



**KETTLEMAN HILLS FACILITY**

35251 Old Skyline Rd.  
P.O. Box 471  
Kettleman City, CA 95239

March 13, 2006

EXPRESS MAIL

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

**RE: TEMPORARY AUTHORIZATION REQUEST  
LANDFILL B-19 CLOSURE ADDENDUM ITEMS**

Dear Ms. Batarseh:

The Chemical Waste Management, Inc. – Kettleman Hills Facility (KHF) respectfully requests that the Department of Toxic Substances Control (DTSC) provide temporary authorization to implement certain items of the following document, submitted on November 28, 2005.

*Addendum to Landfill Unit B-19 Modified Closure Plan for Class I Portion, Kettleman Hills Facility, Golder Associates Inc., October 2005.*

The aforementioned document results in the following changes. The temporary authorization involves the first three changes in the list.

- The “daylight” final cover over the Class I waste at the southwestern corner of the landfill will be a larger area because the footprint for the Class II/III waste is to be smaller.
- The Class II/III cover slope is changed from 4:1 to effective 3:1.
- The stability buttress configuration is amended in the southern portion due to the revised waste fill configuration (e.g., more of the berm overlaps the area of “daylight” final cover).
- The potential impacts from the bioreactor operations are addressed.
- A monolithic evapotranspirative cover will be used for the Class II/III waste.

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For this temporary authorization, the applicable requirements of CEQA have been met. The Supplemental Environmental Impact Report (SEIR) for the Landfill B-19 Bioreactor Project addresses the impacts relevant to the addendum to the closure plan. For the DTSC's convenience, copies of the following SEIR documents are enclosed.

*Draft Subsequent Environmental Impact Report: B-19 Landfill Bioreactor Project, Kettleman Hills Facility, Chemical Waste Management, Inc. (State Clearinghouse No. 2003091023), prepared for Kings County Planning Agency, CH2M Hill, November 2004.*

*Final Subsequent Environmental Impact Report: B-19 Landfill Bioreactor Project, Kettleman Hills Facility, Chemical Waste Management, Inc. (State Clearinghouse No. 2003091023), prepared for Kings County Planning Agency, CH2M Hill, May 2005.*

For the solid waste permitting requirements, a new Joint Technical Document is in the process of review and approval by the other agencies (e.g., Regional Water Quality Control Board, Kings County Department of Public Health) for operational/design changes, e.g., an increase in daily tonnage limit and the Class II/III waste slope change, in addition to the proposed bioreactor operation. These other agency approvals are anticipated to be obtained by early fall; however, the aforementioned three changes need to be initiated soon in order to properly implement the closure activities that are impacted by the anticipated changes in the municipal solid waste (MSW) operations and to safely operate the MSW landfill at the 3:1 slope change. In the near future, the KHF will submit a Class 3 permit modification request to approve all aspects of the addendum to the closure plan, but that approval will require at least 105 days, at a minimum, with the 60-day comment period required by 22 CCR 66270.42(c)(5) and 45-day comment period required by 22 CCR 66271.9(b)(1). Given the current fill status of the landfill, the KHF cannot wait that long for initiating the next closure steps that are impacted by these future changes. The next phase of closure involves the installation of the final cover on the "daylight" section and the placement of about 600,000 cubic yards of earthen material for the berm. Furthermore, the berm construction needs to be completed prior to the installation of the gas collection and control system (a solid waste landfill requirement) that needs to be ready to operate at the start of bioreactor operations.

Pursuant to 22 CCR 66270.42(e)(3)(C)1. and (e)(3)(C)5., this temporary authorization request is submitted to properly implement the closure and operational activities that are impacted by the anticipated changes in the municipal solid waste (MSW) operations and to safely operate the MSW landfill at the 3:1 slope change. The facility needs to initiate certain changes (i.e., the increase in "daylight" final cover, the 3:1 slope change, and amendments to the berm configuration) with the next phase of liner and berm construction this spring. The KHF will submit a Class 3 permit modification request within 180 days of the temporary authorization.



The approved closure plan will continue to be followed, with the exceptions of having more "daylight" final cover area, changes in the southern portion of the stability berm configuration, and initiation of 3:1 slope change in Class II/III waste fill. The applicable standards in chapter 14 of division 4.5, title 22, CCR will be followed. These changes will be incorporated into the closure construction certification report.

In accordance with 22 CCR §66270.42(e)(2)(C), a notice of the modification will be sent to all persons on the facility mailing list and the appropriate units of State and local government within seven days of this request. This notice will also be published in a local newspaper within seven days of the request.

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to [be] sic the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

If you need more information on this request, please call me at telephone number 559.386.6140.

Sincerely,

**/original signed by Robert G. Henry/**

Robert G. Henry  
Director of Operations

Enclosures

cc: (w/o enclosures)  
Jim Pappas, DTSC  
Juan Koponen, DTSC  
Ruth Cayabyab, DTSC  
Statewide Compliance Division, DTSC, Clovis  
Jim Dowdall, RWQCB  
Director, EPA  
Lee Johnson, KCDPH  
Chuck White, WM

66270.42(e)(2)(C)  
42(e)(2)(C)  
66270.42(e)(2)(C)



March 20, 2006

## PUBLIC NOTICE

On March 13, 2006, the Chemical Waste Management, Inc. – Kettleman Hills Facility (KHF) requested the California Department of Toxic Substances Control (DTSC) provide temporary authorization to implement certain items of a proposed addendum to the approved Landfill B-19 Closure Plan. The particular items are an increase in the amount of earthen material used for cover and berm construction, and change in slope to accommodate the proposed plans for the Class II/III waste area.

These changes are needed to properly and safely implement the closure and operational activities that are impacted by the proposed changes in the Class II/III waste operations. The facility will begin more closure construction this spring, and, in order to facilitate timely implementation of closure and operational activities, a temporary authorization is needed from the DTSC for these items in the addendum to the Landfill B-19 Closure Plan. The KHF will submit a Class 3 hazardous waste permit modification request for approval of the entire addendum to the closure plan within 180 days of the temporary authorization request.

This notice is provided to you, as an interested party identified by the DTSC, in accordance with the California Code of Regulations, Title 22, §66270.42(e)(2)(C).

Questions and comments regarding this Public Notice may be directed to the following DTSC and KHF contact persons:

Ms. Pauline Batarseh and/or Ms. Ruth Cayabyab  
DEPARTMENT OF TOXIC SUBSTANCES CONTROL  
8800 Cal Center Drive  
Sacramento, CA 95826  
916.255.3609 and/or 916.255.3601

Ms. Carol Carollo  
CHEMICAL WASTE MANAGEMENT, INC.  
35251 Old Skyline Road  
Kettleman City, CA 93239  
559.386.6140

*From everyday collection to environmental protection, Think Green® Think Waste Management.*



20 de Marzo 2006

## AVISO PUBLICO

En el día 13 de Marzo de 2006, la Instalación de Kettleman Hills, Inc.(KHF por sus siglas en inglés) - Chemical Waste Management solicitó al Departamento de Control Sustancias Tóxicas (DTSC por sus siglas en inglés) que le concediera una autorización temporal para llevar a cabo ciertos detalles que aparecen en la propuestas de modificación del Plan de Cierre del Confinamiento B-19 ya aprobado. Los detalles en particular a ser realizados son: El incremento en la cantidad de material excavado a ser utilizado para la cobertura, la construcción de la berma y en el cambio de la ladera para hacer acomodo al plan propuesto para zona de sesechos Clase II/III .

Estos cambios son necesarios para adecuadamente y de una manera segura realizar las actividades de cierre y operacionales que son afectadas por los cambios propuestos de operación de desechos Clase II/III . El Plantel dará comienzo a más actividades de cierre ésta primavera y para poder facilitar la realización las actividades de cierre y operacionales, será necesario que el Departamento de Control de Sustancias Tóxicas de California ( DTSC por sus siglas en inglés) expida un permiso temporal para poder realizar estos detalles que se encuentran incluidos en la petición del Plan de Cierre del Confinamiento B-19. El Plantel de Kettleman Hills (KHF por sus siglas en inglés) solicitará un permiso de modificación Clase 3 de desechos peligrosos para la aprobación de toda la solicitud suplemental para el Plan de Cierre dentro de los 180 días de la petición de autorización temporal.

Se le proporciona este Aviso Público como parte interesada identificada por el Departamento de Control de Sustancias Tóxicas de California ( DTSC por sus siglas en inglés) conforme con el Código de Reglamentos de California, Título 22, Artículo 66270.42(e)(2)(C) .

Dirija sus preguntas relacionadas con este Aviso Público a las siguientes personas en las entidades mencionadas:

Srita. Pauline Batarseh y/o Srita. Ruth Cayabyab

**DEPARTMENT OF TOXIC SUBSTANCES CONTROL**

8800 Cal Center Drive  
Sacramento, CA. 95826  
Tel. (916) 255-3609 y/o (916) 255-3601

Srita. Carol Carollo

**CHEMICAL WASTE MANAGEMENT, INC.**  
35251 Old Skyline Road  
Kettleman City, CA 93239  
Tel. (559) 386-6140



**KETTLEMAN HILLS FACILITY**

35251 Old Skyline Rd.  
P.O. Box 471  
Kettleman City, CA 93239

March 31, 2006

CERTIFIED MAIL (7003 3110 0006 2290 7933)

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

**RE: CLARIFICATION ON 03/13/06 TEMPORARY AUTHORIZATION REQUEST  
LANDFILL B-19 CLOSURE ADDENDUM ITEMS**

Dear Ms. Batarseh:

On March 13, 2006, the Chemical Waste Management, Inc. – Kettleman Hills Facility (KHF) requested that the Department of Toxic Substances Control (DTSC) provide temporary authorization to implement certain items of the document, entitled *Addendum to Landfill Unit B-19 Modified Closure Plan for Class I Portion, Kettleman Hills Facility* (Golder Associates Inc., October 2005). The temporary authorization involved three changes in the revised closure plan.

- The “daylight” final cover over the Class I waste at the southwestern corner of the landfill will be a larger area because the footprint for the Class II/III waste is to be smaller.
- The Class II/III cover slope is changed from 4:1 to effective 3:1.
- The stability buttress configuration is amended in the southern portion due to the revised waste fill configuration (e.g., more of the berm overlaps the area of “daylight” final cover).

When the KHF and its consultants met in Sacramento with the DTSC on March 17, 2006, it was determined that the first and third changes in the above list could be implemented without any DTSC approval. The KHF may increase the amount of earthen material over the Class I final cover and for the height and width of the stability buttress (i.e., earthen berm) at any time. This letter confirms our discussion and removes these two berm-related changes from the temporary authorization request. The facility still needs the DTSC’s approval to implement the slope change as soon as possible.

*From everyday collection to environmental protection, Think Green® Think Waste Management.*



"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to [be] *sic* the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

The KHF appreciates the opportunity to meet with the DTSC to address questions and concerns about the Landfill B-19 closure project and the proposed changes, as well as to clarify certain operational and financial management points related to the unit's closure status. We especially appreciate the clarification on what we needed for the temporary authorization. If you have any questions about this confirmation letter, please call Carol Carollo at telephone number 559.386.6140.

Sincerely,

*u* )  
/original signed by Robert G. Henry/

Robert G. Henry  
Director of Operations

cc: Jim Pappas, DTSC  
Ruth Cayabyab, DTSC  
Statewide Compliance Division, DTSC, Clovis  
Jim Dowdall, RWQCB  
Director, EPA  
Lee Johnson, KCDPH  
Chuck White, WM



Linda S. Adams  
Secretary for  
Environmental Protection



## Department of Toxic Substances Control

Maureen F. Gorsen, Director  
8800 Cal Center Drive  
Sacramento, California 95826-3200



Arnold Schwarzenegger  
Governor

June 15, 2006

Ms. Carol J. Carollo  
Environmental Compliance Specialist  
Chemical Waste Management, Incorporated  
Kettleman Hills Facility  
Post Office Box 471  
35251 Old Skyline Road  
Kettleman City, California 93239

CERTIFIED MAIL # 7003 1680 0004 3168 5220

APPROVAL OF TEMPORARY AUTHORIZATION FOR LANDFILL B-19, CHEMICAL WASTE MANAGEMENT, INC – KETTLEMAN HILLS FACILITY (KHF), KINGS COUNTY, CALIFORNIA, UNITED STATES ENVIRONMENTAL PROTECTION AGENCY (USEPA) ID NUMBER CAT 000 646 117

Dear Ms. Carollo:

The Department of Toxic Substances Control (DTSC) has reviewed the temporary authorization request submitted on March 31, 2006 and hereby approves the request. This approval is to allow KHF to modify the Class II/III waste fill side slope from 4H:1V to 2.5H:1V.

DTSC received a letter, dated March 13, 2006, from KHF requesting temporary authorization to implement three modifications detailed in the *Addendum to Landfill Unit B-19 Modified Closure Plan for Class I Portion, Kettleman Hills Facility*, Golder Associates, Inc., dated October 2005, and submitted to DTSC on November 11, 2005.

The modifications from the March 13, 2006 letter are: (1) the "daylight" final cover over the Class I waste at the southwestern corner of the landfill will be a larger area because the footprint for the Class II/III waste is to be smaller; (2) changing the Class II/III waste fill side slope from 4H:1V to 2.5H:1V; and (3) configuration amendment of the stability buttress in the southern portion due to the revised waste fill configuration (e.g., more of the berm overlaps the area of "daylight" final cover).

Ms. Carol J. Carollo  
June 15, 2006  
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During a March 17, 2006 meeting with DTSC, KHF and KHF's consultants, DTSC informed KHF that items (1) and (3) listed above could be implemented without further approval from DTSC, since prior review and approval by DTSC has been granted for these items.

Subsequently, KHF sent DTSC a letter, dated March 31, 2006 modifying their initial temporary authorization letter and requesting DTSC's approval only for the slope change (item (2) listed above).

KHF also submitted to DTSC a second modification to the closure plan, *Modification No. 2 to Landfill Unit B-19 Closure Plan for Class I Portion*, in April 2006. KHF responses to DTSC comments on *Modification No. 2 to Landfill Unit B-19 Closure Plan for Class I Portion* were subsequently submitted on May 2, 2006.

After reviewing the updated temporary authorization request and its supporting documents, DTSC finds that the slope change requested by KHF meets the following: (1) the proposed activities are in compliance with standards of California Code of Regulations (CCR), title 22, chapter 14; and (2) the temporary authorization is necessary in order to allow KHF the needed time to properly implement the closure and operational activities that are impacted by the anticipated changes in the municipal solid waste operations and to safely operate the Municipal Solid Waste landfill at the 2.5H:1V slope change. Thus, pursuant to CCR, title 22 sections 66270.42(e)(3)(C)1 and 66270.42(e)(3)(C)5, DTSC hereby grants KHF the temporary authorization to change the Class II/III waste fill side slope from 4H:1V to 2.5H:1V. DTSC is proposing to file a Notice of Exemption under the California Environmental Quality Act under CCR, title 14, section 15301, because the activity is considered a minor alteration to the operation of an existing facility.

The approval of a temporary authorization represents a permit decision that may be appealed by following CCR, title 22, section 66271.18. A petition may be submitted to DTSC requesting a review of the permit decision within 30 days of this letter. The appeal period will end July 17, 2006.

Ms. Carol J. Carollo  
June 15, 2006  
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If you have any questions, please contact Ms. Ruth Cayabyab of my staff at (916) 255-3601.

Sincerely,

*/original signed by James M. Pappas/*

James M. Pappas, P.E., Chief  
Northern California Permitting and Corrective Action Branch

cc: Mr. Jim Dowdall  
Engineering Geologist  
Regional Water Quality Control Board  
Central Valley Region  
1685 E Street  
Fresno, California 93706

Mr. Max Weintraub  
Acting Senior Policy Advisor  
PCB Team Member  
US Environmental Protection Agency  
75 Hawthorne Street, CED-4  
San Francisco, California 94105

Mr. Lee Johnson  
Environmental Health Officer  
Kings County Department of Public Health  
Division of Environmental Health Services  
330 Campus Drive  
Hanford, California 93230

Mr. Chris Phillips  
Integrated Waste Management Specialist  
Permitting & Inspections Branch, Region 2  
California Integrated Waste Management Board  
1001 I Street  
Sacramento, California 95812

Ms. Carol J. Carollo  
June 15, 2006  
Page 4

Ms. Pauline Batarseh  
Supervising Hazardous Substances Engineer  
Northern California Permitting and Corrective Action Branch  
Department of Toxic Substances Control  
8800 Cal Center Drive  
Sacramento, California 95826

Ms. Ruth Cayabyab  
Northern California Permitting and Corrective Action Branch  
Department of Toxic Substances Control  
Hazardous Substance Engineer  
8800 Cal Center Drive  
Sacramento, California 95826

RECEIVED

JUN 22 2006

STATE CLEARING HOUSE

## NOTICE OF EXEMPTION

To: Office of Planning and Research  
State Clearinghouse  
P.O. Box 3044, 1400 Tenth Street, Room 212  
Sacramento, CA 95812-3044

From: Department of Toxic Substances Control  
Northern California Permitting and  
Corrective Action Branch  
8800 Cal Center Drive  
Sacramento, CA 95826

Project Title: Chemical Waste Management, Inc. – Kettleman Hills Facility  
Temporary Authorization to allow implementation of Landfill B-19 Class II/III waste fill side slope change

Project Location: 35251 Old Skyline Road  
Kettleman City, California 93239  
(Unincorporated)

County: Kings County

Project Description:Project Activities:

On June 15, 2006, pursuant to 22 CCR 66270.42(e)(3)(C)1. and (e)(3)(C)5, DTSC approved the implementation of Landfill B-19 Class II/III waste fill side slope change from 4 units of length horizontal to 1 unit of length vertical (4H:1V) to 2.5 units of length horizontal to 1 unit of length vertical (2.5H:1V) as proposed in the addendum to the approved Landfill Unit B-19 Closure Plan.

The facility needs to initiate certain changes (i.e., the increase in "daylight" final cover, the 2.5H:1V slope change, and amendments to the berm configuration) with the next phase of liner and berm construction. The KHF will submit a Class 3 permit modification request within 180 days of this temporary authorization. The approved closure plan will continue to be followed, with the exceptions of having more "daylight" final cover area, changes in the southern portion of the stability berm configuration, and initiation of 2.5H:1V slope change in Class II/III waste fill. The applicable standards in chapter 14 of division 4.5, title 22, CCR will be followed. These changes will be incorporated into the closure construction certification report.

Background:

Kettleman Hills Facility (KHF) is a Class I hazardous waste treatment, storage and disposal facility and a Class II/III disposal facility, owned and operated by Chemical Waste Management Inc. (CWMI) since 1979. KHF is located in unincorporated western Kings County, California approximately 1 mile north of State Route 41 (SR-41), approximately 3.5 air miles south west of Kettleman City, 6.5 air miles southeast of the City of Avenal, and approximately 3.5 miles west of Interstate 5 (I-5). The facility is approximately 1,600-acre site, of which 499 acres are currently permitted for Class 1 hazardous waste and TSCA-regulated PCB waste and Class II/III waste operations. KHF is permitted to accept most hazardous wastes as identified by Title 40 of the Code of Regulations (CFR), Part 261, and California Code of Regulations (CCR) Title 22, Division 4.5 Chapter 11. Hazardous wastes are transported to KHF by truck via I-5 to SR-41. Class II/III waste disposal operations at KHF are limited to Landfill B-19.

Landfill B19 was permitted as an approximately 43-acre Class I Landfill with approximately seven million cubic yards of total capacity. Landfill consisted of four phases (IA, IB, II and III). Landfill B-19 was constructed between 1986 and 1989, and began accepting Class I waste in 1987. In 1988, after approximately one million cubic yards of Class I waste had been disposed in Phase IA, a portion of the waste and primary liner slipped, resulting in a horizontal and vertical movement of the waste prism in Phase IA. While there was movement in the waste prism, the composite liner system contained the waste so that there was no release to the environment. Subsequently, the approximately one million cubic yards of Class I hazardous waste in Phase IA was transferred to a Phase II and III of Landfill B-19. A temporary cover was placed over the slope to the floor of Phase IA to prevent rainwater from entering the remaining liner and leachate collection materials on the floor. Through 1992, approximately three million cubic yards of Class I waste had been disposed in Phases IB, II, and III. In 1992, Landfill B-19 was placed into inactive status by CWMI and Landfill Unit B-18 became the operating Waste Management Unit (WMU) at KHF. An interim cover comprising a 40-mil thick textured high density polyethylene (HDPE) geomembrane layer was placed over the Phases IB, II, and III of Landfill B-19.

In 1997, CWMI converted the remaining unused portion of the Landfill B-19 from Class I WMU to Class II designated waste and Class III Municipal Solid Waste (MSW) unit. The final fill configuration was identical to the earlier Class I fill plan, with the exception that the balance of the fill material was Class II/III waste. The Phase IA base liner system was designed in accordance with CCR Title 27. In order to reclaim the remaining airspace in Landfill B-19, a separation liner overlying portions of the Class I waste was designed. The separation liner serves as part of the closure cover for the Class I waste to prevent the migration of rainfall, leachate, and landfill gas from the MSW into the hazardous waste.

Approximately 11 acres of Class I waste remains to be capped with the final cover. The remaining area will not be covered with MSW; however, portions will be covered by construction of the soil stability buttress, as part of the placement of the final cover. For the Class II/III portion of the Landfill B-19 evapotranspirative (ET) final cover system will be designed. The ET cover will consist of an approximately four-foot thick monolithic final cover layer of suitable soils. The monolithic cover (over the Class II/III portion) combined with the separation liner (between the Class I waste and the Class II/III waste) can be equivalent to a Title 22 cover for Class I waste. The final cover configuration still needs to be submitted and will need to be approved by the appropriate agencies in accordance with Title 22 and Title 27 requirements.

CWMI-KHF proposed on March 13, 2006 to make modifications to the Landfill Unit B-19 Class I and Class II/III Portions. These modifications were the following:

- The "daylight" final cover over the Class I waste at the southwestern corner of the landfill will be a larger area because the footprint for the Class II/III waste is to be smaller.
- The Class II/III waste fill side slope will be changed from 4 units of length horizontal to 1 unit of length vertical (4H:1V) to 2.5 units of length horizontal to 1 unit of length vertical (2.5H:1V).
- The stability buttress configuration will be amended in the southern portion due to the revised waste fill configuration (e.g., more of the berm overlaps the area of "daylight" final cover).

At a March 17, 2006 meeting involving the DTSC, KHF and KHF consultants, it was determined that the first and third changes (modifications) listed above could be implemented because of prior review and approval by DTSC. Thus, KHF sent the DTSC another letter, dated March 31, 2006, to clarify the March 13, 2006 temporary authorization request. The March 31, 2006 letter clarifies KHF may increase the amount of earthen material over the Class I final cover and for the height and width of the stability buttress at any time. However, KHF still needed DTSC approval to implement the slope change. The final grading plan includes a maximum waste elevation of 945 feet above mean sea level.

#### Other Considerations:

#### **BIOREACTOR**

For the solid waste permitting requirements, a new Joint Technical Document (JTD) is in the process of review and approval by other agencies (e.g., Regional Water Quality Control Board (RWQCB), Kings County Department of Public Health (the Local Enforcement Agency, LEA)) for the proposed bioreactor operation and the increase in daily tonnage limit in Landfill B-19. These other agency approvals are anticipated to be obtained by early fall; however, the aforementioned changes need to be initiated soon in order to properly implement the closure activities that are impacted by the anticipated changes in the municipal solid waste (MSW) operations and to safely operate the MSW landfill at the 2.5H:1V slope change.

Approval to change the Class II/III waste fill side slope does not predicate approval for the proposed bioreactor. The proposed bioreactor will still need to be approved by DTSC. If the proposed bioreactor is not implemented, the landfill will be closed with the above modified project activities in place.

In the near future, the KHF will submit to DTSC a Class 3 permit modification request to approve all aspects of the addendum to the closure plan, but that approval will require at least 105 days, at a minimum, with the 60-day comment period required by 22 CCR 66270.42(c)(5) and 45-day comment period required by 22 CCR 66271.9(b)(1). Given the current fill status of the landfill, the KHF cannot wait that long for initiating the next closure steps that are impacted by future changes. The next phase of closure involves the installation of the final cover on the "daylight" section and the placement of about 600,000 cubic yards of earthen material for the berm. Furthermore, the berm construction needs to be completed prior to the installation of the gas collection and control system (a solid waste landfill requirement) that needs to be ready to operate at the start of bioreactor operations.

Name of Public Agency Approving Project: Department of Toxic Substances Control

Name of Person or Agency Carrying Out Project: Ms. Carol J. Carollo  
Environmental Compliance Specialist  
Chemical Waste Management, Inc.

Exemption Status: (check one)

- Ministerial [PRC, Sec. 21080(b)(1); CCR, Sec. 15268]  
 Declared Emergency [PRC, Sec. 21080(b)(3); CCR, Sec. 15269(a)]  
 Emergency Project [PRC, Sec. 21080(b)(4); CCR, Sec. 15269(b)(c)]  
 Categorical Exemption: [CCR, Sec. 15301]  
 Statutory Exemptions: [State code section number]  
 General Rule [CCR, Sec. 15061(b)(3)]

Exemption Title: Minor Alterations to the Operation of an Existing Facility

Reasons Why Project is Exempt:

An environmental analysis was conducted on the steepening of the final grades from 4H:1V to 2.5H:1V, with a maximum elevation of 945 feet above mean sea level. DTSC determined that the project element would be a continuation of existing disposal operations at the KHF B-19 landfill.

The project specific parameters, which limit the potential impact of the project, include the following:

1. Slope Stability

The proposed revision to the landfill final grading design results in a stable configuration under both static and dynamic loading conditions. Computed static factors of safety were higher than 1.5 for all analyzed cross-sections. The current state of practice in California for static design is to require a minimum factor of safety of 1.5 for final waste slopes and any cut or fill slopes which would impact the integrity of waste containment, affect off-site property, or endanger life.

The stability design criteria were developed to satisfy the requirements of CCR title 22, which includes an evaluation of the Maximum Credible Earthquake (MCE). The maximum permanent displacement of the cover system during an MCE is approximately 6-inches, which falls within the industry accepted allowable displacement range of 6 to 12 inches for final cover systems. A small allowable displacement is intended to preclude the possibility of large displacements that might disrupt the geosynthetic liner/cover materials.

2. Settlement

The new grades have been designed to accommodate anticipated settlement. The pre- and post-settlement grades were evaluated to demonstrate compliance with CCR title 22, which requires that a minimum of 3 percent grade be maintained on the final cover. The main consideration for post-closure grades will be secondary settlement of the existing Class I fill. Additionally, some minor uniform long-term consolidation of the bedrock and liner system is anticipated to occur. The results of settlement calculations indicate that a minimum grade of 3 percent in the direction of flow is maintained for the final cover.

3. Surface Water Impact

Closure and post-closure of the landfill will not result in significant impacts to surface water quality or an increase in downstream water flow because:

- a. The new grades will minimize flow velocity and maintain positive drainage of the landfill area.
- b. Drainage ditches situated over the landfill would be lined with low permeability soil.
- c. Surface water drainage facilities have been designed to accommodate estimated flows from the Probable Maximum Precipitation (PMP) storm event, a 7.4 inch rainfall in a 24-hour duration storm, as required by CCR title 27.

d. The storm water management system for KHF is designed to meet the Class I hazardous waste regulatory requirements in accordance with CCR title 23, which meet or exceed the Class II/III requirements for storm water management.

4. Soil Loss

The new grades will minimize erosion. A review of the amended Class I grading plan and soil loss calculations prepared by Golder Associate, Incorporated in April 11, 2006 indicates that once vegetation is established on the landfill final cover, the erosion rate is expected to be less than 1 ton/acre/year. The U.S. EPA recommends a maximum soil loss of 2 tons per acre per year for hazardous (Class I) waste landfill covers.

5. Ground Water Impact

Design and change of new grades will not affect the cover or approved Groundwater Monitoring Program for KHF.

6. Transportation and Traffic Impact

Transportation and traffic will not be impacted since import of borrow soil is not necessary to change the slopes.

7. Air Quality

Design and change of new grades will not affect the approved Air Permit Requirements for Landfill B-19.

Ruth Cayabyab	Hazardous Substances Engineer	(916) 255 - 3601
Project Manager Name	Project Manager Title	Phone #
<b>/original signed by Wade Cornwell for James M. Pappas/</b>		
	Branch Chief Signature	6/19/2006
		Date
James M. Pappas, P.E.	Chief, Northern California Permitting and Corrective Action Branch	(916) 255 - 3574
Branch Chief Name	Branch Chief Title	Phone #

TO BE COMPLETED BY OPR ONLY

Date Received For Filing and Posting at OPR:



## NOTICE OF A TEMPORARY AUTHORIZATION DECISION

Chemical Waste Management, Inc.  
Kettleman Hills Facility  
Kettleman City, California  
June 2006



The Department of Toxic Substances Control (DTSC) has approved a Temporary Authorization for a Class 3 permit modification for the hazardous waste management facility at:

Kettleman Hills Facility  
35251 Old Skyline Road  
Kettleman City, California 93239

This facility operates under a Hazardous Waste Facility Permit that expires in June 2013. As required by California Code of Regulations, title 22, DTSC must review all temporary authorization requests and make a decision based on the merits. The temporary authorization is to allow Chemical Waste Management, Inc. to change the cover slope at Landfill B-19 from 4 to 1 to an effective 3 to 1. This slope change creates more surface area at the top of Landfill B-19. It will be part of a proposed addendum to the currently approved Landfill Unit B-19 Closure Plan.

DTSC also finds that the design changes are exempt from the requirements of the California Environmental Quality Act under California Code of Regulations, title 14, section 15301 pertaining to minor alteration of an existing facility. Chemical Waste Management, Inc. must submit a Class 3 permit modification request for the closure plan changes within 180 days of the temporary authorization. The temporary authorization documents are available at the following locations:

Avenal Library  
Reference Department  
501 King Street  
Avenal, CA 93204  
(559) 386-5741

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

Kettleman City Library  
106 Becky Pease Street  
Kettleman City, CA 93239  
(559) 386-9804

The approval of a temporary authorization represents a permit decision that you may appeal by following California Code of Regulations, title 22, section 66271.18. You may submit a petition to DTSC requesting a review of the permit decision within 30 days of

this notice. The appeal period will end on July 28, 2006. Petitions must be postmarked no later than July 28, 2006, and sent to:

Mr. Watson Gin, P.E., Deputy Director  
Hazardous Waste Management Program  
California Department of Toxic Substances Control  
P.O. Box 806  
Sacramento, California 95812-0806

You should also send a copy of your petition to:

Mr. James M. Pappas, P.E., Chief  
Northern California Permitting and Corrective Action Branch  
Department of Toxic Substances Control  
8800 Cal Center Drive  
Sacramento, CA 95826

For further information about this decision, please contact:

Nathan Schumacher  
Public Participation Specialist  
8800 Cal Center Drive  
Sacramento, CA 95826  
(916) 255-3650  
[NSchumac@dtsc.ca.gov](mailto:NSchumac@dtsc.ca.gov)

Ruth Cayabyab  
Project Manager  
8800 Cal Center Drive  
Sacramento, CA 95826  
(916) 255-3601  
[RCayabya@dtsc.ca.gov](mailto:RCayabya@dtsc.ca.gov)

The full administrative record may be reviewed at the DTSC file room:

DTSC  
8800 Cal Center Drive  
Sacramento, CA 95826  
To make arrangements, please contact Ruth Cayabyab at 916-255-3601.

#### **NOTICE TO THE HEARING IMPAIRED**

You can obtain additional information by using the California State Relay Service at 1-888-877-5378 (TDD). Ask them to contact Nathan Schumacher at (916) 255-3650 regarding the Kettleman Hills Facility.

## AVISO AUTORIZACIÓN TRANSITORIA



Chemical Waste Management, Inc.  
Instalación Kettleman Hills  
Kettleman City, California  
June 2006

El Departamento de Control de Sustancias Tóxicas (DTSC) ha aprobado una Autorización Transitoria para la modificación de un permiso Clase 3 para la instalación que maneja desechos peligrosos:

Instalación Kettleman Hills  
35251 Old Skyline Road  
Kettleman City, California 93239

Esta instalación opera conforme a un Permiso para Instalaciones de Desechos Peligrosos el cual caduca Junio del 2013. Según lo dispuesto por el título 22 del Código de Reglamentos de California, se requiere que DTSC estudie todas las solicitudes de autorizaciones transitorias y tome una decisión basándose en los méritos de las mismas. La finalidad de la autorización transitoria es permitir que Chemical Waste Management, Inc., modifique la pendiente de cobertura en el Vertedero B-19 de 4 a 1 a una más efectiva de 3 a 1. Esta modificación a la pendiente crea un área de superficie más amplia en la parte superior del Vertedero B-19. Formará parte de un apéndice que se propone para el Plan de Clausura del Vertedero B-19 actualmente aprobado.

Asimismo, DTSC determina que, en conformidad con los requerimientos dispuestos en el título 14, artículo 15301 del Código de Reglamentos de California, el cual se refiere a una alteración menor a efectuarse en una instalación existente, las modificaciones en el diseño están exentas. Chemical Waste Management, Inc., debe presentar una solicitud de modificación del permiso Clase 3 para el plan de cambios de clausura dentro de 180 días a partir de la fecha de la autorización transitoria. Los documentos correspondientes a la autorización transitoria están disponibles en los siguientes lugares:

Biblioteca Avenal  
Oficina de Referencias  
501 King Street  
Avenal, CA 93204  
(559) 386-5741

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

Biblioteca Kettleman City  
106 Becky Pease Street  
Kettleman City, CA 93239  
(559) 386-9804

La aprobación de la autorización transitoria representa la decisión que se tomó respecto al permiso, la cual usted puede apelar según lo que dispone el título 22, artículo 66271.18 del Código de Reglamentos de California. Para estos efectos, y dentro de 30 días a contar de la fecha del presente aviso, usted puede presentar una petición a DTSC solicitando que se revise la decisión que se tomó respecto al permiso. El plazo de apelación terminará el 28 de Julio del 2006. Las peticiones deben ser mandadas a más tardar el 28 de Julio del 2006, y deben enviarse a:

Sr. Watson Gin, P.E., Subdirector  
Programa de Administración de Desechos Peligrosos  
Departamento de Control de Sustancias Tóxicas de  
California  
P.O. Box 806  
Sacramento, California 95812-0806

Usted debería enviar también una copia de su petición a:

Sr. James M. Pappas, P.E., Jefe  
Oficina de Permisos y Medidas Correctivas del Norte de  
California  
Departamento de Control de Sustancias Tóxicas  
8800 Cal Center Drive  
Sacramento, CA 95826

Si necesita información adicional acerca de esta decisión, por favor comuníquese con:

Nathan Schumacher  
Especialista en Participación Pública  
8800 Cal Center Drive  
Sacramento, CA 95826  
(916) 255-3650  
NSchumac@dtsc.ca.gov

Ruth Cayabyab  
Gerente de Proyecto  
8800 Cal Center Drive  
Sacramento, CA 95826  
(916) 255-3601  
RCayabya@dtsc.ca.gov

El expediente administrativo completo puede estudiarse en la oficina de archivos de DTSC en:

DTSC  
8800 Cal Center Drive  
Sacramento, CA 95826  
Para hacer los arreglos necesarios, por favor contacte a Ruth Cayabyab al 916-255-3601.

### **AVISO A PERSONAS CON PROBLEMAS AUDITIVOS**

Pueden obtener información adicional utilizando el Servicio de Relevos del Estado de California al 1-888-877-5378 (TDD). Solicite que se les comunique con Nathan Schumacher al (916) 255-3650 respecto a la Instalación Kettleman Hills.