

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION

ORDER R5-2012-0111

TO AMEND SPECIAL ORDER 98-165
FOR
CLEAN HARBORS BUTTONWILLOW, LLC
BUTTONWILLOW, KERN COUNTY
FOR CLOSURE OF CLASS II WASTE MANAGEMENT UNITS

The California Regional Water Quality Control Board, Central Valley Region, (hereinafter Board) finds that:

1. Clean Harbors Buttonwillow, LLC (herein after Discharger) owns and operates a waste treatment and disposal facility at 2500 West Lokern Road, approximately eight miles west of the community of Buttonwillow, CA., which is shown in Attachment A, which is attached to and made part of this Order. The facility accepts Class I and Class II solid waste, and Class II liquid waste, for treatment and disposal. The site is fenced and covers 320 acres, encompassing the east half of Section 16, T29S, R22E, MDB&M. The Assessor's Parcel Number is 99-290-17. The land is owned by the Discharger.
2. In 2002, Clean Harbors, Inc., a Massachusetts-based corporation, assumed ownership and operation of the Buttonwillow facility from Safety-Kleen (Buttonwillow), Inc. The transfer of ownership and subsequent name change of the facility from that documented in Order 96-094, was updated through the adoption of Order R5-2002-0191. The current name of the facility is Clean Harbors Buttonwillow, LLC, operating as a subsidiary of Clean Harbors, Inc.
3. The facility is regulated by Waste Discharge Requirements Order 96-094, which implement California Code of Regulations (CCR), title 23 and title 27 (Title 27). Special Order 98-165 amended Order 96-094 to reclassify the former impoundments as Class II solid waste landfills and to regulate the closure of the five former nonhazardous surface impoundments – Waste Management Units (WMUs) 18, 21, 22, 23, and 27, which are shown in Attachment B, which is attached to and made part of this Order. The former surface impoundments were put into service between June 1985 and August 1986 and accepted only non-hazardous liquids from petroleum exploration and production operations. Municipal solid waste has not been accepted at the facility. This Order amends Special Order 98-165.
4. The Discharger submitted a *Revised Final Design Report and Revised Supplemental Final Closure Plan*, both dated July 2011, and a subsequent response to Board staff comments dated 30 November 2011. The revised plan proposes closure of WMUs 18, 21, 22, 23, and 27 as Class II landfills. Only dry nonhazardous solid waste will be contained in the closed landfills.

CLOSURE OF WMUs 18, 21, 22, 23 AND 27 AS CLASS II LANDFILLS

5. Sludge in WMUs 22, 23, and 27 is being dried and solidified using appropriate dry, solid, nonhazardous waste and other dry soil and/or pozzolanic agents. Solidification of the residual sludge is complete in WMUs 18 and 21. Additional nonhazardous, dry solid waste will continue to be discharged to the WMUs until final design grade elevations are reached. Moisture content of the solidified sludge and other material is controlled to ensure that the moisture holding capacity of the material is not exceeded.
6. Following solidification, the sludge in the WMUs will be compacted. Once grading of the compacted sludge is complete, on-site soil will be used as engineered fill between WMUs 21 and 22, 22 and 23, and 23 and 27. The *Revised Final Design Report and Revised Supplemental Final Closure Plan* describe one inclusive final cover system for WMUs 21, 22, 23, and 27. A separate final cover system for WMU 18 is needed since a pipeline right-of-way easement divides the WMU from the other WMUs.
7. Closure and post-closure maintenance requirements for landfills are contained in Title 27, section 21090. The prescriptive standard for the final cover is contained in Title 27, section 21090(a). The minimum cover design required is (from top down) a one-foot vegetative layer, one foot of soil compacted to a maximum permeability of 1×10^{-6} cm/sec, and a two-foot foundation layer. Title 27, section 20080(b) allows the Central Valley Water Board to consider the approval of an engineered alternative to the prescriptive standard. The Discharger must demonstrate that the proposed engineered alternative cover system is consistent with the performance goals addressed by the particular prescriptive standard, and provides protection against water quality impairment equivalent to the prescriptive standard in accordance with Title 27, section 20080(b)(2).

The Discharger submitted a design plan for the proposed closure of WMUs 18, 21, 22, 23, and 27 in the *Revised Final Design Report and Revised Supplemental Final Closure Plan*, both dated July 2011, as well as a subsequent response to Board staff comments dated 30 November 2011. The plans were determined to be adequate in correspondence from Central Valley Water Board staff dated 15 December 2011. The proposed final cover design for the WMUs is an evapo-transpirative (ET) cover consisting of a vegetated soil layer, constructed to a minimum thickness of three feet. A cross-section of the cover system is shown on Attachment C, which is attached to and made part of this Order. The ET cover provides an equivalent performance system that relies on water balance components of the soil layer, designed to minimize potential percolation through transpiration and/or evaporation, in lieu of a conventional prescriptive final cover. The facility is in an arid environment, with average annual precipitation of approximately five inches and an average annual pan evaporation of approximately 108 inches.

8. The final configuration of WMUs 18, 21, 22, 23, and 27 exceeds the minimum prescriptive requirements of Title 27. Therefore, WMUs 18, 21, 22, 23, and 27 meet the design and construction standards contained in Title 27 for non-MSW Class II landfills.

MONITORING

9. Monitoring at the facility is regulated by Monitoring and Reporting Program 96-094, which is attached to and part of Order 96-094.
10. Groundwater monitoring at the point of compliance of the WMUs is provided by the existing groundwater monitoring well network.
11. Title 27 requires monitoring of the unsaturated zone. Since the landfill contents will be dried, solidified, and tested during closure, the only source of moisture would be infiltration through the cover. Therefore, monitoring beneath the cover should provide the earliest detection of moisture infiltration. Monitoring will be conducted using a gravel pan lysimeter to be installed on the upper deck below the final cover for WMUs 21, 22, 23, and 27.

CEQA AND OTHER REGULATORY CONSIDERATIONS

12. Kern County adopted the Supplemental Environmental Impact Report (SEIR) for the facility on 12 December 1994, in accordance with the California Environmental Quality Act (CEQA) (Pub. Resources Code, §21000 et seq.) and (Cal. Code Regs., tit. 14, §15000 et seq.). Kern County filed the Notice of Determination on 19 December 1994. The Board considered the SEIR and incorporated measures in the Special Order and in WDRs 96-094 which are intended to mitigate significant effects on the environment.
13. The Board adopted the *Water Quality Control Plan for the Tulare Lake Basin, Second Edition, (Revised 2004)*, which designates beneficial uses and contains water quality objectives for all waters of the Basin. These requirements implement the Basin Plan.
14. This Order implements the prescriptive standards and performance goals of Title 27. The Board has notified the Discharger and interested agencies and persons of its intent to prescribe waste discharge requirements for the facility.
15. Water Code section 13267(b)(1) states in relevant part that:

In conducting an investigation specified in subdivision (a), the regional board may require that any person who has discharged, discharges, or is suspected of having discharged or discharging, or who proposes to discharge waste within its region... shall furnish, under penalty of perjury, technical or monitoring program reports which the regional board requires. The burden, including costs, of these reports shall bear a reasonable relationship to the need for the report and the benefits to be obtained from the reports. In requiring those reports, the

regional board shall provide the person with a written explanation with regard to the need for the reports, and shall identify the evidence that supports requiring that person to provide the reports.

Technical reports required by this Order and the attached MRP are necessary to assure compliance with these WDRs. The Discharger owns and operates the facility that discharges the waste subject to this Order.

PROCEDURAL REQUIREMENTS

16. The Central Valley Water Board notified the Discharger and interested agencies and persons of its intent to prescribe the Order for the Buttonwillow facility, and has provided them with an opportunity for a public hearing and an opportunity to submit their written views and recommendations.
17. The Central Valley Water Board, in a public meeting, heard and considered all comments pertaining to the Order.

IT IS HEREBY ORDERED, that pursuant to California Water Code sections 13263 and 13267, Special Order 98-165 is amended, and that Clean Harbors Buttonwillow, LLC, its agents, successors, and assigns in order to meet the provisions of Division 7 of the California Water Code and the regulations adopted thereunder, shall comply with the following:

A. PROHIBITIONS

1. The discharge of waste to WMUs 18, 21, 22, 23, and 27, other than dry, nonhazardous, non-municipal solid waste is prohibited.

B. DISCHARGE SPECIFICATIONS

1. WMUs 18, 21, 22, 23, and 27 shall have a final closure cover consisting of a three-foot thick ET cover and a one-foot foundation layer of soil in accordance with the design plans approved by Central Valley Water Board staff on 15 December 2011. .
2. One gravel pan lysimeter shall be constructed beneath the final ET cover over WMUs 21, 22, 23, and 27, designed to measure moisture flux through the cover in accordance with the Monitoring and Reporting Program.
3. During closure, the Discharger shall monitor and control the moisture content of the solidified sludge and other material discharged to WMUs 18, 21, 22, 23, and 27 in accordance with the approved closure plan to ensure that the moisture holding capacity of the material is not exceeded.

4. **Within 90 days** following the completion of construction of the final cover system, the final documentation required in Title 27, section 20324(d)(1)(C) shall be submitted to the Executive Officer for review and approval. The report shall be certified by a civil engineer or a certified engineering geologist registered in the State of California. It shall contain sufficient information and test results to verify that construction was in accordance with the design plans and specifications, with this Order, and with the standards and performance goals of Title 27.
5. A third party independent of both the Discharger and the construction contractor shall perform all of the construction quality assurance (CQA) monitoring and testing during the construction of a cover system. The CQA program shall be supervised by a registered civil engineer or a certified engineering geologist who shall be designated the CQA officer.

C. PROVISIONS

1. Order 96-094 remains in full force and effect except as amended by this Order. The Discharger shall also comply with the requirements of this Order.

Any person aggrieved by this action of the Central Valley Water Board may petition the State Water Board to review the action in accordance with Water Code section 13320 and California Code of Regulations, title 23, sections 2050 and following. The State Water Board must receive the petition by 5:00 p.m., 30 days after the date of this Order, except that if the thirtieth day following the date of this Order falls on a Saturday, Sunday, or state holiday, the petition must be received by the State Water Board by 5:00 p.m. on the next business day. Copies of the law and regulations applicable to filing petitions may be found on the Internet at:

http://www.waterboards.ca.gov/public_notices/petitions/water_quality

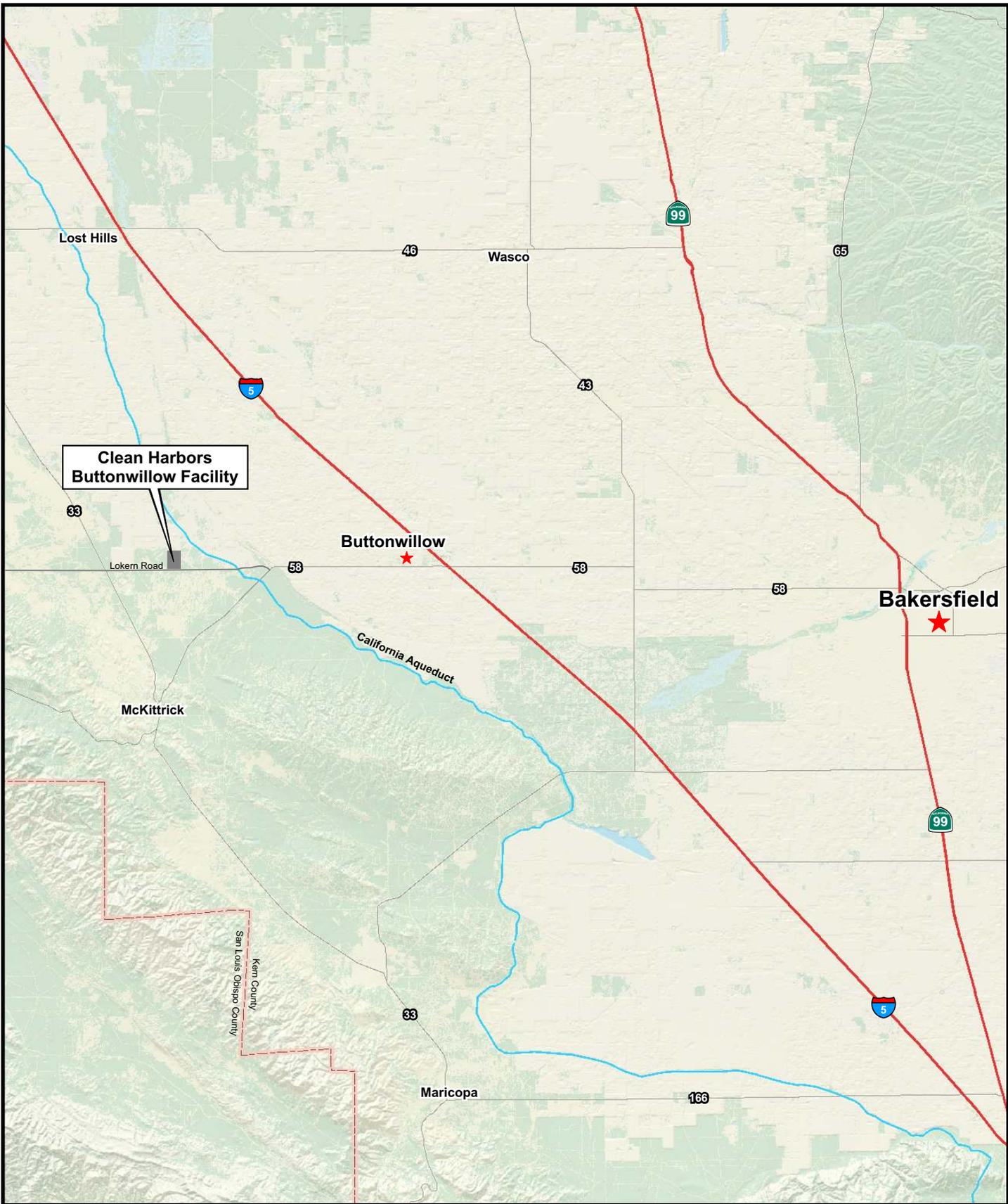
or will be provided upon request.

If, in the opinion of the Executive Officer, the Discharger fails to comply with the provisions of this Order, the Executive Officer may refer this matter to the Attorney General for judicial enforcement, may issue a complaint for administrative civil liability, or may take other enforcement actions. Failure to comply with this Order may result in the assessment of Administrative Civil Liability of up to \$10,000 per violation, per day, depending on the violation, pursuant to the Water Code, including sections 13268, 13350 and 13385. The Central Valley Water Board reserves its right to take any enforcement actions authorized by law.

I, PAMELA C. CREEDON, Executive Officer, do hereby certify that the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, Central Valley Region, on 29 November 2012.

Original signed by

PAMELA C. CREEDON, Executive Officer



Map Source:
 ESRI's ArcGIS Online Premium Services
 Section 16, T29S, R22E, MDB&M

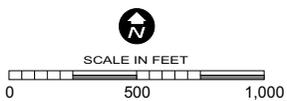


LOCATION MAP
 ORDER R5-2012-0111
 TO AMEND SPECIAL ORDER 98-165
 FOR
 CLEAN HARBORS BUTTONWILLOW, LLC
 BUTTONWILLOW, KERN COUNTY
 FOR CLOSURE OF CLASS II WASTE MANAGEMENT UNITS

ATTACHMENT A

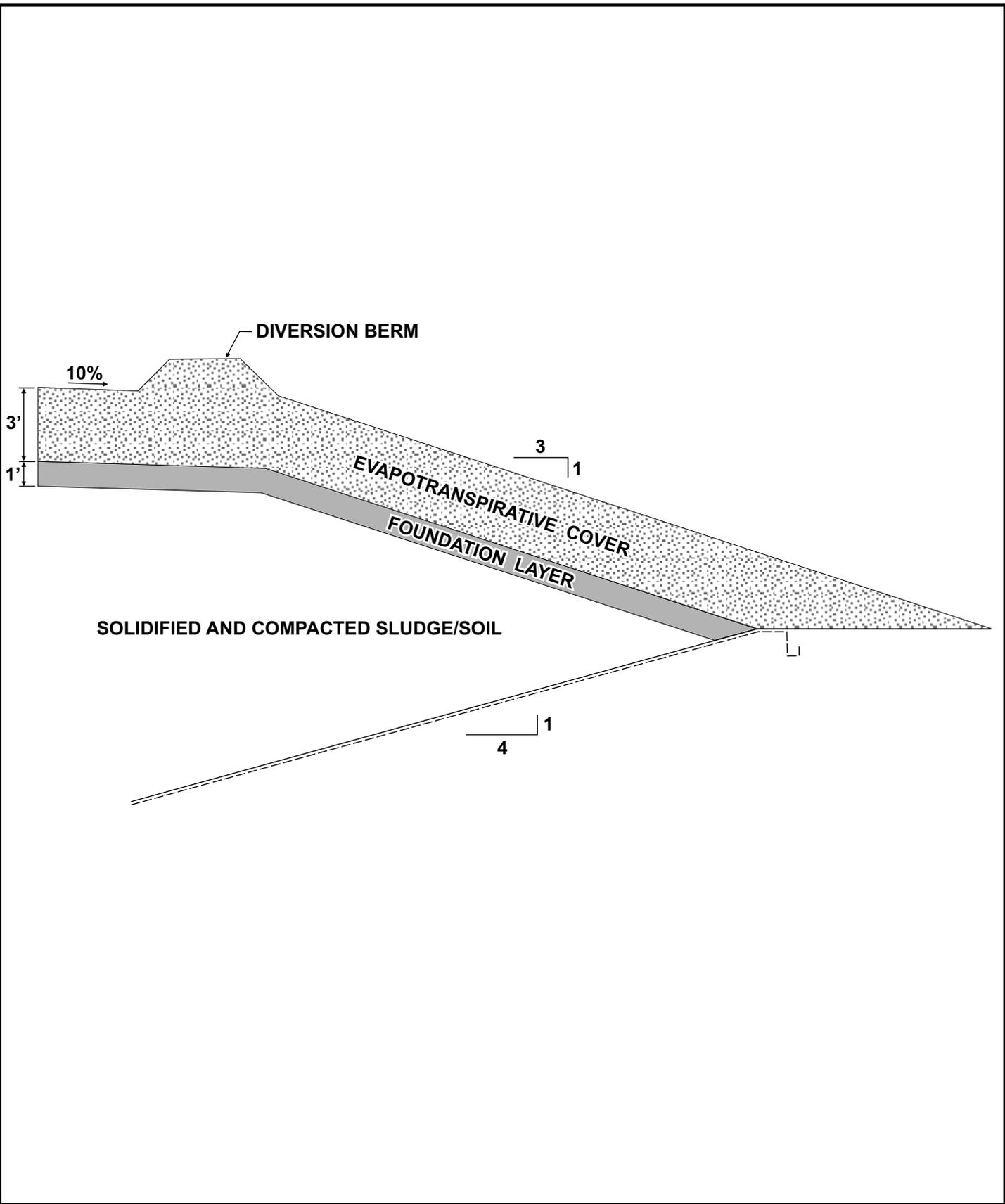


Map Source:
 ESRI's ArcGIS Online Premium Services
 Section 16, T29S, R22E, MDB&M



SITE MAP
 ORDER R5-2012-0111
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 FOR
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 BUTTONWILLOW, KERN COUNTY
 FOR CLOSURE OF CLASS II WASTE MANAGEMENT UNITS

ATTACHMENT B



NOT TO SCALE

EVAPOTRANSPIRATIVE COVER
 ORDER R5-2012-0111
 TO AMEND SPECIAL ORDER 98-165
 FOR
 CLEAN HARBORS BUTTONWILLOW, LLC
 BUTTONWILLOW, KERN COUNTY
 FOR CLOSURE OF CLASS II WASTE MANAGEMENT UNITS

INFORMATION SHEET

Clean Harbors Buttonwillow, LLC (Clean Harbors) own and operates the 320-acre Buttonwillow Facility (Facility) located approximately eight miles west of Buttonwillow in Kern County. Closure of Class II Waste Management Units (WMUs) Nos. 18, 21, 22, 23, and 27 is currently regulated by Special Order 98-165 which modified Waste Discharge Requirements (WDRs) Order 96-094.

The Facility lies on an alluvial fan originating from the Treblor Range to the west. Site topography is characterized as planar, with elevations varying from 410 to 340 feet mean sea level, and sloping to the Northeast. Three ephemeral stream channels drain toward the site. All ephemeral channels have been improved to divert precipitation events away from the WMUs.

Three groundwater zones have been identified in the upper 600 feet of sedimentary sequence. The Board, Department of Toxic Substance Control (DTSC) and the Environmental Protection Agency (EPA) have defined these zones as follows: the Upper Perched Zone, the Intermediate Perched Zone, and the Lower Water Table Zone. Groundwater quality in all three groundwater zones is generally considered to be poor with total dissolved solids (TDS) concentrations ranging from 2070 to 7380 milligrams per liter in all three zones. There are no producing wells within a one-mile radius, other than two water supply wells located at the Facility, used primarily for dust control and equipment washing.

Closure of WMUs 18, 22, 21, 23, and 27 consists of sludge solidification by adding dry, non-hazardous soil. After treatment, the solidified sludge is compacted in accordance with the approved closure plan. The proposed Order amends the original conventional final cover closure design, to construction of a vegetated, minimum three-foot thick evapotranspirative soil cover system as an engineered alternative over five WMUs instead of four in lieu of the cover design specified in Special Order 98-165, which included a soil and geomembrane cover and clean-closure for WMU 27. WMU 27 was previously considered to be within a 100-year floodplain, necessitating a clean-closure for this WMU. However, studies by the Federal Emergency Management Agency determined that this is not the case, enabling WMU to be closed in place. The proposed design exceeds the minimum prescriptive requirements of title 27 for non-municipal solid waste landfills.

The Facility is in an arid environment with an average annual precipitation of approximately five inches and an average pan evaporation rate of approximately 108 inches. Closure of the five WMUs would result in greater protection for human health, the environment, and water quality. The WMUs never accepted hazardous or municipal solid waste.



Fact Sheet

Public Hearing for Order to Amend Special Order 98-165 for the Closure of Five Former Non-Hazardous Class II Surface Impoundments as Landfills at the Clean Harbors Buttonwillow, LLC Facility in Kern County

What is this about?

The Central Valley Regional Water Quality Control Board (Central Valley Water Board) is a state agency responsible for protecting California's waters from pollution. The Central Valley Water Board is proposing a public hearing to consider amending Special Order No. 98-165 which regulates the closure of five former Class II non-hazardous surface impoundments, Waste Management Units (WMUs) Nos. 18, 21, 22, 23, and 27 as landfills. The proposed Order amends the original conventional final cover closure design, to construction of a vegetated, minimum three-foot thick evapotranspirative soil cover system as an engineered alternative over five WMUs instead of four. The proposed cover design exceeds the minimum prescriptive requirements of title 27 for non-municipal solid waste landfills. Closure of the five WMUs would result in greater protection for human health, the environment, and water quality. The WMUs never accepted hazardous or municipal solid waste. The facility is approximately eight miles west of Buttonwillow in Kern County.

Public Hearing

The Central Valley Water Board will hold a public hearing on the amendment to the closure of WMUs 18, 21, 22, 23, and 27. At the hearing, the Board will review testimony and public comments on the proposed Order. The hearing is scheduled for the following:

Date: 29 November 2012

Time: 6:00 p.m. to 8:00 p.m.

Location: Buttonwillow Multipurpose Gymnasium

556 Milo Street

Buttonwillow, CA 93206

What is a landfill closure?

Landfill closure is the process of installing a final cover system to minimize infiltration of liquids and control settlement and erosion. Closure designs must be approved the Board in accordance with regulatory closure standards. Proposed closure design for WMUs 18, 21, 22, 23, and 27 is an evapotranspiration (ET) soil cover and exceeds the prescriptive requirements of Title 27. Soil covers of this type have been constructed in Region 5, and throughout Kern County based on the arid environment, low precipitation, and high rates of evaporation.

More Information

The Central Valley Water Board's Tentative Order to be considered at the hearing is available upon request. Please contact Kristen Pineda at (559) 445-5108 or for anyone wishing to speak with someone in Spanish, please contact Anthony Medrano at (559) 488-4395, if you or someone you know would like a copy of this information.



HOJA INFORMATIVA

AVISO DE AUDIENCIA PÚBLICA PARA ORDEN PARA MODIFICAR ORDEN ESPECIAL 98-165 PARA EL CIERRE DE CINCO NO PELIGROSOS EMBASALES SUPERFICIALES DE CLASE II COMO VERTEDEROS EN LA CLEAN HARBORS BUTTONWILLOW, LLC, INSTALACION EN CONDADO DE KERN

¿Qué es esto?

El *Central Valley Regional Water Quality Control Board (Central Valley Water Board)* es una agencia estatal responsable de proteger las aguas de California de la polución. El *Central Valley Water Board* propone una audiencia pública para considerar la modificación de la Orden Especial No. 98-165 que regula el cierre final de cinco precedente clase II embalses superficiales no peligrosos, Unidades de Gestión de Residuos (*abreviatura en inglés- WMUs*) Nos. 18, 21, 22, 23, y 27 como vertederos de Clase II. La Orden propuesta modifica el diseño original de la cubierta de cierre final convencional, para la construcción de una cubierta de vegetación, con mínimo tres pies de tierra evapotranspirante como una alternativa de ingeniería sobre cinco WMUs en lugar de cuatro. El diseño propuesto supera los requisitos mínimos obligatorios de Título 27 para vertederos de residuo sólido que no son municipales. El cierre de los cinco WMUs resultara en una mayor protección para la salud humana, el medio ambiente y la calidad del agua. Los WMUs nunca aceptaron residuos sólidos peligrosos o municipales. La instalación esta aproximadamente ocho millas al oeste de Buttonwillow en el Condado de Kern.

Audiencia Pública

El *Central Valley Water Board* llevará a cabo una audiencia pública sobre el cierre de WMUs 18, 21, 22, 23, y 27. En la audiencia, el *Central Valley Water Board* examinará los testimonios y comentarios públicos sobre la propuesta de la Orden Especial. La audiencia está programada para lo siguiente:

Fecha: 29 noviembre 2012
Tiempo: 6:00 p.m. – 8:00 p.m.
Ubicación: Buttonwillow Multipurpose Gymnasium
556 Milo Street
Buttonwillow, CA 93206

¿Qué es un Cierre de Vertedero?

El cierre de un vertedero es el proceso de instalar una cubierta final para minimizar la infiltración de líquidos y controlar el asentamiento y la erosión. Diseños de cierre deben ser aprobados por el *Center Valley Regional Water Board* en conformidad con las normas regulatorias de cierre. El diseño de cierre propuesto para WMUs 18, 21, 22, 23, y 27 es una cobertura de tierra evapotranspirante (ET). Cubiertas de suelo de este tipo se utilizan en todo el condado de Kern basado en el ambiente árido, poca precipitación y las altas tasas de evaporación

Más Información

La Orden Provisional del *Central Valley Water Board* para ser considerado en la audiencia pública está disponible a petición. Por favor, póngase en contacto con Kristen en Pineda (559) 445-5108 o para cualquier persona que desee hablar con alguien en español, por favor póngase en contacto con Anthony Medrano en (559) 488-4395, si usted o alguien que usted conoce desean una copia de esta información.

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

NOTICE OF PUBLIC HEARING
concerning

**ORDER
TO AMEND SPECIAL ORDER 98-165
FOR
CLEAN HARBORS BUTTONWILLOW, LLC
BUTTONWILLOW, KERN COUNTY
FOR CLOSURE OF
CLASS II WASTE MANAGEMENT UNITS**

Clean Harbors Buttonwillow, LLC (Clean Harbors) owns and operates a waste treatment and disposal facility at 2500 West Lokern Road, approximately eight miles west of the community of Buttonwillow. The facility accepts Class I hazardous and Class II non-hazardous solid and liquid waste for treatment and disposal. The facility is regulated by Waste Discharge Requirements (WDRs) Order 96-094 and Special Order 98-165, which implement California Code of Regulations, titles 23 and 27.

The Central Valley Water Board is proposing to issue an Order to amend Order 98-165 for modification of the final closure cover design of five former non-hazardous surface impoundments – Waste Management Units (WMUs) 18, 21, 22, 23, and 27 as Class II landfills. The waste management units accepted non-hazardous (Class II) liquid waste from petroleum exploration and production. Closure of the five WMUs will result in greater protection for human health, the environment, and water quality. The change to be considered is to amend the original conventional final cover closure design, to construction of a vegetated, minimum three-foot thick evapotranspirative soil cover system as an engineered alternative over five WMUs instead of four. The proposed design exceeds the minimum prescriptive requirements of title 27 for non-municipal solid waste landfills. The WMUs never accepted hazardous or municipal solid waste.

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

DATE: 29 November 2012

TIME: 6:00 p.m. – 8:00 p.m.

PLACE: Buttonwillow Multipurpose Gymnasium
556 Milo Street, Buttonwillow, CA 93206

The Board may conduct the scheduled hearing as a Panel Hearing as allowed by law in the event of a lack of a Board member quorum. In the event that a Panel Hearing is held, final action on that item will not be taken until a Board member quorum is present. Participants in this proceeding are designated as either Designated Parties or Interested Persons. Designated Parties may present evidence and cross-examine witnesses and are subject to cross-examination. Interested Persons may present non-evidentiary policy statements, but may not cross-examine witnesses and are not subject to cross-examination. Interested Persons generally may not present evidence (e.g. photographs, eye-witness

NOTICE OF PUBLIC HEARING
ORDER TO AMEND SPECIAL ORDER 98-165
CLEAN HARBORS BUTTONWILLOW, LLC
BUTTONWILLOW, KERN COUNTY
FOR CLOSURE OF CLASS II WMUs

testimony, monitoring data). At the hearing, both Designated Parties and Interested Persons may be asked to respond to clarifying questions from the Central Valley Water Board, staff, or others, at the discretion of the Board Chair. Board staff will prepare the administrative record, and may present evidence, make an oral presentation and cross-examine opposing witnesses. All Designated Parties and Interested Persons may speak at the proceeding, and are expected to orally summarize their written submittals. Oral testimony and cross examination will be limited in time by the Board Chair.

The Designated Parties for this proceeding are as follows:

- California Regional Water Quality Control Board, Central Valley Region
- Clean Harbors Buttonwillow, LLC

Interested Persons may request status as a Designated Party for purposes of this hearing by submitting such request in writing to the Regional Central Valley Water Board **no later than noon 15 November 2012**. The request must explain the basis for status as a designated party. 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 15 November 2012**. Written materials or comments submitted after **noon 15 November 2012** will not be accepted and will not be incorporated into the administrative record absent a ruling by the Chair. Any party requesting to submit late materials must demonstrate good cause for the late submission, and the Chair must find that accepting the late submission will not prejudice the Central Valley Water Board or any Designated Party.

Anyone having questions on the Tentative Order should contact **Kristen Pineda at (559) 445-5108** or at kpineda@waterboards.ca.gov. Anyone wishing to speak with someone in Spanish, please contact **Anthony Medrano at (559) 488-4395 or by email at amedrano@waterboards.ca.gov**. Interested parties may download the Tentative Order from the Regional Board's internet website at http://www.waterboards.ca.gov/centralvalley/board_decisions/tentative_orders/. A copy of these documents can also be obtained by contacting or visiting the Regional Board's office at 1685 E Street, Fresno, California, 93706 weekdays between 8:00 a.m. and 5:00 p.m. The final meeting agenda will be available at http://www.waterboards.ca.gov/board_info/agendas/ at least ten days before the meeting. The agenda will provide the dates the Board meeting will be held, indicate the anticipated order of agenda items, and may include staff revisions to the proposed order.

The procedures governing Central Valley Water Board meetings may be found at California Code of Regulations, title 23, 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/ Information on meeting and hearing procedures is also available on the Central Valley Water Board's website at http://www.waterboards.ca.gov/centralvalley/board_info/meetings/mtgprocd.shtml/ or by

NOTICE OF PUBLIC HEARING
ORDER TO AMEND SPECIAL ORDER 98-165
CLEAN HARBORS BUTTONWILLOW, LLC
BUTTONWILLOW, KERN COUNTY
FOR CLOSURE OF CLASS II WMUs

contacting any one of the Central Valley Water Board's offices. Questions regarding such procedures should be directed to Ms. Kiran Lanfranchi-Rizzardi 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-Rizzardi 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:

Clay L. Rodgers, PG, CEG
Assistant Executive Officer

15 October 2012

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

AVISO DE AUDIENCIA PÚBLICA
sobre

**ORDEN
PARA MODIFICAR LA ORDEN ESPECIAL 98-165
PARA
CLEAN HARBORS BUTTONWILLOW, LLC
CONDADO DE KERN
PARA CIERRE DE
UNIDADES DE GESTIÓN DE RESIDUOS DE CLASE II**

Clean Harbors Buttonwillow, LLC (Clean Harbors) posee y opera una instalación de tratamiento y eliminación de residuos en *2500 West Lokern Road*, aproximadamente ocho millas al oeste de la comunidad de Buttonwillow. La instalación acepta Clase I residuos peligrosos y Clase II residuos no peligrosos sólidos y líquidos para tratamiento y eliminación. La instalación está reglamentada por requisitos de descarga de residuos (como sus siglas en inglés - WDRs) Orden 96-094 y Orden especial 98-165, que implementan el *California Code of Regulations, titles 23 and 27*.

El *Central Valley Water Board* está proponiendo emitir una Orden para enmendar Orden 98-165 para modificación del diseño de la cubierta de cierre final de cinco precedente superficies receptáculos no peligrosas— *Waste Management Units 18, 21, 22, 23 and 27 (como sus siglas en inglés - WMUs)* como vertederos de clase II. Las WMUs aceptaban residuos líquidos no peligrosos (clase II) de exploración de petróleo y producción. El cierre de los cinco WMUs resultará en una mayor protección para la salud humana, el medio ambiente y la calidad del agua. El cambio para ser considerado en el Orden Especial es revisar el diseño original de la cubierta final, para la construcción de una cubierta de vegetación, con mínimo tres pies de grosor de tierra evapotranspirante sobre cinco WMUs en lugar de cuatro, como una alternativa al diseño original. El diseño propuesto excede los requisitos mínimos de *Título 27* para vertederos de residuos sólidos no municipales.

Una audiencia pública sobre este asunto se llevará a cabo durante la reunión del *Central Valley Water Board* programada para:

FECHA: 29 noviembre 2012

TIEMPO: 6:00 p.m. – 8:00 p.m.

UBICACIÓN: Buttonwillow Multipurpose Gymnasium
556 Milo Street
Buttonwillow, CA 93206

El Consejo podrá llevar a cabo la audiencia programada como una Audiencia del Grupo como permitido por la ley en caso de falta de un miembro del Consejo de quórum. En el caso de que una Audiencia del Grupo se lleva a cabo, la acción final sobre ese tema no se tomará hasta que un miembro del Consejo de quórum está presente. Los participantes en este procedimiento se designan como Partes Designadas o Personas Interesadas. Partes Designadas pueden presentar evidencia y contra-interrogar testigos y son sometidos a interrogatorio. Personas Interesadas pueden presentar declaraciones de política no probatorias, pero no pueden

AVISO DE AUDIENCIA PÚBLICA
ORDEN ESPECIAL
CLEAN HARBORS BUTTONWILLOW, INC.
INSTALACIONES DE BUTTONWILLOW
CONDADO DE KERN

interrogar a testigos y no estarán sometidos a interrogatorio. Generalmente, Personas Interesadas no puedan presentar pruebas (por ejemplo, fotografías, testigos oculares testimonio, datos de monitoreo). En la audiencia, a ambas Partes Designadas y Personas Interesadas se le puede pedir que respondan a preguntas del *Central Valley Water Board*, del personal, o de otros, a la discreción del Presidente del *Central Valley Water Board*. Personal del *Central Valley Water Board* preparará el expediente administrativo, y puede presentar pruebas, hacer una presentación oral e interrogar a los testigos de la contraparte.

Todos Partes Designadas y Personas Interesadas podrán intervenir en el procedimiento, y se espera que resumir oralmente sus sumisiones por escrito. La duración del testimonio oral y el interrogatorio se limitará por el Presidente de la *Central Valley Water Board*.

Las Partes Designadas para este procedimiento son los siguientes:

- California Regional Water Quality Control Board, Central Valley Region
- Clean Harbors Buttonwillow, LLC

Personas Interesadas pueden solicitar el estado de Parte Designada para efectos de esta audiencia mediante la presentación de dicha solicitud por escrito al *Central Valley Water Board* a más tardar el mediodía del **15 de noviembre 2012**. La solicitud deberá explicar los motivos del estatus como una de las Partes Designadas.

Personas que deseen hacer comentarios sobre este artículo debe presentar testimonios, pruebas, si los hay, y / o comentarios por escrito al *Central Valley Water Board* a más tardar el mediodía del **15 de noviembre 2012**. Materiales escritos o comentarios presentados después del mediodía **15 de noviembre 2012** no será aceptados y no se incorporarán en el expediente administrativo ausente una sentencia por el Presidente de la *Central Valley Water Board*. Cualquier solicitante que presente materiales tardes deben demostrar buena causa para la presentación tardía, y el Presidente de la *Central Valley Water Board* debe encontrar que la aceptación de la presentación tardía no perjudicará al *Central Valley Water Board* o a cualquiera de los Partidos Designados.

Cualquier persona que tenga preguntas sobre la Orden Tentativo debe contactar a Kristen Pineda al (559) 445-5108 o por correo electrónico a kpineda@waterboards.ca.gov. Cualquier persona que desee hablar con alguien en español, por favor póngase en contacto con Anthony Medrano al (559) 488-4395 o por correo electrónico a amedrano@waterboards.ca.gov.

Las partes interesados pueden descargar el orden tentativo de la página web de Internet del Central Valley Water Board en http://www.waterboards.ca.gov/centralvalley/board_decisions/tentative_orders/

Una copia de estos documentos también se pueden obtener poniéndose en contacto con o visitado la oficina del *Central Valley Water Board* situado en 1685 E Street, Fresno, California, 93706 lunes a viernes entre 8:00 am y 5:00 pm

La agenda final de la reunión estará disponible en http://www.waterboards.ca.gov/board_info/agendas/ por lo menos diez días antes de la reunión. La agenda proporcionará las fechas en

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que la reunión del Central Valley Water Board se llevara acabo, indicara el orden previsto de los temas de la agenda, y puede incluir revisiones a la propuesta Order de parte del personal.

Los procedimientos que rigen las reuniones de la *Central Valley Water Board* puede encontrarse en el California Code of Regulations, title 23, section 647 et seq., y están disponibles bajo petición. Audiencias ante el *Central Valley Water Board* no se llevan a cabo conforme a Código de Gobierno, sección 11500 y siguientes..

Los procedimientos se pueden obtener mediante el acceso http://www.waterboards.ca.gov/laws_regulations/

La información sobre las reuniones y audiencias procedimientos también está disponible en el sitio web del *Central Valley Water Board*: http://www.waterboards.ca.gov/centralvalley/board_info/meetings/mtgprocd.shtml/
o poniéndose en contacto con cualquiera de las oficinas del *Central Valley Water Board*. Preguntas con respecto a los procedimientos deben ser dirigidas a la Sra. Kiran Lanfranchi-Rizzardi al (916) 464-4839.

Las instalaciones de la audición serán accesibles a las personas con discapacidad. Las personas que requieren servicios especiales deberán comunicarse con la Sra. Kiran Lanfranchi-Rizzardi al (916) 464-4839 por lo menos 5 días antes de la reunión. Los usuarios de TTY pueden comunicarse con el Servicio de Retransmisión de California al 1-800-735 2929 o línea de voz al 1-800-735-2922. Por favor, pongan esta información a la atención de cualquier persona que usted conozca quién estaría interesado en este asunto.

Original signed by:

Clay L. Rodgers, PG, CEG
Asistente de Director