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## Department of Toxic Substances Control

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8800 Cal Center Drive  
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Arnold Schwarzenegger  
Governor

### Response to Comments (May 12, 2006)

#### **HAZARDOUS WASTE FACILITY PERMIT AND NEGATIVE DECLARATION**

**McCormick Selph, Incorporated  
3601 Union Road  
Hollister, California 95023  
EPA Id. No. CAD009220898**

#### **Background**

##### **Public Participation Activities:**

Pursuant to California Code of Regulations, title 22, section 66271.9 the Department of Toxic Substances Control (DTSC) issued a public notice for the Draft Hazardous Waste Facility Permit and Draft Negative Declaration on February 28, 2006. Display advertisements were placed in the Hollister Free Lance (English) and El Sol (Spanish) newspapers on February 28, 2006, announcing the comment period and public hearing. Fact sheets (English and Spanish) with information about the project and public participation activities were mailed to approximately 130 addresses on the facility mailing list. Radio advertisements of the public comment period and public hearing were broadcast twice on radio stations KDON (English) and KPRC (Spanish) on March 20, 2006. Document repositories were set up at the San Benito County Free Library in Hollister and at the DTSC office in Berkeley.

A public hearing was held at 6:00 PM on April 6, 2006, at the San Benito County Free Library in Hollister. Mr. Charles Martin, Pacific Scientific Energetic Materials Company, attended the public hearing. No member of the public attended the public hearing and no public comments were received at the public hearing.

The comment period ran from February 28, 2006, through April 14, 2006. Comments concerning the Draft Negative Declaration and Initial Study were received from Ms. Jean Getchell, Supervising Planner, Monterey Bay Unified Air Pollution Control District. No comments were received concerning the Draft Permit.

### **California Environmental Quality Act (CEQA):**

DTSC prepared an Initial Study, dated February 24, 2006, to evaluate potential environmental effects associated with the Draft Permit renewal. On the basis of the Initial Study, DTSC found that the proposed project could not have a significant effect on the environment and a Draft Negative Declaration was prepared.

### **Comments Received and Responses to Comments**

The following comments were received from Ms. Jean Getchell, Supervising Planner, Monterey Bay Unified Air Pollution Control District, in a letter dated April 11, 2006.

#### **Comment 1:**

In addition to being designated non-attainment transitional for the State 1-hour ozone standard, the Air Basin is non-attainment for the State PM10 standard.

#### **Response to Comment 1:**

Comment noted. The first paragraph of the description of the environmental setting for Air Quality on page 10 of the Initial Study should be revised to the following text. The revisions are shown as strikeout for removed text and underlined for added text.

“The applicable regulatory agency is the Monterey Bay Unified Air Pollution Control District (MBUAPCD). The MSI facility, near Hollister in San Benito County is part of the north central coast air basin. This air basin is designated a non-attainment transitional area for the State one-hour ozone standard and ~~an attainment area for all other pollutants~~ non-attainment for the State inhalable particulates (PM10) standard. The attainment status of the North Central Coast Air Basin is shown in the following table:

CURRENT ATTAINMENT STATUS OF THE NORTH CENTRAL COAST AIR BASIN  
March 2006

<b><u>Pollutant</u></b>	<b><u>Federal</u></b>	<b><u>State</u></b>
<u>Ozone (O3) – 1 hour</u>	<u>Maintenance*</u>	<u>Nonattainment-Transitional</u>
<u>Ozone (O3) – 8 hour</u>	<u>Unclassified/Attainment</u>	<u>Not Available**</u>
<u>Carbon Monoxide (CO)</u>	<u>Unclassified/Attainment</u>	<u>Monterey – Attainment</u> <u>San Benito – Unclassified</u> <u>Santa Cruz – Unclassified</u>
<u>Nitrogen Dioxide (NO2)</u>	<u>Unclassified/Attainment</u>	<u>Attainment</u>
<u>Inhalable Particulates (PM10)</u>	<u>Unclassified/Attainment</u>	<u>Nonattainment</u>
<u>Fine Particulates (PM2.5)</u>	<u>Unclassified/Attainment</u>	<u>Attainment</u>

Notes for Table:

\* The Federal 1 hour standard was revoked in the NCCAB on June 15, 2005.

\*\* Area designations in relation to the California 8-hour ozone standard are expected to be made by ARB in November 2006, after the rule is finalized. It is expected that the NCCAB will be designated as a nonattainment area for the California 8-hour standard."

**Comment 2:**

Please contact Lance Ericksen, Manager of the District's Engineering Division, regarding District permits for the facility.

**Response to Comment 2:**

Thank you for your comment. DTSC will contact Lance Ericksen for any questions regarding the District's permits for the facility.

**Attachments**

Letter from Ms. Jean Getchell, dated April 11, 2006