



WASTE MANAGEMENT

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June 2, 2014

CalEnviroScreen
c/o John Faust, Chief, Community Assessment & Research Section
Office of Environmental Health Hazard Assessment
1515 Clay Street, Suite 1600
Oakland, CA 94612

Via Email: CalEnviroScreen@oehha.ca.gov

Dear Mr. Faust:

Thank you for the opportunity to provide comments and suggestions on the CalEnviroScreen 2.0 document and the development of the draft California Communities Health Screening Tool. Also, thank you for extending the comment period from its original closure date of Friday, May 23, 2014 to 5:00 p.m., Monday, June 2, 2014.

Waste Management is the leading provider of comprehensive waste management and environmental services in North America. We are also a leading developer, operator and owner of waste-to-energy and landfill-gas-to-energy facilities in the United States. We serve over 21 million customers with environmentally sound management of solid wastes and the processing of waste into usable resources.

Areas of Support

WM finds that there are many significant improvements to CalEnviroScreen in Version 2.0. These include:

- **Census Tracts.** WM strongly supports the transition to census tracts from zip codes used in Version 1.0. Census tracts are a much better representation of where people actually live than zip codes. However, some recognition needs to be given to the fact that census tracts, albeit a better indicator than zip codes, still involve some lack of precision. There may not be any people actually living at or near the census tract boundary.
- **1000 Meter Separation.** We support the use of a 1000 meter (>3/5 mile) buffer distance beyond which the mere presence of a waste site, or cleanup site is no longer

presumed to have an impact on the census tract. Thus, provided a waste facility or cleanup site is at least 1000 meters away from the boundary of a census tract, CalEnviroScreen 2.0 does not appear to register the proximity of that site or facility as contributing to the score for that census tract. While we support the recognition that waste sites would not have any impact on residents living more than 1000 meters away, we still question whether a well managed and operated waste facility (or cleanup site for that matter) would have an impact on anyone living at or closer than 1000 meters. 1000 meters is more than 3/5 of a mile away.

- In addition, it is unclear how the “impact” areas within CalEnviroScreen 2.0 relate to the actual census tract. In many cases, the impacted area appears larger than the census tract it contains. Further explanation here appears needed.
- **Toxic Release Inventory (TRI) Air Emissions.** Apparently, version 2.0 still only uses the TRI releases that are reported for air. TRI releases that also require reporting by EPA include releases to water and land. In the case of land, the TRI requirements also include disposal of specified materials to a permitted facility as a “release”. It appears that Version 2.0 continues NOT to include TRI releases to land – with which we agree. We do not believe that the release of specified chemicals to a permitted waste facility poses any threat to human health, public safety or the environment. Permitted waste placement in a secure disposal cell does not result in a release to the ambient environment, as is the case in air and water releases. We strongly support the continued exclusion of these types of TRI “releases” to land from Version 2.0.
 - One recommendation that WM requests you consider is adding an adjustment for distance from a TRI release source. Currently, in evaluating TRI releases to air, the CalEnviroScreen model uses an EPA plume model, which is not clearly transparent and accessible to all stakeholders. In addition, Version 2.0 uses some type of adjustments depending on the chemical, plus some “accidental chemical release” adjustment, but there appears to be no adjustment for distance from the source – other than the EPA plume model. It would seem reasonable, particularly for very small air releases, that some sort of default distance limit be considered – perhaps similar to the 1000 facility proximity cut-off discussed above.
- **Hazardous Waste Facilities and Generators.** As long as hazardous waste facilities are to be included as indicators of pollution burden, we support the inclusion of hazardous waste generators along with hazardous waste management facilities. Facilities that

generate HW are as likely to pose a pollution burden as those facilities that are in the business of managing those wastes generated by others in accordance with statute and regulations. We have no comment on the weighting factors at this time other than to express concern that while they may correlate to increasing or decreasing risk, there is no clear basis or rationale for the multiplier factors that were chosen.

Areas of Concern

We have concerns regarding the following aspects of CalEnviroScreen as embodied in Version 2.0. We would very much like to have further discussion with OEHHA staff about the following issues:

- **Relationship between Impacted Areas and Census Tract Maps.** Unfortunately, the maps depicting the census blocks (in Draft Version 2.0) seem to be much bigger than Zip Code areas (under 1.0) and the actual census tract. As you are aware, WM operates a hazardous waste facility over four miles from any resident of Kettleman City. In version 2.0, the impact area for Kettleman City went from just along the east side of I-5 (Version 1.0) to the western half of Kings County (Version 2.0). The census tract for Kettleman City is considerably smaller according to the census map for Kings County linked below. Can you please explain the difference between impacted area and census tracts? Here is the link to the 2010 Kings County Census Tract Map:

http://www2.census.gov/geo/maps/dc10map/tract/st06_ca/c06031_kings/DC10CT_C06031_000.pdf

The actual census tract for Kettleman City (#38394) shows that the census tract for Kettleman City appears much smaller than the impact area for western Kings County. Further explanation would be helpful here describing the relationship between census tracts and the impact maps in Version 2.0. (See, for example, the CalEnviroScreen 2.0 Map of the San Joaquin Valley on page 134).

- **Further Transparency of Version 2.0 Requested.** There does not appear to be any way that a facility or site that is purported to have an impact on a census tract can actually determine how the numbers were derived for that site. Thus, CalEnviroScreen 2.0 still does not appear to be very transparent. Apparently, the only way a party that may be affecting a census tract can understand how the numbers are calculated is to schedule a meeting with OEHHA staff to parse the numbers and assumptions.
 - WM would very much appreciate having the ability to use the MS Excel spreadsheets behind Version 2.0 to see how numbers are calculated and we would like to work with the numbers to see what weight they have on the

overall score. Unfortunately, the OEHHA MS Excel spreadsheet is just a data download from a database, so the cells just contain numbers but not formulas. In other words, we haven't be able to evaluate the numbers and formulas in the spreadsheet to determine what weight a Pollution Burden or Population Characteristic has on the overall score.

- **Communities Environmental Health Screening Tool.** Thank you for making available the draft Communities Environmental Health Screening Tool: for CalEnviroScreen Version 2.0 on Tuesday, May 27, 2014. Unfortunately, the "Individual Census Tract" spreadsheet appears only to be downloadable numbers. In other words, each spreadsheet cell contains just a number, not the actual formulas that calculate the final CalEnviroScreen 2.0 "score". It would be helpful to understand more fully how the final scores for each census tract are calculated. We have been unable to do so with the data provided. Please advise us when the tool will be "open access" to allow a better understanding as to how the values for each census tract and impact area are calculated.
- **Double and Multiple Counting of Impacts.** A site can be listed for multiple reasons. For example, a waste site or a HW generator could be listed for simply being a waste site or a HW generator. It could also be listed due to other factors. For example, an operating waste disposal site would be listed at least twice: once under the solid waste facility indicator and once under the water quality indicator. The water quality indicator, although a separate category, also includes permitted waste disposal sites. We question whether this "double counting" is warranted or justified. We could not find any discussion or written rationale regarding this apparent "double-counting" effect.
 - It appears to WM that certain burdens are over-counted – more than just single counting or even "double-counting". For instance, under Pollution Burdens: ozone concentration, PM2.5 concentration, diesel PM emissions, and traffic density all seem to be various ways of over-accounting for the same thing, emissions from mobile sources.
 - Similarly, under Population Characteristics: educational attainment, linguistic isolation, poverty, and unemployment all seem to be various ways of over-accounting for similar attributes -- disenfranchised communities. Would it be better if all four of these factors were used to contribute to a single "disenfranchisement" score rather than each having a full value?

- **Heightened Focus on Waste Facilities.** It continues to concern us that under the Pollution Burdens proximity to a cleanup site, HW site, or SW site appear to have a “perception impact”, but not other types of industrial activities such as refineries, chemical plants, gravel plants, heavy industry, breweries, feed lots, hot sauce production (e.g., Sriracha hot sauce, Irwindale, CA), etc. It seems to WM that there is an undue focus on “waste facilities” as compared to other industrial activities. Many human activities may have similar, or even greater impacts on their neighbors and environment than do well regulated and operated waste facilities. This seems to be more of a function that waste facilities have separate state agencies regulating them (i.e., CalRecycle and DTSC) as opposed to other industrial activities. All industrial activities are regulated by the same environmental and health agencies (e.g., SWRCB, Air Board, Air Districts, Public Health, etc.). However, waste facilities have the added distinction of being regulated by specific waste focused agencies: CalRecycle and DTSC. One would think that additional direct regulation by focused waste regulatory agencies such as CalRecycle and DTSC – on top of the other agencies -- would result in greater environmental, human health and public safety protection – not less.

Thank you for providing CalEnviroScreen 2.0 available for review. WM would very much appreciate it if CalEPA and OEHHA would schedule further workshops so that all stakeholders may better evaluate how the values for individual census tracts and impact areas are derived. Please let me know if you have any comments, questions or concerns regarding the issues raised in this letter.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Charles A. White', with a long horizontal flourish extending to the right.

Charles A. White, P.E.
Director of Regulatory Affairs/West

Cc: Arsenio Mataka, CalEPA, Arsenio.Mataka@calepa.ca.gov