

6.0 CITY HAZARDOUS WASTE MANAGEMENT PLAN IMPLEMENTATION

Implementation of the Hazardous Waste Management Plan can only result from the establishment of long-term programs for effective hazardous waste management. The Plan also deals in part with the establishment of programs which will encourage safer handling of hazardous materials. This Chapter outlines major procedures and estimated timeframes for carrying out the implementation of this HWMP.

6.1 PUBLIC EDUCATION AND PARTICIPATION

Public education and participation regarding hazardous waste and hazardous materials is probably the most important element in developing an effective HWMP. Only the public can give the City of Hercules the broad support it needs to carry out hazardous waste programs at the small quantity generator and household level. This HWMP recommends that the following programs involving the public be carried out during the first two years following adoption of the plan:

- o Consider establishing a regional group to oversee plan implementation and develop further public programs as necessary. Such a group might be composed of staff from neighboring cities and Contra Costa County
- o Establish household hazardous waste collection days and collection programs (similar to that held in early summer 1990)
- o Develop public seminars, workshops and other means to educate the public regarding hazardous waste and hazardous materials

Establishment of these and other necessary programs will help bring pressure to bear on generators, transporters and others involved with hazardous waste to pursue all available hazardous waste reduction and on-site treatment options available to them.

6.2 ONGOING DATA COLLECTION AND ANALYSIS PROGRAM

The City of Hercules will enhance an existing program for establishing and maintaining a data base of hazardous waste generation, treatment, transportation and disposal within the City's Sphere of Influence. The program will be implemented by the City Planning Department for the City Manager and will derive updated data based on questionnaires associated with business license applications and renewals. For facilities within the City's sphere of influence, but outside city limits, the City will rely on Contra Costa County to supply needed information.

6.3 WASTE REDUCTION IMPLEMENTATION PROGRAM

Waste reduction is the primary and preferred tool for coping with the problems of hazardous waste management according to the California Department of Health Services (DHS 1987a). Waste reduction, and waste minimization can be effectively implemented by local governments or regional groups through:

- o Educational outreach programs
- o Technical assistance programs
- o Regulatory programs

Such programs have proven extremely effective at both the county and city level in areas where they have been effectively implemented. Case study examples cited by DHS include Ventura County, where off-site treatment volume was reduced by 70 percent in a three year period, as well as in Orange County, Los Angeles,

Santa Clara County and the City of Hayward. Effective program implementation usually involves coordination by several local government agencies as well as coordination with other jurisdictions (Local Government Commission 1988).

The City of Hercules will seek to establish aggressive and effective programs for controlling production of hazardous waste, and for reducing the total amount of waste produced within the city through the proposed Joint Powers Authority discussed above. This JPA will be charged with establishing waste minimization goals and implementing waste minimization programs which may include a requirement of hazardous waste generators to prepare formal Hazardous Waste Minimization Plans as one tool to pursue waste minimization. If a JPA is not formed, the City will consider alternative programs to promote hazardous waste minimization.

The Hercules Municipal Code will be revised to conform with waste minimization requirements. Businesses generating hazardous waste will be required to submit the following information to the City of Hercules Planning Department:

- o An estimate of the quantity of hazardous waste generated
- o A review of feasible source reduction approaches, including the potential for input changes, operational improvements, production process changes, in-process recycling, and product reformulations
- o An identification of the source reduction measures which will be implemented
- o An evaluation of the cross-media impacts of the chosen measures

- o An implementation timetable

These elements will form the Hazardous Waste Minimization Plan for each business affected.

6.4 SITING

The siting of Treatment, Storage and Disposal (TSD) Facilities within the city limits shall be governed by the criteria developed in Section 5.7.2 of this document. The criteria include standard State criteria developed by DHS, criteria in the Contra Costa County Hazardous Waste Management Plan (Contra Costa County 1988) and additional criteria specific to the City of Hercules.

6.5 TRANSPORTATION

The Circulation Element of the Hercules General Plan currently contains no explicit references to transport of hazardous waste or materials. The plan element does designate two roadways as scenic routes including State Highway 4 and San Pablo Avenue. These roadways, however, are not specifically restricted from hazardous waste transport. The downtown area of Hercules is generally considered by the city to be inappropriate for transport of hazardous waste, however, these areas are not specifically restricted in any way against transport of hazardous waste.

The City is currently in the process of amending the City General Plan through addition of this element (HWMP) to include restrictions on hazardous waste facilities, however, these restrictions will not affect transport of waste to and from these facilities. The City should update the Circulation Element of the General Plan to include both guidelines and restrictions for hazardous waste carriers from roads which are environmentally

sensitive, lie along high density residential or commercial areas, or pose undue risk of public health and safety.

Rail transport of hazardous materials occurs in Hercules on two rail lines, Southern Pacific and the Atcheson-Topeka and Santa Fe. The update of the Circulation Element should also address risks associated with these transport facilities.

6.6 STORAGE

In early 1984, the Environmental Health Division of the County Health Services Department (HSD) was granted the power to administer the underground tank program in the County. Currently, HSD administers the countywide program. The HSD has currently identified 1,100 tank owners in the County and notified them of newly promulgated state requirements. The City should evaluate generating a data base in coordination with Rodeo-Hercules Fire Protection District, for those underground storage tanks (UST) or aboveground tanks located in Hercules to identify and track the progress of known tank problems.

Hercules should also provide a review of currently promulgated storage requirements to businesses that obtain or renew business licenses. Additional data could also be collected from the industries on hazardous materials/wastes upon renewal of licenses. A city hazardous materials storage permit could be an additional item for future consideration to obtain certain basic information for later review and future data base development. Current storage requirements enforced by the County are now made readily available to businesses in conjunction with license renewal applications.

The City should also bring city facilities into compliance with hazardous waste and hazardous materials regulations. This could be accomplished through a self-audit of city facilities.

6.7 CONTAMINATED SITES

Cleanup (remediation) of contaminated sites is generally the responsibility of the State and Federal Government or private owners of the sites. To date, local government has not become heavily involved in such cleanups. The City can, however, through maintenance of a contaminated site list and periodic checking with the appropriate regulatory agencies, maintain pressure to have sites within the City's sphere of influence remediated as expeditiously and in the most environmentally sound manner as possible.

6.8 SMALL QUANTITY GENERATORS

Hazardous waste from SQG's is often disposed of through inappropriate means because the wastes are generated in amounts small enough that use of certified route haulers is not perceived to be economical or necessary by the generators. The generator may not be aware of hazardous waste management requirements and penalties. The generator may also be unaware of alternative technologies for waste management including source reduction, recycling, treatment and disposal. The SQG waste program can be successfully implemented by the City of Hercules through:

- o Educational Materials
- o SQG Information Hotline
- o SQG Waste Consolidation Program

The City of Hercules should evaluate the implementation of a SQG program on a regional west-county basis following the adoption of the Hazardous Waste Management Policies contained in this plan. The designated lead department shall organize and implement the SQG Program.

6.9 HOUSEHOLD WASTES

The City of Hercules has developed a JPA with neighboring cities to deal with solid waste issues and is developing required household hazardous waste programs as required by AB 939. The proper management of household hazardous waste in the City of Hercules can be achieved by: 1) utilizing collection days, 2) educational and publicity programs, and 3) developing and implementing a household hazardous waste component at the future Richmond Sanitary Transfer Station. The City members of the solid waste JPA should work with the county, state and federal government along with private sectors to ascertain proper household hazardous waste management. Proper household hazardous waste management will minimize the entry of this waste into the municipal solid waste stream, minimize the entry of this waste stream into the wastewater treatment facility, and potentially eliminate or reduce illegal waste disposal.

6.9.1 Collector Days

The City of Hercules and the solid waste JPA should further focus efforts around regular and frequent household hazardous waste collection, recycling and disposal days. To make the collection days successful, they should be on a regular basis, held in various locations throughout the city, convenient and homeowner friendly. The collection program enables household hazardous waste to be properly managed by:

- o Promoting household hazardous waste awareness
- o Promoting waste minimization and recycling
- o Disposing of the waste

An alternative approach to the collection program is a permanent collection point such as the Richmond Transfer Station or a

permitted hazardous waste management facility. Richmond Sanitary Service is evaluating a phased approach program to add a household hazardous waste component to the Richmond Transfer Station.

6.9.2 Education Programs

The household hazardous waste education program shall target:

- o Homeowner awareness of household waste
- o Alternatives to hazardous waste production
- o Safe handling practices of household waste and appropriate disposal

The program will improve public understanding both of the proper handling and disposal of household hazardous waste and of alternatives to household products which contain hazardous materials. This program will be implemented by the solid waste JPA of which Hercules is a member.

An educational outreach could be achieved by developing educational materials such as flyers, brochures, pamphlets, posters, videos, etc. The educational materials will encourage the public to reduce their purchase of products with hazardous ingredients, to completely utilize the product containing hazardous ingredients, to recycle as appropriate and finally to utilize proper disposal mechanisms. The educational information can be distributed by direct mailing (i.e., Herculean, garbage bill, etc.), posters and flyers, newspaper advertisements and public service announcements on the radio and television.

Publicity campaigns can be sponsored by the City in public schools and various organizations and affiliations to further educate the residents. The campaign can incorporate contests with regard to developing posters, flyers and brochures development, which

concentrate on alternatives to waste production and proper disposal.

6.9.3 Responsibility and Resources

The household hazardous waste program should be developed and implemented as part of the solid waste JPA. The funding of this program can be costly and should be supported by residents of the cities in the JPA. A commonly employed and effective means of resource support is the placement of a nominal surcharge on all household garbage bills. The surcharge is used to properly dispose of hazardous waste.

6.10 EMERGENCY RESPONSE

The City will continue to coordinate with Rodeo-Hercules Fire Protection District and to operate as part of the West County Emergency Services JPA. In addition, the City should evaluate the need to adopt new city guidelines that coordinate city emergency management resources with the County Hazardous Materials Area Plan. Specific items that could be identified for city planning purposes could focus on the potential scenarios present in Hercules from existing and future industries. City, county, state, federal and private industry resources should be identified and information on their availability and resources be made available to city management personnel. Elements of city planning may include:

- o Information gathering (data on likely and worst case hazardous waste spills or other HAZMAT incidents)
- o Identify local agencies and their roles in a chemical emergency response incident
- o Development of any applicable city ordinances

- o Communication of resources and emergency response information to industries in Hercules
- o Distribution of any restrictions and/or alternatives, if chosen, to the public
- o Provide additional training to city personnel responsible for implementing any changes

6.11 REGULATIONS, ENFORCEMENT AND SURVEILLANCE

The City of Hercules is currently revising and updating the City General Plan (this HWMP) to contain provisions appropriate to dealing with hazardous waste produced and hazardous materials handled within the city limits.

The City of Hercules should train its current building and public works inspectors to recognize problems associated with hazardous waste and hazardous materials and to coordinate with fire inspectors on selected inspections. City police, building inspectors and other code enforcement inspectors have been trained in the basic elements of proper hazardous waste and hazardous materials management and handling. Such training should be continued and increased as appropriate. The City officials will coordinate with appropriate county officials to enforce laws and regulations.

6.12 ORGANIZATION AND RESPONSIBILITY

The two key departments responsible for hazardous waste and hazardous materials monitoring and enforcement under the direction of the City Manager will be the City Planning Department (land use related issues) and the Department of Public Works (city facilities). In addition, the City Attorney, coordinating with the

Finance Director, has jurisdiction over obtaining recompense for the City following emergency response incidents which are caused by transport or improper handling of hazardous wastes or materials within the city limits.

The Hercules police force and Rodeo-Hercules Fire Protection District shall respond appropriately to hazardous waste or material spills or incidents at facilities which endanger public health or safety. The City police shall coordinate with the State Highway Patrol, the Rodeo-Hercules Fire Protection District and other agencies having authority over such incidents. Whichever entity is the first responder generally establishes incident control until relieved by the appropriate incident commander (dependent upon jurisdiction).

6.13 FUNDING

Funding sources will be required for compiling and maintaining the City's data base, for developing and maintaining regulatory programs and for monitoring and inspection programs. Funding for the data base and associated activities can probably best be accomplished through a hazardous waste fee collected in association with collection of the City business license tax since the data for the data base will be acquired through the business license process. Funding for regulatory programs and for monitoring and inspection programs could be developed through a specific charge levied on hazardous waste producers or hazardous materials handlers. The Planning Department will work with the Finance Department to establish fees for such programs.

6.14 MONITORING AND EVALUATION

A critical component of the success of the City of Hercules for managing hazardous waste and hazardous materials within its

boundaries will be properly coordinated and implemented monitoring and evaluation programs. These are recommended to include:

- o monitoring of generators of hazardous waste and hazardous materials to ensure compliance with the terms of this Hazardous Waste Management Plan, with the City Municipal Code and the City General Plan
- o Development of a procedure for evaluating compliance programs for hazardous waste generators and hazardous materials handlers including waste minimization requirements
- o Development of a procedure for tracking the progress of responsible agencies in cleaning up hazardous sites within the City's sphere of influence and for identifying responsible parties for sites not under active cleanup by agencies
- o General monitoring of hazardous indicator parameters (such as toxic air contaminate) in the City's air, water and soil as necessary to protect human health and safety and the environment
- o Designation of a person or task force to work with neighboring jurisdictions on a broad spectrum of hazardous waste issues.

Utilization of these monitoring and evaluation programs will accomplish the City's goal to carefully monitor hazardous waste and to coordinate the various City programs.