

5.7.1 Intent

Siting criteria have been developed by the State Department of Health Services for the siting of hazardous waste management (TSD) facilities. The guidelines specify that individual sites to be established or selected by these criteria should at the time of the designation of a site and proposed new facility be required to complete a Risk Assessment and California Environmental Quality Act (CEQA) Evaluation for the proposed site. The criteria listed in Section 5.7.2 below are based on DHS requirements with minor modifications to ensure compliance with the Contra Costa County HWMP and City Code requirements.

Figure 6 shows City of Hercules Zones and Land Uses according to the Hercules Municipal Code, Title 10 (City of Hercules 1987) and the Hercules General Plan (City of Hercules 1990). Figure 8 shows Sensitive Areas, developed to include both public health and environmental considerations, which are inappropriate for TSD facility siting. These areas are based in part on the Siting Criteria discussed in Section 5.7.2 below and in part from specific considerations from the City of Hercules Municipal Code and General Plan.

5.7.2 Siting Criteria

The DHS siting criteria indicate that most TSD facilities, specifically those which are aboveground and similar in nature to any industrial plant can be sited in areas zoned for light or heavy industry. The guidelines also indicate that companies which produce hazardous waste may wish to locate near treatment plants in order to take advantage of services offered by such facilities. The DHS encourages the establishment of industrial tracts for such companies in order to minimize risks associated with the transportation of hazardous waste.

The DHS guidelines for HWMPs indicate that any existing hazardous waste treatment, storage or disposal facilities which do not meet the siting criteria shall be considered existing non-conforming land uses and consistent with the Hercules HWMP. These facilities are not subject to a finding with consistency with the HWMP when they are being reviewed for modification, enlargement or renewal of a permit from DHS unless a risk assessment prepared pursuant to the DHS procedures demonstrates a significant adverse impact on human health or the environment due to the continued operation of the facility. There are presently no off-site hazardous waste treatment facilities in Hercules. The only existing facilities in Hercules are on-site waste reduction and storage facilities at Bio-Rad Laboratories and Pacific Refining Company.

The DHS and Contra Costa County criteria have been reviewed by Hercules and modified or supplemented based on particular needs of and issues important to the city, based on local conditions and known citizen concerns. These criteria include both state and county criteria in addition to a few specific criteria and modifications developed by Hercules to apply to the City's specific concerns. The criteria are as follows:

SPECIFIC SITING CRITERIA

- 1) HIGH HAZARD AREAS: (Those areas in which human or animal life could be jeopardized by fugitive or accidental emissions).
- SEISMIC AREAS: No facility should be placed within 200 feet of an active or recently active fault.
- FLOODPLAINS: Repositories may not be located in areas subject to 100 year flood events. Other facilities may be built in areas subject to 100 year flooding if protected by engineering solutions such as berms, raised foundations etc.
- WETLANDS: No facilities shall be located in wetlands (marshes, swamps or bogs as defined).
- HABITAT OF ENDANGERED SPECIES: No facilities should be located within critical habitat areas as defined in adopted general regional or state plans.
- UNSTABLE SOIL: Facilities located within these areas should have engineered design features to assure structural stability. This area includes steep slopes and areas subject to liquification and subsidence due to natural causes.
- MAJOR RECHARGE AREAS FOR AQUIFERS: Repositories should be prohibited within areas known or suspected to be supplying principal recharge for regional aquifers. Other facilities should be discouraged from locating in these areas. If so located, these facilities should provide properly engineered spill containment features, inspection measures and other environmental controls.
- 2) PUBLIC SAFETY:
- DISTANCE FROM RESIDENCES: Repositories must provide a buffer zone of 2,000 feet unless owner demonstrates to DHS and the City that such a buffer is not required to protect public health and safety. All other facilities shall prepare a risk assessment which shall consider the need for buffering residences and other sensitive areas.
- DISTANCE FROM IMMOBILE POPULATIONS: Risk assessments shall be performed at the time of permitting to determine the need for buffer zones between the facility and immobile populations.