

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

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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

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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