

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
CENTRAL VALLEY REGION  
1685 E Street, Fresno, California 93706

**PUBLIC HEARING**  
concerning

**WASTE DISCHARGE REQUIREMENTS  
FOR  
CHEMICAL WASTE MANAGEMENT, INC.  
FOR  
POST-CLOSURE MAINTENANCE AND CORRECTIVE ACTION  
BAKERSFIELD FACILITY  
KERN COUNTY**

Chemical Waste Management, Inc. owns the Bakersfield facility, which was certified closed in 1989. The 142.31 acre closed portion of the facility last received waste in 1985 that was primarily related to oilfield development and production activities, with some of the waste containing hazardous materials. In 1991, Department of Health Services (DHS) issued a Post-Closure Hazardous Waste Facility Permit (HWFP). In 1999, the Central Valley Regional Water Quality Control Board (Central Valley Water Board) adopted the current Waste Discharge Requirements (WDRs) Order No. 99-088.

On 25 June 2010, the Department of Toxic Substances Control (DTSC, formerly DHS) issued a Notice of Final Decision that the facility meets the requirements for closure by decontamination or removal consistent with Title 22 of the California Code of Regulations. The decision stated that the 1991 HWFP is no longer required and that the facility is not required to renew a HWFP. The DTSC determined that facility management through implementation of and compliance with the 8 September 2010 Covenant to Restrict Use of Property – Environmental Restriction (Covenant), and continued over sight by the Central Valley Water Board, is protective of human health and the environment.

The proposed Order revises the current WDRs to address changes related to the Department of Toxic Substances Control permitting process, the facility hydrogeologic information, and the monitoring and reporting program.

A public hearing concerning this matter will be held during the Central Valley Water Board meeting, which is scheduled for:

DATE: 8-10 June 2011

TIME: 8:00 a.m.

PLACE: Regional Water Quality Control Board, Central Valley Region  
11020 Sun Center Drive #200  
Rancho Cordova, CA 95670-6114

The designated parties for this hearing are as follows:

- Chemical Waste Management, Inc.

Designated parties, but not interested persons, will have these rights: to call and examine witnesses; to cross-examine opposing witnesses; to impeach any witness; and to rebut the evidence against him or her. Central Valley Water Board staff will prepare the administrative record, and may present evidence, make an oral presentation and cross-examine opposing witnesses.

Interested persons may not cross examine witnesses, and will not be subject to cross examination. Interested persons may submit evidence (e.g., photographs, eye-witness testimony, monitoring data) if the evidence is submitted in accordance with the deadlines for submitting evidence described below. Interested persons who present evidence may be subject to cross-examination. Interested persons may request status as a designated party for purposes of this hearing by submitting such request in writing to the Central Valley Water Board **no later than noon on 6 May 2011**. The request must explain the basis for status as a designated party and in particular how the person is affected by the discharge.

The tentative Waste Discharge Requirements, were issued on 5 April 2011. Persons wishing to comment on this item must submit testimony, evidence, if any, and/or comments in writing to the Central Valley Water Board **no later than noon on 6 May 2011**. Written materials submitted after noon on 6 May 2011 will not be accepted and will not be incorporated into the administrative record absent a ruling by the Central Valley Water Board Chair. A party requesting to submit late materials must demonstrate good cause for the late submission, and the Central Valley Water Board Chair must find that the late submission would not prejudice the Central Valley Water Board or any designated party.

All designated parties and interested persons may speak at the Central Valley Water Board meeting, and are expected to orally summarize their written submittals. Oral testimony and cross examination will be limited in time by the Central Valley Water Board Chair. Both designated parties and interested persons may be asked to respond to clarifying questions from Central Valley Water Board members, counsel staff or others, at the discretion of the Central Valley Water Board.

Anyone having questions on tentative waste discharge requirements should contact Jim Dowdall at (559) 445-5108. Interested parties may download the proposed Order and related documents from the Central Valley Water Board's Internet website at [http://www.waterboards.ca.gov/centralvalley/board\\_decisions/tentative\\_orders/](http://www.waterboards.ca.gov/centralvalley/board_decisions/tentative_orders/). Copies of these documents can also be obtained by contacting or visiting the office of the Central Valley Water Board at 1685 E Street, Fresno, California, 93706, weekdays between 8:00 a.m. and 5:00 p.m. by appointment.

The final meeting agenda will be available at [http://www.waterboards.ca.gov/board\\_info/agendas/](http://www.waterboards.ca.gov/board_info/agendas/) at least ten days before the meeting. The agenda will provide the dates the Central Valley Water Board meeting will be held, indicate the anticipated order of agenda items, and may include staff revisions to the proposed order(s).

The procedures governing Central Valley Water Board meetings may be found at Title 23, California Code of Regulations, Section 647 et seq. and are available upon request. Hearings before the Central Valley Water Board are not conducted pursuant to Government Code section 11500 et seq. The procedures may be obtained by accessing

[http://www.waterboards.ca.gov/laws\\_regulations/](http://www.waterboards.ca.gov/laws_regulations/). Information on meeting and hearing procedures is also available on the Board's website at [http://www.waterboards.ca.gov/centralvalley/board\\_info/meetings/mtgprocd.shtml](http://www.waterboards.ca.gov/centralvalley/board_info/meetings/mtgprocd.shtml) or by contacting any one of the Central Valley Water Board's offices. Questions regarding such procedures should be directed to Ms. Kiran Lanfranchi-Rizzarda at (916) 464-4839.

The hearing facilities will be accessible to persons with disabilities. Individuals requiring special accommodations are requested to contact Ms. Kiran Lanfranchi-Rizzarda at (916) 464-4839 at least 5 working days prior to the meeting. TTY users may contact the California Relay Service at 1-800-735-2929 or voice line at 1-800-735-2922.

Please bring the above information to the attention of anyone you know who would be interested in this matter.

*Original signed by:*

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DOUGLAS K. PATTESON, Supervising WRCE

5 April 2011