

SECTION IV
IMPLEMENTATION STRATEGY

Chapter 10
HAZARDOUS WASTE IMPLEMENTATION
PROGRAM

INTRODUCTION

This chapter explains the need for Plan implementation and describes recommendations for Plan implementation, which are based on the policies in Chapter 2. Waste minimization efforts will be the top priority of Plan implementation. (See Policy 4) The plan calls for the cooperation of all segments of government, private industry and business, and the public. One of the key elements is education programs directed to all these groups.

TANNER LEGISLATION

Tanner legislation Article 3.5, Section 25135 (8) calls for "a schedule which describes county and city actions necessary to implement the hazardous waste management plan through the year 2000, including the assigning of dates for carrying out the action."

The implementation plan is based on this section of the legislation. In addition to the legislative requirement, it is incumbent upon local agencies, industry and the public to prepare and implement implementation plans as a means of protecting the public health and safety, protecting the environment and resources.

DTSC (formerly DHS) GUIDELINES

Section 3.6 of the Guidelines calls for a description of the steps that will be taken to implement the goals and findings of the plan to include:

1. Schedules for specific actions and milestones, such as zoning changes, public hearings, actions needed by cities, etc.
2. The allocation of resources necessary to achieve the goals of the plan.
3. Plan updating and revision processes.
4. Identification of specific agencies or departments responsible for specific programs.
5. Other significant milestones identified in the plan.

IMPLEMENTATION PROCESS

After adoption of the final plan by the Authority, County, Cities and State, the implementation process will include:

1. Incorporation of HWMP into City and County General Plans.
2. Amendment of City and County zoning ordinances where necessary.
3. Continuance of Plan oversight by the Waste Management Authority Planning Committee.

PLAN POLICIES

Implementation policies in the Hazardous Waste Management Plan (Chapter 2) call for responsible management of hazardous wastes through the hierarchy (Policy 2).

1. Source reduction including toxics use reduction.
2. Reuse and recycling onsite.
3. Reuse and recycling offsite.
4. Treatment onsite.
5. Treatment offsite.
6. Incineration
7. Secure disposal of residuals from recycling treatment and incineration.

The basis for the hierarchy is prevention of pollution to the air, water and land through reduction of waste generation at the source. This is the major policy in regard to implementation of the plan--to reduce the waste as the means to reduce the need for facilities.

Plan Policy 3 calls for promotion, through education, assistance, and possible regulation of adoption and implementation of the hierarchy by firms in the county.

Firms wishing to locate in Alameda County or those wishing to extensively expand their facilities must demonstrate their commitment to hazardous materials use reduction, if required by the local jurisdiction, as a condition for receiving land use approvals and business permits.

Plan Policy 4 states that source reduction and waste minimization are a top priority of the plan. Governmental agencies should encourage innovative private sector waste related activities and should act to remove barriers to reduction and recycling. New firms must demonstrate commitment to waste reduction as a condition for receiving land use and business permit approval.

Local agencies and industry must work closely and cooperate in pursuing waste reduction and implementation of the hazardous waste management hierarchy.

Plan Policy 5 calls for onsite treatment in preference to offsite treatment as a means of reducing transportation of hazardous waste.

Implementation recommendations are based upon the above policies which can be reviewed in their entire context in Chapter 2.

HAZARDOUS WASTE MINIMIZATION PLANNING REQUIREMENT

The Hazardous Waste Source Reduction and Management Review Act of 1989 or Senate Bill 14 (HWSRMRA) requires businesses which routinely generate more than 26,640 pounds of hazardous waste per year or 26.4 pounds of extremely hazardous waste to plan for and implement source reduction measures or, where source reduction is not feasible or practicable, to encourage recycling. Businesses that are covered by this requirement must, by September 1, 1991, conduct a source reduction evaluation and review, and prepare a source reduction plan for each facility that generates hazardous waste. Each generator covered by the law must also prepare plan and report summaries to be submitted to the California EPA Department of Toxic Substances Control upon request.

The HWSRMRA however, does not address the need to encourage hazardous waste minimization planning by those businesses which routinely produce less than 26,640 pounds of hazardous waste.

This latter category of firms is not only the most prevalent in Alameda County but in most cases, also the least well equipped with the information, expertise and resources which will enable them to implement a waste minimization program.

Therefore, it is proposed that local jurisdictions be required to apply the provisions of HWSRMRA to **all** generators of hazardous waste within Alameda County that are not currently subject to these requirements (e.g., those which generate less than 26,640 pounds of hazardous waste or 26.4 pounds of extremely hazardous waste).

Under this recommended Alameda County planning requirement, all businesses that generate hazardous waste and are not covered by the requirements of the HWSRMRA could be phased-in to a requirement to submit source reduction evaluations and plans as part of an existing permit or inspection process or procedure. Firms may be required to comply with this requirement as they receive initial technical assistance.

Meeting the New Recommended Requirements--Role of Local Jurisdictions

Each local jurisdiction will be asked to consider implementing a requirement that, for generators within their borders, a source reduction evaluation and plan be submitted as part of an existing permit process, licensing procedure, inspection process or other procedure as listed below. If needed and requested by local jurisdictions, a uniform local ordinance will be developed and made available to to carry out this recommendation.

This recommendation may be implemented by requiring the submittal and/or review of such plans through one or more of the following processes:

- a. As part of the local hazardous waste generator permit and waste minimization technical assistance process which is being conducted by the Alameda County Department of Environmental Health or through an MOU between County Health and a specific jurisdiction
- b. As part of the industrial wastewater or waste discharge permit process which is conducted by Industrial Pretreatment Programs
- c. As part of the AB3777 risk management and prevention program which is conducted by local fire departments
- d. As part of the hazardous materials user permitting process (HMSO) which is conducted by local fire departments
- e. As part of the business license or certificate of occupancy process which is conducted by both local planning and fire departments

Review of both the source reduction evaluations and plans should be performed by trained personnel who are competent to recommend waste minimization practices applicable to specific industries. The review of such plans may also be conducted by trained staff available through a cooperative agreement between jurisdictions or with the Waste Management Authority to share staff resources, or by a qualified outside firm.

Local jurisdictions that wish to pursue options b, c, d, or e should do so through ordinance and in coordination with the County Department of Environmental Health, as this agency is responsible for administering State Hazardous Waste Control Law in Alameda County.

Monitoring of Hazardous Waste Management Plan by WMA Planning Committee

Pursuant to the adoption of the Alameda County Hazardous Waste Management Plan, the Planning Committee of the Alameda County Waste Management Authority (ACWMA) will oversee the implementation of the HWMP to ensure that the overall waste minimization planning and implementation process in Alameda County is moving forward; and to encourage information exchange about mechanisms for the transfer of technologies and processes which result in economically feasible waste minimization. The Committee is a standing committee of the ACWMA.

The responsibilities of the Committee will include:

- Review and comment on regular progress reports from the Alameda County Department of Environmental Health and other responsible agencies regarding progress made on hazardous waste minimization in Alameda County.
- Assistance to County and Cities in waste minimization education
- Preparation of information and recommendations for local jurisdictions on adopting the waste minimization planning requirement and drafting a model ordinance as required
- Consideration of the issuance of annual or biennial reports on waste minimization progress in Alameda County by jurisdiction

