

**DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY**

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P.O. BOX 4025, SACRAMENTO, CALIFORNIA 95812

March 8, 2013

Louis Molina
County Health Department
Environmental Health
437 Old Mammoth Road #Q
P. O. Box 3329
Mammoth Lakes, CA 93546

SUBJECT: Benton Crossing Landfill – Permit Concurrence for Revised Solid Waste Facility Permit - Facility No. 26-AA-0004

Dear Mr. Molina:

On March 8, 2013, the Department of Resources Recycling and Recovery (CalRecycle) concurred with the issuance of a revised Solid Waste Facilities Permit for Benton Crossing Landfill, Mono County. Enclosed is the permit received on January 15, 2013, for your execution.

CalRecycle and Local Enforcement Agency (LEA) staff have been included in negotiations between Mono County Department of Public Works (landfill operator) and the City of Los Angeles Department of Water and Power (LADWP, land owner) to develop a lease agreement as part of submitting a complete permit revision application. The finalized lease is for a term of one year. Normally, an LEA drafts a proposed solid waste facilities permit that accounts for at least the next five years of landfill operation consistent with all authorizing documentation. However, in this case, LADWP has concerns regarding groundwater contamination and is requesting further investigation of water issues that might affect water quality, prior to agreeing to a longer term lease. All parties have agreed to the interim one-year lease agreement in an effort to bring the landfill into compliance while working towards a permanent solution that will meet everyone's interest and requirements. With this understanding CalRecycle concurred in the attached permit.

CalRecycle is aware that it is not, and was not, LADWP's intended purpose to be solely responsible for compliance with California requirements for operating or closing a municipal solid waste disposal facility when the land was originally leased to Mono County and that LADWP may have some other recourse with the operator, separate from any action the LEA and or CalRecycle may take to achieve compliance. However, please be reminded that LADWP continues to bear the ultimate responsibility as the land owner of the property should the operator fail to fulfill their obligations under state solid waste law regardless of possible language to the contrary in the negotiated lease.



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Please return a copy of the issued permit to the Permitting and Assistance Branch at your earliest convenience. Thank you for your assistance throughout the permitting process. If you have any questions regarding this action, please contact Christine Karl of my staff at (916) 341-6405 or Christine.Karl@calrecycle.ca.gov.

Sincerely,



Susan Markie, Chief
Permitting & Assistance Branch
Waste Permitting, Compliance & Mitigation Division

cc: Elliott Block, CalRecycle
Daniel Anderson, CalRecycle

Mr. Tony Dublino
Solid Waste Superintendent
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Stacey Simon, Assistant County Counsel
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