

MINUTE ITEM

This Calendar Item No. 21
was approved as Minute Item
No. 21 by the State Lands
Commission by a vote of 2
to 0 at its 5/23/85
meeting.

MINUTE ITEM

21

05/23/85
W 23450
Gorfain
Reese
Sekelsky, J.

PROPOSED PANAMINT VALLEY
TOXIC WASTE DISPOSAL SITE, INYO COUNTY

During consideration of Calendar Item 21 attached, the
following people appeared:

Robert A. Laurie, Attorney
Representing Dick Cullinan.

Dr. Larry A. Russell, President
Reed Corporation.

Acting Chairman Walter Harvey indicated his desire to not deny
the issuance of a core hole drilling permit. However, the
Commission expressed serious concern over the issue of toxic
waste.

The following resolution was approved by a vote of 2-0:

THE COMMISSION:

1. DIRECTS STAFF TO RETURN AT THE JUNE MEETING WITH
RECOMMENDATION FOR GRANTING APPROVAL OF A CORE HOLE
DRILLING PERMITS INCLUDING APPROPRIATE CONDITIONS.
2. SUSPENDS FURTHER CONSIDERATION OF APPLICATIONS RELATED TO
THE SITING OF HAZARDOUS WASTE MANAGEMENT FACILITIES ON
STATE LANDS UNTIL SEPTEMBER 30, 1985.
3. DIRECTS STAFF TO RETURN WITH RECOMMENDATIONS ON THE FURTHER
CONSIDERATION OF SUCH APPLICATIONS BY THAT DATE.

CALENDAR ITEM

A 34

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S 25

05/23/85

W 23450

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Reese

Sekelsky, J.

PROPOSED PANAMINT VALLEY
TOXIC WASTE DISPOSAL SITE, INYO COUNTY

APPLICANT: John R. Cullinan
2323 West 235 Place
Torrance, California 90501

On July 16, 1984, the Commission received an application from Mr. John R. Cullinan (the applicant) to lease a school land section south of the town of Ballarat in the Panamint Valley, (Section 16, T22S, R44E, MDBM), Inyo County, for the purpose of establishing a new hazardous waste disposal facility. A location map of the Panamint Valley is included as Exhibit "A". The Applicant was informed that this application was incomplete, and has not responded to staff's request for additional information. This application, therefore, remains on file in an incomplete status.

On January 17, 1985, the Commission received another application from Mr. Cullinan for a core hole drilling permit to perform geologic and hydrologic tests which would assist him to determine the suitability of the site for the disposal of hazardous, excluding radioactive, wastes. The approximate location of the proposed holes on the site is shown in Exhibit "B". This application was deemed complete as of February 17, 1985. Because staff has determined that the CEQA requirements for this application can be met by a Categorical Exemption or a Negative Declaration, the core hole application must be acted upon by the Commission no later than August 15, 1985, or be deemed approved.

The status of toxic waste management policy in California is in a great state of flux. The Legislature is considering 158 bills in this subject area. These bills address a variety of

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questions, including planning, regulation, facility siting, transportation, disposal and treatment, alternative technologies, liability, enforcement, and state government reorganization of hazardous waste management.

Because of the extremely diverse characteristics of State lands statewide, the Commission could never anticipate all of the potential uses of all of the lands under its jurisdiction. Accordingly, the Commission has neither considered, nor adopted, a list of information requirements and/or criteria for considering applications for hazardous waste disposal facilities. Since receiving Mr. Cullinan's applications, staff has been working to develop such information requirements and criteria in order to:

- a) Enable the Commission to exercise its land management and lead agency responsibilities as efficiently as possible and in the best public interest; and,
- b) Provide the Applicant with guidance on how to proceed to obtain the multi-agency approvals necessary for this project in the most expeditious and economical manner.

In recognition of the complexity of such a proposal, the state of flux of hazardous waste management in California at this time, and the uncertainty of the Commission's proper role and responsibilities with respect to hazardous waste management,

EXHIBITS: A. Location Map.
 B. Site Map.

IT IS RECOMMENDED THAT THE COMMISSION:

1. DENY, WITHOUT PREJUDICE, MR. CULLINAN'S APPLICATION FOR A CORE HOLE DRILLING PERMIT.
2. SUSPEND FURTHER CONSIDERATION OF APPLICATIONS RELATED TO THE SITING OF HAZARDOUS WASTE MANAGEMENT FACILITIES ON STATE LANDS UNTIL SEPTEMBER 30, 1985.
3. DIRECT STAFF TO RETURN WITH RECOMMENDATIONS ON THE FURTHER CONSIDERATION OF SUCH APPLICATIONS BY THAT DATE.

(ADDED 05/22/85)

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