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Commercial Property Cleanup

Alternative Fire Debris Removal Commercial Guide

Following a wildfire disaster, property owners (through their contractors) are required to take appropriate action to protect response personnel and the public from potential exposure to uncontrolled hazardous materials and toxic substances. Studies commissioned by the California Department of Toxic Substances Control (DTSC) of previous wildfire disaster ash and debris cleanups establish that response personnel and the public were exposed to hazardous materials and toxic substances during the cleanup. If contractors do not have and carry out a plan for the proper identification, handling, and removal of hazardous waste and structural ash and debris (including asbestos), the public will be at risk of exposure. Since the DTSC studies noted above focused primarily on residential structural ash and debris; the risks specific to commercial and industrial sites have not been sufficiently studied and contaminant concentrations can be highly variable. The risks are likely to be higher than those associated with residential sites. As a result, the Alternative Program for commercial and industrial sites impacted by the Camp Fire include additional requirements as described below.

Hazardous Substance and Hazardous Waste

If the commercial property in the Alternative Program stored, used or handled hazardous material or waste, this addendum requires additional hazardous waste characterization. As part of the work plan, the contractor shall identify and contract with a hazardous waste cleanup and disposal company. This company shall perform a hazardous waste survey of all hazardous wastes (including bulk hazardous wastes) that may not been removed during the Phase I cleanup. The company shall include a detailed hazardous substance and waste plan with the Alternative Program work plan to the Butte County Environmental Health Division (Environmental Health). The plan shall include procedures for the sampling, waste classification, transportation and disposal methods of any remaining hazardous substances or waste. The company shall submit disposal documentation (hazardous waste manifests, bill of lading, etc.) to Environmental Health prior to disposing of the ash and debris.

Addendum

Disposal of Ash and Debris

Due to the nature of commercial properties, the levels of heavy metals and other contaminants in ash and debris can be at much higher concentrations than residential properties (depending on the type of commercial business). Limited waste characterization testing of ash by CalRecycle from commercial properties destroyed during previous wildfires has verified that ash and debris from commercial properties contain Resource Conservation and Recovery Act¹ (RCRA) hazardous waste levels and require proper handling and disposal. To prevent exposure to the work force and communities, and to properly characterize and dispose of the ash and debris, the contractor shall submit the following with the Alternative Program Application and work plan to Environmental Health for approval:

- Type of commercial business (e.g., auto repair shop, machine shop, medical facility, convenience storage)
- Types and quantities of stored chemicals and materials (e.g., large volumes of electronics, used oil)
- Proposed waste characterization of the ash and debris which shall include:
 - The consultant or professional performing the sampling
 - A sampling plan proposing appropriate sample analytes based on the type of business and an appropriate number of samples for characterization (the consultant should obtain the characterization requirements for the proposed disposal location), and type of samples (composite vs. discreet).
 - Process of providing analysis to an appropriate disposal facility for waste acceptance. The plan should include the process to determine if the waste is a RCRA waste in accordance with the Environmental Protection Agency (EPA) Hazardous Waste Test Methods, SW-846, and if so, propose the appropriate disposal facility. Additionally, if the waste is not a RCRA hazardous waste, then the process shall include which landfill or landfills the results will be sent to for acceptance.

Environmental Health will not issue ash and debris disposal authorization prior to the contractor's submittal of waste characterization results and a letter of intent accepting the ash and debris from a landfill. Landfills (i.e., Neal Road Recycling and Waste Facility) may require that a qualified professional sign a statement that the waste is not a RCRA hazardous waste before they will issue a letter of intent to accept the subject fire debris. Additionally, a bill of lading or transportation manifest may be required for each load.

¹ The Resource Conservation and Recovery Act (RCRA) is the public law that creates the framework for the proper management of hazardous and non-hazardous solid waste. The law describes the waste management program mandated by Congress that gave EPA authority to develop the RCRA program. The term RCRA is often used interchangeably to refer to the law, regulations and EPA policy and guidance. For further information you may visit: <https://www.epa.gov/rcra>

Addendum

Confirmation Soil Sampling

Due to the potential complexities of soil investigations of commercial/industrial properties, the confirmation soil sampling and data analysis program shall be performed by a consultant and under the direction of a California Professional Engineer (PE) or Professional Geologist (PG) with experience in soil contamination assessment, cleanup and closure. Final reports associated with the evaluation of soil contamination shall have the appropriate PE or PG stamp and signature. *You may visit the website of the Board for Professional Engineers, Land Surveyors, and Geologists at <https://www.bpelsq.ca.gov> for additional information and resources.*

The soil sample protocols will follow the residential program with the following exceptions:

- The consultant will propose a soil sampling plan that shall include the following:
 - Contaminants required for analysis. This will be based on the nature of the business. If the business stored petroleum products such as gas, diesel, used oil then analysis of petroleum and other constituents would be a necessary requirement in addition to metals.
 - The number of samples to adequately confirm that the property meets cleanup goals. For smaller structures, the square footage from the residential program shall be used. For larger structures, the licensed professional shall propose the number of samples to adequately confirm that the property has achieved clean-up goals.
 - Type of sampling (discreet vs. composite) of samples to adequately confirm that cleanup goals have been achieved.
 - Soil sampling and analysis protocols.
- Cleanup levels shall be those CalRecycle uses for the Government Commercial and Industrial Programs.
- A report including analytical data, maps showing sample locations and a discussion of results and conclusions signed and stamped by a PE or PG, shall be submitted upon completion.

NOTE: Commercial Residential Structures: Commercial residential structures such as apartments, multi-unit rentals, mobile home parks and gathering places such as community halls and churches are not required to follow the commercial requirements outline above, but shall follow the requirements in the Alternative Fire Debris Removal Program.