



**San Joaquin County
Environmental Health Department
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November 12, 2015

Ruben Ramirez, Operations Manager
Forward Inc. Landfill
9999 S. Austin Road
Manteca, CA 95336

Subject: Emergency Waiver of Standards
Site: Forward Landfill, SWIS 39-AA-0015

Dear Mr. Ramirez:

The San Joaquin County Environmental Health Department (EHD) has reviewed the request for an emergency waiver (attached) of Permit Terms and Conditions for the safe and proper disposal of waste created in the September 9, 2015 wildfire in the Calaveras County area. This wildfire destroyed over 500 residences and numerous other building buildings with several additional residences and commercial buildings receiving significant damage.

The emergency waiver request proposes to temporarily allow the landfill to accept waste on Sundays and suspend the types of wastes accepted at the landfill. Based upon this review and pursuant to California Code of Regulations (CCR), Title 14, Division 7, Chapter 3, Article 3, Emergency Waiver of Standards, Section 17210 et seq., a waiver of the Permit Terms and Conditions as requested above, is hereby granted for a period up to one hundred and twenty (120) days upon receipt of this letter, with the following conditions:

1. All other State Minimum Standards and permit conditions which are not subject to the waiver shall remain in effect.
2. The effective period of the waiver, once granted by the EHD, shall not exceed one-hundred and twenty (120) days without the prior approval by the EHD.
3. The waiver may be modified, cancelled, or revoked by the EHD without advance notice should any of the following occur:
 - a) The use of such a waiver will cause or contribute to a public health and safety hazard or environmental problem.

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Forward Landfill, SWIS 39-AA0015
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- b) The terms of the waiver are not being used expressly to handle the state of emergency or local emergency and are not in the best interest of the public health and safety.
 - c) The waiver is no longer necessary.
 - d) The solid waste facility operator is not utilizing disaster debris diversion programs to the extent feasible.
4. Comply with the reporting requirements as outlined in CCR, Title 14, Article 3, Emergency Waiver of Standards, Section 17210.5, Reporting Requirements for a Solid Waste Facility Operator.

If you have any questions or need additional information regarding the requirements, please contact Robert McClellon of my staff at (209) 468-0332.

Sincerely,



Linda Turkatte, Director REHS
Environmental Health Departments

Cc: Christy Karl, CalRecycle
David Otsubo, CalRecycle

Attachments



November 6, 2015

Mr. Robert McClellon
San Joaquin County
Environmental Health Department
1868 East Hazelton Avenue
Stockton, CA 95205

RE: Request for Emergency Waiver – Acceptance of Disaster Debris at Forward Landfill, SWIS No. 39-AA-0015

Dear Mr. McClellon:

Forward, Inc. (Forward) is requesting an Emergency Waiver to accept fire debris from the Butte Fire Disaster at Forward Landfill on Sundays in accordance with CCR Title 14, Section 17210.3.

The waiver is requested for acceptance of waste on Sundays in addition to the currently permitted twenty (20) Sundays per year. It is not expected that receipt of waste on these additional Sundays will result in an exceedance of the maximum tonnage permitted per week or annually.

The remaining disposal capacity at Forward landfill is approximately 18,500,000 cubic yards.

The on-site Forward Resource Recovery Facility includes an on-site recyclables transfer station as well as a composting facility. Other approved facilities in the vicinity include Foothill Landfill, Lovelace Transfer Station, and North County Sanitary Landfill.

We welcome the opportunity to discuss any questions or concerns that you may have regarding Forward's operation, so please do not hesitate to contact the undersigned at (209) 982-4298.

Kindest regards,

Ruben Ramirez
Operations Manager

Cc: Mr. Michael Kith – San Joaquin County Environmental Health Department
Mr. Achaya Kelapanda – Republic Services

9999 South Austin Road
Manteca, CA 95336
(209) 982-4298 / (209) 982-1009 fax
RRamirez5@republicservices.com



Mr. Marty Hartzell
Central Valley Regional Water Quality Control Board
11020 Sun Center Drive, Suite 200
Rancho Cordova, CA 95670

1 October 2015

RE: Forward Landfill – Notice of Intent for Wastes from a Declared Disaster Area

Dear Mr. Hartzell:

In accordance with California Regional Water Quality Board – Central Valley Region (RWQCB) Order Number R5-2013-0026, Conditional Waiver of Waste Discharge Requirements for Disaster Related Wastes during a State of Emergency within the Central Valley Region, Forward Landfill is submitting this Notice of Intent (NOI) to discharge wastes to composite-lined areas with leachate collection system to aid in the cleanup of the Butte and Valley Fires. Cleanup activities following these wildfires may generate significant amounts of waste in a short amount of time as responders restore property and public facilities, repair and reopen highways, and protect public health and the environment.

Forward Landfill is submitting this NOI for coverage under this Conditional Waiver of Waste Discharge Requirements in order to receive disaster related and mass mortality wastes from a Declared Disaster Area, for which such discharge could or would otherwise cause a violation of the Waste Discharge Requirements for this facility. Forward Landfill will comply with the following general waiver conditions that apply to all discharges of emergency/disaster related wastes covered under Order No. R5-2013-0026:

1. *For dischargers seeking coverage for discharges of disaster related wastes from a Declared Disaster Area (listed under Finding 2.a), this Conditional Waiver does not become active and available until the Governor of California issues a proclamation, pursuant to Government Code sections 8625 and 8558(b), identifying area where the disaster related waste originate as being in a state of emergency. This Conditional Waiver then becomes available only for disaster related wastes from that area of the Central Valley Region which is under a state of emergency, or for any regulated landfill located in the Central Valley Region that is accepting disaster related wastes from an area within California which is under a state of emergency.*

California Governor Jerry Brown declared a state of emergency for the Butte Fire and the Valley Fire on 11 September 2015 and 13 September 2015, respectively. In addition, on 22 September 2015, President Barack Obama declared a major disaster for the wildfires in California.

2. *This Conditional Waiver applies only to disaster related waste streams from Declared Disaster Areas, or from other emergency discharges that are exempt from CEQA.*

Only disaster related waste streams from Declared Disaster Areas will be accepted under the scope of this Conditional Waiver. All other waste streams will be accepted in accordance with existing permit requirements.

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3. *All conditions of this Conditional Waiver remain applicable until they have been met and Discharger submits a complete Notice of Termination, or the discharge becomes covered under WDRs or a site-specific waiver of WDRs. However, authorization to discharge under this Conditional Waiver is only in effect temporarily and shall expire under the following conditions, whichever is earliest, unless otherwise provided in writing by the Central Valley Water Board:*
 - a. *If applicable, the Governor or the Legislature terminates the state of emergency pursuant to California Government Code section 8629; or*
 - b. *The Central Valley Water Board terminates enrollment of individual Dischargers/Units, or all Dischargers/Units temporarily enrolled under the Conditional Waiver for a particular emergency, or terminates this Conditional Waiver in its entirety; or*
 - c. *If applicable, six (6) months have elapsed since the Governor issued a proclamation of the state of emergency in question; or*
 - d. *Six (6) months have elapsed since emergency activities began.*

Forward Landfill will complete a Notice of Termination in accordance with the conditions described above.

4. *Emergency/disaster related waste management and cleanup activities must minimize or eliminate the discharge of any pollutants that could adversely affect the quality or beneficial uses of the waters of the state.*

Forward Landfill will dispose of all waste streams in composite-lined, Class II waste management units designed with leachate collection system.

5. *The Discharger shall prevent the direct or indirect discharge of emergency/disaster related wastes to any surface waters of the state (including ephemeral streams and vernal pools).*

Forward Landfill will utilize Best Management Practices to prevent the direct and indirect discharge of emergency/disaster related wastes to any surface waters of the state, including ephemeral streams and vernal pools.

6. *Emergency/disaster related waste management operations shall not be performed in a manner that creates, or contributes, to a condition of pollution or nuisance.*

All waste management operations will be performed in accordance with applicable regulations and existing permits and plans, including but not limited to the following:

- Solid Waste Facility Permit 39-AA-0015 (31 January 2012)
- Joint Technical Document (8 August 2014)
- Odor Control Best Management Practices Program (15 April 2009)
- Stormwater Pollution Prevention Plan (8 September 2015)
- Spill Prevention Countermeasures and Control Plan (4 September 2013)

7. *Emergency/disaster related waste management operations shall not be performed in a manner that creates, or contributes, to conditions which violate the waste discharge prohibitions promulgated in the applicable Basin Plan.*

Forward Landfill will not operate in a manner that will violate the waste discharge prohibitions promulgated in the Water Quality Control Plan for Sacramento and San Joaquin River Basins, Fourth Edition.

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8. *Emergency/disaster related wastes shall not be managed in a manner that causes corrosion, decay, or otherwise reduces or impairs the integrity of containment structures at any waste management unit.*

Forward Landfill will manage all wastes in a manner that will not corrode, decay, or otherwise degrade the integrity of the containment structures of the waste management units.

9. *Emergency/disaster related wastes shall not be managed in a manner that mixes or comingles other wastes that can produce a violent reaction (including heat, pressure, fire or explosion), that can produce toxic byproducts, or that can produce any reaction products requiring a higher level of containment, or results in the mixture being classified as a restricted waste.*

Forward does not receive wastes that are expected to produce violent reactions or toxic byproducts. In addition, Forward Landfill will manage all wastes in a manner that prevents mixing or comingling of waste streams, as applicable.

10. *Inert wastes that are suitable for reuse or recycling do not require permanent disposal at a classified waste management or disposal facility (i.e., permitted landfill).*

Forward Landfill will manage emergency/disaster related wastes in accordance with its load-checking program. It is expected that any separation of potentially reusable or recyclable materials will be completed at the point of generation. Scavenging is not permitted at Forward Landfill.

11. *Waste streams covered under this Conditional Waiver shall only originate from disaster-impacted areas. The waste streams shall be discharged for treatment or permanent disposal only into:*
 - a. *Liquid waste management or treatment units as allowed by waste discharge requirements issued by the Central Valley Water Board, or*
 - b. *Solid waste management units or disposal facilities (e.g., Class III MSW landfills underlain with engineered composite liners and leachate collection systems that satisfy the requirements of State Water Board Resolution No. 93-62, and that have WDRs); or*
 - c. *Emergency landfills established in accordance with the conditions of this Conditional Waiver; and*
 - d. *Other categories of waste management units regulated under WDRs issued by the Central Valley Water Board that allow that type of waste.*

Forward Landfill will dispose of all waste streams in composite-lined, Class II waste management units designed with leachate collection system.

In addition, Forward Landfill will comply with the following specific waiver conditions for disaster related and mass mortality wastes disposed at regulated waste disposal facilities:

1. *Dischargers that are owners/operators of regulated waste management or disposal facilities proposing to discharge waste from disaster-impacted areas to the regulated waste disposal facility and for which such discharge would or could otherwise cause a violation of the WDRs for the facility, shall submit a Notice of Intent to the Central Valley Water Board within 30 days after the initial discharge of any disaster related wastes for Declared Disaster Areas (or by schedule required in Condition G for emergencies not in a Declared Disaster Area). The Notice of Intent shall contain the information listed in Attachment A of this Conditional Waiver.*

Forward Landfill is submitting the required Notice of Intent as Attachment A to this letter.

2. *The Discharger shall comply with all applicable conditions in Section A of this Conditional Waiver.*

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As described above, Forward Landfill will comply with all applicable conditions in Section A of this Conditional Waiver.

3. *Wastes (not otherwise suitable for recycling or reuse) derived from cleanup of emergency/disaster-impacted areas and managed under provisions of this Conditional Waiver shall only be discharged for permanent disposal into units that are underlain with an engineered composite liner system and a leachate collection system meeting the requirements of California Code of Regulations title 27 (Title 27), and State Water Board Resolution No. 93-62.*

Forward Landfill will dispose of all waste streams in composite-lined, Class II waste management units designed with leachate collection system.

4. *Wastes derived from cleanup of disaster-impacted areas and discharged into regulated waste disposal facilities shall be isolated, to the extent practicable, from areas of the facility that are not lined.*

Forward Landfill will dispose of all waste streams in composite-lined, Class II waste management units designed with leachate collection system.

5. *Food wastes, animal carcasses, and other putrescible wastes derived from cleanup of disaster-impacted areas shall be discharged for disposal in compliance with conditions of this waiver and be covered expeditiously.*

Forward Landfill will operate in a manner that minimizes nuisance conditions. Food wastes, animal carcasses, and other putrescible wastes will be covered immediately upon receipt.

6. *Inert wastes derived from cleanup of disaster-impacted areas shall be separated and recycled when appropriate and practicable.*

Forward Landfill will manage emergency/disaster related wastes in accordance with its load-checking program. It is expected that any separation of potentially recyclable materials will be completed at the point of generation. Scavenging is not permitted at Forward Landfill.

7. *Wastes such as paint cans, gas cans, solvents, poisons, household cleaners, drums with unknown contents, electronic wastes, refrigerators, or any potentially hazardous wastes (other than ash from fire disaster areas) shall be removed from the disaster related waste stream to the extent practicable and managed in accordance with the applicable regulatory requirements.*

Forward Landfill will manage emergency/disaster related wastes in accordance with its load-checking program. It is expected that any separation of potentially recyclable materials will be completed at the point of generation. Scavenging is not permitted at Forward Landfill.

8. *Disposal of large numbers of animal carcasses, and other high moisture waste streams from mass mortality (e.g., natural disaster, agricultural disease, etc.), may cause wastes to exceed moisture-holding capacity at regulated MSW landfills. To limit the impacts from such a large an additional moisture content associated with a mass mortality waste load, the owner/operator responsible for the regulated waste disposal facility should implement the following procedures:*
 - a. *Discharge high-moisture wastes (animal carcasses, animal related wastes, etc.) only in areas of the composite lined unit with a considerable thickness of other waste.*
 - b. *Cover each layer of high-moisture wastes (e.g., animal carcasses, animal related wastes, etc.) with at least three feet of absorbent wastes or soil.*

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- c. *For disaster related mass mortality wastes streams that are in a liquid form (e.g. raw eggs, etc.), reduce the moisture content prior to discharge by mixing with an absorbent material (e.g., saw dust, mulch, soil, etc.).*

Forward Landfill will dispose of all waste streams in composite-lined, Class II waste management units designed with leachate collection system. High-moisture wastes will be mixed as necessary with municipal solid waste and layered with at least three feet of absorbent wastes and/or soil.

9. *The Discharger shall manage temporary waste piles located at a regulated disposal facility in accordance with the specific conditions in Section C of this Conditional Waiver, below.*

All disaster related and mass mortality wastes will be directly discharged to a composite-lined waste management unit with leachate collection system. No temporary waste piles will be located at Forward Landfill.

10. *Within 30 days after the completion of discharges for each emergency, the owner/operator of a regulated waste disposal facility that accepted waste from disaster-impacted areas shall submit an amendment to their Report of Waste Discharge (ROWD) (amendment to the facility's Joint Technical Document) describing the material change to their discharge, pertaining to the temporary acceptance, management, and disposal of the waste. The ROWD shall include a completed Notice of Termination form (Attachment B) and information about the waste types accepted, location of the discharge including a map, and approximate volumes discharged.*

Forward Landfill will submit an amendment to its Report of Waste Discharge describing the material change to discharge pertaining to the temporary acceptance, management, and disposal of the emergency/disaster related waste. Forward Landfill will include a Notice of Termination and information about the waste types accepted, location of the discharge including a map, and approximate volumes discharged.

All disaster related and mass mortality wastes will be directly discharged to a composite lined waste management unit with leachate collection system. No temporary waste piles will be located at Forward Landfill. Forward Landfill is a regulated facility. Additionally, Forward Landfill is preparing this NOI for coverage to discharge disaster related and mass mortality wastes only from Declared Disaster Areas under this Conditional Waiver. Therefore, Sections C, D, E, F, and G of this order do not apply to Forward Landfill.

I certify under penalty of law, that I have personally examined and am familiar with the information submitted in this document and all attachments, and that based on my inquiry of those individuals immediately responsible for obtaining this information, I believe that the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment.

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If you have questions or comments regarding the above information, please contact me at (209) 982-4298.

Sincerely,



Kevin Basso
General Manager

Attachment A Notice of Intent
Attachment B Site Map
Attachment C Order No. R5-2013-0026

Cc: Robert McClellon, San Joaquin County Environmental Health Department

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