

5.6 HAZARDOUS MATERIALS

5.6.1 Introduction

Hazardous materials include all toxic, flammable, combustible, corrosive, poisonous, and radioactive substances. An important subcategory of hazardous materials is hazardous wastes. Hazardous wastes should not be confused with solid wastes, which are discussed in the Community Development Element Group (Public Facilities Element).

Hazardous waste is defined as "a waste, or combination of wastes, which because of its quantity, concentration, or physical, chemical, or infectious characteristics may either:

- cause, or significantly contribute to an increase in mortality or an increase in serious irreversible, or incapacitating reversible, illness, or;
- pose a substantial present or potential hazard to human health or environment when improperly treated, stored, transported, disposed of, or otherwise managed." (California Health and Safety Code Section 25117)

The discussion of hazardous materials and wastes in the General Plan falls under the authority of Government Code Section 65302(a) and (g); the land use and safety elements.

5.6.2 Findings

Records of hazardous materials handling at business facilities are maintained by the Shasta County Department of Resource Management Environmental Health Division.

The four major concerns regarding hazardous materials are their transportation, storage, operational uses, and unauthorized use/discharge.

Transportation

Accidents involving hazardous materials during transport pose threats to public health and safety, particularly when accidents occur along heavily traveled routes such as Interstate 5 and the Union Pacific Railroad line in Shasta County. Transportation of hazardous materials presents perhaps the highest disaster potential in the County. Regulations regarding the safe transport of hazardous materials and hazardous wastes should be contained in state and federal law.

Storage

The disposal of hazardous wastes and storage and use of hazardous materials have substantial implications for land use planning, as exposure to such materials may cause adverse health effects.

The California Health and Safety Code authorizes the Department of Toxic Substances Control (DTSC) to restrict certain land uses within 2,000 feet (the "border zone property") of "hazardous waste property", defined as land where a hazardous waste disposal site exists or has existed in the past.

If a permit is granted to any of these facilities, and there exists a significant disposal of hazardous waste on-site, the property is Hazardous Waste Property (HWP) by definition. No public hearing must be held prior to designation. The land surrounding these sites and extending up to 2,000 feet from the location of disposal is potentially subject to designation as Border Zone Property (BZP). DTSC has recommended that Shasta County inform all applicants for subdivision maps and building permits of the requirement that they must apply for a determination from DTSC whether the project should be designated as a hazardous waste property or border zone property, if the following conditions exist:

- They are an owner, lessor, or lessee of property within 2,000 feet of one of the facilities listed above, and
- They plan to construct within the next calendar year a structure to be used for one of the following purposes:
 - a residence, including any mobile home or factory built housing constructed or installed for use as a permanently occupied human habitation;
 - a hospital for humans;
 - a school for persons under 21 years of age;
 - a day care center for children;
 - any permanently occupied human habitation other than those used for industrial purposes.

DTSC regulations prohibit residential land uses including hospitals, day care centers and schools on hazardous waste properties, as well as any new land uses, except where variances are granted. State regulations further prohibit subdivision of such lands except where a subdivision would separate designated hazardous waste property from non-designated property. Land owners of these properties are additionally required to create easements permitting State officials from DTSC to enter their lands in order to monitor hazardous waste storage.

State regulations regarding border zone properties are similar to those affecting designated waste properties with the exception that new land uses may occur on these lands without requiring a variance from the DTSC.

State regulations also provide that if the County knows or has probable cause to believe that any land within the County is a hazardous waste property or a border zone property, then the County may apply to DTSC for determination whether the land should be designated under either classification.

On-site handling of hazardous materials is also regulated by the Shasta County Department of Resource Management Environmental Health Division through submittal of chemical inventories by chemical handlers. In addition, the industry or hazardous substance user may be required to obtain a conditional use permit from the City and/or County government. Storage or disposal of materials with potentially hazardous impacts on nearby watercourses may also be subject to requirements established by the Central Valley Regional Water Quality Control Board or other local, state, or federal agencies.

Use

Hazardous materials are used in many forms and activities throughout Shasta County. The most heavily used substances are motor vehicle fuels, lubricants, and propane.

Regulations regarding the use of herbicides, pesticides, and fertilizers which contain hazardous materials are administered by the State Department of Food and Agriculture in conjunction with the County Agricultural Commissioner.

Any operation which discharges wastes onto land or into bodies of water must also meet discharge requirements established by the Central Valley Regional Water Quality Control Board.

5.6.3 Objectives

- HM-1 Protection of life and property from contact with hazardous materials through site design and land use regulations and storage and transportation standards.
- HM-2 Protection of life and property in the event of the accidental release of hazardous materials through emergency preparedness planning.

5.6.4 Policies

- HM-a The County shall make every effort to inform applicants for discretionary and non-discretionary projects which are located within potential border zone property of known hazardous waste facilities that they must comply with State requirements regarding hazardous waste facilities. A map shall be prepared and maintained which identifies these areas.
- HM-b Shasta County shall maintain an emergency preparedness plan for hazardous materials.
- HM-c Shasta County shall adopt policies for hazardous materials use, transportation, storage and disposal as required by State laws.
- HM-d Shasta County shall adopt policies for the protection of life and property from contact with hazardous materials through site design and land use regulations.
- HM-e Any proposal for development of a disposal site for hazardous wastes in Shasta County shall be reviewed closely to ensure that no significant environmental impacts will result from the project. Review of such project may include a determination of what type of hazardous wastes may be disposed of at the site.

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