that both an incorporated city and county fire departments are included.

HOUSEHOLD HAZARDOUS WASTE COLLECTION

The City would like to be involved in the formation of any household collection programs. There are a wide variety of issues which will need to be resolved if a successful program is to occur. Early cooperation and coordination between the various administering departments will be essential.

DEEP WELL INJECTION

Staff agrees with the statements on page 31 that Federal regulations are not sufficient to protect water quality from contamination by Class I waste deep well injection. Earlier drafts prohibited this disposal method from Class I waste in order to provide increased water quality protection. Local control, whether for review or prohibition, is preferable to federal legislation.
May 13, 1988
Page 3

On page 38 repositories are prohibited in areas of major recharge aquifers. A stronger position for protecting water quality would prohibit all hazardous waste facilities from locating near any ground water basin or aquifer regardless of size.

MAPPING

The draft document lacks maps which illustrate potential transportation routes and facility locations. Although they are described in descriptive terms, detailed mapping would be useful to show the various land use relationships. The public is likely to become more interested in the document when they can see a map which clearly shows potential routes or locations in their area.

Potential locations for large facilities could be mapped on a County wide basis. Potential locations for small facilities should be mapped at the local level. These need to be included in the document in order to evaluate the adequacy of proposed policies for protecting public health, safety and welfare.

LARGE FACILITIES LOCATED WITHIN SPHERE OF INFLUENCE

At one sub-committee meeting the concept of excluding large facilities from the unincorporated sphere of influence around a city was discussed. This concept has merit from the viewpoint that locating a large facility on the periphery of an incorporated city exposes the city to hazards and liability without any of the economic benefits. Large facilities would be most appropriately located either within an incorporated city or totally isolated from any population density. The draft KCHWMP should include an exclusion which prohibits the location of large facilities adjacent to an incorporated city. A city's sphere of influence should be used at the minimum. An additional distance may also be appropriate to account for future growth.

POTENTIAL VARIANCE FROM THE STANDARDS

The draft document provides for a possible variance to the standard of a facility being located within two miles of a state or federal road. There is no procedure within state planning law which permits a variance from the local general plan. If such a mechanism were created then the possibility for obtaining a variance from any of the standards could occur. This would establish a precedent which would severely weaken any general plan. The concept of a variance from standards contained in the KCHWMP should be omitted.

DOCUMENT FORMAT

The document would be more user friendly if a numbering system were developed to identify goals, policies, and implementation measures. Such a numbering system would allow for easy cross referencing between the implementation measures of Chapter 13 with the goals and policies of Chapter 3.

Throughout the document, descriptive language is often intermingled with policy language. This makes it difficult to determine intended policy direction. All descriptive and explanatory language should be in a separate paragraph preceding the policy.
May 13, 1988
Page 4

Each goal, policy and implementation measure should begin with a clear and directive word. The document language would be simplified and cleaner if phrases such as "endeavor to promote" were changed to "promote". Other examples include the phrase "to reduce to the greatest degree possible" could be changed to "reduce to the greatest degree possible".

INCINERATORS

Incineration as a disposal method for toxic materials should not be permitted in locations where air circulation is inhibited. There are locations where air circulation is not stagnated by inversion layers or physical features such as mountains which would be preferable for incinerators. The accumulation of airborne toxic emissions can be mitigated with maximum air circulation for dispersion. Areas with poor air circulation will run a greater risk from either cumulative emissions or isolated releases.

TRANSPORTATION ROUTE POSTING

The installation and maintenance of signs identifying hazardous waste transportation routes will require annual funding. The policy document should identify whether this is a federal, state, county or city responsibility.

The following are specific item suggestions for improving the draft KCHWMP.

Pages 29 and 30 - The policies addressing household and small quantity generators read more like implementation measures than policies. The provision of workshops, educational materials and collection sites at landfill locations are specific actions which are the function of implementation measures. These are not broad policy statements.

Page 32 Air Quality - This policy calls for no odor or dust emissions which would have significant impacts on off-site receptors. The idea of protecting air quality should be expanded to consider cumulative emissions, air stagnation and air circulation. It is possible that a toxic air emission would not come in the form of an odor or dust. Facilities which have air emissions should be located in areas that provide excellent air circulation.

Pages 37 through 39 - These criteria appear to apply only to small facilities, which is the major heading on page 37. Do they apply to large facilities as well? The policy addressing PSD on page 38 is an incomplete sentence.

Page 39 - The last sentence of the first paragraph uses the term all counties. Should this be changed to all cities?

Page 80 - The fourth paragraph addressing County Fire Department Hazardous Waste Materials Response Team should be expanded to include similar functions for City Fire Departments. The City of Bakersfield Fire Department provides these services for the incorporated population which represents approximately 30 percent of the total hazardous material handlers located in the County.
Page 81 - The last paragraph indicates a release of hazardous materials is to be reported to the Kern County Fire Department and State Office of Emergency Services. Within an incorporated City this is the City Fire Department or substitute administering agency.

Page 82 - All references to business plans, acutely hazardous materials registration forms as well as the public information portions of Chapter 6.95 apply to the administering agency (City of Bakersfield Fire Department) not the Kern County Fire Department as stated. In addition, the County Fire Department does not collect fees within incorporated City limits.

Page 83 - The third paragraph states that on-site treatment should be required whenever feasible. If this is a goal or policy it should be labeled as such. If it is narrative then it should be phrased as such.

Page 84 - Throughout this page the terms "could" and "should" are used frequently. Are these all intended to be goals and policies or is this simply narrative discussion?

Page 86 - The City of Bakersfield Fire Department, as the City's administering agency, is responsible for the Area Plan.

A separate correspondence dated May 3, 1988 addressed the draft EIR on the policy document. Comments in that correspondence would apply to technical appendix 16.3 Environmental Documents. The EIR needs to be revised in order to analyze the draft policy document of March 31, 1988. The direction for hazardous waste reduction was substantially weakened in the policy draft yet it is identified in the draft EIR as significant mitigation. These conflicts need to be resolved before the public hearing process.

CONCLUSION

The document has made substantial progress since the program began. The draft has provided a positive framework for addressing the issues. Unfortunately, some of the pro-active goals and implementation measures have become substantially weakened in the review process. The accelerated schedule established by the State also limited local review and comment opportunities.

Copies of the Executive Summary, Chapter 3 and Chapter 13 have been provided to the staff, Planning Commission and City Council. We anticipate at least one informational workshop with each group in order to prepare them for the upcoming public hearing process. We would appreciate receiving copies of any comments provided by other local jurisdictions and the State Department of Health Services in order to include them in our review process.

Thank you for the opportunity to review this document. We look forward to continued participation in the adoption process.

BH:ks
4/mmk
Memorandum

To: John Keene
State Clearinghouse
Office of Planning and Research
1400 Tenth Street
Sacramento, CA 95814

From: Toxic Substances Control Division
714/744 P Street
P. O. Box 942732
Sacramento, CA 94234-7320
322-2822

Date: May 6, 1988
Subject: Kern County Hazardous Management Plan Draft EIR (SCH# 88032111)

The Department of Health Services has reviewed the draft EIR on Kern Counties draft hazardous waste management plan (CHWMP) (SCH #88032111) and has the following comments:

1. The draft EIR (and the draft CHWMP) is limited in its scope to facilities necessary to meet the needs of Kern County only. There are references to a "for diet capacity limit" and "geographic location where the wastes are generated." These restrictions are in conflict with the requirements of the Department's Guidelines for Hazardous Waste Management Plans (June 30, 1987) and State Law (Refer to the Health and Safety Code, Division 20, Chapter 6.5, Article 9, Section 25200; and the Code of California Regulations, Title 22, Section 66315.

The Department will not approve the Draft CHWMP unless these restrictions are eliminated. The EIR should be expanded in scope accordingly.

2. In addition to the comments contained in this letter, the Department of Health Services is preparing comments on the draft CHWMP in accordance with Section 25135.6(d) of Chapter 1504 of the statutes of 1986 (AB 2948, Tanner). The lead agency may wish to review the scope and content of the EIR for adequacy in light of revisions to the CHWMP required to obtain approval by the Department of Health Services.

3. On page 15-13 under the topic "Alternatives to the proposed action," it is stated that the CHWMP is required by state law and "Therefore, 'no project' is not an acceptable alternative...." The preparation of a CHWMP is voluntary action by the County. "No project" is in fact a viable alternative which must be discussed in the EIR. The EIR must include a discussion of the impacts associated with the absence of an approved CHWMP in Kern County.
4. On page 15-11 under the topic "The relationship between local short-term uses of man's environment and the maintenance and enhancement of long-term productivity," it should be explained that the reason for siting new hazardous waste management facilities is to end the practice of land disposal of untreated hazardous waste. The vast majority of new facilities will be to recycle or treat wastes that are now disposed of at landfills without treatment. Thus, while there will be environmental impacts associated with constructing and operating the new facilities, the most significant long-term impact upon the environment will be those associated with ending the practice of disposing of untreated hazardous wastes. Those impacts should be discussed.

5. It is recommended that the Technical Appendices be printed as a separate volume. This will result in a much less formidable document to the public.

Please call Robin Reynolds of my staff at (916) 443-2625 if you have any questions regarding this review.

David J. Leu, Ph.D., Chief
Alternative Technology Section

DJL:RR:rmn/mg
Mr. Fred Simon  
Kern County Planning and  
Development Services  
2700 M Street, Suite 100  
Bakersfield, CA 93301

Re: Comment on the Draft Environmental Impact Report (DEIR) for  
the Kern County and Incorporated Cities Hazardous Waste  
Management Plan, State Clearinghouse #88032111

Dear Mr. Simon:

The California Energy Commission (CEC) staff appreciates the opportunity to review and comment on the Kern County Hazardous Waste Management Plan (CHWMP). The staff provides the following comments.

General Comments

The CHWMP begins to detail the present status of waste management activities; however, a significant amount of data remains to be collected and analyzed. For example, Technical Appendix A contains incomplete data tables. The additional information and analysis required to complete these tables is a critical component of the CHWMP. Moreover, additional detail is necessary in a number of areas in order to truly understand the current system and provide a basis for planning future system improvements and programs.

The CHWMP is far too general in its discussion of current waste generation and management activities. Similarly, its analysis of future program needs and methods whereby programs will be implemented is also overly general. Where data is in the process of being collected or analyzed, the CHWMP should so indicate. However, the CWHMP should still discuss the data's relevance to the planning process and specify how the data may be expected to influence the plan's conclusions.

Large Quantity Generators (Section 4.1.1)

Although the CHWMP presents data grouped by waste types as suggested by the Department of Health Services (DHS) in its Guidelines for the Preparation of Hazardous Waste Management
Fred Simon  
May 4, 1988  
Page 2

**Plans** (hereinafter **Guidelines**), it presents no analysis of the generators themselves. As the **Guidelines** suggest, each county should analyze its waste-producing industries and identify the principal hazardous waste generating companies (page 3-3). As the data indicate, only 22 generators in Kern County are responsible for 85 percent of the total waste produced; therefore, a detailed company-by-company analysis is warranted. This analysis is critical to the discussion of a waste reduction program and to incentives and barriers to such a program.

**Small Quantity Generators** (Section 4.1.2)

The CHWMP should present data on categories of small generators. Such data should include the number of gas stations, dry cleaners, etc., and the types of wastes produced. This information would be useful when designing and implementing programs targeted toward that sector, such as those addressing illegal disposal practices or examining barriers and incentives to waste reduction.

**Off-site and On-site Disposal** (Sections 4.2.1, 4.2.2)

Generator specific data (distributed to each county by DHS) describing the types of waste shipped off-site should be included in the CHWMP. This information would be helpful in assessing future plans and programs regarding recycling efforts, waste reduction programs, and adequacy of transfer stations.

Although the CHWMP notes that, in the past, on-site disposal of oil field and refinery waste has been common, it does not discuss the issue. As the **Guidelines** state, wastes managed on-site in a regulated process must be reported (page 3-3). Furthermore, on-site management of wastes in unregulated processes should also be included if the County has access to such information (page 3-4). To assess potential contaminated areas, possible land use restrictions, and buffer zones which may need to be established, it would be helpful to include a description of past on-site disposal practices.

**Contaminated Sites in Kern County** (Section 4.5)

The **Guidelines** note that wastes from the cleanup of contaminated sites account for a large portion of the hazardous waste stream in California. The **Guidelines** identify such sites as the state and federal Bond Expenditure Plan site, leaking underground tanks, abandoned sites, pre-RCRA hazardous waste landfills, and other closed, inactive sites. However, this section contains only a cursory, inadequate description of types of contaminated sites, presents no data to substantiate its statements, and contains no analysis regarding the nature or extent of the
problem in Kern County. Consequently, it is important to provide more detailed information here since future quantities of hazardous waste generation and disposal requirements may be significantly influenced by not only the number of such sites within the County but also the severity of their contamination.

Hazardous Waste Reduction (Section 6.0)

Although the CHWMP states that many generators in Kern County are practicing some form of waste reduction, including recycling or off-site reclamation, no data or analysis is offered concerning such activities. The Guidelines stress the importance of waste reduction and suggest that the county plans discuss any waste reduction that has been accomplished or is underway by generators within the planning area. Specifically, the CHWMP should identify which generators have reduced waste or are practicing waste reduction, include estimates of the volume of hazardous waste reduction that has occurred or is anticipated, and contain a projection of waste reduction potential.

The plan's discussion concerning incentives and barriers to waste reduction is overly general and would benefit from a specific examination of those industries responsible for the bulk of hazardous waste generation in the County.

Regulations, Enforcement, Surveillance (Section 10.0)

This section of the CHWMP which discusses departmental responsibilities for hazardous waste regulation is too general and does not address the adequacy of current inspection and enforcement activities. It also fails to discuss projections of staff and resource needs to manage any additionally required facilities. Further, as the DHS Guidelines suggest, departmental programs should be examined for adequacy of data systems, inefficient use of resources, etc. Problems and issues should be explained and recommendations for improvements made.

The subsection on storage regulations is similarly general in nature. It could benefit by including a discussion of existing monitoring and inspection requirements as well as the adequacy of current staff and programs to ensure compliance by storage tank owners.

Programs to Address Special Needs (Section 11.0)

With respect to contaminated sites, Section 11.1 must be significantly expanded so that it contains a meaningful discussion of local programs, policies, and plans. As the DHS Guidelines suggest (page 3-20), a discussion of local programs could include a description of data collected on local sites,
local land use ordinances and restrictions, state and federal laws and regulations governing land use on or near such sites, and local and state programs for identification and cleanup of contaminated areas.

The subsections on small quantity generators (SQGs) and household hazardous wastes contain indefinite proposals in a number of areas such as: encouraging pick-ups from SQGs, allowing very small generators to bring wastes to household hazardous waste collection days, and providing workshops and information on hazardous materials and waste management. More specific recommendations should be formulated based on an assessment of the adequacy of existing locally adopted programs.

Implementation Program (Section 13.0)

The CHWMP should describe the implementation program in more detail, especially the schedules to be followed and how the resources will be allocated. The designated agency which will oversee program implementation should be specified. At a minimum, the method for selecting the agency and the timetable to be followed should be discussed.

- Ongoing Data Collection (13.2) - The plan should describe in detail the type of data to be collected (types and quantities of waste, management techniques, contaminated sites, etc.), method of coordination and consolidation, resource needs, and funding levels.

- Siting (13.4) - This section should include a schedule for amending local plans and zoning ordinances. It also lacks any description of a process for public involvement or coordination with private sector developers.

- Storage (13.6) - Section 13.6 lacks any discussion of scheduling or funding requirements except to state that additional funding may be needed to support additional inspections. Further, contrary to the DHS Guidelines, it fails to discuss implementation of the underground tank program, including a description of known problems and schedules for correcting problems.

- Contaminated Sites (13.7) - The CHWMP states that the County and cities will develop a coordinated effort to oversee and regulate site assessment and cleanup. This program should be described in detail to include timetables, funding, and method of implementation. The section should provide a meaningful description or discussion of a program to address the problem of existing contaminated sites.
Small Quantity Generators (13.8) and Household Hazardous Waste (13.9) - Because these sections only discuss broad goals in a general manner, they should be revised to provide specific implementation measures, resource requirements, and/or schedules.

Organization and Responsibility (13.12) - As the CHWMP notes, close cooperation and coordination are essential among all hazardous materials and waste programs, and among entities with related responsibilities. Thus, the plan should follow the recommendations of the DHS Guidelines and discuss in detail where responsibilities lie for implementing the various aspects of the hazardous materials management programs and how they interrelate. In this regard, an organization chart should also be included.

Funding (13.13) - Although the plan notes that the programs to be implemented cannot be funded within the current County budget, it presents no analysis regarding budgeting. Again, the DHS Guidelines should be adhered to and a complete resource package should be included showing the cost of programs by personnel, equipment, and materials, assignment of resources to responsible parties, and more detailed proposals regarding funding sources.

This concludes the CEC staff's comments on the Kern County Hazardous Waste Management Plan. If we can provide additional information or answer any questions about our comments, please call Sharron Taylor at (916) 324-3231. In addition, if we can provide technical assistance to you or your staff in developing this document, please let her know.

Sincerely,

ROBERT L. THERKELESEN, Chief
Energy Facility Siting and
Environmental Protection Division

cc: Office of Planning and Research
RLT:GW:ST
April 7, 1988

Mr. Fred Simon  
Department of Planning and Development Services  
2700 "M" Street, Suite 100  
Bakersfield, CA 93301

Dear Mr. Simon:

We have reviewed the Draft Environmental Report for Kern County and Incorporated Cities Hazardous Waste Management Plan. Although the plan is well written and within the authority of the provisions of AB 2948 (Tanner, 1986), the plan, as written, presents some disadvantages regarding California Highway Patrol operations in Kern County.

Section 13.5 - Transportation (Page 13-9) states that State- and Federally-maintained roads will be designated as Commercial Hazardous Waste Shipping Routes. Shipping may also be banned on routes where a spill would cause surface water or aqueduct contamination. The plan also states shipping could be banned on unsafe routes; however, there is no criteria for determining an unsafe route.

Section 13.5 - Transportation (Page 13-9) also states a notification process will be established to notify city and county agencies of the time and route of extremely hazardous materials shipments. Considering the large number of shipments using our highway system this would become a major administrative burden if the notification responsibility is extended to the California Highway Patrol.

Section 13.5 - Transportation (Page 13-10) indicates that Kern County intends to request that additional California Highway Patrol Officers be assigned to inspection and enforcement duties pertaining to the shipment of hazardous wastes and materials. No mention is made of funding for these positions.

Section 13.5 - Transportation (Page 13-10) states that Kern County will enforce placarding and labeling on vehicles in the county. The plan does not specify which agency will enforce these regulations. Also, Kern
County will consider restricting the shipment of extremely hazardous wastes and materials to "off peak traffic periods". In addition, the County intends to pursue means to "more clearly mark" vehicles carrying extremely hazardous wastes including painting trucks a distinctive color. There is no authority for such restrictions.

I hope that this information is beneficial to you in finalizing this environmental impact report. As written, this plan will have a definite impact on the overall operation of our Department and generates considerable concern. If I can be of any further assistance regarding this matter, please don't hesitate to contact me.

Very truly yours,

M.L. SENNA, Lieutenant Commander Mojave Area
Mr. Fred Simon  
Department of Planning and Development Services  
2700 "M" Street, Suite 100  
Bakersfield, CA  93301  

Dear Mr. Simon:

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Very truly yours,

[Signature]

M.L. SENNA, Lieutenant
Commander
Mojave Area

cc: Inland Division, San Bernardino
State Clearinghouse, Sacramento
May 2, 1988

Randall L. Abbott, Director
Department of Planning and
Development Services
2700 "M" Street, Suite 100
Bakersfield, CA 93301

DRAFT KERN COUNTY AND INCORPORATED CITIES HAZARDOUS WASTE MANAGEMENT PLAN
PREPARED PURSUANT TO AB 2948 - TANNER

Dear Mr. Abbott:

Regional Board staff have reviewed the above-referenced Draft Plan with respect to the concerns of the Lahontan Regional Water Quality Control Board. From our review it is apparent that a great deal of effort has gone into the development of this plan. Due to the focused nature of our review, our comments are conceptual in nature as follows:

1. Specific areas within the Lahontan Region for potential siting of residual repositories could not be ascertained from the information reviewed. While your general description was helpful, we would appreciate a map delineating these areas should one become available.

2. Siting criteria for residual repositories in the Lahontan Region should reflect the California Administrative Code, Subchapter 15 requirements that such a site be underlain by natural, geologic materials which have a permeability of not more than $1 \times 10^{-7}$ cm/sec. Although the regulations allow the Regional Board to consider alternatives, Regional Board staff will recommend that the Regional Board not approve such alternatives. In some cases the Regional Board and other agencies will accept engineered alternatives to some siting criteria. The plan should offer the flexibility to consider engineered alternatives where possible.

3. When available the final siting map should reflect all of the restrictions (such as comment 2) where possible and should state the restrictions that could not be evaluated.

4. Consideration should be given to the fact that as the restrictions on hazardous and designated waste increase, the temptation to improperly dispose of these materials also increases. A review of methods to control unauthorized entry into existing disposal sites might be very worthwhile.

5. In order to simplify the actual siting of waste facilities the plan should outline the steps necessary to obtain the required permits, present an organized approach for obtaining the permits and list the proper contact at each agency involved.
We thank you for the opportunity to comment on the Draft Plan. If you should have any questions or comments concerning the above matter, please contact George Trubiano or myself in our Victorville office at (619) 241-6583.

Yours truly,

O. R. BUTTERFIELD
EXECUTIVE OFFICER

Ken Carter
Senior Engineer

cc: Melvin Krause

rp
April 11, 1988

Kern County Planning and
Development Services Dept.
2700 "M" Street
Bakersfield, CA 93301

Attn: Mr. Ted James

RE: Draft Hazardous Waste Management Plan
March 7, 1988

Dear Mr. James:

The Agricultural Commissioner's Office has reviewed the draft Hazardous Waste Management Plan of March 7, 1988. Below are the changes in wording needed to clarify the plan:

Page 4-19, Paragraph 1
(Change in bold text)

The reason this is not much larger, for such a large industry, is the approved disposal practices of pesticide containers. Small containers are triple rinsed with water, which is returned to spray application equipment. This rinse water is then applied to the crop or site for which the pesticide is intended.

Page 4-19, Paragraph 3
(Change in bold text)

Records of the actual amounts of pesticides used in Kern County of pesticides that are required to be reported to the Agricultural Commissioner. There are a fairly large amount of pesticides used that are not required to be reported. The Agricultural Commissioner keeps records of the following:

- (o.k.)
- (o.k.)

The number of containers disposed of at municipal landfills. These containers are required to be triple rinsed, after which the state considers them non-hazardous.
Kern County Planning &
Development Services Dept.
Attn: Mr. Ted James
RE: Draft Hazardous Waste Management
Plan -- March 7, 1988

Page two

Page 4-19, Paragraph 4
(Changes in bold text)

Some 5 to 10 percent of growers use no restricted pesticides; they apparently use only non-restricted pesticides, or farm without pesticides.

Page 4-20, Paragraph 1
(Change in bold text)

Rinse water should be applied to crops or site of pesticide application. However, in 1987, the Agricultural Commissioner's Office was aware of three incidents in which rinse water was unknowingly released on county roads.

Page 4-20, Paragraph 2
(Change in bold text)

The outer containers are usually burned by the growers, as allowed by the local Air Pollution Control District.

Page 4-20, Paragraph 3
(Change in bold text)

As mentioned above, triple-rinsed containers are disposed at municipal landfills five days each month, during which an inspector is present.

Page 4-20, Paragraph 4
(Change in bold text)

Problems in pesticide waste disposal include:

. (Delete item 1, add statement below)
  Records that are required to be kept do not include all uses of agricultural pesticides.

Page 4-21, Paragraph 2
(Change in bold text)

. Households suffer the same problems as growers, only on a small scale. Some
Kern County Planning &
Development Services Dept.
Attn: Mr. Ted James
RE: Draft Hazardous Waste Management
Plan, March 7, 1988

Page three

Page 4-21, Paragraph 2 (con't.)
(Change in bold text)
pesticides which have been banned for com-
cmercial use are still sold in small amounts
to homeowners and maintenance gardeners.

Page 4-21, Paragraph 3
(Change in bold text)

Possible programs to deal with pesticide wastes may include:

. A pesticide collection day at least two times
  a year. The first such collection might be
  aimed specifically at accumulations of older
  pesticides.

Appendix

Agricultural Commissioner letter dated March 10, 1987;
Add revised Pesticide Container Rinse Certification form (Ag.
Comm. 580 2610 151 [Rev. 1/88])

Please contact us concerning any of these clarifications. If any
questions arise or changes incorporated, we would appreciate your
notification to this office.

Yours truly,

Robert A. Edwards
Agricultural Commissioner

RAE:sc
Attachment
PESTICIDE CONTAINER RINSE CERTIFICATION

I, ____________________________, ____________________________, (print name) (title)

hereby certify that the pesticide containers for ____________________________, (agency, company, or

grower) ____________________________, (permit number) being taken to the

Arvin / Delano / Shafter / Taft / Ridgecrest Sanitary Landfill in vehicle(s)
(circle one)

______________________________ on ____________________________, (date)

have been triple rinsed or rinsed in a closed system in accordance with Section
6684, of the California Administrative Code.

<table>
<thead>
<tr>
<th>Type of Container:</th>
<th>Number:</th>
<th>Type of Container:</th>
<th>Number:</th>
</tr>
</thead>
<tbody>
<tr>
<td>35 Gallon</td>
<td>______</td>
<td>½ Gallon</td>
<td>______</td>
</tr>
<tr>
<td>30 Gallon</td>
<td>______</td>
<td>1 Quart</td>
<td>______</td>
</tr>
<tr>
<td>25 Gallon</td>
<td>______</td>
<td>1 Pint</td>
<td>______</td>
</tr>
<tr>
<td>20 Gallon</td>
<td>______</td>
<td>½ Pint</td>
<td>______</td>
</tr>
<tr>
<td>5 Gallon</td>
<td>______</td>
<td>* Aerosol</td>
<td>______</td>
</tr>
<tr>
<td>2½ Gallon</td>
<td>______</td>
<td>* Bags</td>
<td>______</td>
</tr>
<tr>
<td>1 Gallon</td>
<td>______</td>
<td>* Other</td>
<td>______</td>
</tr>
</tbody>
</table>

______________________________
(signature)

______________________________
(date)

*Aerosol containers, Cardboard containers, and Paper bags may be disposed of
without rinsing if emptied completely of all material.

Ag. Comm. 580 2610 151 (Rev. 1/88)
PESTICIDE CONTAINER DISPOSAL PROCEDURES

The procedures for disposing of rinsed pesticide containers in the Kern County Sanitary Landfills are:

1. Schedule:

   Arvin       1st Monday of the month
   Delano      1st Tuesday of the month
   Shafter     1st Wednesday of the month
   Taft        1st Thursday of the month
   Ridgecrest  1st Friday of the month (by appointment only. Please call 822-3236 8-9 a.m. or 861-2306.)

2. The hours for disposal are 1:00 p.m. to 3:00 p.m.

3. Phone (805) 861-2306 prior to transporting pesticide containers to the County Landfill.

4. Have a qualified representative complete and sign the Pesticide Container Rinse Certification form.

5. Present the Pesticide Container Rinse Certification form to the Agricultural Biologist on duty at the landfill.

6. The following safety equipment shall be provided to those who will be disposing of rinsed pesticide containers:

   a. coveralls
   b. rubber gloves
   c. goggles
   d. rubber boots
   e. dust mask (for the disposal of bags)

Received by: ________________________________
(Agricultural Biologist)

________________________
(Date)

All containers delivered to the landfill are subject to inspection by the Agricultural Biologist on duty. Possession of improperly rinsed containers is a violation of Section 6684 of the California Administrative Code. All violations are subject to a fine imposed by the Agricultural Commissioner.
May 4, 1988

Kern County Department of Planning and Development Services
2700 M Street, First Floor
Bakersfield, CA 93301

Dear Sirs:

This letter is supplementary to the letter of Gordon Nipp, 3/12/88. It is pleasing to note the high degree of concordance between Sierra Club policy and Section 3.3 (Hazardous Waste Management Hierarchy) of the Kern County and Incorporated Cities Hazardous Waste Management Plan (CHWMP). We want to stress, however, the need for some inducement in CHWMP that will bring about the reduction and eventual elimination of hazardous wastes from industry and agriculture. We have the following additional comments and questions on the March 31, 1988 CHWMP draft:

1) One issue that is not addressed is liability. Hazardous waste generators, transporters, treaters and disposers should be held strictly, jointly and severally liable for any injury which may occur to property, human health and welfare, or the environment. Procedures should be established to hold individuals responsible for their actions. Financial responsibility (insurance or bonding) should be required of all generators, transporters, treaters and disposers to assure their ability to compensate for any damage.

2) In conjunction with the Data Management Program (Sec. 14), records of birth defects, cancer and respiratory disease in Kern County should be obtained on a continuing basis from the appropriate sources and monitored for any correlations with hazardous waste operations.

3) Incinerators should be considered only after all other acceptable disposal options have been evaluated and found to be impracticable for a particular waste. Incinerators must have pollution control equipment sufficient to yield pollutant emissions lower than concentration levels currently in San Joaquin Valley air.

4) The use of Kern County as a dumping ground (Sec. 4.2) for wastes from Los Angeles and other parts of California must be stopped if the first four priorities of Section 3.3 are actually to supercede the lowest priority. Approval must be denied for new disposal sites designed to handle waste volume shipped into Kern County. New disposal sites should not be approved until a need is demonstrated by the waste-stream generated in Kern County.
5) Waste-stream information required for the Unified Database in Section 13.2 appears to be incomplete:
   
a) Are radioactive wastes specifically excluded from hazardous waste management by other statutes? Is Kern County prepared to receive radioactive waste if a shipment in transit spills here?
   b) Is Kern County government certain that the federal government is not creating, at Edwards AFB or China Lake NWC, another environmental disaster like that at Hanford, Washington?

6) A standardized, detailed geologic-assessment form is needed by Kern County. This form would be used in siting evaluations (pertaining to Sec. 3.5: Goals -Landfill Disposal, Issues -Deep Well Injection of Class I Waste, Required Findings -B, Large Facility Siting Criteria -Item 2 -Conditions for Waiver No. 1; Sec. 7.1; Sec. 13.5 -Requirement No. 2). An applicant for any hazardous waste disposal site shall be required to complete this form as part of the application process. This will insure that a LAC has adequate geologic information to make its recommendations, and is not deceived by a slick but incomplete presentation during the review process. The county should require that all submitted geological information be reviewed by a qualified consulting geologist. The geological information supplied in the envisaged form would include seismic, structure, stratigraphy, soil, slope, drainage and hydrological detail.

7) Due to the generally unstable seismic nature of Kern County, and the possibility that a subsurface toxic dump could be ruptured in a future earthquake, deep well injections of hazardous wastes must be prohibited (excepting currently practiced injection of oil reservoir fluids back into an oilfield).

8) In order to realize the goal of reducing and managing hazardous wastes from households and small quantity generators (Sec. 3.4), the implementation language of Section 13.4 must be strengthened. For example: in the seventh sentence change "Evaluate the feasibility of" to "Establish." In the eighth sentence change "Pursue" to "Establish." And in the ninth, tenth and eleventh sentences change "should" to "shall." The language in Section 11.0 needs similar strengthening throughout.

   Thank you for the opportunity to comment on this very important document.

   Sincerely yours,

   Richard C. Heathcote, Ph.D., Chair, Toxics Subcommittee
   Conservation Committee
May 3, 1988

Fred Simon, Principal Planner
Kern County Department of Planning
and Development Services
2700 "M" Street, Suite 100
Bakersfield, CA 93301

Re: Draft Environmental Impact Report on the Kern County and
Incorporated Cities Hazardous Waste Management Plan.

Dear Mr. Simon:

Thank you for the opportunity to review the above referenced document. The following comments are submitted for your consideration.

The draft EIR appears to evaluate a Draft Hazardous Waste Management Plan which is dated February 24, 1988. That draft was substantially modified before it was sent to the State Department of Health Services on March 31, 1988. Many of the EIR references and analysis no longer apply due to modifications to the Hazardous Waste Management Plan. This is particularly true in the area of reducing hazardous waste streams.

The February 24, 1988 draft plan contained a fairly strong and specific reduction program for hazardous waste on pages 13-3, 4, 5 & 6. Throughout the draft environmental impact report this section is referenced as mitigation. The EIR lists waste reduction as a mitigation in the Transportation and Circulation, Ground and Surface Water, Air Quality, Economic Development and Energy sections. Since the March 31st draft plan calls for only the study of waste reduction possibilities the draft EIR cannot reference a reduction program as mitigation.

Examples include:

2. Page 15-3. Waste reduction is identified as a mitigation measure for the second paragraph addressing Ground and Surface Water contamination.


4. Page 15-3. Source reduction and recycling are listed as a mitigation measure resulting in cost savings which should benefit Economic Development.

5. Page 15-7. Waste reduction is listed as a beneficial effect in paragraph 15.5.1.


There are probably other specific references to waste minimization in the draft EIR which would no longer apply due to the revisions in the draft plan document for March 31, 1988.

Other mitigation measures which could be addressed by the draft EIR include insurance and risk assessment. Adequate insurance coverage to clean up a spill, leak, accident, etc., would assist in the repair of any environmental damage. Risk assessment is a technique which can be used to quantify the potential significant impacts and should be performed for each application. Once the hazards are quantified, then an estimate of environmental impact and public health hazard can be estimated.

The draft EIR contains numerous appendices which provide a wealth of background material but do little to identify environmental impacts. Future EIR's should eliminate these appendices wherever possible.

In conclusion, a new draft EIR should be done which evaluates the March 31, 1988 draft Hazardous Waste Management Plan.

Thank you for the opportunity to comment.

Sincerely,

Barry Hand
Principal Planner

BH:kds

4/lfs
April 29, 1988

Fred Simon
Principal Planner
Kern County Department of Planning &
Development Services
2700 "M" Street, Suite 110
Bakersfield, California 93301

RE: Draft Environmental Impact Report for Kern County
and Incorporated Cities, Hazardous Waste Management Plan
(Dated March 7, 1988). Comments of Kern County District
Attorney

Dear Mr. Simon:

In response to your March 17, 1988 letter accompanying our
receipt of the Draft EIR and HWMP specified above, our office
is submitting the following comments. We shall appreciate
inclusion of these comments. Our comments go to those matters
within the purview of the Kern County District Attorney; to
wit, Enforcement, Investigation and Prosecution of criminal
and civil violations of laws in the area of Environmental
Law. All comments are referenced to Section and page number
to the March 7, 1988 draft.

Section 1.4, Page 1-4

The plan correctly states that "Surveillance and enforcement
of the...involve Environmental Health, Fire and District
Attorney." This provides the basis for our comments.

II. COMMENTS

Section 4.6.2, Page 4-17

Regarding enforcement of infectious waste. The plan states,
"The local Health Officer is authorized to enforce any aspect
of the infectious waste regulations." As with other
enforcement activity, the KCDA works cooperatively with the
local Health Officer and is the department to whom violations
of the regulations may be referred for prosecution.
Section 10.1 outlines "Regulation, Enforcement, Surveillance - Department Responsibilities." Inasmuch as no reference is made to the District Attorney's Office, the following is a brief summary of the KCDA responsibilities:

"The District Attorney's Office's primary role in hazardous materials enforcement is that of the final enforcement authority. In numerous statutes this authority is specified and in the remainder it is presumptive. Agencies including California State Department of Health Services, Local Health, Local Fire, Local Planning, Ag, Fish & Game, CHP and Sheriff, to name the most common, normally refer their final enforcement activities to the District Attorney's Office.

In recent years, the District Attorney's Office has responded to the increase in environmental cases in two principal areas. At the investigative level the District Attorney's Office has trained two D.A. Investigators in Toxics and routinely makes them available to assist these agencies. An Investigative Task Force is being developed in cooperation with many of these agencies. At the prosecution level, two Deputy District Attorneys have received training in Toxics. These staff attorneys act as legal advisors to Field Investigators, as well as issuing and prosecuting Toxics cases, both civilly and criminally. Attorneys also provide training to local agencies, participate in county review of Toxics Legislation and sit on the newly formed Executive Steering Committee for the Investigative Task Force."

Section 12.2, Figure 12-4

Under the new Investigative Task Force, the District Attorney's Office is expected to be added to the listed agencies by the Fire Department. That change should be reflected in the final H.W.M.P.

Section 13.13, Page 13-15

This section refers to funding. The KCDA concurs that implementation of the HWMP cannot be made within the current county budget. The limited budget resources available to the KCDA makes adequate investigation and prosecution of toxic cases a difficult proposition.
Fred Simon
Draft EIR & HWMP
Page 3

Should you have any questions or comments, please contact us.

Sincerely,

EDWARD R. JAGELS
District Attorney

By

Jeri G. Vogt
Deputy District Attorney
Consumer & Environmental Protection Unit

JGV:ee

cc: Edward R. Jagels
Jess Gillian,
Chief Investigator
Kern County Planning & Development Services
2700 "M" Street, Suite 100
Bakersfield, California 93301

Attention: Fred Simon

RE: Draft Kern County and Incorporated Cities Hazardous Waste Management Plan

Gentlemen:

The Agency has reviewed the Draft Kern County and Incorporated Cities Hazardous Waste Management Plan and has no additional comments.

Sincerely,

Stuart T. Pyle
General Manager

KHT: w1
TO: Randall L. Abbott (Director)  
    Department of Planning and Development Services  
FROM: The Buttonwillow Recreation & Park District  
DATE: 5-4-88  

After reviewing your document on hazardous waste management in Kern County we found that many of our concerns, questions and input have already been discussed at great length. So rather than writing a lengthy reply, we have merely reinforced several items that have already been discussed.

1. Less waste disposals in Kern County that come from other areas!
2. Better control of existing waste disposal sites which are already housed in Kern County.
3. A limit set on how many sites can be set up in Kern County—hopefully no more! Especially toward the Buttonwillow area!
4. Better routes of transportation set-up to insure no accidents in residential areas (as Buttonwillow by way of Hwy 58).
5. A limit set on expansion (size wise) as well as increase in waste dump material (A Cap Set!)
6. And finally more input from the surrounding community and individuals who must tolerate waste disposal sites.
Kern Audubon Society  
P.O. Box 3581 □ Bakersfield, CA 93385-3581  

May 3, 1988

Randall Abbott  
Department of Planning and Development Services  
2700 "M" Street, Suite 100  
Bakersfield, CA 93301

RE: Kern Co. and Incorporated Cities Hazardous Waste Management Plan

Dear Mr. Abbott:

In behalf of the Board of Kern Audubon Society, I would like to congratulate all of you on a job well done. This plan seems like a very good place to begin. Details may be filled in later, but the foundation is quite sound.

I noticed that a lot of comments were made about keeping any non-Kern County waste out of Kern County... unrealistic.

Also, there were a lot of people saying that private industry should handle our waste disposal problems. Fine! However, they should do so only with close supervision from the various governmental entities involved.

Respectfully yours,

Irene Heath, Kern Audubon Society
April 25, 1988

Fred Simon, Principal Planner  
Department of Planning and Development Services  
2700 "M" Street, Suite 100  
Bakersfield, CA 93301

Re: Draft Environmental Impact Report for  
Kern County & Incorporated Cities  
Hazardous Waste Management Plan

Dear Mr. Simon:

We appreciate the opportunity to review this project. While we are not specifically charged with waste management, we have some concerns.

It appears disposal sites will be removed from developed areas, thus not impacting our facilities or service. Transportation of wastes could potentially impact us. Hopefully, transportation can be carefully monitored and governed to reduce risk of impact.

We agree that waste facilities should not be located in environmentally sensitive areas.

Siting of facilities should adequately consider the Tanner Bill requirements; however, excessive controls should not be required which will greatly limit growth and commercial expansion.

Concentrated efforts to educate the public may play an important part in reducing hazardous waste. This District through it's high participation may be able to assist in helping with the education. Fliers are handed out to the schools and program participants and could include such training. Several publications are also sent out by this agency each year which may include hazard reduction training.

Should collecting points be developed for household hazardous waste pick up, this District could assist in informing the public of their location etc. through our publications.

If education becomes a community effort through agencies like ours, schools and the news media, there could be substantial reduction in generated wastes.

Sincerely,

[Signature]

Colon G. Bywater  
Superintendent of Planning  
and Construction

CGB/fc
Kern County Department of Planning & Development Services
2700 "M" Street, Suite 100
Bakersfield, CA 93301

RE: EIR: Waste Management/Kern County

Ladies and Gentlemen:

The Southern Kern Unified School District administrative representative for hazardous materials control and other environmental concerns has reviewed the draft Environmental Impact Report Relative to Hazardous Waste Management, and we forward the following comments.

Those items that relate to school district facility maintenance, which are of particular interest at this time: (1) concern the transport of hazardous materials and (2) the quality of water produced by wells which supply the district schools with water. As near as can be determined, both items of interest have been addressed as efficiently as possible for a general plan.

The one item we suggest expansion on is on Pages 9-1 through 9-3, "Public Education and Participation". Hazardous waste management concerns will not diminish with time, but rather, stand a test of expansion and sophistication. Such actions shall be conducted by future managers, who now sit in public school classrooms. Updated and new information should be as a matter of course directed to the schools to be included in appropriate curriculum. We feel strongly that such an action should be directed as an important component of management goals and utilization of a prime resource, the public school.

We thank you for the opportunity to review the draft and generally applaud your effort in producing what we feel is a very comprehensive publication.

Sincerely,

L.E. Jones, Ed.D.

(1) Of present concern, is the transport of rocket fuel components on Highway 14 to the west of Rosamond, and rail transport of various hazardous materials to our east.

(2) For the past year a series of tests have been/are being conducted on local wells, as a result of a reported high incidence of cancer in Rosamond by the public health service.

cc: Superintendent

LJ:1aj
March 23, 1988

Mr. Fred Simon, Principal Planner
Planning and Development Services Department
2700 "M" Street, Suite 100
Bakersfield, CA 93301

Subject: Draft Environmental Impact Report for Kern County and
Incorporated Cities Hazardous Waste Management Plan

Dear Mr. Simon:

I have received the Draft Environmental Impact Report described
above and believe it is sufficient in the area of impact to
cultural and historic resources. The plan does express the need
to locate significant waste management activities away from areas
of human interest, and also states that site-specific
Environmental Impact Reports will have to be completed on a case-
by-case basis at a later date.

Sincerely,

Carola G. Rupert
Director

CGR:vj
16.3.3 RESPONSE TO COMMENTS

DRAFT EIR COMMENTS AND RESPONSES

The Draft EIR on the Kern County and Incorporated Cities Hazardous Waste Management Plan (CHWMP) was issued on March 7, 1988. The document contained thirty pages of written comments, primarily from public workshops, and a numerical tabulation of questionnaire results from the workshops. Those comments and results were used in the formulation of the version of the CHWMP contained in the DEIR, and the somewhat different version which was submitted to DHS on March 31, 1988.

In response to the DEIR, seventeen letters were received from fifteen respondents. These addressed a variety of topics, many of which are more relevant to the content of the Plan itself, rather than environmental impacts which might result from the Plan. These topics have been divided into twenty-nine categories, as shown in matrix form with the appropriate respondent in Figure 1.

A synopsis of comments, with replies, is given below for these categories, in alphabetical order. Texts of the comments follow, in numerical order as listed.
# Comments on Draft Environmental Impact Report

**Kern County and Incorporated Cities**

**Hazardous Waste Management Plan**

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<td>Ken Carter</td>
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<td>Richard Heathcote, PhD</td>
<td>Sierra Club Kern-Kaweah Chapter</td>
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<td>Edward R. Jagels, Jeri Voge</td>
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LOCALLY ADOPTED
May 13, 1991
RESPONSE: AIR QUALITY

The City of Bakersfield (2) commented that air quality provisions of the 31 March Draft CHWMP should be expanded. Such changes may be considered in future versions of the CHWMP. However, the project does contain provisions to mitigate air quality problems associated with facilities permitted in accordance with it, by specifying compliance with requirements of the Kern County Air Pollution Control District.

RESPONSE: CITIES

The City of Delano (1) and the City of Bakersfield (2) commented that the role of incorporated cities, and particularly city fire departments, should be recognized. The 31 MAR 88 Draft CHWMP uses the title "Kern County and Incorporated Cities." Both county and city agencies, especially fire departments, are active in mitigating environmental impacts of hazard waste management, and this plan endeavors to give credit where it is due.

RESPONSE: DATA MANAGEMENT

The State of California Energy Commission (4) requests a very detailed analysis of hazardous waste data. While some additional data were included in the 31 MAR 88 Draft CHWMP, the CEC requests go far beyond DHS guidelines, or the envisioned scope of the CHWMP. The Sierra Club (9) recommends that human medical records be maintained. This idea may have considerable merit. Mitigation of environmental impacts will be expedited by proper data management. A detailed and expanded data management program will be included is included in this plan, Chapter 14.

RESPONSE: DESIGNATED AGENCY

Kern County has formed a new Resources Management Agency which could be charged with the task of addressing hazardous waste and related issues. Details are not presently available. The State of California Energy Commission (4) requests such details. Mitigation of environmental impacts of hazardous waste management will be expedited by the existence of a lead agency within the county government.

LOCALLY ADOPTED
May 13, 1991
RESPONSE: EIR SUITABILITY

The project considered in this Draft EIR is a planning document which is in preparation and undergoing modification. It is a somewhat unusual planning document in that it is being prepared in response to both a new state law (Tanner 1986 AB 2948) and to a set of guidelines of questionable legal status (DHS guidelines). While this document has no direct environmental impacts, physical projects permitted in accordance with it may have substantial impacts. One intent of the document is to minimize impacts through rational planning processes. The City of Bakersfield (3,10) points out that the March 31, 1988 Draft CHWMP is not the same document as was included in the March 7, 1988 Draft EIR, and requests a new Draft EIR on the later document, especially with respect to details of a Source Reduction program. However, the document will certainly change further, and the March 7, 1988 version is representative of the type of planning tools which will be used to mitigate environmental impacts of hazardous waste management, even though it is not yet possible to evaluate the exact final CHWMP text. Moreover, DHS has required that the CEQA process be completed in a timely manner early in the CHWMP development, so the DEIR, based on the March 31, 1988 DHS Review Draft CHWMP, allows substantial compliance with the DHS Guidelines and CEQA EIR Guidelines.

DHS (3) commented that the "no project" alternative was improperly neglected, since a CHWMP is not strictly required by law. The CHWMP is in fact not required by law. Either a CHWMP or a Hazardous Waste Element to the CoSWMP is required. The EIR does not say that the CHWMP is required, only that is being prepared to ensure that Kern County is in compliance with state law. In actuality, on March 10, 1987, the Board of Supervisors determined that Kern County would prepare a CHWMP. Thus the project is a reality. However, for completeness, a brief discussion of the effects of not having a CHWMP follows, and will be included in the final EIR.

If no CHWMP is adopted by the County and cities, there will be no systematic means of planning for the hazardous waste management needs of industry, businesses, households, and other hazardous waste generators within the County. Nor will there be zoning and siting criteria for treatment or disposal facilities other than landfills, which are included in the present County General Plan. These criteria would remain in effect until superseded by the CHWMP. "No Project" would probably allow substantially increased significant environmental effects to occur, compared to adoption of this plan.

If the CHWMP is not approved by DHS, the County will be at jeopardy in the appeals process set up by AB 2948 for approval of proposed facilities within the county. A state appeals board would be set up to handle appeals from approval or consistency with the CHWMP. Thus if no ap-

LOCALLY ADOPTED
May 13, 1991
proved CHWMP exists, no inconsistency could be shown even if the facility were inconsistent with the present County General Plan or with the adopted (but unapproved) CHWMP. Furthermore, the legislation requires the appeals board to ignore any provisions on hazardous waste facilities which were added to the General Plan after 1983. Thus, the 1986 Hazardous Waste Component would be invalidated. In this case, local control over facility siting would be lost.

RESPONSE: ELIMINATION OF HAZARDOUS WASTE (GOAL)

The Sierra Club (9) refers to the need for inducement leading to the eventual elimination of hazardous waste from industry and agriculture. An important goal of the CHWMP is reducing to the greatest extent feasible the amount and toxicity of hazardous waste generated in the County. However, it is realistic to expect that some hazardous waste will continue to be generated throughout the planning period, which extends through the year 2000. The CHWMP is intended to minimize adverse environmental consequences of disposal of such residual hazardous waste.

RESPONSE: ENFORCEMENT

Section 10 of the Draft CHWMP addresses regulations, enforcement and surveillance. The State of California Energy Commission (4) requests a detailed examination of various department programs. The Kern County District Attorney (11) comments on its role and provides text for future CHWMP revisions. Buttonwillow Recreation and Park District (13) requests better control of existing waste disposal sites. While the final CHWMP will include a level of detail appropriate for a planning document, it is clear that enforcement of its provisions is important in mitigating possible environmental consequences. Enforcement through existing state programs, and any associated environmental effects, is not a part of this project, but rather is part of the project's existing environmental setting. It is presumed that state agencies followed proper CEQA procedures in establishing and evaluating the environmental effects of their existing enforcement programs.
RESPONSE: FORMAT

The format of the Draft CHWMP represents a compromise between a number of motivating forces. These include preparation of an appropriate planning document, compliance with DHS guidelines, description of the present state of hazardous waste management in Kern County, and a great variety of inputs through the series of Local Advisory Committee (LAC) meetings. The final CHWMP will be streamlined into a document suitable for long term inclusion in county and city general plans. The City of Bakersfield (2) points out that numbering of goals, policies, and implementation measures, along with a separation of policy from description would be appropriate. The DHS (3) suggests printing Technical Appendices in a separate volume. These suggestions and, undoubtedly, others will be considered in refining the Final CHWMP. However, the format of the document is of negligible relevance to mitigation of environmental impacts.

RESPONSE: FUNDING

Active programs which will result in mitigation of the environmental impacts of hazardous waste management cannot function without funding. The Kern Co. District Attorney (11) observes that the current county budget is insufficient for implementation of CHWMP programs. While this indicates possible difficulty in achieving some of the goals of the CHWMP, as a planning document it certainly includes mitigation of environmental impacts. Availability of funding of source reduction, HHW management, and data maintenance programs may indirectly affect the amount of hazardous waste generated, whereas more substantial direct environmental effects could be involved in siting new or expanding existing facilities. Mitigation of the effects associated with costs dealing with siting facilities would be born directly by the proponents of such facilities.

RESPONSE: HOUSEHOLD HAZARDOUS WASTE

The environmental consequences of disposing hazardous waste in municipal waste facilities are widely recognized, and the CHWMP sets up the framework for a Household Hazardous Waste Collection Program to address this problem. The City of Bakersfield (2) indicates a desire to be involved. The Sierra Club (9) requests a strengthened program. The North Bakersfield Recreation and Park District (15) offers assistance. Thus the CHWMP represents an important step in dealing with this environmental problem.

LOCALLY ADOPTED
May 13, 1991
RESPONSE: ILLEGAL DUMPING

In the absence of proper disposal options, illegal dumping of hazardous waste poses an uncontrolled threat to the environment. The State RWQCB Lahontan Region (7) suggests that a review of security measures at existing disposal sites may be appropriate. This will be considered in CHWMP Revisions. However, by offering a process to develop proper hazardous waste disposal options, the CHWMP serves to promote mitigation of this environmental threat.

RESPONSE: INCINERATION

While incineration ranks low on the philosophical waste management hierarchy, thermal energy recovery for cement production in appropriate locations presents an alternative with environmental advantages. The City of Bakersfield (2) comments that "incineration as a disposal method for toxic materials should not be permitted in locations where air circulation is inhibited." The Sierra Club (9) comments that incinerators in San Joaquin Valley should be considered only after all other disposal options have been evaluated and found impractical. Both these comments are consistent with the March 31, 1988 Draft CHWMP.

RESPONSE: INJECTION WELLS

The proposed use of deep well injection for off-site disposal of hazardous waste has been quite controversial. In the June 1988 election an initiative measure to ban this disposal method passed by a substantial margin. The City of Delano (1) comments that injection wells should be prohibited if safeguards and procedures are not possible to insure the isolation of waste from underground sources of drinking water. The City of Bakersfield (2) agrees that local control is preferable for this disposal method. The Sierra Club (9) comments that injection of hazardous waste must be prohibited due to seismic risk. These concerns are consistent with the siting concepts in the March 31, 1988 Draft CHWMP.

RESPONSE: LIABILITY

Considerable concern exists that adequate funds be available for clean-up or other measures in the event of failure of hazardous waste management strategies. The City of Bakersfield (2,10) comments that adequate insurance should be a requirement for all applications. The Sierra Club (9) requests procedures to hold individuals responsible for their actions. This is an important issue which relates to funding of CHWMP programs, which is vital to effective mitigation of environmental impacts.

LOCALLY ADOPTED
May 13, 1991
RESPONSE: LAND DISPOSAL BAN (GOAL)

Many environmental problems associated with hazardous waste disposal in the past have resulted from land disposal, particularly of liquids. The State DHS (3) comments that "the reason for siting new hazardous waste management facilities is to end the practice of land disposal of untreated hazardous waste." The CHWMP endorses this concept in both goals and policies, and this will be expressed in Section 15.8 "The Relationship Between Local Short-Term Uses of Man's Environment and the Maintenance and Enhancement of Long-Term Productivity." However, the CHWMP recognizes that treatment and recycling may never be practicable for some waste types, particularly one-time cleanups of contaminated sites. A complete end to landfill disposal of untreated hazardous waste, and therefore, the full mitigation of associated environmental effects, is not realizable.

RESPONSE: LOCAL NEEDS (IMPORTED WASTE)

Many Kern County residents favor responsible management of locally produced hazardous wastes but strongly oppose disposal of hazardous wastes imported from out of the county. In terms of mitigating environmental consequences, a smaller quantity of hazardous waste, no matter where it comes from, poses a smaller environmental danger. Accordingly, the March 31, 1988 Draft CHWMP addresses local control of origin of waste, local fair share, and per diem capacity limits. At the same time, cooperation with neighboring counties is stressed. This recognizes political and economic realities while attempting to mitigate environmental impacts. The Sierra Club (9) comments that "approval must be denied for disposal sites designed to handle waste volume shipped into Kern County." Buttonwillow Recreation and Park District (13) requests "less waste disposal in Kern County that come from other areas!" On the other hand, the Kern Audubon Society (14) feels that "keeping any non-Kern County waste out of Kern County ... unrealistic." The State DHS (3) states that it "will not approve the Draft CHWMP unless these (geographic and per diem limit) restrictions are eliminated." The environmental consequences to the County of acquiescing to DHS's desire to have Kern County site facilities for regional needs, while not directly quantifiable, are potentially more severe than attempting to limit capacity to that reasonably required for local needs.
RESPONSE: MAPS

The DEIR and March 31, 1988 Draft CHWMP lack maps of transportation routes or potential large facility sites. The City of Bakersfield (2) and State RWQCB Lahontan Region feel that maps would be helpful. This is important to the CHWMP's utility. All maps required by DHS Guidelines are included in the Final CHWMP.

RESPONSE: NO COMMENT (SUFFICIENT)

No reply.

RESPONSE: PERMITS

Any new hazardous waste facility will require a variety of permits from various agencies at the local, State, and Federal level. At the county level a Conditional Use Permit is required, as described in Section 3.5. The State RWQCB Lahontan Region (7) suggests that the CHWMP might include detailed information about all necessary permits. This type of information is currently available through the State Office of Permit Assistance. Since such information is likely to change with time, it is not appropriate to include in the CHWMP, and in any event does not affect mitigation of environmental impacts.

RESPONSE: PESTICIDES

Historical pesticide use has been responsible for environmental damage, including rendering shallow aquifers in San Joaquin Valley unfit as drinking water sources. The Kern Co. Dept. of Agriculture (8) has suggested a number of wording changes to describe their activities in regulating pesticides use, which serves to mitigate the ongoing environmental threat. These are incorporated in the Final CHWMP.

LOCALLY ADOPTED

May 13, 1991
RESPONSE: PRIVATE vs GOVERNMENT CONTROL

The issue of whether the private sector or governmental agencies should operate hazardous waste facilities has received mixed responses, depending on the type of facility. In the public workshop questionnaire, 209 to 80 opposed county operation of disposal sites, while 174 to 117 opposed county operation of treatment and recycling facilities. The Kern Audubon Society (14) comments that private industrial operation should only occur with close governmental supervision. The provisions of the CHWMP for such supervision and regulation are intended to mitigate environmental impacts associated with operation of hazardous waste facilities by anyone.

RESPONSE: PUBLIC INVOLVEMENT (EDUCATION)

An important focus of the CHWMP is public involvement and education, from the local advisory committee and other requirements of the AB 2948 (Tanner 1986) to the provisions of Section 9. The Buttonwillow Recreation and Park District (13) suggests "more input from the surrounding community and individuals." The North Bakersfield Recreation and Park District (15) offers assistance in such efforts. The Southern Kern Unified School District (15) suggests expansion of Section 9, as it appeared in the March 7, 1988 DEIR. Although Section 9 was actually shortened in the March 31, 1988 Draft CHWMP, public involvement and education remain important aspects of mitigating various types of future environmental consequences. The Final CHWMP will contain more details concerning the Designated Agency, which will oversee ongoing public involvement and education.

RESPONSE: RISK ASSESSMENTS

The requirement of risk assessments has been raised by two respondents. The City of Delano (1) requests a transportation risk assessment if a particular road is designated for use as a hazardous waste transportation route. The City of Bakersfield (2) suggests risk assessments as a preliminary requirement for applications for a variety of facility types and concerns. Any proposed facility will be subjected to a complete and exhaustive environmental review prior to approval. Additionally, the performance of a risk assessment may be required for some specific projects to satisfy requirements of ongoing regulatory programs (certain APCD permits and extremely hazardous materials regulations).

LOCALLY ADOPTED
May 13, 1991
RESPONSE: SITING

Many aspects of facility siting are prescribed in state law, and in some cases local control may be preempted by the state. However, the Conditional Use Permit process requires local evaluation of siting requirements and they are included in the CHWMP.

The state RWQCB Lahontan Region (7) cites CCR Title 23, Subchapter 15 in reference to engineered alternatives to natural permeability requirements for waste containment in residual repositories. Waste containment is crucial to mitigating environmental impacts to groundwater. The March 31, 1988 Draft CHWMP states (page 34) that there must be "no reasonable doubt of permanent safe containment," and (page 38) that "repositories shall conform to State Water Resources Control Board [hence Regional Board] requirements."

The Sierra Club (9) suggest a standardized geologic assessment form, particularly for hazardous waste injection wells and large facilities (presumably residuals repositories). Detailed geologic criteria for both these facility types are set forth in state law, and will be considered in the environmental review of any proposed facility. Therefore, such a form would not afford increased environmental protection. However, as suggested, such a form might facilitate an effective LAC review process, and thus have merit from an administrative and efficiency standpoint.

The Buttonwillow Recreation and Park District (13) suggests a limit on both the number and size of waste sites. As discussed above under "local needs," this is an area of controversy between local sentiment and State DHS mandates. The North Bakersfield Recreation and Park District (15) opposes controls which would limit growth and commercial expansion. Again, from the standpoint of environmental protection, in any type of hazardous waste management scheme, less hazardous waste means a smaller threat. The CHWMP strives to balance local and regional needs with effective mitigation of environmental impacts.

RESPONSE: SMALL QUANTITY GENERATORS

The Sierra Club (9) suggests strengthening the language of the implementation program (see Section 13.4) in regard to Small Quantity Generators. Such changes may lead to active programs being instigated sooner than might otherwise happen, thus hastening the mitigation of environmental impacts in ways already included.

LOCALLY ADOPTED
May 13, 1991
RESPONSE: SOURCE REDUCTION

Pursuant to action taken in meetings of the Local Advisory Committee (LAC) for the CHWMP, much of the specific language in the Source Reduction Implementation Section (13.3) of the 7 MAR 88 DEIR was deleted from the 31 MAR 88 Draft CHWMP. The City of Bakersfield (2,10) feels that the recommendations in the later version need to be substantially strengthened, and that the changes necessitate a new draft EIR.

The Sierra Club (9) feels that some inducement is necessary to bring about waste reduction. As has been discussed with regard to local needs and other topics, in any hazardous waste management scheme a smaller quantity of waste poses a smaller environmental threat. Therefore, any measure which reduces the amount or toxicity of hazardous waste present indirectly mitigates a variety of environmental impacts. This applies to limiting the import of hazardous waste or to reducing the amount generated locally.

As indicated in the 31 MAR 88 Draft CHWMP Hazardous Waste Management Hierarchy (p 28), source reduction is the first priority of the CHWMP. Noting the existence of specific programs in State and Federal law, the LAC felt that an overly specific Kern County program was premature, but source reduction is an important integral part of the CHWMP, with the attendant indirect mitigation of environmental impacts. This final plan includes a stronger, more detailed Source Reduction Implementation Program (see Section 13.3) than the March 31, 1988 DHS Review version of this plan offered.

RESPONSE: TRANSPORTATION

Transportation of hazardous waste and associated mishaps pose the greatest short term threat to public health. The threat to the environment is smaller, since most spills can be cleaned up before long lasting environmental damage occurs.

The City of Delano (1) commented on the public health threat involved with use of a particular highway. The City of Bakersfield (2) suggests risk assessments of transportation routes and raises the issue of funding for posting of hazardous waste transportation routes. The State California Highway Patrol (5,6) has a number of practical concerns with respect to implementation of certain features of the CHWMP. Buttonwillow Recreation and Park District (13) requests better routes in residential areas. North Bakersfield Recreation and Park District (15) calls for careful monitoring of hazardous waste transportation. Southern Kern Unified School District (15) is concerned with transportation of hazardous waste and hazardous materials. While this plan does not address

LOCALLY ADOPTED
May 13, 1991
hazardous materials, safer hazardous waste transportation is addressed through the plan's policies regarding designation of available candidate commercial hazardous waste shipping routes, large facility siting corridors, and cooperation with the California Highway Patrol and CalTrans.

RESPONSE: WATER QUALITY

Historically, the threat to underground sources of drinking water by poorly managed land disposal facilities has been the most disastrous environmental impact. This threat was the motivation for the detailed regulations of CAC Title 23, Subchapter 15, discussed above under "siting," and other provisions of state law relating to deep well injection of hazardous waste. Facility siting criteria in Chapter 3 such as Shallow Groundwater, Flood Hazard, and Surface Water are directly aimed at mitigation of this environmental impact. Southern Kern Unified School District (15) mentions its concern with this issue, especially in the light of reports of high incidence of cancer in Rosamond.

A June 1988 county-wide election determined that "it is the policy of Kern County to not allow the siting of any new hazardous waste facility in Kern County that exclusively or particularly relies on any underground injection of hazardous waste whether treated or untreated, and no such new facility will be permitted."
16.3.4 COMMENTS RECEIVED AND RESPONSES TO COMMENTS MADE DURING SUBSEQUENT EIR PREPARATION (CEQA)
February 11, 1991

FILE: DEIR - Hazardous Waste Mgmt Plan

ADDRESSEES (see next page)

Re: Draft Subsequent Environmental Impact Report (EIR) for Kern County and Incorporated Cities Hazardous Waste Management Plan; SCH 88032111

Ladies and Gentlemen:

Enclosed is a copy of the Revised Kern County and Incorporated Cities Hazardous Waste Management Plan Subsequent Environmental Impact Report.

We request your input on the sufficiency of the Draft Subsequent EIR in the areas(s) of your expertise. Your comments will provide decision makers with information needed to render an objective decision.

If we have not received a reply from your office by April 2, 1991, we will assume that you have no comments regarding this Draft EIR.

Your cooperation in this matter is appreciated.

Should you have any questions, please contact Melvin Krause or Bill Larsen of this Department at (805) 861-2615.

Very truly yours,

TED JAMES, Director
Planning and Development Services

By Melvin H. Krause
Senior Planner

slb

Enclosure
KERN COUNTY DEPARTMENTS

Agriculture Department
Airports Department
Air Pollution Control District
Community Development
County Administrative Officer
District Attorney
Farm and Home Advisor
Fire
General Services
   Communications
   Property Management
Environmental Health Services Dept.
Health Department
LAFCO
Library/Each Branch (29)
Museum
Parks and Recreation
Public Works
   Roads
Sheriff’s Department
Superintendent of Schools
Groundwater Quality Committee

CITIES

Arvin
Bakersfield
California City
Delano
Maricopa
McFarland
Ridgecrest
Shafter
Taft
Tehachapi
Wasco

COUNTIES

Inyo
Kings
Los Angeles
San Bernardino
San Luis Obispo
Santa Barbara
Tulare
Ventura

STATE

State Clearinghouse (15)
California Archaeological Inventory
California State University/
   Bakersfield
Fish and Game/Assernon
Fish and Game/Crew
Fish and Game/Consoli
Division of Oil and Gas/Bakersfield
California Highway Patrol
   Bakersfield
   Lebec
   Mojave

FEDERAL

Department of Agriculture
   Forest Service
      Los Padres National Forest
      Sequoia National Forest
Soil Conservation Service
   Bakersfield
   Tehachapi
   Lancaster
Department of Air Force
   Edwards Air Force Base
Department of the Army
   Corps of Engineers/Lake Isabella
Department of Commerce
   NOAA/National Weather Services
Department of Energy
   Naval Petroleum Reserve/Elk Hills
Department of Interior
   Bureau of Land Management
      Caliente
      Ridgecrest
U.S. Geological Survey
Department of the Navy
   Naval Weapons Center/China Lake
Department of Transportation
   Federal Aviation Administration
Environmental Protection Agency
   San Francisco
OTHER PUBLIC AGENCIES

KernCOG
Bakersfield College/Library
Cerro-Cosó/Ridgecrest
Bear Mountain Parks and Recreation District
Buttonwillow Recreation District
Golden Empire Transit District
Kern County Water Agency
McFarland Recreation District
North Bakersfield Recreation and Park District
Shafter Recreation District
Southern California Hazardous Waste Management Authority
Tehachapi Parks and Recreation District
Wasco Recreation and Parks District
West Kern Community College District

SCHOOLS (cont)

Elementary School Districts (cont)
Richland School District
Rio Bravo-Greeley Union School District
Rosedale Union School District
Semitropic School District
South Fork Union School District
Standard School District
Taft City School District
Vineland School District
Wasco Union School District

Unified School Districts
Maricopa Unified School District
McFarland Unified School District
Mojave Unified School District
Murco Unified School District
Sierra Sands Unified School District
Southern Kern Unified School District
Tehachapi Unified School District

High School Districts
Delano Joint Union High School
Kern Union High School District
Taft Union High School District
Wasco Union High School District

City of Bakersfield School District

SPECIAL DISTRICTS

Antelope Valley-East Kern Water Agency
Arvin-Edison Water Storage District
Belridge Water Storage District
Berrenda Mesa Water Storage District
Buena Vista Water Storage District
Buttonwillow Water District
Cawelo Water District
Delano-earlmart Irrigation District
Greenfield Water District
Keene Water District
Kern-Tulare Water District
Kern Delta Water District
Kern Mosquito Abatement District
Lebec Water District
Lost Hills Water District
Indian Wells Valley Water District
North Kern Water Storage District
North of the River Sanitary District
Rag Gulch Water District
SPECIAL DISTRICTS (cont)

Rand Communities County Water District
Rosedale-Rio Bravo Water Storage District
Shafter-Wasco Irrigation District
Semitropic Water Storage District
Southern San Joaquin Municipal Water District
Tehachapi-Cummings County Water District
Tejon-Castaic Water District
Wheeler Ridge-Maricopa Water Storage District
West Kern County Water District

Boron Community Services District
Buttonwillow Improvement District
Desert Lake Community Services
Mojave Public Utilities District
Pond-Poso Improvement District

Antelope Valley Resource Conservation District
Buena Vista Resource Conservation District
Eastern Kern Resource Conservation District
Pond-Poso Resource Conservation District
Rosedale-Rio Bravo Resource Conservation District
Shafter-Wasco Resource Conservation District
Tehachapi Resource Conservation District
Western Kern Resource Conservation District

PRIVATE PERSONS/GROUPS (cont)

Nature Conservancy/Tejon Subchapter
Kern Historical Society
Tejon Ranch
Bakersfield Californian/Hardisty
Shell California Production, Inc.
LAMCO/Ben Laverty
Kern Valley Action Network
A. Sue Luft
Local Advisory Committee Members (11)
Mr. Ben Austin, Chairman
Board of Supervisors
Kern County
10311 Stobaugh Street
Lamont, CA 93241

Dear Mr. Austin:

As required by Health and Safety Code (H&SC) Section 25135.7(a), the Department of Health Services (Department) has conducted a review of the final Kern County Hazardous Waste Management Plan (CHWMP) which was resubmitted May 30, 1989. The purpose of this review was to determine whether the CHWMP substantially complied with the Guidelines For The Preparation Of Hazardous Waste Management Plans (Guidelines), and fully complied with the provisions set forth in H&SC Section 25135 et seq., and adopted Department policies. In doing so, the Department also assessed the degree to which the revised final CHWMP addresses the concerns expressed in our previous review and the letter of disapproval, dated December 31, 1988.

Our review of the Kern CHWMP indicates that several sections of the CHWMP continue to fail to substantially comply with the Department's Guidelines and the provisions set forth in H&SC Section 25135 et seq. As a result, the Department is not able to approve the Kern CHWMP at this time.

The areas of your CHWMP which failed to substantially comply with the Guidelines and intent of the H&SC are discussed below. In summary, the Department's concerns centered primarily on the restrictive goals, policies and objectives of the CHWMP affecting the siting of needed hazardous waste management facilities. In its present form, the CHWMP would unduly limit the potential for a facility proponent to locate a facility in the County due to the ability of the County to impose upon the applicant:

1) unjustified siting criteria;

2) the limitation of the application of these criteria to "large" facilities (over 15,000 tons per year) to those areas within a four-mile wide corridor;
3) unworkable "fair share" and interagency agreement requirements; and

4) a policy limit on any major new facilities and the per diem capacity of all facilities for any type of waste until such time as the County's total waste import volume does not exceed exports.

The inclusion of the above limitations in the CHWMP may also jeopardize a project proponent's, or interested parties', ability to appeal a local land use decision affecting the siting of a proposed facility under the provisions established by H&SC Section 25199.11(f). In order to assure that the intent of State law affecting the siting of needed hazardous waste management facilities is preserved, the Department cannot approve CHWMPs which limit or restrict the ability of the appeal process to be initiated in California.

The fact that the Department disapproved your CHWMP does not mean that the entire document is unacceptable as a local planning document. Elements of your CHWMP, other than those affecting the siting of needed facilities, are important and should be investigated for potential implementation by the County.

SITING CRITERIA and GENERAL AREAS FOR POTENTIAL SITING

Criteria #10 of the Guidelines requires the CHWMP to contain siting criteria and designate general areas where the criteria may be applicable. The Department's standard for approving such criteria is that such criteria effectively allow for the expansion or siting of new hazardous waste management facilities in the county while protecting the human health and the environment.

As indicated in the previous December 30, 1988 disapproval letter, the Department opposes siting criteria which exclude needed hazardous waste facilities from environmentally appropriate areas. Siting criteria beyond those in the Guidelines must be environmentally justified and not so unduly onerous as to be exclusionary. The Department recognizes the County's efforts in the revised Final CHWMP to justify the siting criteria of concern to the Department. The Department has carefully examined the information in the revised CHWMP including the siting criteria supplement. However, after careful examination, the Department has determined that this additional information has not provided the technical basis needed for the Department to consider the previously unacceptable criteria environmentally justified.
The major areas of concern in the siting criteria continue to be:

1. Seismic and landslide hazard criteria applications which are based on a lack of information, rather than specific knowledge. This eliminates the possibility for site-specific project evaluation of the actual potential for these hazards.

2. Non-prime Intensive Agriculture resources designations are based on the current General Plan land use designation rather than on the resources-based justification as required by the Guidelines. Without further justification of the criteria's resource base, the balance of agricultural productivity resource values and the lack of other constraints to facility siting cannot be adequately evaluated and compared with other potential siting areas with some mitigable resource value. Site-specific information on the agricultural productivity of the site is not considered by the CHWMP and will not be considered at the project-specific level since these areas are not within the universe of general areas to be considered.

3. Other General Plan designations are utilized as limits to siting so that small facilities, even if located outside of the facility corridor, would only be allowed in heavy industrial designations. No justification is provided for this CHWMP policy.

4. The County applies a 2000 foot buffer zone to all large facilities without either distinguishing between residual repositories and other facilities, or assessing the potential risk of a facility type or individual project. In addition, it extends this buffer to one mile for new or expanded sensitive uses. This second factor may further limit the areas where facilities are accepted by restricting surrounding land uses without first considering the potential risk of facility type and location as justification for any additional buffer need and size.

5. As stated in our previous disapproval letter, the "four mile corridor along State or federally maintained roads," as the only area for large facilities (without a local overriding finding), poses a different problem to the Department. The County has contended that this is necessary to alleviate road impacts and County costs. Consideration of alternative means to mitigate these impacts and costs is not allowed by the CHWMP. The
County has also stated that this is justified by the "sufficient" number of acres of area remaining within this corridor. Without taking an active role in siting facilities, both the County and the State must leave the determination of adequate areas for consideration of siting to the private project proponents, restricting only those areas where there is a sound and legitimate public health, safety and welfare basis for controlling private land use.

"FAIR SHARE" SITING POLICIES

The "fair share" policy and "local needs based" facilities siting policies of the CHWMP are inconsistent with State goals, policies and objectives concerning the demonstration of the need for various types, sizes and locations of hazardous waste management facilities pursuant to Section 3.3 of the Guidelines and H&SC Sections 25135.5, 25135.7 and 25199.1(f)(5).

Specifically, a CHWMP is to provide for the siting of a wide range of types and sizes of hazardous waste facilities. The Kern CHWMP attempts to resolve this problem by stating that any facility's capacity in excess of the County's own needs would have to be dependent upon an interjurisdictional agreement. However, such agreements are not shown to be in place or enforceable, nor is there any assurance that they will be in the future.

Further, the County requires not only the concept of intercounty agreements, but also requires facilities to specify the origin of wastes handled. Facilities are to be designed to meet (only) the needs of the County. The County has also called for per diem capacity limits on facilities, whether or not there is an environmental basis for such a limit. The County's policy is not to site a large facility of any type unless pursuant to an interjurisdictional agreement.

At the same time, the County has virtually eliminated the potential for such an agreement by utilizing the argument that their total waste handling capacity (versus capacity needs by waste type) already exceeds their current generation. Thus, any county seeking any interjurisdictional agreement with Kern County would face overwhelming odds in seeking to share new types of facilities for new wastes or new waste treatment methods.

In considering the previously described policies, the County has not recognized the policies of the Department that 1) require the County to show that capacity is available for all types of waste generated in the County prior to limiting facilities or limiting wastes to be accepted through intercounty agreements; and
2) require the County to demonstrate that smaller facilities sizes resulting from limits proposed by the agreement are economically feasible for private development. These policy requirements were expressed to the County on April 13, 1988, December 27, 1988, and October 6, 1989 respectively.

While the Department is unable to approve your CHWMP as submitted, we encourage the County to implement those portions of the CHWMP found by the Department to be consistent with provisions set forth in the Guidelines, State law and Department policies.

If you should have any questions regarding this matter, please contact C. David Willis, Toxic Substances Control Program, at (916) 323-9723.

Sincerely,

Kenneth W. Kizer, M.D., M.P.H.
Director

cc: The Honorable Sally Tanner
Member of the Assembly
State Capitol
Room 4146
Sacramento, CA 95814

Larry Naake
County Supervisors Association of California
1100 K Street, Suite 101
Sacramento, CA 95814

Randall Abbott, Director
Kern County Department of Planning and Development Services
2700 M Street, Suite 100
Bakersfield, CA 93301

Val Siebal, Regional Administrator
Region 1/Sacramento
Toxic Substances Control Program
10151 Croydon Way
Sacramento, CA 95827
May 13, 1991

THE BOARD OF SUPERVISORS

Re: Readoption of the Kern County and Incorporated Cities Hazardous Waste Management Plan (CHWMP) and Subsequent Environmental Impact Report (EIR)

Dear Members of the Board of Supervisors:

Attached is a copy of the revised Kern County and Incorporated Cities Hazardous Waste Management Plan which, upon your Board's approval, this Department will resubmit to State Department of Health Services (DHS) before June 1, 1991. Revision of the CHWMP is necessary because on November 30, 1989, DHS disapproved the County's CHWMP based on noncompliance with the DHS Guidelines. However, AB 2595 allows counties whose CHWMPs have been disapproved by DHS to revise and resubmit them by June 1991.

County staff involved in CHWMP development were not surprised over DHS's disapproval of the previous CHWMP because it included County Supervisors Association of California (CSAC) "fair share" principles related to the ability to manage local and regional hazardous waste streams.

DHS findings for disapproval also focused on the Plan's hazardous waste facility siting criteria, and transportation policies. DHS contends that the CHWMP did not justify the seismic, landslide, and intensive agriculture siting criteria. DHS found the Plan's hazardous waste facility land use buffer zone requirements for large and small facilities to be inappropriate.

In consultation with the DHS, staff has added environmental, risk assessment, and other siting determinations for incorporation in the CHWMP. Most changes focus on Section 3, Issues, Goals and Policies. Proposed amendments include policy and implementation measure removal, changes, and additions to the version each incorporated city and the Board of Supervisors approved in May 1989. Revised fair share language acknowledges the County's responsibility to address its hazardous waste stream and also work towards interjurisdictional agreements with neighboring counties to address hazardous waste issues.

County staff prepared and recently circulated a project Subsequent EIR. The Subsequent EIR included staff's recommended plan changes. Comments received during the draft Subsequent EIR public review and staff responses to these comments are attached for your Board's consideration. In addition, staff is
recommending the attached supplemental amendments which manifest DHS's comments and suggestions made during the project's Subsequent EIR review process. These changes are recommended in addition to changes noted in the revised CHWMP.

As required by the Health and Safety Code, (AB 2948, Tanner 1986), the eleven-member CHWMP Local Advisory Committee (LAC) approved the revised plan on April 4, 1991. Additionally, staff has secured approval of the revised CHWMP from a majority of cities containing a majority of the incorporated population as required by the Tanner Legislation.

IT IS RECOMMENDED that the Board adopt the revised Kern County and Incorporated Cities Hazardous Waste Management Plan and attendant environmental documentation following Health and Safety Code Section 25135(f). In addition, the Board should make the required findings (suggested findings are included in Section 15 of the CHWMP) pursuant to Section 15091 of the EIR Guidelines.

Very truly yours,

TED JAMES, Director
Planning and Development Services

MHK:nef

cc: County Administrative Officer
County Counsel
Local Advisory Committee (no enclosure)
Resource Management Agency (no enclosure)
Grand Jury
KERN COUNTY and INCORPORATED CITIES
HAZARDOUS WASTE MANAGEMENT PLAN and
ENVIRONMENTAL IMPACT REPORT

MAY 13, 1991
FINAL SUBSEQUENT EIR
RESPONSE TO PUBLIC and AGENCY REVIEW COMMENTS

SCH# 88032111

KERN COUNTY DEPARTMENT of PLANNING and DEVELOPMENT SERVICES
2700 M STREET, BAKERSFIELD, CALIFORNIA 93301
Phone (805) 861-2615  FAX (805) 861-2061
UPDATE FACILITY DESCRIPTION ON PAGE #86 OF SECTION 5.0 (TANNER PLAN)
re: Petroleum Waste, Inc. (PWI) facility

Laidlaw Environmental Services (Lokern), Inc.: The Lokern Facility, formerly known as Petroleum Waste, Inc. (PWI), is a fully permitted Class 1 hazardous waste treatment, storage and disposal facility. Laidlaw has received permits and several permit modifications from EPA, DHS, RWQCB and Kern County for the Lokern facility. The Lokern Facility accepts a wide variety of California and EPA listed and characteristic wastes, including the 26 newly listed EPA TCLP organic waste codes.

In 1986 and 1987 the facility disposed of California and RCRA listed and characteristic hazardous wastes in lined surface impoundments. In 1986, the facility accepted 144,062 tons of hazardous waste according to the DHS manifest system. However, the facility's records, as submitted to RWQCB, show disposal of 166,411 tons of hazardous waste. The yearly capacity as estimated by DHS is 200,000 tons/year.

In addition to hazardous waste, the facility disposed of 379,200 tons of non-hazardous waste in 1986. These were mainly brine water and drilling mud, which are disposed of in separate impoundments which are not used for hazardous waste.

Since June 1988, disposal of hazardous waste liquids has been prohibited by the Toxic Pits Cleanup Act (TPCA) of 1984. In compliance with TPCA, the facility solidified the contents of the hazardous waste surface impoundments and will "clean close" them by excavating all waste and contaminated liner systems. The excavated material will be placed in a newly constructed double-lined landfill at the facility. To date, four of these surface impoundments have been completely "clean closed".

Laidlaw has constructed two RCRA double-lined landfills and has received the necessary permits to commence construction of a third new landfill. Additionally, Laidlaw is currently in the permitting process for constructing an additional (fourth) landfill at the facility. Laidlaw is also constructing a Stabilization Treatment Unit (STU). The STU will be capable of treating both California and RCRA hazardous wastes to nonhazardous levels. The STU will have a processing capacity of 1800 tons/day.

The current permitted disposal capacity of the facility is 5.4 million cubic yards. Laidlaw plans on increasing the disposal capacity with the construction of the fourth landfill to approximately 10.0 million cubic yards. The annual volume of waste accepted by the facility in the future depends on market conditions and future regulations regarding waste characterization and treatment standards. The annual volume will also depend on the success of generator's waste reduction, minimization and recycling efforts.

FOR MORE INFORMATION REGARDING THE LOKERN FACILITY, PLEASE CONTACT:
MARIANNA BUONI, FACILITY MANAGER @ 762-7372 OR @ 1-800-544-7199

BRR
4/4/91
Kern County and Incorporated Cities Hazardous Waste Management Plan
Subsequent EIR

LEAD AGENCY RESPONSES to:

Laidlaw Environmental Services, Inc., April 4, 1991 comments.

"The Lokern Facility, formerly known as Petroleum Waste, Inc. (PWI), is a fully permitted Class 1 hazardous waste treatment, storage and disposal facility. Laidlaw has received permits and several permit modifications from EPA, DHS, RWQCB and Kern County for the Lokern facility. The Lokern Facility accepts a wide variety of California and EPA listed and characteristic wastes, including the 26 newly listed EPA TCLP organic waste codes.

"In 1986 and 1987 the facility....."

RESPONSE: Comment noted. The Kern County CHWMP is based on year 1986 data and the State of California's hazardous waste stream environment during that year, and DHS Guidelines (1987). All discussion is relative to the year 1987. This is consistent with DHS instructions. Once approved by the DHS, the CHWMP will be updated on a three-year cycle. Waste stream data, facility names, and relative legislation will be oriented to the time of the revision date.

MHK
April 9, 1991

Melvin H. Krause
Kern County Planning & Development Services
Land Division Unit
2700 "M" Street, Suite 100
Bakersfield, California 93301

Request Received: March 4, 1991
Review Date: April 2, 1991

Dear Mr. Krause:

We have reviewed the above-referenced project with respect to the Kern County Water Agency's interests. The Agency has no comments at this time.

If you have any questions regarding this matter, please contact Tom Haslebacher or Ken Turner of the Agency staff.

Sincerely,

Darrell K. Sorenson
Special Projects & Data Manager
LEAD AGENCY RESPONSES to:

Kern County Water Agency, April 9, 1991 comments.

"The Agency has no comments at this time"

RESPONSE: Comment noted.

MHK
April 2, 1991

Ted James, Director
Kern County Planning and Development Services
2700 M Street, Suite 100
Bakersfield, California 93301

Subject: Draft Subsequent Environmental Impact Report for Kern County and Incorporated Cities Hazardous Waste Management Plan SCH 88032111

Dear Mr. James:

We have reviewed subject report and plan and find that it is not in conflict with District policies provided groundwater supplies are fully protected. We acknowledge that within the Indian Wells Valley there are approximately eight potential hazardous waste facility sites. We also understand that any facility proposed to be located in the valley would have to meet the plan’s siting criteria and would be subject to environmental assessment and any locally established laws and regulations. We also understand that said local laws and regulations may be more stringent than the requirements delineated in the plan, but must conform with the requirements of the State Department of Health Services.

We support the County’s efforts to establish the most restrictive siting requirements possible while still satisfying the 'fair share principle' and the requirements of the State Department of Health Services. Although we generally support the plan, we have determined that several relatively minor changes would be appropriate. Our recommendations with respect to said changes are as follows:

1. **Page 21, Section 1.5 Definitions.** Add definitions for "Acute Hazard" and "Chronic Hazard".

2. **Page 23, Paragraph 2.** Substitute the following:

   "THEREFORE, IF THE LOCATION OF A PARTICULAR TYPE OF HAZARDOUS WASTE MANAGEMENT FACILITY NEEDED IN THIS COUNTY IS NOT ENVIRONMENTALLY APPROPRIATE OR ECONOMICALLY VIABLE, THE COUNTY AND ITS CITIZENS SHALL SEEK TO ENTER INTO AN INTERJURISDICTIONAL AGREEMENT WITH ONE OR MORE COUNTIES TO SHARE IN THE USE OF AN..."
ENVIRONMENTALLY APPROPRIATE AND ECONOMICALLY VIABLE FACILITY (OR FACILITIES) TO BE LOCATED ELSEWHERE.

IN TURN, THE COUNTY AND ITS CITIES SHALL, IF APPROPRIATE, ENTER INTO ONE INTERJURISDICTIONAL AGREEMENT WITH ONE OR MORE OTHER COUNTIES TO SHARE IN THE USE OF AN ENVIRONMENTALLY APPROPRIATE AND ECONOMICALLY VIABLE FACILITY (OR FACILITIES) TO BE LOCATED WITHIN ITS OWN BORDERS."

3. **Page 30.** Replace the illegible map of Kern County showing topography, major roads, and communities with a legible, larger foldout map.

4. **Page 34. Paragraph 2.** Replace the obsolete statement "Landfilling of hazardous wastes must be phased out by 1990" with a current statement.

5. **Page 39, Paragraph 2.** Delete the redundant paragraph which repeats word for word a statement contained in Page 38, Paragraph 2.

6. **Page 46, Paragraph 2.** Replace "avoid" with "prevent" in the statement "Ensure that all facilities are designed to avoid water contamination.".

7. **Page 46, Paragraph 3, Landfill Disposal.** Define the term "low level hazardous waste", since said term is nowhere defined and is ambiguous, or replace it with "hazardous waste".

8. **Page 46, Paragraph 7.** Substitute the following:

   "KERN COUNTY MAY DISAPPROVE ANY FACILITY DESIGN TO ACCEPT HAZARDOUS WASTE GENERATED OUTSIDE THE COUNTY WHICH IS NOT IN CONFORMANCE WITH EFFECTIVE INTERJURISDICTIONAL AGREEMENTS."

9. **Page 50, Large Facilities.** Replace the statement "Facilities which manage a wastestream of 15,000 tons per year or more are regarded as large facilities" with the following:

   "ANY TYPE OF TRANSFER, STORAGE, OR DISPOSAL FACILITY WHICH MANAGES AN ONSITE AND/OR OFFSITE WASTESTREAM OF 15,000 TONS PER YEAR OR MORE IS CONSIDERED A LARGE FACILITY."

10. **Page 52, Paragraph 2.** Delete the statement "It would appear that any of the proposed facilities, also discussed in Section 5, are inconsistent with one or
more siting criteria or other policies of this plan." since no facilities are currently proposed under Section 3.

11. Page 74, Paragraph 2. Replace "Navel" with "Naval" for "Naval Weapons Center".

12. Page 86, Paragraph 1. Replace the obsolete statement "The disposal methods used for petroleum industry waste in those years must change in 1988 to comply with state law." with a current statement.

13. Page 107, Foldout Figure 7-1. Define the dotted areas shown on this figure.

14. Page 109, Paragraph 4. Substitute "hazard potential" for "toxicity" in the phrase "materials and chemicals that are life threatening in case of spill or other accident shall be afforded stricter controls than wastes of lesser toxicity".

15. Page 126, Source Reduction Time Table. Replace the obsolete sentence "This time table is initiated after the adoption of this plan, and no later than January 1, 1990." with a current sentence.

16. Page 129, Paragraph 1. Substitute the sentence "Using DHS shipping manifests, or equivalent data, the quantity, source, and characteristics of each wastestream to be served by a proposed hazardous waste facility shall be identified." for the sentence "Using DHS shipping manifests, or equivalent data, wastestreams to be served by a proposed hazardous waste facility shall be quantitatively identified as to the type of waste and the geographic location where the waste is generated."

17. Page 130, Paragraph 1. Delete "air" as a potential means of transportation for hazardous wastes since the transportation of hazardous wastes by air should be prohibited due to unreasonable risks to public health.

18. Page 136, Final Paragraph. Replace the obsolete sentence "Data for all firms is expected to be on the computer by mid-1990." with a current statement.


21. Throughout the report, references are made to the Casmalia Disposal Facility in Santa Barbara County as an existing hazardous waste disposal site. The Casmalia site has been inactive since November 1989 and will probably remain inactive until the summer of 1992 at the earliest. References to the Casmalia facility as an active site should be deleted.

Sincerely,

Warren F. Mc Gowan
General Manager
by

Charles A. Krieger
KRIEGER & STEWART
District Engineer

cc: Roy Tucker, IWVWD
**Notice of Completion**

**Mail to:** State Clearinghouse, 1400 Tenth Street, Sacramento, CA 95814 916/445-0613

**Project Title:** Kern County and Incorporated Cities Hazardous Waste Management Plan

**Lead Agency:** Kern County Planning & Development Services

**Street Address:** 2700 "M" Street, Suite 100 Bakersfield, CA

**Zip:** 93301

**County:** Kern

**Project Location**

**County:** Kern  
**City/Nearest Community:** Countywide  
**Total Acres:** 5,167,040

**Cross Streets:**  
**Assessor's Parcel No.:**  
**Within 2 Miles:**  
**State Hwy #:**  
**Waterways:**  
**Airports:**  
**Railways:**  
**Schools:**

**Document Type**

**CEQA:**  
- [ ] NOP  
- [ ] Supplement/Subsequent  
- [ ] Early Cons  
- [ ] EIR (Prior SCH No.)  
- [ ] Neg Dec  
- [ ] Draft EIR

**NEPA:**  
- [ ] NOI  
- [ ] EA  
- [ ] Draft EIS  
- [ ] FONSI

**Local Action Type**

- [ ] General Plan Update  
- [ ] General Plan Amendment  
- [ ] General Plan Element  
- [ ] Community Plan  
- [ ] Specific Plan  
- [ ] Master Plan  
- [ ] Planned Unit Development  
- [ ] Site Plan

- [ ] Rezone  
- [ ] Prezone  
- [ ] Use Permit  
- [ ] Land Division (Subdivision, Parcel Map, Tract Map, etc.)  
- [ ] Annexation  
- [ ] Redevelopment  
- [ ] Coastal Permit  
- [ ] Other CHWMP

**Development Type**

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- [ ] Water Facilities:  
- [ ] Transportation:  
- [ ] Mining:  
- [ ] Power:  
- [ ] Waste Treatment:  
- [ ] Hazardous Waste:  
- [ ] Other

**Project Issues Discussed in Document**

- [ ] Aesthetic/Visual  
- [ ] Agricultural Land  
- [ ] Air Quality  
- [ ] Archeological/Historical  
- [ ] Coastal Zone  
- [ ] Drainage/Absorption  
- [ ] Economic/Jobs  
- [ ] Fiscal  
- [ ] Flood Plain/Flooding  
- [ ] Forest Land/Fire Hazard  
- [ ] Geologic/Seismic  
- [ ] Minerals  
- [ ] Noise  
- [ ] Population/Housing Balance  
- [ ] Public Services/Facilities  
- [ ] Recreation/Parks  
- [ ] Schools/Universities  
- [ ] Septic Systems  
- [ ] Sewer Capacity  
- [ ] Soil Erosion/Compaction/Grading  
- [ ] Solid Waste  
- [ ] Toxic/Hazardous  
- [ ] Traffic/Circulation  
- [ ] Vegetation  
- [ ] Water Quality  
- [ ] Water Supply/groundwater  
- [ ] Wetland/Riparian  
- [ ] Wildlife  
- [ ] Growth Inducing  
- [ ] Landuse  
- [ ] Cumulative Effects  
- [ ] Other Fairshare

**Present Land Use/Zoning/General Plan Use**  
5,167,040 acres; 11 incorporated cities; approximately 1 million acres federal jurisdiction.

**Project Description**  
This is a revised Hazardous Waste Management Plan for Kern County and Incorporated Cities within the County as required by Chapter 1504 of the Statutes of 1986 (AB2948-Tanner) and Section 25135.10 of the Health and Safety Code added by Statutes of JO (AB2595-Tanner).

---

**NOTE:** Clearinghouse will assign identification numbers for all new projects. If a SCH number already exists for a project (e.g. from a Notice of Preparation or previous draft document) please fill it in.

**Revised October 1985**
Environmental Affairs
   ___ Air Resources Board
   ___ APCD/AQMD
   ___ California Waste Management Board
   ___ SWRCB: Clean Water Grants
   ___ SWRCB: Delta Unit
   ___ SWRCB: Water Quality
   ___ SWRCB: Water Rights
   ___ Regional WQCB #________ (___________)

Youth & Adult Corrections
   ___ Corrections

Independent Commissions & Offices
   ___ Energy Commission
   ___ Native American Heritage Commission
   ___ Public Utilities Commission
   ___ Santa Monica Mountains Conservancy
   ___ State Lands Commission
   ___ Tahoe Regional Planning Agency

___ Other

Public Review Period (to be filled in by lead agency)
Starting Date ______________
Ending Date April 2, 1991

Signature ___________________ Date __________

Lead Agency (Complete if applicable):
Consulting Firm: ____________________________________________________________
Address: _________________________________________________________________
City/State/Zip: ____________________________ Contact: ________________________
Phone: ____________________________

For SCH Use Only:
Date Received at SCH ______________
Date Review Starts ______________
Date to Agencies ______________
Date to SCH ______________
Clearance Date ______________

Notes: ____________________________

Revised October 1989
**Sender:** Complete items 1 and 2 when additional services are desired, and complete items 3 and 4. Put your address in the “RETURN TO” Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.
1. Show to whom delivered, date, and addressee’s address. 2. Restricted Delivery (Extra charge)

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<td>Type of Service:</td>
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<td>Certified</td>
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<tr>
<td>SACRAMENTO, CA 95814</td>
<td>insured</td>
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X

6. Signature – Agent
X

7. Date of Delivery
MARCH 4, 1991

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**Sender:** Complete items 1 and 2 when additional services are desired, and complete items 3 and 4. Put your address in the “RETURN TO” Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.
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<tr>
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6. Signature – Agent
X

7. Date of Delivery
MARCH 2, 1991
Kern County and Incorporated Cities Hazardous Waste Management Plan
Subsequent EIR

LEAD AGENCY RESPONSES to:

Indian Wells Valley Water District, April 2, 1991 comments.

"We have reviewed subject report and plan and find that it is not in conflict with District policies provided groundwater supplies are fully protected. We acknowledge that within the Indian Wells Valley, there are approximately eight potential hazardous waste facility sites. We also understand that any facility proposed to be located in the valley would have to meet the plan's siting criteria and would be subject to environmental assessment and any locally established laws and regulations. We also understand that said local laws and regulations may be more stringent than the requirements delineated in the plan, but must conform with the requirements of the State Department of Health Services.

"We support the County's efforts to establish the most restrictive siting requirements possible while still satisfying the "fair share principle" and the requirements of the State Department of Health Services. Although we generally support the plan, we have determined that several relatively minor changes would be appropriate. Our recommendations with respect to said changes are as follows:

1. "Page 21, Section 1.5 Definitions. Add definitions for "Acute Hazard" and "Chronic Hazard."

RESPONSE: Comment noted and recommended change(s) made to the CHWMP May 13, 1991 edition.

2. "Page 23, Paragraph 2. Substitute the following:

"THEREFORE, IF THE LOCATION OF A PARTICULAR TYPE OF HAZARDOUS WASTE MANAGEMENT FACILITY NEEDED IN THIS COUNTY IS NOT ENVIRONMENTALLY APPROPRIATE OR ECONOMICALLY VIABLE, THE COUNTY AND ITS CITIES SHALL SEEK TO ENTER INTO AN INTERJURISDICTIONAL AGREEMENT WITH ONE OR MORE COUNTIES TO SHARE IN THE USE OF AN ENVIRONMENTALLY APPROPRIATE AND ECONOMICALLY VIABLE FACILITY (OR FACILITIES) TO BE LOCATED ELSEWHERE.

IN TURN, THE COUNTY AND ITS CITIES SHALL, IF APPROPRIATE, ENTER INTO ONE INTERJURISDICTIONAL AGREEMENT WITH ONE OR MORE OTHER COUNTIES TO SHARE IN THE USE OF AN
ENVIROMENTALLY APPROPRIATE AND ECONOMICALLY VIABLE FACILITY (OR FACILITIES) TO BE LOCATED WITHIN ITS OWN BORDERS."

RESPONSE: Comment noted. The recommended change(s) were not made to the CHWMP May 13, 1991 edition because the acceptable "fair share" language sanctioned by DHS administration (April 5, 1991 letter) has been selected as the approach Kern County is satisfied with.

3. "Page 30. Replace the illegible map of Kern County showing topography, major roads, and communities with a legible, larger foldout map."

RESPONSE: Comment noted. Recommended change(s) were not made to the CHWMP May 13, 1991 edition because all finished CHWMP graphics are to be included once the document is published as an approved plan.

4. "Page 34, Paragraph 2. Replace the obsolete statement "Landfilling of hazardous wastes must be phased out by 1990" with a current statement."

RESPONSE: Comment noted. The Kern County CHWMP is based on year 1986 data and the State of California's hazardous waste stream environment during that year, and DHS Guidelines (1987). All discussion is relative to the year 1987. This is consistent with DHS instructions. Once approved by the DHS, the CHWMP will be updated on a three-year cycle. Waste stream data, facility names, and relative legislation will be oriented to the time of the revision date.

5. "Page 39, Paragraph 2. Delete the redundant paragraph which repeats word for word a statement contained in page 38, paragraph 2."

RESPONSE: Comment noted and recommended change(s) made to the CHWMP May 13, 1991 edition.

6. "Page 46, Paragraph 2. Replace "avoid" with "prevent" in the statement "Ensure that all facilities are designed to avoid water contamination."

RESPONSE: Comment noted and recommended change(s) made to the CHWMP May 13, 1991 edition.

7. "Page 46, Paragraph 3, Landfill Disposal. Define the term "low level hazardous waste," since said term is nowhere
defined and is ambiguous, or replace it with "hazardous waste."

RESPONSE: Comment noted and recommended change(s) made to the CHWMP May 13, 1991 edition.

8. "Page 46, Paragraph 7. Substitute the following:

"KERN COUNTY MAY DISAPPROVE ANY FACILITY DESIGN TO ACCEPT HAZARDOUS WASTE GENERATED OUTSIDE THE COUNTY WHICH IS NOT IN CONFORMANCE WITH EFFECTIVE INTERJURISDICTIONAL AGREEMENTS."

RESPONSE: Comment noted. The recommended change(s) were not made to the CHWMP May 13, 1991 edition because the acceptable "fair share" language sanctioned by DHS administration (April 5, 1991 letter) has been selected as the approach Kern County is satisfied with.

9. "Page 50, Large Facilities. Replace the statement "Facilities which manage a wastestream of 15,000 tons per year or more are regarded as large facilities" with the following:

"ANY TYPE OF TRANSFER, STORAGE, OR DISPOSAL FACILITY WHICH MANAGES ANY ON-SITE AND/OR OFF-SITE WASTESTREAM OF 15,000 TONS PER YEAR OR MORE IS CONSIDERED A LARGE FACILITY."

RESPONSE: Comment noted and recommended change(s) made to the CHWMP May 13, 1991 edition.

10. "Page 52, Paragraph 2. Delete the statement "It would appear that any of the proposed facilities, also discussed in Section 5, are inconsistent with one or more siting criteria or other policies of this plan" since no facilities are currently proposed under Section 5."

RESPONSE: Comment noted. The Kern County CHWMP is based on year 1986 data and the State of California's hazardous waste stream environment during that year, and DHS Guidelines (1987). All discussion is relative to the year 1987. This is consistent with DHS instructions. Once approved by the DHS, the CHWMP will be updated on a three-year cycle. Waste stream data, facility names, and relative legislation will be oriented to the time of the revision date.

RESPONSE: Comment noted and recommended change(s) made to the CHWMP May 13, 1991 edition.

12. "Page 86, Paragraph 1. Replace the obsolete statement "The disposal methods used for petroleum industry waste in those years must change in 1988 to comply with State law" with a current statement."

RESPONSE: Comment noted. The Kern County CHWMP is based on year 1986 data and the State of California's hazardous waste stream environment during that year. This is consistent with DHS Guidelines and instructions. Once approved by the DHS, the CHWMP will be updated on a three-year cycle.

13. "Page 107, Foldout Figure 7-1. Define the dotted areas shown on this figure."

RESPONSE: Comment noted. The "dotted areas" are plainly described on Figure 7-1 legend as "Heavy Industrial Zones where potential may exist to consider small facilities..."

14. "Page 109, Paragraph 4. Substitute "hazard potential" for "toxicity" in the phrase "materials and chemicals that are life threatening in case of spill or other accident shall be afforded stricter controls than wastes of lesser toxicity."

RESPONSE: Comment noted and recommended change(s) made to the CHWMP May 13, 1991 edition.

15. "Page 126, Source Reduction Time Table. Replace the obsolete sentence "This time table is initiated after the adoption of this plan, and no later than January 1, 1990" with a current sentence."

RESPONSE: Comment noted. The Kern County CHWMP is based on year 1986 data and the State of California's hazardous waste stream environment during that year. This is consistent with DHS Guidelines and instructions. Once approved by the DHS, the CHWMP will be updated on a three-year cycle.

16. "Page 129, Paragraph 1. Substitute the sentence "Using DHS shipping manifests, or equivalent data, the quantity, source, and characteristics of each wastestream to be served by a proposed hazardous waste facility shall be identified" for the sentence "Using DHS shipping manifests, or equivalent data, wastestreams to be served by a
proposed hazardous waste facility shall be quantitatively identified as to the type of waste and the geographic location where the waste is generated."

RESPONSE: Comment noted and recommended change(s) made to the CHWMP May 13, 1991 edition.

17. "Page 130, Paragraph 1. Delete "air" as a potential means of transportation for hazardous wastes since the transportation of hazardous wastes by air should be prohibited due to unreasonable risks to public health."

RESPONSE: Comment noted. However, the DHS Guidelines do not rule-out provisions for transporting hazardous waste via aircraft. The comment that "air should be prohibited due to unreasonable risks to public health" is non-substantiated.

18. "Page 136, Final Paragraph. Replace the obsolete sentence "Data for all firms is expected to be on the computer by mid-1990" with a current statement."

RESPONSE: Comment noted. The Kern County CHWMP is based on year 1986 data and the State of California's hazardous waste stream environment during that year. This is consistent with DHS Guidelines and instructions. Once approved by the DHS, the CHWMP will be updated on a three-year cycle.


RESPONSE: Comment noted. The Kern County CHWMP is based on year 1986 data and the State of California's hazardous waste stream environment during that year. This is consistent with DHS Guidelines and instructions. Once approved by the DHS, the CHWMP will be updated on a three-year cycle.


RESPONSE: Comment noted. The Kern County CHWMP does not attempt to address illegal theories.

21. "Throughout the report, references are made to the Casmalia Disposal Facility in Santa Barbara County as an existing hazardous waste disposal site. The Casmalia site has been inactive since November 1989, and will probably remain inactive until the summer of 1992 at the earliest. References to the Casmalia facility as an active site should be deleted."
RESPONSE: Comment noted. The Kern County CHWMP is based on year 1986 data and the State of California's hazardous waste stream environment during that year. This is consistent with DHS Guidelines and instructions. Once approved by the DHS, the CHWMP will be updated on a three-year cycle.

MHK
TO: Ted James, Director  
Planning and Development Services Department  
ATTN: Mel Krause

FROM: Michael T. Gnekow, Chief  
Land/Water Programs  
Environmental Health Services Department

SUBJECT: EIR - Hazardous Waste Management Plan

Enclosed is this Department's response to the Environmental Impact Report for the Hazardous Waste Management Plan. If you have any questions, please contact Daphne Washington, Chief, Special Projects.

MTG:jg
OFFICE MEMORANDUM-----------------Kern County

March 20, 1991

TO: Michael T. Gnekow, Chief
   Land/Water Programs

FROM: Chris Burger, HMS IV
       Hazardous Materials Management Program

SUBJECT: Kern County and Incorporated Cities
         Hazardous Waste Management Plan
         and Environmental Impact Report --
         COMMENTS

SECTION 0.0
EXECUTIVE SUMMARY

Page 4
WHERE DO KERN COUNTY'S HAZARDOUS WASTES GO?
The reference in paragraphs 1 and 2 to PWI should be changed
to reflect the current name and ownership of the facility,
i.e. Laidlaw.

Throughout the report numerous references were made to this
facility. Where references to PWI Inc. are not historical and
accurate they should be revised.

Page 5
WASTE REDUCTION AND THE WASTE MANAGEMENT HIERARCHY
Reference to large quantity generators being required to be
involved in a formal local source reduction review and
planning program should be reevaluated in light of SB 14,
Health and Safety Code 25244.12 et.seq. SB 14 requires a
large quantity generator to submit a source reduction
evaluation review and plan and plan summary as well as a
report and report summary to an "appropriate local agency"
within 30 days of a request to do so by the agency.

Page 14
Infectious waste
Typo "industrial" waste in paragraph six should be
"infectious" waste.

Page 15
Agricultural waste
Change paragraph five to read "Records of actual amounts of
'restricted' pesticides used in Kern County are maintained .

"
SECTION 1.0
INTRODUCTION

RELATIONSHIPS TO OTHER CITY AND COUNTY PLANS AND ACTIVITIES
Change references from Kern County Health Department, Environmental Health Division to Kern County Environmental Health Services Department.

Page 24
Characteristic Waste:
Delete reference to infectious characteristics per recent changes in the regulatory scheme for these wastes mandated by AB 1641 and AB 109.

SECTION 2.0
PLANNING AREA

Page 28
DESCRIPTION OF THE ENVIRONMENT
1990 Census Data should be incorporated in the revised draft.

SECTION 3.0
ISSUES, GOALS AND POLICIES

Page 41
SOURCE REDUCTION CONCEPTS
Again, reference to large quantity generators being involved in a formal source reduction review and planning program should be referenced to the State required program in SB 14.

SECTION 4.0
CURRENT AND PROJECTED HAZARDOUS WASTE STREAM

Page 74
WASTE DISPOSAL IN KERN COUNTY
4.2.1 Off-site Disposal
Delete references to Casmalia and Santa Barbara County unless in a historical context.

Change reference from Petroleum Waste, Inc. (PWI) to Laidlaw.
Page 75
Change or delete sentence in paragraph six "Until recently, a small incinerator facility in Bakersfield provided high temperature incineration of infectious wastes, destroying 190 tons in 1986 of infectious waste from hospitals and clinics." The referenced facility closed January 31, 1988. Since its closure there has not been commercial incineration capacity available for infectious waste in Kern County.

Page 77
CONTAMINATED SITES IN KERN COUNTY
Change reference to Kern County Health Department to Kern County Environmental Health Services Department.

Page 78
MAP
Map does not appear to reflect recent addition of sites in Rosamond and south of Mojave area.

Page 79
SPECIALIZED PROGRAMS FOR SELECTED HAZARDOUS WASTES
Delete statement, "Infectious wastes are considered hazardous wastes in California".

Page 80
Infectious Wastes
Review entire section and delete or alternatively revise comments to reflect current status of the program and that it has been dropped out of the hazardous waste scheme of regulation except that haulers of infectious waste must be registered hazardous waste haulers.

Page 82
Agricultural Wastes
Revise paragraph five to read "Records of the actual amounts of restricted pesticides used in Kern County are maintained."

Page 88
Paragraph six, International Technology Corporation (IT)
This facility ceased operation in April, 1990.

Page 91
Paragraph one
Reference to Casmalia should be deleted.
References to PWI which are not historical should be changed to reflect new facility ownership, Laidlaw.

SECTION 10.0
REGULATIONS, ENFORCEMENT, SURVEILLANCE

Page 113
Paragraph Three
Change reference to Public Health Division of Department of Environmental Health to Environmental Health Services Department.

Change references to Division's inspectors to Department's Hazardous Materials Specialists.

SECTION 11.0
PROGRAMS TO ADDRESS SPECIAL NEEDS

Page 117
CONTAMINATED SITES
Change Environmental Health Division to Environmental Health Services Department

Pages 124 and 125
Refer to Comment #1

SECTION 14.0
DATA MANAGEMENT PROGRAM

Page 134
Change references to Kern County Environmental Health Division to Kern County Environmental Health Services Department.

SECTION 15.0
ENVIRONMENTAL IMPACTS

Page 148
ALTERNATIVES TO THE PROPOSED ACTION
Rewrite second sentence of the first paragraph to make a complete sentence.
Page 161
SUPPORTIVE EVIDENCE
Insert "Title 22" into fourth sentence of first full paragraph. "Section 66391 of the California Code of Regulations" . . . such that the sentence then reads, "Section 66391 of Title 22 of the California Code of Regulations" ....

CB: jg

cc: Daphne H. Washington
LEAD AGENCY RESPONSES to:

Kern County Department of Environmental Health Services, March 21, 1991 comments.

"Page 4 The reference in paragraphs 1 and 2 to PWI should be changed to reflect the current name and ownership of the facility, i.e. Laidlaw.

"Throughout the report numerous references were made to this facility. Where references to PWI Inc. are not historical and accurate they should be revised."

RESPONSE: Comment noted. The Kern County CHWMP is based on year 1986 data and the State of California's hazardous waste stream environment during that year, and DHS Guidelines (1987). All discussion is relative to the year 1987. This is consistent with DHS instructions. Once approved by the DHS, the CHWMP will be updated on a three-year cycle. Waste stream data, facility names, and relative legislation will be oriented to the time of the revision date.

"Page 5 Reference to large quantity generators being required to be involved in a formal local source reduction review and planning program should be reevaluated in light of SB 14, Health and Safety Code 25244.12 et.seq. SB 14 requires a large quantity generator to submit a source reduction evaluation review and plan and plan summary as well as a report and report summary to an "appropriate local agency" within 30 days of a request to do so by the agency."

RESPONSE: Comment noted. The Kern County CHWMP is based on year 1986 data and the State of California's hazardous waste stream environment during that year, and DHS Guidelines (1987). All discussion is relative to the year 1987. This is consistent with DHS instructions. Once approved by the DHS, the CHWMP will be updated on a three-year cycle. Waste stream data, facility names, and relative legislation will be oriented to the time of the revision date.

"Page 14 Typo "industrial" waste in paragraph six should be "infectious" waste."
RESPONSE: Comment noted and recommended change(s) made to the CHWMP May 13, 1991 edition.

"Page 15 Change paragraph five to read "Records of actual amounts of 'restricted' pesticides used in Kern County are maintained . . . ."

"Page 21 Change references from Kern County Health Department, Environmental Health Division to Kern County Environmental Health Services Department."

RESPONSE: Comment noted and recommended change(s) made to the CHWMP May 13, 1991 edition.

"Page 24 Characteristic Waste: Delete reference to infectious characteristics per recent changes in the regulatory scheme for these wastes mandated by AB 1641 and AB 109."

RESPONSE: Comment noted. The Kern County CHWMP is based on year 1986 data and the State of California's hazardous waste stream environment during that year, and DHS Guidelines (1987). All discussion is relative to the year 1987. This is consistent with DHS instructions. Once approved by the DHS, the CHWMP will be updated on a three-year cycle. Waste stream data, facility names, and relative legislation will be oriented to the time of the revision date.

"Page 28 1990 Census Data should be incorporated in the revised draft."

RESPONSE: Comment noted. The Kern County CHWMP is based on year 1986 data and the State of California's hazardous waste stream environment during that year, and DHS Guidelines (1987). All discussion is relative to the year 1987. This is consistent with DHS instructions. Once approved by the DHS, the CHWMP will be updated on a three-year cycle. Waste stream data, facility names, and relative legislation will be oriented to the time of the revision date.

"Page 41 Again, reference to large quantity generators being involved in a formal source reduction review and planning program should be referenced to the State required program in SB 14."
RESPONSE: Comment noted. The Kern County CHWMP is based on year 1986 data and the State of California's hazardous waste stream environment during that year, and DHS Guidelines (1987). All discussion is relative to the year 1987. This is consistent with DHS instructions. Once approved by the DHS, the CHWMP will be updated on a three-year cycle. Waste stream data, facility names, and relative legislation will be oriented to the time of the revision date.

"Page 74 4.2.1 Off-site Disposal. Delete references to Casmalia and Santa Barbara County unless in a historical context. Change reference from Petroleum Waste, Inc. (PWI) to Laidlaw."

RESPONSE: Comment noted. The Kern County CHWMP is based on year 1986 data and the State of California's hazardous waste stream environment during that year, and DHS Guidelines (1987). All discussion is relative to the year 1987. This is consistent with DHS instructions. Once approved by the DHS, the CHWMP will be updated on a three-year cycle. Waste stream data, facility names, and relative legislation will be oriented to the time of the revision date.

"Page 75 Change or delete sentence in paragraph six
"Until recently, a small incinerator facility in Bakersfield provided high temperature incineration of infectious wastes, destroying 190 tons in 1986 of infectious waste from hospitals and clinics." The referenced facility closed January 31, 1988. Since its closure there has not been commercial incineration capacity available for infectious waste in Kern County."

RESPONSE: Comment noted. The Kern County CHWMP is based on year 1986 data and the State of California's hazardous waste stream environment during that year, and DHS Guidelines (1987). All discussion is relative to the year 1987. This is consistent with DHS instructions. Once approved by the DHS, the CHWMP will be updated on a three-year cycle. Waste stream data, facility names, and relative legislation will be oriented to the time of the revision date.

"Page 77 Change reference to Kern County Health Department to Kern County Environmental Health Services Department."
RESPONSE: Comment noted and recommended change(s) made to the CHWMP May 13, 1991 edition.

"Page 78 Map does not appear to reflect recent addition of sites in Rosamond and south of Mojave area."

RESPONSE: Comment noted. The Kern County CHWMP is based on year 1986 data and the State of California's hazardous waste stream environment during that year, and DHS Guidelines (1987). All discussion is relative to the year 1987. This is consistent with DHS instructions. Once approved by the DHS, the CHWMP will be updated on a three-year cycle. Waste stream data, facility names, and relative legislation will be oriented to the time of the revision date.

"Page 79 Delete statement, "Infectious wastes are considered hazardous wastes in California"."

RESPONSE: Comment noted. The Kern County CHWMP is based on year 1986 data and the State of California's hazardous waste stream environment during that year, and DHS Guidelines (1987). All discussion is relative to the year 1987. This is consistent with DHS instructions. Once approved by the DHS, the CHWMP will be updated on a three-year cycle. Waste stream data, facility names, and relative legislation will be oriented to the time of the revision date.

"Page 80 Infectious Wastes Review entire section and delete or alternatively revise comments to reflect current status of the program and that it has been dropped out of the hazardous waste scheme of regulation except that haulers of infectious waste must be registered hazardous waste haulers."

RESPONSE: Comment noted. The Kern County CHWMP is based on year 1986 data and the State of California's hazardous waste stream environment during that year, and DHS Guidelines (1987). All discussion is relative to the year 1987. This is consistent with DHS instructions. Once approved by the DHS, the CHWMP will be updated on a three-year cycle. Waste stream data, facility names, and relative legislation will be oriented to the time of the revision date.
"Page 82 Agricultural Wastes Revise paragraph five to read "Records of the actual amounts of restricted pesticides used in Kern County are maintained."

RESPONSE: Comment noted. The Kern County CHWMP is based on year 1986 data and the State of California's hazardous waste stream environment during that year, and DHS Guidelines (1987). All discussion is relative to the year 1987. This is consistent with DHS instructions. Once approved by the DHS, the CHWMP will be updated on a three-year cycle. Waste stream data, facility names, and relative legislation will be oriented to the time of the revision date.

"Page 88 Paragraph six, International Technology Corporation (IT) This facility ceased operation in April, 1990."

RESPONSE: Comment noted. The Kern County CHWMP is based on year 1986 data and the State of California's hazardous waste stream environment during that year, and DHS Guidelines (1987). All discussion is relative to the year 1987. This is consistent with DHS instructions. Once approved by the DHS, the CHWMP will be updated on a three-year cycle. Waste stream data, facility names, and relative legislation will be oriented to the time of the revision date.

"Page 91 Paragraph one Reference to Casmalia should be deleted."

RESPONSE: Comment noted. The Kern County CHWMP is based on year 1986 data and the State of California's hazardous waste stream environment during that year, and DHS Guidelines (1987). All discussion is relative to the year 1987. This is consistent with DHS instructions. Once approved by the DHS, the CHWMP will be updated on a three-year cycle. Waste stream data, facility names, and relative legislation will be oriented to the time of the revision date.

"Page 91 References to PWI which are not historical should be changed to reflect new facility ownership, Laidlaw."

RESPONSE: Comment noted. The Kern County CHWMP is based on year 1986 data and the State of California's hazardous waste stream environment during that
year, and DHS Guidelines (1987). All discussion is relative to the year 1987. This is consistent with DHS instructions. Once approved by the DHS, the CHWMP will be updated on a three-year cycle. Waste stream data, facility names, and relative legislation will be oriented to the time of the revision date.

"Page 113 Paragraph Three Change reference to Public Health Division of Department of Environmental Health to Environmental Health Services Department. Change references to Division's inspectors to Department's Hazardous Materials Specialists."

RESPONSE: Comment noted and recommended change(s) made to the CHWMP May 13, 1991 edition.

"Page 117 Change Environmental Health Division to Environmental Health Services Department"

RESPONSE: Comment noted and recommended change(s) made to the CHWMP May 13, 1991 edition.

"Pages 124 and 125 Refer to Comment #1"

RESPONSE: Comment noted. The Kern County CHWMP is based on year 1986 data and the State of California's hazardous waste stream environment during that year, and DHS Guidelines (1987). All discussion is relative to the year 1987. This is consistent with DHS instructions. Once approved by the DHS, the CHWMP will be updated on a three-year cycle. Waste stream data, facility names, and relative legislation will be oriented to the time of the revision date.

"Page 134 Change references to Kern County Environmental Health Division to Kern County Environmental Health Services Department."

RESPONSE: Comment noted and recommended change(s) made to the CHWMP May 13, 1991 edition.

"Page 143 Rewrite second sentence of the first paragraph to make a complete sentence."

RESPONSE: Comment noted and recommended change(s) made to the CHWMP May 13, 1991 edition.
"Page 161 Insert "Title 22" into fourth sentence of first full paragraph. "Section 66391 of the California Code of Regulations" . . . such that the sentence then reads, "Section 66391 of Title 22 of the California Code of Regulations" ....

RESPONSE: Comment noted and recommended change(s) made to the CHWMP May 13, 1991 edition.
April 5, 1991

Randall L. Abbott, Director  
Kern County Resource Management Agency  
2700 "M" Street, Suite 350  
Bakersfield, CA 93301

KERN COUNTY HAZARDOUS WASTE MANAGEMENT PLAN - REQUESTED CLARIFICATIONS APRIL 2, 1991

Dear Mr. Abbott:

As a result of a telephone conversation on April 2, 1991, between Ted James, Kern County Planning Department, and Judi Frantz of my staff, we are happy to provide the following clarifications as a supplement to our letter of March 22, 1991:

Page 3 of our March 22 letter discusses Initiative B and the injection wells issue and states, "When your plan is hopefully approved, the Department may condition that approval to exclude reference to injection wells, which were not addressed in our original guidelines." The basis for this condition in the approval would be that our original planning Guidelines did not require underground injection wells to be addressed in the county hazardous waste management plans. The Department cannot, therefore, approve that portion of the Kern County Hazardous Waste Management Plan that includes a discussion of underground injection wells because that is beyond the requirements and jurisdiction of the Guidelines. We do believe, however, that conditional approval would in no way interfere with Kern County's authority to legally enforce Initiative B.

Page 4 of our March 22 letter suggests some language to be changed in the Fair Share language on page 9 of your Plan. The letter states that the term "pose a threat" should be changed to "pose appreciably increased risk." In Ted and Judi's April 2 telephone conversation, Ted indicated the County's discomfort with the term "appreciably increased risk" since those terms are not defined. Ted suggested using the term "pose a health risk" instead. We agree that the term "appreciably increased risk" is not defined, but cannot concur on the use of the term "pose a health risk" because that term is too general. Ted then suggested using the term "pose an increased health risk." We concur.
Page 4 of our March 22 letter also discusses references in your plan to existing onsite facilities and states, "As with the Initiative B issue, the Department may condition your Plan's approval to exclude reference to existing onsite facilities which were not addressed in our original Guidelines." Again, the basis for this condition in the approval would be that our original planning Guidelines did not require existing onsite facilities to be addressed in the county hazardous waste management plans. The Department cannot, therefore, approve that portion of the Kern County Hazardous Waste Management Plan that includes a discussion of existing onsite facilities because that is beyond the requirements and jurisdiction of the Guidelines.

We hope this letter contains sufficient clarification on these three issues and that you concur on each item. We ask that you, in return, provide us with a letter summarizing all of the changes agreed to based on our March 22 letter, including an indication of how you plan to resolve the issue of the designated general areas in your plan and the map code designation, etc.

Please contact me if you have any questions or concerns.

Sincerely,

Val F. Siebal
Regional Administrator
ADDENDUM

KERN COUNTY and INCORPORATED CITIES
HAZARDOUS WASTE MANAGEMENT PLAN and
ENVIRONMENTAL IMPACT REPORT

APRIL 4, 1991

This addendum provides additional changes which respond to comments received during the Subsequent Environmental Impact Report (EIR) review process and are proposed for inclusion in the Plan.

KERN COUNTY DEPARTMENT of PLANNING and DEVELOPMENT SERVICES
2700 M STREET, BAKERSFIELD, CALIFORNIA 93301
Phone (805) 861-2615  FAX (805) 861-2061
1. DHS Comment:

Page 44 - Statement: Facility siting criteria are based on current General Plan policies in 1986 and are "clearly a reflection of local policy." The use of local policy (MEA, EIR, 1986 Hazardous Waste Component) which predates the CHWMP planning process is inappropriate for inclusion in the CHWMP and is inconsistent with the Guidelines.

As part of the agreement to prepare the CHWMP, the County agreed to amend the General Plan to be consistent through the incorporation of the CHWMP. The pre-existing General Plan must reflect, not compete with, an approved CHWMP. Further, there is a process to incorporate the plan into local ordinances and make them consistent within 180 days. The CHWMP is, by law, the preeminent policy document on hazardous waste.

Consensus reached between County Staff and DHS Administration:

The County has already incorporated the CHWMP into the general plan. In fact, Kern County's action to adopt and carry out the CHWMP without DHS's approval resulted in California Attorney General Opinion 89-508. That Opinion supports Kern County's actions. Kern County will provide a map reflecting potentially "suitable land," considering all siting criteria. The map will accompany plan submittal to DHS. Kern County will add an Implementation Measure to Section 3 of the Kern CHWMP directed at all general areas depicted on Figure 7-1 and the attached diagram, Figure 7-2, of "suitable land:"

"AMEND THE KERN COUNTY GENERAL PLAN LAND USE, OPEN SPACE AND CONSERVATION ELEMENT, BAKERSFIELD 2010 GENERAL PLAN, AND OTHER AFFECTED ADOPTED PLANS AND DIAGRAMS AS NECESSARY TO SIGNIFY:

"SUITABLE GENERAL AREAS WHERE A GENERAL PLAN AMENDMENT IS NOT REQUIRED FOR THE LOCATION OF A SPECIFIED HAZARDOUS WASTE MANAGEMENT FACILITY. A PROPOSED FACILITY MUST COMPLY WITH ALL CHWMP SITING CRITERIA AND BE EVALUATED FOR SUITABILITY ON THE BASIS OF RISK ASSESSMENT, ENVIRONMENTAL REVIEW AND THE PUBLIC HEARING PROCESS.

"WITHIN COUNTY JURISDICTION, USE OVERLAY MAP CODE 3.5, "NON-CONSTRAINED LAND SUBJECT TO HAZARDOUS WASTE FACILITY SITING CONSIDERATION IN ACCORDANCE WITH CHWMP SITING CRITERIA." WITHIN MAP CODE 3.5, OR EQUIVALENT AREAS, THE LEAD AGENCY SHALL PROCESS HAZARDOUS WASTE FACILITY APPLICATIONS USING A CONDITIONAL USE PERMIT (CUP) AND HEALTH AND SAFETY CODE SECTIONS 25199 THROUGH 25199.14, OR EQUIVALENT PROCEDURES."
2. DHS Comment:

The large facility buffer zone of 1,200 feet is not justified and goes beyond the guidelines.

Consensus reached between County Staff and DHS Administration:

Retain the 1,200-foot land use buffer concept. Kern County will include "risk assessment, public hearing, and CEQA-specific" language as the basis for determining site-specific buffer zones for hazardous waste management facilities. This removes the item as an issue.

3. DHS Comment:

The 200-foot setback of small facilities is described as being similar to that of other industrial facilities.

Consensus reached between County Staff and DHS Administration:

Small hazardous waste management facilities in Kern County that need a 200 foot setback can apply for a waiver from that requirement. Kern County agreed to add policies to the CHWMP making applications for waiver to the 200-foot setback requirement possible.

4. DHS Comment:

(a) The CHWMP does not contain current a map of the general areas for facility siting. The statement that there is "substantial" and "adequate" area for siting has no basis.

(b) It is not clear that the criteria preempt the map since some criteria are tied to existing General Plan codes. Even if criteria do dominate, they are restrictive.

(c) It is stated that all of these general areas are subject to considerable site-specific review. Many of the areas designated may fall out during this review. A map must be included in the final CHWMP. The process of mapping criteria must be described. Discussion of adequate areas is dependent on changes in the siting criteria, a demonstration of the criteria, and a description of the mapping process. The CHWMP must indicate that criteria predominate, not the map.
(d) Large (nonresidual) facilities land use and constraint categories are excluded which were allowed to be mitigated in the guidelines from consideration and inclusion in the general areas.

Consensus reached between Staff and DHS Administration March:

Kern County indicated a map reflective of potentially "suitable land," taking into account all siting criteria, was available, and would accompany Kern County's submittal. When this occurs, items (a) through (d) will no longer be an issue.

5. DHS Comment:

"Intensive agriculture" areas are still excluded from siting. The difference from prime agriculture is not justified and is overly restrictive and exclusionary.

Consensus reached between Staff and DHS Administration:

Kern County's Intensive Agriculture policies are acceptable, based on justification provided February 9, 1990. With resolution of the aforementioned items (a) through (d), the issue of excluding intensive agriculture from suitable land is resolved. Intensive agriculture will remain excluded.

6. DHS Comment:

Page 44 - Statement: Per diem and capacity limits may be placed through the environmental review of specified hazardous waste facilities. Must add: "If warranted, as one means to address unmitigated potential impacts of the projects."

Consensus reached between County Staff and DHS Administration:

Acceptable as written. Kern County earlier agreed to adding "risk assessment, CEQA evaluation and public hearing process" to language in the CHWMP. This issue thereby appears resolved.
7. DHS Comment:

Initiative Measure B – Located on pages 10, 11, 45, and 108. DHS Recommended Changes: Must delete from final plan or the Department will exclude from plan approval.

Consensus reached between County Staff and DHS Administration:

Department of Health Services has agreed that consideration of Initiative Measure B is beyond the scope of their Guidelines and State review.

8. DHS Comment:

Page 61, 62, 109, and 129-131. There is a conflict between County policy and what local authority is allowed under State and federal law. If the plan is otherwise approvable and this text remains, the approval will indicate that the Department is not approving any policies that are not consistent with State and federal law.

Consensus reached between County Staff and DHS Administration:

On CHWMP page 109, third paragraph, first sentence, the term "materials" will be changed to "hazardous waste." This issue appears to be resolved.

9. DHS Comment:

Page 11, 22, 33, 36, 38, 46, and Appendix. Kern County's own fair share language based upon a rewrite of our policy. Key words have been added or deleted. Versions should be made consistent. Agreements in lieu of siting must reflect the Department policy that agreements (1) must be effective, and (2) are for capacity, not future siting, and must exist as a basis for before, no. as a result of, a facility denial. Pages 46-47 - Item "d" in line 7 - Change "pose a threat to public health and safety or is not environmentally sound" threat to "pose increased risk to public health or the environment." Also not included in policy is the phrasing that "the fair share language in this plan is only operative in conjunction with effective interjurisdictional County agreements" which should follow item "d" and is in accordance with the June 14, 1989, Kizer letter.
Consensus reached between County Staff and DHS Administration:

Change item d) and any other fair share language having statements containing the term "pose a threat" to the term "pose increased risk." This issue appears to be resolved. Item d) will be:

d) If adequate capacity does not exist in the County or effective inter-jurisdictional agreements do not exist, Kern County shall not reject hazardous waste management proposals that exceed fair share if the proponent demonstrates that the fair share facility (i.e. smaller facility) is economically non-viable, except in cases where the jurisdiction demonstrates that the facility would pose an increased risk to the public health and safety or is not environmentally sound.

10. DHS Comment:

Page 51 and page 103 - Grandfathering of existing heavy industrial facilities - private on-site facilities are regulated. Both of these are beyond the County authority and not within the jurisdiction of the AB 2948 and the guidelines.

Consensus reached between County Staff and DHS Administration:

DHS has agreed that consideration of existing reference to existing onsite facilities which are not addressed in the Guidelines (DHS 1987). Onsite facilities is beyond the scope of their Guidelines and State review.

11. DHS Comment:

Page 50 and page 57 - Small facilities - Medium and Heavy Industrial zones - It is unclear what is the intent and consequence of applying some or all large facility criteria

Consensus reached between County Staff and DHS Administration:

No change is proposed to the Kern County CHWMP text: Page 50:

Small facilities may be sited within: County-operated landfills; Heavy and medium industrially-planned areas; All siting criteria for large facilities apply, except that a small facility can be in a heavy or medium industrial zone, within or outside incorporated
cities or County Designated Urban Areas. Areas appropriate for large facilities. This applies to commercial off-site small facilities.

Clarification will be made of large facility siting criteria that are applied to small facilities. Department of Health Services agreed to the Kern's response.

12. DHS Comment:

Page 74 - Casmalia should be deleted, it is no longer accepting wastes Page 76 - Reference to Casmalia should be in the past tense

Consensus reached between County Staff and DHS Administration:

Kern County based the CHWMP on the Year 1986 waste stream environment. The Casmalia facility was accepting Kern County wastes in 1986. To remove reference to Casmalia would make the CHWMP's "needs assessment" inconsistent. Tabular info in Section 16 are based solely on Year 1986, including Casmalia. This was done in response to DHS's December 30, 1988 disapproval of our September 30, 1988 CHWMP.

Department of Health Services agreed to Kern's response.

13. DHS Comment:

Parts of the Appendix which are remnants of the prior plan

Consensus reached between County Staff and DHS Administration:

Editorial changes will reflect the issues, goals, and policies of the final approved CHWMP.

MHK
CERTIFICATE OF FEE EXEMPTION

De Minimis Impact Finding

Project Title/Location (include County):

SCH# 88032111, Kern County, California

Project Description:

A County Hazardous Waste Plan (CHWMP) prepared pursuant to AB 2948 - Tanner, 1886, Health and Safety Code Section 25135 et seq.

Findings of Exemption (attach as necessary):

An initial study has been prepared by the Lead Agency as part of the Environmental Impact Report prepared and, subsequently revised for the project. Impacts on biospheric attributes of the County as a whole have been evaluated as part of the program. In as much State Department of Health Services Guidelines for the Preparation of County Hazardous Waste Management Plans, 1987, and attendant Technical Reference Manual includes provisions for evaluation and siting facilities on or nearby sensitive land uses, and the subject project was prepared in full compliance with said Guidelines, it is concluded that sufficient controls are in place to permit the current phase of this program to proceed without further study and documentation with respect to biota and wildlife impacts. The CHWMP's specified hazardous waste siting criteria exclude significant biota resources from consideration as sites for expanding of existing, and siting of new facilities. Site specific evaluation of all proposed projects to be developed under provisions of the Kern CHWMP will require risk assessments, CEQA review, and public hearings to make full assessment and disclosure of the biospherical impacts associated with such projects.

Certification:

I hereby certify that the County of Kern has made the above finding(s) and that the project will not individually or cumulatively have an adverse effect on wildlife resources, as defined in Section 711.2 of the California Department of Fish and Game Code.

[Signature]

(Chief Planning Official)

Title: Director of Planning and Development Services
Lead Agency: Kern County Department of Planning and Development Services

Date: 5/10/91

FORM250.PDS (1/91)
16.4 PUBLIC PARTICIPATION AND LOCAL ADVISORY COMMITTEE
ADOPTED

BYLAWS for the KERN COUNTY and INCORPORATED CITIES
HAZARDOUS WASTE MANAGEMENT PLAN
LOCAL ADVISORY COMMITTEE

I. NAME and AUTHORITY.

1.01. Name. The name of this committee is the Kern
County Hazardous Waste Management Plan Local
Advisory Committee (LAC), hereinafter referred to
as the Committee.

1.02. Authority. This Committee was established by
resolution, adopted by the Kern County Board of
Supervisors on August 17, 1987, as required by
Health and Safety Code section 25135.2.

II. DUTIES.

2.01. Duties. As required by Health and Safety Code
section 25135.2, the Committee shall do the
following:

(a) Advise the County Staff, the Board of
Supervisors of the County, and the staff,
mayors, and city council members of the
cities within the County, on issues related
to the development, approval, and
administration of the Kern County
Hazardous Waste Management Plan;

(b) Hold informal public meetings and
workshops to provide the public
information and to receive comments
during the preparation of the Kern County
Hazardous Waste Management Plan.

III. MEMBERSHIP and TERM of OFFICE.

3.01. Regular Members. There shall be eleven (11)
regular members of the Committee, who shall have
full voting rights on the Committee.

3.02. Residency Requirement. All members of the
Committee shall be residents of, or employed in,
Kern County.

3.03. Board of Supervisors Appointments. The Kern
County Board of Supervisors shall appoint eight (8)
members to serve on the Committee. The City
Selection Committee shall appoint three (3) members to the Committee. The members appointed by the Board shall include at least one representative of each of the following: industry, public interest or environmental group, earth sciences discipline, water quality, engineering, and the public at large. The remaining two (2) members appointed by the Board shall be selected so as to include on the Committee, members having broad expertise on a variety of matters pertaining to hazardous waste management planning, including, but not limited to, members of the Board, and persons with expertise in agriculture, military affairs, manufacturing processes, and labor.

3.04. City Selection Committee Appointments. The City Selection Committee, established under Government Code section 50270, shall appoint three regular members of the Committee to represent the various incorporated cities within the County of Kern.

3.05. Terms of Office. The terms of office for members of the Committee shall be at the pleasure of the Board of Supervisors and the City Selection Committee.

3.06. Vacancies. A vacancy shall exist in any of the following circumstances:

(a) When a member submits a written resignation to the Committee chairperson and to the appointing authority (the Chairperson of the Board of Supervisors or the City Selection Committee);

(b) When a member fails to attend three consecutive regular meetings, without first notifying the Committee Chairperson in advance of the meeting and providing a reasonable excuse for his or her absence;

(c) When death, disability, or any other such circumstance prevents the member from completing a term;

(d) When a member no longer resides, or is employed, in the county;

(e) When the member is removed from the Committee as provided herein.

3.07. Removal of Member. Upon a majority recommendation of the Committee, any committee member appointed by the Board of Supervisors may be removed from office by a majority affirmative
vote of the Board of Supervisors or, if appointed by the City Selection Committee, by a majority vote of the City Selection Committee.

3.08. Notice to Appointing Authority. As soon as a vacancy is imminent or, if prior notice is not possible, as soon as practicable after a vacancy occurs, the Committee Chairperson shall promptly notify the appointing authority in writing and shall request appointment of a replacement member.

3.09. Public Notice of Vacancies. Whenever a vacancy on the Committee is imminent or occurs, a vacancy notice shall be posted in two public places (including the office of the Clerk of the Board of Supervisors), not later than 20 days after the vacancy occurs.

3.10. Temporary and Final Appointments. Final appointment of any member to fill a vacancy shall not occur until at least 10 days after public notice of the vacancy has occurred. If, however, an emergency exists, the appointing authority may fill the unscheduled vacancy immediately, on a temporary basis. Persons appointed on a temporary basis shall serve only until the final appointment is made, and may be removed at that time by virtue of the appointment of another member to replace the temporary appointment.

IV. OFFICERS.

4.01. Officers Designated. The Committee shall have a chair and a vice-chair. The chair and the vice-chair shall be elected by a majority of all the members of the Committee, at the first meeting of the Committee following July 1, of each year. The term of office of the chair and vice-chair shall be one year. Any person elected as an officer may be reelected for any number of successive terms, so long as such person remains a member of the Committee. The chair, or vice-chair in the absence of the chair, shall preside at all normal meetings of the Committee.

4.02. Secretary. The Director of the Kern County Department of Planning and Development Services, or an employee of the Department designated by the Director, shall serve as secretary to the Committee.

4.03. Staff. The Director of the Kern County Department of Planning and Development Services, or any employee(s) of the Department designated by the Director, shall serve as staff to the Committee.
V. PUBLIC MEETINGS

5.01. **Brown Act.** All meetings of the Committee, when a simple majority of all members are present, whether in open session or executive session, shall be subject to the terms of the Ralph M. Brown Act, Government Code sections 54950 et seq.

5.02. **Open Sessions.** Except for properly authorized executive sessions, each committee meeting shall be properly noticed and open to the public.

5.03. **Executive Sessions.** No executive session or any meeting excluding the public shall be conducted by the Committee without the Secretary advising the County Counsel of the specific purpose or purposes of such meetings, and receiving written advice from the County Counsel that it is legal to hold such session or meeting. The County Counsel will use his or her discretion as to whether he or she will be represented at any executive session held by the Committee.

5.04. **Regular Meetings.** The Committee will normally hold its regular meetings on the fourth Wednesday of each month at a public building, at 7:00 pm during Standard Time, and 7:30 pm during Daylight Saving Time.

5.05. **Cancellation of Regular Meetings.** If any regular meeting is cancelled, notice of this fact shall be given by an oral announcement by the Chairperson at the previous regular meeting, and by posting a notice at or near the door of the meeting place at the time the regular meeting was to be conducted if the cancelled meeting has already been properly noticed.

5.06. **Special Meetings.** The time and place of any special meetings shall be determined by a majority vote of the Committee and public notice of such meeting shall be given in accordance with customary procedures followed by the Department of Planning and Development Services for such meetings.

5.07. **Place of Meetings.** All meetings, whether regular or special, and whether held as open sessions or executive sessions, shall be conducted in places that are freely accessible to physically handicapped persons. When possible, normal monthly meetings shall be held in different communities throughout the County.
VI. CONDUCT OF MEETINGS; VOTING.

6.01. Roberts Rules of Order. Except as otherwise provided in the by-laws or by statute, ordinance, or resolution, all meetings shall be conducted in accordance with the parliamentary procedures set forth in the most recent edition of Roberts rules of Order.

6.02. Quorum. A quorum is a simple majority of the total current appointed regular and temporary members of the committee, not including any vacancies.

6.03. Quorum Required to Commence Meeting. No meeting of the Committee shall begin until a quorum is present. Once a quorum is present, the meeting may continue until adjourned by a majority vote of the members then present, notwithstanding that a quorum may be lost by the departure of one or more members.

6.04. Majority Vote of the Committee. Unless otherwise provided by these bylaws, any action by the Committee shall be taken by a simple majority vote of the Committee. A simple majority vote of the Committee is a vote of the members present and voting, not counting abstentions, provided that, if less than a quorum is present at the time of the vote, the simple majority vote of the Committee shall be a majority of the members needed to constitute a quorum.

6.05. Role Call Vote. Ordinarily, the chair shall determine the manner in which votes shall be taken. However, a roll call vote shall be taken whenever requested by any member in attendance. Such a request may be made before or promptly after a vote is taken in any other manner.

VII. RECORDS.

7.01. Minutes. The Secretary shall prepare official minutes of each regular meeting, indicating attendance and whether absences were previously cleared with the chair of the Committee, and recording actions taken at each meeting. The minutes for each meeting shall be submitted to the Board of Supervisors once approved by the Committee and duly signed by the Secretary and attested to by the Chair.
7.02. Progress Reports. The Committee may submit progress reports and recommendations to the Board of Supervisors and city councils at any time.

VIII. SUBCOMMITTEES.

8.01. Appointment Authorized. The Committee may appoint subcommittees to assist the Committee for any length of time, on any matter pertinent to the Committee's work.

8.02. Membership of Subcommittees. Any person may serve on a subcommittee, regardless of whether or not the person is a member of the Committee and regardless of whether such person would qualify as a member of the Committee by reason of residence or otherwise, provided that any subcommittee member shall have knowledge, experience, background, or expertise pertinent to the work of the Committee. At least one member of the subcommittee shall be a member of the Committee. If any subcommittee is established to assist the Committee for a period longer than six months, the subcommittee shall not include members of the Committee constituting a quorum of the Committee.

8.03. Authority of Subcommittee. The actions and recommendations of a subcommittee shall not be deemed the action of the Committee and shall in no manner bind the Committee or its members.

8.04. Notice to the Board of Supervisors. The establishment and dissolution of all subcommittee shall be reported to the Board of Supervisors in the Committee's minutes.

IX. AMENDMENTS.

9.01. Procedure for Amendments. Any proposed amendment to these bylaws must be submitted to the chair of the Committee for inclusion on the agenda for a regular or special meeting not less than thirty days before such meeting. Any proposed amendment must be approved by a majority vote of the Committee; the amendment shall then be submitted to the Board of Supervisors. No amendment to these bylaws shall take effect unless approved by a majority vote of the Board of Supervisors.
X. GENERAL PROVISIONS.

10.01. Expenses. The members of the Committee shall be entitled to reimbursement for traveling to and from the Committee meetings and reasonable expenses necessarily incurred to conduct official County business, to the extent that such reimbursement is authorized in a budget adopted for the Committee. Standard rates allowed to County personnel shall be paid for reimbursement.
HAZARDOUS WASTE PLANNING WORKSHOP PARTICIPANTS

Re: Kern County and Incorporated Cities Hazardous Waste Management Plan

Ladies and Gentlemen:

Kern County Department of Planning and Development Services is preparing a County Hazardous Waste Management Plan (CHWMP), as required by state law (1986 Tanner Bill, AB 2948). The Kern County and Incorporated Cities Hazardous Waste Management Plan evaluates patterns of hazardous waste generation, treatment, storage, recycling, transportation, and disposal in all areas of Kern County. The potential for reducing the amount of hazardous waste generated, the interaction of waste streams with other counties in the region, and projections of the County's hazardous waste "budget" into the future is presented.

The purpose of the plan is to develop an effective strategy to manage hazardous wastes within Kern County through the Year 2000.

Currently, a Local Advisory Committee and Technical Steering Committee composed of city representatives are assisting in the development of a draft Hazardous Waste Management Plan. This program is required to address current and projected hazardous waste management needs, large industrial generators, small quantity generators, household hazardous waste, transportation and facility siting issues. Hazardous waste management issues of the incorporated cities are to play an integral role in the development of the Hazardous Waste Management Plan. Ultimately, each city within Kern County will be requested to adopt the final Hazardous Waste Management Plan.

This meeting is intended for participants such as yourself to interact with County planners and their consultant on issues related to hazardous waste problems and opportunities existing or available to the residents of Kern County. This project will control where, and the ways in which, hazardous waste is treated and disposed of in the future.

Please take time to discuss with the staff any concerns you might have regarding the material presented, or any ideas which can be incorporated into the plan. Review the charts and other material available at this workshop at your leisure. Do not forget to provide us with your name and mailing address on the sign-up sheet for future mailings on this project. The Plan must be approved by the affected incorporated cities and Kern County by September 30, 1988. The Plan will then be forwarded to the State Department of Health Services for adoption.
Once adopted by the state, the incorporated cities as well as Kern County must incorporate the County Hazardous Waste Management Plan into their respective general plans by June 30, 1989. Your input is appreciated.

If you have any thoughts or concerns which can be written down now, we would appreciate that you use one of the "wallpaper" sheets we have provided to record them. These sheets will be taken from city to city during these workshops and displayed for other participants to review.

Very truly yours,

[Signature]

RANDALL L. ABBOTT, Director
Planning and Development Services

MHK:pap
NOTICE

A series of public meetings has been scheduled by the Kern County Department of Planning and Development Services to discuss the preparation of the

KERN COUNTY and INCORPORATED CITIES
HAZARDOUS WASTE MANAGEMENT PLAN

as required by Assembly Bill 2948 - Tanner

JULY 19, 1988 7 p.m. - 9 p.m.  DELANO VETERAN’S BUILDING
                          1025 Garces Highway, Delano
JULY 21, 1988 7 p.m. - 9 p.m.  RIDGECREST CITY HALL
                              319 Balsam Street, Ridgecrest
JULY 25, 1988 7 p.m. - 9 p.m.  TAFT VETERAN’S BUILDING
                              Cedar and Taylor Streets, Ford City
JULY 26, 1988 7 p.m. - 9 p.m.  WASCO VETERAN’S BUILDING
                              1202 Poplar Avenue, Wasco
JULY 27, 1988 2 p.m. - 5 p.m.  PUBLIC SERVICES BUILDING
                                2700 "M" Street, Bakersfield
                                7 p.m. - 9 p.m.
JULY 28, 1988 7 p.m. - 9 p.m.  ARVIN VETERAN’S BUILDING
                                414 4th Street, Arvin

All meetings will be held in an “Open House” format. County staff and consultants will be available to answer questions and receive comments concerning this project.

RANDALL L. ABBOTT, DIRECTOR
KERN COUNTY DEPARTMENT OF PLANNING AND DEVELOPMENT SERVICES
2700 "M" STREET
BAKERSFIELD, CA 93301
(805) 861-2615
KERN COUNTY
DEPARTMENT OF PLANNING
AND DEVELOPMENT SERVICES

PRESS RELEASE

For further information:
Call: Melvin Krause
at (805) 861-2615

FOR IMMEDIATE RELEASE

Randall L. Abbott, Director of the Kern County Department of Planning and Development Services announced today that a series of six workshops will be held throughout the County regarding the Kern County and Incorporated Cities Hazardous Waste Management Plan.

Development of a hazardous waste management plan is required by Assembly Bill 2948 (1986), also known as the "Tanner Bill" for each of the 58 counties in California. Each plan must be completed, adopted and submitted to the State by September 30, 1988. The county plans will be used by the State to formulate a State Hazardous Waste Management Plan.

Mr. Abbott noted that the Tanner Bill establishes a planning process for hazardous waste management to be carried out by counties and incorporated cities; a permitting process for siting new or expanding existing specified (public) hazardous waste facilities; and a State Appeals Procedure for local
decisions on siting facilities. "Full public involvement in the plan development process is essential to achieving safe and responsible management of hazardous waste."

Because recent state legislation requires all incorporated cities in each county to adopt the County's plan and incorporate it into the cities' general plans, the Kern County Department of Planning and Development Services will conduct a series of public open house workshops in six sub-regions of the County. The purpose of each workshop is to acquaint the public and other participants with hazardous waste legislation and the Tanner planning process. Additionally, the public will be asked to assist in the review of the proposed hearing draft of the Kern County and Incorporated Cities Hazardous Waste Management Plan. County staff and consultants will be available to answer questions and receive comments concerning the mandatory Tanner planning process, and provide information about hazardous waste being generated, exported, imported, and transported in and through Kern County.

Each Open House meeting will be between the hours of 7:00 p.m. and 9:00 p.m.. In addition, the meeting in Bakersfield which will have an afternoon session starting at 2:00 p.m. and closing at 5:00 p.m.

The public workshops are scheduled for the following times and places:

**JULY 19, 1988 7 p.m. - 9 p.m.**  
**DELANO VETERAN'S BUILDING**  
1025 Garces Highway, Delano

**JULY 21, 1988 7 p.m. - 9 p.m.**  
**RIDGECREST CITY HALL**  
319 Balsam Street, Ridgecrest
JULY 25, 1988 7 p.m. - 9 p.m.  TAFT VETERAN'S BUILDING
Cedar and Taylor Streets, Ford City

JULY 26, 1988 7 p.m. - 9 p.m.  WASCO VETERAN'S BUILDING
1202 Poplar Avenue, Wasco

JULY 27, 1988 2 p.m. - 5 p.m. 7 p.m. - 9 p.m.  PUBLIC SERVICES BUILDING
2700 M Street, Bakersfield

JULY 28, 1988 7 p.m. - 9 p.m.  ARVIN VETERAN'S BUILDING
414 4th Street, Arvin

To participate, anyone can attend any or all of the meetings and arrive and leave when they wish between the times given above.

The public's written and/or oral comments may be submitted to staff at the workshop concerning environmental effects, or any other aspects of this project.

Additionally, the project's eleven-member Local Advisory Committee, made up of local decision-makers and other County residents, will conduct a public meeting in conjunction with the public workshop to be held in Bakersfield at 7:30 p.m. on:

JULY 27, 1988 PUBLIC SERVICES BUILDING
2700 M Street, Bakersfield

The Local Advisory Committee is the public's direct link to the Board of Supervisors and City Councils regarding input to the formulation and adoption of the Kern County and Incorporated Cities Hazardous Waste Management Plan goals and policies.

MHK:OBR
WELCOME TO THE
HAZARDOUS WASTE PLANNING
OPEN HOUSE

Kern County is preparing a new County Hazardous Waste Management Plan, as required by state law (the 1986 Tanner Bill, AB 2948). The Kern County and Incorporated Cities Hazardous Waste Management Plan evaluates patterns of hazardous waste generation, treatment, storage, recycling, transportation, and disposal in all areas of Kern County. The potential for reducing the amount of hazardous waste generated, the interaction of waste streams with other counties in the region, and projections of the County's hazardous waste "budget" into the future is presented.

This meeting is intended for participants such as yourself to interact with County planners and their consultant on issues related to hazardous waste problems and opportunities existing or available to the residents of Kern County. This project will control where, and the ways in which, hazardous waste is treated and disposed of in the future.

Please take time to discuss with the planners any concerns you might have regarding the material presented, or any ideas which can be incorporated into the plan. Review the charts and other material available at this workshop at your leisure. Do not forget to provide us with your name and mailing address on the sign-up sheet for future mailings on this project. The Plan must be approved by the affected incorporated cities and Kern County by September 30, 1988. The Plan will then be forwarded to the State Department of Health Services for adoption. Your input is appreciated.

If you have any thoughts or concerns which can be written down now, we would appreciate that you use one of the "wallpaper" sheets we have provided to record them. These sheets will be taken from city to city during these workshops and displayed for other participants to review.
KERN COUNTY
HAZARDOUS WASTE PLANNING
FOR A FAIR SHARE CONCEPT

Kern County is preparing a new County Hazardous Waste Management Plan which includes goals and policies establishing a "fair share" hazardous waste management concept. "FAIR SHARE" denotes that each of the 58 counties in California is responsible for the disposition of its own generated hazardous waste.

No county should be expected to establish or expand an existing hazardous waste facility with a capacity exceeding the amount of hazardous waste the county generates. A county can not be required to accept a facility with a capacity that exceeds the county's own needs, except as provided by an inter-jurisdictional agreement between counties, or cities in other counties.

Kern County is joining with the great majority of California counties in advocating the fair share concept. Kern County and the incorporated cities recognize their collective responsibility to coordinate with other jurisdictions in our region to effectively manage hazardous waste generated in the region.
MANDATED PROGRAMS
AND PLANNING ACTIVITIES

Assembly Bill 2948 mandates several activities to be documented in the Kern County and Incorporated Cities Hazardous Waste Management Plan:

- Analysis of Kern County's hazardous waste stream through the year 1994 pursuant to Health and Safety Code Section 25135.1(d)(1).

- Descriptions of existing hazardous waste facilities, including capacities.

- Analysis of any potential for recycling and/or reducing Kern County's hazardous waste stream through the year 1994 pursuant to Health and Safety Code Section 25135.1(d)(1).

- Management strategies addressing Kern County's small business and household hazardous wastes.

- Analysis of need for additional hazardous waste facilities to be sited in Kern County.

- Identification of existing facilities which can be expanded.

- Description of general areas or specific sites in Kern County for new facilities using the Plan's siting criteria.

- Goals, objectives, and policies for management of hazardous wastes within Kern County through the year 2000.

- A hazardous waste management and implementation program through the year 2000.

- The Plan may include other local programs such as public education, enforcement, surveillance, transportation, and administration.
HAZARDOUS WASTE MANAGEMENT

A HIERARCHY OF PREFERRED HAZARDOUS WASTE MANAGEMENT TECHNOLOGIES RANKS IN THIS ORDER:

1) SOURCE REDUCTION
2) REUSE
3) RECYCLING
4) TREATMENT
5) DISPOSAL of RESIDUALS
KERN COUNTY
HAZARDOUS WASTE MANAGEMENT PLAN
July 19, 1988 DELANO OPEN HOUSE
(Please Print)
PUBLIC SIGN-UP

Name

 BILL HILTON

Joe and Mary

Mailing Address

1631 16th Place Delano

1210 9th Ave Delano
<table>
<thead>
<tr>
<th>Name</th>
<th>Mailing Address</th>
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<tr>
<td>Kent R. Westover</td>
<td>1233 Quail Way, Ridgecrest, CA 93555</td>
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<tr>
<td>W. J. Becktel</td>
<td>913 Kinnett, Ridgecrest, CA 93555</td>
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<tr>
<td>A. B. Amster</td>
<td>PO Box 113</td>
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<tr>
<td>Elizabeth Goodrich</td>
<td>1762 Valley View, Ridgecrest, CA 93555</td>
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<tr>
<td>Niki Miscovich</td>
<td>Daily Independent POB 7, Ridgecrest 93555</td>
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<td>Jason Auld</td>
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KERN COUNTY
HAZARDOUS WASTE MANAGEMENT PLAN
July 25, 1988
TAFT
RIDGECREST OPEN HOUSE
(Please Print)
PUBLIC SIGN-UP

Name

Mailing Address

Mr. C. C. Bailey
432 Philippine St.
411 Sand démarchez St.
Manitoba 93252

Mrs. M. W. Conner
217 E. San Emidio Fld
43268

Jim Janus
P.O. Box 20
200 E. Kern

Hartley Quinn

Dick Johnson

Mr. M. K. K. Robinson

432 Philippine St.
411 Sand démarchez St.
Manitoba 93252

25 E. Kern
KERN COUNTY
HAZARDOUS WASTE MANAGEMENT PLAN

July 26, 1988 WASCO OPEN HOUSE
(Please Print)

PUBLIC SIGN-UP

Name

Mailing Address

Walter Walker
639 Broadway West CA.

Mrs. Johnson
1001 1st Avenue CA.

Mark V. A.
KERN COUNTY
HAZARDOUS WASTE MANAGEMENT PLAN
JULY 27, 1988   BAKERSFIELD OPEN HOUSE
PUBLIC SIGN-UP

Name

Mailing Address

A. Russell Tyler
P.O. Box 1831, Golden State Refining Co.,
2555 First Ave. Sacramento, CA 95811

Solomon Pressman
P.O. Box 132

George Gough
Bechtel Petroleum Ops. P.O. Box 127, Tufman
2825 Harmony Dr., BFD 93306, Sierra Club
1501 Truxton, Bakersfield, CA 93306

Ben W. Laverne
1720 Calloway Dr., BFD 93312

Janis Lehman
KCHD 2700 Old Hwy St. BFD 93312

Steve Oviens

108 Marten Way, Arvin 93203
## KERN COUNTY

**HAZARDOUS WASTE MANAGEMENT PLAN**

**JULY 28, 1988**

**ARVIN OPEN HOUSE**

**PUBLIC SIGN-UP**

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<tr>
<td>Steve Kurtz</td>
<td>RT 1 Box 405 Arvin 93203</td>
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<tr>
<td>Sonny Hop-2</td>
<td>385 Laurel Arvin 93203</td>
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<tr>
<td>Howard Phillips</td>
<td>P.O. Box 548 Arvin 93203</td>
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<td>Sid B. Brown</td>
<td>423 Placentia Dr Arvin 93207</td>
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DEPARTMENT OF
PLANNING AND DEVELOPMENT SERVICES

RANDALL L. ABBOTT
DIRECTOR

STEVEN G. LADD
Assistant Director

Mailing: 1415 Truxtun Avenue
Bakersfield, CA 93301
Location: 1356 Norris Road
Bakersfield, CA 93308
(805) 861-2615

November 5, 1987

File: 500 00 1 038

TO ALL INTERESTED PARTIES:

Re: Kern County Hazardous Waste Management Plan Public Workshops

A series of "Open House" public meetings has been scheduled by the Kern County Department of Planning and Development Services to discuss preparation of a "County Hazardous Waste Management Plan," as required by recent State legislation, Assembly Bill 2948, Tanner. The Plan will be incorporated into the Kern County General Plan and the general plans of all incorporated cities within the County.

Information and materials will be on display, a narrated slide show about management of hazardous waste in California will be presented, Staff and Consultants will be available to answer questions and receive comments, and you will be afforded the opportunity to write your concerns and opinions into the plan development record.

The "Open House" will be held from 3:00 p.m. to 5:00 p.m. and 7:00 p.m. to 9:00 p.m. at five meeting locations in the County, as described on the enclosed flyer. The "Open House" format means that there will be no formal presentation; just come in at your convenience.

The primary objectives of the Kern County Hazardous Waste Management Plan are to identify areas in the County and cities which might safely handle various types of hazardous waste facilities, including potential new regional facilities which could accommodate not only the waste generated by Kern County, but imported into Kern County. There will be some initial hazardous waste facility siting criteria available for review, as well as data on hazardous waste generation, importation and disposal, historical, current, and projected amounts within Kern County.

Your input into this process is very important in helping Staff and our Consultant identify planning issues and formulate the County's and cities' plan goals and objectives. Copies of State Department of Health Services Tanner Plan Guidelines and Technical Reference Manual will be made available to meeting participants, permitting a review of the State's requirements for preparing the official plan for final adoption by the Kern County Board of Supervisors, each incorporated city, and ultimately the State of California.

The meetings will also serve as the "early consultation" scoping review required by the California Environmental Quality Act (CEQA). Written and/or oral comments may be offered by any person, firm, or public agency concerning environmental
effects anticipated by this project. Comments received will help in determining which anticipated impacts are significant and warrant being addressed in the project Environmental Impact Report.

The date, time, and location of each meeting are shown on the enclosure. Your participation is encouraged. For additional information about this project, contact Melvin Krause, Senior Planner, at (805) 861-2615.

Very truly yours,

RANDALL L. ABBOTT, Director
Planning and Development Services

By Ted James
Planning Division Chief

MHK:jrw

Enclosure
NOTICE

A series of public meetings has been scheduled by the Kern County Department of Planning and Development Services to discuss the preparation of the

KERN COUNTY HAZARDOUS WASTE MANAGEMENT PLAN

as required by Assembly Bill 2948 - Tanner

NOVEMBER 16, 1987 - RIDGECREST CITY COUNCIL CHAMBERS
139 BALSAM ST., RIDGECREST, CA

NOVEMBER 17, 1987 - MOJAVE VETERAN'S BUILDING
15580 "O" STREET, MOJAVE, CA

NOVEMBER 18, 1987 - BAKERSFIELD VETERAN'S BUILDING
2001 WILSON RD., BAKERSFIELD, CA

NOVEMBER 23, 1987 - TAFT VETERAN'S BUILDING
CEDAR & TYLER STREETS, TAFT, CA

NOVEMBER 24, 1987 - WASCO VETERAN'S BUILDING
1202 POPLAR AVE., WASCO, CA

All meetings will be held in an "Open House" format. County staff and consultants will be available between the hours of

3:00 PM to 5:00 PM
7:00 PM to 9:00 PM

to answer questions and receive comments concerning this project.

This workshop will constitute the "early consultation" scoping review required by the California Environmental Quality Act (CEQA). Written and/or oral comments may be made concerning environmental effects of this project. Comments received will help in determining which environmental effects must be addressed by the project Environmental Impact Report (EIR).

RANDALL L. ABBOTT, DIRECTOR
KERN COUNTY DEPARTMENT OF PLANNING AND DEVELOPMENT SERVICES
1415 TRUXTUN AVENUE
BAKERSFIELD, CA 93301
(805) 861-2615
NOTICE

A public meeting has been scheduled by the Kern County Department of Planning and Development Services to discuss the preparation of the

KERN COUNTY HAZARDOUS WASTE MANAGEMENT PLAN
as required by Assembly Bill 2948 - Tanner

JANUARY 20, 1988
Arvin Veteran’s Hall — 414 4th Street, Arvin, California

The meeting will be held in an “Open House” format. County staff and consultants will be available between the hours of

7:00 PM to 9:00 PM
to answer questions and receive comments concerning this project.

This workshop will constitute the “early consultation” scoping review required by the California Environmental Quality Act (CEQA). Written and/or oral comments may be made concerning environmental effects of this project. Comments received will help in determining which environmental effects must be addressed by the project Environmental Impact Report (EIR).

RANDALL L. ABBOTT, DIRECTOR
KERN COUNTY DEPARTMENT OF PLANNING AND DEVELOPMENT SERVICES
1415 TRUXTUN AVENUE
BAKERSFIELD, CA 93301
(805) 861-2615
NOTICE

THE KERN COUNTY HAZARDOUS WASTE MANAGEMENT PLAN LOCAL ADVISORY COMMITTEE

Will conduct a regular meeting on January 13, 1988 at 7:00 pm in the North of the River Veteran's Hall

400 West Norris Road
Oildale, California

And will conduct a regular meeting on January 27, 1988 at 7:00 pm in the South Bakersfield Veteran's Hall

2001 Wilson Road
Bakersfield, California

For further information contact:
Kern County Department of Planning and Development Services
Phone 861-2615
This meeting is open to the public

Randall L. Abbott
Director

---

NOTICE

THE KERN COUNTY LOCAL ASSESSMENT COMMITTEE FOR PROPOSED TSD SYSTEMS CORPORATION HAZARDOUS WASTE FACILITY

Will conduct a regular meeting on January 5, 1988 at 7:00 pm in the Wasco Veteran's Hall

1202 Poplar Avenue
Wasco, California

For further information contact:
Kern County Department of Planning and Development Services
Phone 861-2615
This meeting is open to the public

Randall L. Abbott
Director

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NOTICE

A public meeting has been scheduled by the Kern County Department of Planning and Development Services to discuss the preparation of the

KERN COUNTY HAZARDOUS WASTE MANAGEMENT PLAN
as required by Assembly Bill 2948 - Tanner

JANUARY 6, 1988
Delano Community Hall — 1015 11th Street, Delano, California

The meeting will be held in an "Open House" format. County staff and consultants will be available between the hours of
7:00 PM to 9:00 PM
to answer questions and receive comments concerning this project.

This workshop will constitute the "early consultation" scoping review required by the California Environmental Quality Act (CEQA). Written and/or oral comments may be made concerning environmental effects of this project. Comments received will help in determining which environmental effects must be addressed by the project Environmental Impact Report (EIR).

RANDALL L. ABBOTT, DIRECTOR
KERN COUNTY DEPARTMENT OF PLANNING AND DEVELOPMENT SERVICES
1415 TRUXTUN AVENUE
BAKERSFIELD, CA 93301
(805) 861-2615
KERN COUNTY
HAZARDOUS WASTE MANAGEMENT PLAN
NOVEMBER 16, 1987 RIDGECREST OPEN HOUSE
PUBLIC SIGN-UP

Name

Donald R. Anister
Carl Victor Weld
Michael V. Phillips
Ard Crew

Mailing Address

Daily T.

4552/52 E. 5TH ST.
ST. PAUL, MN 55101

912 Kinnett, R/C

912 Kinnett, R/C

766 Sycamore

804 S. Market

139 Balsam R/C Co

120 N. Monroe Co. Rd. 26

327 Perdue Ave., Ridgecrest, CA

Box 2145

830 E. Acacia Ave., Ridgecrest, CA

915 E. Corral Ave., Ridgecrest, CA
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<td>Charles Patric</td>
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<td>11847 Wyard St, Palmdale, CA</td>
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<td>Don Hamilton</td>
<td>9200 Susan Cir, Ciy- (Mojave Desert Mkt)</td>
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<td>Panhandle Union School District</td>
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<td>Jack Miller</td>
<td>Panhandle Union School District</td>
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KERN COUNTY
HAZARDOUS WASTE MANAGEMENT PLAN
NOVEMBER 23, 1987   TAFT OPEN HOUSE
PUBLIC SIGN-UP

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                  701 7th St., Taft

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Gene L. Johnson

小麦田

RA Strand

Jim Wright

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J. L. Gann

Les Clark

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Roy Heider

Lee M. Johnson

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KERN COUNTY
HAZARDOUS WASTE MANAGEMENT PLAN
JANUARY 20, 1988 ARVIN OPEN HOUSE
PUBLIC SIGN-UP

Name

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Lenna L. Davenport
Mike Perry
Jack Haller
Lori Melrose
Sue Mize
Gordon B. Short II

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37th Bivd. Bivd. 93208
700 Paza 521 St. 93205
7164 Oaklee Bluffs 93206
200 Campus Dr. Arvin 93203


PUBLIC WORKSHOP QUESTIONNAIRE
Page 2

This information may be used in an Environmental Impact Report. If you wish to be listed as
a person or organization consulted during the preparation of the Environmental Impact Report,
fill in the address space provided at the end of the questionnaire.

You may take this questionnaire home and complete it at your leisure. Mail your completed
questionnaire before December 10, 1987 to:

Melvin Krause, Senior Planner
1415 Truxtun
Bakersfield, CA 93302

Thank you for your time and assistance!

Results as of
12/15/87

Funding For Hazardous Waste Programs. New programs for Hazardous Waste Management will
require funding for training, staff and equipment. A state law allows counties to collect up to
10 percent of the gross receipts of hazardous waste disposal facilities for revenue purposes, but
another state law puts a ceiling on the amount counties can spend (the "Gann Limit"), so no such
monies are currently collected in Kern County.

1. Would you support a ballot measure allowing Kern County to
   spend money collected from commercial hazardous waste
disposal facilities for hazardous waste management programs? 260 □ □ 30

Hazardous Waste Information. The CHWMP is required by state law to provide the public,
industry, and local government with information on hazardous waste patterns and issues.

2. Should the County designate an official to maintain DHS and
   other publicly available data? 272 □ □ 27

3. Should the County require generators and disposers to submit
   independent hazardous waste data to the County? 250 □ □ 45

Source Reduction. An important state requirement of the CHWMP is to plan and reduce
the quantity and toxicity of hazardous waste at the source, requiring modification of industrial
practices.

4. Should industry be required to plan and reduce waste
generation? 284 □ □ 14

5. Should Kern County provide information to industries about
   source reduction techniques? 251 □ □ 43

6. Should Kern County and/or city governments keep records of
   hazardous waste generation by particular industries
to document source reduction? 269 □ □ 30
7. Should a County agency conduct on-site audits and inspections in an active program of source reduction and industries?  
   Yes ☐  No ☐ 241 ☐ 55 ☐

**Facility Capacity.** Kern County is a net importer of hazardous waste, but a small amount of local hazardous waste of certain types cannot be disposed here.

8. Should Kern County encourage new private disposal sites which can take the waste types we don't handle now?  
   Yes ☐  No ☐ 123 ☐ 170 ☐

9. Should Kern County rely on nearby Kettleman Hills in Kings County and other sites farther from Kern County for hazardous waste disposal?  
   Yes ☐  No ☐ 174 ☐ 110 ☐

10. Should Kern County own and/or operate hazardous waste disposal sites, as is now done with municipal waste?  
    Yes ☐  No ☐ 80 ☐ 209 ☐

11. Should Kern County receive some form of compensation from other counties for accepting their waste?  
    Yes ☐  No ☐ 270 ☐ 39 ☐

**Disposal Methods.** Offsite disposal in Kern County currently includes landfilling of oil production and refinery wastes, and energy recovery of liquids for cement production. Past and proposed methods include deep well injection and incineration.

12. Should continued disposal capacity be insured for oil industry wastes?  
    Yes ☐  No ☐ 208 ☐ 75 ☐

13. Should increased use of waste liquids as a substitute for costly fuels for cement production be encouraged in the Mojave Desert area?  
    Yes ☐  No ☐ 230 ☐ 54 ☐

14. Should incineration of hazardous wastes be permitted in the San Joaquin Valley Air Basin?  
    Yes ☐  No ☐ 82 ☐ 215 ☐

15. Should deep well injection of hazardous waste liquids be permitted in Kern County?  
    Yes ☐  No ☐ 76 ☐ 221 ☐

**Treatment and Recycling Facilities.** Facilities to treat and recycle hazardous waste may need to be built within some incorporated cities.

16. Should present industrial zones within cities and unincorporated areas of the County be used for hazardous waste treatment and recycling facilities?  
    Yes ☐  No ☐ 151 ☐ 127 ☐
17. Should facilities within cities be required to use established technology which has been proven elsewhere?  
   Yes ☐ No ☐ 246 ☐ 22

18. Should Kern County and incorporated cities own and/or operate hazardous waste treatment and recycling facilities?  
   Yes ☐ No ☐ 117 ☐ 174

19. Should private industry be encouraged to build collection and transfer stations in some cities?  
   Yes ☐ No ☐ 210 ☐ 80

20. Should the County and cities own and/or operate transfer stations to serve small quantity generators within their jurisdiction?  
   Yes ☐ No ☐ 172 ☐ 111

Household Hazardous Waste. Although small in quantity compared to industrial waste, household hazardous waste endangers our water supplies and sanitation workers.

21. Do you know what types of hazardous materials are in your house and how they should be handled?  
   Yes ☐ No ☐ 211 ☐ 78

22. Do you make an effort not to dispose of household hazardous waste in the trash or sewer?  
   Yes ☐ No ☐ 224 ☐ 77

23. Would you utilize a special service such as a collection station or collection day to get rid of your household hazardous waste?  
   Yes ☐ No ☐ 264 ☐ 28

24. Should the County fund and/or operate a special service for household hazardous waste?  
   Yes ☐ No ☐ 216 ☐ 78

25. Should a private industry or an environmental group operate a special collection service for household hazardous waste?  
   Yes ☐ No ☐ 217 ☐ 80

Small Quantity Generators. Many small businesses generate moderate quantities of waste which are becoming more difficult to dispose properly.

26. Should transfer stations be built which would serve particular types of small businesses?  
   Yes ☐ No ☐ 241 ☐ 46

27. Should private industry operate transfer stations for small quantity generators?  
   Yes ☐ No ☐ 239 ☐ 48
28. Should the County and/or incorporated cities take an active role in operating facilities for small generators?  

Transportation. State law allows certain roads to be designated for use by hazardous waste transporters, and others to be declared off limits, except for shipments originating along the routes.

29. Should Kern’s CHAMP designate particular commercial shipping routes for currently operated disposal sites?  

30. Should shipping routes be a siting criteria for new offsite disposal facilities?  

31. Should one route (probably Highway 58) be designated for hazardous waste shipments between the Mojave Desert and San Joaquin Valley areas of the County?  

Other Comments:

ENVIRONMENTAL IMPACT REPORT (EIR) - PERSONS AND ORGANIZATIONS CONSULTED

NAME

TITLE OR AFFILIATION

ADDRESS

TELEPHONE
"I am very much opposed to deep well injection. I am very much in favor of controlled incineration for all things that are combustible. Our present landfills worry me."

"This new plan should follow our original, with no CUP's for waste that could be treated, reduced or destroyed on site. We should not allow hazardous waste injection wells because of our geologic conditions. The county should have the courage to take that stand once and for all."

"Implementation of program should be the public sector's responsibility. Funding of operations needs to be "user-pay" accept monitoring for compliance should be owner/operator responsibility through certifications, i.e., quality control. County's role: Develop plan - assist/guideline interpretation and start-up - documentation and historical record keeping."

"At the present time, all domestic toxic waste is going directly into the landfill, thereby endangering the integrity of the landfills and the underground aquifer. The average citizen is not aware of all the household projects that are considered of as toxic."

"We recommend that disposal be made as easy as possible for the individual householder."

"A temporary solution would be to have a special Hazardous Waste Day. On this day, householders could bring their hazardous waste to a central location. Technicians would need to be available to sort the waste. Also, it will be necessary to arrange for local newspapers to list toxic wastes that are found in the average home."

"A long term solution for pick-up of household toxic waste will need to be studied and implemented."

"The cost of this program should be shouldered as much as possible by private industry and not the taxpayers."

"Some of your questions, such as #27 and #28, which are meant to designate the agency that should be responsible, are difficult to answer. Basically, your questionnaire is one which appears to be trying to decide whether private industry or government should have greater participation. I would say both. Let's not create an inefficient "agency" but a co-op between private industry and government. Governmental support in terms of policy and adherence to such. Private in the sense of cost effectiveness and management. Perhaps private
industry following government programs and restricting/regulations using on-site equipment and delivering those wastes to designated areas, much like nuclear power plant would do."

* "Obviously this is a problem that must be dealt with. It seems to me that with our vast areas of usable land, Kern County should establish waste facilities that would generate substantial income. There has to be lots of customers for the County which provides the safe disposal facilities."

* "Transportation should not travel by a school or hospital."

* "Should Kern County encourage new private disposal sites which can take the waste types we don't handle now? The county should handle them. Should Kern County receive some form of compensation from other counties for accepting their waste? Kern County should not accept waste material from other counties. Should increased use of waste liquids as a substitute for costly fuels for cement projection be encouraged in the Mojave Desert area? If it can be done safely and economically. Should incineration of hazardous wastes be permitted in San Joaquin Valley Air Basin? If it is not detrimental to the environment. Should deep well injection of hazardous waste liquids be permitted in Kern County? But should be accompanied by a plan to increase treatment of wastes and decrease amounts injected."

* "CHWMPs plan seems to duplicate existing State plan and would be extremely costly to develop and implement. Generators are faced with enough agencies with conflicting requirements. I would favor industry to operate facilities and use the Kern County Health Department for enforcement, training, and compliance and licensing, concerned with a conflict of interest if Kern operated its own disposal sites and did its own enforcement."

* "I would love to elaborate in person."

* "I don't know that I am really qualified as a historian to answer this. These are my opinions as a private citizen."

* "Kern County should take an active role in developing a regulated CHWMPs so that Southern California waste imports can be managed properly. Rather than a ballot measure I would like to see a set of rational user fees established for "vital" county oversight functions. User fees are exempt and this would allow some of the 10% to be used for general government purposes or to improve infrastructure requirements created by a H.W. facility. Transfer stations will be a necessity in such a large county unless you want a proliferation of disposal sites. User of these transfer stations should pay a fee to defray construction and operation costs of the private developer. Siting criteria should be sensitive to needs to balance environmental concerns with the Tanner mandate to site facilities. Disincentives should be vigorously avoided."

* "Small Generator Associations should work to finance transfer stations."
"Private industry would handle the wastes with strict county control. The county should not accept outside county waste. Kern County should have facilities to handle Kern County waste. Cities without proper personnel should not be aloud to have waste facilities that is not controlled by Kern County government."

"Several of the questions can only be answered with a qualified yes or no."

"Every effort should be made to "internalize" the costs, i.e., the producer and consumer should pay costs of disposal. Entire process should be established to encourage use of alternate (less hazardous) materials by producers and vendors disposal should not be a cheap way out for the waste producer. BAT (best available technology) must be required. Statewide it should be general policy that waste be handled as locally as possible - this becomes an additional incentive to reduce waste quantities (obviously disposal of special/unique items might best be handled at more centrally located facilities. As Ridgecrest is the County's 2nd largest community, at least 1 or 2 LAC meetings should be held here."

"I believe incineration rather than deep well injection is the best solution for hazardous waste at this time."

"Public and private interest all should be encouraged to provide services for hazardous waste disposal."

"As a citizen of Kern I don't want other counties dumping hazardous waste here. Therefore we must rely on ourselves to handle our own wastes. We can't limit ourselves to just existing technology. Progress would certainly disappear."

"I believe the WGPL Plan of 1986 covered everything on this questionnaire. I believe the questions you are asking are academic to the problems and solutions involving hazardous waste and have previously been discussed. If the solutions to hazardous waste are left to the individual or private business community the solutions and remedies will be NONE! If the state, county or city govt's do not take a stand on development of technology and the creation of waste sites our society will continue to poison the ground, water and air necessary for life. Private industry does not issue or control Driver Licenses or Marriage Licenses - Why should they control the life bearing planet?"

"I am not personally effected by waste disposal and until I am - I am not concerned. BUT should I be injured, I'd have a different attitude."

"Questions are generally bread and cannot be appropriately answered with yes or no answers. Program design should maintain the goal of unionizing the bureaucracy on this issue. Financing these issues/solutions may be as complex as the issues themselves. Cost obviously will ultimately be reflected in the original "product" before it's residual becomes a waste."
"Siting of a new hazardous waste disposal site in Kern County should be stopped and existing facilities properly closed. Groundwater, especially with the proposed DWR water bank, is an endangered resource if Kern County continues its present hazardous waste disposal practices."

"Kern County should not become the dumping site for the state of Calif. All agencies who generate or whose industry will generate hazardous waste should not be allowed to operate until they have devised a means of disposing of their hazardous waste. All Agencies presently generating hazardous waste should be closed until they have developed a means to dispose of their hazardous waste. Solutions can and will be found when it affects the financial pocketbook!"

"Sites and routes should be as far away from schools as possible. Also sites and routes should stay away from cities."

"More information should be given to the public about what to do when there is an accident. I called several agencies and no one could give me an answer. As fast as the trucks go down a street there is bound to be an accident. Do you stay inside your house or get out of the area. Most of the Kern County Schools don't want the trucks near their schools. Why aren't the Taft schools getting involved?"

"To Dr. Berry Keller – The Board of Supervisors of Kern County - Does the County of Kern believe that Kern County and neighboring areas are suitable geologically for hazardous waste injection wells? If not why don't we disallow them in this plan?"

"I am only in favor of a local haz waste site for other wastes if it's for Kern County wastes only, or perhaps waste from one other county (not Los Angeles). I do not think Hwy. 58 would be a good route for all haz waste traffic, unless the highway is widened and improved, and made safer for heavy traffic."

"Build a waste disposal site in the Mojave Desert for wastes generated there, so Vehicles hauling wastes won't need to travel Highway 58 to come to the Valley. I honestly don't know whether County, City or private companies should build and operate waste disposal areas. I do know that I'm strongly opposed to allowing any hazardous wastes from any area outside Kern County to bring their wastes into Kern for Disposal. I'm also opposed to injection wells - period!"

"Why risk our Valley's Water? Why take hazardous waste from other county, if we do this we would wind up being a dump ground for the state."

"Many questions relate to services or programs already covered by California DHS. Rather than duplicate manpower and paper work, Kern County can acquire data – eg - haz manifests generators, tons etc through the CLIST form DHS. Require hazardous waste haulers to placard the truck Hazardous waste. Major effort at the county level should be to assist generators in waste technology and reduction."
* "All waste sites could be diligently monitored for compliance to all state-county and city rules and laws!!! Approved transportation routes should be carefully checked. Waste hauling drivers should have to take tests for special truck driving permit - a truck driving licence does not necessarily make an individual a truck driver. Possibly, two competent truck drivers should be aboard all waste hauling vehicles."

* "This ballot measure should stipulate that nonhazardous oilfield waste disposal facilities would be exempt from the requirement."

* "The State of California already requires this every time a manifest is signed. The County doesn't have to require it."

* "Many of the foregoing items proposed for Kern County administration would duplicate rules already being enforced by the State of California Division of Oil and Gas. This organization's (Bkfld office) should be consulted before any actions are taken. They are experienced in these matters (S. Mitchell Irwin Oil and Gas). Deep well injection of wastes is the best solution, especially on the West side of the SJ Valley. There are no fresh water there."

* "We need to focus on "neutralizing" the hazardous nature of dangerous wastes in order to simplify waste management and reduce the costs of hazardous waste disposal programs. Neutralizing and re-constituting recycling of former hazardous wastes can be beneficial for the future reduction or disposal programs as well as the potential of creating new useful projects and technology for society from waste products."

* "Why risk our valley's water? Let's be sensible and think of the future. You cannot control hazardous waste when it's underground."

* "The provisions and descriptions of a proposed project outlined in the respective environmental impact report should be incorporated into the conditional use permit as conditions to be adhered to. The EIR has been termed "an information gathering document" by the KC County Counsel. But the EIR is designed to adequately assess the proposed projects possible adverse effects on the environment. The description of the project outlined in the EIR is what this assessment is made on. So this provisions contained within to insure the environmental safety proposed in the EIR."

* "Does the County of Kern believe that Kern County and Neighboring areas are suitable geology for hazardous waste injection wells? If not, why don't we disallow them in the plan?"

* "If I understand correctly that the Tanner plan will require each county to be responsible for the disposition of its own waste within its own borders, then this will provide even more incentive to reduce the production of waste and end the "Shell game" of importing and exporting hazardous waste for profit."

* "The Bakersfield Chamber of Commerce Hazardous Waste Task Force is interested in the LAC drafting rational siting criteria to meet the Tanner bill mandate of siting disposal facilities in each county. The
task force will w. . to take an active role i developing criteria that will allow private sector development where the General plan element is in place. Additionally, the LAC must take an active role in forming a regional plan for the south Central Valley counties so that SCAG is not allowed to export wastes unhindered. San Luis Obispo County has indicated an interest in this approach:"

* "Industry is clearly the main contributor of Toxic Waste. These industries feed, clothe and support our families in Kern County. It is our responsibility to take charge and recognize the waste as a cost of doing business. This way the burden is not carried by one but all of the people who use the product. Incentives should be introduced to encourage reduction of waste, all waste. We as a society must stop excess pollution. If Kern County is to accept wastes from other counties, the cost must be high enough to convince contributors (like L.A.) to reduce their waste. They have the best of both worlds, crate waste and dispose of it elsewhere."

* "No need for Kern County to develop a hazardous waste facility and add staffing just because the county can receive Federal funding."

* "Kern County should fund and staff efforts to monitor and reduce amounts of waste at source."

* "We need more information. Routes shouldn't be mountainous. Let L.A. keep it's waste. Have disposal site in East Kern County for China Lake and Edwards."

* "I believe County-City-State should be the enforcer but I believe private enterprise can to better handle all subjects in you're program."

* "I feel we generate enough hazardous waste from agriculture and oil industries. We simply can't be a dumping ground for other counties. A carefully planned and inspected service would in the long run save jobs for Kern County workers. There are so many problems out there in the areas of air pollution or pesticide use, hazardous waste management may be on of the "easiest" to deal with. As farming and oil production expand here we must stay on top of the extra demands they will make. Nor can we attract new businesses to diversify our economy unless we face up to the responsibilities we have now."

* "Incineration of hazardous waste only if emissions are controlled. Deep well injection may be hazardous to our underground water. I do not favor government ownership of hazardous waste facilities. Bet the private sector put up the money under government supervision."

* "The county of Kern should be the sole operator of any Hazardous Waste disposal or treatment and recycling facilities within the county. This would be the only way that us taxpayers could be assured that our concerns would be continuously addressed. But, above all, the voters of this county should have this matter of hazardous waste disposal sites (within the county) on the ballot to vote it up or down."
"Kern County shouldn't be in the hazardous waste business. So much as possible private industry should operate such sites and provide self-regulations. Deep well injection and incineration are viable solutions to hazardous waste disposal. Regulation by Kern County should not inhibit these approaches."

"In my opinion private industry under the direction of Kern County should handle and dispose of all hazardous wastes within the county. Further no wastes should be injected into wells ever. It has been proven in the cement industry that solvents, waste oil, PCBs, etc. can be safely disposed of in a safe manner, in the burning process. Mojave plant will be exploring this possibility in the future."

"As a condition of a disposal sites conditional use permit it should be stated that it is mandatory that the site should reflect the business as described in the EIR. Any time the business changes from that which was described and examined by the EIR, another EIR must be done on the project. Routes should be in conjunction with current explosive routes established by California Highway Patrol. I feel that money should be collected from the generators of waste also. However, I hold no illusion that all costs will trickle done to the consumer no matter who pays initially."

"I think routes should be established based on the least exposure to the general populace. Preferably not major highways because of the high exposure. If little traveled, rural roads offer the least exposure, the commercial shippers should be required to take a little more inconvenient route to protect the public."

"I am against deep well injection. It is very dangerous, and if any thing went wrong with it, there is no way it could possibly be cleaned up. The area would always be contaminated. Please stop the deep well injection their trying to build in Blackwells Corner. Its an agricultural zoning area, and there is water there and when they inject these toxic waste, they have to pass through this water and our water will be contaminated."

"County should operate only if private is incompetent. There should not be a plant within 20 miles of population of 300 or more."

"Most of these questions cannot be answered yes or no. The correct answer is somewhere in between and often dependent of the specific situation. Hazardous waste must be disposed of properly. Whether Kern County or the private sector rump the disposal operation is immaterial provided the desired result is obtained. Reference to private disposal operations should be given if it can be demonstrated the private operator is capable, ethical and has the resources to run properly."

"The County should be very careful about restrictive policies regarding who can handle HW, where and how transported etc. The greatest incentive to HW reduction is to increase the disposal costs. However, that increases the risk of Midnight dumpsters by small generators. Seems reasonable to address the large disposers first. Encourage small disposers to cooperate but don't encourage them to cheat."
"I was not able to attend the meeting in Taft. The letters KAMAN at the beginning of this form should have been explained. The letters DHS in question #2 should have been explained. The Hazardous waste disposal facilities should be located away from densely populated areas and out of the valley air basin."

"I wish I had more knowledge about the subject, to be able to answer with more certainty. It is a fact that hazardous wastes are generated, and I don't believe in shipping our problems out unless such shipments is to a specialized area which can handle it. On the other hand, Kern County shouldn't become a dump for LA or other areas."

"The County of Kern must establish a Hazardous Waste Disposal program that is relatively independent from Federal or State control. It should operate under Federal or state guidelines, but not be buried in red tape and bureaucracy. Certain materials and procedures should be under the control of a local agency staffed by competent people. These people would be responsible to the Board of Supervisors for managing the hazardous waste, installation of new sites, and control of the facilities."

"All commercial/industrial waste generators should be required to neutralize their hazardous waste on site before shipping it off their premises."

"Drill test wells for migration of deep well hazardous waste."

"Our supervisors and the planning department are getting paid full time to protect the public from toxic waste. It is generally a hardship for those of us who must make a living and take care of our families to attend meeting after meeting to protect ourselves. If we don't show up or participate then you can say "lack of interest". You know what the public wants without being asked. We want toxic waste located away from populated areas."

"Cut down on hazardous waste."

"Buttonwillow now smells every day because of I.T. It starts smelling at Enos lane, sometimes even in Bakersfield because of that dump. It the county doesn't stop allowing the rest of the state to dump here, we will be the perfect spot for the Western U.S. for toxic."

"Some of the questions would be answered on a funding basis criteria."

"This ballot measure should stipulate that nonhazardous oilfield waste disposal facilities would be exempt from the requirement."

"I want all waste disposed of within the county where it is generated with the possible exception of San Francisco. Don't become L.A.'s garbage pit. Storage sites of waste materials should be privately owned, but closely policed and supervised by County Agencies."
On Nov 18, 1987, I attended a workshop to learn more about Kern County's plans for the disposal of asbestos waste. To my knowledge, there are no publicly available asbestos disposal sites in Kern County. However, SB 2572 requires counties to designate sites which can accept asbestos waste. Apparently, the Department of Planning and Development Services is unaware of this law and that the Health Department is working on its own plan for asbestos waste disposal. I would appreciate a response on this subject. Thank you.

Anyone that does not believe the stork brings the baby's should know it would be cheaper and safer to build a plant close to Vandenburg - across Kern County to Vandenburg. Keep it off the road.

We very much need transfer stations for households and small business waste.

Keep public sector out of owning or operation hazardous waste. It will in the long run cost the public sector a great deal of money.

I think this questionnaire is a good idea.

Many questions are asking for absolute answers in a subjective atmosphere. In order to answer effectively one must have this information at his/her disposal. Those in which insufficient information exists. I have chosen not to answer.

Siting should be a function of appropriate geology - not pre-existing routes.

I understand that toxic waste is a problem and will become an even bigger problem in the future. I would like to just disregard the problem pretend we live in an era where toxic waste doesn't even exist, but we must face the facts and deal with the disposal of toxic waste in a responsible manner. If Kern County must become a county in which accepts disposal of toxic waste then I believe the county should have a big say in how, when, and where it is taken care of.

At this time we should not even consider adding another toxic dump in Kern County. We already take in more than we produce. It is not fair that we should be expected to take anymore. The financial gain is not for the people of Kern, but for a few elite.

No business license to be given to industry unless they have a continuing plan for disposal at the site of manufacturing the waste. No out of county or state hazardous waste should be imposed on another. Area that have sufficient ground water or canal systems should be protected for posterity. We have too much foc for transportation.

Kern County should consider requisition control of the hazardous waste program from the State Department of Health Services through a Memo of understanding. Initially, they should request control over "small generators" (<1000 kg/mo.). This would mean a commitment of funds and personnel. Some funding could come from a refund of a portion of the California generator fees, if possible. Other funding sources can
include facility fees, fees on generators portion of a fee and the county landfills. Household hazardous waste should also be dealt with by dump fees and transfer stations. Small generators, however, are probably the least controlled and largest potential problem in our county. Nearly all small generators have not registered with DHS, are not properly handling their wastes (i.e. dump in sewers and sumps or store indefinitely) and do not have the knowledge or expertise to properly handle their wastes. They need assistance from a local agency. (DHS has never provided this expertise or the necessary inspections and enforcement)."

* "This biased form shouldn't be allowed to be used for survey data in any EIR."

* "The regulation of 'Hazardous Wastes' should follow the same format and procedures as the regulation of hazardous substances. Why limit the transport of hazardous wastes when you can't regulate the transport of hazardous substances."

* "Any potential hazardous waste site should be studied by a qualified Hydrogeologist to determine its suitability."

* "In the Blackwell Corner area, I hear an underground disposal facility is planned. This is playing with fire as it has been proven all over that this can backfire badly, as it did here in Seattle with a standard type dump, where the city now has to spend millions of dollars to clean up the mess created."

"I believe that efforts such as this to improve management of Hazardous materials are worthy and very much needed at this time. I've been involved in Hazardous waste issues for my agency for a couple of years and yet I had difficulty with understanding the gist of some of your questions. I know it's a difficult task but it's very important to clearly communicate this issue to the public. I've been involved with a superfund site and with oil spills on public land and yet I don't know what constitutes hazardous materials in the home. I feel that very much must feel as I do - that if we could make a small contribution by management of hazardous materials in the home, we would not be as frustrated and frightened by the issue."

* "Hazardous waste disposal facility should be operated by private industry. We do not need another layer of government. Hazardous waste facilities should be built in areas that minimize ground water contamination possibilities, air quality impacts, and impact due to direct exposure."

* "Incineration seems to be a safe method of hazardous waste disposal but how would this affect the already poor air quality in the southern San Joaquin Valley. There should be disposal facilities for waste generated locally, but I am concerned that Kern County may become a dumping ground for hazardous wastes generated in the LA basin. It's bad enough to live with the existing poor air quality without being surrounded by toxic chemicals. Private enterprise should be encouraged, if properly regulated."
"Onsite disposal of waste materials (Hazardous or Non-hazardous) are no different than offsite disposal; placing wastes into a hole in the ground, regardless of location is disposal. Enforcement and permitting requirements should apply to both onsite and offsite waste disposal to assure environmental protection."

"The local population should determine and handle their concerns about what they consider as hazardous to the immediate environment. Less help and legislation is needed from state and federal government."

"I am against deep well injection. Especially the one they are trying to build on Hwy 33. There are more than 40 families living one mile from the chosen site and its also 13 miles from the San Andreas fault. Its dangerous and unhealthy for everyone around. Please stop this deep well injection site they're trying to build."

"We favor private industry in most instances."

"Major emphasis should be on treatment and recycling not on disposal."

"Tighter control of all disposal and transportation of hazardous material before it is even started."

"Kern County has been a very polluted area for years and years. We cannot pass up this opportunity to us and the future generations - to clear up our act."

"Need to control radioactive waste."

"The most important action needed to get toxic waste under control is to strongly encourage interception and treatment of waste at the source. Treatment or recycling in many cases is relatively simple—for example, neutralizing waste acid before disposal, or recovering and reusing solvents. However, after dumping in a disposal site, it is mixed with many other wastes, and chemical treatment becomes difficult or impossible. Many toxic waste streams can be treated in ways that detoxify it, or reduce the hazard level before disposal. Development of techniques for this should be encouraged, and generators of the waste should be required to treat at the source where technology for this is available."

"Highway 99 through Delano and McFarland should not be designated as a route for transportation of hazardous waste, but rather Interstate 5. I am opposed to establishing the facility at Blackwell's Corner that would handle 200,000 tons of hazardous waste annually."

"I have problems with who will convert the cost in industry to reduce hazardous waste. We all know when government (County or State) is part of the planning the cost well go up."

"I am basically opposed to deep-well injection - if we pollute our water supplies, what then?"
"I am opposed to use of Hwy 58 as a hazardous waste route."

"Can we treat wastes more before they are disposed? I strongly support "source reduction".

* "I know that hazardous/toxic waste disposal sites are necessary and I believe that Kern County has several suitable location. I favor the establishment of those sites for wastes generated both inside and outside the county. However, I am greatly concerned as to the transportation of those wastes and the regulation of those disposal sites. I believe that fees charged for waste from outside the county should be 2 or 3 times higher than those from inside the county. Also, fees/taxes collected by the county must be shared with the cities and/or unincorporated areas that accept disposal sites."

* "We would like to see more recycling of garbage than incineration and complete disposal."

* "Hazardous Waste Transfer Station must not be allowed in the incorporated area."

* "Employee effects of the street runoff i.e., River terminates vis a vis sumps in packs etc and possible leaching vs removal. Consider relining of wastes as a recycle alternative. Find out what State/Federal agencies are doing with their wastes and factor. Seek State and Federal funds."

"Facilities to treat, recycle, dispose or should only be located in unincorporated area of county - (away from populated areas.) There should be no transfer stations - these could cause more chances for spills and/or problems."

* "No business .... to be given to industry unless they have a contingency plan for disposal at the site of manufacturing the waste. No outs of County or state hazardous waste should be imposed in another. Area that have sufficient ground water or canal systems should be protected for posterity as percolates is a problem and concern."

* "Vanderburg Air Force Base should be selected - closer to its fuel supply. We have too much fog. If we get stuck, improve."

* "Kern County should consider requesting control of the hazardous waste program from the State Department of Health Services, through Memo of understanding. Initially, they should request control over "small generation" (<1000 kg/mo.). This would, of course, mean a commitment of funds and personnel. Some funding could come from a refund of a portion of the California generator fees, if possible. Other funding sources can include facility taxes, fees on generators and position of a fees @ the county landfills. Household hazardous waste should also be dealt with by dump fees, transfer stations and reduction. Small generators, however, are probably the least controlled and largest potential problem in our county. Nearly all small generators have not registered with DHS, are not properly handling their wastes (ie., dump
in sewers and sumps do not have the knowledge or expertise to properly handle their wastes. They need assistance from a local agency. DHS has never provided this expertise or the necessary inspections and enforcement."

* "This biased form shouldn't be allowed to be used for survey data in any EIR."

* "The regulation of "hazardous wastes" should follow the same format & procedures as the regulation of hazardous substances why limit the transport of hazardous wastes when you can't regulate the transport of hazardous substances."

* "Any potential hazardous waste site should be studied by a qualified Hydrogeologist to determine its suitability."

* "It the Blackwell Corner area, I hear an underground disposal facility is planned. This is playing with fire as it has been proven all over that this can backfire badly, as it did here in Seattle with a standard type dump, where the city now has to spend millions of dollars to clean up the mess created."

* "I believe that efforts such as this to improve management of Hazardous materials are worthy and very much needed at this time. I've been involved in Hazardous waste issues for my agency for a couple of years and yet I had difficulty with understanding the gist of some of your questions. I know it's a difficult task but it's very important to clearly communicate this issue to the public. I've involved with a super fund site and with oil spills on public land and yet I don't know that constitutes hazardous materials in the home. I feel that many must feel as I do - that if we could make a small contribution by management of hazardous materials in the home, be would not be a frustrated and frightened by the issue."

* "Hazardous waste disposal facility should be operated by private industry. We do not need another layer of government. Hazardous waste facilities should be built in areas that minimize ground water possibilities, air quality impacts, and impact due to direct exposure (ie., not in cities)."

* "Incineration seems to be a safe method of hazardous waste disposal, but how would this affect the already poor air quality in the southern San Joaquin Valley? There should be disposal facilities for wastes generated locally, but I am concerned that Kern County may become a dumping ground for hazardous wastes generated in the LA basin. Its bad enough to live with the existing poor air quality without being surrounded by toxic chemicals. Private enterprise should be encouraged, if properly regulated."

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"The local population should determine and handle their concerns about what they consider as hazardous to the immediate environment. Less help and legislation is needed from state and federal government."

"I am against deep well injection. Especially the one there trying to build on Hwy 33. There are more than 40 families living one mile from the chosen site, and its also 13 miles from the San Andreas fault. It's dangerous and unhealthy for everyone around. Please stop this deep well injection site they're trying to build."

"We favor private industry in most instances. Major emphasis should be on treatment and recycling not on disposal."

"Tighter control of all disposal and transportation of hazardous material before it is even started."

"In my opinion. I believe that if we drill wells to inject toxic liquids into the ground, which have not been tested or experimented with within the county of Kern and the San Joaquin Valley, would be very dangerous to the inhabitants taking into consideration the San Andreas Fault and the earth quakes and the water which could be contaminated in the future."

"The State of California should take an active part in the disposition of the Hazardous Waste to make sure these injection wells do not pose a Health hazard to the community in the future. We cannot allow this type of work that will not guarantee the results, because of the San Andreas Fault and other systems, ie., water springs that run throughout the valley floor."

"Our county needs to take an active, not passive, role in establishing criteria which must be met. We need an adequate monitoring system to verify what commercial ventures are doing because in the past they appear to take advantage and flaunt laws because there is no one to force them too. The EIR should be exactly what they adhere to and cannot change activities without submitting a new EIR."

"Uniform Hazardous Waste Manifest is sufficient."

"The ground waters of Kern County have been degraded substantially from past practices of the waste disposal industry. Inadequate siting criteria for disposal sites is mainly responsible. Kern County has better potential sites than many of the other counties but not the best sites in the state. Populated areas must be avoided in considerable new sites. Incineration does not appear responsible in the San Joaquin Valley. Injection is not verifiable nor recoverable after the fact. Reduction and detoxification at the source should be pursued. Let us not continue to rationalize past siting errors and make the same mistakes the second go around."
Source reduction should not be mandated by law or rule. This penalizes those entities already reducing their wastes and is an enforcement nightmare. Source reduction should be encouraged by the economic incentive of high disposal costs, generator taxes, or other economic benefits."

"Should be waste site on Eastern Kern County for Edwards Air Force Base and China Lake and not shipped over mountains. Great effort should be made for recycling many materials. Only small amounts of waste should be sent to landfills, the rest should be detoxified or incinerated. Many countries do better with waste than we do, Denmark for one. We should follow their example."

"If the county is allowed to operate hazardous waste disposal sites and/or transfer stations, who would monitor them? The County? law and regulations do absolutely no good if they are not enforced. PWI is not in compliance and our Board of Supervisors does not care. As people of the County of Kern we should have laws that are enforced and monitoring systems that will protect our health and our environment, no matter who our elected officials are. We are not paid, yet it is a full-time job fighting to protect ourselves fro the hazardous waste disposal site in our backyard. How can the county possibly be considering allowing the TSD deep injection well, when they cannot even monitor or control the hazardous waste they already have taken? The K.C. Hazardous Waste Management Plan should also regulate the quantity of toxic waste coming into our County. What possible advantage could it be to the general public to make K.C. the toxic dumping site for the western United States?"

"This is a poorly designed questionnaire. The hazardous waste within the region should be treated or disposed of within the region. Imported waste should be limited each should take care of its own. Some of the existing industrial site may be adequate. Others would not. Your questions was too general. Standards should be developed that all agencies agree to enforce."

"I would probably answer several of these questions with a "maybe" if such a box were present. I think the county may need to operate facilities to serve the public but certainly not industry. The financial and legal liabilities under RCRA, CERCLA and SARA for operating, closing, monitoring and if necessary subsequent remittances/cleanup of such facilities are staggering today and will only continue to increase. I think private industries should own/operate such facilities in most cases with the County providing regulation in the form of audits, inspections, etc. I think that by not operating or owning such facilities, the people of Kern County will be some what insulated from bearing the financial and legal burden that can and most likely will occur at all hazardous waste facilities in the future."

"I feel that the County should take a count of all the hazardous trucks coming into this county - it is up to the county to know this."
"We pay our Board of Supervisors and the planning commissioner to protect and make wise decisions for our health and livelihood. Yet if we do not attend a hazardous meeting, it is said we are not interested--this is wrong of the part of our county officials. We are interested but we do not always have the time or the know how."

"Bakersfield - Kern County has ideal geology and location for facilities to handle multi-county volumes. We should pursue, not avoid the issue. We should encourage the revenues and business. Incineration should be encouraged. Location should depend on air quality. County should spend time and effort educating public on the need for such facilities. Small generator capacity should be a priority. Home collection is a must. There is not excuse for such a program being in place now! We have some of the foulest most isolated zones in California, we should use them, treat them as a resource, develop and use them wisely at their potential. Injection is safe and economical."

"Many of the questions are not simple yes or no answer type of questions. More care on many questions is necessary to give either answer."

"The questions posed in this survey may provide a sufficient basis for identifying community concerns regarding hazardous waste management in Kern County. However, care should be taken in developing a plan that is feasible while holding as close as possible to the ideal desires of local community. Like most issues economic, environmental and social impacts should be weighed closely in the development of a responsive program."

"All the gold in California is in a Beverly Hills bank under someone else's name. All the hazardous waste in California is going to be in Kern County's soil under our children's and our children's children's name."
1. The idea of obtaining 10% of gross receipts of hazardous waste disposal facilities is an excellent concept. I am concerned that every governmental agency would want to get a piece of the financial pie, and duplicative services, surveillance and redundant regulation may occur. The health department is charged by law to enforce the health and safety laws pertaining to hazardous waste. They should be staffed and supported to carry out an effective program of surveillance, monitoring and enforcement; and emergency response.

2. I think it is unworkable to expect that one official will be able to maintain all DHS and other publicly available data. Many departments receive volumes of correspondence regarding DHS activities, in addition to data generated locally. This effort could best be accomplished by having each department designate a public information office where public inquiries could be received and processed.

3. Yes

4. Yes. Federal and state laws already require this.

5. No. I do not think that the county should be involved in technology development. This is best left to private industry. However, if we have information on technology, seminars and workshops sponsored by the county and presented by industry would be valuable.

6. Yes.

7. Yes. This can be incorporated into one of two existing programs. The small quantity generator surveillance program that the health department is currently developing, or the 2185 program the fire department is implementing.

8. -12. I think we must get away from land disposal of hazardous waste. We must focus on treatment, reuse, and incineration.

13. Yes.

14. Yes. With proper design and operation, they can function effectively. However, they should be sited in a "non-attainment" area.
15. Absolutely not. The idea of deep well injection is so absurd that I find it difficult to understand why it is getting the level of serious consideration that it is. California's seismic history alone suggests that we can offer no guarantees that things will remain in the formation in which they are injected. Which one of the experts can actually "see" into these formations and guarantee that the zone selected for injection has no hydraulic continuity with other zones? Furthermore, just because a zone of water is considered unusable by our present standards doesn't mean that future generations could not develop technology to use that water for beneficial uses. We, therefore, should not take great liberties with our childrens' future resources which we as mortals can not replace. Which one of us can make water and replace the contaminated aquifer?

16. Careful zoning guidance should be in place to protect surrounding landowners, schools, and private residences from nuisances, excess traffic, site emergencies, etc. A buffer zone needs to exist to provide that protection.

17. Yes.

18 - 20
I think that private industry should own/operate and keep the government out of it. It is very difficult and embarrassing to force the county to comply when they are deterred from compliance by lack of adequate funds to do the job properly.

19. Yes.

20. Yes.

21. Yes.

22. Yes.

23. Yes.

24. Yes.

25. No. These are best done as a cooperative effort between the health department, organizing and staffing the event, environmental groups doing the public education to make it a success and private industry with their trained workers and equipment to handle the materials collected.

26. Yes.

27. Yes.

28. Incentives should be offered for private industry to take an active role.

29. Absolutely necessary.
30. Criteria for siting should be guided by the methodology that will consider depth to water, recharge of the aquifer, the subsurface geology, topography as well as existing and proposed surrounding land uses. Commercial routes can be constructed as necessary.

31. Yes.
I have come to state my reasons as to why I do not feel that we should become the "Toxic Valley of California."

It's very appropriate that this morning's Bakersfield Californian had this headline, "KERN LOSES EPA REPRIEVE, COUNTY EXCLUDED FROM PLAN TO ALTER 1970 CLEAN AIR ACT". I brought it to show you, should any of you doubt that the air here is not already horrible.

Between oil and agriculture we pollute plenty in Kern County. Now we are talking about adding another industry that will just add to that pollution.

Yes, these toxic officials have told us that they will not add to the pollution problem. We have heard things like "State of the Art, Deep Well Injections" OR "State of the Art, Percolating Ponds". But the bottom line is that almost all "STATE of the ART" anything of 30 years ago, is now obsolete. Ideas then thought of as "the thing to do" are now "the thing to avoid".

If anyone doubts that toxic dumps don't pollute, all they have to do is ask the City of Fullerton CA. Why they wanted to move their WWII toxic dump to Kern County. They did because it Stinks, pollutes the water, and is making people sick!!

The reason I am writing this is because I am Scared. I'm afraid that if someone doesn't stop this trend of dumping on Kern County, that we will kill ourselves. We already have unexplained cancer clusters in parts of our county. Does every one need to get sick before we stop outside dumping?

I am also surprised. I'm surprised that we are even considering such a dangerous industry to be put here. Frankly, I don't see where the people of Kern will benefit. Oh yes, I've heard---more tax, more roads, some jobs for a few, but nowhere near the financial benefit the owners of these dumps receive!!

[Name] took a [investment] investment in 1982 and opened up Petroleum Waste Industries in Buttonwillow. He sold that toxic dump in 1986 for [price] to I.T. Corp. I find it ironic that he can live anywhere in the world, as far away from Buttonwillow as he wants, while his little toxic dump continues to pollute our air.

Why do we feel the need to take care of everyone else's toxins?
What are they going to do for our County?

Oh, and by the way, if we allow another dump here as an "oil field
"waste" only dump, the State has the power to come in and supercede the County permits to change it to a "toxic dump".

I am not a native of Kern County. I was born and raised in Chicago Ill. My family moved to San Francisco, where I later went to school. Before I moved here I was a real city girl.

In the ten years that I've lived here, I've come to love this Valley in ways that have even surprised me. I never thought this area was beautiful. It was always flat, hot, foggy, with nothing to see or nothing to do.

Well I don't see that anymore. I see miles and miles of productive open land feeding millions of people. I see horseheads bobbing up and down, taking care of our nations energy needs.

Our Valley is Uniquely beautiful!! You really have to live here to appreciate it.

I understand how other people think that there is nothing here. That's why they think this is a perfect place for Toxic Dumps. THEY DON'T LIVE HERE !!!!!

As I close, I want to mention another asset of Kern County. Its fabulous, wonderful people. People who are neighbors and friends. Proud, level headed, just plain common folks people. A people that comes together when a need arises.

Ten years ago, our people voted not to let a Nuclear Industry locate in Kern County. That vote sent a message to the State and The Country. We now need to send them another message on toxic dumps. The message is NO TO OUTSIDE DUMPING.

Sincerely,

Catherine Congreve Palla
March 22, 1988

Mr. Melvin H. Krause, Project Manager
Kern County Department of Planning
and Development Services
1415 Truxtun Avenue
Bakersfield, California 93301

Dear Mr. Krause:

Notice of Preparation - Kern County
Hazardous Waste Management Plan

We received the press release, dated February 29, 1988, announcing the availability of a Preliminary Draft Kern County and Incorporated Cities Hazardous Waste Management Plan (HWMP) for public review and comment. To enable adequate analysis of potential air quality impacts of the implementation of the HWMP, we recommend that the Draft EIR for the HWMP contain the following information:

1. A description of the proposed activities implemented under the HWMP including:
   a. Recommended methods for recycling, treatment, storage, or disposal of hazardous waste, and for reducing the generation of hazardous waste;
   b. Creation of facilities to recycle, treat, store, or dispose of hazardous waste;
   c. Types and quantities of wastes to be managed;
   d. Technical information on recycling, treatment, or disposal operations;
   e. Characterization of any fuels and amounts of waste to be used in the proposed project (e.g., incineration) including procedures to insure that the proposed project only uses specified fuel and waste types;
   f. Normal and maximum operating capacities of the proposed project including fuels and waste; and
g. Expected date of start-up.

2. A description of the environmental setting before implementation of any of the projects proposed under the HWMP, including:
   a. Location;
   b. Meteorology and topography;
   c. Existing air quality, including information on ambient air concentrations of toxic wastes to be managed at the proposed project;
   d. The proximity of general and sensitive populations (e.g., residential areas, schools, hospitals); and
   e. Existing sources of air pollution in the vicinity of the proposed project.

3. An analysis of the potential air quality impacts associated with any proposed projects including:
   a. Construction of the project;
   b. Vehicular traffic;
   c. Transportation, storage, handling, treatment, recycling, or disposal of hazardous wastes; and
   d. Accidental releases.

This analysis should include both criteria air pollutants for which ambient air quality standards exist and non-criteria air pollutants from the hazardous wastes (e.g., ketones and chlorinated solvents). The analysis should also include estimates of average and highest controlled and uncontrolled emission rates of criteria and non-criteria air pollutants, and the basis for the assumptions and calculations used to determine these estimates.

4. An analysis of potential public exposure from the emission of non-criteria air pollutants.

5. A description of mitigation measures to minimize emissions. This discussion should include control equipment, process control, and other technical measures to reduce emissions of criteria and non-criteria air pollutants.
6. A description of similar sources proposed in California and the control requirements applicable to these sources.

7. Identification and description of all applicable federal, state, and local air pollution control regulations, and measures to comply with these regulations.

8. A description of alternatives to the proposed projects and associated emissions of these alternatives.

We would also like to point out that the local air pollution control district may have jurisdiction over aspects of any proposed projects and should have the opportunity to comment on material contained in the EIR.

We hope that a thorough discussion of the items listed in this letter will provide a better understanding of the air quality aspects of any projects implemented under the HWMP and contribute to an effective EIR process. Thank you for the opportunity to participate in the preparation of this Draft EIR.

If you have questions regarding our comments or if we can be of further assistance, please contact Mr. Lynn Baker at (916) 445-6532.

Sincerely,

Robert Barham, Chief
Toxic Air Contaminant Identification Branch

cc: Leon H. Herbertson, M.D., Kern Co. APCD
    David C. Nunenkamp, OPR
TO: Randall Abbott, Director of Planning and Development Services  
Fr: LAC Member, J.M. Rademacher  

General Comments:

The time and effort expended by You and Staff to prepare a KernHWMP is acknowledged. In my opinion, the Draft Copy is a Document more than a Plan; as my contacts with Lay People, Industry Operators, indicate to me that there are some basic and specific items that required investigation, analysis, and recommendations. These are indicated herein; and I fail to find these within this Document.

The Document contains some general statements and directives that to me do not indicate that a proper evaluation or analysis has been made. Re:

Pr. 24 Policies: What are Innovative Technologies that the Document would propose to be encouraged?
Pr. 25 Policies: Which Agency will keep records, do audits, provide information, to implement reduction programs?
Pr. 26 Policies: Does County propose a Technical/Legal Staff to provide technical assistance to Industry, which in the specific case of the Petroleum Industry, employ many highly trained Personnel on their Staff; and how will there be assurance that HW are produced unnecessarily? How will the Agency require industry to reduce waste?
Pr. 28 Residual Repositories/Incineration (Last Priority): "Require all liquid HW which can not be solidified to be destroyed by Incineration"... Where did this Concept come from, this is non-sensical, and without any basis in fact or scientific justification.
Pr. 51 Oil Field Waste: Very vague statements as to "some are hazardous and some are non-hazardous", and appear to have no specific meaning or intent, nor specific basis of fact.


In summary, the terminology of many statements noted within the Draft Copy raises considerable doubt about the reminder of the Document, and in my opinion and others that have briefly reviewed same, with me, there is no Plan or Policy, that addresses some of the primary concerns of this County, in a Specific Manner. Much of the Document could be deleted as not applicable to specifically HW Disposal. 

Specific Considerations that should be Addressed within a Plan:

1. A map of Kern County indicating Existing Disposal Sites, their classifications, and Future Site Locations now under consideration for approval.  

2. New Disposal Sites: County Owned and Operated; County Owned and operated by Private Entities; Private Owned and Operated. A Recommendation required for Kern County.
Specific Considerations: (Cont.)

3. The present methods of HW disposal should be noted, an analysis made based upon scientific and engineering principles, and a recommendation presented to be most suitable for Kern County. p. 126

4. Oil Field/Refinery Waste: Since this appears to be above 50% of the waste generated within the County; Non-Hazardous and Hazardous Waste must be specifically defined, following Title 22 and State Guide Lines. Thus: p. 51

Petroleum Wastes as defined in State Guide Lines, shall be classified NON-Hazardous if:

a. The waste is neutralized to a Hydrogen Ion concentration between pH 5.0 and 9.0,
b. The waste conforms to the Flammability Requirements of 140°F, as prescribed in the Guide Lines,
c. The Waste conforms to Title 22, and is not classified as an Extremely Hazardous Waste (EHW).

It is to be noted that, it is my understanding, that EPA (Federal) classifies Mineral Industry (Land Mining) as NON-Hazardous. A de-classification of Petroleum Waste, all in accordance with Guide Lines would significantly reduce the HWMP.

5. Underground Injection of Waste: A definitive statement should be encompassed within the Plan. An analysis of pros and cons to this method should be presented and a decision made as to whether this will be permitted or prohibited. p. 30

Summary:

In my opinion, The Draft Copy, dated March 23, 1988 (cover sheet), with March 31, 1988 DHS Review Draft Pages has many items that bring up more questions than resolutions; as such, it appears to me to be another layer of non-specifics, with some credible statements, and some doubtful as to how they were arrived at.

It further appears to me after some four months of LAC Member service that Current State and Federal Requirements, that are constantly being changed and up-dated are adequate as to Industrial Waste, and that KernHWMP should so state, de-classify Petroleum Wastes per Item 4 above, and retain the Sections relative to Household Hazardous Waste, and render conclusions relative to those Specific Considerations noted above.

Comment

Respectfully, LAC Member J.M. Rademacher

3/25/88 1:00 P.M.
25 March 1988

Mr. Randall Abbott
Dept. of Planning and Development Services
2700 "M" Street
Bakersfield, Ca. 93301

Dear Mr. Abbott,

I am returning the revised draft of the CHWMP dated March 23, 1988. I have outlined in yellow some areas of concern or proposed changes. You will find my comments in red next to the outlined areas. I know that every sub committee has spent many hours on their reports so I have dealt only with my committee (Siting and Transportation).

Please note the following pages have outlined areas.

Pages. 30, 31, 37, and 39

In regards to the oil industry provisions I feel their recommended changes in the Siting and Transportation sections are only word changes and that they are unnecessary. They do ask for numerous deletions which I feel would greatly benefit them and not the citizens of Kern County.

Again many thanks to you and your staff. The report is much easier to read and comprehend. I feel we have the foundation of a good, workable plan.

Thank you,

Kim Smoot
March 24, 1988

Mr. Randall Abbott, Director
Department of Planning and Development Services
Kern County
2700 M. Street
Bakersfield, CA 93301

Re: Comments and recommendations on the second revised draft comprehensive hazardous waste management plan.

Dear Mr. Abbott:

The Greater Bakersfield Chamber of Commerce, through its Hazardous Waste and Toxics Management Task Force, has reviewed and compared the second draft comprehensive hazardous waste management plan, issued March 23, 1988, with the original draft issued February 24, 1988. The following comments and recommendations are similar to our previous submissions (January 20, February 16, March 15 and March 22), many of which have not been incorporated in the proposed draft either by the consultant, county staff or the local advisory committee subcommittee. We urge you to develop a mechanism for the March 28 meeting that will allow in-depth discussion of key policies, issues and facts in the draft plan and a voting mechanism for the LAC to incorporate changes in the plan. We are keenly aware that policy-making is a dynamic process, however, affected industries and individual businesses are owed explanations and well-thought-out rationales for the policy choices.

Overall, the Chamber urges the LAC to adopt its proposed changes to the draft plan contained in our March 22 submission. These changes were done on a copy of the draft to facilitate identification of key issues. These changes will provide a plan that is free of non-man- dated requirements in the Tanner law. It will preserve Kern County's ability to build on that plan without giving up local control or jeopardizing its economic base by being too aggressive or progressive.

The LAC should focus on the following key policies and issues in the new draft: barring a wholesale revision and scale-back of the draft:

Source Reduction
Generator Fee/Program

Pages 90-92. A commitment to source reduction needs to be made but a program should not be proposed at this time. The Chamber opposes the generator fee concept and the extensive
planning and reporting requirements. This program will clearly signal to our major industries and other businesses that Kern County intends to pursue non-economic policies in this area. Thorough review is required prior to development of a program. Consideration should be given to incentive oriented programs. In a period of county fiscal crisis, serious consideration should be given to limiting growth in staff functions. Funding of any programs should come from the beneficiaries, which is clearly the public, as your plan goal (Page 24) identifies. This could imply a Gann override on the sales tax or property tax to pay for government's role.

Hazardous Materials

Page 23

The entire document. The Tanner law requires a hazardous waste management plan. While it may be advantageous in the future to provide overall coordination of hazardous waste and hazardous material programs, the draft plan should delete all references to hazardous material since it incorporates existing law and programs into a plan that doesn't require it.

Government and Business Partnership

Page 26. This concept needs to be thoroughly explained in terms of cost, control and intent. The Chamber supports private sector development and operation of TSD facilities and believes that government ownership and operation of facilities or transfer stations will create taxpayer liability in terms of annual operating costs and long-term closure requirements.

TSD Alternatives

Pages 9, 28, 30, 34, 67, 106. Flexible planning requires that all potential control technologies be considered. The draft plan has excluded deep well injection as a potential control technology without adequate justification. The Chamber supports planning criteria that will provide for deep well injection. In the final analysis any proposed project will succeed or fail based on its merits and ability to mitigate impacts.

Buffer Zones

Pages 10, 34, 36, 94, 95, 145. The Chamber recognizes that public safety is the rationale for the state's 2,000 foot buffer zone. We oppose including an additional buffer zone of one mile as too restrictive for siting criteria, too costly to buy land or easements,
unsubstantiated in terms of public safety requirements and possibly in violation of Tanner's efforts to create plans conducive to siting TSD facilities.

Transportation
Page 40. The Chamber opposes inclusion of a requirement to force a TSD facility operator to pay for all road maintenance, upgrades and reconstruction as a condition of using a route outside of the proposed four-mile siting corridor. This proposal is uneconomic for potential investors and may violate the intent to Tanner to allow for siting of facilities. Additionally, it begs the question of traffic impacts caused by other land uses the site may create.

Capacity Projections
Pages 7, 42, 43, 63. The Chamber questions why there is a disparity in current hazardous waste generation figures, why population generation estimates are used when the focus should be on generator estimates and why the draft plan has chosen to peg annual projected waste generation at 20,000 tons per year. Clearly a low projection figure will dictate siting decisions based on unperceived capacity needs. The whole area of waste stream analysis and capacity projection needs additional work.

Five-year Permit
Page 32. The Chamber believes that the five year time frame for the initial permit will not prove adequate enough to allow sufficient payback of capital costs. The risk of permit denial after five years may deter potential investors. The permit should be set at ten (10) years.

Cost Savings to Business
Page 103, 108. The Chamber questions the basis for statements that say generators will realize cost savings through lesser long term liability and waste minimization. An econometric model needs to be deleted from the draft plan to prevent using it as a rationale to create a source reduction program.

Plan Goal
Page 24. The goal should be amended to include meeting public health and safety requirements within the context of preserving a vital economy.
There are numerous other issues that could be addressed but our suspicion is that time will prevent their resolution. The Local Advisory Committee and county staff are urged to make the above changes. Clearly, a workable plan is needed; business does not see one in the draft currently being discussed. Overall, the county should make sure it is on firm legal ground with whatever plan is submitted so that later changes, forged through the political process of give and take, can be accepted by the Department of Health Services for the State of California.

Sincerely,

Paul A. Kronenberg
Chairman
Hazardous Waste and Toxics Management Task Force

copies LAC

Board of Supervisors
March 25, 1988

Mr. Randell Abbott, Director
Kern County Planning Department
1415 Truxtun Avenue
Bakersfield, CA 93301

Dear Mr. Abbott:

The Kern County Farm Bureau would like to take this opportunity to comment upon the Tanner legislation requiring a waste disposal siting plan and the draft plan which has been proposed for Kern County.

We all recognize that human activity produces waste, some of it hazardous and some toxic. In view of this truth we are supportive of the intent of the Tanner legislation, which, as we understand it, requires each county to prepare a plan for siting disposal facilities.

However, we are concerned that the proposed draft plan seems to create more administrative excess and regulatory burden than necessary. We are particularly concerned that new layers of bureaucracy could be created to add unnecessarily to the expenses of the industries in our community which provide incomes for our residents and a tax base for the support of needed community services. We are concerned that you may regulate out the siting of disposal facilities.

Thank you for this opportunity to comment.

Sincerely yours,

Thomas L. Almberg
President

TLA/gmh
Randall Abbott  
Kern County Dept. of Planning and Development Services  
2700 "M" Street  
Bakersfield, CA  93301  

March 25, 1988  

Irene Heath  
Kern Audubon Society  

Dear Mr. Abbott:  

In behalf of the Board of Kern Audubon Society, I would like to compliment the Planning Department on their new HAZARDOUS WASTE MANAGEMENT PLAN.  

We were especially gratified with plans to deal with household toxics, the overall reduction of toxic production, help for small quantity generators and would now like to make a few suggestions:  

Can you write into the final EIR something about encouraging farmers to utilize IPM (Integrated Pest Management)? Spraying of our agricultural lands with herbicides and insecticides insures vast amounts of residue eventually seeping into our precious water tables. Farmers should be given advice from good entomologists who can advise them on how they might reduce the use of poisons and still keep up profits.  

Would it be possible to write something into the plan which would help to reduce the chance that organized crime might get into the business of disposal of hazardous wastes as they have in the northeast and, so we understand, even in Los Angeles? Perhaps the plan itself, will be a deterrent to criminal influences.  

We think it is highly appropriate for the County to have as many options at hand as possible to deal with our wastes and although we would like to keep waste from other counties out of Kern County, we realize that is unrealistic.  

Two last suggestions would be for you to keep costs of disposal down to the barest minimum so that people will be more responsible and to reduce the Plan itself to the barest minimum of words.  

Once again...thank you and smooth sailing.  

Irene Heath  
Kern Audubon Society
March 25, 1988

Kern County Department of
Planning and Development Services
2700 M Street
Bakersfield, California  93301

Dear Mr. Abbott:

Please accept the following comments, suggestions, and requests regarding the drafting of proposed Kern County and Incorporated Cities Hazardous Waste Management Plan.

This letter is in addition to our letter of March 14, 1988, also regarding the plan. In some areas this letter repeats and re-emphasizes some concerns that we, at National Cement, have in the structure and content of the draft plan.

Item 1:

I. We are a "unique" facility within Kern County and within the State of California as well:

1. We operate a "hazardous waste facility".
2. This facility is a "Treatment, Storage and Disposal (TSD) facility as defined by the Federal EPA and California DOHS.
3. We manage hazardous waste from off-site generators as a "Resource Recovery Facility."

II. We request that appropriate additions be made to the plan to specifically include "Treatment, Storage and Disposal Facility" and "Resource Recovery Facility".

III. We specifically request that our facility not be referred to as an "incinerator" and that all such references in the plan be modified.
Item 2:

I. There are numerous references in the draft plan to "hazardous materials".

II. Requirements of the Tanner Bill and DOHS guidelines do not require inclusion of "hazardous materials" in the plan.

III. We request that all references to and requirements for management of hazardous materials be eliminated from the draft plan.

Item 3:

I. Contained in Section 14.6 on page 108 is the statement, "Once a facility has obtained a permit, actual operation will be under the jurisdiction of state laws".

II. We concur with this statement.

III. We request deletion of all references to and requirements for operational regulations of a facility now contained in the draft plan.

IV. We then further maintain that existing facilities, such as ours, which have a permit and desire to expand should not be bound by provisions of the CHWMP but by state law and APCD rules.

Item 4:

I. In Section 0.0 on page 10, of the draft plan, is the statement "Transportation: All new facilities except existing remote heavy industrial plants to which waste will be transported must be within two miles of a state or federally maintained highway".

II. We concur with this statement.

III. We request the draft plan be modified to use this statement consistently when referring to the "corridor" for siting.

Item 5:

I. There are numerous references in the plan of funding sources to defray costs in preparing and administering the plan.

II. We concur with "fair share" concepts.
Kern County Department of
Planning and Development Services
March 25, 1988
Page 3

III. There are now, two permitted commercial facilities in Kern County, as is so noted in the CHWMP.

IV. The proposed method of funding would be an unfair burden.

V. Further clarification is needed to know, especially in our unique case, what part or portions of our total facility would be subject to fees under the plan.

Thank you for your attention to our comments on the draft of proposed Kern County and Incorporated Cities Hazardous Waste Management Plan.

Very truly yours,

M. C. GORDON
Plant Manager

:hd
Kern County Planning Department  
Golden State and M street  
Bakersfield, Calif.

Dear County Planners:

Please accept these comments on your Kern County and Incorporated cities hazardous waste management plan dated March 23, 1988.

First let me commend you on all the work you have all put into this process, I know that it has been incredibly difficult and time consuming. Our comments are brief at this time, but I am sure we will have more to add on Monday evening and at the future meetings and hearings.

Page 31 under permitting should read...In establishing conditions for the issuance of the permit, the decision makers shall balance environmental and human health consequences with public need, establishing permitted capacity based on physical conditions ensuring safe containment, projected active and post closure life of the facility, and characteristics of the waste stream to be served. A permit will not be issued unless demonstrated that there is a lack of capacity at currently licensed facilities for waste that is generated in Kern County.

Page 32 under B line 4 should read makes the finding that the potential adverse human health and environmental impacts

Page 38 Nonattainment Air Basins should also consider emissions from trucks transporting waste to facility.

Page 50 4.4 line 3 of information and auditing to get private industry

Page 54 I do not think that restricted pesticides represent 1/2 to 2/3 of actual amounts used, I think it is a much smaller percentage and will try to document that by Monday night.

Kern County Valley Action Network
P.O. Box 358, Bakersfield, CA 93302, (805) 393-5926
Page 55 bottom line.. More aggressive teaching of low input farming by the Co-Op extension should be encouraged.

Page 58 Paragraph 5 Can we confidently make the statement that all hazardous wastes are destroyed in the incineration process?

Page 64 Paragraph 2 Waste reduction, toxic use reduction, and waste minimization

Page 68 Paragraph 5 last line should be increased human health or environmental threat.

Page 80 should include mention of Kern County's M.P. Vacuum's transfer station just over county line.

Page 81 Paragraph 5 The county should provide a manual on hazardous waste regulations

Page 82 The plan laid out for household hazardous waste should be specific or it will be too easily overlooked.

Page 90 Paragraph 2 An active program of source reduction is required by this CHWMP. An important element of this program is an accurate and usable data and information system. The system will be maintained by the designated County agency.

13.3 Change words should to shall and drop the word voluntarily.

Page 92 first line Each large generator shall submit a Hazardous Waste Reduction Plan that clearly sets forth to the fullest extent possible practicable measures... last line should be In cooperation with the Agricultural Commissioners or Co-Op Extension office continue and expand programs for the agricultural sector to decrease toxic chemical use, and find safe substitutes that will continue to produce high yields and fair market values.

Page 93 Paragraph 3 Start collection days for household and SQG Paragraph 8 First requirement should be... The applicant must show need for a new facility by proving that currently licensed hazardous waste facilities cannot handle those wastes generated in Kern County.

Page 98 Paragraph 6 Investigate the feasibility of remediation of farmland and aquifers contaminated with ag. chemicals used in the past.
Thank you again for this opportunity to give you our views on this CHWMP, and as I said before I am sure we will have more as this progresses.

Please stay as aggressive as you have been. It is about time that we in this county had some foresight and did not wait until we have dead bodies, and poisoned water to realize we have made mistakes. Preventing pollution is the only way we can be assured of a safer environment for all of us.

Sincerely,

Joyce Johnston

Enclosed you will find a copy of a new piece of legislation that has been introduced on Toxic Use Reduction. You may at some time want to weave some of these ideas into the plan.
Fact Sheet: Senate Bill 2767

Toxic Use Reduction
"An ounce of prevention is worth a pound of cure."

The Problem

- California generates over three million tons of toxic waste each year. This amount is growing rapidly every year.

- There are over 200 toxic waste sites in California. About 40% of these sites are contaminating groundwater. We are continuing to create additional toxic sites that threaten communities.

- Cleaning up existing toxic chemical contaminated sites in California will cost at least $11 billion in the next decade.

- California taxpayers pay $4 billion each year to manage, control, and to clean-up toxics. That is about $150 per year for each resident of the state.

- About 17 percent of drinking water wells in California are contaminated with toxic chemicals.

- Currently, the Environmental Protection Agency spends less than one percent of its budget on supporting toxics use reduction or pollution prevention. Yet it recognizes toxic use reduction as the best strategy to solve the toxic crisis.

Environmental contamination and toxic chemicals which threaten our health are among the most critical issues facing us today. Although the Legislature has passed laws to control and treat hazardous waste, more needs to be done.

Properly treating and disposing of toxic waste is vital. Yet, our ability to do this is hampered by the three million tons of toxic waste produced every year. Unless we reduce the use of toxics, we will run the risks of harmful chemical exposure to workers, illegal dumping, mismanaged treatment facilities and further contamination of our drinking water supplies.

The Solution

I have introduced Senate Bill 2767, which would require California industries to reduce their use of toxic chemicals, thereby reducing the wastes they generate and the total toxic load released into the environment. Experience from companies
where such efforts have occurred shows that reductions can be made by making changes in production procedures such as: replacing toxic substances with nontoxic ones, streamlining production processes, substituting new equipment for old, reusing and recycling chemicals within processes and developing new, nontoxic products.

SB 2767 would make pollution prevention a top priority for California. The measure calls for:

1) **STATEWIDE TOXICS INVENTORY AND PLANS** -- Companies would be required to inventory what toxic materials they are using and to develop and submit plans for reducing that use to the extent economically practicable.

2) **TECHNICAL AND FINANCIAL ASSISTANCE** -- A program would be established to provide assistance to businesses for conducting toxic use inventories in developing and implementing toxics use reduction plans. The state could offer low-interest loans and technical assistance for developing inventories and plans. A 10% tax deduction would be provided for business expenditures to implement toxics use reduction plans.

3) **CERTIFICATION AND AUDITS OF TOXIC USE REDUCTION PLANS** -- Toxics use reduction plans would be certified and audited to ensure that companies are making a good faith effort to reduce the use of toxics and to identify additional use reduction opportunities.

4) **STRONG ENFORCEMENT PROVISIONS** -- Citizen and worker representatives would be able to monitor business' toxics use reduction efforts to ensure compliance with the new toxics use reduction law. Citizen-suits against violators are authorized, as provided in several other environmental laws.

5) **PHASE-OUT OF DANGEROUS TOXICS** -- The State would be authorized to phase-out the use of chemicals that are particularly hazardous to human health or the environment. A phase-out could be on a regional or statewide basis. The Act would direct research and development of safe alternatives to phase-out chemicals.

In addition, the sale of toxic chemicals would be taxed to fund this regulatory and assistance program.

Prepared by:
Office of Senator Nicholas C. Petris
February 24, 1988
SUMMARY OF SENATE BILL 2767
A CALIFORNIA TOXICS USE REDUCTION PROGRAM

This Toxics Use Reduction (TUR) proposal weaves together a carefully tailored package of incentives, assistance, planning, inspections, inventories, and enforcement to create an integrated program aimed at making toxics use reduction a priority throughout industry and government. The proposed Act seeks a fundamental change in the way toxics are used by stressing the importance of toxics use reduction for the protection of human health and the environment, and increased workplace safety.

The basic approach of the TUR is not heavy regulation. Instead, its various elements would interact to prompt users to routinely review toxics use reduction opportunities and to ascertain for themselves how their operations should achieve reductions. TUR would do this by combining a "soft regulatory approach," which builds on existing environmental laws, with technical and financial assistance. TUR would create a "home" for a serious use reduction program in the state and require the state's agencies to coordinate their efforts in promoting use reduction. By presenting a comprehensive and integrated solution to the growing problem of toxic hazards, this Act would begin to close the gaps in current environmental regulation. The Act would also enhance and strengthen the enforcement of existing environmental laws and regulations. Discussed below are the key elements of the Act which, when implemented together, coalesce into a focused, effective toxics use reduction program.

To provide the information necessary to accurately evaluate reduction progress, an annual toxics substance inventory is required from each toxics user. The inventory will provide a detailed
accounting of the amounts of chemicals manufactured or introduced into the manufacturing process compared to the amounts ultimately (1) released into the environment and (2) retained in the end product, creating a "mass-balance" inventory. The inventory requirement would obtain needed information by "piggy-backing" additional information requests on the reporting requirements of section 313 of the Superfund Amendments and Reauthorization Act of 1986 (SARA), including a short, process specific information addendum. The inventory information collected would serve as the foundation for a toxics use reduction information clearinghouse. It also would provide a means for measuring toxics use reduction progress at individual businesses. Similarly, compiling this complete toxics use information would provide the data necessary to evaluate the overall success of the state's program.

One of the most important and functional provisions of the Act would require large toxics users to prepare a toxics use reduction plan for each facility. These plans must be completed four years after the effective date of the bill, allowing ample time for toxics users to evaluate their situation and take advantage of available technical and financial assistance programs. The primary purpose of the TUR plan is to ensure that industry regularly reviews the availability and economics of less toxic materials and processes. The plans must be certified as satisfactory by a qualified toxics use reduction planner. The plans would be kept at the generator facilities and made available to the state TUR auditors, local governments, and authorized citizen representatives on request.

A number of provisions are designed to streamline and coordinate toxics use reduction efforts and promote more effective enforcement of
toxics laws. The new Department of Toxics Use Reduction would audit toxic use reduction plans. The Department would coordinate enforcement with the Department of Health Services control efforts. An especially important function of the Department would be to conduct inspections pursuant to an overall plan. The overall plans assure that the inspections are multi-media (land, air, water releases) in approach and that duplication of inspection and enforcement efforts being conducted by other agencies are minimized.

The entire TUR program is supported by provisions for technical and financial assistance to businesses. A Toxics Use Reduction Institute (TURI) would be established to provide technical assistance, training, research and demonstration programs. The Department of Toxics Use Reduction would provide technical assistance to users, and would be authorized to offer loans to finance toxics use reduction projects. The Act also provides for a tax deduction for users' construction and implementation expenses toward achieving toxics use reduction.

A trade secret provision is included in the Act to protect the confidentiality of certain production process secrets.

Backing up the considerable enforcement and assistance incentives are provisions for citizen enforcement. Citizen representatives would be allowed to participate in monitoring of compliance with the toxics use reduction laws by reviewing inventory reports, requesting a public hearing on a toxics use reduction certified plan, requesting inspection of a facility, suing to enforce toxics laws, and petitioning to add substances to the list of toxics regulated by the state.
The phase-out provision in the bill would provide the framework for gradually or quickly removing extremely problematic toxics from the marketplace. An intensive technology transfer, research, and technical assistance effort based at TURI would be mandated for any toxic targeted for such removal. Phase-out would be accomplished by implementing a system that limits sales of the targeted toxics through controls and/or permits issued to sellers and/or purchasers of the toxic. Targeted toxics would be designated by the Director of the Department of Toxics Use Reduction after considering recommendations by DHS and the TUR Coordinating Council.

Focusing on the implementation of this program, the new Department of Toxics Use Reduction would assure that toxics use reduction is an appropriate priority of the state. In addition, a TUR Coordinating Council (with top representatives of all state agencies that work on toxics) would annually review toxics laws and would coordinate the efforts of the various state agencies and organizations involved in the toxics use reduction effort.

To finance the toxics use reduction program, the Act establishes a three-tiered rating system to tax raw toxic materials. With this system a constant stream of funding for the program would be created by those responsible for toxics use.

Taken together, the provisions of this bill form an integrated, complimentary system for promoting toxics use reduction.

Prepared by:
The Office of Senator Nicholas Petris
March 7, 1988
March 25, 1988

Kern County
Department of Planning and Development Services
Mr. Randall L. Abbott, Director
1415 Truxtun Avenue
Bakersfield, CA 93301

Dear Mr. Abbott:

SUBJECT: COMMENTS ON COUNTY HAZARDOUS WASTE MANAGEMENT PLAN  
DRAFT DATED MARCH 23, 1988

Shell Western E&P Inc. (SWEPI) is pleased to submit for your consideration our comments on the above referenced draft Plan for Kern County. As indicated in your meeting held March 23, 1988, we fully support the concept that the Draft Plan submitted only contain those elements required by the Tanner Bill itself and not by the DOHS Guidelines. The Guidelines go far beyond the requirements of the law and have never been reviewed by the Office of Administrative Law for Consistency and Need. We believe that such a review would lead to major changes in the Guidelines. As such, the County should not place items in the plan which at some future time may be challenged and ruled unnecessary. Once in the plan, any change to remove an item will be almost impossible.

The Chamber of Commerce and an Ad hoc Group of Oil Companies both have reviewed the December 10, 1988, draft independently and submitted extensive comments. We support the comments submitted to your staff on the previous draft and those comments should also be applied to the current draft being considered.

Concerning the Waste Minimization Program contained within the Plan, we believe that economic forces are working currently to mandate a reduction in the amount of waste being generated. Indeed, a look at our industry alone indicates significant reduction in the amount of hazardous and non-hazardous wastes being generated. In Kern County alone, our reduction since 1981 is in excess of 80%. It is our belief that the inclusion of the Waste Minimization Program is not necessary to be consistent with the intent of the Tanner Plan. As indicated Monday night, Section 25135.1(d)(3) of the Health and Safety Code requires the plan to include the following elements: "An analysis of the potential in the county for recycling hazardous waste and for reducing the volume and hazard of hazardous waste at the source of generation." It does not state a program has to be developed. It is our belief that once the Plan is

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adopted then the Administering Agency should decide whether a program "needs" to be adopted for the county. This can be done outside the DOHS approval process.

Lastly, we question the imposition of fees on all the large generators of hazardous wastes in the County. The County's contractor has indicated that approximately 86 generators will fall into this category. If we assume that a hazardous Waste Program is implemented, (this is not recommended at this time), the costs of such a program may well exceed several hundred thousand dollars. This would impose approximately $2500 per year in additional county fees which other out-of-county generators do not need to pay. This is a considerable cost disadvantage for this county's industry. If a program is needed, the program should be paid for by those who will benefit the most, i.e., the numerous small generators who will be saving money from practicing good waste management practices learned from a County Program. Economic and regulatory forces have already imposed waste management practices on the large generators. The fee should not be levied across the Broad Spectrum of Industry in the County.

If you have any further questions, please call R. E. Ouellette at (805) 326-5280.

Sincerely,

D. L. Oreilt
Manager Environmental Conservation
West Coast Production Division

REO:tls

cc: Mr. Mel Krause
    Kern County Planning
    1415 Truxton Avenue
    Bakersfield, CA 93301
March 14, 1988

HAND DELIVERED

Kern County
Department of Planning and Development Services
Mr. Randall L. Abbott, Director
1415 Truxtun Avenue
Bakersfield, CA 93301

Dear Mr. Abbott:

SUBJECT: COUNTY HAZARDOUS WASTE MANAGEMENT PLAN

Shell Western E&P Inc. (SWEPI) is pleased to submit for your consideration our comments on the above referenced Plan for Kern County. We are most concerned that the impacts of such a plan will be long lasting and, therefore we believe it in the best interests of the County that such a Plan address the needs and long term impacts to all industries in Kern County.

Our most serious concern is the unrealistic legislated goals targeted for waste reduction. We believe that industry has prudently attempted and has made progress over the past five years in waste reduction. Figure 4.1 demonstrates that progress.

We are continuing to explore waste reduction alternatives and will continue to do so in the future.

Current legislation and regulatory deadlines on the land disposal of hazardous waste as well as forecast increased costs provides substantial incentives for waste minimization. Specific waste minimization goals should not be included in the plan.

Because of the data presented in the Tanner Plan shows that there is a lack of information and understanding of specific industrial processes, the establishment of an arbitrary reduction goal is not realistic, maybe unobtainable, and may impose undue economic hardships on industry.

Another concern is the use of the terms Hazardous Materials, Hazardous Substances and Hazardous Waste throughout the Plan. This document is a Hazardous Waste Management Plan and as such should only address hazardous waste. While there are some aspects of hazardous materials which may be of peripheral concern, these terms are too complex to use them interchangeably in this document. In addition, the definitions found in sect 1.6 on page 1-5 are not correct.

Enclosed is a detailed list of comments that we have put together on this draft plan. SWEPI also supports the Implementation Section Comments.
which we hand carried to your office on March 11, 1988. These comments reflected work done by an ad hoc group of Oil Industry representatives. They are enclosed again for your convenience.

If you have any further questions, please call R. E. Ouellette at (805) 326-5280.

Sincerely,

[Signature]

D. L. Oreolt
Manager Environmental Conservation
West Coast Production Division

REO:tls

cc: Mr. Mel Krause
Kern County Planning
1415 Truxton Avenue
Bakersfield, CA  93301
Comments on Kern County Tanner Plan Draft
Dated 24 February 1988

Page 1-1
2nd Paragraph. What other county programs will this plan be integrated with? The Hazardous Waste Plan should stand alone.

Page 1-1
5th Paragraph. What Federal Requirement mandates a County plan for dealing with Hazardous Wastes?

Page 1-4
7th Paragraph. The Kern County Environmental Health Department issues permits for Municipal waste disposal sites not Public Works.

Page 1-5
1.6 Definitions. The word "frequently" in line 1 is misspelled.

Page 1-6
The list of Acutely Hazardous Materials should be placed in the Appendix if this list is to be referred to. It is recommended that this term be deleted.

Page 1-6
The term "California Wastes" is not a proper term for this document. It should be deleted.

Page 1-6
The term "Extremely (or Acutely) hazardous Waste" should refer to the definition in Title 22. Parenthetical Expressions (opinions) should be omitted.

Page 1-6
The term "Extremely Hazardous Substance" is not relevant to the Hazardous Waste Management Plan, it should be deleted.

Page 1-6
The term "Hazardous Material" is regulated by Title 49 CFR. Reference to this title should be made. It should be pointed out that all federally regulated hazardous wastes are hazardous materials but not visa versa. There are many more hazardous materials than hazardous wastes.

Page 1-6
The term "Hazardous Substance" should be defined by a reference to a specific statute. It is defined in both State and Federal Laws and they are different.

Page 1-6
The term "hazardous Waste" should also include a reference to Title 22 of CAC. The parenthetical expression on spills of hazardous material should be omitted because it is not correct. The spilled material may be recycled.

Page 3-1
1st paragraph. Hazardous waste facilities may pose an environmental impact? It is conjecture that all such facilities pose a substantial environmental threat.
Item 5. Local Control. A concern raised is the origin of the waste. The concern should be the final deposition or treatment of the waste not where it came from.

Item 10. Deep Well Injection of Hazardous Waste. The statement that "Federal Law is inadequate to fully protect California's water supplies from contamination" is not supported. The key issue is whether it should be permitted not whether it is or is not adequately regulated.

Item 10. Deep Well Injection of Hazardous Waste. The statement that "there are no requirements in federal law for monitoring the movement of wastes in the substrata..." may be true but again the question is should they be permitted not whether it is adequately permitted or possible to regulate.

Section 4.6.1 Oil Field Wastes. In discussing the Oil Field Wastes, it should be noted that while half of the hazardous waste manifested in Kern County was generated from oil companies, no mention is made of the percent of hazardous waste this represents in the county. Indeed there are figures for the volume of non-hazardous waste but nowhere are these compared. The data is not presented in figure 4-2 nor does it show up as separate data in figure 4-1.

A new section should be added which addresses non-oil field wastes from refineries and underground tank cleanup operations from oil marketing operations.

Top paragraph. There is implied the improper disposal of water which is removed from hazardous wastes. The State and Federal Regulations are the same whether the material is water or not. Thus to imply greater concern for the extracted water is needed is erroneous. If the water is deemed hazardous it must be treated as hazardous.

The statement that "increasing evidence" has shown that waste reduction is ineffective, what evidence is cited? Is this before the Toxic Pit Law and the Federal and State Land Ban Statutes take effect? Economics will drive source reduction and waste minimization. These new laws take effect in 1988 and 1989. There will be much attention paid to source reduction and Waste Minimization as a result of the economics for complying with these new mandates.

Paragraph 6.1 Waste Reduction Programs. The last sentence of the first paragraph states that some wastes may require prior treatment of dewatered wastes prior to disposal to render than less hazardous. Why is this required? If the waste is to be properly managed, does it matter what the toxicity of the waste
is before it is finally disposed? The last sentence of paragraph one should be deleted.

6-2 The reference to the amount of waste reduction achieved by Ventura County is not necessarily applicable to Kern County. The Program used and the processes followed by the County are noteworthy.

6-3 The last sentence of Paragraph 6.1 should be eliminated. This is an unnecessary commentary statement.

6-3 Paragraph 6.2 Incentives and Barriers to Hazardous Waste Reduction. The term Hazardous Waste Reduction is not synonymous with the term Hazardous Waste Minimization. As used in the first sentence, the term should be Reduction not minimization.

6-4 Paragraph 6.3 Hazardous Waste Reduction Policies and Goals. The second Goal should be changed to read as follows: "Kern County and the incorporated cities shall encourage industry to reduce their waste generation." Economic incentives resulting from implementation of existing laws will require industry to reduce their hazardous waste generation. No new requirements should be imposed on business.

7-2 The paragraph on Private Onsite Recycling etc. should be expanded to include the establishment of a facility to accommodate the waste management needs of the company wherever the waste may be generated. As stated there is ambiguity as to the ability of a company to meet the needs of several manufacturing locations if they are not located congruously.

7-6 Item 10 should also allow a private company to establish a facility which may not lie within two Miles of the Commercial Hazardous Waste Shipping Routes provided that no significant opposition to the shipping route is raised during the permitting process.

10-2 Item 10.2 Storage Regulations. The purpose of this plan is to manage Hazardous Waste. The discussion of a Hazardous Material Storage Requirement is superfluous. It should be deleted.

10-3 Paragraph 2. The statement that "all businesses which handle any materials must:..." is totally incorrect. Only if the businesses handle quantities specified in State Law must they file Business Plans. As stated previously, this information is superfluous to the Hazardous Waste Management plan.

13-2 Paragraph on General Public. Why does the County Agency need to develop a mechanism to disseminate "right-to-know" information? The data should be available for review. What
mechanism is needed? In addition, the first paragraph states that "materials safety" (sic) will be given to the public on request. This should be "Material Safety Data Sheets" or MSDS sheets if available.

13-2	Section 13.2 See Attachment.

E-19	Table I. This should be a table by Generators not by Waste Category as presented.
13.2 ON-GOING DATA COLLECTION AND ANALYSIS

In order to secure complete and accurate information on all hazardous wastes generated, handled, stored, treated, transported, and disposed of within Kern County, the following program will be implemented:

The program will involve the collection of quarterly hazardous waste summaries from generators in the County for a period of two years to establish a baseline period for the County. Disposal facilities will provide data on a monthly basis on volumes of hazardous waste processed.

Hazardous Waste Reduction Information

An active program of hazardous waste reduction is described in Section 13.3. An important element of this is an accurate and usable data and information system, which will be maintained by the designated County agency.

13.3 HAZARDOUS WASTE REDUCTION IMPLEMENTATION PROGRAM

The designated County agency, in coordination with the incorporated cities, will implement a program to monitor and assist hazardous waste reduction programs on the part of generators. Generators will be encouraged to reduce the amount of hazardous waste produced to the maximum extent feasible.

Funding for this program will be provided by fees levied on hazardous waste generators. A fee structure will be developed based on the amount of hazardous waste generated during the two year baseline period. The fees or portions thereof will be rebated in subsequent years based on actual hazardous waste reduction achieved, prorated for industrial output. The funds will be administered by the designated County agency.
Waste Reduction Reviews and Plans

The program will be implemented according to the following timetable. If the Hazardous Waste Reduction Act of 1988 is enacted with similar provisions and timetables, the County program may be modified to conform with the act.

1. By 1 January 1989, the County shall notify small businesses within the county and cities of the state’s Hazardous Waste Reduction Loan Guarantee Account (Corporations Code, Sections 14140-14149), which will be available only until 1 January 1990.

2. By 1 July 1990, the designated County agency shall establish a technical assistance program to assist generators in identifying and applying methods of hazardous waste reduction. The program shall emphasize assistance to small businesses. It shall make maximum use of available information and assistance from state and federal waste reduction programs, including written material technical assistance programs, and grant funding.

The program shall include at least the following, which shall be coordinated with other hazardous waste information and assistance programs in the County:

1) Hazardous waste reduction consultants and waste minimization reviews.
2) Seminars, workshops, and other activities to educate generators about hazardous waste reduction methods, opportunities, and available technical or economic assistance.
3) Dissemination of information about hazardous waste reduction methods that may be applicable to particular types of waste generators within the County, services available from government or the private sector to aid in hazardous waste reduction, and regulatory requirements.

4) Identify, categorize, and rank priorities for best achieving the hazardous waste reduction goals of this plan.

By 1 July 1990, and every four years thereafter, each generator of hazardous waste shall conduct and submit to the County a review of its potential for hazardous waste reduction, according to the criteria below:

1) The type and amount of hazardous waste from each production process or operation.

2) An evaluation of hazardous waste reduction approaches available to the generator which, if adopted, would result in a reduction in the amount of hazardous waste generated or a reduction in its toxicity.

3) An assessment of the applicability of each of the six hazardous waste reduction approaches specified below, for each production process or operation in which a hazardous waste is generated.

4) A summary review of the short- and long-term cost reductions or increases of each proposed hazardous waste reduction method, based on an economic analysis of handling, disposal, liability, and regulatory compliance costs within the entire business operation.
The review shall include the percentage reduction or increase of the generator's hazardous waste volume achieved for the previous two years, and a description of the hazardous waste reduction measures implemented by the generator.

**Hazardous Waste Reduction Plans**

By 1 July 1990, each generator shall also submit a Hazardous Waste Reduction Plan that shall clearly set forth economically practicable measures to be taken to reduce the generation of hazardous waste within each major process or operation, with timetables for making reasonable and measurable progress. The plan shall address the feasibility of at least each of the following six approaches for each process or operation:

- Input change
- Product reformulation
- Process change
- Operational improvement
- In-process recycling
- On-site and off-site recycling.

The hazardous waste reduction review and plan shall be certified by a registered professional engineer. The engineer shall certify the plan and review only if they meet the requirements above.

When the review and plan are submitted to the County, the generator shall certify that the measures identified in the plan have been implemented, or will be implemented according to the schedule given in the plan.
March 23, 1988

COMMENTS ON DRAFT KERN COUNTY
HAZARDOUS WASTE MANAGEMENT PLAN

Kern County Department of Planning and Development Services
1415 Truxtun Ave.
Bakersfield, CA 93301

Attention: Mr. Melvin H. Krause, Project Manager

Dear Mr. Krause and Local Advisory Committee Members:

We at Chevron appreciate your consideration of our comments at the March 15, 1988 Local Advisory Committee meeting. Based on comments from some of your members, we believe our identified concerns will be fairly evaluated and considered for inclusion in the Kern County Hazardous Waste Management Plan (CHWMP).

We have further reviewed the CHWMP and now respectfully request that your committee consider removing all specific reference to Chevron and Chevron facilities from the Plan. It is our belief that specific reference to Chevron's private, on-site waste treatment facilities serves no valuable function in the Plan.

For your convenience, we are including specific proposed language modifications. All new language is underlined. Specific section and proposed changes are:

Page 4-13, first paragraph:

Hazardous wastes imported into Kern County originated in a variety of other counties, with Los Angeles leading the list, and other counties with significant oil production and refining contributing sizeable amounts. A significant portion of this imported waste may be the result of refining operations which refine Kern County crude oil outside of the County. There are three (3) major pipelines and one (1) railway shipping system which export Kern County crude oil to four (4) major refineries within California. Some of the hazardous waste generated during processing of these crude oils at the refineries is returned to Kern County for disposal.

Page 4-16, first paragraph:

While approximately half of the manifested hazardous waste generated in the County is from the oil field waste, a much larger quantity of county-generated oil field waste is non-hazardous. Using data submitted to RWQCB for 1986, Petroleum Waste Inc. disposed of 379,200 tons of non-hazardous waste and Liquid Waste Management Inc. disposed of approximately 17,000 tons of non-hazardous waste. Liquid Waste Management Inc., located in McKittrick, accepts only non-hazardous waste although it has a CUP as a hazardous waste
facility. Private facilities used for disposal of oil production wastes disposed of approximately 19,000 tons of non-hazardous waste, as discussed in Section 5. The Naval Petroleum Reserve site disposed of approximately 1 tons.

Page 5-1, sublist of first paragraph:

A small number of individual facilities accounted for the volume of hazardous waste disposed of in Kern County in 1986 and 1987. The disposal methods used for petroleum industry wastes in those years must change in 1988 to comply with state law banning surface impoundments. Since this is the largest waste stream in the county, future practices will be somewhat different than those reflected in the current data. Disposal and recycling facilities accepting manifested hazardous waste include:

- Petroleum Waste Inc., Buttonwillow
- Los Robles Cement Plant, Tehachapi Mountains
- Gibson Refinery, Bakersfield
- Private TSD Facilities, Maricopa and Taft (accept internally-generated wastes, only)

Page 5-3, last title and paragraph, and page 5-4, first paragraph:

**Private TSD Facilities near Maricopa and Taft**

Two private TSD facilities are operated by a single company for treatment of their own oilfield hazardous and non-hazardous wastes. During 1986 the facility near Maricopa land-treated 2,900 tons of hazardous waste. Annual summaries submitted to RWQCB by the operator show total volume land-treated at the site for 1986 was 86,000 barrels, or approximately 15,000 tons. The treated wastes include both hazardous and non-hazardous wastes and consist of oil sump sludge, drilling mud, tank bottom sediment, and oilfield produced water. The facility near Taft in 1986 disposed of 1,800 tons of hazardous waste. Records submitted to RWQCB indicate total disposal was 48,000 barrels, or approximately 8,500 tons, consisting of the same hazardous and non-hazardous waste types.

Once again, we appreciate the opportunity to comment on the draft CHWMP. We believe these changes effectively address our concerns, while retaining information necessary for compliance with the Tanner Bill.

Should there be any questions regarding our request, please feel free to contact either Mr. Don Culbertson (805/395-6326) or Mr. Tom Porter (805/395-6384).
March 25, 1983

COMMENTS ON DRAFT KERN COUNTY
HAZARDOUS WASTE MANAGEMENT PLAN

Kern County Department of
Planning and Development Services
1415 Truxtun Avenue
Bakersfield, CA 93301

Attention: Mr. Melvin H. Krause, Project Manager

Dear Mr. Krause and Local Advisory Committee Members:

We at Chevron once again appreciate the opportunity to comment on the latest version (March 23, 1983) of the Kern County Hazardous Waste Management Plan (CHWMP).

Basically, our overall comments are unchanged from thoughts submitted by the oil industry at the March 23, 1988 Local Advisory Committee meeting and our written comments of March 14 and 23, 1988. As requested by the Planning Department, we have adapted all of our comments into a side-by-side comparison with this latest Draft Plan.

Additionally, we have included a limited discussion of our major concerns in the text of this letter. These issues are:

Source Reduction - We believe Kern County should limit the scope of the CHWMP to the statutory requirements of the Tanner Bill (AB 2948). On the issue of source reduction, this law states that the plan shall include:

"An analysis of the potential in the County for recycling hazardous waste and for reducing the volume and hazard of hazardous waste at the source of generation."

Chevron supports this required part of the Tanner Bill, but we oppose the draft CHWMP-required reduction program. We actually have a program in place which parallels the goals of the Tanner Bill.

The cost of hazardous waste disposal and associated state fees has skyrocketed in the past five years. This fact, and state and federal requirements for hazardous waste source reduction, have made it imperative that all of industry reduce their hazardous waste volumes.

While we support this goal, we have also realistically dealt with hazardous waste source reduction over the past several years. Based on our experience, we believe Kern County should develop a higher level of expertise on the issues involved with hazardous waste source reduction. Issues like what can be done, what has been done, who has done it, and who hasn't need to be determined. Mandating requirements without knowledge of these issues and problems is often counter productive.
Limit Scope of CHWMP to Hazardous Waste - The CHWMP, as written, includes several references to or requirements for hazardous materials, non-hazardous waste, and above and below ground tanks. This goes well beyond the goals stated in the Tanner Bill. Additionally, each of these areas is regulated by and under the jurisdiction of federal, state, and local agencies. Including new requirements in the CHWMP only serves to duplicate existing programs. This duplication will lead to increased government cost and industry burden. We oppose the inclusions of these items in the CHWMP.

In summary, the CHWMP should be limited to the scope of the Tanner Bill. Much of the draft CHWMP is based on the Department of Health Services’ "Draft Guideline for Hazardous Waste Management Plans." These have not passed any legal review by the state, nor have the guidelines been approved by the state legislature.

Sincerely,

R. K. CONNON

Enclosures
March 25, 1988

Randall L. Abbott, Director
Department of Planning and Development Services
County of Kern

Dear Mr. Abbott:

The Kern County Hazardous Waste Management Plan developed by the Department of Planning and Development Services represents significant progress towards dealing with this very important issue. The Department is to be commended. Having had some experience in this area with the Southern California Hazardous Waste Authority, I find the study to be an exemplary analysis containing innovative recommendations in this field. Since many of Kern COG's roles are linked to hazardous waste management, I would like to request that Kern COG be notified and sent copies of the revised plan, as modifications are developed.

The plan is to be complimented on its emphasis of waste reduction and on-site treatment. However, this emphasis should be strengthened throughout the report. I feel that these two elements, reducing the amount of waste produced and on-site treatment, are keys to solving the hazardous waste problem within this County and other counties throughout the state.

Enclosed are a number of minor comments on the plan, as well as a list of detailed concerns regarding the section on transportation of hazardous waste. In this latter area, I feel Kern COG has a significant role. The transport of hazardous material and waste, as we have previously discussed, is something that needs to be developed on a comprehensive basis, with full analysis of future land use and transportation facilities within the County. With Kern COG's involvement in the movement of rocket fuel through Kern County, I have become even more convinced of this need and have come to realize that the transport of rocket fuel is merely the "tip of the iceberg" in terms of the amount of hazardous material being shipped through the County. Therefore, I strongly recommend that Section 8 be revised significantly and that the Kern County Department of Planning and Development Services and Kern COG work together, with other affected agencies, to develop a comprehensive plan for the transport of hazardous waste and material.
Mr. Randall Abbott  
March 25, 1988  
Page 2

Once again, the Department of Planning and Development Services is to be commended on this excellent plan. Kern COG looks forward to working with you in developing the transportation element for the plan. The enclosure presents a more detailed analysis along with criteria developed by Kern COG for the shipment of rocket fuel through Kern County.

Yours very truly,

\[Signature\]

Barton R. Meays  
Executive Director

BRM:dc  
Enclosure

copy to: All Supervisors  
County Administrative Officer  
Kern COG Council
Enclosure to Letter to Mr. Randall Abbott, Director
Kern County Department of Planning and Development Services
March 25, 1988

REVIEW OF THE COUNTY OF KERN HAZARDOUS WASTE MANAGEMENT PLAN

This enclosure is a more detailed commentary regarding Kern COG's review of the Kern County Hazardous Waste Management Plan. As indicated in the letter, the Kern County Department of Planning and Development Services is to be commended for the development of such an innovative plan. We offer the following comments for consideration:

1. Prior to any site being considered for a residual repository, we strongly recommend that a detailed geologic and soil engineering analysis be a prerequisite.

2. Why do the plan policies preclude state and federal lands as potential sites for hazardous wastes? With the vast acreages of state and federal lands available, it may be eminently suitable for the siting of a residual repository.

3. The Kern County Hazardous Material Coordinating Council should be expanded to include representatives of the media. The media should be an integral part of this process to facilitate full understanding of what is involved in siting a residual repository and the other aspects of a hazardous waste plan. I also suggest that a Kern COG representative be included on that Council.

4. As indicated in the letter, Section 8 of the report needs to be expanded to more fully consider all aspects of the transport of hazardous waste. As the report is currently written, there is an inference that the state and federal highways shown on the map are capable of handling the transport of hazardous waste. As we found with the transport of rocket fuel, many of these highways, in fact, would require significant upgrading to adequately handle the transport of this type of material. It is strongly recommended that Section 8 be revised to indicate that: 1) a complete study of the transport of hazardous waste needs to occur; 2) criteria needs to be developed for the transport of hazardous waste; and 3) not all state and federally-maintained roads are suitable for the transport of hazardous waste.

The last statement is extremely important because, until such routes are adequately upgraded to handle this material, it would be bad policy to carte blanche designate those routes as hazardous material or waste routes. In addition, such a hazardous waste routing plan needs to include designated local and county streets in order to link producers of hazardous waste with treatment centers. This, in itself, will require the utmost care and sensitivity in designating those routes.
5. One of the policies within the report is that large hazardous waste facilities must be located within two miles of a designated commercial shipping route. While this may be a good general policy, it certainly needs to be flexible enough to allow shipping by rail, or the development of a private highway to a hazardous waste facility. Otherwise, potential sites for hazardous waste will be unduly restricted.

6. The report suggests that applicants should identify commercial shipping routes for hazardous waste. Once again, I would strongly suggest that the County of Kern, Kern COG and a number of other affected agencies should develop such a routing of hazardous material.
CRITERIA
FOR THE TRANSPORT OF ROCKET FUEL
THROUGH KERN COUNTY

(Adopted by the Kern Council of Governments January 21, 1988)

1. Local police or fire departments should be notified of the scheduling of the transport of any such dangerous materials;

2. A Highway Patrol escort should be provided in any such transport;

3. The toxic, or dangerous nature of the materials, should be reduced to the extent possible by not mixing components until the final destination;

4. The route should avoid urban areas having population clusters of more than 5,000;

5. The transport should occur only during the daylight hours;

6. The transport should occur, as much as possible, on expressway or freeway routes;

7. No transport should occur during adverse weather conditions, including snow, rain or fog; during highway construction that inhibits travel, or during periods of peak traffic volume or congestion times of the year;

8. Parking or stopping points should be designated and adhered to during the transport;

9. The highway design and condition of the road bed should be capable of handling the length and weight of the truck with adequate shoulder provisions for emergency stopping. If route 3 is chosen, using Highway 166, it is recommended that the intersection of Highways 166 and 33 be improved to handle such trucks and that Highway 166 be widened. (Federal funds should be programmed to upgrade design capacity of any route chosen.);

10. The average daily traffic along the routes should not exceed the following:

<table>
<thead>
<tr>
<th>Level of Service</th>
<th>URBAN</th>
<th>RURAL</th>
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<tr>
<td></td>
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<td>B</td>
</tr>
<tr>
<td>Conventional 2 Lane</td>
<td>16,000</td>
<td>12,000</td>
</tr>
<tr>
<td>4 Lane</td>
<td>40,000</td>
<td>25,000</td>
</tr>
<tr>
<td>Freeway</td>
<td></td>
<td></td>
</tr>
<tr>
<td>4 Lane</td>
<td>40,000 - 90,000</td>
<td>20,000 - 35,000</td>
</tr>
<tr>
<td>6 Lane</td>
<td>75,000 - 135,000</td>
<td>30,000 - 52,000</td>
</tr>
<tr>
<td>8 Lane</td>
<td>100,000 - 180,000</td>
<td>40,000 - 70,000</td>
</tr>
</tbody>
</table>
11. Accident rates on the highway should not exceed one and one-half (1½) times the statewide average;

12. The capacity-adequacy factor should be above 100 for all portions of the proposed route; and

13. The federal government should investigate alternate modes of shipping such material, including rail or air.
Office Memorandum - KERN COUNTY

TO: Mel Keane
FROM: Bob Office
SUBJECT: Draft Plan

DATE: 3/26/88
Telephone No. 276/?

Mel, in many place the Plan refer to S.B. 2185/77, 7777, 1059, that not appropriate anymore as they were all passed into law as Chapter 6.95 of the Health and Safety Code. In fact there is a new 2185 etc. which is totally unrelated. Thanks.
March 25, 1988

Melvin H. Krause, Senior Planner
Kern County Dept. of Planning
and Development Services
2700 "H" Street, Suite 101
Bakersfield, Calif. 93301

Re: Kern County Hazardous Waste Management Plan

Dear Mr. Krause:

Thank you for the opportunity to review and comment on the DEIR for the above plan. Basically the City of Wasco feels that the KCHWMP discusses most of the major issues in a more than adequate fashion. There is one major and several minor issues that we feel need to be addressed and clarified.

First and foremost among our concerns are if all proposed regulations and taxes have been analyzed as to the impact they will have on the industries which will have to pay. We are most particularly concerned with the impacts to the oil industry. As you are well aware the oil industry is Kern County's No. 1 industry and the shutting down of that industry due to excessive regulation could be extremely detrimental to the well being of the west half of Kern County. I would recommend that any taxes levied for oilfield wastes be tied to the price of oil or some other mechanism such that the industry pays less in bad cycles and more in the more profitable cycles. Likewise regulations should be such that they do not force marginal wells to be shutin. The City of Wasco feels that this issue needs to be analyzed in greater detail before guidelines and regulations are made.

Minor issues or clarifications are as follows:

1. Section 7.0 The City of Wasco feels that the State DHS requirements as given in Section 7 are the regulations which should be adopted in the KCHWMP and that more restrictive requirements be listed and recommended to be included in the plan adopted by local agencies. This will make the plan more flexible in terms of each local agency's requirements and it will improve local confidence in the plan. Another benefit is that we wouldn't be painting ourselves into a corner as it were when dealing with future state and federal regulations regarding Hazardous Waste/materials management.

2. Page 2-5. Is State Route 58 really the Major Link to the West County border? I believe State Route 46 has the most truck traffic west of I-5; although, State Route 58 should have the most westbound traffic to I-5.

The City with a very future
3. **Section 3.1.** The City of Wasco believes that air quality is a key issue and should be discussed. Incinerators and landfills both can affect air quality aside from any transportation issue. Also section 3.1.10 (Deep Well Injection) implies that (adequate groundwater monitoring, specific geologic info, state of the art design, etc) a guarantee that migration of hazardous substances into potable can be given. The discussion should be carried further to point out the feasibility of correcting substrata migration even if it can be monitored.

4. **Section 3.2.5** In the discussion of local control a brief discussion of what is County "local" and what is city "local" in terms of administration of the plan.

5. **Page 4-6** Where did the oil production graph come from and why the projected decline in the oil production.

6. **Page 4-21** The best method of eliminating pesticide wastes should be discussed. (an assumption here— that the best method is not feasible for economic or safety reasons etc.) even if it is not the most feasible.

7. **Page 5-5** Those wastes which cannot be treated should be identified and discussed as to how they are being dealt with elsewhere.

8. **Page 5-8** Last paragraph implies NIMBY.

9. **Section 7.** How was 15,000 ton figure for small facilities derived? They may not be economically viable. Perhaps it would be better to define a small facility by the types of waste handled rather than by tonnage. Personally I am more concerned with type of hazardous material than I am with quantity of the material.

   The City of Wasco believes a better approach would be to limit large vs. small facilities based on the numbers of different wastes that can be processed rather than number of tons that can be processed.

10. **Section 7.1.4** Is this stating that only Kern County wastes will be provided for or Kern County first and outside wastes second.

11. **Section 7.1.9** The sighting lists given may or may not conform to various city designations and need to be defined in a more generalistic manner.

12. **Section 7.1.11** What is the basic (findings) for the Outer Buffer requirement for all types of facilities.

13. **Page 7-10 #17** The county appears to be taking a much more conservative approach than what the State DHS require. The CHMIF should discuss in detail those areas where the requirement is more restrictive than the State DHS guidelines.

14. **Section 10.1** Did you mean that the Dept. of Planning and Development Services is the primary agency for Land Use in the County and the incorporated cities or the County only. Please be specific.

15. **Section 11.3** What implementation measures or regulations will be required on households. This would almost have to be a freebie to the general public or included in their garbage bill. This would be almost impossible to regulate.
16. Section 13.0 Which County Agency would be the designated agency, why, and who makes the determination?

17. Section 13.3 Last paragraph should read.....submitted to the appropriate agency,......)or ..to the county and/or appropriate city)

18. General Wherever the text states that the "county" (shall request, or consider, etc) the appropriate county agency should be specified.

19. Section 13.12 This section is written from a county point of view and should be generalized so that it can be adopted as part of a city general plan.

20. Section 15 Job creation, loss and retention effects incurred as a result of the KCHWMP should be discussed in this section.

21. Section 15.2.8 Page 15-4 Line 3. Should read ...."there should be no impacts". (rather than will). It depends on the project, the technology and the operator as to whether or not there will be no impacts.

22. Section 15.3 Where is the discussion regarding future development costs? Will this plan tend to drive away any businesses in Kern County? How will it affect jobs, taxes, etc.?

If you have any questions regarding the above comments please call either John Bendrickson or myself at (805) 758-3003, thank you.

Very truly yours,

Walter E. Cairns
Planning Director

cc: City Manager
MEMORANDUM

MARCH 24, 1988

TO: MEL KRAUSE, SENIOR PLANNER

FROM: BARRY HAND, PRINCIPAL PLANNER

SUBJECT: DRAFT KERN COUNTY HAZARDOUS WASTE MANAGEMENT PLAN

DISTRIBUTED MARCH 23, 1988

The limited two day review period prevents a thorough document review and integrated City response. However, the following comments address the major issue areas.

Waste Reduction

Reducing the volume of hazardous waste should be a priority goal. Disposal capacity should be available only to waste streams which can document substantial reduction. Quantitative reduction goals should be established. The high volume producers should be targeted for implementation reduction programs.

Protecting Public Safety and Environmental Quality

Goals and implementation measures should clearly establish maximum public safety and environmental quality as a priority. No compromises should be considered.

Relationship with City

The Bakersfield Fire Department is responsible for many services related to hazardous materials. However, little or no reference is provided. Generally only county departments and functions are referenced. The draft needs to include more references to services provided by the City.

Transportation Corridor Posting

The agency responsible for posting and maintaining signs along a transportation corridor should be identified.

Acceptable Risk

A concept of acceptable risk needs to be developed in order to provide a quantitative measurement of the hazards involved. Standards for earthquake safety are used in building design. Flood protection is typically designed for a 100 year flood. Safety standards are established for occupational accidents. Transportation safety is often measured in accidents or deaths per miles traveled. A similar factor could be developed for hazardous materials handling and transportation.
Large Facility Siting

At a March 9, 1988 meeting the idea of not locating a large facility within one mile of an incorporated city limit or sphere of influence was discussed. This concept is worthy of inclusion into the draft document.

Language

Wherever possible the document should use less narrative, simple language and less awkward sentence construction. In its current state, the draft contains background and description which could be eliminated as the document becomes more policy oriented.

Conclusion

The document has made substantial progress since the program began. The draft has provided a positive framework for addressing the issues. Many proactive goals and implementation measures are proposed. However, the fast track time schedule has precluded a thorough local review. The document does not enjoy local consensus or support of any decision making body. We applaud your efforts to meet the March 31, 1988 State deadline and offer our assistance in revising future drafts as they are prepared for adoption.

BH:pjt
m/mmk.1
MEMORANDUM
"WE CARE"
MARCH 25, 1988

TO: MEL KRAUSE, SENIOR PLANNER KERN COUNTY
FROM: RALPH E. HUET, HAZ MAT COORDINATOR
SUBJECT: KERN COUNTY HAZARDOUS WASTE MANAGEMENT PLAN

DUE TO THE TIME RESTRAINTS, THE CITY OF BAKERSFIELD REVIEW COMMITTEE WILL SUBMIT OUR COMMENTS INDEPENDENTLY, RATHER THAN ONE CONSOLIDATED REPLY FROM BARRY HAND. THE FOLLOWING COMMENTS APPLY TO THE KCHWMP (DHS REVIEW DRAFT) RECEIVED ON 3-23-88.

GENERAL OVERVIEW:

WE SHOULD BE CAREFUL NOT TO ALLOW KERN COUNTY TO BECOME A REPOSITORY FOR EVERYONE ELSE'S HAZARDOUS WASTE.

ONLY 21% OF THE WASTE DISPOSED OF IN KERN COUNTY IS GENERATED IN KERN COUNTY. THAT IS: CURRENTLY WE IMPORT 106,000 TONS OF HAZARDOUS WASTE FROM OUTSIDE OF THE COUNTY.

WE DO EXPORT SOME OF OUR HAZARDOUS WASTE, BUT OF THE TOTAL WASTE GENERATED ONLY 15,386 TONS ARE SHIPPED OUT OF THE COUNTY.

THAT MEANS WE HAVE A NET IMPORT OF 90,614 TONS WHICH IS OVER DOUBLE THE TOTAL AMOUNT OF HAZARDOUS WASTE GENERATED IN THE COUNTY. (FIGURES FROM DHS 1987 SHIPPING MANIFEST DATA).

WE BELIEVE THAT ALTHOUGH WE ARE REQUIRED TO MAKE CERTAIN PROVISIONS FOR HAZARDOUS WASTE DISPOSAL WE SHOULD BE CAREFUL NOT TO PROVIDE AN INCENTIVE TO MAKE OUR COUNTY A "HAZARDOUS WASTE DUMP".

THE FOLLOWING ARE SPECIFIC COMMENTS BY PAGE OR SECTION NO.

PAGE 10, SECTION 0.0

AIR QUALITY PROTECTION - INCINERATION AS A DISPOSAL METHOD FOR TOXIC MATERIALS SHOULD NOT BE PERMITTED IN LOCATIONS WHERE AIR CIRCULATION IS INHIBITED BY INVERSION LAYERS, PHYSICAL FEATURES SUCH AS MOUNTAINS OR LACK OF REGULAR DAILY WINDS.
INCINERATION INHERENTLY CARRIES THE POSSIBILITY OF POLLUTANTS BEING TRANSMITTED INTO THE AIR. TECHNOLOGY IS NOT ALWAYS PERFECT AND WE SHOULD NOT MAKE AN ALREADY POOR AIR QUALITY SITUATION WORSE. THERE ARE AREAS WITHIN THE COUNTY WHERE INCINERATION MAY BE ACCEPTABLE -- BUT NOT IN THE VALLEY!!

PAGE 73, SECTION 10.1

THE CITY OF BAKERSFIELD, AS WELL AS, KERN COUNTY HAVE A HAZARDOUS MATERIALS RESPONSE TEAM.

THE CITY OF BAKERSFIELD IS ALSO THE ADMINISTERING AGENCY FOR AB 2185 - THAT MEANS THAT THE BAKERSFIELD FIRE DEPARTMENT, HAZARDOUS MATERIALS DIVISION IS RESPONSIBLE FOR HAZARDOUS MATERIALS INVENTORIES, EMERGENCY PLANNING AND MAINTAINING THE DATA BASE OF ALL BUSINESSES HANDLING HAZARDOUS MATERIALS WITHIN THE CITY LIMITS (THIS IS APPROXIMATELY 30% OF THE TOTAL HAZARDOUS MATERIALS HANDLERS IN THE COUNTY).

CURRENT REGULATIONS REQUIRE THE LOCAL ADMINISTERING AGENCY TO ADMINISTER THE INVENTORY REQUIREMENTS OF SARA TITLE III - (THIS IS NOT MOST LIKELY, BUT IT IS REQUIRED).

PAGE 75 SECTION 10.2

THE RELEASE OR THREATENED RELEASE OF A HAZARDOUS MATERIAL MUST BE REPORTED TO THE ADMINISTERING AGENCY. WITHIN THE CITY LIMITS OF BAKERSFIELD THAT IS THE BAKERSFIELD FIRE DEPARTMENT NOT THE KERN COUNTY FIRE DEPARTMENT.

PAGE 76 SECTION 10.2

ALL REFERENCES TO BUSINESS PLANS, ACUTELY HAZARDOUS MATERIALS REGISTRATION FORMS, AS WELL AS, THE PUBLIC INFORMATION (RIGHT TO KNOW) PORTIONS OF CHAPTER 6.95 APPLY TO THE ADMINISTERING AGENCY - NOT KERN COUNTY FIRE DEPARTMENT.

THE KERN COUNTY FIRE DEPARTMENT DOES NOT ADMINISTER CHAPTER 6.95 OR COLLECT FEES FROM THE BUSINESSES IN THE INCORPORATED AREA OF BAKERSFIELD. THIS IS APPROXIMATELY 30% OF THE TOTAL HAZARDOUS MATERIALS HANDLERS IN THE COUNTY.

PAGE 82, SECTION 12

CHAPTER 6.95 REQUIRES BUSINESSES TO SUBMIT THIS INFORMATION TO THE ADMINISTERING AGENCY. THIS IS NOT THE KERN COUNTY FIRE DEPARTMENT IN THE INCORPORATED AREAS OF BAKERSFIELD.

PAGE 85, FIGURE 12-1

HAZARDOUS MATERIALS INCIDENT NOTIFICATION LIST NOT USED WITHIN THE CITY OF BAKERSFIELD. WE DO NOTIFY PROPER AUTHORITIES BUT HAVE SEPARATE AND DIFFERENT FORMS.
WASTE REDUCTION GOALS SHOULD BE QUANTIFIED AND THE PROGRAM
SHOULD REQUIRE REDUCTION POSSIBLY TIED TO MONETARY INCENTIVES
OR IT SHOULD NOT BE A "VOLUNTARY" PROGRAM.

THIS SHOULD BE ONE OF THE MAJOR THRUSTS OF THE HWMP.

SECTION 13.7

INSPECTION FOR HAZARDOUS MATERIALS HANDLERS (AB 2135 AND
3777) IS CONDUCTED BY THE CITY WITHIN THE CITY LIMITS OF
BAKERSFIELD. THE EVALUATION OF BUSINESSES REQUIRED TO
COMPLETE RMPP'S IS ALSO IN PROGRESS BY THE CITY WITHIN THE
CITY LIMITS.

REH/ED

CC: BARRY HAND
STEVE WALKER
16.5 BIBLIOGRAPHY AND CITATION SOURCES


California Department of Health Services, Toxic Substances Control Division, Economic Incentives for the Reduction of Hazardous Wastes, 1985


California Partnership for Safe Hazardous Waste Management, Hazardous Materials Program Matrix (Prepublication version). (for availability, see above.)


County of Kern, Briefing Papers for the Kern County Energy Conference, October 1987.


County of Kern, Health Department, Requirements for Permanent Closure of Underground Hazardous Substance Storage Tanks (Handbook #UT 30).


LOCALLY ADOPTED
May 13, 1991


U.S. Environmental Protection Agency, Minimization of Hazardous Waste (PB87–114336); and Appendices (PB87–114344), October 1986.


ASSEMBLY BILL 2948

Chapter 1504 Statute 1986

An act to add Sections 63063.1 and 66780.8 to the Government Code, and to amend and renumber Section 25117.7 of, to add Sections 25117.2, 25173.5, 25200.1, and 25200.2 to, to add Article 3.5 (commencing with Section 25135) and Article 8.7 (commencing with Section 25190) to Chapter 6.5 of Division 20 of, and to repeal Sections 25135.8 and 25204 of, the Health and Safety Code, relating to hazardous waste.

[Approved by Governor September 30, 1986. Filed with Secretary of State September 30, 1986.]

AB 2948, Tanner. Hazardous waste: management plans and facility siting procedures.

(1) Existing law requires counties and cities to adopt general plans and requires counties to adopt a solid waste management plan, the hazardous waste portion of which is subject to review by the State Department of Health Services.

This bill would authorize a county, in lieu of preparing the hazardous waste portion of the solid waste management plan, to adopt, by September 30, 1988, a county hazardous waste management plan pursuant to guidelines adopted by the department, and would specify the procedures for the preparation, revision, adoption, approval, and amendment of these plans. The bill would authorize a county to delegate the authority to prepare the plan to a city, a joint powers agency, or any other special planning agency. The bill would authorize a city, or 2 or more cities acting jointly within a county, to prepare the county hazardous waste management plan if the county in which the city or cities are located does not elect to prepare a plan. The bill would authorize specified councils of governments to adopt regional hazardous waste management plans. The bill would require the Southern California Association of Governments to transfer the responsibility to prepare the regional plan to the Southern California Hazardous Waste Management Authority, if the authority is created by a joint powers agreement. The bill would prohibit any person from establishing or expanding an offsite facility, unless the city's or county's legislative body finds that the establishment or expansion is consistent with the county hazardous waste management plan.

The bill would create, within the Hazardous Waste Control Account in the General Fund, the Hazardous Waste Management Planning Subaccount and would authorize the department to expend the moneys in the subaccount, upon appropriation by the Legislature, for the purpose of paying for the costs of the state department in administering the program, and for providing grants to councils of governments, counties, and cities in carrying out these provisions.

The bill would transfer to the Hazardous Waste Management Planning Subaccount $10,000,000 of the funds appropriated to the Hazardous Control
Account from the proceeds received by the state from any settlements under specified provisions of the Outer Continental Shelf Lands Act.

(2) Existing law imposes a fee upon the operator of a hazardous waste disposal site for the purpose of funding specified activities concerning hazardous waste regulation.

This bill would authorize a city or county in which there is located an offsite, multiuser hazardous waste facility, as defined, to impose a tax, for general purposes, or a user fee upon the operation of the facility, up to an amount equal to 10% of the facility's annual gross receipts for hazardous waste treated, stored, or disposed of at that facility, except as specified.

(3) Existing law requires public agencies to approve applications for development projects, as defined, within specified time periods, including projects for the discharge or disposal of waste. Existing law also requires the department to issue hazardous waste facilities permits to use and operate hazardous waste facilities.

This bill would expressly provide that the development project approval provisions apply to the making of a land use decision or the issuance of a permit, as defined, by a public agency, for a hazardous waste facility project which is not a land disposal facility.

The bill would also establish procedures for the approval and review of applications for a land use decision concerning a hazardous waste facility project, as defined, by a local agency. The bill would require the Office of Permit Assistance in the Office of Planning and Research to perform specified duties concerning a hazardous waste facility project, including providing information and assistance, and convening meetings on project applications. The bill would require that a person applying to a local agency for a land use decision concerning an offsite hazardous waste facility to pay a fee, as established by the Office of Permit Assistance, and would require the office to deposit these fees in the Local Agency Technical Assistance Account, which the bill would create in the General Fund. The money in the account would be available for expenditure by the office, upon appropriation by the Legislature, to make technical assistance grants to local agencies. The bill would specify procedures for the processing of applications by public agencies for hazardous waste facilities projects pending certain judicial actions.

The bill would also establish procedures for appealing a local agency land use decision concerning the siting and construction, or expansion of, an offsite hazardous waste facility serving more than one hazardous waste generator. The bill would require an appeal to be authorized by the Governor or the Governor's designee, would provide for the establishment of an appeal board to review the appeal, and would specify the procedures and determinations which the appeal board is required to follow in agreeing with, reversing, or modifying a local agency's land use decision.

The bill would prohibit the department from issuing a hazardous waste facility permit after January 1, 1987, unless the department makes a specified finding.

The bill would prohibit the department from issuing a permit to a hazardous waste land disposal facility which commences operation after January 1, 1987, except as specified, and the department would also be required to prohibit the land disposal of untreated hazardous waste after January 1, 1990, except as specified. This provision would not become operative if SB 1500 is enacted and becomes operative.
(4) The bill would also make a statement of legislative intent and would make conforming changes.

(5) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates which do not exceed $500,000 statewide and other procedures for claims whose statewide costs exceed $500,000.

This bill would impose a state-mandated local program by requiring cities, counties, and districts to take specified actions concerning planning for hazardous waste management and making land use decisions for hazardous waste facilities and by creating certain crimes concerning payment of a fee to operate a hazardous waste facility.

The bill would provide that reimbursement shall be made pursuant to those statutory procedures and, if the statewide cost does not exceed $500,000, shall be payable from the State Mandates Claims Fund, except that, for certain costs, the bill would provide that no reimbursement is required for a specified reason.

The people of the State of California do enact as follows:

SECTION 1. (a) The Legislature hereby finds and declares all of the following:

(1) The quality of life of the citizens of this state is based upon a large variety of consumer goods produced by the manufacturing economy of the state. The complex industrial processes that produce these goods also generate waste byproducts, some of which are hazardous to the public health and the environment.

(2) Safe and responsible management of hazardous wastes is one of the most important environmental problems facing the state at the present time. This management is critical to the protection of the public health and the environment and also to the economic growth of the state. If environmentally sound hazardous waste facilities are not available to effectively manage the hazardous wastes produced by the many industries of the state, the state's economic activity will be hampered and cannot prosper, public health and the environment will be threatened by the increased illegal disposal, and the use of outmoded disposal practices will continue.

(3) A solution to the safe and responsible management of hazardous wastes requires an effective planning process that involves local and state governments, the public, and industry. The process must provide a more expeditious method than presently exists for siting needed hazardous waste management facilities and granting the necessary permits. The process also must provide a means for ensuring that needed facilities are environmentally sound, do not pose a threat to the public health and safety, and will not be rejected because of local opposition.

(4) A solution to the safe and responsible management of hazardous wastes also requires improved programs of waste source reduction and recycling, and encouraging onsite treatment of hazardous wastes, as preferable to the siting of new land disposal facilities. The goal of this act, which recognizes the long-term health, environmental, and economic risks of hazardous waste land disposal, is to prevent hazardous waste from being permanently disposed into land, or emitted into the air, without being
processed by an economically and technically feasible alternative technology. Attaining this goal will require the development of feasible programs which should result in the reduction of the volume and hazard of hazardous wastes at their source, and the development of expanded recycling programs for hazardous waste. This goal also requires that, as an alternative to traditional land disposal methods, residuals repositories be utilized for the byproducts of preferred hazardous waste treatment technologies. Because of the threat to public health and safety posed by the traditional land disposal of hazardous wastes, it is necessary that these methods of dealing with hazardous wastes come quickly into place.

(5) The safe transport of hazardous wastes from the source of generation to the point of ultimate disposal is an important element in the total management of hazardous waste. Strong enforcement of existing law regarding the manifest system, vehicle safety, and emergency response preparedness must be assured to provide for the full protection of public health and the environment.

(6) Monitoring of hazardous waste management facilities and the effective enforcement of existing federal and state hazardous waste regulations are also essential to protect the public health and environment and to meet the public's concerns regarding the acceptance of needed new hazardous waste management facilities.

(7) An assurance of an adequate system which provides for full compensation for injury and damage found to be caused by hazardous waste is central to protecting the public health, safety, and welfare.

(b) The Legislature, therefore, declares that it is in the public interest to establish a state policy that has the objective of ensuring that safe, effective, and economical facilities for the management of hazardous wastes are available when they are needed, and that these facilities are of a type, and operated and monitored in a manner, which protects public health and the environment. The principles underlying this policy include all of the following:

(1) Because the state's economy and quality of life are dependent on many substances and products that result in the production of hazardous wastes, all Californians must share in the responsibility for finding safe and effective solutions to the management and disposal of hazardous wastes, including efforts to reduce the amount and hazard of this waste.

(2) Local government, state government, the public, and industry need to form a partnership in an effort to plan for, and site, needed treatment and disposal facilities.

(3) Even though suitable sites for treatment and disposal facilities may be limited, it is necessary that all local communities in the state be willing to share the burden of hazardous waste management and that all local governments consider the feasibility and appropriateness of identifying suitable sites for treatment and disposal facilities in their general plans.

(4) While local land use planning an health, safety, and environmental requirements must be the basis for siting needed hazardous waste facilities, local facility siting decisions may not adequately consider the waste management needs of the region or of the state. Because of the need to consider the region's or state's waste management needs, procedures should be established for appealing the local rejection of needed and technically and environmentally sound hazardous waste facilities to a body with a regional or statewide perspective. However, an appeal of a hazardous waste facility, pursuant to Section 25199.9 of the Health and Safety Code, which
is proposed for a rural area and which would receive hazardous waste from urban areas should not be approved, unless the hazardous waste facility is found consistent with the applicable city or county general plan and the county hazardous waste management plan, as specified in subdivision (f) of Section 25199.11 of the Health and Safety Code.

SEC. 2. Section 65963.1 is added to the Government Code, to read:
65963.1. Except as otherwise provided in Article 8.7 (commencing with Section 25199) of Chapter 6.5 of Division 20 of the Health and Safety Code, this chapter applies to the making of a land use decision or the issuance of a permit for a hazardous waste facility project by a public agency, as defined in Section 25199.1 of the Health and Safety Code, including, but not limited to, all of the following actions:
(a) The approval of land use permits and conditional use permits, the granting of variances, the subdivision of property, and the modification of existing property lines pursuant to this division or Division 2 (commencing with Section 66410) of Title 7, and, for purposes of this chapter, "project" includes an activity requiring any of those actions.
(b) The issuance of hazardous waste facility permits by the State Department of Health Services pursuant to Chapter 6.5 (commencing with Section 25100) of Division 20 of the Health and Safety Code.
(c) The issuance of waste discharge requirements by California regional water quality control boards pursuant to Article 4 (commencing with Section 13260) of Chapter 4 of Division 7 of the Water Code.
(d) The issuance of authority to construct permits by the district board of an air pollution control district or an air quality management district pursuant to Division 26 (commencing with Section 39000) of the Health and Safety Code.
(e) The issuance of solid waste facilities permits by the enforcement agency pursuant to Article 2 (commencing with Section 66796.30) of Chapter 3, of Title 7.3.

SEC. 3. Section 66780.8 is added to the Government Code, to read:
66780.8. In lieu of preparing a hazardous waste portion of the county solid waste plan as provided in this article, a county may, at its discretion, prepare a county hazardous waste management plan for the management of all hazardous wastes produced in the county. If a county decides to prepare a hazardous waste management plan instead of the hazardous waste portion of a county solid waste plan, the county shall notify the department of the decision. The county hazardous waste management plan shall be prepared, adopted, and approved pursuant to Article 3.5 (commencing with Section 25135) of Chapter 6.5 of Division 20 of the Health and Safety Code.

A county may delegate the authority to prepare the county hazardous waste management plan to a city, an agency established by a joint powers agreement, or any other special planning agency.

SEC. 4. Section 25117.2 is added to the Health and Safety Code, to read:
25117.2. "Hazardous waste management" means the disposal, handling, processing, storage, and treatment of hazardous waste.
SEC. 5. Section 25117.7 of the Health and Safety code is amended and renumbered to read:
25117.1. "Hazardous waste facility" means any structure, other appurtenances, and improvements on the land, and all contiguous land, used for the treatment, transfer, storage, resource recovery, disposal, or recycling of hazardous waste.
SEC. 6. Article 3.5 (commencing with Section 25135) is added to Chapter 6.5 of Division 20 of the Health and Safety Code to read:

Article 3.5. Hazardous Waste Management Plans

25135. (a) The Legislature finds and declares as follows:

1. An effective planning process involving public and private sector participation exists at the county level for establishing new, or expanding existing, solid waste facilities, but an equivalent process has not been established at the local level to plan for the management of hazardous wastes.

2. Counties are presently required to prepare solid waste management plans for all waste disposal within each county and for all waste originating in each county. While the department has requested that counties include in their solid waste management plans a hazardous waste management element, there is not presently a clear mandate that they do so.

3. Hazardous waste management planning at the local level has been hampered because the department has not provided the counties with adequate and comprehensive planning guidelines, there is a lack of accurate data on hazardous waste generation, handling, and disposal practices, adequate funding has not been available, and local expertise in hazardous waste planning has not been developed.

4. The failure to plan for the safe and effective management of hazardous wastes has contributed to the public's general uncertainty in viewing proposals to site hazardous waste facilities at various locations throughout the state. Because advance planning has not taken place, local governments are not prepared to consider siting proposals and the public has not received adequate answers to questions concerning the need for proposed facilities.

5. Safe and responsible management of hazardous wastes is one of the most important environmental problems facing the state at the present time. It is critical to the protection of the public health and the environment, and to the economic growth of the state. If environmentally sound hazardous waste facilities are not available to effectively manage the hazardous wastes produced by the many industries of the state, economic activity will be hampered and the economy cannot prosper.

(b) The Legislature, therefore, declares that it is in the public interest to establish an effective process for hazardous waste management planning at the local level. This process is consistent with the responsibility of local governments to assure that adequate treatment and disposal capacity is available to manage the hazardous wastes generated within their jurisdiction.

(c) It is the intent of the Legislature that the hazardous waste management plans prepared pursuant to this article serve as the primary planning document for hazardous waste management at the local level; that the plans be integrated with other local land use planning activities to ensure that suitable locations are available for needed hazardous waste facilities; that land uses adjacent to, or near, hazardous waste facilities, or proposed sites for these facilities, are compatible with their operation; and that the plans are prepared with the full and meaningful involvement of the public, environmental groups, civic associations, generators of hazardous wastes, and the hazardous waste management industry.
(d) It is further the intent of the Legislature, in enacting this article, to define the respective responsibilities of state and local governments in hazardous waste management planning; to establish a comprehensive planning process in which state and local government, the public, and industry jointly develop safe and effective solutions for the management and disposal of hazardous wastes; to ensure that local governments are assisted adequately by the state in carrying out their responsibilities; and to provide funding for local-level planning.

25135.1. (a) For purposes of this article, and unless the context indicates otherwise, "county" means a county that notifies the department that it will prepare a county hazardous waste management plan in accordance with this article and receives a grant pursuant to Section 25135.8. "County" also means any city, or two or more cities within a county acting jointly, which notifies the department that it will prepare a county hazardous waste management plan in accordance with subdivision (c).

(b) A county may, at its discretion, and after notification to the department, prepare a county hazardous waste management plan for the management of all hazardous waste produced in the county. A county hazardous waste management plan prepared pursuant to this article shall serve in lieu of the hazardous waste portion of the county solid waste plan provided for in Article 2 (commencing with Section 69730) of Chapter 2 of Title 7.3 of the Government Code. The county hazardous waste management plan shall be prepared in cooperation with the affected cities in the county and the advisory committee appointed pursuant to Section 25135.2, in accordance with the guidelines adopted by the department pursuant to Section 25135.5, and in accordance with the schedule specified in Section 25135.6.

(c) On or before March 31, 1987, every county shall notify the department and the cities within the county whether the county has elected to prepare a county hazardous waste management plan pursuant to this article. A city, or two or more cities acting jointly, located within a county which elects not to prepare a county hazardous waste management plan or which fails to make an election, on or before March 31, 1987, to prepare a plan, may, at the city's or cities' discretion, elect to undertake the preparation of the plan. The city or cities shall be deemed to be acting in place of the county for purposes of this article and may apply for funding to pay the cost of preparing the plan pursuant to subdivision (c) of Section 25135.8. However, the city or cities may not receive funding pursuant to subdivision (c) of Section 25135.8, unless the proposal to prepare a county hazardous waste management plan by the city or cities is approved by a majority of the cities within the county which contain a majority of the population of the incorporated area of the county and the proposal is received by the department on or before June 30, 1987.

(d) The county hazardous waste management plan authorized by subdivision (b) or (c) shall serve as the primary planning document for hazardous waste management in the county and shall be prepared as a useful informational source for local government and the public. The plan shall include, but is not limited to, all of the following elements:

(1) An analysis of the hazardous waste stream generated in the county, including an accounting of the volumes of hazardous wastes produced in the county, by type of waste, and estimates of the expected rates of hazardous waste production until 1994, by type of waste.
(2) A description of the existing hazardous waste facilities which treat, handle, recycle, and dispose of the hazardous wastes produced in the county, including a determination of the existing capacity of each facility.

(3) An analysis of the potential in the county for recycling hazardous waste and for reducing the volume and hazard of hazardous waste at the source of generation.

(4) A consideration of the need to manage the small volumes of hazardous waste produced by businesses and households.

(5) A determination of the need for additional hazardous waste facilities to properly manage the volumes of hazardous wastes currently produced or that are expected to be produced during the planning period.

(6) An identification of those hazardous waste facilities that can be expanded to accommodate projected needs and an identification of areas or specific sites for new hazardous waste facilities determined to be needed. In lieu of this facility and site identification, the plan may instead include siting criteria to be utilized in selecting sites for new hazardous waste facilities. If siting criteria are included in the county hazardous waste management plan, the plan shall also designate general areas where the criteria might be applicable.

(7) A statement of goals, objectives, and policies for the siting of hazardous waste facilities and the general management of hazardous wastes through the year 2000.

(8) A schedule which describes county and city actions necessary to implement the hazardous waste management plan through the year 2000, including the assigning of dates for carrying out the actions.

(e) In addition to the elements of the plan required by subdivision (d), a county may include a description of any additional local programs which the county determines to be necessary to provide for the proper management of hazardous wastes produced in the county. These programs may include, but are not limited to, public education, enforcement, surveillance, transportation, and administration.

(f) The inclusion of an element in a county hazardous waste management plan pursuant to subdivision (d) or (e) does not authorize the county to adopt a program which the county is not otherwise authorized to adopt under any other provision of law.

25135.2. (a) Each county shall establish an advisory committee of at least seven members to assist the county in the preparation and administration of the county hazardous waste management plan. The board of supervisors of the county shall appoint the members who are not city representatives to the advisory committee, including at least one representative of industry, one representative of an environmental organization, and one representative of the public. The advisory committee shall also consist of at least three members to represent cities appointed by the city selection committee specified in Article 11 (commencing with Section 50270) of Chapter 1 of Part 1 of Division 1 of Title 5 of the Government Code. The board of supervisors shall, to the extent possible, appoint other members that have expertise concerning aspects of hazardous waste management planning, including, but not limited to, engineering, geology, and water quality.

(b) The advisory committee shall do all of the following:

(1) Advise the county staff, the board of supervisors of the county, and the staff, mayors, and council members of the cities within the county, on issues related to the development, approval, and administration of the county hazardous waste management plan.
(2) Hold informal public meetings and workshops to provide the public with information, and to receive comments, during the preparation of the county hazardous waste management plan.

(c) If a city or group of cities are preparing the county hazardous waste management plan pursuant to subdivision (c) of Section 25135.1, the city or cities shall establish the advisory committee, using the qualifications and representation specified in subdivision (a).

25135.3. The Association of Bay Area Governments, the Southern California Association of Governments, the Sacramento Area Council of Governments, and the Association of Monterey Bay Area Governments may, at the discretion of their governing boards, prepare a regional hazardous waste management plan to serve as a resource document and to identify hazardous waste management issues, needs, and solutions at the regional level. A council of governments specified in this subdivision shall include in the regional plan additional counties affected by the regional plan, at the request of the councils of governments for those counties. A council of governments shall prepare the regional plan pursuant to the following procedure:

(a) A council of governments specified in this subdivision may apply to the department for funding pursuant to paragraph (3) of subdivision (b) of Section 25135.8.

(b) On or before December 31, 1987, a council of governments which receives funding from the department shall prepare a draft regional hazardous waste management plan and submit the draft plan to the department. The council of governments shall involve the public with the preparation of the draft plan, to the fullest extent possible, by public hearings, informational meetings, and other appropriate forums that offer the public the opportunity to respond to clearly defined alternative objectives, policies, and actions.

(c) From January 1, 1988, to March 31, 1988, the council of governments shall conduct hearings on the draft regional hazardous waste management plan, in the number determined appropriate by the council of governments. The council of governments shall provide affected local jurisdictions, the public, industry, business organizations, and the hazardous waste management industry with a full opportunity to comment orally and in writing on the draft plan.

(d) On or before March 31, 1988, the department shall review the draft plan, and provide the council of governments with comments on the draft plan.

(e) After conducting the review and comment period required by subdivision (c), the council of governments shall revise, as appropriate, the draft regional hazardous waste management plan.

(f) On or before September 30, 1988, the council of governments shall complete and adopt the plan.

(g) On or before October 1, 1988, the council of governments shall submit the final regional hazardous waste management plan adopted by its governing board to the department for review and approval. The department shall approve the regional plan if the department determines that all of the following requirements are met:

1. The regional plan is consistent with the guidelines for the preparation of regional hazardous waste management plans adopted by the department.

2. The regional plan applies the methods, techniques, and policies established by the department to analyze the waste stream and to determine
whether there is a need for additional or expanded hazardous waste facilities to safely manage and properly dispose of the hazardous waste produced within the region.

(b) Throughout the process of preparing a regional hazardous waste management plan, a council of governments shall cooperate and consult with representatives and staff of affected counties and cities.

(i) Notwithstanding subdivisions (a) to (b), inclusive, of this section, if, pursuant to Chapter 5 (commencing with Section 6500) of Division 7 of Title 1 of the Government Code, a joint powers agreement provides for the creation of the Southern California Hazardous Waste Management Authority, the Southern California Association of Governments shall, if it has elected to prepare a regional hazardous waste management plan pursuant to this section, transfer the responsibility for preparing the regional hazardous waste management plan and all funds received pursuant to subdivision (b) of Section 25135.8 to the authority, if the governing board of the authority requests the transfer by the adoption of a resolution. If the transfer takes place, the authority shall comply with this section in the same manner as this section applies to the association. If the transfer of responsibility and funds authorized by this subdivision takes place and the authority is dissolved at any time before the regional hazardous waste management plan is approved by the department, the association shall prepare the regional hazardous waste management plan and any remaining funds received pursuant to subdivision (b) of Section 25135.8 shall be transferred back to the association.

25135.4. (a) No person shall establish or expand an offsite facility, unless the legislative body of the city or county in which the new offsite facility, or the expansion of an existing offsite facility, is proposed makes a determination that the facility or expansion is consistent with the county hazardous waste management plan.

(b) This section applies only to proposed new offsite facilities, or expansions of existing offsite facilities, if an approval action pursuant to Title 7 (commencing with Section 65000) of the Government Code is necessary.

(c) This section does not apply to cities or counties which do not have an approved county hazardous waste management plan.

25135.5. (a) The department shall, pursuant to this section, provide direction and technical data to counties and regional councils of governments to assist them in preparing planning documents for the management of hazardous wastes produced within their jurisdictions.

(b) The department shall do all of the following:

(1) On or before June 30, 1987, after conducting a workshop with county and city government officials and industry and environmental representatives, prepare and transmit to counties and regional councils of governments guidelines for the preparation and adoption of county and regional hazardous waste management plans. Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code does not apply to the preparation and transmittal of these guidelines. The guidelines shall include, but are not limited to, all of the following:

(A) A listing of types or categories of hazardous wastes that can be used in characterizing the hazardous waste stream in each county or region.

(B) Methods for determining the capacity of the hazardous waste facilities that currently manage the hazardous wastes in the county or region and for assessing the capacity of these hazardous waste facilities to manage these hazardous wastes in the future.
(C) Methods for assessing the need to establish new, or expand existing, capacity for the management of hazardous wastes produced in each county or region.

(D) Methods for estimating the amounts of hazardous waste produced by small businesses and households.

(2) On or before June 30, 1987, provide to each county and regional council of governments, all of the following information:

(A) Available data on the types and quantities of hazardous wastes produced in the county or region. The department shall inform the counties and regional councils of governments of the strengths and limitations of the data.

(B) A listing of the hazardous waste facilities that have received hazardous waste facilities permits or grants of interim status in each county or region. The listing shall specify whether the facilities are onsite or offsite facilities and whether the facilities are used for the storage, treatment, transfer, recycling, or disposal of hazardous waste.

(C) A listing of producers of hazardous wastes known to the department in the county or region.

(D) An assessment of overall needed capacities for treating and disposing of hazardous wastes at the state and regional levels through the year 1994.

(E) A description of state policies and programs concerning the management of hazardous waste, including, but not limited to, the policies and programs for recycling various types of hazardous wastes, requiring the treatment of particular types of hazardous wastes, restricting the disposal to land of particular types or categories of hazardous wastes, encouraging the reduction of the amounts of hazardous waste produced at the source of production, and any other policies and programs that affect the need for additional management capacity in various types of hazardous waste facilities.

(F) An assessment of the potential for recycling, or reducing the volume of various types of hazardous wastes in various classes of industry.

25135.6. (a) A county shall prepare, review, and adopt the county hazardous waste management plan pursuant to the schedule specified in this section.

(b) On or before December 31, 1987, each county, with the cooperation of affected local jurisdictions and the advisory committee established pursuant to Section 25135.2, shall prepare a draft county hazardous waste management plan and submit the draft plan to the department. The county shall involve the public with the preparation of the draft county hazardous waste management plan, to the fullest extent possible, by public hearings, informational meetings, and other appropriate forums that offer the public the opportunity to respond to clearly defined alternative objectives, policies, and actions.

(c) From January 1, 1988, to March 31, 1988, inclusive, the county shall conduct hearings on the draft county hazardous waste management plan, in the number determined appropriate by the county. The county shall provide affected local jurisdictions, the public, industry, business organizations, and the hazardous waste management industry with the full opportunity to comment orally and in writing on the draft county hazardous waste management plan.

(d) On or before March 31, 1988, the department shall review the draft plan, and provide each county with comments which specify the changes or additions which are required to be made to the draft plan to result in a
final plan which can be approved by the department pursuant to Section 25135.7.

(e) After conducting the review and comment period required by subdivision (c), each county shall revise, as appropriate, the draft county hazardous waste management plan.

(f) The revised county hazardous waste management plan shall be approved by a majority of the cities within the county which contain a majority of the population of the incorporated area of the county. On or before September 30, 1988, the county shall adopt the revised county hazardous waste management plan as the final county hazardous waste management plan.

25135.7. (a) A county shall submit the final county hazardous waste management plan adopted by the county to the department for review and approval on or before October 1, 1988. If a county shows the department that the county has made substantial progress towards completing the county hazardous waste management plan and needs more time to complete the plan, the department may extend this date to February 1, 1989. The department shall, on or before December 31, 1988, or on or before April 30, 1989, if the county is given a time extension, review and either approve or disapprove the county hazardous waste management plan. The department shall approve the county hazardous waste management plan if the department makes all of the following determinations:

(1) The plan substantially complies with the guidelines for the preparation of hazardous waste management plans adopted by the department.

(2) The plan applies the methods, techniques, and policies established by the department to analyze the waste stream and to determine whether there is a need for additional or expanded hazardous waste facilities to safely manage and properly dispose of the hazardous waste generated within the county.

(3) If the plan contains a determination pursuant to paragraph (5) of subdivision (c) of Section 25135.1 that there is a need for additional or expanded hazardous waste facilities, the plan proposes general areas, or, as determined appropriate by the county, proposes specific sites which may be suitable locations for a facility. However, if the plan instead contains siting criteria for selecting sites for new hazardous waste facilities, the plan shall propose general areas where the criteria might be applicable.

(4) If the county preparing the plan has entered into a formal agreement with other counties to manage hazardous waste, the agreement is documented.

(b) Within 90 days after the department approves a county hazardous waste plan, the county shall either incorporate the plan, by reference, into the county's general plan or enact an ordinance which requires that all applicable zoning, subdivision, conditional use permit, and variance decisions are consistent with the county hazardous waste management plan.

(c) Any amendment to an adopted county hazardous waste management plan requires the approval of the department, the county, and a majority of the cities within the county which contain a majority of the population of the incorporated area of the county.

25135.8. (a) There is hereby established, within the Hazardous Waste Control Account, the Hazardous Waste management Planning Subaccount. Money deposited in the subaccount shall be used to compensate the department, and to provide grants to councils of governments and counties, for their costs in administering this article.

(b) The moneys in the Hazardous Waste Management Planning Subaccount may be expended by the department, upon appropriation by the Legislature, to
administer this article and to provide grants to councils of governments and
to counties for expenses incurred in preparing regional and county hazardous
waste management plans. On July 1, 1987, the department shall disburse four
million dollars ($4,000,000), upon appropriation by the Legislature, from
the subaccount to counties and councils of governments, and on or before
January 1, 1988, and July 1, 1988, respectively, the department shall
disburse three million dollars ($3,000,000), upon appropriation by the
Legislature, from the subaccount to counties and councils of governments.
The disbursement on or before each of these dates shall be in accordance
with the following formula:

(1) Each county shall receive an allocation based on the amount of
hazardous waste produced in the county. For purposes of determining the
amount of the allocation, the department shall prepare an updated assessment
of hazardous waste generation in each county which does not include
hazardous waste resulting from site cleanup activities. Based on this
assessment, the department shall allocate as follows:

(A) Six thousand dollars ($6,000) to each county which generates less than
100 tons per year of hazardous waste.

(B) Nine thousand dollars ($9,000) to each county which generates 100 or
more tons, but less than 10,000 tons, per year of hazardous waste.

(C) Thirty thousand dollars ($30,000) to each county which generates
10,000 or more tons, but less than 30,000 tons, per year of hazardous waste.

(D) Forty-five thousand dollars ($45,000) to each county which generates
30,000 or more tons, but less than 100,000 tons, per year of hazardous
waste.

(E) Seventy-five thousand dollars ($75,000) to each county which generates
100,000 or more tons, but less than 150,000 tons, per year of hazardous
waste.

(F) Ninety thousand dollars ($90,000) to each county which generates
150,000 or more tons, but less than 350,000 tons, per year of hazardous
waste.

(G) One hundred twenty thousand dollars ($120,000) to each county which
generates 350,000 or more tons, but less than 500,000 tons, per year of
hazardous waste.

(H) One hundred fifty thousand dollars ($150,000) to each county which
generates 500,000 or more tons per year of hazardous waste.

(2) One hundred seventy-five thousand dollars ($175,000) may be reserved
by the department from the disbursements made on July 1, 1987, and on or
before July 1, 1988, to pay for its costs in administering this article and
to make additional allocations to counties that demonstrate the need for
additional funding to complete county hazardous waste management plans in
excess of the funding provided by paragraphs (1) and (3).

(3) The amount remaining, after the allocation under paragraph (1) has
been made and the amount required by paragraph (2) has been reserved, shall
be distributed to the counties and to the councils of governments whose
governing boards have decided to prepare a regional hazardous waste
management plan pursuant to subdivision (b) of Section 25135.3 and have
notified the department of that decision. The department shall do both of
the following:

(A) Distribute funds to the counties on a prorated basis based on the
amount of hazardous waste produced in each county in proportion to the
amount of hazardous waste produced in the state, as assessed by the
department pursuant to paragraph (1).
(B) Distribute to each council of governments one-half of the total amount allocated to the county which is located in the region represented by the council of governments and which received the largest allocation pursuant to paragraph (1) and subparagraph (A) of this paragraph, as compared to the other counties located in that region.

(C) A city or two or more cities within a county which are eligible to receive funding pursuant to subdivision (c) of Section 25135.1 shall be allocated from the subaccount the amount specified in paragraph (1) of subdivision (a) that would be allocated to the county in which the city or cities are located if the county had elected to prepare the plan.

(D) This section shall remain in effect only until January 1, 1989, and as of that date is repealed, unless a later enacted statute, which is enacted before January 1, 1989, deletes or extends that date.

SEC. 7. Section 25173.5 is added to the Health and Safety Code, to read:

25173.5. (a) Except as provided in subdivision (b), the legislative body of a city or county may impose and enforce a tax, for general purposes, or may impose a user fee on the operation of an offsite, multiuser hazardous waste facility located within the jurisdiction of the city or county. The tax or the user fee imposed shall not exceed 10 percent of the facility's annual gross receipts for the treatment, storage, or disposal of hazardous waste at the facility.

(b) A city or county shall not impose a tax or a user fee adopted pursuant to subdivision (a) upon any of the following:

(1) An existing hazardous waste facility for which a tax is authorized pursuant to Section 25149.5.

(2) An offsite, multiuser hazardous waste facility that began operations before January 1, 1987, and was issued a hazardous waste facilities permit pursuant to Section 25200, or was granted interim status pursuant to Section 25200.5, before January 1, 1987.

(3) That portion of the gross receipts of the hazardous waste facility that derives from the recycling of hazardous wastes.

SEC. 8. Article 8.7 (commencing with Section 25199) is added to Chapter 6.5 of Division 20 of the Health and Safety Code, to read:

Article 8.7 Procedures for the Approval of New Facilities

25199. (a) The Legislature finds and declares as follows:

(1) Existing laws require numerous permits before a hazardous waste facility can be constructed and operated. The permits are issued by governmental agencies, at both the state and local levels under land use planning, zoning, hazardous waste, air quality, water quality, and solid waste management laws.

(2) The approval of hazardous waste facilities is not currently a coordinated process. The failure to coordinate the issuance of multiple permits, licenses, land use approvals, and other types of authorizations causes lengthy and costly delays. The end result of the process cannot be predicted, with any degree of certainty, by either the proponent of a project to site and construct a facility or by the concerned public.

(3) Present procedures for approving hazardous waste facilities do not provide meaningful opportunities for public involvement and are not suitably structured to allow the public to make its concerns known and to cause these concerns to be taken into consideration.
(4) A formal administrative process for reviewing local discretionary land use decisions on applications to site and construct a hazardous waste facility has not been established and made available to interested persons who wish to appeal these decisions.

(b) The Legislature, therefore, declares, that there is a critical need to clarify the requirements that must be met, and the basic procedures that must be followed, in connection with the approval of hazardous waste facilities.

(c) It is the intent of the Legislature, in enacting this article, to establish the means to expedite the approval of needed hazardous waste facilities; to ensure that new hazardous waste facilities are not sited unless the facility operator provides financial assurance that the operator can respond adequately to damage claims arising out of the operation of the facility; to ensure that the facilities comply with applicable laws and regulations; to clarify the procedures to be followed in approving a facility; to establish specific means to give the concerned public a voice in decisions relating to the siting and issuance of permits for hazardous waste facilities; and to establish a process for appealing local decisions on applications for land use approval for hazardous waste facilities.

25199.1. Unless the context otherwise requires, the following definitions govern the construction of this article:

(a) "Appeal board" means an appeal board established pursuant to Section 25199.10.

(b) "Hazardous waste facility project" means a project undertaken for the purpose of siting and constructing a new hazardous waste facility or for the purpose of significantly expanding or modifying an existing hazardous waste facility that is being used or operated under a permit issued pursuant to Section 25200 or a grant of interim status pursuant to Section 25200.5. Unless expressly provided otherwise, "hazardous waste facility project" includes a specified hazardous waste facility project.

(c) "Interested person" means a person who participated in one or more public meetings or hearings held to consider an application for a land use decision for a specified hazardous waste facility project. "Participation" includes, but is not limited to, the giving of oral or written testimony at a meeting or hearing, submission of questions at a meeting or hearing, or attendance at the meeting or hearing.

(d) "Land disposal facility" means a hazardous waste facility where hazardous waste is disposed in, on, under, or to the land.

(e) "Land use decision" means a discretionary decision of a local agency concerning a hazardous waste facility project, including the issuance of a land use permit or a conditional use permit, the granting of a variance, the subdivision of property, and the modification of existing property lines pursuant to Title 7 (commencing with Section 35000) of the Government Code.

(f) "Lead agency" means the public agency that has the principal responsibility for approving a hazardous waste facility project.

(g) "Local agency" means any public agency, other than a state agency.

(h) "Permit" means a permit, license, certificate, requirement, or other entitlement for use required to site or construct a hazardous waste facility. "Permit" includes, but is not limited to, all of the following:

(i) A hazardous waste facility permit issued by the department pursuant to this chapter.
(2) Waste discharge requirements issued by a California regional water quality control board pursuant to Article 4 (commencing with Section 13260) of Chapter 4 of Division 7 of the Water Code.

(3) An authority to construct permit issued by an air pollution control district or air quality management district pursuant to Division 26 (commencing with Section 39000).

(4) A solid waste facilities permit issued by the enforcement agency pursuant to Article 2 (commencing with Section 68796.30) of Chapter 3 of Title 7.3 of the Government Code.

(i) "Proponent" means any person applying to a public agency for a permit or a land use decision concerning a specified hazardous waste facility project.

(j) "Public agency" means any state agency or any local agency.

(k) "Responsible agency" means any public agency, other than the lead agency, which has the authority to issue a permit or make a land use decision.

(l) "Significantly expand or modify" means to expand or modify an existing hazardous waste facility, including a specified hazardous waste facility, in a manner so that a land use decision and an environmental impact report are required.

(m) "Specified hazardous waste facility" means an offsite facility which serves more than one producer of hazardous waste.

(n) "Specified hazardous waste facility project" means a project undertaken for the purpose of siting and constructing a new specified hazardous waste facility or for the purpose of significantly expanding or modifying an existing specified hazardous waste facility that is being used or operated under a permit issued pursuant to Section 25200 or a grant of interim status pursuant to Section 25200.5.

(o) "State agency" means any agency, board, or commission of state government. "State agency" also includes an air pollution control district and an air quality management district.

(p) "Technical review" means the review of an application for a hazardous waste facility project by a state agency to determine if the facility meets the applicable statutes and regulations.

25199.2. Except as otherwise provided in this article, Chapter 4.5 (commencing with Section 65920) of Division 1 of Title 7 of the Government Code applies to all public agencies which make a land use decision or issue a permit for a hazardous waste facility project, as specified in Section 65963.1 of the Government Code. The public agency shall perform the duties and carry out the actions required by Chapter 4.5 (commencing with Section 65920) of Division 1 of Title 7 of the Government Code in connection with applications submitted to the public agency for a hazardous waste facility project, unless otherwise specified in this article.

25199.3. (a) Notwithstanding any other provision of law, an applicant for a hazardous waste facility project may submit applications for a land use decision and for one or more permits to the appropriate public agencies simultaneously. Unless a state agency is prohibited by statute from approving a permit before the granting of a local land use decision, the state agency shall not refuse to issue a permit for a hazardous waste facility project on the grounds that the applicant has not been granted a land use permit, except that the state agency may provide that the permit shall not become effective until the applicant is granted a local land use permit.
(b) Any public agency may request another public agency to jointly review applications for a permit or land use decision for a hazardous waste facility project. A public agency may consolidate, with other public agencies, public meetings and hearings permitted or required by law or regulation for the issuance of a permit or the making of a land use decision for a hazardous waste facility project.

(c) The department shall coordinate the technical review of applications for permits for hazardous waste facility projects that are received by state agencies.

(d) Upon the request of a local agency, the department, and any other state agency that is authorized to issue a permit for a hazardous waste facility project, shall provide technical assistance to a local agency that is reviewing an application for a land use decision for the project.

25199.4. The Office of Permit Assistance in the Office of Planning and Research shall, for any proposed hazardous waste facility project, do all of the following:

(a) Assist in identifying state and local permits required for the proposed hazardous waste facility project.

(b) Convene meetings or conferences, as necessary, prior to the submittal of applications for permits to state and local agencies, for the purpose of determining the scope of the hazardous waste facility project, identifying the questions that state and local agencies will have concerning the project, and determining decisionmaking schedules.

(c) Assist state and local agencies in consolidating public meetings and hearings permitted or required by law or regulation for approval of the permits for the project.

(d) Encourage the joint review and processing of applications for permits.

(e) Work with the applicant and public agencies to ensure that decisionmaking deadlines are met.

(f) Call meetings or conferences to resolve questions or mediate disputes arising from applications for a permit for a hazardous waste facility project.

25199.5. (a) At the request of an applicant, the legislative body of a local agency shall, within 60 calendar days after the local agency has determined that an application for a land use decision for a hazardous waste facility project is complete, issue an initial written determination on whether the hazardous waste facility project is consistent with both of the following:

1. The applicable local general plan and zoning ordinances in effect at the time the application was received.

2. The county hazardous waste management plan authorized by Article 3.5 (commencing with Section 25135), if the plan is in effect at the time of the application.

(b) The local agency shall send a copy of the written determination made pursuant to subdivision (a) to the applicant.

(c) The determination required by subdivision (a) does not prohibit a local agency from making a different determination when the final land use decision is made, if the final determination is based on information which was not considered at the time the initial determination was made.

25199.6. (a) Notwithstanding Section 65952 of the Government Code, a responsible agency for a hazardous waste facility project that is a land disposal facility shall approve or disapprove all permits for the project within one of the following periods of time, whichever is longer:
(1) Within one year from the date on which the lead agency approved or disapproved the permit for the project.

(2) Within one year from the date on which completed applications for permits for the project were received, and accepted as complete, by the responsible agency.

(b) Subdivision (b) of Section 65856 of the Government Code does not apply to the failure of a lead agency or responsible agency to approve or disapprove a permit for a hazardous waste facility project within the time limits established by Sections 65850 and 65852 of the Government Code and subdivision (a) of this section. If a lead agency or a responsible agency fails to act within those time limits, the applicant may file an action pursuant to Section 1085 of the Code of Civil Procedure to compel the agency to approve or disapprove the permit for the project within a reasonable time, as the court may determine.

25199.7. (a) At least 90 days before filing an application for a land use decision for a specified hazardous waste facility project with a local agency, the proponent shall file a notice of intent to make the application with the Office of Permit Assistance in the Office of Planning and Research and with the applicable city or county. The notice of intent shall contain a complete description of the nature, function, and scope of the project. The Office of Permit Assistance shall immediately notify affected state agencies of the notice of intent. The local agency shall publish a notice in a newspaper of general circulation in the area affected by the proposed project, shall post notices in the location where the proposed project is located, and shall notify, by a direct mailing, the owners of contiguous property, as shown in the latest equalized assessment role. The local agency shall impose a fee upon a project applicant equal to the cost of notification required by this section.

(b) A proponent may not file an application for a land use decision for a specified hazardous waste facility project with a local agency unless the proponent has first complied with subdivision (a).

(c) Within 90 days after a notice of intent is filed with the Office of Permit Assistance pursuant to subdivision (a), the office shall convene a public meeting in the affected city or county to inform the public on the nature, function, and scope of the proposed specified hazardous waste facility project and the procedures that are required for approving applications for the project.

(d) Within 90 days after receiving a notice of the filing of a notice of intent, the legislative body of the affected local agency shall appoint a seven member local assessment committee.

(1) The membership of the committee shall be broadly constituted to reflect the makeup of the community, and shall include three representatives of the community at large, two representatives of environmental or public interest groups, and two representatives of affected businesses and industries. Members of local assessment committees selected pursuant to this subdivision shall have no direct financial interest, as defined in Section 87103 of the Government Code, in the proposed specified hazardous waste facility project.

(2) The local assessment committee shall do all of the following:

(A) Negotiate with the proponent for the proposed hazardous waste facility project on the detailed terms of, provisions of, and conditions for, project approval which would protect the public health, safety, and welfare, and the
environment of the city or county and would promote the fiscal welfare of the city or county through special benefits and compensation.

(B) Represent generally, in negotiation with the project proponent, the interests of the residents of the city or county and the interests of adjacent communities.

(C) Receive and expend the technical assistance grants made available pursuant to subdivision (g).

(D) Adopt rules and procedures which are necessary to perform its duties.

(E) Advise the legislative body of the city or county of the terms, provisions, and conditions for project approval which have been agreed upon by the committee and the proponent, and of any additional information which the committee deems appropriate. The legislative body of the city or county may use this advice for its independent consideration of the project.

(3) The legislative body of the affected jurisdiction shall provide staff resources to assist the local assessment committee in performing its duties.

(4) A local assessment committee established pursuant to this subdivision shall cease to exist after final administrative action by state and local agencies has been taken on the permit applications for the project for which the committee was convened.

(e) A local agency shall notify the Office of Permit Assistance within 10 days after an application for a land use decision for a specified hazardous waste facility project is accepted as complete by the local agency and, within 60 days after receiving this notice, the Office of Permit Assistance shall convene a meeting of the lead and responsible agencies for the project, the proponent, the local assessment committee, and the interested public, for the purpose of determining the issues which concern the agencies that are required to approve the project and the issues which concern the public. The meeting shall take place in the jurisdiction where the application has been filed.

(f) Following the meeting required by subdivision (e), the proponent and the local assessment committee appointed pursuant to subdivision (d) shall meet and confer on the specified hazardous waste facility project proposal for the purpose of establishing the terms and conditions under which the project will be acceptable to the community.

(g) A proponent for a specified hazardous waste facility project shall pay a fee, established by the Office of Permit Assistance, equal to the cost of hiring independent consultants to review the project. The Office of Permit Assistance shall deposit these fees in the Local Agency Technical Assistance Account, which account is hereby created within the General Fund. The moneys in that account may be expended by the Office of Permit Assistance, upon appropriation by the Legislature, to make technical assistance grants to the local assessment committee to enable the committee to hire an independent consultant to assist the committee in reviewing the project and negotiating terms and conditions with the proponent.

(h) If the local assessment committee and the proponent cannot resolve any differences through the meetings, the Office of Permit Assistance may recommend the use of a mediator. The proponent shall pay one-half of the costs of this mediation and the remaining costs shall be paid, upon appropriation by the Legislature, from the General Fund.

(i) This section applies only to a specified hazardous waste facility project.

25199.8. (a) If an action or proceeding has been commenced in any court to attack, review, set aside, void, or annul the acts or decisions of a lead
agency for a specified hazardous waste facility project on the grounds of noncompliance with Division 13 (commencing with Section 21000) of the Public Resources Code, the proponent may, notwithstanding the action or proceeding, request the responsible agencies for the specified hazardous waste facility project to continue to process applications for approval of permits for the project received and accepted as complete by each responsible agency. If a responsible agency receives such a request, the time limits specified in Section 65952 of the Government Code shall apply, except that, in the case of an application for a permit for a land disposal facility, the time limits specified in subdivision (a) of Section 25199.6 shall apply.

(b) Except as provided in subdivision (d), if any action or proceeding is commenced to review the acts or decisions of a lead or responsible agency for a specified hazardous waste facility project, the proponent may petition the court to stay the action or proceeding. The court, in its discretion, may stay the action or proceeding until all public agencies for the project have completed reviewing and approving or disapproving the applications for permits for the project. The proponent may, at any time prior to completion of these actions by the lead or responsible agencies, file a petition with the court requesting that the action or proceeding be permitted to proceed and, upon receiving such a petition, the court shall discontinue the stay.

(c) Notwithstanding subdivision (b), a court may enjoin a lead or responsible agency from approving a permit or license if the court finds that the approval would result in an imminent or substantial endangerment of the public health or the environment or if there are other compelling reasons that the action or proceeding should not be stayed.

(d) Subdivision (b) does not apply to an action or proceeding which alleges that a lead or responsible agency has not complied with Division 13 (commencing with Section 21000) of the Public Resources Code.

25199.9. (a) A proponent may file an appeal of a land use decision made by a local agency for a specified hazardous waste facility project with the Governor or the Governor's designee pursuant to subdivision (b), (c), or (d) and any interested person may file an appeal of a land use decision made by a local agency for a specified hazardous waste facility project pursuant to subdivision (e). The proponent or an interested person shall file the appeal within 30 calendar days after the date the local agency takes final action on the land use decision. If the proposed project would accept or manage both hazardous waste and solid waste, the appeal shall relate only to the local land use decision concerning the hazardous waste portion of the proposed facility. Any decisions of an appeal board involving the proposed facility shall affect only the hazardous waste portion of the local land use decision.

(b) If an application for a land use decision for a specified hazardous waste facility project is disapproved by a local agency, the proponent for the specified hazardous waste facility project may file an appeal of the disapproval with the Governor or the Governor's designee. The Governor or the Governor's designee may authorize an appeal of a disapproval pursuant to this subdivision only if the proponent has applied for, and obtained, all permits for the specified hazardous waste facility project which can be obtained before construction from those responsible agencies which are state agencies.

(c) Notwithstanding subdivision (b), if an application for a land use decision for a specified hazardous waste facility project is disapproved by
a local agency before an environmental impact report for the project is prepared and certified, as specified in Section 21151 of the Public Resources Code, or before a negative declaration for the project is adopted pursuant to subdivision (c) of Section 21080 of the Public Resources Code, the proponent may file an appeal of the disapproval with the Governor or the Governor's designee.

Within 30 days after an appeal is filed pursuant to this subdivision, the Governor or the Governor's designee may convene an appeal board, pursuant to Section 25199.10. The appeal board shall thereafter be the lead agency for the specified hazardous waste facility project and shall perform the duties specified in, and carry out the actions required by, Division 13 (commencing with Section 21000) of the Public Resources Code. The proponent may apply for those permits for the specified hazardous waste facility project which can be obtained before construction from those responsible agencies which are state agencies, at any time before or after the appeal board's compliance with actions required by Division 13 (commencing with Section 21000) of the Public Resources Code. The time limits specified in Section 65952 of the Government Code and subdivision (a) of Section 25199.6 apply to those responsible agencies except that, for the purposes of these time limits, the date when the appeal board has complied with all actions required by Division 13 (commencing with Section 21000) of the Public Resources Code shall be deemed equivalent to the date when a lead agency decides to approve or disapprove a project. After the proponent has applied for and obtained these permits, the proponent for the specified hazardous waste facility project may request the Governor or the Governor's designee to authorize the appeal. The Governor or the Governor's designee may authorize an appeal of a disapproval pursuant to this subdivision only if the proponent has applied for, and obtained, all permits for the specified hazardous waste facility project which can be obtained before construction from those responsible agencies which are state agencies.

(d) If an application for a land use decision for a specified hazardous waste facility project is approved by a local agency, the proponent for the specified hazardous waste facility project may file an appeal of one or more conditions imposed by the land use decision with the Governor or the Governor's designee. An appeal filed under this subdivision shall specify the particular condition or conditions imposed by the land use decision that are appealed and shall be based solely on the grounds that the condition or conditions imposed on the operation of the facility by the land use decision are so onerous and restrictive that their imposition is the same as a disapproval of the application for a land use decision. However, the Governor or the Governor's designee shall not authorize an appeal pursuant to this subdivision unless the proponent has applied for, and obtained, all permits for the specified hazardous waste facility project which can be obtained prior to its construction from those responsible agencies which are state agencies.

(e) If an application for a land use decision for a specified hazardous waste facility project is approved by a local agency, any interested person may file an appeal of the approval with the Governor or the Governor's designee. An appeal may be filed pursuant to this subdivision only if the appeal is based solely on the grounds that the conditions imposed on the project by the land use decision do not adequately protect the public health, safety, or welfare. The Governor or the Governor's designee shall not authorize an appeal pursuant to this subdivision before the proponent
for the specified hazardous waste facility project has applied for, and obtained, all permits for the project which can be obtained prior to its construction from those responsible agencies which are state agencies. An interested person filing an appeal pursuant to this subdivision shall state in the appeal why the conditions imposed by the land use decision do not adequately protect the public health, safety, or welfare and shall specify the additional condition or conditions which are necessary to provide that protection.

25199.10. (a) If an appeal is filed pursuant to subdivision (b), (c), (d), or (e) of Section 25199.9, the Governor or the Governor's designee shall determine whether or not the appeal is authorized within five working days after the proponent demonstrates that the proponent has obtained all permits for the specified hazardous waste facility project which can be obtained before construction from those responsible agencies which are state agencies. If, because the application for the appeal is incomplete, the Governor or the Governor's designee is unable to determine, within five working days, whether or not the appeal should be authorized pursuant to Section 25199.9, the Governor or the Governor's designee may return the application for appeal to the proponent or interested party who filed the appeal. The proponent or interested party shall resubmit the completed application for an appeal within 20 calendar days after receiving the returned appeal and if the proponent or interested party fails to do so, the Governor or the Governor's designee shall not reconsider authorizing the appeal.

(b) If the Governor or the Governor's designee determines that the appeal is authorized, the Governor or the Governor's designee shall convene an appeal board within 30 days after the Governor or the Governor's designee determines that the filing of an appeal is authorized, by requesting the League of California Cities and the County Supervisors Association of California to each nominate persons for appointment to an appeal board, as specified in paragraphs (6) and (7) of subdivision (c).

(c) An appeal board shall consist of seven members, five of whom shall be the members listed in paragraphs (1) to (5), inclusive, and two of whom shall be separately appointed for each particular appeal, as provided in paragraphs (6) and (7). An appeal board shall consist of the following members:

1. The State Director of Health Services.
2. The Chairperson of the State Air Resources Board.
3. The Chairperson of the State Water Resources Control Board.
4. A member of a county board of supervisors appointed by the Senate Committee on Rules who shall be selected from the persons nominated by the County Supervisors Association of California. The appointment shall be for a period of four years, but shall terminate earlier if the appointee does not continue in office as a member of a board of supervisors.
5. A member of a city council appointed by the Speaker of the Assembly who shall be selected from the persons nominated by the League of California Cities. The appointment shall be for a period of four years, but shall terminate earlier if the appointee does not continue in office as a member of a city council.
6. A member of a county board of supervisors appointed by the Speaker of the Assembly who shall be selected from the persons nominated by the County Supervisors Association of California. The member shall be from the county in which the specified hazardous waste facility project which is the subject
of the appeal is located. However, if the member appointed pursuant to paragraph (4) is from the county in which the specified hazardous waste facility project is located, the member appointed pursuant to this paragraph shall not be from that same county.

(7) A member of a city council appointed by the Senate Committee on Rules who shall be selected from the persons nominated by the League of California Cities. The member shall be from the city in which the specified hazardous waste facility project which is the subject of the appeal is located, or from the city which the Governor or the Governor's designee determines to be the most directly affected by the project if the project is not located in a city. However, if the member appointed under paragraph (5) is from a city in the county in which the specified hazardous waste facility project is located, the member appointed under this paragraph shall be from a city in a different county.

(d) The appeal board shall issue the final decision upon an appeal in writing and the members of the appeal board shall sign the decision.

(e) The State Director of Health Services, the Chairperson of the State Air Resources Board, and the Chairperson of the State Water Resources Control Board may designate an alternate to attend any meetings or hearings of an appeal board in that person's place, except that the alternate may not vote on a final decision on an appeal or sign the written decision in place of the person for whom the person serves as alternate.

(f) The Governor or the Governor's designee shall designate staff to serve the appeal board.

25199.11. (a) An appeal board established to hear an appeal authorized by the Governor or the Governor's designee pursuant to subdivision (b) or (c) of Section 25199.9 shall follow the procedures and requirements specified in this section.

(b) Within 30 days after the Governor or the Governor's designee determines that the filing of an appeal is authorized pursuant to subdivision (b) or (c) of Section 25199.9, the appeal board shall be convened and a public hearing held in the city or county where the specified hazardous waste facility project is located. At the hearing, the proponent, and the local agency whose land use decision is being appealed, shall present arguments and evidence to the appeal board concerning whether or not the appeal should be accepted.

(c) Within 15 days after the date of the public hearing specified in subdivision (b), the appeal board shall decide whether or not to accept the appeal. The appeal board may accept an appeal only by an affirmative vote of four members of the appeal board. The appeal board shall make its decision based upon the arguments and evidence presented at the hearing. The appeal board's decision shall be in writing, shall be signed by the members who voted in favor of the decision, and shall state the reasons for accepting or rejecting the appeal. The appeal board may accept the appeal if the arguments and evidence presented at the hearing tend to show that, when the local agency's reasons for disapproving the application for a land use decision are weighed against statewide, regional, or county hazardous waste management policies, goals, and objectives, there are compelling reasons to review the disapproval of the application.

(d) If the appeal board accepts the appeal, within 30 days after this acceptance, the appeal board shall conduct an informal workshop on the subject of the appeal in the city or county where the specified hazardous waste facility project is proposed to be located. Within 45 days following
acceptance of the appeal, the appeal board shall also hold a public hearing in the community to hear the arguments and evidence for the purpose of making a tentative decision on the appeal. In issuing a decision pursuant to the hearing, the appeal board shall adopt a rebuttable presumption that the land use decision of the local agency disapproving the application is supported by substantial reasons and that, when these reasons are weighed against statewide, regional, or county hazardous waste management policies, goals, and objectives, the reasons for reversing the local agency's action are not compelling. In all matters related to the appeal, including, but not limited to, matters related to the findings required by subdivision (f), the burden of proof shall be with the proponent to rebut this presumption and to establish that there are compelling reasons to reverse the local agency's land use decision.

(e) Within 45 days after the public hearing, the appeal board shall, by an affirmative vote of at least four members, issue a written decision on the appeal. If the appeal board agrees with the land use decision of the local agency, the appeal board shall state its reasons for this position. If the appeal board agrees with the proponent's appeal, the appeal board shall issue a tentative decision stating that the local agency's land use decision should be reversed.

(f) The appeal board shall not reverse the local agency's land use decision unless the appeal board makes all of the following findings:

1. That the significant environmental impacts of the specified hazardous waste facility project will be adequately mitigated.
2. That the specified hazardous waste facility project was consistent with the applicable city or county general plan when the local agency accepted, as complete, the proponent's application for a land use decision. For the purpose of this finding, a project is consistent with the applicable city or county general plan if the appeal board makes one of the following determinations:

A. The appeal board may determine that a specified hazardous waste facility project that is not a land disposal facility project is consistent with the general plan if the appeal board makes all of the following findings:

i. The project is proposed to be located in an area zoned and designated in the applicable general plan for industrial use and substantially developed with other industrial facilities which produce, treat, or dispose of hazardous waste onsite and which are served by the same transportation routes as the proposed facility. In addition, the land uses authorized in the applicable general plan and zoning ordinances in the vicinity of the project is compatible with the project.

ii. There is no clear and express provision in the general plan which states that such a specified hazardous waste facility project is inconsistent with the general plan, or, if there is such a provision, the provision was adopted after January 1, 1983.

iii. The specified hazardous waste project is consistent, as determined by the appeal board, with the general plan.

B. The appeal board may determine that a specified hazardous waste facility project is consistent with the applicable city or county general plan if the project is a land disposal facility project, and if all of the following apply:

i. There is no clear and express provision in the general plan that states that such specified hazardous waste facility project is inconsistent
with the general plan, or, if there is such a provision, the provision was adopted after January 1, 1983.

(ii) The project is consistent, as determined by the appeal board, with the general plan.

(3) That the specified hazardous waste facility is consistent with the county hazardous waste management plan, if such a plan has been adopted by the county, and approved by the department, pursuant to Article 3.5 (commencing with Section 25135).

(4) That alternative locations for the specified hazardous waste facility project, as identified in the environmental impact report for the project and in the county hazardous waste management plan, if one has been approved by the department, have been adequately considered by the appeal board in determining the appropriateness of the location chosen for the project.

(5) That reversing the local agency's land use decision is consistent with statewide, regional, and county hazardous waste management policies, goals, and objectives. In making this finding, the appeal board shall consider all of the following factors:

(A) Whether or not a need for the specified hazardous waste facility project has been demonstrated.

(B) Whether or not the specified hazardous waste facility project is of a type, and in a location, that conforms to statewide, regional, or local hazardous waste management policies.

(C) Whether or not the specified hazardous waste facility will be operated using the best feasible hazardous waste management technologies.

(g) The local agency whose land use decision is being appealed may reconsider the action and approve the application for the land use decision, consistent with the appeal board's tentative decision, within 60 days after the appeal board issues its tentative decision. If the local agency does not approve the application for the land use decision consistent with the tentative decision within 60 days after the decision is issued, the appeal board shall, by an affirmative vote of at least four members, issue a final decision. If the final decision reverses the local agency's land use decision, the appeal board shall then require the local agency to approve the application for the land use decision and if the local agency does not approve the application for the land use decision, the Attorney General shall bring an action to require the local agency to approve the application for the land use decision for the specified hazardous waste facility project.

25199.13. (a) An appeal board established to hear an appeal authorized by the Governor or the Governor's designee pursuant to subdivision (d) or (e) of Section 25199.9 shall follow the procedures and requirements specified in this section.

(b) Within 30 days after the Governor or the Governor's designee determines that the filing of an appeal is authorized by subdivision (d) or (e) of Section 25199.9, an appeal board shall be convened and a public hearing held in the city or county where the specified hazardous waste facility project is located. At the hearing, the proponent or the interested party and the local agency whose land use decision is being appealed shall present arguments and evidence to the appeal board concerning whether or not the appeal should be accepted.

The arguments and evidence presented to the appeal board for an appeal authorized pursuant to subdivision (d) of Section 25199.9 shall only concern whether or not a condition or conditions imposed on the operation of
the facility by the land use decision are so onerous and restrictive that their imposition is the same as a disapproval of the application for a land use decision. The arguments and evidence presented to the appeal board for an appeal authorized pursuant to subdivision (e) of Section 25199.9, shall only concern whether or not a condition or conditions imposed on the project by the land use decision do not adequately protect the public health, safety, and welfare.

(c) Within 15 days after the date of the public hearing, the appeal board shall decide whether or not to accept the appeal. The appeal board may accept an appeal only by an affirmative vote of five members of the appeal board. The appeal board shall make its decision based upon the arguments and evidence presented at the hearing. The appeal board’s decision shall be in writing, shall be signed by the members who voted in favor of the decision, and shall state the reasons for accepting or rejecting the appeal. The appeal board may not accept the appeal unless it finds that the proponent or interested party has demonstrated a substantial likelihood of prevailing on the merits if the appeal is accepted for hearing.

(d) If the appeal board accepts the appeal, within 30 days after this decision, the appeal board shall hold a public hearing in the city or county where the specified hazardous waste facility project is located to hear the arguments and evidence it requires to make a decision on the appeal. The appeal board shall restrict the scope of the hearing to those matters which the appeal board determines are directly related to the subject matter of the appeal. In making a decision pursuant to the hearing, the appeal board shall adopt a rebuttable presumption that the local agency’s land use decision is supported by substantial reasons and that there are no compelling reasons to modify it. In all matters related to the appeal, the burden of proof shall be with the proponent or the interested party to rebut this presumption and to establish, by clear and convincing evidence, that there are compelling reasons to modify the local agency’s land use decision.

(e) Within 30 days after the public hearing, the appeal board shall, by an affirmative vote of at least five members, issue a decision on the appeal. The decision shall be written, shall be signed by the members in favor of the decision, and shall include the reasons for the decision.

(f) If the appeal is authorized by the Governor or the Governor's designee pursuant to subdivision (d) of Section 25199.9, the appeal board shall not issue a decision modifying the local agency land use decision, unless the appeal board finds that there is clear and convincing evidence that one or more conditions imposed on the facility by the land use decision are so onerous and restrictive that their imposition is the same as a disapproval of the application for a land use decision. If the appeal board agrees with the proponent concerning these conditions, the appeal board shall require the local agency to modify the condition or conditions imposed by the land use decision, as the appeal board deems necessary. If the local agency does not modify the terms of the local land use decision, as required by the appeal board, the Attorney General shall bring an action to require the local agency to modify the local land use decision in accordance with the determination of the appeal board.

(g) If the appeal is authorized by the Governor or the Governor's designee pursuant to subdivision (e) of Section 25199.9, the appeal board shall not issue a decision approving the appeal of the interested person unless the appeal board finds that there is clear and convincing evidence that the land use decision approved by the local agency failed to impose one or more
conditions necessary to protect the public health, safety, or welfare. If
the appeal board approves the appeal of the interested person concerning
these conditions, the appeal board shall require the local agency to modify
the land use decision in accordance with the appeal board's decision. If
the local agency does not modify the land use decision as required by the
appeal board, the Attorney General shall bring an action to require the
local agency to modify the land use decision in accordance with the
determination of the appeal board.

25199.14. The final decision of the appeal board concerning an appeal
authorized pursuant to Section 25199.9 shall be deemed to be the final
administrative action of the appeal board.

SEC. 9. Section 25200.1 is added to the Health and Safety Code, to read:

25200.1. Notwithstanding Section 25200, the department shall not issue a
hazardous waste facility permit to a facility which commences operation on
or after January 1, 1987, unless the department determines that the facility
operator is in compliance with regulations adopted by the department
pursuant to this chapter requiring that the operator provide financial
assurance that the operator can respond adequately to damage claims arising
out of the operation of the facility.

SEC. 10. Section 25200.2 is added to the Health and Safety Code, to read:

25200.2. (a) Notwithstanding Sections 25200 and 25200.5, the department
shall not issue a hazardous waste facilities permit or grant interim status
to any person to use and operate a facility which is a hazardous waste land
disposal facility unless the facility is a treatment facility or a facility
used exclusively for the disposal of treated hazardous wastes or special
wastes. This subdivision applies only to hazardous waste land disposal
facilities that commence operation on or after January 1, 1987.

(b) The disposal of liquid wastes, liquid hazardous wastes, or hazardous
wastes containing free liquids in hazardous waste landfills is prohibited.
For purposes of this subdivision, "free liquids" means liquids that readily
separate from the solid portion of a hazardous waste under ambient
temperature and pressure.

(c) Beginning on January 1, 1990, the department shall prohibit the
disposal of hazardous wastes that are not treated hazardous wastes into
hazardous waste landfills unless the hazardous waste is solid hazardous
waste and is produced as a result of removal or remedial action at a
hazardous waste site or unless the hazardous waste is a special waste.

(d) For purposes of this section, the following definitions apply:

(1) "Hazardous waste landfill" means a disposal facility, or a part of a
facility, where hazardous waste is placed in or on land and which is not a
land treatment facility, a surface impoundment, or an injection well.

(2) "Special waste" means a waste which meets the criteria and
requirements established in Section 66742 of Title 22 of the California
Administrative Code and has been classified as a special waste pursuant to
Section 66744 of Title 22 of the California Administrative Code.

(3) "Treated hazardous waste" means the solid residual portion of a
hazardous waste which is produced when the hazardous waste is treated by a
method, technique, or process, including incineration, that changes the
physical, chemical, or biological character or composition of the waste and
which is in compliance with at least one of the following:

(A) It meets the criteria and requirements for, and may be managed as, a
special waste.
(B) It does not contain any persistent or bioaccumulative toxic substance in excess of the soluble threshold limit concentration for the substance as established in regulations adopted by the department.

(C) It meets treatment standards established by the Environmental Protection Agency pursuant to subsection (m) of Section 201 of the Hazardous and Solid Waste Act Amendments of 1984 (42 U.S.C. Sec. 6924(m)) or, if the department has established equivalent or more stringent treatment standards pursuant to this chapter, it meets the treatment standards established by the department.

SEC. 11. Section 25204 of the Health and Safety Code is repealed.

SEC. 12. The sum of ten million dollars ($10,000,000) appropriated by Section 21 of Chapter 1440 of the Statutes of 1985 is hereby transferred to the Hazardous Waste Management Planning Subaccount in the Hazardous Waste Control Account for purposes of funding the hazardous waste management planning activities required by Article 3.5 (commencing with Section 25135) of Chapter 6.5 of Division 20 of the Health and Safety Code.

SEC. 13. Section 10 of this act, which adds Section 25200.2 to the Health and Safety Code, shall not become operative if Senate Bill 1500 is enacted and becomes operative.

SEC. 14. Reimbursements to local agencies and school districts for costs mandated by the state pursuant to this act shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code and, if the statewide cost of the claim for reimbursement does not exceed five hundred thousand dollars ($500,000), shall be made from the State Mandates Claims Fund, except that no reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution for those costs which may be incurred by a local agency or school district because this act creates a new crime or infraction, changes the definition of a crime or infraction, changes the penalty for a crime or infraction, or eliminates a crime or infraction.
Accepted Commitments: Accepted commitments are previous land development decisions which are recognized as "given" on the Kern County General Plan Land Use, Open Space and Conservation Element map. Accepted commitments, as defined, conform to one or more of the following criteria:

(1) Approved General Plan Amendments since March 15, 1982.
(2) Adopted development guides for phased development projects.
(3) Recent zone changes in urbanizing areas since 1976.
(4) Zone changes adopted since 1976 pending approval of a final subdivision map. Reference: Land Use, Open Space and Conservation Element of the Kern County General Plan - Appendix A, and Figure 3, Step V.

Acutely Hazardous Material: An extremely hazardous material. EPA has compiled a list of such materials.

Advisory Committee: The Advisory Committee which is required in AB 2948, Section 25135.2. Although the law specifies some of its members as to the interest groups they represent, the Committee can be as large as desired by the planning agency developing the plan. Its meetings should be open to the public; it should represent major interest groups in the planning area, and should meet frequently throughout the development of the plan. Although the plans developed by regional agencies are not required to be developed with the help of an Advisory Committee, one could be helpful in identifying issues and developing support for the plan. (See "Local Advisory Committee")

Amendment: Formal Changes to an adopted CHWMP. The plan amendment process includes recognition of the need for revision of the plan at either regular or intermittent times. All or part of the plan may be revised and amended as needed.

Appropriate Agreements: When this term is used in the Guidelines, Department of Health Services is expressing its understanding that agreements between jurisdictions will be individually developed to meet unique goals and should not be expected to be carbon copies of agreements reached between other jurisdictions. Nevertheless, agreements should address the hazardous waste issues and express the agreements reached between the signatory parties in a legally binding manner.

Approved Plans: County, multi-county, or regional Hazardous Waste Management Plans (CHWMPs) approved by the Department of Health Services.

Aqueous: Of, relating to, or comprised mostly of water.
Aquifer: A geologic formation, group of formations, or part of a formation capable of yielding a significant amount of groundwater to wells or springs. (CAC, Title 22, Section 66011.1)

Area Plan: A plan for response to emergencies involving hazardous materials or wastes under the authority of AB 2185 and 2187, the Hazardous Materials Release Response Plans and Inventory Law.

Best Feasible Hazardous Waste Management Technologies: The best demonstrated available technologies as determined by the Department of Health Services; technologies which meet the current state and federal requirements for treatment and/or disposal.

Buffer Zone: An area of land which surrounds a hazardous waste facility and on which certain land uses and activities are restricted to protect the public health and safety and the environment from existing or potential hazards caused by the migration of hazardous waste. (Health and Safety Code, Section 25110.3; Kern County General Plan Land Use, Open Space and Conservation Element Chapter 3 and Appendix H.)

Business Plan: A plan which each business with appreciable quantities of hazardous materials (including wastes) must prepare under AB 2185/2187. The Business Plan must include an inventory of hazardous materials on the property, as well as information needed for fire departments and others to respond to site emergencies.

California Environmental Quality Act (CEQA): California Public Resources Code Section 21000 et seq.


Capacity Excess or Shortfall: The needs assessment required by DHS Guidelines Technical Reference Manual compared to existing hazardous waste facility capacity.

Characteristic Waste: A waste that is hazardous because of ignitable, reactive, corrosive, toxic, or infectious characteristics, even if the waste is not included on any list.

Class 1 Land Disposal Facilities: Land disposal facilities which conform to requirements of regulations of the State Water Resources Control Board for Class 1 units and which shall be located where natural geologic features provide optimum conditions for isolation of wastes from the waters of the state. Currently, these facilities may accept solid and dry hazardous waste. After 1990, they will be precluded from accepting any untreated hazardous wastes. They may not be located in areas subject to

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flooding by 100-year floods, areas subject to rapid geologic changes, or areas subject to tsunamis, sieches, and surges, or within 200 feet of a fault zone active within the period defined.

**Class 2 Land Disposal Facilities:** Land disposal facilities which must be located where site characteristics and containment structures isolate wastes from the waters of the state. They may be located within areas subject to flooding, areas subject to rapid geologic change, and areas subject to tsunamis, sieches, and surges if they are designed, constructed, and maintained to preclude failure in protecting the waters of the state. Class 2 land disposal facilities are suitable for wastes which have been granted a variance from hazardous waste management requirements pursuant to Section 66310, Title 22, CAC. (See definition of Designated Waste.)

**Class 1 Hazardous Waste Deep Well Injection:** Any bored, drilled, or driven shaft, dug pit, or hole in the ground whose depth is greater than the circumference of the bored hole and any associated subsurface appurtenances, including, but not limited to, the casing constructed and used for the purpose disposing of hazardous waste injectate. (See HSC Article 5.5, commencing with Section 25159.10)

**COG:** The literal meaning of this abbreviation is Council of Governments and AB 2948 references four specific COGs to receive funding for regional plan development. This is not meant to preclude the use of other legally binding agreements between counties and cities which are regional in nature as a framework for the development of a regional or multi-county plan. Associations of Governments, Joint Powers Agreements, and the like may be the mechanisms through which multi-jurisdictional plans are developed which will have the same validity as those COG plans specifically funded in AB 2948 if the plans are developed with the processes and procedures described in these Guidelines.

**Commercial Hazardous Waste Shipping Route:** State- and federally-maintained roads in Kern County where commercial shipping of hazardous waste by truck shall be restricted to in a manner consistent with policies and implementations measures of the CHWMP. Figure 8-1 indicates roads within Kern County which are considered candidates for "Commercial Hazardous Waste Shipping Route" designation.

**Conditional Use Permit (CUP):** A discretionary permit, issued by cities and counties, which is required for certain projects that are allowable by special permit only. A conditional use permit imposes conditions on a project which are designed to assure that the project is compatible with the local general plan and zoning ordinances and that adverse impacts to neighboring land uses are minimized.

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KERN COUNTY and INCORPORATED CITIES
HAZARDOUS WASTE MANAGEMENT PLAN

County: A county that notifies the Department of Health Services that it will prepare a county hazardous waste management plan in accordance with this article and receives a grant pursuant to Section 25135.8. "County" also means any city, or two or more cities within a county acting jointly, which notifies DHS that it will prepare a county hazardous waste management. [AB 2948, Section 25135.1(a)]

Countywide: The area of a county, including the cities and other entities (such as Indian, federal, or state lands) within the boundaries of the county.

County Hazardous Waste Management Plan (CHWMP or Plan): A hazardous waste management plan pursuant to AB 2948 (1986, Tanner). This bill authorizes a county, in lieu of preparing the hazardous waste portion of the solid waste management plan, to adopt, by 30 September 1988, a county hazardous waste management plan pursuant to guidelines adopted by the Department. The bill also authorizes four designated COGs to prepare regional plans.

County Solid Waste Management Plan (CoSWMP): A plan which sets forth a comprehensive program for solid waste management and household hazardous waste programs pursuant to California Government Code, Section 66780.

Department: The California State Department of Health Services (or in a local context, the Kern County Department of Planning and Development Services).

Designated Waste: Hazardous waste which has been granted a variance from hazardous waste management requirements pursuant to Section 66310, Title 22, CAC. A variance may be granted if the waste is insignificant as a potential hazard to human health and safety, livestock, or wildlife because of its small quantity, low concentration, or physical or chemical characteristics. Designated wastes must be handled, stored, or disposed in a manner which will not result in hazard to human health and safety, livestock or wildlife.

Environmental Impact Report (EIR): A detailed statement prepared pursuant to the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) describing and analyzing the significant environmental effects of a project and discussing ways to mitigate or avoid the adverse effects. The term "EIR" may mean either a draft or a final EIR, depending on the context. (Section 15362, CEQA Guidelines)

Environmental Protection Agency (EPA): The Federal environmental program agency created by Congress to oversee public laws dealing with the nation's environment.

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Exempt Waste: Wastes exempt from the permitting process and from reporting requirements, such as wastes which are recycled on site and some wastes which are treated prior to discharge to sewers.

Extremely or Acutely Hazardous Waste: Wastes which could cause death or severe illness in humans. Generally, such wastes either pose an extreme hazard to public health due to their carcinogenicity, great acute or chronic toxicity, or persistence in the environment; or they react violently with water. A special permit must be obtained from the state to dispose of extremely hazardous waste. (22 CAC Section 66717)

Extremely Hazardous Material: A substance or combination of substances which may likely result in death, disabling injury, or serious illness if a person is exposed. (22 CAC Section 66060)

Fair Share: Kern County and the incorporated cities within the County recognize their collective responsibility to assure that adequate treatment and disposal capacity is available to manage hazardous waste generated within Kern County in an environmentally sound manner.

The County and the incorporated cities recognize as part of their responsibility for management of hazardous wastes the need for regional cooperation in order to effectively manage the hazardous waste generated in the region as well. Sound hazardous waste management planning, waste reduction efforts, and appropriate facility siting are the mutual responsibility of all governments. To this end the County and its cities encourage multi-county and regional efforts to plan and implement alternatives to land disposal of untreated hazardous wastes around the state. Agreements for new facilities to provide off-site capacity needed for hazardous waste treatment and residuals disposal should be reached among jurisdictions within the region on an equality-based approach and according to each jurisdiction's environmental suitability for different types and sizes of facilities.

Local legislative bodies of Kern County will work closely with neighboring counties and cities not already represented through the Southern California Hazardous Waste Management Authority to define an agreement with a common goal of resolving hazardous waste management facility needs, siting criteria and transportation strategies as well as planning for the effective administration of the hazardous waste management hierarchy within the region.

It is also recognized that because of economies of scale in facility size there will be proposals ranging in size from those designed primarily to meet the capacity needs of specific waste streams generated within the County to those sized to accept and handle amounts of hazardous waste beyond the needs of the County.

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Therefore, if the location of a particular type of hazardous waste management facility needed in this county is not environmentally appropriate or economically viable, the County shall seek to reach an agreement with one or more other counties to share in the use of a larger, environmentally appropriate and economically viable facility (or facilities) to be located elsewhere. This County and its cities, in turn, agree to actively consider and, if appropriate, to commit as part of an inter-county agreement to approve siting of an environmentally appropriate facility (or facilities) within its own borders designed to serve hazardous waste management needs of other counties as well as in this County.

Absent an inter-jurisdictional agreement for the siting of facilities, this county will consider the siting of environmentally appropriate facilities with a capacity significantly in excess of the hazardous waste management needs of this county only where the project proponent demonstrates that a smaller facility designed to meet the needs of the County is economically non-viable.

It is imperative that any such facilities be constructed, operated and decommissioned in a manner which ensures environmental safety. Conflicts may exist between the siting and operation of certain facilities as profitable businesses, necessary services for industry, and preservation of natural resources for the common good.

Flood Hazard Areas: Special Flood Hazard Area (Zone "A"), as identified on the Flood Hazard Boundary Maps of the U. S. Department of Housing and Urban Development, and supplemented by floodplain delineating maps that have been approved by the Kern County Water Agency or Department of Planning and Development Services. Areas depicted on the adopted Land Use, Open Space and Conservation Element of the Kern County General Plan – Physical Constraint Map Code 2.5.

General Areas: Areas within the planning area which can be identified by specific boundaries.

Groundwater: Water below the land surface in a zone of saturation. (22 CAC, Section 66079).

Hazardous Material: A substance or combination of substances which, because of its quantity, concentration, or physical, chemical, or infectious characteristics, may either: (1) cause, or significantly contribute to an increase in mortality or an increase in serious irreversible, or incapacitating reversible, illness; or (2) pose a substantial present or potential hazard to human health or environment when improperly treated, stored, transported, or disposed of or otherwise managed. Unless

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expressly provided otherwise, the term "hazardous material" shall be understood to also include extremely hazardous material. (22 CAC, Section 66084)

Hazardous Substance: (a) Any substance designated pursuant to Section 1321(b)(2)(A) of Title 33 of the United States Code. (b) Any element, compound, mixture, solution, or substance designated pursuant to Section 102 of the federal act (42 U.S.C. 9602). (c) Any hazardous waste having the characteristics identified under or listed pursuant to Section 6921 of Title 42 of the United States Code, but not including any waste the regulation of which under the Solid Waste Disposal Act has been suspended by act of Congress. (d) Any toxic pollutant listed under Section 1317(a) of Title 33 of the United States Code. (e) Any hazardous air pollutant listed under Section 7412 of Title 42 of the United States Code. (f) Any imminently hazardous chemical substance or mixture with respect to which the Administrator of the United States Environmental Protection Agency has taken action pursuant to Section 2606 of Title 15 of the United States Code. (g) Any hazardous waste or extremely hazardous waste as defined by Sections 25117 and 25115, respectively, unless expressly excluded. (Health and Safety Code, Section 25316)

Hazardous Waste: A waste, or combination of wastes, which because of its quantity, concentration, or physical, chemical, or infectious characteristics may either: (a) Cause, or significantly contribute to an increase in mortality or an increase in serious irreversible, or incapacitating reversible, illness. (b) Pose a substantial present or potential hazard to human health or environment when improperly treated, stored, transported, or disposed of, or otherwise managed. Unless expressly provided otherwise, the term "hazardous waste" shall be understood to also include extremely hazardous waste (Section 25117, Health and Safety Code).


Hazardous Waste Element: That portion of a County Solid Waste Management Plan which addresses hazardous waste management.

Hazardous Waste Facility: All contiguous land and structures, other appurtenances, and improvements on the land, used for handling, treating, storing, or disposing of hazardous wastes (22 CAC, Section 66096).

Hazardous Waste Facility Permit: A document issued by the Department to implement the requirements of Chapter 6.5 of Division 4, of the Health and Safety Code. (22 CAC, Section 66099)
Hazardous Waste Facility Project: A project undertaken for the purpose of siting and constructing a new hazardous waste facility or for the purpose of significantly expanding or modifying an existing hazardous waste facility that is being used or operated under a permit issued pursuant to HSC Section 25200 or a grant of interim status pursuant to HSC Section 25200.5. Unless expressly provided otherwise, "hazardous waste facility project" includes a specified hazardous waste facility project.

Hazardous Waste Generator: Anyone producing hazardous wastes.

Hazardous Waste Management: The systematic control of the collection, source separation, storage, transportation, processing, treatment, recovery, and disposal of hazardous waste (22 CAC, Section 66130).

Incineration: A process for reducing the volume or toxicity of hazardous wastes by oxidation at high temperatures.

Joint Powers Agreement (JPA): An agreement between two or more public agencies for the joint exercise of any power common to the contracting parties.

Kern County and Incorporated Cities Hazardous Waste Management Plan: This document, prepared pursuant to HSC Article 3.5 Section 25135 et. seq.

Land Disposal Facility: A hazardous waste facility where hazardous waste is disposed in, on, under, or to the land.

Land Disposal Restrictions: Refers to the state and federal program to progressively ban the land disposal of untreated hazardous wastes.

Landslide Hazard Areas: Areas of down-slope ground movement identified either on the Alquist-Priolo Special Study Zones as delineated by the State Geologist, or depicted on the Kern County Seismic Hazard Atlas and the adopted Land Use, Open Space and Conservation Element of the Kern County General Plan - Physical Constraint Map Code 2.2.

Lead Agency: The public agency which has the principle responsibility for carrying out or approving a project. The lead agency will decide whether or not an EIR or Negative Declaration will be required for the project and will cause the document to be prepared.

Listed Wastes: RCRA regulations include four lists of various hazardous wastes. Most wastes are listed specifically by the substances they contain. A few are listed by the process which produces them. The California Administrative Code contains additional lists, which include some wastes which are exempt from RCRA.

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Local Assessment Committee: A seven member committee convened according to AB 2948 to advise the County or a city on a specific proposal to site a specified hazardous waste management facility.

Local Advisory Committee: Kern County's Hazardous Waste Management Plan eleven member Advisory Committee convened according to Health and Safety Code Section 25135.2.

Manifest: A state form which indicates generator, quantity, type of waste, and disposer of waste for each shipment of hazardous wastes handled in off-site facilities.

Mitigation: Includes: (a) Avoiding the impact altogether by not taking a certain action or parts of an action. (b) Minimizing impacts by limiting the degree or magnitude of the action and its implementation. (c) Rectifying the impact by repairing, rehabilitating, or restoring the impacted environment. (d) Compensating for the impact by replacing or providing substitute resources or environments.

Multi-County: An area including two or more counties.

Need for Facility: A present or projected shortfall of facilities to meet local or multi-county waste management purposes, including facilities which provide more desirable or economic means of hazardous waste management and may serve greater than local needs.

Needs Assessment: The determination of the total required capacity (treatment or disposal, depending on context). The needs assessment ignores existing capacity.

Negative Declaration: A written statement by the lead agency and subject to formal public review which briefly describes the reasons why a proposed project, not exempt from CEQA, will not have a significant effect on the environment and, therefore, does not require the preparation of an EIR. (Section 15371, CEQA Guidelines).

Negotiation: A process through which tradeoffs are made by parties in a dispute to reach an agreement satisfying them all.

Off-Site Hazardous Waste Facility: A hazardous waste facility that is not an on-site facility. (Health and Safety Code, Section 25117.11)

On-Site Hazardous Waste Facility: A hazardous waste facility at which a hazardous waste is produced and which is owned by, leased to, under the control of, the producer of the waste. (Health and Safety Code, Section 25117.12)

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PERMIT: A document issued by a governmental unit that allows specified activities to proceed under specified conditions.

PHYSICAL CONSTRAINTS: Environmentally unsound areas where land use in Kern County is controlled by adopted policies and special programs included in the Kern County Safety and Seismic Safety Element, and/or the Land Use, Open Space and Conservation Element of the Kern County General Plan - Chapter 2 and Chapter 4, and/or the Kern County and applicable incorporated city zoning ordinances.


RECHARGE ZONE: A land area where water, from precipitation, infiltration from surface streams or impoundment areas, or other sources soaks into the ground and enters an aquifer.

RECYCLE: To redirect or utilize a hazardous waste or a substance from a hazardous waste, and includes recovery of resources from a hazardous waste. (Health and Safety Code, Section 25121)

REGIONAL FACILITY: A hazardous waste management facility which accepts wastes from more than one county.

REGIONAL PLAN: A plan prepared by one of the COGs designated in AB 2948 or by joint agreement between two or more counties under a legally constituted agency covering the planning area, which has the delegated authority to prepare a Regional Plan.

REGIONAL WATER QUALITY CONTROL BOARD (RWQCB): The State of California is divided into nine regions, each with a regional board composed of nine members appointed by the Governor for terms of four years. The boards are authorized to adopt regional water quality control plans, prescribe waste discharge requirements, and perform other functions concerning water quality control within their respective regions, subject to the State Water Resources Control Board review and approval.

RESEARCH, DEVELOPMENT, AND DEMONSTRATION UNITS (RD&Ds): Either, (1) DHS designated facilities located on site, at the source of generation which are exempt from the CHWMP consistency requirement; or (2) DHS designated facilities located in industrial zones or in other zones, where, because of their temporary and experimental nature, they are granted a limited life conditional use permit by local government. Since they must be operated under the conditions of the local land use permit, such facilities are consistent with the CHWMP.
Residuals Repository: A storage facility which accepts solid materials resulting from the treatment of hazardous wastes to standards established by the Department or hazardous organic waste which is stabilized, solidified, or encapsulated. No free liquids will be accepted. The residuals are solids, with relatively insoluble toxic material content and are to be kept dry by the design of the facility.

Resolution: Any legally binding method of taking action by a Board of Supervisors, City Council, or other governing boards of regional agencies, such as COGs, special districts, and self designated multi-county or single-county agencies, to develop and adopt the CHWMP or to delineate voting processes meeting the requirements of AB 2948.

Resource Conservation and Recovery Act (RCRA): A federal act (Public Law 94-580) which gives the Environmental Protection Agency the authority to develop a nationwide program to regulate hazardous wastes from "cradle-to-grave." Enacted in 1976, the Act was established to "protect human health and the environment from the improper handling of solid waste and encourage resource conservation." (see Title 40 CFR, Part 260, et seq.)

Resource Recovery: The reuse or reclamation of any hazardous waste or any recyclable hazardous material (except those that are exempted by Section 25127.5 of the Health and Safety Code). (22 CAC, Section 66180)

Responsible Agency: A public agency which proposes to carry out or approve a project, for which a lead agency is preparing or has prepared an EIR or Negative Declaration. For the purposes of CEQA, the term "responsible agency" includes all public agencies, other than the lead agency, which have discretionary approval power over the project (Section 15381, CEQA Guidelines).


Rotary Kiln Incineration: Liquid or Solid Wastes are burned in large inclined cylinders lined with fire-brick and rotated to improve movement of solids through the incinerator. Virtually any type of waste in any form can be incinerated (TRM page 0-10).

Seismic Hazard (Zone): State of California Alquist-Priolo Special Study Zones as delineated by the State Geologist, and other recently active fault zones as depicted on the Kern County Seismic Hazard Atlas and the adopted Land Use, Open Space and Conservation Element of the Kern County General Plan – Physical Constraint Map Code 2.1.

Shallow Groundwater Areas: Groundwater within 15 feet of the land surface as delineated by the Kern County Water Agency, and/or depicted

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on the Kern County Seismic Hazard Atlas and the adopted Land Use, Open Space and Conservation Element of the Kern County General Plan - Physical Constraint Map Code 2.3.

**Siting Criteria:** Factors which must be met to determine the physically appropriate site or area for the location of a hazardous waste management facility. These factors do not include justification of need for a facility.

**Solidification:** A treatment process for limiting the solubility of, or detoxifying hazardous wastes by produced blocks of treated waste with high structural integrity.

**Solid Waste:** All solid and semisolid wastes, such as garbage, rubbish, paper, ashes, industrial wastes, demolition and construction wastes, abandoned vehicles and parts thereof, discarded home and industrial appliances, manure, vegetable and animal solid and semisolid wastes, and other discharged solid and semisolid wastes; also liquid wastes disposed of in conjunction with solid wastes at solid waste transfer/processing stations or disposal sites, but excluding (a) sewage collected and treated in a municipal or regional sewerage system; or (b) material or substances having commercial value, which have been salvaged for reuse, recycling, or resale.

**Solvent:** A substance used for dissolving another substance.

**Solvent Extraction:** Treating a solid or liquid waste to extract hazardous materials so that the bulk of the waste stream may be discarded as non-hazardous.

**Source Reduction:** On-site practices which reduce, avoid, or eliminate the generation of hazardous waste.

**Stabilization:** A treatment process for limiting the solubility of, or detoxifying hazardous wastes by adding materials which ensure that hazardous constituents are maintained in their least soluble and/or toxic form.

**State Preemption Override:** In the context of hazardous waste management facility siting, state preemption refers to the State of California preempting local decision-making authority over hazardous waste management facility siting such that no local decision is required to site such facilities.

**Special Wastes:** A waste which is a hazardous waste only because it contains an inorganic substance or substances which cause it to pose a chronic toxicity hazard to human health or the environment and which

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meets all of the criteria and requirements of Section 66742 and has been
classified a Special Waste pursuant to Section 66744. (22 CAC, Section
66191)

Specified Hazardous Waste Facility: An off-site facility which serves
more than one producer of hazardous waste. [HSC Section 25199.1(m)]

Steep Slope Areas: Land with an average slope of 30% or steeper depicted
on the most recent U.S. Geological Survey Quadrangle Map base, or by
special study of existing topography, and the adopted Land Use, Open
Space and Conservation Element of the Kern County General Plan – Physi-
ical Constraint Map Code 2.4.

Storage Facility: A hazardous waste facility at which hazardous waste is
contained for period greater than 96 hours at an off-site facility or for
periods greater than 90 days at an on-site facility. (HSC, Section 25123.3)

Superfund: Refers to the Federal Comprehensive Environmental Respon-
se, Compensation and Liability Act of 1980 (CERCLA), and the California
Hazardous Substance Bond Act of 1984 (Article 7.5 of Division 20 of the
California Health and Safety Code). These provide funding for cleanup of
sites contaminated with hazardous waste.

Surface Impoundment: A hazardous waste facility or part of a facility
which is a natural topographic depression, man-made excavation, or diked
area which is designed to hold an accumulation of liquid wastes or wastes
containing free liquids, usually in order to treat the wastes.

Thermal Treatment: Hazardous waste is placed into a device which uses
heat as the primary means to change the chemical, physical, or biological
character of the waste, (the most common method of thermal treatment is
incineration).

Toxic: Capable of producing injury, illness, or damage to humans, domes-
tic livestock or wildlife through ingestion, inhalation, or absorption
through any body surface.

Transportable Treatment Units (TTUs): Hazardous waste treatment works
which are designed to be moved either intact or in modules and which are
intended to be operated at a given location for a limited period of time.
TTUs are regulated as follows: (1) Where TTUs are treating wastes at the
site of the waste generation, they shall be considered as on site and,
therefore, exempt from the consistency requirements of AB 2948; (2)
Where TTUs are treating wastes which have been removed from the genera-
tion site, such as at a transfer station, they will be situated on property
which is already permitted for hazardous waste management by the state
and local government. They shall be given consistency status with

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CHWMPs; and (3) TTUs used at cleanup sites, either for site mitigation or for emergency response purposes, shall be considered to be on-site units.

Transfer Station: Any hazardous waste facility where hazardous wastes are loaded, unloaded, pumped, or packaged. (22 CAC, Section 66212)

Transportation: The movement of hazardous waste by air, rail, highway, or water. (22 CAC, Section 66213.5)

Transportation Route: Any major freeway or interstate highway designated under AB 1861 (Campbell, 1985) which is used to transport hazardous waste or materials.

TRM: Technical Reference Manual, a multi-part document prepared by the Department which supports the State CHWMP Guidelines and provides data to persons preparing CHWMPs.

Treatment: Any method, technique, or process, including neutralization, designed to change the physical, chemical, or biological character or composition of any hazardous waste so as to neutralize such waste, or so as to recover energy or material resources from the waste, or so as to render such waste nonhazardous or less hazardous; safer to transport, store, or dispose of; or amenable for recovery, amenable for storage, or reduce in volume. (22 CAC, Section 66216)

Treatment Facility: Any facility at which hazardous waste is subjected to treatment or where a resource is recovered from a hazardous waste.

TSDF: A treatment, storage, or disposal facility. This may also include transfer stations. This term is used in definitions of federal regulations.

Variance: An exemption from the Department of Health Services's permitting process which is granted under special, stated conditions. Notifications of variances are sent to the local environmental health and land use planning departments and such facilities are still subject to local land use permits.

Waste: Any waste for which no use or reuse is intended and which is to be discarded. For purposes of the CHWMP, waste is considered to be any material for which no use or reuse can be found at the primary generation site which must be managed in a process separate from the generation process.

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Waste Exchange: Clearinghouse approach to transferring treated and/or untreated hazardous wastes to an industrial user for use as raw material, (one method of waste reduction).

Waste Reduction: On-site practices which reduce, avoid, or eliminate the need for off-site hazardous waste facilities, including source reduction, recycling, and treatment.

Waste Stream: A quantitative assessment of the generation, transportation, and disposal of hazardous waste within a given area or region.
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INTRODUCTION

Health and Safety Code Section 25135.1 (d)(8) includes, among other elements, the following requirement: "The county hazardous waste management plan shall serve as the primary planning document for hazardous waste management in the county and shall be prepared as a useful informational source for local government and the public. The plan shall include, but is not limited to, the following........

A schedule which describes county and city actions necessary to implement the hazardous waste management plan through the year 2000, including assigning dates for carrying out the actions."

"The effectiveness of the Plan should be monitored and evaluated as conditions change and additional data are acquired. The first versions of the Plan will have limitations because the available data are incomplete; the possibilities for waste reduction are not well understood; future economic development is always uncertain; the capability of facilities to comply with new requirements may be misjudged; and new waste reduction and treatment technologies will be developed. There are other sources of uncertainty as well. These include new regulations and laws, new product development, and new understanding about short-term and long-term effects of toxic substances on human health and the environment. (DHS Guidelines Section 3.6.14)

"Therefore, it is important to build into the Plan formal procedures to monitor its effectiveness and an evaluation process to identify changes that are needed. Monitoring and evaluation should be done on a regular basis and should be coordinated with three-year revisions of the State Plan. Annual reviews of data and facility implementation tools should not be precluded. The implementation plan, implementation tools, funding sources, and other resource allocations should be reviewed as a part of the local budget process." (DHS Guidelines Section 3.6.14)

The Kern County and Incorporated Cities Hazardous Waste Management Plan provides a framework for an active role on the part of Kern County, incorporated cities, State and Federal departments and agencies, private businesses, and households in managing hazardous waste. One designated agency of the County government should function as a centralized directorate for implementation of the various aspects of hazardous waste management. The designated agency should coordinate efforts with agencies such as CalTrans, fire departments, and the city governments.
who will continue to administer some aspects of hazardous waste management.

When the County or the cities make decisions on hazardous waste management issues, including programs, funding, and land use issues, adequate information shall be disseminated to the Local Advisory Committee, public and industry and their participation shall be invited. Education about hazardous wastes and their safe management shall be provided to various segments of the community. In addition to the education aspects of the various other components of the CHWMP, the following programs will be established or strengthened.

Each listed program is preceded by a Code Number which is used in the computer program utilized to generate the "best fit" start dates and approximate duration of each activity. The approximate duration of the activity is reported in the context that development, public review, funding, and assignment of staff resources, for example, are fundamental elements to most programs and would occur during the duration time given; actual implementation may have a much longer duration than the given period of time:

- PLAN ADMINISTRATION

Code 0

AMENDMENT OF COUNTY AND CITY GENERAL PLANS AND/OR ZONING ORDINANCES Within 180 days after receiving written notification from the DHS that it has approved the county hazardous waste management plan, the county shall either incorporate the applicable portions of the plan, by reference, into the county's general plan, or enact an ordinance which requires that all applicable zoning, subdivision, conditional use permit, and variance decisions are consistent with the portions of the county hazardous waste management plan which identify specific sites or siting criteria for hazardous waste facilities (HSC Section 25135.7(b)). Within 180 days after receiving notification from the DHS that it has approved the county hazardous waste management plan, each city within the county shall do one of the following:

(1) Adopt a city hazardous waste management plan containing all the elements required by subdivision (d) of HSC Section

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25135.1 which shall be consistent with the approved county hazardous waste management plan.

(2) Incorporate the applicable portions of the approved county plan, by reference, into the city's general plan.

(3) Enact an ordinance which requires that all applicable zoning, subdivision, conditional use permit, and variance decisions are consistent with the portions of the approved county hazardous waste management plan which identify general areas or siting criteria for hazardous waste facilities (HSC Section 25135.7(c)).

Start Program: January 1989
Duration of Program: 6 Months
(SB 477 – Green)

Code 1

DESIGNATED COUNTY AGENCY Designate a Kern County agency to coordinate activities of all County Departments and incorporated cities with responsibilities and duties related to hazardous waste.

Start Program: January 1989
Duration of Program: 1 Month

Code 2

PLAN REVISIONS The Plan shall be reviewed and revised as necessary, at least every three years, beginning in 1991. For each revision, the Local Advisory Committee and any sub-committees which the local advisory committee may appoint shall meet and confer on a regular basis for continuity and public input into the revision process.

The DHS Guidelines Section 2.8 indicate that the Plan should be regularly reviewed and revised when feasible and appropriate. Since DHS must revise the State Plan every three years, revision of the county plan on a similar schedule would keep local, regional and state plans on the same track. All plan amendments should be subjected to the same public participation processes used to develop the original plan. A schedule for keeping local and regional plans synchronized with the State Plan (AB 617) is:

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<td>03/31/88</td>
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<td>09/30/94</td>
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<td>11/01/89</td>
<td>11/30/92</td>
<td>11/30/95</td>
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</tbody>
</table>

**Code 3**

**ANNUAL REPORT** An annual report will be submitted to the Board of Supervisors, with copies to all incorporated cities. The report will report specific progress in all areas listed in the Plan and report on other pertinent topics as it deems necessary. If appropriate, the Local Advisory Committee may meet from time to time to help draft and review the annual report.

**Start Program:** February each year  **Duration of Program:** 6 Months

**Code 4**

**LOCAL REGULATIONS** The designated County agency shall recommend and adopt any regulations needed to implement the various facets of the Plan. A first issue of appropriate regulations should be prepared and adopted at the initial stage. Other regulations should be promulgated as necessary to complement all programs throughout the implementation period.

**Start Program:** January 1989  **Duration of Program:** 26 Months

(First Issue)
EDUCATION AND TECHNICAL ASSISTANCE

Code 5

WORKSHOPS AND INFORMATION Provide workshops as well as written material for public distribution in such critical areas as:

- Safe storage, handling and shipping of hazardous wastes;
- Local, state, and federal regulations;
- How to fill out a manifest (identified as an urgent need by haulers and disposal facilities);
- Source reduction measures which SQGs can use;
- Information on local and state hazardous waste and materials programs, on what services and facilities are available, and on where to get more specific information;
- Information on hazardous materials and underground tank regulations and programs, and on the safe management of hazardous materials, since accidental release of hazardous materials or leakage of tanks produces hazardous waste.

Start Program: as necessary to complement other programs

Code 6

MANUAL OF REGULATIONS The designated county agency should provide a manual on hazardous waste regulations, programs, and services to facilitate application processing, source reduction, ongoing operation inspections, and applicable facility decommissioning.

Start Program: October 1990
Duration of Program: 13 Months

LOCALLY ADOPTED
May 13, 1991
Code 7

**HOUSEHOLD HAZARDOUS WASTE EDUCATION** The County should pursue educational programs on household hazardous wastes. These programs should address alternatives to the use of hazardous materials, the hazards involved with improper use, storage and disposal of these materials, and the options for proper disposal. Also, the educational programs should include development and distribution of flyers and brochures for use by homeowners on various health effects and proper disposal options for household hazardous wastes.

Start Program: August 1992  
Duration of Program: 28 Months

Code 8

**SCHOOL CURRICULA** Public and private schools are encouraged to include units in their curricula on hazardous wastes management. The designated county agency should assist schools in obtaining up-to-date programs from various sources.

Start Program: January 1989  
Duration of Program: 5 Years

Code 9

**TECHNICAL ASSISTANCE PROGRAM** By July 1, 1990, establish a technical assistance program to assist generators in identifying and applying methods of hazardous waste reduction. Include at least the following, which shall be coordinated with other hazardous waste and materials information and assistance programs in the county:

- Onsite waste reduction consultations and waste minimization audits.
- Seminars, workshops, and other activities to educate generators about waste reduction methods, opportunities, and available technical or economic assistance.
- Dissemination of information about waste reduction methods that may be applicable to particular types of waste generators within the County, services available from government or

LOCALLY ADOPTED  
May 13, 1991
the private sector to aid in hazardous waste reduction, and regulatory requirements.

- Identify, categorize, and rank priorities for best achieving the hazardous waste reduction goals of this plan.

Start Program: January 1990  
Duration of Program: 9 Months

Code 10

TRANSPORTATION SAFETY  The County should include transportation safety in its technical assistance program for hazardous waste generators and commercial hazardous waste transporters.

Start Program: January 1990  
Duration of Program: 9 Months

Code 11

SMALL QUANTITY GENERATORS EDUCATION  The County should establish technical assistance, education, and on-site consultation programs for small quantity generators (SQGs), especially small businesses.

Start Program: January 1990  
Duration of Program: 4 Years

- INTERGOVERNMENTAL COORDINATION

Code 12

FORMAL RELATIONSHIPS  The designated agency should develop formal relationships with the federal and state governments to define federal, state, regional and local responsibilities for the enforcement of hazardous waste laws and the inspection of hazardous waste facilities, provided that local control is maintained in land use decision-making for hazardous waste management in Kern County and the incorporated cities.

Start Program: January 1989  
Duration of Program: 11 Years

LOCALLY ADOPTED
May 13, 1991
Code 13
REGIONAL COMPACT  Work closely with neighboring counties and cities not already represented through the Southern California Hazardous Waste Management Authority to define a compact, or memorandum of understanding, with a common goal to resolve hazardous waste management facility needs, siting criteria, and transportation strategies.

Start Program: January 1990         Duration of Program: 7 Years

Code 14
MEMORANDUM OF UNDERSTANDING WITH DHS  The County should investigate the feasibility of establishing a Memorandum of Understanding with the Department of Health Services. This could provide the County with authority to enforce state laws and collection of fees currently generated by those laws.

Start Program: September 1991       Duration of Program: 30 Months

DATA MANAGEMENT

Between revisions of the CHWMP, each county will receive significant new information which changes the needs assessment. This includes data about new sites to be cleaned up and new industrial development. The CHWMP should describe a plan to manage this information so that the needs assessment can be rapidly and completely updated. (DHS Guidelines Section 3.6.2)

Code 15
MANIFEST DATA PROGRAM  The County of Kern shall establish a comprehensive data and information program based on the Department of Health Services computerized manifest tracking system.

Start Program: January 1989         Duration of Program: 2 Years

LOCALLY ADOPTED
May 13, 1991
Code 16

LOCAL GENERATION AND STORAGE DATA  The designated County agency will maintain information on generation and storage of hazardous wastes within the County and incorporated cities. Information gathered through programs that regulate hazardous waste generators shall be included.

Start Program: January 1989  Duration of Program: 4 Years

Code 17

DATA LINKAGE WITH SACRAMENTO  The County should expedite the gathering of information and development of the data management and computer linkage with DHS in Sacramento as necessary for emergency response.

Start Program: January 1991  Duration of Program: 26 Months

Code 18

EXTREMELY HAZARDOUS WASTE DATA  The designated County agency shall develop a list of extremely hazardous wastes commonly transported in the County and cities. The agency shall also develop a process of notification of the affected County and city agencies regarding the timing and route of extremely hazardous wastes shipments.

Start Program: February 1992  Duration of Program: 2 Years

Code 19

HAZARDOUS MATERIALS PROGRAM DATA  In May 1988, complete hazardous wastes and materials storage data had been entered on the Fire Department's database for some 440 Kern County businesses, out of approximately 3000. Data for all firms is expected to be on the computer by mid-1990, at the present rate of entry. Methods for speeding up this process should be explored, including additional or temporary data entry personnel, or encouraging firms to submit their data on disk.

Start Program: January 1989  Duration of Program: 26 Months
FUNDING

Code 20
STATE AND FEDERAL FUNDING AND GRANTS  Seek all avenues of available funding, starting with available state and federal funding and grant programs, to augment current work being done on fair share hazardous waste management and planning.

Start Program: January 1989  Duration of Program: 44 Months (Initial venture)

Code 21
HOUSEHOLD HAZARDOUS WASTE PROGRAM FUNDING  Funding for household hazardous waste services should be investigated.

Start Program: January 1989  Duration of Program: 50 Months

Code 22
SUFFICIENT FUNDING TO INITIATE SOURCE REDUCTION PROGRAM
The ability to implement the Plan's source reduction program is contingent upon the availability of sufficient funding.

Start Program: January 1989  Duration of Program: 1 Year

SOURCE REDUCTION

Code 23
LOCAL SOURCE REDUCTION PROGRAM  Develop and implement a local hazardous waste source reduction program which includes providing technical assistance to industry; which ensures that hazardous wastes are not produced

LOCALLY ADOPTED
May 13, 1991
unnecessarily; and ensures that land disposal is used only for those wastes that do not pose a threat to public health and the environment, now or in the future.

Start Program: February 1990  Duration of Program: 9 Months

Code 24
VOLUNTARY REDUCTION  All hazardous waste generators will be requested to voluntarily reduce the amount of waste produced.

Start Program: September 1990  Duration of Program: 28 Months (Initial Request Effort)

Code 25
SOURCE REDUCTION COMMITTEE  The Source Reduction Plan Committee shall work closely with staff to prepare a comprehensive source reduction plan, necessary implementing ordinances; study and address funding needs and data base needs.

Start Program: January 1989  Duration of Program: 3 Months

Code 26
START-UP TIME OF SOURCE REDUCTION PROGRAM  No later than January 31, 1990, the designated County agency staff and Source Reduction Committee shall be in place; staff training and administrative requirements developed and/or amplified.

Start Program: January 1989  Duration of Program: 11 Months

Code 27
REQUESTS FOR SOURCE REDUCTION REVIEWS AND PLANS  No later than September 30, 1990, request that identified large generators provide the designated county agency the

LOCALLY ADOPTED
May 13, 1991
hazardous waste source reduction review and hazardous waste source reduction plan.

Start Program: January 1990      Duration of Program: 9 Months

Code 28
CERTIFICATION OF SOURCE REDUCTION REVIEWS AND PLANS When the review and plan are submitted to the County, the generator would certify that the measures identified in the plan have been implemented, or could be implemented according to the schedule given in the plan.

Start Program: January 1990      Duration of Program: 6 Months

Code 29
DEADLINE FOR SUBMISSION OF DRAFT REVIEWS AND PLANS No later than December 31, 1990, draft large generator hazardous waste source reduction review and hazardous waste source reduction plans shall be received by the designated county agency. Staff evaluation of reviews and plans submitted by the generators begin.

Start Program: July 1990         Duration of Program: 5 Months

Code 30
DEADLINE FOR SUBMISSION OF FINAL PLANS No later than March 31, 1991, each designated generator of hazardous waste shall submit a final plan.

Start Program: October 1990      Duration of Program: To Year 2000

LOCALLY ADOPTED
May 13, 1991
WASTE STREAM MANAGEMENT

Code 31
INDUSTRIAL DRUM TRIPLE RINSE PROGRAM A program similar to the drum triple rinse system established for agriculture should be established for the remainder of Kern County's industrial component.

Start Program: February 1991 Duration of Program: 2 Years

Code 32
PESTICIDE MANAGEMENT In cooperation with the Agricultural Commissioner's office, continue and expand current pesticide management programs for the agricultural sector.

Start Program: January 1989 Duration of Program: To Year 2000

Code 33
HOUSEHOLD HAZARDOUS WASTE COLLECTION DAYS Evaluate the feasibility of collection days for household and SQG hazardous wastes, including pesticides and other agricultural hazardous wastes. Develop a program of household hazardous waste collection which offers Kern County citizens an alternative to improper disposal.

Start Program: February 1993 Duration of Program: 2 Years

Code 36
HOUSEHOLD WASTE OIL COLLECTION Evaluate incentives to commercial automotive service stations to accept waste oil from households.

Start Program: August 1992 Duration of Program: 14 Months

LOCALLY ADOPTED
May 13, 1991
FACILITY CONSTRUCTION AND RELATED ACTIVITIES

Code 35
HOUSEHOLD AND SMALL QUANTITY GENERATOR HAZARDOUS WASTE TRANSFER STATIONS Investigate the feasibility of siting transfer stations at County sanitary landfills. Build collection and transfer stations at the Kern County sanitary landfill system sites which have concentrations of SQGs nearby.

Start Program: March 1993  Duration of Program: To Year 2000

Code 36
WASTE STREAM MONITORING Require monitoring at all hazardous waste storage, treatment, recycling, or disposal facilities where there is a possibility that hazardous wastes will be released to any medium (air, water, or land).

Start Program: October 1990  Duration of Program: To Year 2000

TRANSPORTATION

Code 37
EXTREMELY HAZARDOUS WASTE TRANSPORTATION Consider the feasibility of restricting shipping times of extremely hazardous wastes to off-peak traffic periods. The County should request that the California Highway Patrol designate specially trained officers to patrol the roads within Kern County, to inspect hazardous waste trucks for safety and roadability as well as for proper placarding, shipping papers, and manifests.

Start Program: October 1990  Duration of Program: To Year 2000

LOCALLY ADOPTED
May 13, 1991
Code 38

**DESIGNATION OF SHIPPING ROUTES** Certain routes may be designated by the county for existing facilities. Develop program and funding requirements linked to shipping route designation through any general plan amendment and conditional use permit application for a new, or expanding existing, specified hazardous waste facility must include a description of routes requested to serve the proposed facility.

Start Program: October 1990  
Duration of Program: 52 Months

SITE REMEDIATION AND DECOMMISSIONING

Code 39

**OVERSIGHT OF SITE CLEANUPS** Develop a coordinated effort for oversight and regulation of site assessment and cleanup. Established a program to monitor the transfer of ownership or change in occupancy of industrial or commercial properties, to ensure that contaminated sites are mitigated before different land uses are allowed or new structures built.

Start Program: January 1989  
Duration of Program: 20 Months

Code 40

**BIOLOGICAL REMEDIATION** Encourage on-site biological remediation or other on-site treatment of contaminated sites, to minimize the amount of contaminated soils disposed in landfills or transported to off-site incinerators.

Start Program: October 1989  
Duration of Program: 1 Year

MHK

LOCALLY ADOPTED
May 13, 1991
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<tr>
<th>YEAR</th>
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6 Months 6 Months 6 Months 6 Months 6 Months 6 Months 6 Months 6 Months 6 Months 6 Months 6 Months
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<td>Board of Supervisors designate county agency responsible for implementing CHWMP</td>
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<td>Board appointment of one of their members to Source Reduction Sub-committee</td>
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<td><strong>Draft</strong> $</td>
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<td>SR Program budget prepared; funding methods identified and approved by Board of Supervisors; funding secured</td>
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<td><strong>Seek</strong></td>
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