



**California Environmental Protection Agency
Department of Toxic Substances Control**

HAZARDOUS WASTE POST CLOSURE FACILITY PERMIT - DRAFT

Permit Number: 07-SAC-07

Facility Name: Blue Hills Disposal Facility

Owner Name:
Fresno County
2220 Tulare Street, 6th Floor
Fresno, California

Operator Name:
Fresno County
2220 Tulare Street, 6th Floor
Fresno, California

Facility EPA ID Number:
CAT08000606

Effective Date:

Expiration Date:

Pursuant to California Health and Safety Code section 25200, this Resource Conservation and Recovery Act (RCRA)-equivalent Hazardous Waste Facility Permit is hereby issued to the Blue Hills Disposal Facility.

The Issuance of this Permit is subject to the terms and conditions set forth in the Approved Application dated July 11, 2007. The Permit consists of 13 pages of text and 2 figures.

Raymond Leclerc, P.E., Team Leader
Permit Renewal Team
Department of Toxic Substances Control
Date:

BLUE HILLS DISPOSAL FACILITY, FRESNO COUNTY, CALIFORNIA, 93210

HAZARDOUS WASTE POST CLOSURE FACILITY PERMIT

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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 California Code of Regulations, title 22, 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. **“Facility”** as used in this Permit means all contiguous land and structures, other appurtenances, and improvements on the land used for the treatment, transfer, storage resource recovery, disposal or recycling of hazardous waste. A hazardous waste facility may consist of one or more treatment, transfer, storage, resource recovery, disposal or recycling operational units or combinations of these units.

For the purpose of implementing corrective action under California Code of Regulations, title 22, division 4.5, a hazardous waste facility includes all contiguous property under the control of the owner or operator required to implement corrective action.

3. **“Permittee”** as used in this Permit means the Owner and Operator.
4. **“RCRA“** as used in this Permit means the Resource Conservation and Recovery Act (42 U.S.C. §6901 et seq.).

PART II. DESCRIPTION OF THE FACILITY AND OWNERSHIP

1. Owner of Facility The facility owner is The County of Fresno, Department of Public Works and Planning, Resources Division.

2. Owner of Real Property The owner of the real property is The County of Fresno, Department of Public Works and Planning, Resources Division.
3. Operator of Facility The facility operator is The County of Fresno, Department of Public Works and Planning, Resources Division
4. Location The Blue Hills Disposal Facility (Facility) is located approximately nine miles northeast of the City of Coalinga, one mile west of Coalinga-Mendota Road (or Derrick Avenue) and approximately two miles north of the intersection of Highway 33 with the Coalinga-Mendota Road (Figure 1). The Facility exists in the western portion of the Blue Hills, in the northern boundary of the Coalinga oil field, on the eastern slope of the Coast Range Mountains (Figure 2). The Facility is in the northeastern quarter of Section 3, Township 19 South, Range 15 East, Mount Diablo Base and Meridian. The County of Fresno Tax Assessor parcel number (APN) for the site is 058-180-32ST. The Facility falls within Congressional District 20 and Senate District 16.
5. Description of Facility Operations The Facility is a closed 32 acre site of which approximately 4.5 acres were used for the disposal of limited Class I and III type wastes between 1973 and 1991. The wastes consisted of empty herbicide and pesticide containers generated by the agricultural community. Although disposal of other materials occurred sporadically, the bulk of the materials disposed of at the site consisted of empty pesticide containers. Construction of an approved engineered final cover over the four Waste Management Units (WMU) was started in September 1992 and was completed in December 1992.
6. Facility History A previous Post Closure permit does not exist for this Facility. The Facility was originally operated as a Class I disposal site in accordance with Waste Discharge Requirements (WDR) Order No. 73-58, adopted on August 25, 1972 [22 CCR 66264.92, 66264.93, 66264.94, 66264.95, 66264.701 (b) et. seq.]. On September 28, 1990, the California Regional Water Quality Control Board, Central Valley Region (RWQCB) adopted Order No. 90-254, which prescribed WDR for closure of the existing WMU. Subsequent WDR were Order No. 93-200 (adopted by RWQCB in 1993), and the current Order 99-087 (adopted on 11 June 1999) for post-closure maintenance of the Facility.
7. Facility Size and Type for Fee Purposes

The Facility is categorized as a large post-closure facility pursuant to Health and Safety Code section 25205.7(d)(5). For the purpose of Health and Safety Code section 25205.4, the post-closure period for the facility shall be deemed to have started on July 6, 1993, which is the date the facility transmitted to DTSC the *Construction Report, Final Cover Placement, Blue Hills Disposal*

Facility, County of Fresno, California, prepared by EMCON Associates, dated June 1993. Closure certification was accepted by DTSC on June 2, 2005.

PART III. GENERAL CONDITIONS

1. PERMIT APPLICATION DOCUMENTS

The DTSC-approved Application dated July 11, 2007 (Approved Application) is hereby made a part of this Permit by reference:

- 1) June 1988, Revised October 1991, "Closure and Post-Closure Plans, Blue Hills Disposal Site, Fresno County, California", EMCON Associates;
- 2) February 28, 1997, "Post-Closure Maintenance Plan, Blue Hills Disposal Site", EMCON; and
- 3) June 1999, Order 99-087, California Regional Water Quality Control Board, Central Valley Region, Waste Discharge Requirements for County of Fresno for Post-Closure Maintenance of Blue Hills Disposal Facility Fresno County (WDR).
- 4) Sampling and Analysis Plan for Corrective Action (SAP), Blue Hills Disposal Facility, Coalinga California, SECOR International Incorporated (SECOR) July 12, 2007.

2. EFFECT OF PERMIT

- (a) The Permittee shall comply with the terms and conditions of this Permit and the provisions of the Health and Safety Code and California Code of Regulations (Cal. Code 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, those required by 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 operate, monitor and maintain this Facility for post closure activities in accordance with the terms and conditions of this Permit and the Approved Application. Any management of hazardous wastes not specifically authorized in this Permit is strictly prohibited.
- (c) Compliance with the terms and conditions 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 pursuant to Health and Safety Code section 25187.
- (f) 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 Regs., title 22, §66270.43).
- (g) In case of conflicts between the Approved Application and the Permit, the Permit conditions take precedence.
- (h) This Permit includes and incorporates by reference any conditions of waste discharge requirements issued to the Facility 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.

3. COMPLIANCE WITH CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

A Notice of Exemption has been prepared in accordance with the requirements of Public Resources Code section 21000 et seq. and the CEQA Guidelines, section 15061 (b)(3) et seq. of California Code of Regulations, title 14.

4. ENVIRONMENTAL MONITORING

- (A) For the purpose of California Code of Regulations, title 22, section 66264.91(b), the elements of the Groundwater Monitoring and Response

Program for the Permittee are those described in Section 6 of the approved SAP, which is contained in the Approved Application.

- (B) For the purpose of California Code of Regulations, title 22, section 66264.92, the Water Quality Protection Standard is described in Section 9 of the approved SAP, which is contained in the Approved Application.
- (C) For the purpose of California Code of Regulations, title 22, section 66264.93, the Constituents of Concern for the Permittee are described in Section 6 of the approved SAP, which is contained in the Approved Application.
- (D) For the purpose of California Code of Regulations, title 22, section 66264.94, the Concentration Limits for the Permittee are described in Section 9 of the approved SAP. Such Concentration Limits may vary over time in accordance with statistical and other procedures set forth in the approved SAP, which is contained in the Approved Application.
- (E) For the purpose of California Code of Regulations, title 22, section 66264.95, the Monitoring Points and Points of Compliance for each regulated unit at the Facility are described in Section 5 of the approved SAP, which is contained in the Approved Application.
- (F) For the purpose of California Code of Regulations, title 22, section 66264.96 the Compliance Period for each regulated unit at the Facility is described in Section 12 of the approved SAP, which is contained in the Approved Application.
- (G) For the purpose of California Code of Regulations, title 22, section 66270.31, the monitoring, recording, and reporting program for the Facility is described in Sections 6 and 10 of the approved SAP, which is contained in the Approved Application.

The Permittee shall comply with the applicable environmental monitoring and response program requirements of California Code of Regulations, title 22, division 4.5, chapter 14, articles 6 and 17.

5. ANNUAL HAZARDOUS WASTE REDUCTION AND MINIMIZATION CERTIFICATION

The Permittee shall certify annually that it has a hazardous waste reduction and minimization program and method in place and shall keep the annual

certification as part of its Operating Record in accordance with Health and Safety Code section 25202.9 and California Code of Regulations, title 22, section 66264.73(b)(9)

6. ACCESS

- (a) DTSC, its contractors, employees, agents, and/or any United State Environmental Protection Agency representatives are authorized to enter and freely move about the Facility for the purposes of interviewing Facility personnel and contractors; inspecting records, operating logs, and contracts relating to the Facility; reviewing progress of the Permittee in carrying out the terms of Part VI of the Permit; conducting such testing, sampling, or monitoring as DTSC deems necessary; using a camera, sound recording, or other documentary-type equipment; verifying the reports and data submitted to DTSC by the Permittee; or confirming any other aspect of compliance with this Permit, Health and Safety Code, division 20, chapter 6.5, and California Code of Regulations, title 22, division 4.5. The Permittee shall provide DTSC and its representatives access at all reasonable times to the Facility and any other property to which access is required for implementation of any provision of this Permit, Health and Safety Code, division 20, chapter 6.5, and California Code of Regulations, title 22, division 4.5, and shall allow such persons to inspect and copy all records, files, photographs, documents, including all sampling and monitoring data, that pertain to work undertaken pursuant to the entire Permit or undertake any other activity necessary to determine compliance with applicable requirements.
- (b) Nothing in this Permit shall limit or otherwise affect DTSC's right to access and entry pursuant to any applicable State or federal laws and regulations.

PART IV. PERMITTED UNITS AND ACTIVITIES

This Permit authorizes the monitoring and maintenance only of the facility units and activities listed below. The Permittee shall not treat, store or otherwise manage hazardous waste in any unit other than those specified in this Part IV. 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 California Code of Regulations, title 22, division 4.5.

For the purpose of California Code of Regulations, title 22, section 66270.1(c) and other similar, unit-specific regulatory requirements, this Facility has four Hazardous Waste Management Units. These units are described in detail in the Approved Application, and are as follows:

UNIT NAME:

The following are the names of the four WMU:

WMU-1: First Main Trench,
WMU-2: Second Main Trench,
WMU-3: Third Main Trench,
WMU-4: Dust and Powder Area.

LOCATION:

The locations of WMU-1 through WMU-4 are shown in Figure 2 attached to this Permit.

ACTIVITY TYPE:

Post Closure maintenance operations. The Facility is a closed waste disposal unit.

ACTIVITY DESCRIPTION:

Post Closure maintenance operations include repair and maintenance of the cover system, groundwater monitoring, and site inspections of the site surface conditions.

The following is a summary of the operational history:

- WMU-1, the First Main Trench opened in November 1973 and closed in November 1975;
- WMU-2, the Second Main Trench opened in April 1976 and closed in November 1980;
- WMU-3, the Third Main Trench opened in April 1981 and closed in October 1991;
- WMU-4, the Dust and Powder closed in 1982.

In 1982 disposal activities in WMU-1, WMU-2, and WMU-4 were terminated. By the spring of 1983 only non-hazardous, triple-rinsed pesticide containers were placed in WMU-3. The disposal of all waste ceased at the Facility in the fall of 1991. Construction of an approved engineered final cover over the four WMU was started in

September 1992 and was completed in December 1992.

PHYSICAL DESCRIPTION:

The dimensions of the units are based on Figure 2 and are approximate: WMU-1 is 260 feet long by 130 feet wide; WMU-2 is 240 feet long by 100 feet wide; and WMU-3 is 220 feet long by 120 feet wide. WMU-4 is a trapezoidal shaped with dimensions of 290 feet by 60 feet by 260 feet by 175 feet. WMU-1, 2 and 3, are estimated to have been no more than 25 feet deep. WMU-4 was a shallow excavation. Construction of an approved engineered final cover over the four WMU was started in September 1992 and was completed in December 1992.

WASTE TYPES:

The closed units do not take any additional waste. Previous waste types placed in the units include those listed in Table 1 of the Approved Application.

RCRA HAZARDOUS WASTE CODES:

The facility is no longer active, thus it does not receive wastes.

PART V. SPECIAL CONDITIONS

GROUNDWATER SURFACE ELEVATION MONITORING FREQUENCY

For the purpose of California Code of Regulations, title 22, section 66270.31, the monitoring, recording, and reporting program for the Permittee is described in Sections 6 and 10 of the approved SAP. Permittee shall collect groundwater surface level measurements quarterly and groundwater samples semi-annual and annually as required in the Approved Application. In the event Permittee can technically demonstrate to DTSC that semiannual water level measurements are justifiable, and California Code of Regulations, title 22, section 66264.97 (e)(15) regulations are changed to allow semi-annual groundwater surface level measurements, then with an approval letter from DTSC, Permittee can match the water level measurement events with the semi annual groundwater sampling events without a Post Closure Permit Modification.

LAND USE COVENANT

Pursuant to Civil Code section 1471(c), DTSC has determined that a covenant of land use is reasonably necessary to protect present or future human health or safety or the environment as a result of the presence on land of hazardous materials as defined in Health and Safety Code section 25260. The Permittee and DTSC shall sign and record in a deed a covenant to restrict use of property within six months of authorization of this permit.

PART VI. CORRECTIVE ACTION

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 (SWMU) 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.
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 newly identified SWMU or releases of hazardous waste and/or hazardous constituents. If and when corrective action is required at the Facility, the Permittee shall conduct corrective action under either a Corrective Action Consent Agreement or an Enforcement Order for Corrective Action issued by DTSC pursuant to Health and Safety Code sections 25187 and 25200.10.
3. To the extent that work being performed pursuant to Part VI of the Permit must be done on property not owned or controlled by the Permittee, the Permittee shall use its best efforts to obtain access agreements necessary to complete work required by this Part of the Permit from the present owner(s) of such property within 30 days of approval of any Workplan for which access is required. "Best efforts" as used in this paragraph shall include, at a minimum, a certified letter from the Permittee to the present owner(s) of such property requesting access agreement(s) to allow the Permittee and DTSC and its authorized representatives access to such property and the payment of reasonable sums of money in consideration of granting access. The Permittee shall provide DTSC with a copy of any access agreement(s). In the event that agreements for the access are not obtained within 30 days of approval of any Workplan for which access is required, or of the date that the need for access becomes known to the Permittee, the Permittee shall notify DTSC in writing within 14 days thereafter regarding both efforts undertaken to obtain access and its failure to obtain such agreements. In the event DTSC obtains access, the Permittee shall undertake approved work on such property. If there is any conflict between this permit condition on access and the access requirements in any agreement entered into between DTSC and the Permittee, this permit condition on access shall govern.
4. Nothing in Part VI of the Permit shall be construed to limit or otherwise affect the Permittee's liability and obligation to perform corrective action including corrective action beyond the facility boundary, notwithstanding the lack of access. DTSC may determine that additional on-site measures must be taken to address

releases beyond the Facility boundary if access to off-site areas cannot be obtained.