



Department of Toxic Substances Control

Matthew Rodriguez
Secretary for
Environmental Protection

Deborah O. Raphael, Director
8800 Cal Center Drive
Sacramento, California 95826-3200

Edmund G. Brown Jr.
Governor

May 21, 2014

Mr. Paul Turek
Environmental Manager
Chemical Waste Management, Incorporated
Kettleman Hills Facility
Post Office Box 471
Kettleman City, California 93239

NOTIFICATION OF FINAL DECISION, CLASS 3 PERMIT MODIFICATION REQUEST,
CHEMICAL WASTE MANAGEMENT, INC., KETTLEMAN HILLS FACILITY, 35251 OLD
SKYLINE ROAD, KETTLEMAN CITY, KINGS COUNTY, CALIFORNIA 93239,
ENVIRONMENTAL PROTECTION AGENCY IDENTIFICATION NUMBER
CAT000646117

Dear Mr. Turek:

The Department of Toxic Substances Control (DTSC) has made a final decision to approve the Class 3 permit modification request dated December 12, 2008. DTSC prepared an Addendum to the Subsequent Environmental Impact Report for this permit modification to comply with the California Environmental Quality Act (CEQA).

The public comment period was opened and began on July 2, 2013. DTSC mailed Community Notices to the mailing list in both English and Spanish on July 1, 2013, announcing the opening of the public comment period, a scheduled Open House, a Drop in Session to talk to DTSC staff, and a scheduled public hearing. DTSC mailed a second Community Notice in both English and Spanish on August 8, 2013, extending the public comment period and the date for the public hearing. DTSC also published notices in The Hanford Sentinel and Vida en el Valle in both English and Spanish. DTSC prepared both Community Notices in accordance with CCR, title 22, division 4.5, section 66271.9.

DTSC held the Open House on July 31 and the Drop in Session on August 1, 2013, in Kettleman City. The public hearing was held on September 18, 2013, and the public comment period ended on October 25, 2013. More than 130 people attended the public hearing in Kettleman City. DTSC received 5,553 public comment submittals during the public comment period.

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The final Permit is issued by DTSC in accordance with CCR, title 22, section 66271.14. The Permit will be effective on June 23, 2014. Enclosed is a digital copy of the Response to Comments, final Permit, final CEQA Addendum to the SEIR and Statement of Overriding Considerations.

Within 30 days after a final permit decision has been issued under section 66271.14, any person who filed comments on that draft permit or participated in the public hearing may petition DTSC to review any condition of the permit decision. Any person who failed to file comments or failed to participate in the public hearing on the draft permit may petition for administrative review only to the extent of the changes from the draft to the final permit decision. The 30-day period within which a person may request review under this section begins with this service of notice of DTSC's action and ends on June 23, 2014. The petition shall include a statement of the reasons supporting that review, including a demonstration that any issues being raised were raised during the public comment period (including the public hearing) to the extent required by these regulations and when appropriate, a showing that the condition in question is based on:

- (1) a finding of fact or conclusion of law which is clearly erroneous, or
- (2) an exercise of discretion or an important policy consideration which the Department should, in its discretion, review.

A petition must be postmarked no later than June 23, 2014, and must be submitted to:

Department of Toxic Substances Control
Permit Appeals Officer
700 Heinz Avenue
Berkeley, CA 94710

A petition can also be filed electronically at appeals@dtsc.ca.gov.

The Administrative Record for the final permit is available from 8:00 A.M. to 5:00 P.M. on weekdays at DTSC's Sacramento office.

Department of Toxic Substances Control
8800 Cal Center Drive
Sacramento, CA 95826

Please contact Amy Ly at (916) 255-4159 to make the necessary arrangements. Information is also available at the following links:
http://www.dtsc.ca.gov/HazardousWaste/Projects/CWMI_Kettleman.cfm
<http://www.envirostor.dtsc.ca.gov/public/>

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If you have any questions regarding this letter, please contact me at (916) 255-3883 or wayne.lorentzen@dtsc.ca.gov.

Sincerely,




Wayne Lorentzen, P.E.
Senior Hazardous Substances Engineer
Department of Toxic Substances Control
8800 Cal Center Drive
Sacramento, California 95826
(916) 255-3883
wayne.lorentzen@dtsc.ca.gov

Enclosures

cc: (without enclosures):

Mr. Dave Carlson
Regional Water Quality Control Board
Central Valley Region
1685 "E" Street
Fresno, California 93706-2025

Ms. Kristen Gomes
Regional Water Quality Control Board
Central Valley Region
1685 "E" Street
Fresno, California 93706-2025

Mr. Edwin "Chip" Poalinelli
Waste Management Division (WST-4)
US Environmental Protection Agency, Region 9
75 Hawthorne Street
San Francisco, California 94105-3901

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cc: Mr. Lynn Baker
California Air Resources Board
1001 I Street
Sacramento, California 95812

Mr. Arnaud Marjollet
San Joaquin Valley Unified Air Pollution Control District
1990 East Gettysburg Avenue
Fresno, California 93726

Mr. Dave Warner
Director of Permit Services
San Joaquin Valley APCD
1990 E. Gettysburg Avenue
Fresno, California 93726

Permit Appeals Officer
Department of Toxic Substances Control
700 Heinz Avenue
Berkeley, California 94710

COMMUNITY FLYER

The mission of DTSC is to protect California's people and environment from harmful effects of toxic substances through the restoration of contaminated resources, enforcement, regulation and pollution prevention.

DTSC Approves Expansion of the Kettleman Hills Facility Landfill

Introduction

The Department of Toxic Substances Control (DTSC), Office of Permitting, has approved the Class 3 Permit Modification for Chemical Waste Management's (CWM's) Kettleman Hills Facility, located at 35251 Old Skyline Road near Kettleman City, California. This modification expands the total capacity of hazardous waste landfill unit B-18 from 10,700,000 cubic yards to 15,600,000 cubic yards. DTSC made this decision after a five-year review that is the most comprehensive in the Department's history and included findings of multiple health studies, air and groundwater monitoring data, the facility's compliance history and review of 5,553 comment submittals from the public.

Public involvement contributed considerably to the final permit conditions which include a requirement that trucks using the facility must meet stricter diesel-emission standards. Additional protections to the community include increased air sampling that allows for detection of very low concentrations of PCBs, increased sampling and analysis of liquids that leach to a collection system below the landfill, an improved containment system to control spills and increased inspections and collaboration with the United States Environmental Protection Agency's (U.S. EPA's) inspection efforts.

DTSC's Response to Comments is available at http://www.dtsc.ca.gov/HazardousWaste/Projects/CWMI_Kettleman.cfm and at the repository locations listed on page 3.

Public Involvement



**Appeal Period:
Ends June 23, 2014**

You may appeal DTSC's final permit decision to approve the Kettleman Hills facility landfill expansion. Appeal procedures are discussed on page 2 of this community flyer. The appeal period will end on **June 23, 2014**. Your request must be postmarked or e-mailed no later than **June 23, 2014**. Please send appeals to:

Department of Toxic Substances Control
Permit Appeals Officer
700 Heinz Avenue
Berkeley, CA 94710

Appeals@dtsc.ca.gov

For more information on the Appeals process, please visit the DTSC website at:

<http://www.dtsc.ca.gov/HazardousWaste/AppealingPermit.cfm>



Where can I review the documents?

The Response to Comments and other supporting documents are available at the following locations:

Kings County Library, Kettleman City Branch

104 Becky Pease St.
Kettleman City, CA 93239
(559) 386-9804

Avenal Branch

501 East Kings Street
Avenal, CA 93204
(559) 386-5741

Hanford Branch

401 North Douty Street
Hanford, CA 93230
(559) 582-0261

The Administrative Record for the final permit is available from 8:00 A.M. to 5:00 P.M. on weekdays at our Sacramento office.

Department of Toxic Substances Control
8800 Cal Center Drive
Sacramento, CA 95826
Please contact Amy Ly at (916) 255-4159 to make the necessary arrangements.

Information is also available at the following links:

http://www.dtsc.ca.gov/HazardousWaste/Projects/CWMI_Kettleman.cfm

<http://www.envirostor.dtsc.ca.gov/public/>

Anuncio

Si prefiere hablar con alguien en español acerca de ésta información, favor de llamar a Jesus Cruz, Departamento de Control de Substancias Tóxicas. El número de teléfono es (866) 495-5651.



**CALIFORNIA ENVIRONMENTAL QUALITY ACT
FINDINGS OF FACT AND STATEMENT OF OVERRIDING CONSIDERATIONS**

The Department of Toxic Substances Control (DTSC) issues this Findings of Fact for the project listed below pursuant to the California Environmental Quality Act (CEQA, California Public Resources Code, Division 13, Section 21081) and implementing Guidelines (California Code of Regulations, Title 14, Division 6, Chapter 3, Sections 15091 et seq.)

Project Title: Class III Hazardous Waste Facility Permit Modification for the Chemical Waste Management, Kettleman Hills B-18 Landfill Expansion Project (the Project)

State Clearinghouse Number: 2005041064

Responsible Agency Contact Person: Wayne Lorentzen, Project Manager, Department of Toxic Substances Control

Project Location: Kettleman Hills Facility (the Facility), 3.5 miles southwest of Kettleman City, 6.5 miles southeast of the City of Avenal, and about 2.5 miles west of Interstate (I)-5, Kings County

Project Description: The Project is DTSC's approval of the B-18 Hazardous Waste Facility landfill expansion permit modification under the California Health and Safety Code that includes the following activities:

- Increase in the B-18 Unit footprint area from 53 to 67 acres;
- Increase in total capacity from 10,700,000 to about 15,700,000 cubic yards;
- Increase in maximum waste elevation from 965 to 1018 feet, Mean Sea Level;
- Addition of a second surface water run-off containment basin;
- Extension of the sideslope liner system, with the same design as B-18 Landfill Phase II except for the secondary composite liner having the regulation-required 3-feet instead of 3.5-feet clay thickness;
- Final closure configuration includes approximately 25-foot wide benches at a maximum vertical interval of 50 feet with about a 3.5H:1V slope between the individual benches.

The Department of Toxic Substances Control (DTSC) considered the Addendum and Initial Study/Environmental Checklist (Addendum) for the B-18/B-20 Hazardous Waste Disposal Project, Kettleman Hills Facility Final Subsequent Environmental Impact Report (FSEIR) due to the changes proposed for the engineering plans for the B-18 landfill expansion area. DTSC determined that the Addendum prepared is appropriate pursuant to Cal. Code Regs., tit. 14, § 15164 because the proposed Project includes the following minor changes as follows:

- The B-18 expansion will commence in 2014 rather than 2010,

- The B-18 expansion will occur in two phases. Construction of the Phase III liner system will be completed in one continuous sequence as presented in the FSEIR followed by:
- Submittal of a Construction Quality Assurance (CQA) certification report for a 3.5-acre area in the northwestern portion of the expansion (referred to as Phase IIIA). After securing approval from DTSC and other required regulatory agencies, the Facility will begin placement of waste within the initial approved limits;
- At the same time as Phase IIIA, construction of the remaining portions of the liner system (referred to as Phase IIIB) will continue and will be expected to be completed within six (6) months of the initiation of waste placement in the Phase IIIA area. A separate CQA certification report will be prepared and submitted to DTSC for approval for the Phase IIIB area.
- Phases IIIA and IIIB will be constructed in accordance with the specifications and CQA Plan contained in the Engineering and Design Report for the B-18 area. The submittal of the two CQA reports does not modify the construction requirements for the liner system. The design of Phase III ties into the existing leachate collection and removal system. The Phase IIIA leachate collection and removal system (LCRS) will function as designed without the need for interim controls. An interim 10-foot high soil berm will be constructed between Phase IIIA and Phase IIIB along the existing perimeter road. This berm will provide a physical delineation between the two phases as well as provide run-on and run-off control of storm water. The berm design will be consistent with the design considered by the FSEIR and regulatory requirements. Other storm water controls, such as the perimeter channel and brow ditches, within the watershed of Phase IIIA will be constructed for run-on and run-off control during the interim period. The South Containment Basin will be constructed during Phase IIIB.
- Other project elements as detailed in the Revised Project Description in the FSEIR remain the same.

Project Background: The FSEIR addressed the Project design for the expansion of the Facility's hazardous waste disposal units B-18 and B-20, the Resource Conservation and Recovery Act (RCRA) hazardous waste disposal unit requirements, and the construction activities that will occur under the Project to execute the Facility expansion and closure. The specific construction schedule for the B-18 expansion was not included in the FSEIR although the FSEIR stated that the current B-18 capacity is expected to be reached in 2010 and that the Project would occur in phases. It is specifically noted in the FSEIR (page ES-5, of the *KHF B-18/B-20 Hazardous Waste Disposal Project Recirculated Draft SIER*) that: "Construction is expected to last approximately 100 days and will occur in discrete phases starting in 2010 for the expansion of the B-18 Landfill, and then in three phases A to C) for the new B-20 Landfill." The B-20 proposal is not being considered at this time. The May 2013 Addendum is tiered from the FSEIR project description and is supplemental to the FSEIR. Minor and less than significant changes to the FSEIR regarding the B-18 landfill expansion permit modification Project to be approved by DTSC include those provided in the project description above. DTSC concludes that the proposed permit modification is equally protective of human health and the environment as the B-18 landfill expansion design plans considered in the FSEIR.

Findings of Fact:

As a Responsible Agency, DTSC reviewed the following documents prepared by Kings County as the Lead Agency for the overall B-18/B-20 landfill expansion project to assess impacts as they relate to the Project now before DTSC for consideration:

- Kings County Planning Agency, *Draft Subsequent Environmental Impact Report, B-18/B-20 Hazardous Waste Disposal Project, Kettleman Hills Facility*, March 2008 (SCH# 2005041064);
- Kings County Planning Agency, *Revised Project Description and Analysis Environmental Impact Report, B-18/B-20 Hazardous Waste Disposal Project, Kettleman Hills Facility*, May 2008 (SCH# 2005041064);
- Kings County Community Development Agency, *Recirculated Portions of Draft Subsequent Environmental Impact Report, B-18/B-20 Hazardous Waste Disposal Project, Kettleman Hills Facility*, May 2009 (SCH# 2005041064);
- Kings County Community Development Agency, *Final Subsequent Environmental Impact Report, B-18/B-20 Hazardous Waste Disposal Project, Kettleman Hills Facility*, September 2009 (SCH# 2005041064);
- Exhibit A of Draft Planning Commission Resolution No. 09-13, *CEQA Findings of Fact and Statement of Overriding Considerations for the B-18/B-20 Hazardous Waste Disposal Project*, October 2009.

DTSC also prepared and considered the CEQA Addendum and Initial Study/Environmental Checklist as part of its evaluation of the SEIR for the project, *Addendum and Initial Study/Environmental Checklist, to the Subsequent Environmental Impact Report Prepared for the Existing B-18 Class I/Class II Landfill Expansion Project, Kettleman Hills Facility, Department of Toxic Substances Control May 2013*.

The above-referenced documents are incorporated by reference.

Using its independent judgment, DTSC makes the following findings:

The above documents adequately addressed the proposed impacts of the Project now before DTSC for decision and are adequate for use by DTSC for assessing the potential impacts of the Project design and schedule. Following is a summary of DTSC's statements of facts and findings concerning its review and analysis of these documents:

For the B-18 Class 1/Class II hazardous waste Facility landfill expansion Project Addendum, DTSC, using its independent judgment as the Responsible Agency for the Project, considered the B-18 expansion activities in the context of the FSEIR and Addendum, and determined that no new significant effects would result from the changes included in the B-18 expansion phased approach and that these changes did not constitute a "substantial change to the Project that would require "major revisions." Further, DTSC determined that the FSEIR adequately analyzed the potential effects associated with the B-18 expansion phased approach, that the FSEIR included mitigations

appropriate for the DTSC project activities, and that a subsequent EIR or Negative Declaration is not required pursuant to Cal. Code Regs., tit. 14, § 15162. Therefore, DTSC concluded that the B-18 expansion phased approach does not constitute a “substantial change” to the Project that would require “major revisions” to the FSEIR due to new or increased impacts (Cal. Code Regs., tit. 14, § 15162 (a)(1)). Nor does implementing the Project for the B-18 expansion under a phased approach constitute a “substantial change.” The circumstances under which the project would be undertaken are not substantially different than those described in the FSEIR (Cal. Code Regs., tit. 14, §15162(a)(2)) because the FSEIR discussed similar-type concepts and methods to expand the B-18 area construction activities and analyzed their impacts.

In assessing impacts associated with the B-18/B-20 expansion Project, Kings County concluded that approval of the overall expansion project for B-18/B-20 would have significant and unavoidable impacts to the following environmental issue areas: air quality, greenhouse gas, lifetime cancer risk under a hypothetical worst case scenario at the Facility property boundary for toxic air contaminants, and transportation. Consequently, Kings County adopted a Statement of Overriding Considerations for these environmental issue areas. Additionally, DTSC adopts a Statement of Overriding Considerations for these Project effects as provided below. The alpha-numeric system used in the FSEIR for Project impacts is used in the findings narrative below. In considering the impacts of the Project that includes the B-18 expansion and permit modification scheduling and design changes, DTSC makes the following CEQA findings:

Significant and Unavoidable Impacts

Air Quality – (AQ-1) Periodic Construction and (AQ-2) Operations and Long-Term (Cumulative) Operations Impacts

DTSC concludes that approval of the Project would not change the FSEIR significance finding for air quality. The FSEIR concludes that impacts would be significant and unavoidable for periodic construction and operations impacts for the B-18/B-20 expansion and for cumulative impacts. Project impacts include significant impacts from equipment operation on particulate matter (PM) 10 microns and 2.5 microns or less in diameter, reactive organic gas, nitrous oxide, and ozone. Mitigation measures (AQ-MM.1 and AQ-MM.2) are identified in the FSEIR to reduce project impacts to the extent feasible. DTSC incorporates these mitigation measures (changes) for the Project which will be implemented as part of the project to reduce impacts to the extent feasible. Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the FSEIR. Such changes or alterations are within the responsibility and jurisdiction of another public agency and not DTSC. These changes have been adopted by Kings County.

Transportation – Cumulative:

TT-2, Level of Service (LOS) reduced to D or below by 2017 and 2018 on I-5 North and south-bound of SR 41 and SR 41 west of I-5 to/from the Facility entrance (Less than significant of a Project basis, but cumulatively significant and unavoidable without mitigation based on growth in the region)

TT-3, LOS reduced to D or below for 2026 and 2028 on I-5 north and south-bound of SR 41, and SR 41 west of I-5 to/from the Facility entrance (Less than Significant of a Project basis, but cumulatively significant and unavoidable without mitigation based on growth in the region).

TT-4, LOS reduced to D or below for 2034 and 2036 on I-5 north and south-bound of SR 41, and SR 41 west of I-5 to/from the Facility entrance (Less than Significant on a Project basis, but cumulatively significant and unavoidable without mitigation based on growth in the region).

TT-5, LOS reduced to D or below for 2043 on I-5 north and south-bound of SR 41, and SR 41 west of I-5 to/from the Facility entrance (Less than Significant of a Project basis, but cumulatively significant and unavoidable without mitigation based on growth in the region).

TT-6 (A), LOS reduced to D or below for 2026 at the intersection of the I-5 northbound on- and off-ramps and SR-41 (Less than Significant on a Project basis, but cumulatively significant and unavoidable without mitigation based on growth in the region).

TT-6 (B), LOS reduced to D or below for 2026 on southbound SR-41 at the I-5 northbound on- and off-ramps (Less than Significant on a Project basis, but cumulatively significant and unavoidable without mitigation based on growth in the region).

TT-6 (C), LOS reduced to D or below for 2026 on the I-5 northbound off-ramp to SR-41 (Less than Significant on a Project basis, but cumulatively significant and unavoidable without mitigation based on growth in the region).

TT-6 (D), LOS reduced to D or below for 2034 on northbound SR-41 at the I-5 northbound on- and off-ramps (Less than Significant on a Project basis, but cumulatively significant and unavoidable without mitigation based on growth in the region).

DTSC's approval of the Project would not change the FSEIR significance findings for transportation. The FSEIR concluded that the LOS impacts by 2017 and at various intervals through 2043 would deteriorate to LOS D to F over time. These effects occur on either a project and/or cumulative basis on the following roadways: Interstate (I)-5 north and south-bound of State Route (SR)-41 and SR-41 west of I-5 to/from the Facility entrance; intersection of the I-5 northbound on- and off-ramps and SR-41; southbound SR-41 at the I-5 northbound on- and off-ramps. The cumulative impacts would occur with or without the project if roadway improvements are not made under the California Department of Transportation's (Caltrans's) authority. Because improvements to these routes are subject to Caltrans's jurisdiction and Chemical Waste Management (owner of the Facility) cannot guarantee that planned roadway improvements will occur, impacts are considered significant and unavoidable.

Mitigation measures (TT-MM.1, TT-MM.2, and TT-MM.3) for the roadway improvements include preparation and approval of a construction traffic management plan and Chemical Waste Management's fair share contribution toward specified future roadway improvements on SR-41 and I-5. Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the FSEIR. Such changes or alterations are within the responsibility and jurisdiction of another public agency and not DTSC. These changes have been adopted by another agency or can and should be adopted by such other agency.

Greenhouse Gas – Cumulative GHG-3 Result in increased exposure to one or more of the potential adverse effects of global warming identified in the California Global Warming Solutions Action of 2006 (Less than Significant with Mitigation on a Project basis but Cumulative Significant and Unavoidable)

DTSC's approval of the Project would not change the FSEIR significance findings for greenhouse gas. The FSEIR concluded that development of the B-18/B-20 hazardous waste landfill project could result in an incremental contribution to the significant impact of global climate change on a cumulative basis. These impacts are significant and unavoidable. Mitigation measures are included in the project (AQ-MM.1 and AQ-MM.2) to reduce significant impacts to the extent

feasible. DTSC incorporates these mitigation measures (changes) for the Project. Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the FSEIR. Such changes or alterations are within the responsibility and jurisdiction of another public agency and not DTSC. These changes have been adopted by Kings County.

Public Health Risk (AQ-5, Toxic Air Contaminants - Cumulative)

DTSC concludes that approval of the Project would not change the FSEIR significance findings for public health risk due to toxic air contaminants. The FSEIR concluded that the lifetime cancer risk, under a hypothetical worst case scenario at the Facility property boundary would result in a significant and unavoidable impact on a cumulative basis. This impact is reduced to a less than significant level 2,000 feet from the Kettleman Hills Facility property boundary. The health risk analysis is a function of the modeled ground level concentrations of the various toxic constituents included in the assessment. The acute and chronic risks for the B-18/B-20 landfill areas are based on the maximum emission scenarios, including construction emissions. Cancer risk calculations assume continuous exposure to the pollutant concentration over a period of 70 years, 350 days per year 24 hours per day, 7 days per week. At the Facility, the concentrations of toxic compounds to which an individual would be exposed would vary over the 70 years as a result of changes to the Facility. No human receptors currently live near the property boundary. DTSC agrees with the FSEIR conclusions for public health, and mitigation measures (changes) are included in the project to control emissions to the extent feasible (AQ-MM.1 and AQ-MM.2). DTSC incorporates these mitigation measures (changes) for the Project. Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the FSEIR. Such changes or alterations are within the responsibility and jurisdiction of another public agency and not DTSC. These changes have been adopted by Kings County.

No Impact Areas and Less Than Significant Environmental Impact Areas and Impacts that are Less Than Significant with Mitigation

DTSC reviewed all other environmental issue areas, and found the Project impacts to be consistent with those evaluated in the FSEIR, and DTSC agrees with the FSEIR environmental impact conclusions regarding the remaining environmental issue areas. The following environmental impact issue areas were found to have a less than significant impact, less than significant impact with mitigation, or no impacts from the project as discussed in the FSEIR.

No Impact Areas

No impacts for the following environmental impact issue areas were found:

- Agriculture,
- Recreation,
- Public Facilities,
- Housing,
- Utilities and Service Systems, and
- Mineral Resources.

Less than significant impacts

Aesthetics

Local Mobile Source Carbon Monoxide

Odor impacts

Naturally Occurring Asbestos

Toxic Air Contaminants at the Facility boundary and at a distance of 2,000 feet from the Facility boundary

Loss of Habitat for Special-Status Plant Species (nevertheless land set aside is included for the project for suitable habitat for plant species)

Geology and Soils

Hazards and Hazardous Materials

Hydrology and Water Quality

Land Use and Transportation (except transportation LOS-related as listed above)

Noise

Greenhouse gas on a project-specific basis

Less than significant with mitigation

Mitigation Measures (MM) are included in the FSEIR CEQA Findings, October 2009, for each environmental impact issue area listed below that is expected to be affected by the project:

Biological Resources - loss of potential habitat and effect on San Joaquin kit fox - direct and indirect (BR-MM.1 – BR-MM.9), loss of potential habitat for Blunt-Nosed Leopard Lizard (BR-MM.10 & BR-MM.11), disturbance of loggerhead shrike during nesting /breeding habitat (BR-MM.12), loss of habitat for American badger (BR-MM.1 & BR-MM.2) and cumulative biological resources effects (BR-MM.1 – BR-MM.12). Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the FSEIR. Such changes or alterations are within the responsibility and jurisdiction of another public agency and not DTSC. These changes have been adopted by Kings County or can and should be adopted by this agency.

Cultural Resources - disturbance of unidentified archaeological resources (CR-MM.1 & CR-MM.2, disturbance of unidentified paleontological resources (CR-MM. 3 – CR-MM.5), cumulative impacts (CR-MM. 1 – CR-MM.5). Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the FSEIR. Such changes or alterations are within the responsibility and jurisdiction of another public agency and not DTSC. These changes have been adopted by Kings County or can and should be adopted by this agency.

Toxic Air Contaminants - project specific and cumulative 2,000 feet and beyond the project boundary- (AQ-MM.1 & AQMM.2). Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the FSEIR. Such changes or alterations are within the responsibility and jurisdiction of another public agency and not DTSC. These changes have been adopted by Kings County or can and should be adopted by this agency.

Mitigation measures identified in the FSEIR have been adopted for the Project, as described above, to reduce significant impacts to the extent feasible or to less than significant levels. No additional mitigation measures are necessary in order for DTSC to approve the Project, and no additional monitoring plan is required pursuant to Public Resources Code Section 21081.6. DTSC adopts the Kings County mitigation measures and mitigation monitoring plan, which is incorporated by reference, for the Project.

Statement of Overriding Considerations

DTSC specifically adopts and makes this Statement of Overriding Considerations that this Project has eliminated or substantially lessened all significant effects on the environment where feasible (including the incorporation of feasible mitigation measures) and finds that the remaining significant unavoidable impacts of the Project, which are described above, are acceptable because the benefits of the Project set forth below outweigh it.

After review of the entire administrative record, including, but not limited to, the FSEIR, Addendum, and documents incorporated by reference and listed above, DTSC finds that specific economic, legal social, technological and other anticipated benefits of the Project outweigh the significant and unavoidable impacts, and therefore justify the approval of this Project notwithstanding the identified significant and unavoidable impacts. (Pub. Resources Code, § 21081 and Cal. Code Regs., tit. 14 § 15093.) After review of the entire administrative record, DTSC does hereby determine that implementation of the Project as specifically provided in the Project documents would result in the following substantial public benefits:

1. The Project will assist the State of California in meeting the objectives set forth in the California Health and Safety Code Section 25135, subdivision (a)(5), Section 25146 and Section 25146.5 for safe and responsible management of hazardous waste. Health and Safety Code Section 25135, subdivision (a)(5) declares that:

“[s]afe 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.”

Health and Safety Code Section 25146 declares that:

- (e) “It is a matter of urgent public necessity and statewide concern that the number of existing hazardous waste facilities be retained to the extent feasible.
- (f) The availability of land suitable and capable of being developed as hazardous waste disposal sites is decreasing.
- (g) Any decrease in the number of existing hazardous waste facilities increases the distance that it is necessary to transport hazardous waste in order to properly dispose of it.
- (h) An increase in the distance which it is necessary to travel in order to properly dispose of hazardous waste encourages illegal disposal.”

2. To satisfy the objectives codified in the Health and Safety Code, safe, effective, and economical facilities for the management of hazardous wastes must be available when needed. Ongoing increases in the quantities of hazardous wastes generated effectively reduce disposal capacity throughout the state. Although hazardous waste minimization efforts have partially reduced the burden on existing hazardous waste facilities, there still is a need for expansion and development of additional capacity for hazardous waste treatment, storage, and disposal (TSD) facilities within the State of California.
3. In California there are only currently three hazardous waste disposal facilities: the Kettleman Hills Facility, one near the community of Buttonwillow in Kern County and one near Westmoreland in Imperial County. Hazardous waste would continue to be generated in Kings County and throughout California with or without the Project. The need for hazardous waste disposal capacity would still be required and such hazardous waste would need to be transported to another hazardous waste landfill for disposal. Thus, by expanding the current Facility, the Project will continue to provide the disposal capacity necessary to meet the increasing demand and serve California's hazardous waste disposal needs.
4. As part of an existing facility, the Project will allow the Facility to expand to meet demand and eliminate the need to site a new hazardous waste disposal facility in California.
5. The Project will allow the Facility to continue to provide safe waste disposal for residents and business in Kings County, the Central Valley and the State of California for an additional 32 years. Based on the data published by DTSC (1997 through 2002), the amount of hazardous waste landfilled in California increased by 171 percent, with annual increase shown below (DTSC 2003):

1997	376,669 tons
1998	468,235 tons
1999	523,040 tons
2000	784,148 tons
2001	858,720 tons
2002	1,022,253 tons

This trend is expected to continue due to existing as well as future businesses and industry in California that are expected to generate hazardous waste. DTSC states in a report that "total hazardous waste generation continues to increase in California" (DTSC 2006). As one of only three permitted hazardous waste disposal facilities in California, the Project would provide an additional 32 years of disposal capacity, which is necessary to meet the projected future generation of hazardous waste in California.

6. The Project will allow Waste Management to continue to provide safe disposal for hazardous waste generated by United States (U.S.) businesses with facilities in Mexico. Waste Management accepts a very small amount of waste that is generated by U.S. firms with facilities across the border in Mexico. In 2007, Waste Management accepted approximately 80 tons, equivalent to about 4 truckloads, and in 2008, it had received approximately 10 tons, equivalent to half truckload. In accordance with U.S. Environmental Protection Agency (USEPA) regulations and the North American Free Trade Agreement (NAFTA), these American facilities are required to transport this waste generated in Mexico back across the border for disposal in the U.S. at a fully permitted, safe disposal facility. These U.S. business'

are being environmentally responsible by properly disposing of the waste they generate in the manufacturing of goods at a disposal facility such as the Kettleman Hills Facility. The Project would provide for an additional 32 years of waste disposal capacity for these firms and other residents and businesses throughout California.

Based on the above discussion, DTSC has determined that the statewide environmental benefits of the proposed Project outweigh the unavoidable environmental risks of the Project.

A Notice of Determination (NOD) indicating the results of said findings will be filed with the Governor's Office of Planning and Research, State Clearinghouse pursuant to Section 15096(i) of the State CEQA Guidelines.

Documents and records relating to this Project decision are within the custody of the DTSC and are available for inspection at the following location:

Department of Toxic Substances Control
8800 Cal Center Drive
Sacramento, California 95826.

Certification:

I hereby certify that the statements furnished above present the data and information used to support the findings made herein pursuant to Cal. Code Regs., tit. 14, § 15091 or 15096 (h), and the facts, statements, and information presented herein, are true and correct to the best of my knowledge and belief.

//Original Signed

May 21, 2014
Date

DTSC Branch Chief Signature

Supervising Hazardous Substances
Engineer II
Hazardous Waste Management
Program

Rizgar Ghazi
DTSC Branch Chief Name

DTSC Branch Chief Title

(916) 255-3572
Telephone No.



*California Environmental Protection Agency
Department of Toxic Substances Control*

HAZARDOUS WASTE FACILITY PERMIT

Permit Number: **02-SAC-03**

Facility Name:
Chemical Waste Management, Incorporated,
Kettleman Hills Facility

Owner Name:
Waste Management, Incorporated

Operator Name:
Chemical Waste Management, Incorporated

Facility EPA ID Number:
CAT000646117

Effective Date: **June 16, 2003**
Expiration Date: **June 16, 2013**

Date Modified: **May 21, 2014**

Pursuant to Section 66270.42, title 22, division 4.5, California Code of Regulations, the Hazardous Waste Facility Permit, issued and effective June 16, 2003, is hereby modified to incorporate the permit modification described in Part VII. Permit Modification History. This cover page and the pages of the June 16, 2003 permit are affected by this modification. The revised permit consists of 42 pages including this cover page.

//Original Signed

Office of Permitting, Hazardous Waste
Management Program,
Department of Toxic Substances Control

Date:

May 21, 2014

HAZARDOUS WASTE FACILITY PERMIT

CHEMICAL WASTE MANAGEMENT, INCORPORATED

CHEMICAL WASTE MANAGEMENT, INCORPORATED
KETTLEMAN HILLS FACILITY

Hazardous Waste Facility Permit, Attachment "A"

Effective 6/16/03, Revised 5/5/05 (Class 1), Revised 7/25/06 (Class 1*), Revised 9/21/07 (Class 3), Revised 5/21/14 (Class 3)

KETTLEMAN HILLS FACILITY
35251 OLD SKYLINE ROAD
POST OFFICE BOX 471
KETTLEMAN CITY, CA 93239

ATTACHMENT "A"
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HAZARDOUS WASTE FACILITY PERMIT

*CHEMICAL WASTE MANAGEMENT, INCORPORATED
KETTLEMAN HILLS FACILITY
35251 OLD SKYLINE ROAD
POST OFFICE BOX 471
KETTLEMAN CITY, CA 93239
EPA ID NO.: CAT000646117*

PART I. DEFINITIONS

All terms used in this Permit shall have the same meaning as those terms have in the California Health and Safety Code, Division 20, Chapter 6.5 and Title 22, California Code of Regulations Division 4.5, unless expressly provided otherwise by this Permit.

1. "DTSC" as used in this Permit means the California Department of Toxic Substances Control.
2. "Permittee" as used in this Permit means the Owner and Operator.
3. "HSC" as used in this Permit means the Health and Safety Code.
4. "Cal. Code of Regs." as used in this Permit means the California Code of Regulations.
5. Unless explicitly stated otherwise, all references to items in this Permit shall refer only to items occurring within the same part.

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PART II. DESCRIPTION OF THE FACILITY AND OWNERSHIP

1. OWNER

The facility owner is WASTE MANAGEMENT, INCORPORATED (hereafter "owner").

2. OPERATOR

The facility operator is CHEMICAL WASTE MANAGEMENT, INCORPORATED (hereafter "Operator").

3. LOCATION

The Chemical Waste Management, Incorporated, Kettleman Hills Facility (Facility) is located in western Kings County, California, in the Kettleman Hills which borders the west side of the San Joaquin Valley, approximately 2.6 miles west of the Interstate 5 and State Route 41 intersection. The Facility is located at North Latitude 35° 58' 00" and West Longitude 120° 00' 45". The property includes all of Section 3, T23S, R18E, M.D.B. & M. (Assessor parcel nos. 03833001, 03833019 and 03833020), all of Section 34, T22S, R18E, M.D.B. & M. (Assessor parcel nos. 03832015, 03832020, and 03832021), and the eastern half of Section 33, T22S, R18E, M.D.B. & M. (Assessor parcel no. 03831005).

4. DESCRIPTION

The Chemical Waste Management, Inc., Kettleman Hills Facility is a commercial hazardous waste treatment, storage and disposal facility. The Facility contains 1,600 contiguous acres, approximately 696.5 of which have been approved for hazardous waste activity. The Facility accepts solid, semi-solid, and liquid hazardous and extremely hazardous wastes. It may not accept Class 1, Division 1.1 or 1.2, or forbidden explosives (Code of Federal Regulations, title 49, subchapter C, part 173, section 50); compressed gas cylinders (excluding aerosol cans); radioactive waste that is not exempt from regulation and licensing or is not expressly authorized for disposal under the Radiation Control Law, chapter 8 (commencing with section 114960) of part 9 of division 104 of the Health and Safety Code, or any successor statute that may replace the Radiation Control Law, or is prohibited from disposal under article 1 (commencing with section 114705) of chapter 5 of part 9 of division 104 of the Health and Safety Code or any successor statute that may replace article 1, or is prohibited from disposal by any government agency; biological agents or infectious wastes. The Facility also has a permit, issued by the California Integrated Waste Management Board, to receive municipal /solid wastes into the converted landfill Unit B-19. The

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Facility conducts the following activities: solar evaporation in three surface impoundments; disposal into one hazardous waste landfill; PCB draining and flushing; PCB disposal and storage; and stabilization, solidification and storage of bulk and drummed wastes. The Facility is also permitted to construct and operate a neutralization/filtration unit and eight one-million gallon above ground evaporation tanks.

5. FACILITY SIZE AND TYPE FOR FEES

The Facility is categorized as a large treatment, storage and disposal facility for purposes of HSC Section 25205.19.

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PART III. GENERAL CONDITIONS

1. **PERMIT APPLICATION DOCUMENTS**

- (A) The Part "A" Application dated December 12, 2008, and the Part "B" Application (Operation Plan) dated June 16, 2003, as revised December 7, 2006 (Rev 1), and December 12, 2008 (Rev 2), are hereby made a part of this Permit by reference.

2. **EFFECT OF PERMIT**

- (A) The Permittee shall comply with the provisions of the California Health and Safety Code, and Cal. Code of Regs., title 22, division 4.5. The issuance of this Permit by DTSC does not release the Permittee from any liability or duty imposed by federal or state statutes or regulations or local ordinances, except the obligation to obtain this Permit. The Permittee shall obtain the permits required by other governmental agencies, including but not limited to, the applicable land use planning, zoning, hazardous waste, air quality, water quality, and solid waste management laws for the construction and/or operation of the Facility.
- (B) The Permittee is permitted to treat, store and dispose of hazardous wastes in accordance with the conditions of this Permit. Any treatment, storage or disposal of hazardous wastes not specifically authorized in this Permit is strictly prohibited.
- (C) Compliance with the terms of this Permit does not constitute a defense to any action brought under any other law governing protection of public health or the environment, including, but not limited to, one brought for any imminent and substantial endangerment to human health or the environment.
- (D) DTSC's issuance of this Permit does not prevent DTSC from adopting or amending regulations that impose additional or more stringent requirements than those in existence at the time this Permit is issued and does not prevent the enforcement of these requirements against the Permittee.
- (E) Failure to comply with any term or condition set forth in the Permit in the time or manner specified herein will subject the Permittee to possible enforcement action, including, but not limited to, penalties.

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- (F) In addition, failure to submit any information required in connection with the Permit, or falsification and/or misrepresentation of any submitted information, is grounds for revocation of this Permit (Cal. Code of Regs., title 22, section 66270.43).
- (G) In case of conflicts between the Operation Plan and the Permit, the Permit conditions take precedence.
- (H) This Permit includes and incorporates by reference any conditions of waste discharge requirements specific to hazardous waste disposal issued by the State Water Resources Control Board or any of the California Regional Water Quality Control Boards and any conditions imposed pursuant to section 13227 of the Water Code, that are specific to hazardous waste units.

3. COMPLIANCE WITH CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

The following documents were prepared to comply with the requirements of Public Resources Code section 21000 et seq. and the CEQA Guidelines, section 15070 et seq. of title 14, of the Cal. Code of Regs. and are incorporated by reference:

- Final Environmental Impact Report (EIR) dated October 1985,
- Supplemental Environmental Impact Report dated February 1988,
- Final Subsequent EIR dated November 1997,
- Draft Subsequent EIR dated November 2004,
- Final Subsequent EIR dated May 2005,
- Draft Subsequent EIR dated November 2005,
- Final Subsequent EIR dated May 2006,
- Draft Subsequent EIR dated March 2008,
- Recirculated Portions of Draft Subsequent EIR dated May 2009,
- Final Subsequent EIR dated September 2009, and
- Addendum and Initial Study/ Environmental Checklist dated May 2013.

The mitigation measures identified in the Final Subsequent EIR Mitigation Monitoring and Reporting Plan, and included as Exhibit B of the Draft Planning Kings County Commission Resolution No. 09-13, are incorporated by reference. The Permittee shall comply with the requirements of the Mitigation Monitoring and Reporting Plan as they pertain to the permitted activities to reduce impacts to the extent feasible or to less than significant levels as indicated in the Final SEIR. No additional mitigation measures are identified for the approval of this Permit.

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4. ENVIRONMENTAL MONITORING

(A) The Permittee shall comply with the requirements of the Environmental Monitoring and Response Programs for Air and Soil-Pore Gas provided in the Cal. Code of Regs., title 22, section 66264.700, et seq. Specifically, the Permittee shall comply with the following conditions for Environmental Monitoring:

- (1) (a) The Permittee submitted, and the DTSC approved, a work plan dated February 2006 describing the ambient air monitoring program as required. The ambient air monitoring program shall be designed to protect human health and the environment, using ambient air monitoring techniques, to assess releases of volatile organic compounds, semi-volatile compounds, metals and particulates.

The ambient air monitoring program shall be designed in accordance with the United States Environmental Protection Agency, 1993 (or most current version) "Air /Superfund National Technical Guidance Series, Volume IV-Guidance for Ambient Air Monitoring at Superfund Sites" (Revised), EPA-451/R-93-007, 1993, and the United States Environmental Protection Agency, March 1995, "Quality Assurance Handbook for Air Pollution Measurement Systems: Volume IV, Meteorological Measurements," EPA/600/R-94/038d, unless as otherwise specified by DTSC.

(b) The work plan includes a list of chemicals of concern (COCs) to be included in the ambient air monitoring program. The list of COCs must be representative of the incoming waste and the waste streams as stated in the Permittee's Part B Permit Application. The list of COCs shall be based on the potential to be emitted and the risk to human health and the environment. In addition, the location of the meteorological station; the proposed number, type and location of the ambient air monitoring equipment; sampling techniques; analytical methods with proposed detection limits; data evaluation method and the proposed approach and methodology for a human health risk assessment must be included in the ambient air monitoring program.

(c) Upon approval by DTSC, the ambient air monitoring work plan was implemented within 180 days. Ambient air samples shall be collected for a 24-hour period, on a 12-day cycle, unless as otherwise specified by DTSC. This sampling shall be maintained at least through the first year of monitoring. After which, certain technical specifications of the program, such as sampling frequency, monitoring locations, COCs or analytical methods, may be re-evaluated and modified based on the findings of the

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previous year's data. Either DTSC, or the Permittee with DTSC approval, can initiate the re-evaluation of the ambient air monitoring program.

(d) Ambient air samples for polychlorinated biphenyls (PCBs) shall be collected for a 28-day period, on a quarterly cycle, unless as otherwise specified by DTSC.

(e) Within 90 days of the final decision on the class 3 permit modification request submitted on December 12, 2008, the Permittee shall submit for DTSC approval a proposed location for one additional ambient air monitoring location for ambient air sample collection. The additional station shall be located between the active hazardous waste landfill operations and Kettleman City to assess releases of volatile organic compounds, semi-volatile compounds, metals and particulates that are emitted when the predominant wind direction is from the facility toward Kettleman City.

- (2) The Permittee shall collect the meteorological data continuously. The meteorological data shall be averaged over one-hour periods and summarized on a quarterly basis.
- (3) The Permittee shall submit a report of the data collected during the ambient air sampling to DTSC for review and approval on a quarterly basis. The report shall be submitted within 90 days after the end of the reporting quarter. The quarterly report shall contain a summary of the meteorological data and the analytical results. The analytical results presented in the quarterly report shall include all COCs and any detected or estimated non-COC. In addition to the ambient air data, a brief description of the waste received during the ambient air monitoring period shall be included in the report. DTSC will work with the Permittee to establish the appropriate reporting format for the report.
- (4) Based on a review of the quarterly report, DTSC may request additional information that will assist in the interpretation of the analytical data, because an investigation into an analyte's concentration may require an examination of possible sources, causes and the types of wastes received.
- (5) To ensure that air emissions do not result in unacceptable risks to human health, the Permittee shall prepare a Health Risk Assessment (HRA) in accordance with the DTSC-approved ambient air monitoring program work plan.

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Estimated risks are to be based on data collected during a one-year monitoring cycle and quantified at the facility boundary. The initial HRA shall be submitted 180 days after the end of the first-year monitoring cycle. Thereafter, the Permittee shall provide an annual update to the HRA based on newly-collected data. Previous HRA work may be incorporated with DTSC's prior approval.

Risk estimates are to be evaluated against a cumulative cancer risk of one in a million and a non-cancer hazard index of 1.0 for short- and long-term exposures.

- (6) The Permittee shall obtain DTSC's prior approval for any proposed change to the approved ambient air monitoring program.
- (7) The Permittee shall maintain all existing monitoring programs instituted under the Cal. Code of Regs., title 22, division 4.5, chapter 14, regarding soil-pore gas.

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- (B) The Permittee shall comply with the groundwater monitoring requirements of Cal. Code of Regs., title 22, section 66264.90 et seq., and the Waste Discharge Requirements issued by the Central Valley Regional Water Quality Control Board and any groundwater monitoring provision in subsequent Waste Discharge Requirements that are specific to hazardous waste disposal operations issued to the Permittee by the Central Valley Regional Water Quality Control Board.
- (C) The Permittee shall conduct an annual meeting in Kettleman City to provide a summary of the environmental monitoring results from the prior year to the public. The summary shall include groundwater and ambient air monitoring results.
- (D) The Permittee shall construct a containment system that will isolate any spills of hazardous waste constituents at the sample rack from contact with the ground surface.

5. WASTE MINIMIZATION CERTIFICATION

Pursuant to HSC Section 25202.9, the Permittee shall certify annually, by March 1 for the previous year ending December 31, that:

- (A) The Facility has a program in place to reduce the volume and toxicity of all hazardous wastes (as listed in the Part A Application, Appendix A, dated December 12, 2008) generated by the Facility operations to the degree, determined by the Permittee, to be economically practicable, and
- (B) The method of storage or treatment is the only practicable method or combination of methods currently available to the Facility that minimizes the present and future threat to human health and the environment.

The Permittee shall make this certification, in accordance with Cal. Code of Regs., title 22, section 66270.11. The Permittee shall submit the certification to the Office of Permitting, Hazardous Waste Management Program, DTSC, 8800 Cal Center Drive, Sacramento, California 95826 and shall record and maintain onsite such certification in the Facility Operating Record.

6. WASTE MINIMIZATION CONDITIONS

The Permittee shall comply with the Hazardous Waste Source Reduction and Management Review Act (SB 14) requirements that are specified in the HSC, sections 25244.19, 25244.20 and 25244.21, and any subsequent applicable statutes or regulations promulgated thereunder. This would include submittal of SB 14 documents to DTSC.

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upon request. DTSC may require the Permittee to submit a more detailed status report explaining any deviation from, or changes to, the approved waste minimization plan.

7. WASTES PROHIBITED

The Permittee is not authorized to receive, treat, store, dispose of, or otherwise manage the following:

- (A) Radioactive material that is not exempt from regulation and licensing or is not expressly authorized for disposal under the Radiation Control Law, chapter 8 (commencing with section 114960) of part 9 of division 104 of the Health and Safety Code, or any successor statute that may replace the Radiation Control Law; or is prohibited from disposal under article 1 (commencing with section 114705) of chapter 5 of part 9 of division 104 of the Health and Safety Code or any successor statute that may replace article 1; or is prohibited from disposal by any governmental agency.
- (B) Compressed gases (not including aerosol containers).
- (C) Class 1, Division 1.1 or 1.2, or forbidden explosives (Code of Federal Regulations, title 49, subchapter C, part 173, section 50).
- (D) Biological agents or infectious wastes.

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PART IV. PERMITTED UNITS AND ACTIVITIES

This Permit authorizes operation only of the units and activities listed below. The Permittee shall not treat or store hazardous waste in any unit other than those specified in this part. Any modifications to a unit or activity authorized by this Permit require the written approval of DTSC in accordance with the permit modification procedures set forth in Cal. Code of Regs., title 22, section 66270.42.

UNIT NAME

Drum Storage Unit

LOCATION

The Drum Storage Unit is located between the Combined Closure Area, the Landfill B-13, and the Landfill B-19, in the approximate center of the active portion of the Facility.

ACTIVITY TYPE

Storage in containers.

ACTIVITY DESCRIPTION

At the Drum Storage Unit, containers are unloaded, inspected, segregated and temporarily stored for subsequent processing at another onsite waste management unit or for shipment to an offsite Facility. After containers have been evaluated and inspected, they are placed within a storage bay with other compatible wastes. When enough containers of a given waste category have accumulated and/or the storage time limit is being approached, the containers are transferred to the appropriate onsite waste management unit or offsite Facility via flatbed trucks or other suitable vehicles.

PHYSICAL DESCRIPTION

The Drum Storage Unit includes a main building and an adjacent loading/unloading area. A rigid frame metal roof covers the drum storage building. The floor of the unit is constructed of cast-in-place reinforced concrete with a perimeter containment curb. A 60-mil thick high density polyethylene (HDPE) containment liner and pea gravel leak detection layer underlie the concrete floor. The HDPE liner is sloped to separately collect potential leakage beneath each storage bay.

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There are nine individual container storage bays, each with self-contained drainage. Containers are placed in the storage bays with aisles between the rows for access. Containers may be stacked to 72 inches in total container height, not including any pallet between the stacked containers. Unstacked containers may exceed 72 inches in total container height.

Drainage is directed inward from the perimeter containment curb toward the storage bays. The cast-in-place concrete slab includes a raised walkway separating each storage bay. Each of the bays is sloped to divert leaks, spills, or wash down water into a trench that drains to a separate, nondischarging sump. This prevents liquid accumulation around the base of containers and segregates spilled materials within individual bays. Each storage bay has containment capacity to hold at least 10 percent of the total volume of containers stored within the bay.

The loading\unloading area also has a metal roof to protect operations from inclement weather. The area has a reinforced concrete slab that is sloped to provide four individual bays, each with self-contained drainage that flows to a nondischarging sump. Each loading\unloading bay can accommodate two trucks and has the capacity to hold at least 10 percent of the maximum volume of two truck loads of wastes (i.e. one hundred sixty 55-gallon drums).

The drum storage unit perimeter curb is raised in relation to the surrounding topography, therefore run-on does not occur. The entrance to the loading\unloading area is graded to prevent run-on from the adjacent ground surface.

MAXIMUM CAPACITY OF UNIT

9,000 drums (55 gal. /drum), or an equivalent volume.

WASTE TYPES ALLOWED

As Listed in the Part A Application, Appendix A.

RCRA HAZARDOUS WASTE CODES ALLOWED

As listed in the Part A Application, Appendix A.

AIR EMISSION STANDARDS SUBPART CC

This unit is subject to 40 CFR, Part 264, Subpart CC, Air Emission Standards.

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UNIT NAME

PCB Flushing/Storage Unit

LOCATION

The PCB Flushing/Storage Unit is located to the immediate north of the Drum Storage Unit, in the approximate center of the Facility.

ACTIVITY TYPE

Transfer/Storage of liquid PCB wastes from bulk containers to the 10,000 gallon storage tank, or to DOT-approved metal drums for eventual off-site treatment/disposal.

ACTIVITY DESCRIPTION

Most PCB wastes handled at the PCB Flushing/Storage Unit are drums, PCB article containers, PCB articles (e.g., capacitors, transformers, contaminated equipment) or bulk solids.

Transformers and drums containing PCB liquids are drained and flushed with a solvent and subsequently stored temporarily for eventual offsite treatment/disposal. Capacitors received at the unit, except those defined as being small (40 CFR Part 761), are shipped offsite for disposal.

PCB solids, drained/flushed PCB contaminated drums and articles, and small capacitors are placed in an onsite landfill in accordance with the requirements of 40 CFR Part 761 and Cal. Code of Regs., title 22, division 4.5, or may be shipped offsite for disposal.

The PCB Flushing/Storage Unit also includes a PCB article draining area outside of the building. The draining of PCB liquids occurs here while the PCB articles are within containment trays. The trays are managed as clean and are lined with plastic material. Absorbent material is generally placed in the containment tray to contain drips or spills that may occur during the processing. After the processing is completed, the absorbent and lining materials are taken out of the tray and properly disposed. If the trays or other movable equipment become contaminated, thorough decontamination is required.

Repackaging of PCB wastes may also occur at the unit.

PHYSICAL DESCRIPTION

The PCB Flushing/Storage Unit consists of an enclosed building with a roof and walls to prevent the entrance of precipitation or run-on. There is a continuous concrete curb one and one half feet high inside and adjacent to the walls of the building to contain spills that may occur within the building. The reinforced concrete floor has a vinyl epoxy resin surface and is sloped to drain

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spilled liquids away from stored articles and containers to a nondischarging sump. A vehicle access door is provided at the southeast corner of the building.

One 10,000 gallon aboveground storage tank is located within the building for the storage of PCB liquid and flushing solution. One 1,000 gallon aboveground storage tank is located outside the building for the storage of flushing solution.

MAXIMUM CAPACITY OF UNIT

10,000 gallons (One waste tank) plus 300 55-gallon drums, or an equivalent volume.

WASTE TYPES ALLOWED

Transformers and drums containing PCB liquids, PCB articles (e.g. capacitors, transformers, contaminated equipment) or bulk solids.

RCRA HAZARDOUS WASTE CODES ALLOWED

As listed in the Part A Application, Appendix A.

AIR EMISSION STANDARDS SUBPART CC

This unit is not subject to 40 CFR, Part 264, Subpart CC, Air Emission Standards.

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UNIT NAME

Bulk Storage Units 1 and 2

LOCATION

Bulk Storage Units 1 and 2 are located adjacent to the Final Stabilization Unit directly to the east and north, respectively.

ACTIVITY TYPE

Temporary storage of stabilized/unstabilized waste prior to land disposal, treatment, or shipment offsite.

ACTIVITY DESCRIPTION

Bulk Storage Unit 1 is primarily used for temporary storage of stabilized waste. After confirmation that the stabilized waste meets the appropriate treatment standard(s), the stabilized waste is then disposed in an onsite landfill. Bulk Storage Unit 1 contains a bermed asphalt pad that may be used to temporarily stage land disposal restricted wastes (i.e. unstabilized wastes). The asphalt pad is also used for sealing bulk containers for macro-encapsulation of land disposal restricted debris waste.

Bulk Storage Unit 2 is used for temporary storage of both stabilized and unstabilized waste.

PHYSICAL DESCRIPTION

Bulk Storage Unit 1 is lined with a 60-mil thick HDPE geomembrane, and is overlain by a geocomposite drainage layer and an 18-inch aggregate liner protection layer. There is also an area of approximately 6,000 square feet with asphalt overlying the aggregate liner protection layer.

Bulk Storage Unit 2 is overlain with two 60-mil thick HDPE geomembranes overlain and separated by geocomposite drainage layers. These liners are then overlain with an aggregate liner protection layer.

Both bulk storage units have a perimeter containment berm that prevents runoff or run-on. Inside the perimeter containment berms, the underlying liners are sloped toward sumps, which allows for removal of any standing water.

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MAXIMUM CAPACITY OF UNIT

70 bulk containers in each unit, for a total of 140 bulk containers.

WASTE TYPES ALLOWED

As listed in the Part A Application, Appendix A.

RCRA HAZARDOUS WASTE CODES ALLOWED

As listed in the Part A Application, Appendix A.

AIR EMISSION STANDARDS SUBPART CC

This unit is subject to 40 CFR, Title 264, Subpart CC, Air Emission Standards.

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UNIT NAME

Final Stabilization Unit (FSU)

LOCATION

The Final Stabilization Unit (FSU) is located south of closed Surface Impoundments P-10/11, between P-10/11 and Landfill B-18. The FSU is adjacent to Bulk Storage Units 1 and 2.

ACTIVITY TYPE

Processing of various solid, semi-solid, and selected liquid wastes not suitable for direct landfilling, solar evaporation, or other management method employed at the Facility, by mixing with stabilization reagents.

ACTIVITY DESCRIPTION

Waste processing occurs in four mixing bins. Bulk containers are emptied directly into the bins, and stabilization reagents are added from the storage silos via an automated feed system of conveyors, surge bins, and ducting, or are added from other dry reagents in bags or containers. Smaller containers are held over the bins and their contents poured out, or the containers are pierced with a spike while over the bins. Mixing is accomplished by the use of an excavator moving its bucket back and forth through the waste mixture.

Macroencapsulation is performed within the FSU on certain Land Disposal Restricted wastes (i.e. debris). When loads of debris are received at the FSU, the loads are either directly loaded into roll-off bins fitted with a high density polyethylene vault, or transferred from the waste processing bins to the Macroencapsulation vault. The Macroencapsulation vault is then capped and sealed prior to transport to a landfill.

PHYSICAL DESCRIPTION

The FSU building is a 120' x 80' steel framed structure with a reinforced concrete slab, indoor tanks for waste processing, recessed in the floor, and outdoor reagent storage tanks and appurtenant systems. The reinforced concrete floor is sloped inward to prevent runoff from occurring during waste loading/unloading and processing. The building enclosure prevents precipitation onto the FSU floor and in the waste processing tanks. Perimeter curbing and grading adjacent to the building prevents run-on to the building except from the inward sloping wash down aprons.

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MAXIMUM CAPACITY OF UNIT

Each of the four existing waste processing tanks can hold 20,000 gallons, for an aggregate total of 80,000 gallons; however, the batch processes in each tank typically incorporate 5,000 gallons or less of incoming waste. The FSU has the capacity to be expanded by two additional waste processing tanks, an exterior tank farm consisting of six tanks each with a capacity of 20,000 gallons, and two above ground storage tanks of 20,000 gallon capacity each.

WASTE TYPES ALLOWED

As listed in the Part A Application, Appendix A.

RCRA HAZARDOUS WASTE CODES ALLOWED

As listed in the Part A Application, Appendix A.

AIR EMISSION STANDARDS SUBPART CC

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UNIT NAME

Surface Impoundments P-9, P-14, P-15, and P-16

LOCATION

There are three active and one inactive surface impoundments on the KHF. The active impoundments are P-9, P-14, and P-16; the inactive impoundment is P-15. Unit P-9 is located immediately to the north of the Final Stabilization Unit, adjacent to the Landfill Unit B-19, Phase 3. Units P-14, P-15, and P-16 are located at the extreme north end of the active portion of the Facility adjacent to the Combined Closure as described under the landfill units.

ACTIVITY TYPE

Treatment by solar evaporation.

ACTIVITY DESCRIPTION

The surface impoundments are used to treat low solid, low organic content aqueous wastes by solar evaporation. Wastes treated at the impoundments may be generated offsite, or from onsite operations (e.g. leachate).

Wastes may be transferred to the impoundments from bulk liquid transport vehicles or from containers (e.g. drums).

PHYSICAL DESCRIPTION

Each of the active impoundments is designed with a reinforced concrete pad for unloading wastes. The unloading pads are sloped and curbed to direct spillage into the respective impoundment. Each of the active impoundments is constructed with a double-composite liner and a Leachate Collection and Recovery System (LCRS) between the top and bottom composite liners. The LCRS is also a Leak Detection System (LDS).

Liner components at each of the active impoundments include: bottom liner consisting of a 3-foot thick layer of clay (hydraulic conductivity $\leq 1 \times 10^{-7}$ cm/sec), and a 60-mil thick high density polyethylene (HDPE) geomembrane liner; LCRS/LDS layer consists of: a geosynthetic drainage net; and a geotextile fabric, to prevent clogging; The top liner consists of a 1½ foot thick clay layer (hydraulic conductivity $\leq 1 \times 10^{-7}$ cm/sec), and a 60-mil thick HDPE geomembrane liner.

The inactive surface impoundment P-15 is constructed of the following elements: a 40-mil thick HDPE geomembrane, a geocomposite (geonet/geotextile) LCRS/LDS layer, and a 60-mil thick HDPE geomembrane.

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MAXIMUM TREATMENT CAPACITY

Unit	Area (acres)	Unit Capacity Volume (gallons)
P-9	1.5	4,400,000
P-14	0.9	2,100,000
P-15	1.5	0*
P-16	1.6	3,900,000

*Unit is inactive, and therefore cannot receive any wastes.

WASTE TYPES ALLOWED

As listed in the Part A Application, Appendix A, with the following exceptions:

- Reactive wastes, including wastes with cyanide concentrations greater than 250 ppm or sulfide concentrations greater than 500 ppm.
- Wastes with total organic carbon concentration greater than 10,000 ppm.
- Wastes with an oil and grease concentration greater than 20,000 ppm.
- RCRA waste codes K044, K045, K046, K047, P056, P063, P076, P078, P081, P095, P096, and U135 as defined in Title 40 Code of Federal Regulations Part 261.
- Wastes with a total halogenated organic concentration of greater than 1,000 ppm.
- PCB wastes regulated under the federal Toxic Substances Control Act.
- Wastes prohibited from treatment in surface impoundments by Cal. Code of Regs., title 22, division 4.5, chapter 18, unless treated to meet land disposal restriction regulatory requirements.
- Radioactive waste that is not exempt from regulation and licensing or is not expressly authorized for disposal under the Radiation Control Law, chapter 8 (commencing with

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section 114960) of part 9 of division 104 of the Health and Safety Code, or any successor statute that may replace the Radiation Control Law; or is prohibited from disposal under article 1 (commencing with section 114705) of chapter 5 of part 9 of division 104 of the Health and Safety Code or any successor statute that may replace article 1; or is prohibited from disposal by any government agency.

RCRA HAZARDOUS WASTE CODES ALLOWED

As listed in the Part A Application, Appendix A.

UNIT SPECIFIC SPECIAL CONDITIONS

1. The Permittee shall test all components of surface impoundment liners for waste/leachate compatibility using EPA Method 9090 or other more appropriate methods approved by DTSC. The liner components include seamed portions of 60-mil high density polyethylene, high density polyethylene geomembrane material, high density polyethylene geonet, geotextile fabric, graded gravel used as drainage material, and the high density polyethylene piping used in the leachate collection systems.

The Permittee may propose the use of alternative test methods, existing test data from similar studies, and manufacturer supplied specifications as an alternative to the requirement above. The alternative methods and information must be submitted by the Permittee as a comprehensive plan designed to meet the goals of EPA Method 9090.

2. The Permittee shall not use drilling muds as a soil conditioner in the clay component of liners or cap/covers in any surface impoundment at the Facility.
3. The Permittee shall submit a detailed schedule of the major project milestones to DTSC, and the Regional Water Quality Control Board prior to any surface impoundment construction or closure project. The Permittee shall keep DTSC and the Regional Water Quality Control Board apprised of any changes to the planned dates and events associated with the construction or closure project.

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4. The Permittee shall reject all high density polyethylene geomembrane liner materials that are damaged during installation under windy conditions. The definition of "wind damage," and the required remediation necessary for both preventing and repairing wind damaged geomembrane liner materials, are to be addressed by the Permittee and submitted for DTSC's review and approval within the text of the Construction Quality Assurance Plan (or plan addenda) required for each new surface impoundment construction or closure construction project. These plans (or addenda) require a permit modification in accordance with Cal. Code of Regs., title 22, sections 66270.41 and 66271.4 for approval.

AIR EMISSION STANDARDS SUBPART CC

This unit is subject to 40 CFR, Part 264, Subpart CC, Air Emission Standards.

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UNIT NAME

Landfill units B-18 and B-19

LOCATION

There is one active hazardous waste landfill on the Facility, Unit B-18, which is located at the southern-most point of the active portion of the Facility, immediately south of the Final Stabilization Unit. There is one inactive unit, Unit B-19, which is located immediately north of the closed landfill Unit B-15, and southeast of the Drum Storage Unit.

ACTIVITY TYPE

Land disposal.

ACTIVITY DESCRIPTION

Landfills are operated as the final depositories of solid wastes. Materials that may be landfilled include noncontainerized bulk wastes, containerized wastes, and debris. Some wastes require stabilization/solidification prior to disposal in the landfill. Off loading and burial activities are overseen by trained employees. Containers of solid and lab-pack wastes are placed upright in the disposal area. Noncontainerized bulk wastes are placed in layers and compacted. Except for closed containers and waste materials not prone to wind erosion, daily cover material is placed on the wastes. The approximate midpoint of each shipment of wastes is recorded and documented and kept on file at the Facility in case the wastes must be exhumed.

As noted above, there is one active landfill, Unit B-18, permitted to accept hazardous wastes. The hazardous waste portion of Unit B-19 has undergone delayed closure and the remaining unused portion of the landfill has been converted to accept municipal solid wastes/designated wastes only in accordance with Cal. Code of Regs., title 22, section 66264.113(d). DTSC retains authority over closure of the entire unit.

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PHYSICAL DESCRIPTION

Construction of a landfill unit, such as B-18 or B-19, consists of a secondary liner system; primary liner system; leachate collection and recovery system; leachate detection system; and a vadose zone detection collection and recovery system. These systems are constructed of the following components:

Secondary Liner System: 3-foot minimum clay layer ($k \leq 1 \times 10^{-7}$ cm/sec), and a 60-mil textured high density polyethylene geomembrane.

Primary Liner System: 1.5 foot thick clay layer ($k \leq 1 \times 10^{-7}$ cm/sec), and a 60-mil textured high density polyethylene geomembrane.

Leachate Collection and Recovery System: On the side slopes, a geotextile, and a single-sided geocomposite drainage layer; on the base, a geotextile, single-sided geocomposite drainage layer, 1-foot gravel layer ($k \geq 1 \times 10^{-2}$ cm/sec), a geotextile, stainless steel/carbon steel side slope riser pipe, and a steel/high density polyethylene pipe vertical riser.

Leachate Detection System: On the side slopes, geotextile, and a single-sided geocomposite drainage layer; on the base, geotextile, single-sided geocomposite drainage layer, 1 foot gravel layer ($k \geq 1 \times 10^{-2}$ cm/sec), geotextile, stainless steel/carbon steel side slope riser pipe, and a high density polyethylene side slope riser pipe.

Vadose Zone Detection, Collection, and Recovery System: 80-mil smooth high density polyethylene geomembrane, geotextile, 1 foot-thick gravel layer, geotextile, and a stainless steel/carbon steel side slope riser pipe.

Older landfills at the Facility, such as B-16, have been constructed to lesser standards (prior to the current requirements of the federal Resource Conservation and Recovery Act (RCRA)). However, these units have been closed with covers equivalent to current RCRA standards. The Permittee has conducted an extensive field study on the effects of an arid climate on various cover sections of a clay test fill. This study revealed that significant drying and cracking of cover soils, especially clays, will occur in as little as three years when exposed to the arid conditions experienced at the Kettleman Hills Facility. In response to this study, the Permittee submitted an alternative cover system as the standard for landfills at this Facility. The following is a breakdown of the components included in this alternative cover system:

- 2.5 feet of vegetative soil cover;
- Geotextile drainage layer (transmissivity ≥ 0.03 gal/min/ft);

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- 40-mil thick textured high density polyethylene geomembrane;
- 1 foot (minimum) of compacted foundation layer (hydraulic conductivity $\leq 1 \times 10^{-5}$ cm/sec);
- 1 foot (minimum) of intermediate soil cover over the last lift of waste.

MAXIMUM CAPACITY

Unit	Operational Status	Wastes Managed	Unit Area (acres)	Total Capacity (cubic yards)	Net Disposal Volume Remaining (cubic yards) ¹
B-18	Active	All types of solid hazardous wastes as described in the Part A application Appendix A, including TSCA-regulated wastes, except those that are restricted as listed in this permit.	67	15,600,000	6,089,000
B-19	Converted to Subtitle D unit	n/a	40	7,000,000	0
Total			107	22,600,000	6,089,000

¹Approximate values are current as of September 30, 2008, including waste and intermediate soil cover, as well as the additional airspace with the expansion.

WASTE TYPES ALLOWED

As listed in the Part A Application, Appendix A, with the exception of the following:

- Reactive wastes, unless rendered nonreactive (except for lab-packed cyanides or sulfides as allowed under Cal. Code of Regs., title 22, section 66264.316(e)).
- Ignitable wastes, unless rendered nonignitable or lab-packed as allowed under Cal. Code of Regs., title 22, section 66264.316.
- Liquid waste or containers with free liquids, unless stabilized/solidified or lab-packed, except as allowed under Cal. Code of Regs., title 22, section 66264.314.

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- Waste prohibited from disposal in landfill by Cal. Code of Regs., title 22, division 4.5, chapter 18, unless treated to meet land disposal regulatory requirements.
- Radioactive waste that is not exempt from regulation and licensing or is not expressly authorized for disposal under the Radiation Control Law (chapter 8 (commencing with section 114960) of part 9 of division 104 of the Health and Safety Code, or any successor statute that may replace the Radiation Control Law; or is prohibited from disposal under article 1 (commencing with section 114705) of chapter 5 of part 9 of division 104 of the Health and Safety Code or any successor statute that may replace article 1; or is prohibited from disposal by any government agency.

RCRA HAZARDOUS WASTE CODES ALLOWED

As listed in the Part A Application, Appendix A.

UNIT SPECIFIC CONDITIONS

1. During construction of any new proposed waste management units, the Permittee shall test all components of landfill liners for waste/leachate compatibility using EPA Method 9090 or other more appropriate methods approved by DTSC. The liner components include seamed portions of 60-mil high density polyethylene, high density polyethylene geomembrane material, high density polyethylene geonet, geotextile fabric, graded gravel used as drainage material, and the high density polyethylene piping used in the leachate collection systems.

The Permittee may propose the use of alternative test methods, existing test data from similar studies, and manufacturer supplied specifications as an alternative to the requirement above. The alternative methods and information must be submitted by the Permittee as a comprehensive plan designed to meet the goals of EPA Method 9090.
2. The Permittee shall not use drilling muds as a soil conditioner in the clay component of liners or cap/covers in any landfill at the Facility.
3. The Permittee shall submit a detailed schedule of the major project milestones to DTSC, and the Regional Water Quality Control Board prior to any landfill construction or closure project. The Permittee shall keep DTSC and the Regional Water Quality Control Board apprised of any changes to the planned dates and events associated with the construction or closure project.
4. The Permittee shall reject all high density polyethylene geomembrane liner materials that are damaged during installation under windy conditions. The definition of "wind damage," and the required remediation necessary for both preventing and repairing wind

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- damaged geomembrane liner materials, are to be addressed by the Permittee and submitted for DTSC's review and approval within the text of the Construction Quality Assurance Plan (or plan addenda) required for each new landfill construction or closure construction project. These plans (or addenda) require a permit modification in accordance with Cal. Code of Regs., title 22, sections 66270.41 and 66271.4 for approval.
5. The Permittee shall apply a daily cover soil over exposed wastes to control wind dispersal of particulate matter within the landfill operations area, as required by Cal. Code of Regs., title 22, section 66264.301(i). The Permittee may use other appropriate materials (such as polymeric soil sealers or foaming agents) that have been specifically approved through a permit modification in accordance with Cal. Code of Regs., title 22, sections 66270.41 and 66271.4.
 6. The Permittee shall ensure that all containers are either at least 90 percent full when placed in a landfill or are crushed, shredded, or similarly reduced in volume to the maximum practical extent prior to burial in a landfill, as required by Cal. Code of Regs., title 22, section 66264.315. This condition does not apply to containers that are very small, such as ampules or to containers designed to hold free liquids for use other than storage, such as a battery or capacitor.
 7. The Permittee shall maintain all units that are closed as partial closures, prior to the ultimate Facility closure, in accordance with the Post-Closure Plan submitted by the Permittee, which has been approved. The 30-year minimum post-closure care period specified in Cal. Code of Regs., title 22, section 66264.117(b) will not begin until the ultimate Facility closure.
 8. For purposes of waste analysis pursuant to Cal. Code of Regs., title 22, section 66264.13, leachate from the Leachate Collection and Removal Systems at the B-18 landfill shall be sampled and analyzed quarterly for a period of one year for Constituents of Concern as defined in the Monitoring and Reporting Program issued by the Central Valley Regional Water Quality Control Board. Thereafter, leachate sampling and analysis shall be conducted annually. Sampling shall be conducted from the sampling ports at the risers.
 9. The Permittee shall conduct an aerial or land survey of active hazardous waste landfills annually. The Permittee shall submit the digital data from the aerial or land survey and a summary of the data by March 1 of each year. The summary shall include the content required in Cal. Code of Regs., title 22, section 66264.309. The Permittee shall submit an estimate of the airspace consumed for the month for each active hazardous waste landfill to DTSC on a monthly basis.

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AIR EMISSION STANDARDS SUBPART CC

These units are not subject to the requirements of 40 CFR, Part 264, Subpart CC.

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LIST OF CLOSED, INACTIVE, AND NON-CONSTRUCTED UNITS

NAME OF UNIT	STATUS	PERIOD OF OPERATION
Drum Decant Unit	Clean-closed December 2006. DTSC approved closure on February 26, 2007.	1983-1996
Future PCB Flushing/Storage Unit	Not yet constructed.	N/A
Neutralization Filtration Unit	Not yet constructed.	N/A
Evaporative Tank System	Not yet constructed.	N/A
Temporary Container Storage Area	Closed June 1997, Combined Closure Area.	1984-1989
Interim Stabilization Unit	Closed June 1997, Combined Closure Area.	1985-1990
Old Truck Wash	Closed June 1997, Combined Closure Area.	1977-1992
Cyanide Treatment Unit	Clean-closed December 2006. DTSC approved closure on February 26, 2007.	1983-1993
Former Drum Staging Area (Central Processing Area)	Closed June 1996, Landfill B-13 Closure.	1983-1989
Landfill B-1	Closed June 1997, Combined Closure Area.	1978
Landfill B-2	Closed August 1988.	1978
Landfill B-3	Closed August 1988.	1978
Landfill B-4	Closed June 1997, Combined Closure Area.	1978-1980
Landfill B-5	Closed June 1997, Combined Closure Area.	1978-1979
Landfill B-6	Closed June 1997, Combined Closure Area.	1979-1983
Landfill B-7	Closed June 1997, Combined Closure Area.	1978-1979
Landfill B-8	Closed June 1997, Combined Closure Area.	1979
Landfill B-9	Closed June 1997, Combined Closure Area.	1978-1982
Landfill B-9 Extension	Closed June 1997, Combined Closure Area.	1982-1983

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NAME OF UNIT	STATUS	PERIOD OF OPERATION
Landfill B-9 Expansion	Closed June 1997, Combined Closure Area.	1983-1987
Landfill B-10	Closed June 1997, Combined Closure Area.	1978-1980
Landfill B-11	Closed June 1997, Combined Closure Area.	1978-1980
Landfill B-12	Closed June 1996, Landfill B-13 Closure.	1977-1980
Landfill B-13	Closed June 1996, Landfill B-13 Closure.	1979-1983
Landfill B-13 Expansion	Closed June 1996, Landfill B-13 Closure.	1979-1987
Landfill B-14	Closed.	1982-1984
Landfill B-15	Closed December 1997.	1981-1985
Landfill B-16	Closed December 2004. DTSC accepted closure on June 30, 2005.	1983-2004
Landfill B-19	Partially closed (hazardous waste portion closed December 2006), converted to a Municipal/Solid Waste Landfill. Final closure will occur upon completion of the Municipal/Solid Waste Landfill in accordance with Cal. Code of Regs., title 22, section 66264.113.	1987-present
Surface Impoundment P-1	Closed June 1997, Combined Closure Area.	1978-1983
Surface Impoundment P-2	Closed June 1997, Combined Closure Area.	1978-1983
Surface Impoundment P-3	Closed June 1997, Combined Closure Area.	1978-1983
Surface Impoundment P-4	Closed June 1997, Combined Closure Area.	1978-1981
Surface Impoundment P-5	Closed June 1997, Combined Closure Area.	1978-1980
Surface Impoundment P-6	Closed June 1993, P-6/7/8 Closure.	1978-1983
Surface Impoundment P-7	Closed June 1993, P-6/7/8 Closure.	1978-1983
Surface Impoundment P-8	Closed June 1993, P-6/7/8 Closure.	1978-1983
Surface Impoundment P-10	Closed June 1993, P-10/11 Closure.	1979-1986
Surface Impoundment P-11	Closed June 1993, P-10/11 Closure.	1978-1986

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NAME OF UNIT	STATUS	PERIOD OF OPERATION
Surface Impoundment P-12/12A	Closed June 1997, Combined Closure Area.	1981-1985
Surface Impoundment P-13	Closed June 1997, Combined Closure Area.	1981-1985
Surface Impoundment P-17	Closed June 1997, Combined Closure Area.	1982-1984
Surface Impoundment P-18	Closed June 1989, during Landfill B-19, Phase II/III construction.	1977-1985
Surface Impoundment P-19	Closed June 1989, during Landfill B-19, Phase II/III construction.	1983-1985
Surface Impoundment P-20	Closed June 1989, during Landfill B-19, Phase II/III construction.	1985-1988
Spreading Area 1	Closed June 1997, Combined Closure Area.	1975-1983
Spreading Area 2	Closed June 1997, Combined Closure Area.	1977-1980
Spreading Area 3	Closed June 1997, Combined Closure Area.	1977-1985
Spreading Area 4	Underlies the P-14, 15, & 16 site. Certification of closure is required with the closure of these impoundments.	1977-1982
Spreading Area 5	Closed June 1989, during Landfill B-19, Phase II/III construction.	1979-1985
Spreading Area 6	Closed June 1989, during Landfill B-19, Phase II/III construction.	1979-1983
Mud Pond 1	Inactive. Currently under RCRA Facility Investigation.	1982-1984

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PART V. SPECIAL CONDITIONS THAT APPLY TO ALL OF THE FACILITY'S UNITS

1. Waste Analysis

- (A) The Permittee shall require a generator to provide on the "Generator's Waste Material/Profile Sheet" described in the Waste Analysis Plan, or on an equivalent form, a description of the contents of an over-packed drum a.k.a. lab pack and certify that the over-packed drum meets the requirements of Cal. Code of Regs., title 22, section 66264.316. For the purposes of this permit, over-packed drum, or lab pack means a drum which contains small individual containers of hazardous waste which are over packed and surrounded by absorbent material.

The "Generator's Waste Material/Profile Sheet" described in the Waste Analysis Plan, or an equivalent form, shall include specific listings for total halogenated organic compounds greater than one thousand (1000) mg/l [ppm] as identified in Cal. Code of Regs., title 22, division 4.5, chapter 18, Appendix III and III-A;

- (B) The Permittee shall repeat the pre-acceptance evaluation described in the Waste Analysis Plan for each waste stream that is a candidate for delivery to the Facility either:

(1) every 24 months, or

(2) when a generator notifies the Permittee that the process generating the waste has changed, or

If the Permittee has reason to suspect that the waste is not in conformance with pre-acceptance documentation, a profile reevaluation may occur.

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- (C) The Permittee shall conduct the appropriate "Supplemental Analyses" described in the Waste Analysis Plan to ensure that waste received at a hazardous waste management unit meets the acceptance criteria for that unit, listed in Table 3-1 in the Waste Analysis Plan, and any other criteria specified in the Operation Plan for the unit. Waste that does not meet any acceptance criteria for a unit may be accepted at the unit on a case-by-case basis provided that: the Permittee conducts all of the "Supplemental Analyses" applicable to the unit; the results of the analyses indicate that the waste may be accepted at the unit without violating any other condition of the permit; and the results of the analyses and the decision to accept the waste at the unit are documented in the operating record on the "Special Waste Management Decision Form" described in the Waste Analysis Plan or an equivalent form.
 - (D) The Permittee shall not change the acceptance criteria in Table 3-1 of the Waste Analysis Plan without prior approval by DTSC. This approval will require a permit modification in accordance with Cal. Code of Regs., title 22, sections 66270.41 and 66271.4.
2. Unless otherwise specified, all information required to be submitted to DTSC pursuant to this Permit, shall be submitted as follows:
- (A) The original document shall be submitted to: Office of Permitting, Hazardous Waste Management Program, Department of Toxic Substances Control, 8800 Cal Center Drive, Sacramento, California 95826. Oral notices and reports shall be made to the Office of Permitting project manager for the Facility and to the Clovis Compliance Unit at (559) 297-3943
 - (B) One copy shall be submitted to: Clovis Compliance Unit, Department of Toxic Substances Control, 1515 Tollhouse Road, Clovis, California 93612.
 - (C) One copy shall be submitted to: Executive Officer, Regional Water Quality Control Board, Central Valley Region, 1685 E Street, Fresno, California 93706-2025.
 - (D) One copy shall be submitted to: Director, Waste Management Division, U.S. Environmental Protection Agency, Region IX, Mail Code WST-1, 75 Hawthorne Street, San Francisco, California 94105.
 - (E) One copy shall be submitted to: Director, Division of Environmental Health Services, Kings County Department of Public Health, 330 Campus Drive, Hanford, California 93230.

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DTSC will notify the Permittee of changes in this distribution list.

3. Site Construction Activities

(A) The Permittee shall follow the unit-specific construction procedures and design specifications that have been approved by DTSC when performing any new unit construction or closure construction related activity at the Facility.

(B) DTSC will allow the Permittee to make minor modifications to design plans, specifications, and QA/QC procedures for any new unit construction or closure construction related activity, without prior approval by DTSC, provided that the minor modifications meet the following three conditions:

(1) The modification will in no way affect the performance standard or the original intent of the plans and specifications approved by DTSC.

(2) The modifications will in no way reduce the effectiveness of the QA/QC effort used to ensure the quality and consistency of the materials and workmanship used to meet the performance standards in the plans and specifications approved by DTSC.

(3) All minor modifications to the plans, specifications, and QA/QC documents are clearly identified, described and justified in the construction certification report and as-built drawings submitted for DTSC's approval following completion of the construction activities.

When minor modifications are necessary, the Permittee shall notify DTSC of these minor modifications not later than seven (7) days after such minor modifications are determined by the Permittee to be necessary.

4. Requirements to Mitigate Disturbance to Endangered Species

(A) The Permittee shall implement the Mitigation and Monitoring Plan for the Chemical Waste Management, Inc., Kettleman Hills Facility in Kings County, California (BioSystems Analysis, Inc. January 11, 1990, revised May 1, 1990, September 6, 1990, March 15, 1991, April 1, 1991, and April 26, 1991, hereinafter called the "Mitigation Plan.") This Mitigation Plan describes methods the Permittee will use to mitigate disturbance of endangered species during construction, operation, and maintenance of the Facility. The following measure shall be incorporated into the Mitigation Plan:

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The Permittee shall designate a contact representative to keep the U.S. Fish and Wildlife Service, Sacramento Endangered Species Office, and the California Department of Fish and Game, apprised of the status of ongoing efforts to protect listed species during construction, operation and maintenance of the Facility.

- (B) If the established limit of incidental take of the San Joaquin kit fox or blunt-nosed leopard lizard is exceeded, the Permittee shall cease the causative action and within five days of the most recent mortality, the Permittee shall reinitiate consultation with the U.S. Fish and Wildlife Service. The limit of incidental take is established in the "Formal Endangered Species Consultation on the Chemical Waste Management, Inc., Kettleman Hills Hazardous Waste Facilities Operation, Kings County, California," U.S. Fish and Wildlife Service, May 2, 1991.
 - (C) The Permittee shall notify the U. S. Fish and Wildlife Service, Sacramento Endangered Species Office, and the California Department of Fish and Game, in writing within three days of finding any dead or injured endangered species. This notification must include the date, time, and location of the incident or of the finding of a dead or injured animal, and any other pertinent information. Any endangered species found dead or injured must be turned over to the California Department of Fish and Game for care or analysis.
 - (D) The Permittee shall comply with all the terms of the September 5, 2012 Biological Opinion (81420-2012-F-0044-2) issued by the U. S. Fish and Wildlife Service to the United States Environmental Protection Agency for the Chemical Waste Management Kettleman Hills Facility, including without limitation, the Reasonable and Prudent Measures, Terms and Conditions and Reporting Requirements of the Incidental Take Statement included in the Biological Opinion.
5. Response to and reporting of spills, leaks or releases of hazardous waste
- (A) The Permittee shall comply with California Code of Regulations, title 22, section 66264.175(b)(5) in response to any spill or leak of hazardous waste or accumulated precipitation within the containment system in the container transfer or storage areas.
 - (B) The Permittee shall comply with California Code of Regulations, title 22, section 66264.196(b) in response to any spill or leak of hazardous waste or accumulated precipitation within a tank system or its secondary containment.

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- (C) For any spill or leak of hazardous waste not covered by subsection (A) or (B) above, the Permittee shall comply with the following requirements:
- (1) The Permittee shall remove the spilled or leaked hazardous waste at the Facility from, and shall clean, the affected surface within eight hours of discovery of the spill or leak, regardless of whether such a spill or leak requires the Permittee to implement its contingency plan or any emergency procedures, or whether the hazardous waste is released into the environment as a result of the spill or leak.
 - (2) The Permittee shall record any spill or leak of hazardous waste at the Facility and steps taken to address it, regardless of whether such a spill or leak requires the Permittee to implement its contingency plan or any emergency procedures, or whether the hazardous waste is released into the environment as a result of the spill or leak, in its operating record within 24 hours of the discovery of the spill or leak and shall make the operating record available for review upon DTSC's request.
- (D) In the event the Permittee discovers a release or a threat of a release of hazardous waste or constituents, or identifies an immediate or potential threat to human health or the environment, the Permittee shall notify DTSC orally within 24 hours of discovery and notify DTSC in writing within 10 days of discovery summarizing the findings, including the immediacy and magnitude of any potential threat to human health or the environment. The written summary of the findings shall include but not be limited to an identification of the material, the amount released, the location of the release, a description of how the release occurred, how practices will be adjusted to prevent future similar releases, the name of the person responsible for the cleanup, photo documentation of the location and an evaluation of the potential for threat to human health or the environment.

For the purpose of Section V.5.(D), the term "constituent" means: (a) a constituent identified in Appendix VIII to chapter 11 of division 4.5 of title 22 of California Code of Regulations which is a component of a hazardous waste or leachate and which has a physical or chemical property that causes the waste or leachate to be identified as a hazardous waste; or (b) any other element, chemical compound, or mixture of compounds which is a component of a hazardous waste or leachate and which has a physical or chemical property that causes the waste or leachate to be identified as a hazardous waste.

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- (E) The requirements in sections (A) through (D) above are in addition to, and do not replace, any other response or reporting requirements or corrective action requirements imposed by applicable laws, regulations, orders, agreements, or this Permit, including the requirements of California Code of Regulations, title 22, section 66264.56 regarding emergency procedures and Health and Safety Code section 25359.4 regarding a release of reportable quantity of hazardous substances.

6. Heavy-duty diesel trucks

- (A) Upon initial placement of waste in Landfill B-18 Phase IIIA and through December 31, 2017, the Permittee shall prohibit entry to the facility of any heavy-duty diesel truck delivering material with a hazardous waste manifest if that truck is equipped with a pre-2007 model year emission equivalent engine. However, the Permittee may allow a heavy-duty diesel truck equipped with a pre-2007 model year emission equivalent engine to enter the facility once, provided that the Permittee shall notify the driver of these requirements. Upon notification to the driver and owner or operator of the entity of these requirements, a pre-2007 model year emission equivalent engine may only enter the facility once, after which the non-compliant truck will be prohibited. On or after January 1, 2018, the Permittee shall prohibit entry to the facility of any heavy-duty diesel truck delivering material with a hazardous waste manifest if that truck is equipped with a pre-2010 model year emission equivalent engine.

- (B) Record keeping and DTSC notification responsibilities of the Permittee.

- (1) The Permittee shall record the date first allowed access, identity of the trucking company, the Vehicle Identification Number, and engine model year emission standard information for each heavy-duty diesel truck and maintain that information on file at the facility for three years.
- (2) The Permittee shall notify DTSC in writing within 30 days of allowing access to the facility by any heavy-duty diesel truck equipped with a prohibited model year emission equivalent engine. The notification shall include the date allowed access, identity of the trucking company and the Vehicle Identification Number of the truck.
- (3) The Permittee shall notify DTSC in writing within 30 days of refusing access to the facility by any heavy-duty diesel truck equipped with a prohibited model year emission equivalent engine.

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The notification shall reflect the Permittee's best efforts to obtain the date denied access, identity of the trucking company and the Vehicle Identification Number of the truck. If the Permittee is unable to obtain this information, the notice shall state the reasons why such efforts were unsuccessful.

- (C) This condition shall not apply in the event of a California declared State of Emergency that requires disposal of hazardous waste.

7. Schedule of Compliance

(Reserved.)

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PART VI. CORRECTIVE ACTION

The Permittee shall conduct corrective action at the Facility pursuant to Health and Safety Code section 25200.10. Corrective action will be carried out either under a Corrective Action Consent Agreement or an Enforcement Order for Corrective Action pursuant to Health and Safety Code section 25187.

1. In the event the Permittee identifies an immediate or potential threat to human health and/or the environment, discovers new releases of hazardous waste and/or hazardous constituents, or discovers new Solid Waste Management Units (SWMUs) not previously identified, the Permittee shall notify DTSC orally within 24 hours of discovery and notify DTSC in writing within 10 days of such discovery summarizing the findings including the immediacy and magnitude of any potential threat to human health and/or the environment. For the purpose of Section VI.1, the term "constituent" means: (a) a constituent identified in Appendix VIII to chapter 11 of division 4.5 of title 22 of California Code of Regulations which is a component of a hazardous waste or leachate and which has a physical or chemical property that causes the waste or leachate to be identified as a hazardous waste; or (b) any other element, chemical compound, or mixture of compounds which is a component of a hazardous waste or leachate and which has a physical or chemical property that causes the waste or leachate to be identified as a hazardous waste.
2. DTSC may require the Permittee to investigate, mitigate and/or take other applicable action to address any immediate or potential threats to human health and/or the environment and any identified releases of hazardous waste and/or hazardous constituents. For any identified SWMUs, the Permittee is required to conduct corrective action.

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PART VII. PERMIT MODIFICATION HISTORY

This modification incorporated a facility initiated Class 3 permit modification application to authorize the following changes in the design of landfill B-18:

- increase the footprint of B-18 from 53 to 67 acres,
- increase the total capacity of B-18 from 10,700,000 to 15,600,000 cubic yards,
- increase the maximum elevation of B-18 from 965 to 1018 feet above mean sea level,
- add a second surface water run-off containment basin,
- extend the sideslope liner system with a 3-foot clay thickness for the secondary composite liner,
- alteration of the final closure configuration to include 25-foot wide benches at a maximum vertical interval of 50 feet with a 3.5H:1V slope between benches.

DTSC has added the following permit conditions to this modification:

Part III, section 4(A)(1)(d),
Part III, section 4(A)(1)(e),
Part III, section 4(C),
Part III, section 4(D),
Part IV, Landfill Units B-18 and B-19, Unit Specific Conditions, section 8,
Part IV, Landfill Units B-18 and B-19, Unit Specific Conditions, section 9,
Part V, section 4(D)
Part V, section 5, and
Part V, section 6.

This modification has resulted in an updated Part A application dated December 12, 2008. This modification has resulted in changes to the following sections of the Part B Application (Operation Plan) effective June 16, 2003: Chapter 15, pages 1 – 9, 11 – 13, and 15; Table 31-1, pages 1 – 8; Chapter 40, pages 1 – 6; Chapter 46, pages 1 – 9.

This modification corrected typographical and grammatical errors that were present in the prior permit and updated office names and phone numbers. The modification also added a chronology of CEQA documents to Part III, section 3 for clarity and a definition of the term "constituent" in Part VI.

Header modified to show revision date.