STATE OF CALIFORNIA GEORGE DEUKMEJIAN, Governor

CALIFORNIA WASTE MANAGEMENT BOARD
1020 NINTH STREET, SUITE 300
SACRAMENTO, CALIFORNIA 95814

Nov. 8-9 Huntington Beach

Meeting of the
CALIFORNIA WASTE MANAGEMENT BOARD
River City Bank Building
1020 Ninth Street, Suite 300
Sacramento, CA 95814

October 11-12, 1989

NOTICE AND AGENDA

Note: **The Board will convene at 9:00 a.m., October 11, 1989. This agenda represents the order in which items are scheduled to be considered. Since the Chairman, however, may change this order, participants and other interested parties are advised to be available during the entire meeting. Items not considered on October 11, may be continued until October 12, beginning at 9:00 a.m.**

If written comments are to be submitted to the Board, 15 copies should be provided.

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Note: **The Board may hold a closed session to discuss personnel, as authorized by State Agency Open Meeting Act, Government Code section 11126(a), and litigation, pursuant to the attorney-client privilege, Government Code section 11126(q).**

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CALIFORNIA WASTE MANAGEMENT BOARD

AGENDA ITEM # 1

OCTOBER 11 - 12, 1989

ITEM:

Consideration of Draft Regulations for Financial Liability at Operating Disposal Facilities

KEY ISSUES:

- Section 66771.7 of the Government Code requires that the Board adopt regulations specifying financial liability requirements for operators of disposal facilities.
- The draft regulations have been developed under contract with ICF Incorporated.
- The draft regulations have been revised to reflect comments received at the July 1989, Board Meeting.

BACKGROUND:

Over the past year and a half, the Board has devoted extensive time and resources towards the development of regulations that would specify financial liability requirements for operators of disposal facilities. The specific statutory language mandating the development of regulations and standards in this area is found in Section 66771.7 of the Government Code, Title 7.3:

"Sec. 66771.7. Ability to Respond to Damage Claims. The Board shall adopt standards and regulations, after July 1, 1985, but before January 1, 1986, requiring that as a condition for the issuance, modification, revision, or review of a solid waste facilities permit for a disposal facility by an enforcement agency, the operator of the disposal facility shall provide assurance of adequate financial ability to respond to personal injury claims and public or private property damage claims resulting from the operations of the disposal facility which occur before closure."

Over the past five years, the insurance industry has become involved in the need to provide this type of coverage to hazardous waste facilities, solid waste facilities and other regulated operations which have been mandated either by federal or state rule to carry a similar form of assurance. The insurance industry has been reluctant to open up this market because the three basic principals of underwriting (fortuity, predictability and capacity) have been undermined in the case of pollution liability coverage.

Fortuity or risk is associated with the probability or chance that a loss will occur. This is one of the most basic concepts underlying insurability. Predictability is the accuracy with which the frequency and severity of losses can be estimated. Capacity is related to the working capital and the amount of funds available to insurers to renew existing business and attract new business.

With regards to fortuity, the insurance industry believes that the situation has deteriorated to the point where there is an inevitability of occurrence of loss at a landfill, therefore, there is no risk. The predictability of the losses to be incurred are much more difficult to calculate in terms of pollution insurance. Changing technologies can dramatically increase the costs associated with remedial activities at solid waste or hazardous waste facilities. In addition, the courts may apply the insurance contract language differently from its original interpretation. These issues make the "predictable" nature of losses associated with pollution liability very unpredictable. The ability of a company to cover losses that were not predictable at the outset may dramatically decrease the company's capacity to provide coverage along these lines.

In February, 1987, the Board discussed draft regulations for operating liability coverage at disposal facilities. However, because of the apparent lack of availability of companies offering this form of coverage, Board staff continued to work with the insurance industry and operators to develop a proposal which could be implemented.

In April, 1988, the Board held a public workshop to discuss two issues: the availability of liability coverage for disposal facilities and the amount of coverage typically provided.

Several members of the insurance industry were present, including representatives from the American Insurance Association (AIA), one of the largest associations of insurance companies. Also present was a representative from the Department of Insurance which is responsible for regulating the industry. The Department of Insurance held its own workshop on the availability of environmental coverage in September, 1987.

It was determined at this time that there were fewer than five companies nationwide (only two companies were readily identified) offering some form of environmental liability coverage. The reasons for this lack of availability are the same reasons why the market has not expanded, even though both state and federal regulations have. The participants in the workshop recommended that if the Board proceeds with the development of state regulations, that these regulations should recognize the following major issues:

1. Coverage may not be readily available. It would be appropriate to phase in the number of facilities needing this form of coverage in order not to flood the market.

2. The regulations should change as the industry changes, specifically as they relate to terminology and coverage restrictions.

Based upon the workshop conducted by the Board in April, 1988, it was determined that the draft regulations presented in February, 1987, could not address the problems identified by the participants in the workshop. Because of the complexity that the revised regulations would need to address, the Board awarded a contract in November, 1988, to ICF Incorporated, to develop the regulations pertaining to liability coverage at operating solid waste disposal facilities.

In February and March of 1989, the Board discussed an analysis, prepared by ICF Incorporated, on the various types of financial arrangements that could be utilized to fulfill the liability requirements. The Board concluded that the following types of financial mechanisms should be included in the regulations:

Trust Fund
Enterprise Fund
Government Securities
Letter of Credit
Insurance
Risk Retention Group
Financial Means Test
Corporate Guarantee

Included for your review today are draft regulations for Financial Responsibility for Operating Liability Claims. The draft regulations contain the following major provisions:

1. The amount of required coverage per occurrence and as an annual aggregate.

2. The financial mechanisms which can be used to fulfill the requirements, including specific restricting conditions.

3. Substitution or cancellation of a mechanism.

4. Recordkeeping and reporting for the selected financial mechanism.

The amount of required coverage has been set at one million dollars ($1,000,000) per occurrence and a two million dollar ($2,000,000) annual aggregate in the draft regulations. In proposing these amounts, the contractor has tried to address two issues: 1) there is no verifiable data available on the types of claims made and the dollar amounts awarded against disposal facilities; and 2) the availability of pollution liability coverage has not greatly increased since the Board's 1988 workshop.

The amount of coverage proposed in the draft regulations should stimulate the industry to broaden its coverage in this area. While other liability programs may require higher levels of coverage, it is unknown what the appropriate amount of coverage is that a solid waste disposal facility should carry. By proposing a level of coverage that is more easily obtainable, the Board will be able to collect data, based upon the proposed levels, to determine if a higher level of coverage is more appropriate.

While insurance and risk retention group coverage is the most likely form of assurance, additional financial mechanisms were included, based upon the Board's direction, to allow for those facilities which may not be able to obtain insurance or do not have substantial capital to self insure (financial means test and guarantee).

The revised draft regulations include a suspension of enforcement provision. The Board may suspend enforcement activities if operating liability coverage is unavailable. The provision requires proof of denial of coverage by three insurance companies and an assessment of the operators financial ability to afford a trust fund.

The regulations will be presented by Michael Berg of ICF Incorporated.

BOARD ACTION:

Direction to staff to prepare the notice to enter the formal rulemaking process.

ATTACHMENT

Draft Proposed Regulations

Title 14. California Waste Management Board

Chapter 5. Enforcement of Solid Waste Minimum Standards and Administration of Solid Waste Facilities Program

Subarticle 3.3. Financial Responsibility for Operating Liability Claims

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Section 18230. Applicability.

(a) This Subarticle requires operators of solid waste disposal facilities to demonstrate adequate financial ability to compensate third parties for personal injury and property damage caused by facility operation prior to closure.

(b) The requirements of this Subarticle apply to operators of all solid waste disposal facilities whose permits are issued, modified, revised, or reviewed after July 1, 1990.

NOTE: Authority cited: Section 66771.7, Government Code. Reference: Section 66771.7, Government Code.

Section 18231. Definitions.

(a) When used in this Subarticle, the following terms shall have the meanings described in Section 18281:

(1) "Assets";
(2) "Current assets";
(3) "Current liabilities";
(4) "Financial reporting year";
(5) "Net working capital";
(6) "Net worth";
(7) "Parent corporation"; and
(8) "Tangible net worth".

(b) When used in this Subarticle, the following terms shall have the meanings given below:

(1) "Accidental occurrence" means an accident caused by the operation of a solid waste disposal facility prior to closure, including by continuous or repeated exposure to conditions, that results in personal injury or property damage that was neither expected nor intended by the facility operator.

(2) "Enterprise fund" means a fund that meets the requirements of Section 18235 that is established to account for the financing of self-supporting activities of a government unit that renders services on a user-fee basis.

(3) "Excess coverage" means the assurance provided by a financial assurance mechanism for third-party personal injury or property damage costs that are above a specified level (i.e., above the primary coverage level or a limit of lower excess coverage) up to a specified limit.

(4) "Financial means test" means the financial assurance mechanism specified in Section 18239 by which an operator demonstrates its ability to pay claims made by third parties for personal injury and property damage caused by an accidental occurrence by passing a prescribed set of financial criteria.

(5) "Government securities" means financial obligations that meet the requirements of Section 18236 that are issued by a federal, state, or local government, including general obligation bonds, revenue bonds, and certificates of participation.

(6) "Guarantee" means a contract that meets the requirements of Section 18241 by which a guarantor promises that, if an operator fails to pay a valid claim made by a third party for personal injury and property damage caused by an accidental occurrence, the guarantor will pay the claim on behalf of the operator.

(7) "Insurance" means a contract that meets the requirements of Section 18238 by which an insurer or a risk retention group promises to pay a valid claim made by a third party for personal injury and property damage caused by an accidental occurrence.

(8) "Legal defense costs" means any expense that an operator or a provider of financial responsibility incurs in defending claims brought:

(A) By or on behalf of a third party for personal injury or property damage caused by an accidental occurrence; or

(B) By any person in order to enforce the terms of a financial responsibility mechanism.

(9) "Letter of credit" means a contract that meets the requirements of Section 18237, by which the issuing institution promises to extend credit on behalf of an operator to the Board or the local enforcement agency upon the presentation of the mechanism, in accordance with its terms.

(10) "Liabilities," as used in the financial means test of Section 18239, shall have the meaning described in Section 18281(1).

(11) "Personal injury" means an injury that causes physical pain, illness, impairment of physical condition, and/or associated mental anguish and suffering. "Personal injury" excludes:

(A) Personal injury for which the operator is obligated to pay damages by reason of the assumption of liability in a contract or agreement.

(B) An obligation of the operator under a workers' compensation, disability benefits, or unemployment compensation law or similar law.

(C) Personal injury to:

(i) An employee of the operator arising from, and in the course of, employment by the operator; or

(ii) The spouse, child, parent, brother, or sister of that employee as a consequence of, or arising from, and in the course of employment by the operator.

This exclusion applies whether the operator is liable as an employer or in any other capacity. This exclusion also applies to any obligation to share damages with or repay another person who must pay damages because of the injury to persons identified in subsections (i) and (ii).

(D) Personal injury arising out of the ownership, maintenance, use, or entrustment to others of any aircraft, motor vehicle, or watercraft.

(12) "Primary coverage" means the assurance provided by a financial assurance mechanism for third-party personal injury or property damage costs up to a specified limit.

(13) "Property damage" means an injury to public or private property that deprives its owner of the full benefit of the property by taking, withholding, causing deterioration of, or destroying it. Property damage excludes:

(A) Property damage for which the operator is obligated to pay damages by reason of the assumption of liability in a contract or agreement. This exclusion does not apply to liability for damages that the operator would be obligated to pay in the absence of the contract or agreement.

(B) An obligation of the operator under a workers' compensation, disability benefits, or unemployment compensation law or similar law.

(C) Property damage to:

(i) Any property owned, rented, or occupied by the operator;

(ii) Premises that have been sold, given away, or abandoned by the operator if the property damage arises out of any part of those premises;

(iii) Property loaned to the operator;

(iv) Personal property in the care, custody, or control of the operator; and

(v) That particular part of real property on which the operator or any contractors or subcontractors that are working directly or indirectly on

behalf of the operator are performing operations, if the property damage arises out of their operations.

(14) "Provider of financial assurance" means an entity, other than the operator, that provides financial assurance to the operator of a solid waste disposal facility, including a trustee, an institution issuing a letter of credit, an insurer, a risk retention group, or a guarantor.

(15) "Substantial business relationship" means a business relationship that arises from a pattern of recent or ongoing business transactions, in addition to a guarantee under Section 18291 or 18241.

NOTE: Authority cited: Section 66771.7, Government Code. Reference: Section 66771.7, Government Code.

Section 18232. Amount of Required Coverage.

(a) An operator of one or more solid waste disposal facilities shall demonstrate financial responsibility for compensating third parties for personal injury and property damage caused by accidental occurrences in at least the amount of:

(1) One million dollars ($1,000,000) per occurrence at each facility; and

(2) Two million dollars ($2,000,000) annual aggregate for all of an operator's facilities that are located in the State of California.

(b) The required amounts of coverage shall be exclusive of legal defense costs.

(c) If an operator uses one mechanism or combination of mechanisms to demonstrate financial responsibility for sudden accidental occurrences and another mechanism or combination of mechanisms to demonstrate financial responsibility for nonsudden accidental occurrences, the amount of financial assurance provided by each mechanism or combination of mechanisms shall be in the full amount specified by subsection (a).

(d) If an operator uses one mechanism or combination of mechanisms to demonstrate financial responsibility for one or more solid waste disposal facilities and another mechanism or combination of mechanisms to demonstrate financial responsibility for one or more other solid waste disposal facilities, the amount of financial assurance provided by each mechanism or combination of mechanisms shall be in the full amount specified by subsection (a).

(e) If a trust fund, an enterprise fund, government securities, a letter of credit, or a guarantee is depleted to compensate a third party for personal injury or property damage caused by an accidental occurrence, the operator shall, within one year of the depletion, demonstrate financial responsibility for the full amount of coverage required by subsection (a) by replenishing the depleted mechanism(s) and/or acquiring additional financial responsibility mechanism(s).

NOTE: Authority cited: Section 66771.7, Government Code. Reference: Section 66771.7, Government Code.

Section 18233. Acceptable Mechanisms and Combinations of Mechanisms.

(a) Subject to the limitations of subsections (b) through (d), an operator shall use any one or any combination of the mechanisms specified in Sections 18234 through 18241 to demonstrate financial responsibility.

(b) The enterprise fund and government securities mechanisms are acceptable only for solid waste disposal facilities that are operated by a government agency.

(c) The financial means test and the guarantee are acceptable mechanisms only for solid waste disposal facilities that are operated by private firms.

(d) A private operator may combine a financial means test with a guarantee only if, for the purpose of meeting the requirements of the financial means test, the financial statements of the operator are not consolidated with the financial statements of the guarantor.

NOTE: Authority cited: Section 66771.7, Government Code. Reference: Sections 66771.7, Government Code.

Section 18234. Trust Fund.

(a) The trust fund shall have a trustee that is authorized to act as a trustee and whose trust operations are regulated and examined by a federal or state agency.

(b) The trust agreement shall be worded as specified by and established by utilizing CWMB Form 106 (9/89), which shall be supplied by the Board.

(c) If, at any time, the value of the trust fund is greater than the required amount of coverage minus the amount of coverage demonstrated by other mechanisms, the operator may request in writing that the Board authorize the release of the excess funds. No later than 60 days after receiving such a

request, the Board will review the request and, if any excess funds are verified, will instruct the trustee to release the funds.

NOTE: Authority cited: Section 66771.7, Government Code. Reference: Sections 66771.7, Government Code.

Section 18235. Enterprise Fund.

(a) The enterprise fund shall dedicate its revenue exclusively or with exclusive first priority to financing valid claims by third parties for personal injury and property damage caused by accidental occurrences.

(b) Revenue generated by an enterprise fund shall be deposited into a financial assurance mechanism that, the operator demonstrates to the satisfaction of the Board, meets the following requirements:

(1) The mechanism will provide equivalent protection to a trust fund in ensuring that the assured amount of funds will be available in a timely manner to pay valid third-party claims.

(2) The revenue deposited into the mechanism will be used exclusively to pay valid claims by third parties for personal injury and property damage caused by accidental occurrences and will remain inviolate against all other claims, including any claims by the operator, the operator's governing body, and the creditors of the operator and its governing body;

(3) The financial operations of the provider of the financial assurance are regulated by a federal or state agency, or the provider is otherwise certain to maintain and disburse the assured funds properly;

(4) If the provider of financial assurance has authority to invest revenue deposited into the mechanism, the provider shall exercise investment discretion similar to a trustee; and

(5) The mechanism meets other requirements that the Board determines are needed to ensure that the assured amount of funds will be available in a timely manner.

NOTE: Authority cited: Section 66771.7, Government Code. Reference: Sections 66771.7, Government Code.

Section 18236. Government Securities.

(a) The terms of issuance of government securities shall specify that proceeds from the sale of the securities shall be deposited into a financial assurance mechanism that meets the requirements of Section 18235(b).

(b) The securities shall have been issued and the proceeds already deposited into the financial assurance mechanism.

NOTE: Authority cited: Section 66771.7, Government Code. Reference: Sections 66771.7, Government Code.

Section 18237. Letter of Credit.

(a) The institution issuing a letter of credit shall have the authority to issue letters of credit and its letter-of-credit operations shall be regulated and examined by a federal or state agency.

(b) The letter of credit shall be worded and completed as specified by CWMB Form 107 (9/89), which shall be supplied by the Board.

(c) The letter of credit shall be accompanied by a letter from the operator identifying:

(1) The number, issuing institution, and date of issuance of the letter of credit; and

(2) For each solid waste disposal facility covered by the letter of credit, the name, address, solid waste information system number, amount of funds assured by the letter of credit, whether the coverage is primary or excess coverage, and whether the letter of credit covers sudden accidental occurrences, nonsudden accidental occurrences, or all accidental occurrences.

(d) The letter of credit shall be irrevocable and shall be issued for a period of at least one year, except as noted in subsection (2).

(1) The letter of credit shall provide that the expiration date will be automatically extended for a period of at least one year, unless the issuing institution provides notice of termination as specified in Section 18243(a).

(2) If an operator fails to demonstrate alternate coverage within 60 days after receiving a notice of termination from the issuing institution:

(A) The operator shall notify the Board of any existing claims against the operator for personal injury or property damage to a third party caused by an accidental occurrence that happened before the notice of termination was received; and

(B) The Board may require, as provided by CWMB Form 107 (9/89), the issuing institution to extend the letter of credit to cover any such existing claims.

(e) The issuing institution shall become liable under the terms of the letter of credit upon presentation of a signed agreement of a valid claim or a valid court order, as specified in CWMB Form 107 (9/89).

NOTE: Authority cited: Section 66771.7, Government Code. Reference: Sections 66771.7 and 66796.22(f), Government Code.

Section 18238. Insurance.

(a) The issuer of the insurance policy must be an insurer or a risk retention group that, at a minimum, is licensed to transact the business of insurance in one or more states or is eligible to provide insurance as an excess or surplus lines insurer in one or more states that have minimum eligibility requirements for excess or surplus lines insurers.

(b) Each insurance policy shall:

(1) Be amended by a liability insurance endorsement that is worded as specified by and established by using CWMB Form 108 (9/89), which shall be supplied by the Board; or

(2) Be documented by a certificate of liability insurance that is worded as specified by and established by using CWMB Form 109 (9/89), which shall be supplied by the Board.

NOTE: Authority cited: Section 66771.7, Government Code. Reference: Sections 66771.7 and 66796.22(f), Government Code.

Section 18239. Financial Means Test.

(a) To pass the financial means test, an operator or a guarantor shall meet the criteria of subsection (c) or (d) based on year-end financial statements for the latest completed fiscal year.

(b) The phrase "amount of liability coverage to be demonstrated by the test" as used in subsections (c) and (d) refers to the amount of liability coverage for solid waste disposal facilities that is required by subsection (e)(1) to be shown following the numbered paragraphs of the letter from the chief financial officer.

(c) The operator or guarantor shall have:

(1) Net working capital and tangible net worth each at least six times the amount of liability coverage to be demonstrated by the test; and

(2) Tangible net worth of at least $10 million; and

(3) Assets located in the United States amounting to at least 90 percent of its total assets or at least six times the amount of liability coverage to be demonstrated by the test.

(d) The operator or guarantor shall have:

(1) A current rating for its most recent bond issuance of AAA, AA, A, or BBB issued by Standard and Poor or Aaa, Aa, A, or Baa as issued by Moody's; and

(2) Tangible net worth of at least six times the amount of liability coverage to be demonstrated by the test; and

(3) Tangible net worth of at least $10 million; and

(4) Assets located in the United States amounting to at least 90 percent of its total assets or at least six times the amount of liability coverage to be demonstrated by the test.

(e) To demonstrate that this test can be met, the operator or the guarantor shall submit the following items to the Board and the local enforcement agency and, in the case of a guarantor, to the operator within 90 days after the close of each financial reporting year:

(1) A letter on the operator's or guarantor's official letterhead stationary that is worded and completed as specified in CWMB Form 110 (9/89) or CWMB Form 111 (9/89) and contains an original signature of the operator's or guarantor's chief financial officer.

(A) An operator or guarantor that is not using the financial means test under Section 18239 or a similar financial means test of another state to demonstrate or guarantee financial responsibility for closure and/or postclosure maintenance shall use CWMB Form 110 (9/89).

(B) An operator or guarantor that is using the financial means test under Section 18239 or a similar financial means test of another state to demonstrate or guarantee financial responsibility for closure and/or postclosure maintenance shall use CWMB Form 111 (9/89).

(2) A copy of an independent certified public accountant's report on examination of the operator's or guarantor's financial statements for the latest completed fiscal year, with a copy of the operator's or guarantor's financial statements for the latest completed fiscal year.

(3) A special report by an independent certified public accountant stating that:

(A) He or she has compared the data that the letter from the chief financial officer specifies as having been derived from the latest year-end

financial statements of the operator or the guarantor, with the amounts in such financial statements; and

(B) In connection with that comparison, no matters came to his or her attention that caused him or her to believe that the specified data should be adjusted.

(4) A copy of the operator's or guarantor's most recent Form 10-K filed with the U.S. Securities and Exchange Commission, if the operator or the guarantor is required to make such a filing.

(f) The Board may require reports of financial condition at any time from the operator. If the Board finds, on the basis of such reports or other information that the operator no longer meets the financial means test requirements of subsections (c) or (d) based on year-end financial statements, the operator shall obtain alternate coverage within 30 days after receiving the notification of such a finding.

(g) If an operator who is using the financial means test to provide financial assurance fails to meet the requirements of the financial means test under subsections (c) or (d) based on the year-end financial statements, the operator shall obtain alternate coverage within 120 days after the end of the year for which financial statements have been prepared.

(h) If the operator fails to obtain alternate coverage within the times specified in subsections (f) or (g), the operator shall notify the Board and the local enforcement agency of such failure.

NOTE: Authority cited: Section 66771.7, Government Code. Reference: Sections 66771.7, Government Code.

Section 18240. Reserved.

Section 18241. Guarantee.

(a) The guarantor shall be:

(1) A parent corporation of the operator;

(2) A firm whose parent corporation is also the parent corporation of the operator; or

(3) A firm engaged in a substantial business relationship with the operator that is issuing the guarantee as an act incident to that business relationship.

(b) The guarantor shall meet and comply with the requirements of Section 18239(a), (b), (c) or (d), and (e).

(c) The guarantee shall be worded and completed as specified by CWMB Form 112 (9/89), which shall be supplied by the Board.

(d) The terms of the guarantee shall specify that if the operator fails to satisfy a judgment or an award based on a determination of liability for personal injury or property damage to third parties caused by an accidental occurrence or fails to pay an amount agreed in settlement of a claim arising from or alleged to arise from such injury or damage, the guarantor will satisfy such judgment, award, or settlement agreement up to the limits of the guarantee.

(e) If the guarantor fails to meet the requirements of the financial means test under Section 18239(c) or (d) based on the year-end financial statements, the guarantor shall, within 90 days after the end of that financial reporting year and before cancellation or nonrenewal of the guarantee, send by registered or certified mail notice of such failure to the operator, the Board, and the local enforcement agency. The guarantee will terminate no less than 120 days after the date that the operator, the Board, and the local enforcement agency have all received the notice of such failure, as evidenced by the return receipts.

(f) The Board may require reports of financial condition at any time from a guarantor. If the Board finds, on the basis of such reports or other information, that the guarantor no longer meets the financial means test requirements of Section 18239(c) or (d) or any requirements of Section 18241, the Board will notify the guarantor and operator of such finding and the guarantee shall terminate no less than 120 days after the date that both the guarantor and the operator receive such notification.

NOTE: Authority cited: Section 66771.7, Government Code. Reference: Sections 66771.7, Government Code.

Section 18242. Substitution of Mechanisms by Operator.

(a) An operator may substitute any alternate financial assurance mechanisms that are acceptable under Section 18233, provided that at all times the operator maintains an effective mechanism or a combination of effective mechanisms that satisfies the requirements of Section 18233.

(b) After obtaining alternate financial assurance, an operator may request that the Board terminate or authorize the termination of a financial assurance mechanism. The operator shall submit such a request in writing with evidence of alternate financial assurance.

(c) Following approval by the Board, the operator may cancel a financial assurance mechanism by giving notice to the provider of financial assurance.

NOTE: Authority cited: Section 66771.7, Government Code. Reference: Sections 66771.7, Government Code.

Section 18243. Cancellation or Nonrenewal by a Provider of Financial Assurance.

(a) Except as otherwise provided by this Subarticle, a provider of financial assurance shall cancel or fail to renew a financial assurance mechanism by sending a notice of termination by registered or certified mail to the operator, the Board, and the local enforcement agency.

(b) Termination of a letter of credit or a guarantee shall not occur until 120 days after the date on which the operator, the Board, and the local enforcement agency have all received the notice of termination, as evidenced by the return receipts.

(c) Cancellation or other termination of insurance shall not occur until 60 days after the date on which the operator, the Board, and the local enforcement agency have all received the notice of termination, as evidenced by the return receipts.

(d) If a provider of financial assurance cancels or fails to renew a mechanism for reasons other than its bankruptcy or incapacity, the operator shall obtain alternate coverage within 60 days after receiving the notice of termination. If the operator fails to obtain alternate coverage within the 60 days, the operator shall notify the Board and the local enforcement agency of such failure.

NOTE: Authority cited: Section 66771.7, Government Code. Reference: Sections 66771.7 and 66796.22(f), Government Code.

Section 18244. Bankruptcy or Other Incapacity of Operator or Provider of Financial Assurance.

(a) Within 10 days after commencement of a voluntary or involuntary proceeding under the Bankruptcy Code, 11 U.S.C. Sections 101-1330, naming an operator as debtor, the operator shall notify the Board and the local enforcement agency by registered or certified mail of such commencement and submit the appropriate evidence listed in Section 18245(b) documenting current financial responsibility.

(b) Within 10 days after commencement of a voluntary or involuntary proceeding under the Bankruptcy Code, 11 U.S.C. Sections 101-1330, naming a provider of financial assurance as debtor, such provider shall notify the operator, the Board, and the local enforcement agency by registered or certified mail of such commencement.

(c) An operator will be deemed to be without the required financial assurance in the event of bankruptcy or other incapacity of its provider of financial assurance or in the event of a suspension or revocation of the authority of the provider of financial assurance to issue a mechanism. If such an event occurs, the operator shall demonstrate alternate financial assurance as specified in this Subarticle within 60 days after receiving notice of the event. If the operator fails to obtain alternate coverage within the 60 days, the operator shall notify the Board and the local enforcement agency of such failure.

NOTE: Authority cited: Section 66771.7, Government Code. Reference: Sections 66796(d) and 66796.22(f), Government Code.

Section 18245. Recordkeeping and Reporting.

(a) An operator shall maintain evidence of all financial assurance mechanisms used to demonstrate financial responsibility until the operator is released from the requirements of this Subarticle under Section 18246. This evidence shall be maintained at the solid waste disposal facility, whenever possible. When no office is located at the facility, the evidence shall be maintained at an alternate, designated location that is approved by the Board and accessible to the operator.

(b) An operator shall maintain the following types of evidence:

(1) Each operator shall maintain the original or a copy of each financial assurance mechanism used to demonstrate financial responsibility under this Subarticle.

(2) An operator using an enterprise fund shall maintain a copy of the following:

(A) All official resolutions, forms, letters, or other pertinent documents generated to establish the fund;

(B) The annual financial statements of the fund; and

(C) With respect to the financial mechanism into which enterprise fund monies are deposited:

(i) The mechanism, which shall identify the solid waste disposal facilities covered by the fund and the amount of third-party liability coverage;

(ii) A letter from an authorized officer of the institution maintaining the mechanism identifying the amount of coverage provided by the mechanism as of March 1 of each year; and

(iii) A copy of the evidence documenting that the mechanism meets the requirements of Section 18235(b).

(3) An operator using government securities shall maintain a copy of the following:

(A) All official resolutions, forms, letters, or other pertinent documents generated to issue the securities;

(B) The terms of issuance of the securities; and

(C) With respect to the mechanism into which the funds generated by the issuance are deposited, the information listed in subsection (2)(i), (ii), and (iii).

(4) An operator using insurance shall maintain the original or a copy of the insurance policy in addition to the original or a copy of the liability insurance endorsement or the certificate of liability insurance.

(5) An operator using a financial means test or a guarantee shall maintain a copy of the information specified in Section 18239(e).

(6) An operator using a guarantee shall maintain documentation of the guarantor qualifications to provide a guarantee under Section 18241(a).

(7) An operator for which the Board has suspended initiation of enforcement, as provided under Section 18247, shall maintain a copy of the report identified in Section 18247(b) and the compliance schedule approved by the Board under Section 18247(c).

(c) An operator shall submit the documentation of current evidence of financial responsibility listed in subsection (b) to the Board and the local enforcement agency:

(1) Whenever a financial assurance mechanism is established or amended.

(A) In the case of a letter of credit, a financial test, or a guarantee, such documentation shall include the original mechanism.

(B) In the case of insurance, such documentation shall include the original policy, and the original liability insurance endorsement or the original certificate of liability insurance.

(2) If the operator fails to obtain alternate coverage as required by this Subarticle, within 60 days after the operator receives notice of:

(A) Commencement of a voluntary or involuntary proceeding under the Bankruptcy Code, 11 U.S.C. Sections 101-1330, naming a provider of financial assurance as a debtor.

(B) Suspension or revocation of the authority of a provider of financial assurance to issue a financial assurance mechanism.

(C) Failure of a guarantor to meet the requirements of the financial means test, or

(D) Other incapacity of a provider of financial assurance.

(3) If the operator fails to increase the balance of a mechanism as required by Section 18232(e).

NOTE: Authority cited: Section 66771.7, Government Code. Reference: Sections 66771.7 and 66796.22(f), Government Code.

Section 18246. Release of an Operator from the Requirements.

(a) After receiving and approving certification of closure from the operator as specified by Section 18275, the Board shall notify the operator in writing that it is no longer required by this Subarticle to demonstrate financial responsibility for third-party operating liability claims at the particular solid waste disposal facility.

(b) When operational control of a solid waste disposal facility is transferred, the existing operator shall remain subject to the requirements of this Subarticle until the Board issues a permit to the new operator.

(c) When the Board releases an operator that is using a trust fund or a similar financial assurance mechanism used in conjunction with an enterprise fund or government securities, the Board shall authorize the termination of the trust fund or the similar mechanism.

NOTE: Authority cited: Section 66771.7, Government Code. Reference: Sections 66771.7 and 66796.22(f), Government Code.

Section 18247. Suspension of Financial Responsibility for Operating Liability Claims.

(a) If an operator cannot comply with the provisions of this Subarticle, the Board may, upon demonstration by the operator, suspend the initiation of enforcement provisions contained in Chapter 5, Article 5, Section 18308.

(b) The demonstration of failure to obtain financial liability coverage for personal injury and property damage caused by facility operation prior to closure shall be in the form of a report to the Board containing the following information:

(1) Written statements, from a minimum of three insurance companies, on company letterhead, offering pollution liability coverage including the type of coverage applied for, whether the coverage was denied or approved without meeting the requirements contained in Section 18238 or CWMB Form 1008 (9/89) or CWMB Form 1009 (9/89), and the amount of per occurrence and annual aggregate coverage requested.

(2) A copy of an independent certified public accountant's report on examination of the operator's year-end financial statements for the latest completed fiscal year, with a copy of the operator's year-end financial statements for the latest completed fiscal year. The purpose of this subsection is to provide information on the financial ability of the operator to establish a trust fund in the amount of the required coverage.

(3) A schedule for compliance with the requirements contained in this Subarticle. This schedule shall reflect the information contained in the year-end financial statements submitted under Subsection (b)(2).

(c) If the Board agrees to waive enforcement under Chapter 5, Article 5, Section 18308 based upon the demonstration submitted under Subsection (b), the schedule for compliance shall accompany the waiver including any modifications recommended by the Board.

NOTE: Authority cited: Section 66771.7, Government Code. Reference: Sections 66771.7 and 66796.22(f), Government Code.

TRUST AGREEMENT

Trust Account Number: _____

This agreement is entered into as of _____ by and between:
(Date)

GRANTOR	TRUSTEE
Operator Name:	Trustee Name:
Address:	Address:
☐ Corporation ☐ Association ☐ Partner ☐ Proprietorship In the State of _____	☐ Incorporated in the State of _____ ☐ A National Bank

TERMS OF AGREEMENT

WHEREAS, the California Waste Management Board has established regulations applicable to the Grantor in Title 14 California Code of Regulations, Chapter 5, Subarticle 3.3, requiring that an operator of a solid waste disposal facility must demonstrate financial responsibility for personal injury and property damage to third parties caused by accidental occurrences arising from the operation of the facility, and

WHEREAS, the Grantor has elected to establish a trust to assure all or part of such financial responsibility for the solid waste disposal facility or group of solid waste disposal facilities identified herein, and

WHEREAS, the Grantor, acting through its duly authorized officers, has selected the Trustee to be the trustee under this agreement, and the Trustee is willing to act as trustee,

NOW THEREFORE, the Grantor and Trustee agree as follows:

Section 1. Definitions. As used in this Agreement:

(a) The term "Grantor" means the operator who enters into this Agreement and any successors or assigns of the Grantor.

(b) The term "Trustee" means the Trustee who enters into this Agreement and any successor Trustee.

(c) The term "California Waste Management Board" or "CWMB" means the California Waste Management Board or its designee.

Section 2. Identification of Facilities and Coverage Amounts. This Agreement pertains to the solid waste disposal facilities, coverage amounts, and determination of primary or excess coverage identified on attached Schedule A [for each facility included on Schedule A, list the solid waste information system number, name, address, amount of per occurrence coverage and annual aggregate coverage or portions thereof if more than one instrument affords combined coverage as demonstrated by this Agreement, whether the coverage is primary coverage or excess coverage, and whether the trust covers sudden accidental occurrences, nonsudden accidental occurrences, or accidental occurrences].

Section 3. Establishment of Fund. The Grantor and the Trustee hereby establish a trust fund, hereinafter the "Fund," for the benefit of any and all third parties injured or damaged by accidental occurrences arising from operation of the facility(ies) covered by this guarantee, in the amounts of _____ [up to $1 million] per occurrence and _____ [up to $1 million] annual aggregate for accidental occurrences, except that the Fund is not established for the benefit of third parties for the following:

(a) Personal injury or property damage for which Grantor is obligated to pay damages by reason of the assumption of liability in a contract or agreement. This exclusion does not apply to liability for damages that Grantor would be obligated to pay in the absence of the contract or agreement.

(b) Any obligation of under a workers' compensation, disability benefits, or unemployment compensation law or any similar law.

(c) Personal injury to:

(1) An employee of Grantor arising from, and in the course of, employment by Grantor; or

(2) The spouse, child, parent, brother, or sister of that employee as a consequence of, or arising from, and in the course of employment by Grantor.

This exclusion applies:

(A) Whether Grantor may be liable as an employer or in any other capacity; and
(B) To any obligation to share damages with or repay another person who must pay damages because of the injury to persons identified in paragraphs (1) and (2).

(d) Personal injury or property damage arising out of the ownership, maintenance, use, or entrustment to others of any aircraft, motor vehicle, or watercraft.

(e) Property damage to:

(1) Any property owned, rented, or occupied by Grantor;

(2) Premises that are sold, given away, or abandoned by Grantor if the property damage arises out of any part of those premises;

(3) Property loaned to Grantor;

(4) Personal property in the care, custody, or control of Grantor; or

(5) That particular part of real property on which Grantor or any contractors or subcontractors working directly or indirectly on behalf of are performing operations, if the property damage arises out of these operations.

The Fund is established initially as consisting of the property, which is acceptable to the Trustee, described in Schedule B attached hereto. Such property and any other property subsequently transferred to the Trustee is referred to as the Fund, together with all earnings and profits thereon, less any payments or distributions made by the Trustee pursuant to this Agreement. The Fund shall be held by the Trustee, IN TRUST, as hereinafter provided. The Trustee shall not be responsible nor shall it undertake any responsibility for the amount or adequacy of, nor any duty to collect from the Grantor, any payments necessary to discharge any liabilities of the Grantor established by CWMB.

Section 4. Payment for Personal Injury or Property Damage. The Trustee shall satisfy a third-party liability claim by making payments from the Fund only on receipt of one of the following documents:

(a) Agreement from the Principal and the third-party claimant(s) that the liability claim should be paid. The agreement must be worded as follows:

AGREEMENT OF VALID CLAIM

The undersigned, as parties _____ and _____,
Grantor — Name and Address of Third Party Claimants

hereby agree that the claim of personal injury and/or property damage caused by an accidental occurrence arising from operating _____ solid waste facility should be paid in the amount of $_____.
Grantor's

_____	_____	_____
Grantor's Signature	Notary	Date
_____	_____	_____
Claimant(s) Signature	Notary	Date

(b) A valid final court order establishing a judgment against the principal for personal injury or property damage caused by accidental occurrences arising from the operation of the Grantor's facility or group of facilities.

Section 5. Payments Comprising the Fund. Payments made to the Trustee for the Fund shall consist of cash or securities acceptable to the Trustee.

Section 6. Trustee Management. The Trustee shall invest and reinvest the principal and income of the Fund and keep the Fund invested as a single fund, without distinction between principal and income, in accordance with general investment policies and guidelines that the Grantor may communicate in writing to the Trustee from time to time, subject, however, to the provisions of this Section. In investing, reinvesting, exchanging, selling, and managing the Fund, the Trustee shall discharge his or her duties with respect to the trust fund solely in the interest of the potential beneficiaries and with the care, skill, prudence and diligence under the circumstances then prevailing that persons of prudence, acting in a like capacity and familiar with such matters, would use in the conduct of an enterprise of a like character and with like aims; except that:

(i) Securities or other obligations of the Grantor, or any other operator or owner of the facilities, or any of their affiliates as defined in the Investment Company Act of 1940, as amended, 15 U.S.C.80a-2(a), shall not be acquired or held, unless they are securities or other obligations of the Federal or State Government.

(ii) The Trustee is authorized to invest the Fund in time or demand deposits of the Trustee, to the extent insured by an agency of the Federal or State Government; and

(iii) The Trustee is authorized to hold cash awaiting investment or distribution uninvested for a reasonable time and without liability for the payment of interest thereon.

Section 7. Commingling and Investment. The Trustee is expressly authorized in its discretion:

(a) To transfer from time to time any or all of the assets of the Fund to any common, commingled or collective trust fund created by the Trustee in which the Fund is eligible to participate, subject to all of the provisions thereof, to be commingled with the assets of other trusts participating therein; and

(b) To purchase shares in any investment company registered under the Investment Company Act of 1940, 15 U.S.C.80a-1 et seq., including one that may be created, managed, underwritten, or to which investment advice is rendered or the shares of which are sold by the Trustee. The Trustee may vote such shares in its discretion.

Section 8. Express Powers of Trustee. Without in any way limiting the powers and discretions conferred upon the Trustee by the other provisions of this Agreement or by law, the Trustee is expressly authorized and empowered:

(a) To sell, exchange, convey, transfer, or otherwise dispose of any property held by it, by public or private sale. No person dealing with the Trustee shall be bound to see to the application of the purchase money or to inquire into the validity or expediency of any such sale or other disposition;

(b) To make, execute, acknowledge, and deliver any and all documents of transfer and conveyance and any and all other instruments that may be necessary or appropriate to carry out the powers herein granted;

(c) To register any securities held in the Fund in its own name or in the name of a nominee and to hold any security in bearer form or in book entry, or to combine certificates representing such securities with certificates of the same issue held by the Trustee in other fiduciary capacities, or to deposit or arrange for the deposit of such securities in a qualified central depositary even though, when so deposited, such securities may be merged and held in bulk in the name of the nominee of such depositary with other securities deposited therein by another person, or to deposit or arrange for the deposit of any securities issued by the United States Government, or any agency or instrumentality thereof, with a Federal Reserve bank, but the books and records of the Trustee shall at all times show that all such securities are part of the Fund;

(d) To deposit any cash in the Fund in interest-bearing accounts maintained or savings certificates issued by the Trustee, in its separate corporate capacity, or in any other banking institution affiliated with the Trustee, to the extent insured by an agency of the Federal or State Government; and

(e) To compromise or otherwise adjust all claims in favor of or against the Fund.

Section 9. Taxes and Expenses. All taxes of any kind that may be assessed or levied against or in respect of the Fund and all brokerage commissions incurred by the Fund shall be paid from the Fund. All other expenses incurred by the Trustee in connection with the administration of this Trust, including fees for legal services rendered to the Trustee, the compensation of the Trustee to the extent not paid directly by the Grantor, and all other proper charges and disbursements of the Trustee shall be paid from the Fund.

Section 10. Annual Valuation. The Trustee shall annually, at least 30 days prior to the anniversary date of establishment of the Fund, furnish to the Grantor and CWMB a statement confirming the value of the Trust. Any securities in the Fund shall be valued at market value as of no more than 60 days prior to the anniversary date of establishment of the Fund. The failure of the Grantor to object in writing to the Trustee within 90 days after the statement has been furnished to the Grantor and CWMB shall constitute a conclusively binding assent by the Grantor, barring the Grantor from asserting any claim or liability against the Trustee with respect to matters disclosed in the statement.

Section 11. Advice of Counsel. The Trustee may from time to time consult with counsel, who may be counsel to the Grantor, with respect to any question arising as to the construction of this Agreement or any action to be taken hereunder. The Trustee shall be fully protected, to the extent permitted by law, in acting on the advice of counsel.

Section 12. Trustee Compensation. The Trustee shall be entitled to reasonable compensation for its services as agreed upon in writing from time to time with the Grantor.

Section 13. Successor Trustee. The Trustee may resign or the Grantor may replace the Trustee, but such resignation or replacement shall not be effective until the Grantor has appointed a successor trustee and this successor accepts the appointment. The successor trustee shall have the same powers and duties as those conferred upon the Trustee hereunder. Upon the successor trustee's acceptance of the appointment, the Trustee shall assign, transfer, and pay over to the successor trustee the funds and properties then constituting the Fund. If, for any reason, the Grantor cannot or does not act in the event of the resignation of the Trustee, the Trustee may apply to a court of competent jurisdiction for the appointment of a successor trustee or for instructions. The successor trustee shall specify the date on which it assumes administration of the trust in a writing sent to the Grantor, CWMB, and the present Trustee by certified mail ten days before such change becomes effective. Any expenses incurred by the Trustee as a result of any of the acts contemplated by this Section shall be paid as provided in Section 9.

Section 14. Instructions to the Trustee. All orders, requests, and instructions by the Grantor to the Trustee shall be in writing, signed by such persons as are designated in the attached Exhibit A or such other designees as the Grantor may designate by amendment to Exhibit A. The Trustee shall be fully protected in acting without inquiry in accordance with the Grantor's orders, requests, and instructions. All orders, requests, and instructions by CWMB to the Trustee shall be in writing, signed by CWMB or its designees, and the Trustee shall act and shall be fully protected in acting in accordance with such orders, requests, and instructions. The Trustee shall have the right to assume, in the absence of written notice to the contrary, that no event constituting a change or a termination of the authority of any person to act on behalf of the Grantor or CWMB hereunder has occurred. The Trustee shall have no duty to act in the absence of such orders, requests, and instructions from the Grantor and/or CWMB, except as provided for herein.

Section 15. Notice of Nonpayment. If a payment for personal injury or property damage is made under Section 4 of this trust, the Trustee shall notify the Grantor of such payment and the amount(s) thereof within five (5) working days. The Grantor shall, within one year of such payment, either make payments to the Trustee in amounts sufficient to cause the trust to return to its value immediately prior to the payment of claims under Section 4, or shall provide written proof to the Trustee that other financial assurance for operating liability coverage has been obtained equalling the amount necessary to return the trust to its value prior to the payment of claims. If the Grantor does not either make payments to the Trustee or provide the Trustee with such proof, the Trustee shall, within 10 working days after the anniversary date of the payment, provide a written notice of nonpayment to CWMB.

Section 16. Amendment of Agreement. This agreement may be amended by an instrument in writing executed by the Grantor, Trustee, and CWMB, or by the Trustee and CWMB, if the Grantor ceases to exist.

Section 17. Irrevocability and Termination. Subject to the right of the parties to amend this Agreement as provided in Section 16, this Trust shall be irrevocable and shall continue until terminated at the written agreement of the Grantor, the Trustee, and CWMB, or by the Trustee and CWMB, if the Grantor ceases to exist. Upon termination of the Trust, all remaining trust property, less final trust administration expenses, shall be delivered to the Grantor. CWMB will agree to termination of the trust when the operator substitutes alternate financial assurance as specified in Section 18233 of Title 14, California Code of Regulations.

Section 18. Immunity and Indemnification. The Trustee shall not incur personal liability of any nature in connection with any act or omission, made in good faith, in the administration of this Trust, or in carrying out any directions by the Grantor or CWMB issued in accordance with this Agreement. The Trustee shall be indemnified and saved harmless by the Grantor or from the Trust Fund, or both, from and against any personal liability to which the Trustee may be subjected by reason of any act in conduct in its official capacity, including all expenses reasonably incurred in its defense in the event the Grantor fails to provide such defense.

Section 19. Choice of Law. This Agreement shall be administered, construed, and enforced according to the laws of the State of California.

Section 20. Interpretation. As used in this Agreement, words in the singular include the plural and words in the plural include the singular. The descriptive headings for each Section of this Agreement shall not affect the interpretation or the legal efficacy of this Agreement.

IN WITNESS WHEREOF the parties have caused this Agreement to be executed by their respective officers duly authorized and their corporate seals to be hereunto affixed and attested as of the date first above written: The parties below agree that this document is being executed in accordance with the requirements of Section 18234 of Title 14, California Code of Regulations.

Signature of Grantor: ▷	Title:
Typed or Printed Name of Person Signing:	Seal:
Attest: Title	
Signature of Trustee: ▷	Title:
Typed or Printed Name of Person Signing:	Seal:
Attest: Title	

PRIVACY STATEMENT

This information is requested by the California Waste Management Board under Section 18234 of Title 14, California Code of Regulations in order to verify adequate financial assurance of solid waste disposal facilities. Completion of the form is mandatory. The consequence of not completing the form is denial of a permit to operate a solid waste disposal facility. Information may be provided to the U.S. Environmental Protection Agency (EPA), State Attorney General, Air Resources Board, California Department of Health Services, Energy Resources Conservation and Development Commission, Water Resources Control Board, and California Regional Water Quality Control Boards. For more information or access to your records, contact the California Waste Management Board, 1020 Ninth Street, Suite 300, Sacramento, CA 95814, (916) 322-3330.

SAMPLE

EXHIBIT A

TRUST AGREEMENT BY AND BETWEEN _____

AND THE _____

As provided for in Section 14 of the Trust Agreement, the persons, other than the officials of CWMB identified in Section 14 of the Trust Agreement, who, until this Exhibit A is amended, shall have the authority to make orders, requests, and instructions to the Trustee are:

Officials of the Grantor.

Officials of the Grantor who have authority to give instructions are:

Name:

Title:

SAMPLE

EXHIBIT A

Any orders, requests or instructions by the Grantor to the Trustee, pursuant to the foregoing Agreement, may be signed by any one or more of the following persons:

Name:

Title:

TRUST AGREEMENT

SAMPLE SCHEDULE A

This Agreement demonstrates financial assurance for the following liability coverage amounts for the following facility(ies):

Solid Waste Information System Number	Name of Facility	Address of Facility	Coverage Amounts For Which Financial Assurance Is Being Demonstrated By This Agreement
			Per Occurrence: _____ Annual Aggregate: _____

TRUST AGREEMENT (ONLY)

SAMPLE SCHEDULE B

The fund is established initially as consisting of the following:

$_____, _____ as evidenced by
(Spell out dollar amount)

_____ Check Number _____,
(Name of Institution drawn on)

dated _____.

I hereby agree that funds have been received and deposited.

Authorized Signature	Title:
Typed or Printed Name of Person Signing	Address:

IRREVOCABLE LETTER OF CREDIT FOR LIABILITY COVERAGE

(The Letter of Credit as specified in California Code of Regulations shall preferably be on Bank Safety Paper and shall be worded as follows:)

Date _____

Letter of Credit No. _____

Chief Executive Officer
California Waste Management Board
1020 Ninth Street, Suite 300
Sacramento, CA 95814

Attn:

Dear Sir or Madam:

We hereby establish our Irrevocable Letter of Credit in your favor, at the request and for the account of _____(Operator's name)_____(address)_____ in the aggregate amount of $_____, _____(spell out amount in United States Dollars)_____, available upon presentation by you of:

(1) Your sight draft(s) on us bearing reference to this Letter of Credit No. _____ and

(2) Your signed and dated statement reading as follows:

"We agree that the amount of our draft drawn under _____(Name of issuing institution)_____ Letter of Credit No. _____ is payable pursuant to regulations issued under authority of the Nejedly-Z'berg-Dills Solid Waste Management and Resource Recovery Act.

(3) One of the following two documents to satisfy a third-party liability claim:

a. Agreement from the Operator and the third-party claimant(s) that the liability claim should be paid. The agreement must be worded as follows:

AGREEMENT OF VALID CLAIM

The undersigned, as parties _____(Operator)_____ and _____(Name and address of third-party claimant(s)_____, hereby agree that the claim of personal injury and/or property damage caused by an accidental occurrence arising from operating _____(Operator's)_____ solid waste disposal facility should be paid in the amount of $_____.

_____	_____	_____
Operator's Signature	Notary	Date
_____	_____	_____
Claimant's Signature	Notary	Date

b. A valid final court order establishing a judgement against the principal for personal injury or property damage caused by accidental occurrences arising from the operation of the Principal's facility or group of facilities.

Partial drawings are permitted.

Each draft must be marked "Drawn under _____(Name of issuing institution)_____ Letter of Credit No. _____ dated _____."

Each draft must also be accompanied by the original of this Letter of Credit upon which we may endorse our payment.

We hereby agree with you that each draft drawn and presented to us at our above office in _____(City)_____, California in compliance with the terms of the Letter of Credit shall be duly honored upon presentation to us.
Special Instruction:

This Letter of Credit is valid until _____ and shall thereafter be automatically renewed for a one-year period upon such date and upon each successive anniversary of such date, unless at least one hundred twenty (120) days prior to such expiration date or each successive anniversary of such date we notify you, the operator, and its local enforcement agency in writing by either registered or certified mail that we elect not to renew the Letter of Credit for such additional period. In the event of such notification, any unused portion of the credit shall be available upon presentation to us of your clean sight draft on or before the then current expiration date. The California Waste Management Board may require the _____(Issuing Institution)_____ to extend this letter of credit if the Board determines, under Section 18237(d)(2) of Title 14, California Code of Regulations, that the _____(Operator)_____ has failed to demonstrate alternate financial assurance within 60 days after receiving a notice of termination and that existing claims made against the _____(Operator)_____ for personal injury or property damage are outstanding.

This credit is subject to _____(The most recent edition of the _____ Uniform Customs and Practiced for Documentary Credits, _____ Published by the International Chamber of Commerce, or "The Uniform Commercial Code."

(Signature(s) of Official(s) of Issuing Institution) _____

(Title(s) of Official(s) of Issuing Institution) _____

(Address of Official(s) of Issuing Institution) _____

(Date Official(s) of Issuing Institution Signs) _____

Privacy Statement

This information is requested by the California Waste Management Board under Section 18237 of Title 14, California Code of Regulations in order to verify adequate financial assurance of Solid Waste Disposal Facilities. Completion of the form is mandatory. The consequence of not completing the form is denial of a permit to operate a solid waste disposal facility. Information may be provided to the U.S. Environmental Protection Agency (EPA), State Attorney General, Air Resources Board, California Department of Health Services, Energy Resources Conservation and Development Commission, Water Resources Control Board, and California Regional Water Quality Control Boards. For more information or access to your records, contact the California Waste Management Board, 1020 Ninth Street, Suite 300, Sacramento, CA 95814, (916) 322-3330.

LIABILITY INSURANCE ENDORSEMENT

If additional space needed, add attachment.

Insurer Name	Address	License Number
		Issued by State of:
Insured Name	Address	

Solid Waste Disposal Facilities Covered: (Enter Information For Each Facility) LIMITS OF LIABILITY

NAME	ADDRESS	SOLID WASTE INFORMATION SYSTEM NUMBER	ACCIDENTAL* OCCURRENCES Per Occurrence	ACCIDENTAL* OCCURRENCES Annual Aggregate Amount
Policy Number	Effective Date		Total	Total

* Excluding legal costs and deductibles

INSURER CERTIFICATION:

1. This endorsement certifies that this policy has provided liability insurance covering personal injury and property damage in connection with the insured's obligation to demonstrate financial responsibility under Title 14, California Code of Regulations. The coverage applies to the above listed facilities for:

_____

(Insert "sudden accidental occurrences," "nonsudden accidental occurrences," or "accidental occurrences"; if coverage is for multiple facilities and the coverage is different for different facilities, indicate the type of occurrence covered at each facility.)

The limits of liability are the amounts stated above for "per occurrence" and "annual aggregate," exclusive of legal defense costs. If the endorsement is for an excess coverage insurance policy, complete the following sentence:

"$ _____ per occurrence and $ _____ annual aggregate in excess of the underlying limits of $ _____ per occurrence and $ _____ annual aggregate."

2. The insurance afforded with respect to such occurrences is subject to all of the terms and conditions of the policy; provided, however, that any provisions of the policy inconsistent with subsections (a) through (d) of this paragraph 2 are hereby amended to conform with subsections (a) through (d):

(a) Bankruptcy or insolvency of the insured shall not relieve the insurer of its obligations under the policy to which this endorsement is attached.

(b) The insurer is liable for the payment of amounts within any deductible applicable to the policy, with a right of reimbursement by the insured for any such payment made by the insurer. This provision does not apply with respect to that amount of any deductible for which coverage is demonstrated by another mechanism as specified in Section 18233, Title 14, California Code of Regulations.

(c) Whenever requested by CWMB, the insurer agrees to furnish to CWMB an original policy and all endorsements.

(d) Cancellation or any other termination of this endorsement, whether by the insurer, the insured, a parent corporation providing insurance coverage for its subsidiary, or by a firm having an insurable interest in and obtaining liability insurance on behalf of the operator of the solid waste disposal facility, will be effective only upon written notice and only after the expiration of 60 days after a copy of such written notice is received by CWMB and the local enforcement agency for the jurisdiction in which the facility is located.

The party below agrees that this document is being executed in accordance with the requirements of Section 18238 of Title 14, California Code of Regulations, and that the insurer is licensed to transact the business of insurance in one or more states or is eligible to provide insurance as an excess or surplus lines insurer in one or more states that have minimum eligibility requirements for excess or surplus lines insurers.

Authorized Signature ▷	Title
Typed or Printed Name of Person Signing	Date
Address of Person Signing For Insurer	

PRIVACY STATEMENT

This information is requested by the California Waste Management Board under Section 18238 of Title 14, California Code of Regulations, in order to verify adequate financial assurance of solid waste disposal facilities. Completion of this form is mandatory. The consequence of not completing the form is denial of a permit to operate a solid waste disposal facility. Information may be provided to the U.S. Environmental Protection Agency (EPA), State Attorney General, Air Resources Board, California Department of Health Services, Energy Resources Conservation and Development Commission, Water Resources Control Board, and California Regional Water Quality Control Boards. For more information or access to your records, contact the California Waste Management Board, 1020 Ninth Street, Suite 300, Sacramento, CA 95814, (916) 322-3330.

CERTIFICATE OF LIABILITY INSURANCE

If additional space needed, add attachment.

Insurer Name	Address	License Number
		Issued by State of:
Insured Name	Address	

Solid Waste Disposal Facilities Covered: (Enter Information For Each Facility) LIMITS OF LIABILITY

NAME	ADDRESS	SOLID WASTE INFORMATION SYSTEM NUMBER	ACCIDENTAL* OCCURRENCES Per Occurrence	ACCIDENTAL* OCCURRENCES Annual Aggregate Amount
Policy Number	Effective Date		Total	Total

* Excluding legal costs and deductibles

INSURER CERTIFICATION:

1. The insurer hereby certifies that it has issued liability insurance covering personal injury and property damage to the insured listed above in connection with the insured's obligation to demonstrate financial responsibility under Title 14, California Code of Regulations. The coverage applies to the above listed facilities for:

_____

(Insert "sudden accidental occurrences," "nonsudden accidental occurrences," or "accidental occurrences"; if coverage is for multiple facilities and the coverage is different for different facilities, indicate the type of occurrence covered at each facility.)

The limits of liability are the amounts stated above for "per occurrence" and "annual aggregate," exclusive of legal defense costs. If the endorsement is for an excess insurance policy, complete the following sentence: "$ _____ per occurrence and $ _____ annual aggregate in excess of the underlying limits of $ _____ per occurrence and $ _____ annual aggregate."

2. The insurer further certifies the following with respect to the insurance described above:

(a) Bankruptcy or insolvency of the insured shall not relieve the insurer of its obligations under the policy.

(b) The insurer is liable for the payment of amounts within any deductible applicable to the policy, with a right of reimbursement by the insured for any such payment made by the insurer. This provision does not apply with respect to that

amount of any deductible for which coverage is demonstrated by another mechanism as specified in Section 18233, Title 14, California Code of Regulations.

(c) Whenever requested by CWMB, the Insurer agrees to furnish to CWMB a certified copy of the original policy and all endorsements.

(d) Cancellation or any other termination of this endorsement, whether by the Insurer, the Insured, a parent corporation providing insurance coverage for its subsidiary, or by a firm having an insurable interest in and obtaining liability insurance on behalf of the operator of the solid waste disposal facility, will be effective only upon written notice and only after the expiration of 60 days after a copy of such written notice is received by CWMB and the local enforcement agency for the jurisdiction in which the facility is located.

The party below agrees that this document is being executed in accordance with the requirements of Section 18238 of Title 14, California Code of Regulations, and that the Insurer is licensed to transact the business of insurance in one or more states or is eligible to provide insurance as an excess or surplus lines insurer in one or more states that have minimum eligibility requirements for excess or surplus lines insurers.

Authorized Signature	Title
▷	
Typed or Printed Name of Person Signing	Date
Address of Person Signing For Insurer	

PRIVACY STATEMENT

This information is requested by the California Waste Management Board under Section 18238 of Title 14, California Code of Regulations, in order to verify adequate financial assurance of solid waste disposal facilities. Completion of this form is mandatory. The consequence of not completing the form is denial of a permit to operate a solid waste disposal facility. Information may be provided to the U.S. Environmental Protection Agency (EPA), State Attorney General, Air Resources Board, California Department of Health Services, Energy Resources Conservation and Development Commission, Water Resources Control Board, and California Regional Water Quality Control Boards. For more information or access to your records, contact the California Waste Management Board, 1020 Ninth Street, Suite 300, Sacramento, CA 95814, (916) 322-3330.

THIS PAGE INSTRUCTIONS ONLY

Letter from the Chief Financial Officer
Financial Means Test for Liability

(a) A letter from the chief financial officer, as specified in Section 18239 of Title 14, California Code of Regulations, shall be on operator or guarantor letterhead stationery. It shall contain original signature of the chief financial officer and shall be worded as indicated on the attached proforma CWMB Form 110.

(b) The letter from the chief financial officer shall be accompanied by the following items, as specified in Section 18239 of Title 14, California Code of Regulations.

(1) A copy of an independent certified public accountant's report on the financial statements for the latest completed fiscal year;

(2) A special report from the independent certified public accountant on the financial data in the letter;

(3) A copy of the financial statements for the latest completed fiscal year;

(4) A copy of the Form 10-K most recently filed with the Securities and Exchange Commission, if required; and

(5) If applicable, the guarantee with wording as specified in Section 18241 of Title 14, California Code of Regulations.

PRIVACY STATEMENT

This information is requested by the California Waste Management Board under Section 18239 of Title 14, California Code of Regulations in order to verify adequate financial assurance of Solid Waste Disposal Facilities. Completion of the form is mandatory. The consequence of not completing the form is denial of a permit to operate a solid waste disposal facility. Information may be provided to the U.S. Environmental Protection Agency (EPA), State Attorney General, Air Resources Board, California Department of Health Services, Energy Resources Conservation and Development Commission, Water Resources Control Board, and California Regional Water Quality Control Boards. For more information or access to your records, contact the California Waste Management Board, 1020 Ninth Street, Suite 300, Sacramento, CA 95814, (916) 322-3330.

Chief Executive Officer
California Waste Management Board
1020 Ninth Street, Suite 300
Sacramento, CA 95814

I am the chief financial officer of _____.
Operator's or Guarantor's Name and Address

This letter is in support of the financial means test or guarantee to demonstrate financial assurance, as specified in Section 18239 of Title 14, California Code of Regulations.

[Fill out the following paragraphs regarding all California solid waste disposal facilities and associated coverage amounts. If no facilities belong in a particular paragraph, write "None" in the space indicated. For each facility, include its solid waste information system, name, address, and the amounts of liability coverage provided. Identify each coverage amount separately as to whether it is for per occurrence or annual aggregate liability coverage, whether it is for sudden accidental occurrences, nonsudden accidental occurrences, or sudden accidental occurrences, and whether it is primary or excess coverage.]

1. This firm is the operator or owner of the following facilities for which the firm is demonstrating financial assurance for liability coverage through the financial means test specified in Section 18239 of Title 14, California Code of Regulations:

2. This firm guarantees, through the guarantee for liability coverage specified in Section 18239 of Title 14, California Code of Regulations, the liability coverage of the following facilities:

Maximum annual aggregate coverage in paragraph 1: _____

Maximum annual aggregate coverage in paragraph 2: _____

Total (amount of liability coverage to be demonstrated): _____

This firm is ☐ is not ☐ required to file a Form 10-K with the Securities and Exchange Commission (SEC) for the latest fiscal year.

The fiscal year of this firm ends on _____.
Month, Day

Use either Alternative I or Alternative II.

ALTERNATIVE I
(Omit if using Alternative II)

1. Amount of liability coverage to be demonstrated ..... $ _____

2. Current assets ..... $ _____

3. Current liabilities ..... $ _____

4. Net working capital (line 2 minus line 3) ..... $ _____

5. Tangible net worth ..... $ _____

6. If less than 90 percent of assets are located in the United States, give total United States assets ..... $ _____

7. Is line 5 at least $10 million? ..... ☐ Yes ☐ No

8. Is line 4 at least 6 times line 1? ..... ☐ Yes ☐ No

9. Is line 5 at least 6 times line 1? ..... ☐ Yes ☐ No

10. Are at least 90 percent of assets located in the United States? ..... ☐ Yes ☐ No
If not, complete line 11

11. Is line 6 at least 6 times line 1? ..... ☐ Yes ☐ No

I hereby agree that this letter is worded as specified by the CWMB and is being executed in accordance with the requirements of Section 18239 of Title 14, California Code of Regulations.

_____ Signature

_____ Typed or Printed Name

_____ Title

_____ Date

Corporate Seal

ALTERNATIVE II
(Omit if using Alternative I)

1. Amount of liability coverage to be demonstrated ..... $ _____

2. Current bond rating of most recent issuance and name of rating service ..... _____

3. Date of issuance of bond ..... _____

4. Date of maturity of bond ..... _____

5. Tangible net worth ..... $ _____

6. Total assets in the United States (required only if less than 90 percent of assets are located in the United States) ..... $ _____

7. Is line 5 at least $10 million? ..... ☐ Yes ☐ No

8. Is line 4 at least 6 times line 1? ..... ☐ Yes ☐ No

9. Are at least 90 percent of assets located in the United States? ..... ☐ Yes ☐ No
   If not, complete line 10

10. Is line 6 at least 6 times line 1? ..... ☐ Yes ☐ No

I hereby agree that this letter is worded as specified by the CWMB and is being executed in accordance with the requirements of Section 18239 of Title 14, California Code of Regulations.

_____ Signature	_____ Typed or Printed Name
_____ Title	_____ Date

Corporate Seal

THIS PAGE INSTRUCTIONS ONLY

Letter from the Chief Financial Officer
Financial Test Liability and Closure and/or Postclosure Maintenance

(a) A letter from the chief financial officer, as specified in Section 18239 of Title 14, California Code of Regulations, shall be on corporate letterhead stationery. It shall contain original signature of the chief financial officer and shall be worded as indicated in the attached proforma CWMB Form 111.

(b) The letter from the chief financial officer shall be accompanied by the following items, as specified in Section 18239:

(1) A copy of an independent certified public accountant's report on examination of the operator's financial statements for the latest completed fiscal year, or a copy of the operator's financial statements for the latest completed fiscal year;

(2) A special report from the operator's independent certified public accountant to the operator stating that:

(A) The independent certified public accountant has compared the data in the letter from the chief financial officer with the amounts in the year-end financial statements for the latest fiscal year; and

(B) In connection with that procedure, no matters came to the independent certified public accountant's attention that caused him or her to believe that the specified data should be adjusted;

(3) A completed financial test using Alternative I or Alternative II;

(4) A copy of the operator's most recent Form 10-K filed with the Securities and Exchange Commission if the operator is required to make such a filing; and

(5) If applicable, the corporate guarantee with wording as specified in Section 18241 of Title 14, California Code of Regulations.

PRIVACY STATEMENT

This information is requested by the California Waste Management Board under Section 18239 of Title 14, California Code of Regulations in order to verify adequate financial assurance of Solid Waste Disposal Facilities. Completion of the form is mandatory. The consequence of not completing the form is denial of a permit to operate a solid waste disposal facility. Information may be provided to the U.S. Environmental Protection Agency (EPA), State Attorney General, Air Resources Board, California Department of Health Services, Energy Resources Conservation and Development Commission, Water Resources Control Board, and California Regional Water Quality Control Boards. For more information or access to your records, contact the California Waste Management Board, 1020 Ninth Street, Suite 300, Sacramento, CA 95814, (916) 322-3330.

Chief Executive Officer
California Waste Management Board
1020 Ninth Street, Suite 300
Sacramento, CA 95814

I am the chief financial officer of _____.
Operator's or Guarantor's Name and Address

This letter is in support of the use of the financial test and/or corporate guarantee to demonstrate financial responsibility for liability coverage and closure and/or postclosure maintenance as specified in Section 18239, Title 14, California Code of Regulations.

[Fill in the following paragraphs. If there are no facilities that belong in a particular paragraph, write "None" in the space indicated. For each facility, include the solid waste information system or other identification number, name, and address. For each facility in paragraphs one and two, indicate the amount of liability coverage provided, identifying the per occurrence and annual aggregate coverage amounts, whether the coverage is for sudden accidental occurrences, nonsudden accidental occurrences, or accidental occurrences, and whether the coverage is excess or primary. For each facility in paragraphs three and four, indicate the current closure and/or postclosure cost estimates, identifying separately each cost estimate for closure or postclosure maintenance.]

1. This firm is the operator or owner of the following facilities in California for which the firm is demonstrating financial assurance for liability coverage through the financial means test specified in Section 18239 of Title 14, California Code of Regulations:

2. This firm guarantees, through the guarantee for liability coverage specified in Section 18239 of Title 14, California Code of Regulations, the liability coverage of the following facilities in California:

Maximum annual aggregate coverage in paragraph 1: _____

Maximum annual aggregate coverage in paragraph 2: _____

Total (amount of liability coverage to be demonstrated): _____

3. This firm is the operator or owner of the following solid waste landfills in the United States for which the firm is demonstrating financial assurance for postclosure maintenance through the financial means test specified in Section 18289 of Title 14, California Code of Regulations or financial assurance for closure and/or postclosure maintenance through similar financial means tests specified in the laws of other states:

4. This firm guarantees, through the guarantee for postclosure maintenance specified in Section 18291 of Title 14, California Code of Regulations or through similar guarantees for closure and/or postclosure maintenance specified in the laws of other states, the closure and/or postclosure maintenance of the following solid waste landfills in the United States:

This operator ☐ is ☐ is not required to file a Form 10-K with the Securities and Exchange Commission (SEC) for the latest fiscal year.

The fiscal year of this firm ends on _____. The figures for the following
Month, Day
items marked with an asterisk are derived from this firm's or the operator's independently audited, year-end financial statements for the latest completed fiscal year, ended _____ using either Alternative I
Date
or Alternative II.

ALTERNATIVE I
(Omit if using Alternative II)

1. Amount of annual aggregate liability coverage to be demonstrated . . . . . $ _____

2. Sum of current and postclosure cost estimates (total of all cost estimates shown in paragraphs three and four of the Letter to CWMB) . . . . . $ _____

3. Sum of lines 1 and 2 . . . . . $ _____

4. Total liabilities (if any portion of the closure or postclosure cost estimates is included in total liabilities, you may deduct the amount of that portion from this line and add that amount to lines 5 and 6) . . . . . $ _____

5. Tangible net worth . . . . . $ _____

6. Net worth . . . . . $ _____

7. Current assets . . . . . $ _____

8. Current liabilities . . . . . $ _____

9. Net working capital (line 7 minus line 8) . . . . . $ _____

10. The sum of net income plus depreciation, depletion, and amortization . . . . . $ _____

11. Total assets in the United States (required only if less than 90 percent of assets are located in the United States) . . . . . $ _____

12. Is line 5 at least $10 million? . . . . . ☐ Yes ☐ No

13. Is line 5 at least 6 times line 3? . . . . . ☐ Yes ☐ No

14. Is line 9 at least 6 times line 3? . . . . . ☐ Yes ☐ No

15. Are at least 90 percent of assets located in the Unites States? . . . . . ☐ Yes ☐ No
If not, complete line 16

16. Is line 11 at least 6 times line 3? . . . . . ☐ Yes ☐ No

17. Is line 4 divided by line 6 less than 2.0? . . . . . ☐ Yes ☐ No

18. Is line 10 divided by line 4 greater than 0.1? . . . . . ☐ Yes ☐ No

19. Is line 7 divided by line 8 greater than 1.5? . . . . . ☐ Yes ☐ No

I hereby agree that this letter is worded as specified by the CWMB and is being executed in accordance with the requirements of Section 18239 of Title 14, California Code of Regulations.

_____ Signature	_____ Typed or Printed Name
_____ Title	_____ Date

Corporate Seal

ALTERNATIVE II
(Omit if using Alternative I)

1. Amount of liability coverage to be demonstrated ..... $ _____

2. Sum of current closure and postclosure cost estimates (total of all cost estimates shown in paragraphs three and four of the Letter to CWMB ..... $ _____

3. Sum of lines 1 and 2 ..... $ _____

4. Current bond rating of most recent issuance of this firm and name of rating service ..... _____

5. Date of issuance of bond ..... _____

6. Date of maturity of bond ..... _____

7. Tangible net worth (if any portion of the closure and postclosure cost estimates is included in "total liabilities" on your firm's financial statements, you may add the amount of that portion to this line ..... $ _____

8. Total assets in the United States (required only if less than 90 percent of assets are located in the United States) ..... $ _____

9. Is line 7 at least $10 million? ..... ☐ Yes ☐ No

10. Is line 7 at least 6 times line 3? ..... ☐ Yes ☐ No

11. Are at least 90 percent of assets located in the United States? ..... ☐ Yes ☐ No
If not, complete line 12

12. Is line 8 at least 6 times line 3? ..... ☐ Yes ☐ No

I hereby agree that this letter is worded as specified by the CWMB and is being executed in accordance with the requirements of Section 18239 of Title 14, California Code of Regulations.

_____ Signature

_____ Typed or Printed Name

_____ Title

_____ Date

Corporate Seal

GUARANTEE

Shall be on corporate letterhead stationery. It shall also contain original signature of Guarantor and shall be worded as indicated on the proforma CWMB Form 112

Chief Executive Officer
California Waste Management Board
1020 Ninth Street, Suite 300
Sacramento, CA 95814

Guarantee made this [date] by [name of guaranteeing entity], a business corporation organized under the laws of [If incorporated within the United States insert "the State of _____;" if incorporated outside the United States insert the name of the country in which incorporated, the principal place of business within the United States insert the name of the county in which incorporated, the principal place of business within the United States, the name and address of the registered agent in the State of the principal place of business] herein referred to as guarantor. This guarantee is made on behalf of _____ (Operator) of _____ (business address) to any and all third parties who have sustained or may sustain personal injury or property damage caused by accidental occurrences arising from operation of the solid waste disposal facilities covered by this guarantee.

Recitals

1. Guarantor meets or exceeds the financial means test criteria and agrees to comply with the reporting requirements for guarantors as specified in Sections 18239, 18241, and 18244 of Title 14, California Code of Regulations.

2. Guarantor ☐ is a parent corporation of the _____ (Operator); ☐ is a firm whose parent corporation, _____ (Corporate Parent), is also the parent corporation of _____ (Operator); or ☐ *engages in a substantial business relationship* with _____ (Operator) and is issuing this guarantee as an act incident to that business relationship.

3. _____ (Operator) operates the following facilities covered by this guarantee: [List for each facility: solid waste information system number, name and address; and if guarantor is incorporated outside the United States list the name and address of the guarantor's registered agent in each state.]

This corporate guarantee satisfies CWMB operating liability coverage requirements for [insert "sudden" or "non-sudden" or "both sudden and non-sudden"] accidental occurrences in the above-named facilities for coverage in the amount of [$ _____] per facility for each occurrence and [$ _____] per facility for annual aggregate coverage.

4. [Insert appropriate phrase: "On behalf of our subsidiary" (if guarantor is a parent corporation of the operator); "On behalf of our affiliate" (if guarantor is a firm whose parent corporation is also the parent corporation of the operator); or "Incident to our business relationship with" (if guarantor is providing guarantee as an incident to a substantial business relationship with the operator)] _____ (Operator), Guarantor guarantees to CWMB that for any and all third all third parties who have sustained or may sustain personal injury or property damage caused by accidental occurrences arising from operations of the facilities covered by this guarantee that in the event that _____ (Operator) fails to satisfy a judgment or award based on a determination of liability for personal injury or property damage to third parties caused by accidental occurrences arising from the operation of the above-named facilities or fails to pay an amount agreed to in settlement of a claim arising from or alleged to arise from such injury or damage, the guarantor will satisfy such judgment(s), award(s), or settlement agreement(s) up to the limits of coverage identified above.

5. Guarantor agrees that if at any time during or at the end of any fiscal year before termination of this guarantee, the guarantor fails to meet the financial means test criteria, guarantor shall send within ninety (90) days, by certified mail, notice to CWMB, the local enforcement agency for the jurisdiction in which the facility is located, and to _____ that he or she intends to provide alternate liability coverage as specified in Section 18241
Operator
of Title 14, California Code of Regulations in the name of _____. Within 120 days after the end of
Operator
such fiscal year, the guarantor shall establish such liability coverage unless _____ has done so.
Operator

6. The guarantor agrees to notify CWMB by certified mail of a voluntary or involuntary proceeding under the Bankruptcy Code, 11 U.S.C. Sections 101-1330, naming guarantor as debtor, within ten (10) days after commencement of the proceedings.

7. Guarantor agrees that within thirty (30) days after being notified by CWMB of a determination that guarantor no longer meets the financial means test criteria or that it is disallowed from continuing as a guarantor, that alternate liability coverage shall be established as specified in Section 18233 of Title 14, California Code of Regulations in the name of _____ unless _____ has done so.
Operator Operator

8. Guarantor reserves the right to modify this agreement to take into account amendment or modification of the liability coverage requirements set by Chapter 5, Subarticle 3.3 of Title 14, California Code of Regulations provided that such modification shall become effective only if CWMB does not disapprove the modification within thirty (30) days of receipt of notification of the modification.

9. Guarantor agrees to remain bound under this guarantee for so long as _____ must
Operator
comply with the applicable requirements of Chapter 5, Subarticle 3.3, of Title 14, California Code of Regulations for the above-listed facilities, except as provided in paragraph 10 of this agreement.

10. Guarantor may terminate this guarantee by sending notice by certified mail to CWMB, the local enforcement agency for the jurisdiction in which the facilities are located, and to _____, provided that this
Operator
guarantee may not be terminated unless and until _____ obtains, and CWMB approves alternative
Operator
liability coverage complying with Section 18233 of Title 14, California Code of Regulations.

11. Guarantor hereby expressly waives notice of acceptance of this guarantee by any party.

12. Guarantor agrees that this guarantee is in addition to and does not affect any other responsibility or liability of the guarantor with respect to the covered facilities.

13. The Guarantor shall satisfy a third-party liability claim only on receipt of one of the following documents:

(a) Agreement from the operator and the third-party claimant(s) that the liability claim should be paid. The agreement must be worded as follows:

AGREEMENT OF VALID CLAIM

The undersigned, as parties _____ and
Operator
_____, hereby agree that the claim of
Name and address of third-party claimant(s)
personal injury and/or property damage caused by an accidental occurrence arising from operating
_____ solid waste disposal facility should be paid in the amount of $ _____.
Operator's

_____	_____	_____
Operator's Signature	Notary	Date
_____	_____	_____
Claimant(s) Signature	Notary	Date

(b) A valid final court order establishing a judgment against the operator for personal injury or property damage caused by accidental occurrences arising from the operation of the operator's facility or group of facilities.

14. In the event of combination of this guarantee with another mechanism to meet operating liability coverage requirements, this guarantee will be considered ☐ primary or ☐ excess coverage.

I hereby agree that this guarantee is consistent with the requirements of Section 18241 of Title 14, California Code of Regulations.

Effective date: _____

_____
Name of Guarantor

_____
Authorized Signature for Guarantor

▷ _____
Typed or Printed Name of Person Signing

_____
Title of Person Signing

▷ _____
Signature of Witness or Notary and Seal

PRIVACY STATEMENT

This information is requested by the California Waste Management Board under Section 18241 of Title 14, California Code of Regulations, in order to verify adequate financial assurance of solid waste disposal facilities. Completion of this form is mandatory. The consequence of not completing the form is denial of a permit to operate a solid waste disposal facility. Information may be provided to the U.S. Environmental Protection Agency (EPA), State Attorney General, Air Resources Board, California Department of Health Services, Energy Resources Conservation and Development Commission, Water Resources Control Board, and California Regional Water Quality Control Boards. For more information or access to your records, contact the California Waste Management Board, 1020 Ninth Street, Suite 300, Sacramento, CA 95814, (916) 322-3330.

CALIFORNIA WASTE MANAGEMENT BOARD

AGENDA ITEM # 2

OCTOBER 11 - 12, 1989

ITEM:

Consideration of Acceptance of the Merced County Solid Waste Management Plan Review Report

KEY ISSUES:

- County wishes to revise Plan
- Recent Government Code requirements need to be incorporated into Plan
- Both County landfills to be expanded

BACKGROUND:

The Merced County Solid Waste Management Plan (CoSWMP) was originally approved by the California Waste Management Board on January 29, 1977, with a complete Plan Revision being done on July 21, 1983. In July 1986, the County submitted a Plan Review Report and it was determined by the County and Board that no Plan Revision was necessary. In July 1989, the County submitted a second Plan Review Report (Attachment #2) indicating that a Plan Revision was not necessary, at this time, and recommended that the Plan not be revised until 1992. After further discussions with Board staff, the County agreed to revise the Plan to reflect changes in the County's solid waste management system and the Government Code (Attachment #4).

STAFF ANALYSIS:

The attached Staff Review and Comment (Attachment #1) analyzes the adequacy of the Merced County Solid Waste Management Plan Review Report and provides an objective description of the current solid waste management system in Merced County. Staff analysis entailed review of the CoSWMP and Plan Review Report, meeting with County officials, and visiting solid waste disposal facilities.

Staff believes that because of changes in the County's solid waste management system and recent legislative requirements, the Plan should be revised in the following areas:

1. Identification of Solid Wastes (Title 14, California Code of Regulations (CCR), Section 17131)

2. Disposal and Processing of Wastes (14 CCR 17134), including landfill closure and post-closure technical requirements, transfer system, and a program for disposal of septage and sewage sludge

3. Resource Recovery (14 CCR 17135)

4. Economic Feasibility (14 CCR 17137 and Title 7.3, Government Code (GC) Section 66780.1), including landfill closure and post-closure finance requirements

5. Implementation Schedule (14 CCR 17139 and 7.3 GC 66714.9)

6. Identification of a 20% recycling goal and program to implement (7.3 GC 66780.5(f))

7. A discussion of the amounts of asbestos wastes generated in the County and the sites designated for disposal of this material (7.3 GC 66780.5(e))

8. Verification of eight years of remaining disposal capacity (7.3 GC 66780.2)

9. Inclusion of a program for safe management of household hazardous waste disposal (7.3 GC 66780.5(b))

OPTIONS FOR BOARD ACTION:

1. <u>Do not accept the Plan Report</u>

   This would be appropriate if the County had not complied with Board requirements for the preparation of the Plan Review Report.

2. Take no action

This would be appropriate if new information became available during the Board meeting which required further analysis by either County or Board staff prior to Board action. Staff believes the current analysis is complete based on available information.

3. Accept the Plan Review Report and require the County to revise the County Solid Waste Management Plan

This would be appropriate if the County fully complied with Board requirements for the preparation of the Plan Review Report.

RECOMMENDATION:

Adopt Resolution #89-63 accepting the Merced County Solid Waste Management Plan Review Report and requiring the County to revise the County Solid Waste Management Plan in the areas identified.

Attachments:

1. Staff Review and Comment
2. Merced County Solid Waste Management Plan Review Report
3. Map of County Waste Disposal Sites
4. Letter from Merced County dated August 30, 1989
5. Proposed Board Resolution #89-63, accepting the County Solid Waste Management Plan Review Report, and requiring the County to revise the County Solid Waste Management Plan

Attachment #1

STAFF REVIEW AND COMMENT

COUNTY SOLID WASTE MANAGEMENT PLAN

REVIEW REPORT

I. County Solid Waste Management System

A. Current System

1. Background

Merced County is located approximately 100 miles south of Sacramento. The population of the County is approximately 169,000, with a projected growth of approximately 4.0% annually. There are 6 incorporated cities in the County, with the City of Merced serving as the County seat. The economy of the County is based primarily on agriculture and related industries. Castle Air Force Base, near Atwater, also is a major contributor to the County's economy.

2. Waste Management Responsibilities

The Merced County Board of Supervisors is ultimately responsible for establishing solid waste management policy and adopting solid waste ordinances for the County, while the City Councils are responsible for the adoption of solid waste ordinances and policies within the incorporated areas.

The Merced County Department of Public Works is responsible for maintaining the County Solid Waste Management Plan (CoSWMP), operating the County landfills and for overseeing collection services in the unincorporated areas of the County.

The County Department of Health, Division of Environmental Health enforces public health and the Board's State Minimum Standards in both the incorporated and unincorporated areas of the County.

3. System Financing

The County's disposal program is financed by a combination of gate fees and permit fees, administered through an enterprise fund. The enforcement program is funded by fees and some general fund monies.

Waste collection programs are financed by user fees.

4. Waste Generation

Approximately 226,000 tons of municipal solid wastes are generated in the County annually.

5. Collection and Storage

Three franchise contractors provide collection services for the incorporated cities and the unincorporated areas of the County. The City of Merced operates its own collection service.

The County and the cities have adopted ordinances that are generally adequate to assure that storage and collection practices are in compliance with the State Minimum Standards. All of the cities have mandatory collection ordinances. Typical collection fees for residential service range from $8 to $14 per month.

6. Transfer System

Three transfer stations serve the needs of City and County residents. Further information on the transfer system is as follows:

Facility	Owned & Operated	Serviced By	Disposal Destination
Dos Palos	County	County	Billy Wright Landfill
Livingston	City of Livingston	Private Contractor	Highway 59 Landfill
Gustine	City of Gustine	City of Gustine	Billy Wright Landfill

7. Disposal

Disposal needs of the County are served by two County owned and operated landfills. Further information on these facilities is as follows:

Facility	Acreage	Tons Per Day	Site Life
Billy Wright	86	90	1996
Highway 59	167	400	1994

Approximately 177,000 tons of waste is disposed of annually in the two County landfills.

The County is in the process of expanding both existing landfills. The Billy Wright Landfill will be expanded by 38 acres, and the Highway 59 facility by 200 acres. General Plan amendments for reserving future disposal areas, environmental review and conditional use permits for these sites are now being processed.

Septage generated in the County is land spread as a soil amendment under the supervision of the County Health Department, Division of Environmental Health.

Dried sewage sludge from the County's waste water treatment plants are disposed of at the County's landfills.

A small amount of asbestos wastes recovered during building renovation activities is currently being disposed of at approved sites outside of the County.

The County has addressed the disposal of household hazardous waste as part of the County Hazardous Waste Management Plan, and is in the process of implementing a County wide program.

8. Litter Disposal

Responsibility for litter management in the County is divided among several agencies. CalTrans maintains litter clean-up along State highways, while the County Department of Public Works, through a full-time litter officer, supervises persons convicted of misdemeanors who perform litter clean-up along county roads.

9. Resource Recovery

Merced County has a long established and well organized resource recovery program. A number of recycling programs are in existence recovering various commodities. Those programs are included below.

Facility	Materials Recovered	Annual Tonnage
Highway 59 Landfill	Aluminum, corrugated paper, metals, oil, copper, brass	934
Atwater Metal	Ferrous, copper, brass, aluminum	20,000
Castle AFB	Ferrous, corrugated paper, oil	817
Foster Farms	Ferrous, copper, aluminum meat products	600
Mid Cal Recycling	Aluminum, glass, corrugated paper, plastic	745
H & H Salvage	Aluminum, ferrous metals	480
Turlock Recycling	Corrugated paper, newsprint aluminum	1388
Rock-Tenn Company	Paper	1200
World Color Press	Paper Products	21,900
Certified Container Recycling Centers	Aluminum, glass, plastic	983

Approximately 49,000 tons/year (over 22% of waste generated) of materials are diverted from landfills through the above mentioned programs.

To increase the level of recycling the County Board of Supervisors has recently adopted a goal of recycling at least 20% of the wastes generated in 1989.

In January of 1989 the County signed a contract with a private collector to salvage wood from both County landfills for use as fuel. The County will receive $.50 per ton for the material recovered.

Approximately 600 tons of used tires annually will be recovered and transported to the tire burning plant in nearby Stanislaus County.

B. Enforcement

The Merced County Department of Health, Division of Environmental Health, is the local agency designated to enforce the State Minimum Standards and local solid waste ordinances. The Environmental Health Department routinely inspects solid waste facilities and refuse vehicles and responds to citizen complaints. Currently the Health Department allocates portions of five positions to enforcement activities and inspects solid waste facilities on a monthly basis.

C. System Improvements

Since the approval of the last Merced CoSWMP a number of measures have been taken to improve the County's solid waste system:

1. Groundwater monitoring wells have been installed

2. Computerized scales have been installed at both Highway 59 and Billy Wright Landfills

3. Tires formerly disposed of at landfills are now being diverted to the Oxford Energy Plant in Stanislaus County

4. New landfill compactors were acquired for County landfills

5. A closure/post-closure maintenance fund has been implemented within the County Solid Waste Enterprise Fund

6. A wood waste diversion program has been initiated at County landfills

7. Air and water SWATs have been completed, with favorable results

D. Current Issues

1. Expansion of both the Highway 59 and Billy Wright Landfills

2. Implementation of program to properly manage household hazardous waste

3. Feasibility study of waste-to-energy and gas recovery at the Highway 59 Landfill

4. Expansion of the existing recycling programs

II. Report Summary

The Merced County Department of Public Works, after consultation with the incorporated cities, and other County agencies, has submitted a County Solid Waste Management Plan Review Report in accordance with the Planning Guidelines for Preparing, Revising and Amending County Solid Waste Management Plans. In the Report, the County stated the Plan was consistent with State Policies on solid waste management and disposal, and the Board's Planning Guidelines, and therefore did not wish to revise the Plan until 1992. However, after further discussion with Board staff, the County has decided to revise the Plan (Attachment 4).

III. Staff Analysis

Staff has reviewed the Plan Review Report submitted by Merced County, reviewed the current County Solid Waste Management Plan, visited the County to meet with local officials and visited solid waste disposal sites.

Staff believes in order that the Plan achieve compliance with State Policy and the Board's Planning Guidelines and Procedures for Preparing, Revising and Amending County Solid Waste Management Plans, the County Solid Waste Management Plan should be revised in the following areas:

1. Identification of Solid Wastes (Title 14, California Code of Regulations (CCR), Section 17131)

2. Disposal and Processing of Wastes (14 CCR 17134), including landfill closure and post-closure technical requirements, transfer system, and a program for disposal of septage and sewage sludge

3. Resource Recovery (14 CCR 17135)

4. Economic Feasibility (14 CCR 17137 and Title 7.3, Government Code (GC) Section 66780.1), including landfill closure and post-closure finance requirements

5. Implementation Schedule (14 CCR 17139 and 7.3 GC 66714.9)

6. Identification of a 20% recycling goal and program to implement (7.3 GC 66780.5(f))

7. A discussion of the amounts of asbestos wastes generated in the County and the sites designated for disposal of this material (7.3 GC 66780.5(e))

8. Verification of eight years of remaining disposal capacity (7.3 GC 66780.2)

9. Inclusion of a program for safe management of household hazardous waste disposal (7.3 GC 66780.5(b))

DEPARTMENT OF PUBLIC WORKS

PUBLIC SERVICES DIVISION
SOLID WASTE DISPOSAL

365 WEST 7TH STREET - P.O. BOX 2066
TELEPHONE (AREA CODE 209) 385-7581
MERCED CALIFORNIA 95340

PAUL A. FILLEBROWN
Director
LINCOLN CLENDENIN
Assistant Director
JOHN B. ABERNETHY
Deputy Director

July 14, 1989

RECEIVED
JUL 19 1989

Mr. Cy Armstrong
California Waste Management Board
Waste Management Division
1020 Ninth Street, Suite 300
Sacramento, CA 95814

SUBJECT: Merced County Solid Waste Management Plan Review Report

Dear Mr. Armstrong:

Enclosed please find the completed report as approved by the County Board of Supervisors on July 11, 1989. Attached to the report are the written comments received from affected jurisdictions and agencies.

As stated in the report, the County does not consider the changes which have occurred as necessitating a plan revision at this time. A plan revision in 1992 is recommended.

We look forward to working with you and your staff during the review and approval process. Please do not hesitate to call me at 209-385-7605 if you have any questions.

Very truly yours,

PAUL A. FILLEBROWN
DIRECTOR OF PUBLIC WORKS

By John B. Abernethy

John B. Abernethy
Deputy Director of Public Works

JBA:FM:dss

Encl.

MERCED COUNTY

SOLID WASTE MANAGEMENT PLAN

1989 PLAN REVIEW REPORT

July 1, 1989

MERCED COUNTY DEPARTMENT OF PUBLIC WORKS

PUBLIC SERVICES DIVISION

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INTRODUCTION

The County of Merced has operated two countywide landfills since 1976 serving the unincorporated County and six incorporated cities within Merced County. The Billy Wright landfill, located seven miles west of Los Banos, serves the western portion of the County, and the Highway 59 site, located six miles north of Merced, serves the eastern portion of the County. The landfill facilities are operated under the enterprise system with tipping fees sufficient to fully fund the Solid Waste Operation.

The County of Merced submitted a comprehensive Solid Waste Management Plan Update in 1983 and a triennual Plan Review Report in 1986. This, the 1989 Plan Review Report, has been prepared in accordance with Section 66780.5(c) of the Government Code and the new statutory requirements enacted in 1986 and 1987.

The contents of this report reflect input from five of the six incorporated cities within Merced County: Atwater, Dos Palos, Gustine, Livingston, and Los Banos. (The City of Merced has not commented on the draft report). Written comments received from these cities, plus other County agencies, are attached. The County considers the current plan to be adequate and consistent with State policy. Therefore, a comprehensive plan update is not proposed.

ANALYSIS

a. Adequacy of the Data Base

Demographic Factors. As shown by Exhibit 1, the State Department of Finance computed Merced County's population on January 1, 1988 to be 168,622. (The 1983 Plan Update showed a population projection of 169,500 in 1990.)

Solid Waste Loadings. The remaining combined capacity of the County's two landfills has been calculated as follows:

Billy Wright Site. 621,566 cubic yards and 7½ years, or until October 1996. This site averaged 89 tons of municipal refuse per day while operating 363 days in 1988. Although the 1983 Plan Update indicated the expected site closure in 1992, a facilities plan update completed in 1986 revised the expected closure date to 1996.

Highway 59 Site. 1,733,304 cubic yards and five years, or until August 1994. This site averaged 398 tons of municipal refuse per day while operating 363 days in 1988. (The 1983 Plan Update showed expected site closure in 1996).

The amount of refuse received at both sites in 1988 totaled 176,424 tons. (The 1983 Plan Update showed an estimated 141,760 tons would be received in 1990).

b. Consistency with State Policy

Remaining Combined Capacity. The County has determined that the capacities of the Billy Wright Site and the Highway 59 Site will be exhausted within eight years. Areas for expansion of each facility have been tentatively reserved, and those areas are in the process of being made consistent with the County General Plan with acquisition and permitting to begin in FY 1989/90.

A southerly 37.5 acre expansion of the Billy Wright Site and a northerly 200-acre, or larger, expansion of the Highway 59 Site have been proposed. These proposed areas will be identified as "Landfill" on the County General Plan update. The update was approved by the Board of Supervisors in June 1989. The next step will be the processing of conditional use applications for each facility with necessary environmental review.

Recycling Goal. The County has established a goal of recycling 20 percent of the solid waste generated in the County. This goal was established by the County Solid Waste Advisory Board on June 15, 1989, through the approval of the Merced County Solid Waste Management Plan 1989 Plan Review Report. The goal for 1989 is 35,285 tons based on 20 percent of the 176,424 tons received at both sites during the preceding year.

There are several recycling programs within the County which are helping achieve this goal. Information regarding major programs is presented in Table 1.

TABLE 1

RECYCLING PROGRAMS

Company/Organization	Items Recycled and Estimated Annual Tonnage
County Resource Recovery at Highway 59 Landfill	Aluminum, cardboard, computer paper, tin, iron, copper, batteries, waste oil, and mattress cores. 934 tons.
Atwater Iron and Metal	Automobile scrap metal, copper, brass, and aluminum. 20,000 tons.
Castle Air Force Base	Scrap metal, cardboard, computer paper, jet fuel, and oil. 817 tons.
Foster Farms	Iron, copper, aluminum. Meat products for animal feed. 600 tons.
Mid Cal Recycling	Aluminum, glass, newspaper, cardboard, computer paper, and plastic. 745 tons.
H and H Salvage	Aluminum cans and metals. 480 tons.
Turlock Recycling (Merced County sources)	Cardboard, computer paper, newsprint, and aluminum. 1,388 tons.
Rock-Tenn Company	Paper roll stock is reprocessed and used for packaging. 1,200 tons.

Company/Organization	Items Recycled and Estimated Annual Tonnage
Golden Fuel Company	Wood waste removed from landfills. 4,000 tons.
Oxford Tire Company	Tires removed from landfill. 600 tons.
J.R. Wood, Inc.	Fruit and vegetable by-product and waste water to produce methane gas. 13,000 tons.
World Color Press	Paper products including coated magazine inserts, obsolete telephone books, and yellow telephone sections. 21,900 tons.
CAPCO Biomass Plant (currently in testing mode)	Agricultural prunings including almond wood and cotton stalks. 350 to 500 tons per day.
AB 2020	Aluminum, glass, and plastic. 983.8 tons from Certified Recycling Centers.

Total, not including CAPCO and AB 2020 Centers - 65,664 tons.

Although this total represents 37% of the amount of solid waste received in 1988, the County is proposing to continue the expansion of recycling activities at the Highway 59 Landfill Site through the following efforts:

1. Expand the recycling area and provide a dumping apron for selected loads of materials to be sorted (1990).

2. Improve coordination efforts with cities and local business to utilize Solid Waste Enterprise Facilities and source separation/reduction capability (1990).

3. Investigate the feasibility of a buy back center operation at Highway 59 (1990).

Household Hazardous Waste. The County determined a need for a program for the safe management of household hazardous waste and included this program in the County Hazardous Waste Management Plan. The plan, which was prepared in lieu of a hazardous waste portion of the County Solid Waste Management Plan, was adopted by the County board of Supervisors on January 31, 1989. A copy of Chapter VIII from that plan is attached at Exhibit 2.

Asbestos generators and disposal. The most recent year for which figures are available is 1986. The calculated amount of miscellaneous wastes generated in the County, including asbestos, was 120.24 tons. Facilities receiving this waste included:

> Richmond Sanitary Service, Contra Costa County; Chemical Waste Management, Inc., Kings County; American Environmental Management Corporation, Sacramento County; Cold Canyon Landfill, San Luis Obispo County; Casmalia Disposal, Santa Barbara County. (Reference: County Hazardous Waste Management Plan).

Closure/Post Closure Maintenance Fund. The total closure/post closure cost for both sites has been estimated at $1.7 million. The first deposit of $243,000 to the fund was made in FY 88/89.

Solid Waste Assessment Testing (SWAT). The air portion of the SWATs was completed in February 1989. Results indicated that landfilling did not threaten public health or surrounding land use at either site. The water portion of the SWATs was completed in June 1989. Results did not indicate the appearance of any significant adverse impacts on groundwater.

Sludge and Septic Waste. Information on Countywide disposal practices is presented in Table 2.

TABLE 2

DISPOSAL OF SLUDGE & SEPTIC WASTE

Agency	Sludge	Septic
Atwater	Currently to drying beds. Proposed to agricultural land under a Regional Water Quality Control Board Permit (Summer 1989).	Not accepted.
Dos Palos	Into lined lagoon.	Not accepted.
Gustine	Into unlined lagoon.	Not accepted.
Livingston	Into unlined ponds.	Not accepted.
Los Banos	Into lined pond.	Small volume containers only.
Merced	Applied to agricultural land under a Regional Water Quality Control Board Permit.	Has receiving facility for waste from household tanks and chemical toilets.
Merced County	Not applicable.	County Environmental Health Division issues permits to septic waste haulers (approximately 17) and approves disposal sites for the waste.

c. Economic Changes.

The Merced County Solid Waste Enterprise has operated on a user-supported basis since it was established in 1977. The County has had a capitalization fund to prepare for expansion of the two existing sites and for the replacement of equipment. The County recently also established a closure/post closure trust fund to meet the requirements

of AB 2448 (Eastin). The increased cost of supplies and equipment have been offset by increases in tipping fees averaging 20% annually to provide sufficient revenues to maintain the Solid Waste Enterprises in a strong financial position. The impact of groundwater monitoring, air pollution monitoring, closure and post closure maintenance, and other legislative mandates will necessitate continued increase in tipping fees, reflecting revision in the ongoing economic forecast.

d. Implementation Schedule.

The objectives listed in the Implementation Schedule on page 127 of the 1983 Plan Update have been met or are in the process of being met. Current status is as follows:

Solid Waste revenue, expenditure, and tonnage projections are being continually updated through the use of office computer resources.

Disposal site reports and reviews per Section 17751 of the California Administrative Code will be accomplished within five years from the date of issuance of the last permits, May 6, 1988.

An evaluation of the economic feasibility of a waste to energy facility for Merced County was completed in September 1988. This evaluation, prepared by the California Energy Commission, showed refuse energy to be an expensive alternative under existing market conditions.

In January 1989 the County negotiated a contract for the removal of wood waste products from both landfills at a rate of payment to the County of $0.50 per ton.

After review of alternatives, the County is proceeding with plans for lateral expansion of the Billy Wright landfill and Highway 59 landfill.

Disposal of hazardous waste, including medical waste and household hazardous waste, is addressed in the County Hazardous Waste Management Plan dated November 1988.

e. Current and Future Administrative Responsibility.

Current administrative responsibilities for solid waste management have been basically unchanged since the 1983 Update, and no future changes are proposed. A solid waste engineer position was established in 1987. A litter control worker position was established in 1988. Computers were installed in both scalehouses and the Solid Waste office in 1988 to improve operations and administrative reports. These computers have replaced the former credit card system for customer reporting and accounting.

f. Changes in Funding Sources.

No changes in funding sources have been made or are proposed. The County operates Solid Waste on the enterprise system with fees and charges revised as needed to reflect operational requirements.

g. Future facilities.

After a review of alternatives, the County is proposing lateral expansion of both landfill sites.

In the case of Billy Wright, there is an adjacent 37.5 acre parcel to the southwest which the owner has expressed interest in selling. This site could add about seven years of life beyond closure of the existing site.

In the case of Highway 59, the acreage immediately to the north and east is in an estate and cannot be sold. This land could be acquired on an exchange basis with the estate or by condemnation if necessary. With the acquisition of a minimum of 200 acres, this site could add about 20 years of life beyond closure of the existing site.

The Solid Waste Enterprise has recently initiated the planning process to expand both sites.

An expansion of the recycling area at the Highway 59 site to provide a dumping apron for sorting selected loads is also under consideration.

h. Elements of the Plan That Were Not Implemented or Successfully Accomplished and Why.

Overall, the County has been effective in meeting the solid waste goals and objectives listed in the plan and in responding to regulatory changes resulting from new legislative mandates.

One objective which has not been completed is the feasibility and design of temporary storage of hazardous waste at the Highway 59 site. This objective will be developed as an element of the household hazardous waste program. It is currently pending resolution of legislative changes in the handling of hazardous waste.

CONCLUSION

The County considers the 1983 Solid Waste Management Plan Update as remaining consistent with State policy. It is respectfully proposed that year 1992 will be the time to perform a revision of the plan based on new state policies regarding closure/post closure, resource recovery and hazardous waste, and on local actions to expand existing facilities.

MERCED COUNTY POPULATION

INCORPORATED CITIES	April 1970 (c)	Sept 11, 1975 (b)	April 1980 (c)	Jan 1, 1981 (c)	Jan 1, 1982 (c)	Jan 1, 1983 (c)	Jan 1, 1984 (c)	Jan. 1 1985 (c)	Jan. 1 1986 (c)	Jan. 1 1987 (c)	Jan. 1 1988 (c)		
Atwater	11,640	14,800	17,530	18,086	18,312	18,278	19,045	19,518	20,541	21,281	21,958		
Dos Palos	2,496	2,800	3,123	3,157	3,210	3,437	3,576	3,782	4,184	4,260	4,261		
Gustine	2,793	2,910	3,142	3,275	3,357	3,427	3,453	3,503	3,669	3,655	3,778		
Livingston	2,588	3,340	5,326	5,475	5,628	5,728	5,874	6,014	6,376	6,660	6,695		
Los Banos	9,188	10,000	10,341	10,758	11,023	11,290	11,669	12,102	12,619	12,795	12,695		
Merced	22,670	29,450	36,499	38,175	40,037	42,096	48,904	46,957	46,410	48,837	51,353		
SUBTOTALS	51,375	63,300	75,961	78,926	81,567	84,256	87,521	91,876	93,799	97,986	100,235		
UNINCORPORATED* COMMUNITIES (d)	(53,254)	(56,100)	(58,579)	(58,742)	(60,194)	(62,064)	(63,922)	(65,976)	(68,516)	(68,916)	(68,387)		
Bollico	195	269	176	176	178	178	181	184	184	184			
Celeste	N.A.	N.A.	239	242	242	242	242	249	249	249			
Cressey	774	252	211	211	211	211	211	214	214	214			
Delhi	2,063	2,576	2,832	2,838	2,846	2,859	2,890	2,893	2,915	2,980			
Dos Palos Y	307	323	302	305	305	305	305	310	310	310			
El Nido	105	138	145	145	145	145	145	147	147	147			
Hilmar-Irwin	1,110	1,811	1,706	1,742	1,826	1,861	2,049	2,213	2,377	2,441			
Franklin	N.A.	2,435	2,426	2,428	2,460	2,460	2,617	2,650	2,659	2,659			
Le Grand	1,026	974	904	904	912	925	944	1,089	1,127	1,180			
Midway	N.A.	1,240	699	699	718	718	718	732	735	735			
Planada	2,056	2,279	2,406	2,406	2,417	2,436	2,455	2,463	2,544	2,583			
Santa Nella	182	189	488	511	515	515	537	594	556	561			
Snelling	218	374	314	314	314	314	317	320	320	326			
South Dos Palos	642	574	765	768	768	768	771	786	789	789			
Stevinson	202	362	158	158	158	161	161	163	163	163			
Tuttle	101	96	101	101	101	101	101	103	103	103			
Volta	128	138	135	142	142	142	142	144	144	144			
Winton	3,393	4,096	4,995	5,016	5,124	5,282	5,515	5,535	5,538	5,846			
SUBTOTALS	12,895	17,496	19,002	19,106	19,382	19,626	20,274	20,727	21,074	21,567	+40%	since	1970
Remainder of County	40,359	38,604	39,597	39,636	40,812	42,438	43,648	45,249	47,241	47,349	+15%	since	1970
GRAND TOTALS	104,629	119,400	134,560	137,668	141,761	146,320	151,443	157,862	162,065	166,904	168,622		

(a) Decennial Census - U.S. Bureau of the Census
(b) Special Population Census - State Department of Finance
(c) Computed Population Census - State Department of Finance

* UNINCORPORATED COUNTY AREA TOTAL.

(d) Population estimates for unincorporated communities starting in 1980 were determined by using SUDP boundaries. Boundaries for population estimates prior to 1980 may be different.
(e) N.A. - Data not available.

EXHIBIT 1

CHAPTER VIII

HOUSEHOLD HAZARDOUS WASTE

Existing Programs for Collection

At the present time, Merced County does not have a household hazardous waste program. An estimated 462 tons of household hazardous waste is generated per year in Merced County. The following categories have been developed by the State Household Hazardous Waste Advisory Committee for household hazardous waste:

Generic Product Categories

A. Categories Subject to Household Hazardous Waste Collection Programs:

Solvent-based paint and allied products

Solvents

Adhesives

Sealants

Pesticides

- Insecticides
- Nematicides
- Fungicides
- Herbicides
- Molluscicides
- Rodenticides

Photo processing chemicals

Floor and furniture cleaners not used with water

Waste oil

Pool chemicals (acids)

Hobby, art supplies, glazes

Auto products
- Lubricating oil
- Gasoline
- Transmission fluid
- Kerosene
- Brake fluid
- Antifreeze
- Engine degreaser
- Auto body filler
- Radiator flush systems
- Diesel

Polishes

Batteries (All types)

Wood Preservatives

Mercury

B. Categories excluded from household hazardous waste collection programs:

Radioactive Waste

Compressed Gas Cylinders (Propane)

Ammunition/Explosives

Infectious Wastes

Program Expansion

A household hazardous waste program is recommended for the following reasons:

1). Reduction of household hazardous waste disposal at the county landfill thereby reducing potential groundwater and workers safety problems.

2). Reduces potential hazards to refuse collectors.

3). Removes household hazardous waste from the home, where children could be exposed.

The following elements to the household hazardous waste program will be developed:

1). Development of a household hazardous waste pamphlet. The pamphlet will contain information on hazardous household materials, recycling, storage, disposal and use of alternative non-hazardous materials.

2). Development of a permanent household hazardous waste collection points where individual home owners may dispose of household hazardous waste.

3). Establish a program to collect household hazardous waste at the home.

4). Study the feasibility and design of temporary storage of hazardous waste at the Highway 59 disposal site.

To prevent the unauthorized disposal of household hazardous waste, the collection points must have a central location and a low user fee cost. It is the intent of the program to provide a household hazardous waste collection program that is both low in cost and readily available to a majority of the county population.

City of Atwater

CIVIC CENTER
750 BELLEVUE ROAD
ATWATER, CALIFORNIA 95301
PHONE (209) 358-5606

May 1, 1989

Merced County
Department of Public Works
365 West 7th Street
Merced, CA 95340

Attn: Frank Muratore

We have reviewed your Solid Waste Management Plan. There are only a few minor changes in statistics and they are as noted in red on the attached marked up sheets of your 1983 plan.

We are unaware of any manufacturer efforts in recycling.

BFI, the City's contractor for removal of solid waste, should be contacted for the type of equipment they are presently using in the City.

If I can be of any further assistance, please call.

JOHN A. HAUG
Public Works Director/
City Engineer

JAH/jlc

pc: City Manager

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TABLE 2
DAILY PER CAPITA GENERATION OF REFUSE
RESIDENTIAL AND COMMERCIAL
DELIVERED TO SITES BY COLLECTION SYSTEMS
12 MONTH PERIOD 1/1/81 - 12/31/81

CITY	NUMBER OF PEOPLE SERVED	SOLID WASTE (TONS)	DAILY P CAPITA (PO
MERCED	36,499	28,667	4.30
ATWATER	~~17,530~~ 21,453 1/1/88	9,583 ?	2.99 ?
DOS PALOS	3,123	1,973	3.46
GUSTINE	3,142	2,686	4.68
LIVINGSTON	5,326	3,184	3.27
LOS BANOS	10,933	7,396	3.71
BALANCE OF COUNTY	58,599	27,652*	2.59
TOTAL	134,560	81,141	3.29
COMMERCIAL/ CONTRACTORS	134,560	25,081	1.02
ESTIMATED TOTAL GENERATION			4.31

* Solid Waste in County unincorporated is estimated by combining franchise haulers with two thirds of private vehicles entering th sites. Franchise haulers accounted for 18,675 tons in 1981 and privates 13,000 tons. Unincorporated share was 8,977 tons of pri vehicles for a total of 27,652 tons.

Other methane gas recovery projects are in operation in Monterey Park, California, and Pompano Beach, Florida.

The actual end markets available for combustibles include refuse-derived fuel (RDF), steam, electricity, and synthetic gas or oil. Since pyrolysis technology is not fully developed to be considered feasible, the synthetic oil and gas market was not considered.

The feasibility of using RDF as a power plant fuel has been demonstrated in several pilot operations in the United States where an existing, suspension fired coal boiler is nearby. For direct burning, RDF has a heat content of 5,000 to 8,000 Btu per pound (as a comparision, the figure for coal is 10,000 to 14,000 Btu per pound). Unfortunately, coalfired boilers are virtually nonexistent in California. However, boilers currently burning natural gas or fuel oil can be modified (at considerable expense) to accomodate refuse fuel by adding provisions for collection of fly ash and bottom ash.

Some of the potential industrial steam and/or electricity customers within Merced County are listed below:

Ragu Foods Inc., Merced, California - use's steam to process tomatoes into tomato paste and sauces. They produce approximately 25,000 pounds of steam per hour. Natural gas is used as the energy source. The waste water is recycled back through the boiler and is used over again. Packing activities are seasonal, lasting seven months each year.

ATWATER CANNING CO
~~Davis Cannery~~, Atwater, California - produces approximately 150,000 lbs. of steam per hour, using natural gas to heat boilers. The cannery is only operating ~~3 months of the year~~ ALL YEAR LONG. All waste water is recycled back through the system. WASH WATER, IS COLLECTED & SPREAD ON ADJACENT FARMLAND. (SOIL, SALT ETC)

California Canners & Growers Inc., Merced, California - produces about 200 lbs. of steam per hour. The water is used to cool canned fruit after cooking and is recycled back through the system for reuse. They only operate approximately 4 months of the year.

Most all canneries that were contacted stated their energy bills ran between $100,000 to $1,000,000 per month during their canning season.

000072

THE CITY OF
Dos Palos

CITY HALL — 1546 GOLDEN GATE AVENUE
DOS PALOS, CALIFORNIA 93620
PHONE (209) 392-2174

April 18, 1989

Mr. Frank Muratore
Department of Public Works
Solid Waste Disposal
P.O. Box 2066
Merced, CA 95340

Dear Frank:

After reviewing the information received from your office, it would appear that everything, short of the population information, is the same.

Our population has increased to 4300.

If you have any questions, please feel free to give me a call.

Sincerely,

Vickie

VICKIE SCHEIDT
City of Dos Palos
Assistant City Manager

Bedesen-Cardoza-Andrews, Inc.

CIVIL ENGINEERING
LAND SURVEYING
MERCED, CALIFORNIA 95341

Office: 777 West 22nd Street
Suite 'A'
Mailing: P.O. Box 391
Merced: (209) 722-8042
Los Banos: (209) 826-0481

W.E. Bedesen (Deceased) L.S.656, R.C.E. 2014
(February 6, 1984 - June 22, 1986)
Edward M. Cardoza L.S. 3733
Duane J. Andrews L.S. 4052

Robert T. James R.C.E. 31805
Lawrence L. Bowers L.S. 4403
John J. McCullough R.C.E. 39766
Floyd Davis, Jr. R.C.E. 32951
Harold R. Schneider L.S. 4642

March 22, 1989
Project #360-88

Department of Public Works
Public Services Division
Solid Waste Disposal
John B. Abernethy
365 West 7th Street - P.O. Box 2066
Merced, California 95340

Re: Review of Merced County Solid Waste Management Plan (CoSWMP)

Dear Mr. Abernethy:

This is in response to your letter dated March 8, 1989 and the request for input for the triennial review. After a recent telephone conversation with you, you placed me in contact with Frank Muratore. Frank was able to outline the information that was being requested for the triennial review. This information is outlined below for the City of Gustine.

Population	3,778
Offered Services	City
Collection Frequency	Twice per week
Cost per Month	
Curbside	$11.21
Packout	$13.70
No. of Cans	One ($3.74 for each additional)
Size	30 Gal
No. of Normal Packout	Same as above
Yard Rubbish	Special Trash Haul $30.00 4 Cans w/o additional charge

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MAR 27 1989

March 22, 1989
Project #360-88

JOHN B. ABERNETHY
DEPARTMENT OF PUBLIC WORKS
PUBLIC SERVICES DIVISION
SOLID WASTE DISPOSAL

Transfer Station	No
Tons/Month	225

During the fall and winter season, the City of Gustine provides leaf collection service to its residents. The leaves are allowed to mulch at the now closed City dump. The public, with special permission from the city, then utilizes the mulched leaves as a soil conditioner.

Outside of the recycling outlined above, the City has no other formal program.

Sihcerely

Floyd Davis
City Engineer
City of Gustine

Livingston California

March 14, 1989

John B. Abernathy
Deputy Director of Public Works
Merced County
365 West 7th Street
P.O. Box 2066
Merced, CA 95344

Subject: Merced County Solid Waste Plan

Dear Mr. Abernathy:

The City of Livingston has completed its triennial review of the Merced County Solid Waste Management Plan.

The City has no input at this time of the plan.

It appears to be a fairly complete document.

Sincerely,

GARY K. PETTY
Director of Public Works

GKP:fma

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MAR 16 1989

CITY OF LIVINGSTON
1416 'C' STREET P.O. BOX 308 LIVINGSTON, CALIFORNIA 95334 (209) 394-8041

CITY OF LOS BANOS
DEPARTMENT OF PUBLIC WORKS
411 Madison Avenue • Los Banos, California 93635 • 209-826-0280

March 20, 1989

Mr. John B. Abernethy
Deputy Director of Public Works
Merced County Department of Public Works
P.O. Box 2066
Merced, California 95340

Re: Review of Merced County Solid Waste Management Plan

Dear John:

As you well know, historically the City of Los Banos has had private contractors haul all of the solid waste to the solid waste site. Therefore, the City has not maintained a very good record of the quantities of solid waste hauled from the City. I have been waiting for information from the contract hauler and so far have not received any numbers. A rough estimate, using the City's billing records, is that the City is currently hauling 9,151 tons of garbage per year.

The City of Los Banos also has a private recycler who recycles paper, cardboard, aluminum, and bottles. He also could not give me an estimate of quantities of material that he is able to recycle.

I believe that private enterprise can do a better job of recycling, and the City will encourage this method in the future. The City now has four private firms recycling cans and bottles: Romero's Wrecking, Savemart, a private once-a-week recycler, and Dutra's Recycling Service. None of the above could tell me the quantity of materials that they recycle per year.

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MAR 22 1989

Street • Water • Wastewater
FAX 209-826-3784

CITY OF LOS BANOS

DEPARTMENT OF PUBLIC WORKS

1 Madison Avenue • Los Banos, California 93635 • 209-826-0280

Judging by the City's past history, I would be willing to say that with the right educational materials and some monetary incentives, the City should be able to recycle 20% of the solid waste generated within the City Limits.

If I get any better information, I will forward it to you as soon as possible.

Sincerely,

Matthew Barcellos
Director of Public Works

MB/bam

Street • Water • Wastewater
FAX 209-826-3784

PLANNING DEPARTMENT

2222 "M" STREET
TELEPHONE (AREA CODE 209) 385-7654
MERCED, CALIFORNIA 95340

ROBERT E. SMITH
Director

DIVISIONS
Policy & Ordinance Development
Development Review,
Plan Implementation

DATE: February 15, 1989

TO: John Abernethy, Deputy Director of Public Works

FROM: Bill Nicholson, Senior Planner BN

SUBJECT: Comments on the Review of the Solid Waste Management Plan

This memo is in response to your request for input on the triennial review of the County Solid Waste Management Plan. This plan is an important reference document for the Merced County General Plan, which is currently being revised under court order. It is critical that the data base and assumptions about remaining landfill capacity be correlated with the projections used in the General Plan.

The following general comments are presented as initial concerns of the Planning Department. They are presented according to the eight areas of evaluation required by the State.

Adequacy of the Data Base: Since the last report, there is new data on population counts, population forecasts and similar information. It appears the reserve capacity of the landfills has also been revised which should be explained.

Future Facilities: A discussion on the County's plans to expand the existing landfill facilities should be included in detail sufficient to meet State requirements. Are any new transfer facilities needed?

Consistency With State Policies: The review should discuss the 8-year remaining life requirement of the new State legislation. The last update did not provide an in-depth assessment of this issue. A reference to the County Hazardous Waste Management Plan should also be included.

Implementation Schedule: Revise as needed to reflect the proposed landfill expansions. The resource recovery section should mention 20% recycling requirement; also, new facilities such as the recycling centers at markets, the CAPCO biomass plant and closure of Merced Ecology Action Recycling Center.

Elements of the Plan Not Implemented: Have all objectives of the 1983 Plan been met? Are there any changes necessary to the "1985 Operating Plan Update?"

Please contact this department about updating and coordinating the data base. Attached is the most recent version of our County population figures. I look forward to working together so that our respective plans can remain consistent.

BN:jb

Attachment

cc: John Thayer, Assistant Planning Director

Richard Welch M.D. M.P.H.
Director

Information
385 7710

Administration
385 7700

Laboratory
385 7707

Personal Health Services
385 7710

*Environmental Health
385 E. 13th St.
385-7391

Jeff Palsgaard M.S., Director
Division of Environmental Health

DEPARTMENT OF HEALTH

POST OFFICE BOX 471 - 240 E. 15TH STREET
MERCED, CALIFORNIA 95341-0471

February 21, 1989

Mr. John Abernethy
Dept. of Public Works
715 "J" Street
Merced, CA 95340

Dear Mr. Abernethy:

As the local enforcement agency, Merced County Division of Environmental Health has reviewed the latest version of the County Solid Waste Management Plan (1983), and the Plan Review Report (1986).

In light of the number of significant changes that have occurred since the 1983 County Solid Waste Management Plan was written, we suggest that the plan be rewritten in order to reflect both current policies and procedures for solid waste handling in Merced County, and post-closure and closure requirements for existing landfills as well as future planning for new landfill sites.

Very truly yours,

Jeff Palsgaard, M.S., Director
Division of Environmental Health

By: Robert Wiechert, R.S.
Senior Environmental Health Specialist
Hazardous Materials Program

JP/RW/vm

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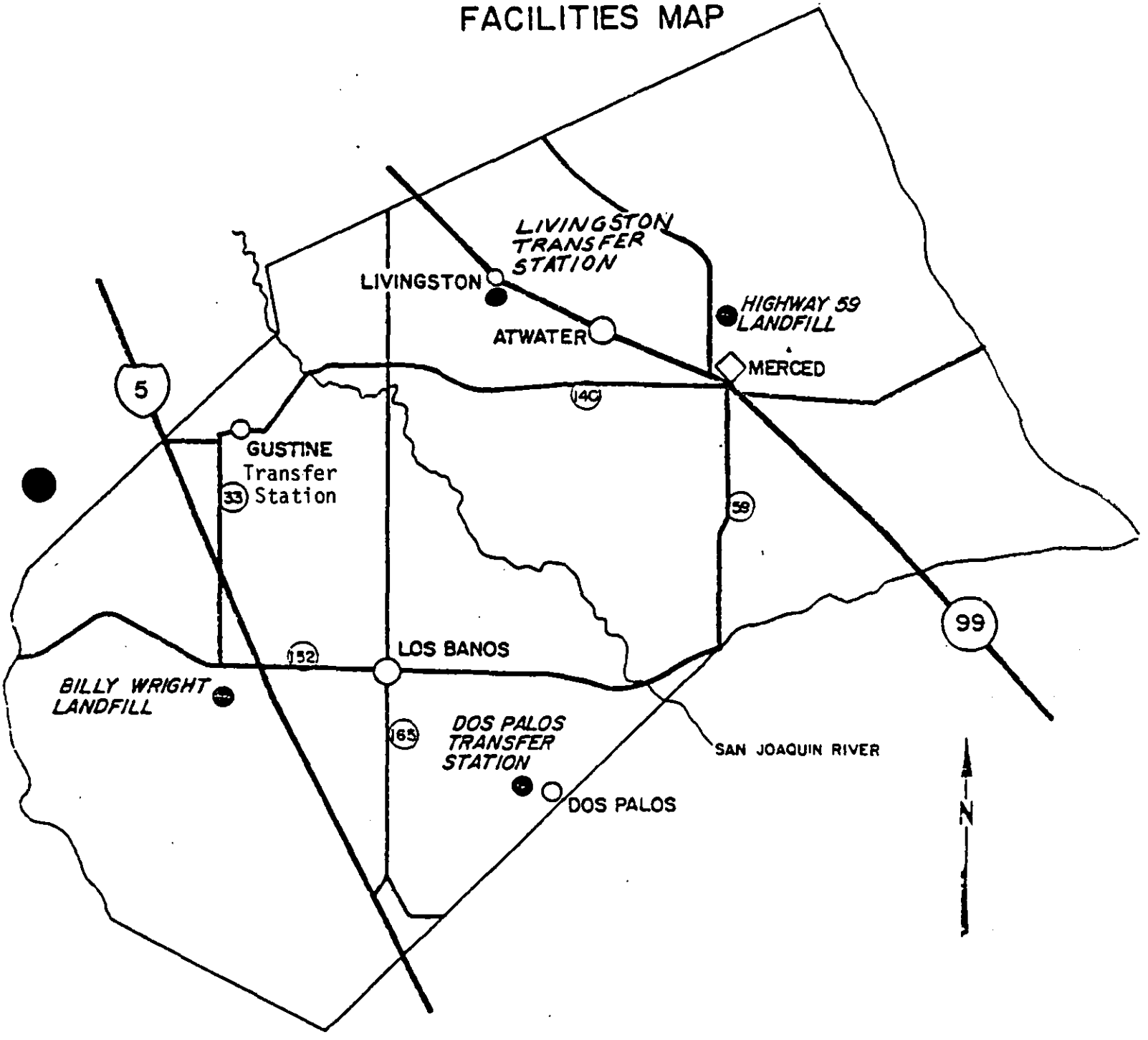
FEB 22 1989

MERCED COUNTY SOLID WASTE FACILITIES MAP



DEPARTMENT OF PUBLIC WORKS

PUBLIC SERVICES DIVISION
SOLID WASTE DISPOSAL

365 WEST 7TH STREET - P.O. BOX 2066
TELEPHONE (AREA CODE 209) 385-7581
MERCED CALIFORNIA 95340

PAUL A. FILLEBROWN
Director
LINCOLN CLENDENIN
Assistant Director
JOHN B. ABERNETHY
Deputy Director

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SEP - 7 1989

August 30, 1989

California Waste Management Board
Local Planning Division
1020 9th Street, Suite 300
Sacramento, CA 95814

ATTN: Cy Armstrong

SUBJECT: Merced County Solid Waste Management Plan Update

Dear Mr. Armstrong:

The County of Merced proposes to complete a comprehensive Solid Waste Management Plan Update based on further review and discussion of recently-enacted Solid Waste Legislation. The recommendations of the Merced County Plan Review Report should be so revised to reflect this change.

The County is of the understanding that the California Waste Management Board may hold its September meeting in Southern California. If this is correct, the County of Merced requests being placed on the October agenda for the meeting held in Sacramento. This request is based on the expense and difficulty in travel arrangements from Merced to the Southern California area.

The County would like to thank California Waste Management staff for their consideration and assistance in development of the Merced County Solid Waste Plan Review Report.

Very truly yours,

PAUL A. FILLEBROWN
DIRECTOR OF PUBLIC WORKS

By John B Abernethy

John B. Abernethy
Deputy Director of Public Works

JBA:dss

Attachment #5

CALIFORNIA WASTE MANAGEMENT BOARD

RESOLUTION #89-63

OCTOBER 11 - 12, 1989

Resolution of Acceptance of the Merced County Solid Waste Management Plan Review Report

WHEREAS, the Board finds that it has approved the revised Merced County Solid Waste Management Plan on July 21, 1985 as meeting the requirements of the Nejedly-Z'Berg-Dills Solid Waste Management and Resource Recovery Act of 1972; and

WHEREAS, the Board finds that the County of Merced has reviewed its County Solid Waste Management Plan and submitted a report to the Board pursuant to Title 7.3, Government Code, Section 66780.5(c); and

WHEREAS, the County of Merced has determined that the County Solid Waste Management Plan is in need of revision; and

WHEREAS, the Board finds that its staff has prepared a Staff Review and Comment which analyzes the effectiveness of the Merced County Solid Waste Management Plan, in light of the Plan Review Report, in providing for current and future solid waste management needs in the County; and

WHEREAS, the Board finds that its staff has determined that a revision of the Merced County Solid Waste Management Plan is needed in the following areas:

1. Identification of Solid Wastes (Title 14, California Code of Regulations (CCR), Section 17131)

2. Disposal and Processing of Wastes (14 CCR 17134), including landfill closure and post-closure technical requirements, transfer system, and a program for disposal of septage and sewage sludge

3. Resource Recovery (14 CCR 17135)

4. Economic Feasibility (14 CCR 17137 and Title 7.3, Government Code (GC) Section 66780.1), including landfill closure and post-closure finance requirements

5. Implementation Schedule (14 CCR 17139 and 7.3 GC 66714.9)

6. Identification of a 20% recycling goal and program to implement (7.3 GC 66780.5(f))

7. A discussion of the amounts of asbestos wastes generated in the County and the sites designated for disposal of this material (7.3 GC 66780.5(e))

8. Verification of eight years of remaining disposal capacity (7.3 GC 66780.2)

9. Inclusion of a program for safe management of household hazardous waste disposal (7.3 GC 66780.5(b))

NOW THEREFORE, BE IT RESOLVED that the California Waste Management Board accepts the Merced County Solid Waste Management Plan Review Report; and

BE IT FURTHER RESOLVED that the California Waste Management Board requires Merced County to revise the County Solid Waste Management Plan in those areas indicated above to bring the Plan into full compliance with State Policy; and

BE IT FURTHER RESOLVED that the California Waste Management Board requires Merced County to submit a timetable for the revision as required by Title 14, California Code of Regulations, Section 17141 within the next 30 days.

CERTIFICATION

The undersigned Chief Executive Officer of the California Waste Management Board does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the California Waste Management Board held on October 11-12, 1989.

Dated:

George T. Eowan
Chief Executive Officer

CALIFORNIA WASTE MANAGEMENT BOARD

AGENDA ITEM # 3

October 11 - 12, 1989

ITEM:

Consideration of Approval of the Riverside County Solid Waste Management Plan Revision

KEY ISSUES:

- Plan Revision delinquent since May 10, 1989
- Submittal inadequate in portions of Enforcement Program and Implementation Schedule
- Partial approval of Plan Revision recommended

BACKGROUND:

The original Riverside County Solid Waste Management Plan (CoSWMP) was approved by the California Waste Management Board (Board) on May 28, 1976. The first CoSWMP Revision was approved by the Board in July 1984. On April 1, 1988 the County submitted a Plan Review Report indicating the need for a second CoSWMP Revision. At its August 11, 1988 meeting, the Board accepted the Plan Review Report and directed the County to revise the CoSWMP in the following areas:

1. Objectives and Measures to Achieve Objectives (Title 14, California Code of Regulations (CCR), Section 17130)
2. Identification of Solid Wastes (14 CCR 17131)
3. Storage of Wastes for Collection (14 CCR 17132)
4. Collection System (14 CCR 17133)
5. Disposal and Processing of Waste (14 CCR 17134)

6. Resource Recovery (14 CCR 17135)

7. Plan Administration (14 CCR 17136)

8. Economic Feasibility (14 CCR 17137)

9. Implementation Schedule (14 CCR 17139 and Title 7.3, Government Code (GC), Section 66714.9)

10. Identification of a Household Hazardous Waste Program (7.3 GC 66780.5(b))

11. Identification of a 20% Recycling Goal (7.3 GC 66780.5(f))

12. Estimation of Remaining Combined Disposal Capacity and Need for Identification of Future Disposal Sites (7.3 GC 66780.2)

13. Estimation of Quantities of Wastes Generated by Asbestos Removal Projects and Identification of Site to Receive Waste (7.3 GC 66780.5(e))

On December 13, 1988, Board staff received the preliminary draft of the Riverside CoSWMP Revision. The draft CoSWMP Revision was reviewed by Board staff and comments on the draft were prepared and sent to the County on February 10, 1988.

Based on public comments received on the preliminary draft, the final CoSWMP Revision was prepared by the Riverside County Waste Management Department.

On May 10, 1989 the final CoSWMP Revision was due to the Board. Since the deadline for submittal of the final CoSWMP Revision was not met by the County, the Board directed staff to refer the matter of the County's delinquent CoSWMP to the State Attorney General's Office for enforcement.

In July 1989 a letter was sent from the State Attorney General's Office to the County requesting a signed commitment to submit the completed CoSWMP Revision.

The final draft Plan Revision was submitted to all incorporated cities in the County on April 10, 1989. All incorporated cities approved the Plan Revision. The County Board of Supervisors approved the final CoSWMP Revision on August 1, 1989. Twenty copies of the final CoSWMP Revision were received by Board staff on August 4, 1989, three months after its original due date.

DISCUSSION:

County Characteristics and Solid Waste System:

Riverside County is located in southern California, bordered on the east by Arizona, on the north by San Bernardino County, on the south by Imperial and San Diego Counties, and on the west by Orange County. Riverside County is populated with about one million people. There are 20 cities in the County; the City of Riverside serves as the County Seat.

The County Waste Management Department is responsible for administering and revising the CoSWMP. The Riverside County Solid Waste Enforcement Agency is the Local Enforcement Agency (LEA) responsible for enforcing state and local regulations concerning the collection, storage, handling, transport and disposal of solid waste. Funds for County solid waste program administration and enforcement functions are provided through a portion of the disposal user fee.

The County generates approximately 1.6 million tons of municipal, industrial and agricultural wastes each year. Waste is collected by franchised or permitted private collection firms and by three cities. There are currently three permitted transfer stations in the County. These transfer stations send approximately 5200 tons of waste per year to the landfills.

At the present time, 14 County-operated Class III landfills serve the needs of the County. Approximately 270,000 tons of waste per year is disposed of at the Highgrove landfill, which is expected to close in about 8 years.

The El Sobrante landfill accepts about 240,000 tons of waste each year, and is expected to close in about 13 years. The Edom Hill landfill is accepting approximately 212,000 tons of waste per year and is expected to reach capacity in 2023. The Coachella landfill receives about 206,000 tons of waste per year, and has 38 years of remaining site life. The Double Butte landfill receives about 169,000 tons of refuse each year and is expected to close in about 2-5 years.

Several recycling centers have been established by various private individuals, charitable or civic organizations, and industries, while scavenger companies operate at several County landfills. Landfill gas recovery systems exist at the closed Corona landfill and are under consideration at other County landfills. The County estimates 12% of the waste stream is currently being recycled. The County has set a recycling goal of 20%, to be accomplished by the end of the short-term planning period.

Revision Features:

This section summarizes the significant information contained in the second Riverside CoSWMP Revision.

Chapter I - Introduction

This chapter presents the historical background to solid waste management in the state, and outlines the Plan Revision process and public participation in the revision of the Plan. Comments received by the County on the preliminary draft CoSWMP are provided in Appendix F.

Chapter II - Summary of Recommendations, Goals, Objectives and Policies

This chapter summarizes all recommendations made in the Plan Revision, including recommendations on waste generation, storage, collection, transfer, recycling, reduction, disposal, and administration and funding. Specific policies, goals, objectives are given for solid waste facility siting, liquid waste and sludge management, and recycling and waste reduction.

One objective is to reduce or recycle at least 20% of the volume of septic wastes and liquid sludge entering evaporation ponds within 5 years and eliminate landfilling of these wastes within 20 years. The chapter states a short-term goal of recycling and diverting from landfills 25% of the county's waste within 3 years of the adoption of the revised Plan.

Chapter III - County Overview

This chapter reviews demographic trends in the County by region. It notes the county is divided into 12 solid waste planning zones corresponding to the 12 active County landfills. An outline of economic development and land use in each geographic areas is given. Transportation systems, including railways and airports are described. The various Federal, State, regional and local government agencies that impact the county's solid waste system are also described.

Chapter IV - Waste Generation

The chapter categorizes the County's waste stream into 5 major types. Figures indicating the estimated composition of the county's waste stream are provided; mixed paper and yard wastes predominate in the waste stream. Importation of wastes is generally forbidden, with exceptions granted by the Board of Supervisors. In 1987 the County generated 1.6 million tons of solid waste. About 3% of this waste is believed to be illegally disposed.

Population growth and waste generation rates are each estimated at 4%/year. Presently each person in the county generates an average of 8.2 pounds of solid waste a day.

Tables projecting future waste generation volumes for each landfill area are given. The current remaining disposal capacity of each landfill in the county is given in text and graphs, together with a discussion of proposed landfill expansions. Remaining cumulative permitted disposal capacity is presently at least 73 million tons, providing more than 45 years of capacity at the current disposal rate.

Chapter V - Waste Storage and Collection

This chapter describes the State Minimum Standards and County ordinance for waste storage and collection, including frequency of removal, and the County's collection system for the incorporated and unincorporated areas. The Plan proposed to develop a model storage ordinance which will encourage source separation of recyclables. Several tables summarize the existing city ordinances and collection requirements.

All collection services in the county are provided by private collectors with the exception of three cities (Riverside, Hemet, Blythe) which operate their own collection systems. Mandatory collection is required in 19 of 20 cities. Residential collection rates for once-a-week service range about $7-13 per month. The cost of collection exclusive of tipping fees is about $29 per ton. The Plan recommends the development of pilot mandatory collection programs for the unincorporated areas, with the first pilot project scheduled for the Coachella Valley in 1989. The Plan promotes the use of mechanized collection systems.

Chapter VI - Waste Transfer and Transportation

This chapter describes the three permitted transfer stations in the County, provides a new transfer station siting matrix, and proposes consideration of a public use permit system to aid in the siting of future transfer stations in the County. Four potential new or expanded sites (southwest territory, Idyllwild, Chuckwalla, and Riverside urban area) for transfer stations are described. The chapter encourages development and expansion of resource recovery and waste reduction activities at transfer stations, and the development of private sector facilities.

Chapter VII - Waste Resource Recovery and Waste Reduction

The waste reduction, recycling and resource recovery activities existing and planned in the County are provided in this chapter and Appendix A. The mandatory 20% recycling goal is noted. Though detailed information on the waste stream composition is not yet available, a waste composition study is planned for the short-term. The minimal impact of AB 2020 is noted; less than 1% of the total county waste stream is received by the certified redemption centers. A total of 12% (about 168,000 tons) of the county's waste stream was recycled in 1987, with paper, ferrous metals and glass making up the bulk of the recyclables. An additional 2800 tons of materials are needed to be recycled to reach the 20% goal, according to this chapter.

A waste reduction program for the county is outlined in the chapter and Appendix A, with procurement and participatory activities described. The existing methane gas recovery project at the closed Corona landfill and the proposed Colmac Biomass Waste-to-Energy project are described.

The recycling and waste reduction plan in the chapter includes: a planned waste composition analysis to be conducted in the short-term; an avoided disposal cost study; revision of solid waste ordinances to encourage or require residential source separation; development of a County purchasing policy for reusable, recycled or repairable products; recycling and waste reduction education program; establishment of zoning ordinances to allow recycling systems to be incorporated into commercial and residential projects; cooperation with waste exchange programs; expanded recycling and salvaging operations at County landfills and transfer stations; and pilot composting projects on or near County landfills.

Additional programs in the recycling and waste reduction plan include a study of recycling incentives; public workshops and technical papers to encourage industry and commercial involvement in recycling and waste reduction; and a study of recycling industry development with subsidized labor and enterprize zone incentives.

The County Waste Management Department has hired a full-time recycling and waste reduction coordinator to implement this plan. A detailed implementation schedule for each task listed in the plan is provided.

Chapter VIII - Special Wastes

This chapter discusses the types and amounts of special wastes generated and disposed in the County. A designated portion of the tipping fee is used to operate the discarded automobile abatement and disposal program. Such autos are dismantled and sold for scrap in the County. An abandoned auto task force has been set up by the Board of Supervisors. Nearly all agricultural wastes generated are recycled on site or, in the case of manures, processed on-site into fertilizers. The Plan recommends study of these materials for possible use in composting, co-composting, methane gas generation, or fuel. Most bulky wastes are salvaged and recycled at landfills.

Several County landfills have evaporation ponds for septage and chemical toilet wastes disposal. The Plan recommends consideration of septic tank maintenance districts and closer joint work with local publically-owned treatment works to better management these wastes.

A sludge waste management plan is given in Appendix B. The siting and EIR process is underway for a 600 cubic yards/day sludge co-composting operation near the El Sobrante landfill. A tire shredding program (volume reduction) at County landfills is planned. Though asbestos disposal at County landfills is allowed, asbestos wastes (about 127 tons in 1987) from the county are currently disposed in Class I landfills outside the county.

Chapter IX - Hazardous Wastes

Household hazardous wastes (HHW) comprise less than 0.1% of the total solid wastes generated in the county; in 1986 about 1178 tons of HHW were generated. A HHW program with six staff, funded by a portion of the tipping fee, was recently approved by the County Board of Supervisors. Details of the program are given in Appendix C. A mobile HHW collection project with continuous collection and a HHW reduction/minimization program are planned; budget details are given in the chapter.

Chapter X - Litter Control, Cleanup and Public Awareness

This chapter and Appendix D describe the County's litter control programs. The County Waste Management Department now has a full-time Refuse Control Coordinator and 5 permanent staff coordinate the use of 400 alternative work release personnel each weekend. A warning flyer was developed to hand to people who bring uncovered loads of refuse to County landfills. The Plan proposed to have County Counsel revise the existing mixture of ordinances on litter into one model litter ordinance; and to deputize refuse control officers who will have power of citation. The Plan promotes the creation of an Environmental Court to address cases involving litter and other illegal waste disposal violators.

A public awareness program targeted to schools is proposed, together with broader public awareness campaigns. Community cleanup campaigns continue in the county, with over 5400 tons of refuse collected in 1988. Free or reduced-cost disposal at County landfills are a part of these campaigns.

Chapter XI - Disposal

This chapter describes the classification of waste disposal facilities in the County, and included detailed maps and tables of all active, inactive and closed disposal sites in the county. A detailed landfill siting matrix is provided. Alternative end uses for closed landfills are discussed. Current landfill closure and post-closure maintenance (C/PC) requirements under AB 2448 are discussed. A large portion of the tipping fee is set aside by the County for C/PC activities at County landfills.

A waste diversion plan for the Double Butte landfill, the next landfill scheduled to reach capacity (about 1990-1993), is being implemented to prolong the life of this facility. Development of a new landfill for the Rancho California area is also under consideration, to service part of the wasteshed entering Double Butte. Proposed expansions at Lambs Canyon and El Sobrante landfills are identified in the Plan. Remaining cumulative permitted disposal capacity is presently at least 73 million tons, providing more than 45 years of capacity at the current disposal rate.

Three proposed transfer stations at landfills are described, together with the proposed tentatively-identified regional landfill at Eagle Mountain. Appendix G describes in detail the Eagle Mountain project, which would receive rail-hauled and trucked wastes from various parts of southern California, including Riverside County.

Existing landfill operational deficiencies are described, together with heavy equipment replacement(schedules and a listing of current field operations and engineering personnel. The closed West Riverside County Landfill, on the RCRA Open Dump List and the State List of Non-Complying Facilities, has received final approval from the LEA and the South Coast Air Quality Management District for its remedial action program to correct a gas emissions problem. Greater coordination between the County Waste Management Department and the LEA is underway.

The County is to develop a land-banking policy to minimize encroachment of development around existing and reserved solid waste facilities.

Chapter XII - Local Solid Waste Management Enforcement Agency for Riverside County

This chapter discusses the authority, purpose, organization and responsibilities of the one LEA in the county. The LEA is comprised of a 5-member board and is served by 5 professional sanitarians and clerical staff. The LEA is partly funded by a portion of the tipping fee. Monthly solid waste facility inspections are to be conducted. The chapter includes a protocol developed by the LEA for the handling of hazardous and toxic wastes brought to County landfills.

Chapter XIII - Administration and Funding

The administrative structure of the County solid waste management system is described, with the Waste Management Department and the LEA assuming the major roles. Administration, engineering and operations consume about half the $18 million annual budget, which is derived primarily from tipping fees.

The County has established a closure/postclosure maintenance fund, liability insurance fund, El Sobrante development fund, environmental monitoring fund for monitoring at landfills, a State solid waste trust fund, and landfill acquisition fund, all from its tipping fees. Additionally the tipping fees support code enforcement, the LEA, an abandoned vehicle fund, refuse control (litter) fund, and toxic wastes minimization (HHW) program.

Alternative funding mechanisms for these programs are discussed. A funding analysis and economic feasibility discussion indicate the programs will be adequately funded through at least the short-term planning period. A contingency plan for operations is provided in the chapter, together with an outlined protocol for screening of loads for hazardous wastes.

Chapter XV - Implementation Plan

The status of the 1985 implementation plan is reviewed in this chapter, and a detailed implementation schedule for implementing this Plan Revision is given, for both continuing and new programs. Lead and affected agencies are identified for each program and task.

STAFF ANALYSIS:

The Riverside CoSWMP Revision was reviewed by Board staff to determine: (1) if the CoSWMP Revision includes the areas of revision identified by the County and the Board at the time the Plan Review Report was accepted, and (2) if the CoSWMP Revision complies with State Policy and Board Planning Guidelines and Procedures for Preparing, Revising and Amending County Solid Waste Management Plans.

At the time the Board accepted the Plan Review Report, it directed the County to revise its Plan in the areas indicated in Board Resolution #88-46 approving the Riverside County Plan Review Report.

The Plan Revision adequately addresses recent Government Code requirements for identifying a 20% recycling goal and programs to reach the goal, asbestos waste disposal, household hazardous wastes management, and identification of a minimum 8 year cumulative disposal capacity.

In the submitted CoSWMP Revision, all other revision areas were adequately addressed, except portions of the Enforcement Program and the related portions of the Implementation Schedule. These deficiencies are discussed below.

1. Enforcement Program Element

The Riverside County Local Solid Waste Enforcement Agency (the LEA), at the direction of the California Waste Management Board is reorganizing the composition of its Board to avoid the appearance of a conflict of interest. The County has indicated the Riverside County Local Solid Waste Enforcement Agency Board will be dissolved and the Riverside County Department of Health, Environmental Health Services Division will be designated as the new LEA. The present text in the Plan Revision describes a membership composition of the LEA which will soon change; thus Board staff recommends this part of the Plan element be changed to reflect the proposed new LEA.

Additionally the 1989 California Waste Management Board review of the LEA indicated several operators were delinquent in submitting the mandatory 5-year permit reviews to the LEA, and that the LEA would need to take timely steps to correct the delinquencies. This deficiency is not described in the Plan Revision. Board staff recommend the matter be discussed in the chapter, together with actions the LEA will take to correct the delinquencies.

2. Implementation Schedule

Task number 54 in the implementation schedule of the Plan Revision states the County LEA should continue to function under all current existing programs. Board staff recommends the implementation schedule reflect the change in the designation of the LEA and the need to correct the deficiencies found in the 5-year permit review program.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA):

The County of Riverside prepared a Negative Declaration for the Plan Revision which incorporated by reference, as a program EIR, the Final EIR No. 185 prepared for the 1985 Plan Revision. Additional mitigation measures given in the Negative Declaration include:

- Preparation of an EIR for the tentatively-identified Eagle Mountain regional landfill;
- A transfer station environmental impact matrix for siting new transfer stations;

- A household hazardous waste plan to reduce the adverse environmental impacts of HHW collection and disposal;

- a recycling/waste reduction plan which will reduce the adverse environmental impacts of municipal solid waste collection and disposal.

The Negative Declaration incorporating the Program EIR was certified by the Board of Supervisors on August 1, 1989 and a Notice of Determination was filed with the State Clearinghouse. Staff has reviewed the Negative Declaration and incorporated Program EIR and has found it adequate for the Board's use in evaluating this project.

OPTIONS FOR BOARD ACTION:

1. Disapprove the CoSWMP Revision.

   This option would be appropriate if the County had not revised the areas of the Plan identified in Resolution #88-46.

2. Partially approve the CoSWMP Revision.

   This would be appropriate if the County has failed to fully address one or more significant solid waste management problems or Plan elements identified in Resolution #88-46.

   Under this option those portions of the Plan that are approved are deemed to be valid under Title 14, California Code of Regulations, Section 17154. One of the portions of the Plan Revision which Board staff recommends be approved is the Processing and Disposal Element (Chapter XI) and Collection System Element (Chapters V and VI). Since the Processing and Disposal and Collection System Elements include the solid waste facilities component of the Plan Revision, the Board would be able to consider a Determination of Conformance and concurrence in the issuance of a Solid Waste Facilities Permit for new and expanded solid waste facilities.

3. Approve the CoSWMP Revision.

   This would be appropriate if the County had revised the CoSWMP in all the areas identified in Resolution #88-46.

RECOMMENDATION:

Staff recommends that the Board:

(1) Select Option 2 and partially approve the Riverside County Solid Waste Management Plan Revision.

(2) Direct the County to resubmit the Plan Revision in 120 days, with a revised Enforcement Program Element, correcting the areas of deficiency identified by the Board.

Attachments:

1. CoSWMP letter of transmittal from Riverside County.
2. Resolution of the Riverside County Board of Supervisors approving the CoSWMP Revision.
3. Proposed Board Resolution #89-82 partially approving the Riverside CoSWMP Revision.

Attachment #1

THE COUNTY OF RIVERSIDE

WASTE MANAGEMENT

ROBERT A. NELSON
Director

August 1, 1989

RECEIVED
AUG 4 1989

California Solid Waste Management Board
Attention: Steve Ault
1020 9th Street, Suite 300
Sacramento, Ca 95814

Dear Steve :

Attached you will find Resolution 89-377 providing for approval of the Riverside County 1989 Solid Waste Management Plan. Additionally you will find copies of the cities' approval resolutions. The Final Draft of the Plan was submitted to the two regional planning agencies and the incorporated cities on April 10, 1989. Copies to the outlying areas were mailed by certified mail and copies to those cities in nearby areas were hand carried by Waste Management Staff. Seven cities representing 53% of the population of the incorporated areas formally adopted resolutions. The other thirteen cities and the regional agencies did not respond. The review period for the remainder expired on July 9, 1989.

Sincerely,

Robert A. Nelson

Robert A. Nelson, Director

MM:jv

Attachments: Resolution 89-377
Riverside 1989 CoSWMP (20 Copies)
Copies of Approved Resolutions from Cities (7)

11728 Magnolia, Suite A • Riverside, CA 92503 • (714) 785-6081

SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

FROM: Waste Management SUBMITTAL DATE: July 25, 1989

SUBJECT: Adoption of the Riverside County Solid Waste Management Plan

RECOMMENDED MOTION: Adopt Resolution No. 89-377 approving the 1989 Riverside County Solid Waste Management Plan

JUSTIFICATION: The California Solid Waste Management and Resource Recovery Act of 1972 requires each County to adopt a solid waste management plan. Riverside County's Solid waste Management Plan (CoSWMP) was originally approved in 1976. The CoSWMP was revised in 1984. The 1989 update is a revision of the previously adopted CoSWMP and updates information contained within that document, identifies new goals and adds new programs and plans. The updated information includes statistical information, background information and the location of existing and approved solid waste facilities. The new goals are consistent with existing goals and will not have adverse environmental impacts.

The CoSWMP was submitted to the incorporated cities of the County on April 10, 1989 for review in accordance with Sections 66783 and 66790 of the Government Code. Seven cities have adopted formal resolutions concurring with the objectives set forth in the plan, the method for implementation, procedures for financing and the role of the particular city. These cities represent 53% of the population of the incorporated areas. No adverse comments have been received from the cities during their 90 day review period.

FINANCIAL: The adoption of the CoSWMP has no direct financial impact on the Department.

Robert A. Nelson, Director

RAN:mfa
cc: CAO
County Counsel

C.A.O. RECOMMENDATION: FINANCIAL IMPACT:

RECEIVED AUG 4 1989

Administrative Officer Signature

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Dunlap, seconded by Supervisor Ceniceros and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Ceniceros, Dunlap, Larson, Abraham and Younglove
Noes: None
Absent: None
Date: August 1, 1989
xc: Planning, Waste Mgmt.

Gerald A Maloney
Clerk of the Board
By Margaret Rozanx
Deputy

Prev. Agn. ref. Depts. Comments Dist. AGENDA NO.

000098
10.3 b

Attachment #2

BOARD OF SUPERVISORS COUNTY OF RIVERSIDE

RESOLUTION NO. 89-377

RESOLUTION OF THE COUNTY OF RIVERSIDE
APPROVING THE
RIVERSIDE COUNTY SOLID WASTE MANAGEMENT PLAN

WHEREAS, pursuant to Government Code Section 66780 et seq., the County of Riverside has prepared a County Solid Waste Management Plan (CoSWMP); and

WHEREAS, pursuant to California Code of Regulations, Title 22, Section 17147, the CoSWMP has been approved by a majority of the cities within Riverside County which contain a majority of the population of the incorporated areas of the County prior to submission to and final approval of the Plan by the State Solid Waste Management Board; and

WHEREAS, on July 10, 1989, the review period for the incorporated cities expired; and

WHEREAS, the Riverside County Board of Supervisors has reviewed and considered the CoSWMP; and

WHEREAS the Riverside Board of Supervisors now concurs in the objectives set forth in the Plan; and

WHEREAS the Riverside County Board of Supervisors concurs in the method and/or organization for implementation of the program; and

WHEREAS the Riverside County Board of Supervisors concurs in the procedures for financing the recommended program; and

//

FORM APPROVED COUNTY COUNSEL
JUL 12 1989
By M. Blankenship

RECEIVED
AUG 4 1989

8/1/89 10.3

WHEREAS, the Riverside County Board of Supervisors concurs in the role identified in the plan for the County; now, therefore

BE IT RESOLVED by the Riverside County Board of Supervisors in regular session assembled on August 1, 1989, that it hereby grants formal approval of said Plan.

BE IT FURTHER RESOLVED that a certified copy of this Resolution be transmitted to the State Solid Waste Board indicating the County's approval of the Plan.

Roll Call resulted as follows:
Ayes: Abraham, Dunlap, Larson, Younglove and Ceniceros
Noes: None
Absent: None
Date: August 1, 1989

The foregoing is certified to be a true resolution duly adopted by said Supervisors on the date therein set forth.
GERALDINA. MALONEY, Clerk of Said Board
By Margaret Higgins Deputy

Attachment #3

CALIFORNIA WASTE MANAGEMENT BOARD

RESOLUTION #89 - 82

October 11-12, 1989

Resolution of Partial Approval of the Second Revision to the Riverside County Solid Waste Management Plan.

WHEREAS, the Nejedly-Z'Berg-Dills Solid Waste Management and Resource Recovery Act of 1972 (hereafter referred to as the Act), requires each County, in cooperation with affected local jurisdictions, to prepare a comprehensive, coordinated Solid Waste Management Plan consistent with the Planning Guidelines and Procedures for Preparing, Revising and Amending County Solid Waste Management Plans; and

WHEREAS, the County of Riverside prepared a County Solid Waste Management Plan Revision which was approved by the California Waste Management Board in July 1985; and

WHEREAS, the Act requires that approved County Solid Waste Management Plans be reviewed and revised, if appropriate, at least every three years; and

WHEREAS, the County of Riverside reviewed its Plan and on August 11, 1988 the California Waste Management Board accepted the County Plan Review Report and identified a need to prepare a Plan Revision; and

WHEREAS, the County of Riverside has prepared a revised County Solid Waste Management Plan and submitted 20 copies of said Plan Revision to California Waste Management Board on August 4, 1989; and

WHEREAS, the proposed Plan Revision has been approved by a majority of incorporated cities and the Board of Supervisors; and

WHEREAS, the Plan Revision was circulated to other State agencies with involvement in solid waste management; and

WHEREAS, the Board finds that the Negative Declaration for the Plan Revision has been prepared and circulated in compliance with the California Environmental Quality Act (CEQA); and

WHEREAS, the Negative Declaration and incorporated program EIR reduce any potential adverse environmental impacts to a level of insignificance; and

WHEREAS, the Board finds that the environmental documents are adequate for use in its approval of the proposed Plan Revision; and

WHEREAS, the Board has reviewed the Plan Revision and found certain portions of the Enforcement Program and Implementation Schedule do not comply with the State Policy and the Board's Planning Guidelines and Procedures for Preparing, Revising and Amending County Solid Waste Management Plans; and

WHEREAS, the Board has found the remaining elements and portions of elements of the Plan Revision comply with the State Policy and the Board's Planning Guidelines and Procedures for Preparing, Revising and Amending County Solid Waste Management Plan.

NOW, THEREFORE, BE IT RESOLVED that the California Waste Management Board partially approves the Riverside County Solid Waste Management Plan Revision; and

BE IT RESOLVED that the County of Riverside, within 120 days from the date of this action, resubmit the Revised Plan with a revised Enforcement Program element which (i) identifies the local enforcement agency, and the composition of its membership, which will implement the solid waste enforcement program; and (ii) describes the deficiencies identified by the Board in the 5-year permit review process, with proposed actions to correct the deficiencies, as required by Title 14, California Code of Regulations, Section 17138; and

BE IT RESOLVED that the resubmitted Plan contain a comprehensive revised implementation schedule for the Enforcement Program, as required by Title 14, California Code or Regulations, Section 17139 and Title 7.3, Government Code, Section 66714.9; and

BE IT RESOLVED that the County submit monthly status reports to this Board on the progress made in revising the deficient Plan elements identified by the Board, beginning in November 1989.

CERTIFICATION

The undersigned Chief Executive Officer of the California Waste Management Board does hereby certify that the foregoing is a full, true and correct copy of a Resolution duly and regularly adopted at a meeting of the California Waste Management Board held on October 11-12, 1989.

Dated:

George T. Eowan
Chief Executive Officer

CALIFORNIA WASTE MANAGEMENT BOARD

AGENDA ITEM # 4

OCTOBER 11 - 12, 1989

ITEM:

Status of County Solid Waste Management Plans (CoSWMPs).

KEY ISSUES:

- 44 CoSWMPs are complete and current.
- 3 CoSWMP Revisions require resubmittal.
- 10 CoSWMP Revisions are delinquent.

BACKGROUND:

Each month at the request of the Board, staff has provided the Board with a report on the status of County Solid Waste Management Plans. This item contains the most current information on the status of CoSWMPs. The changes in status since the preparation of the last report are shaded as shown here.

DISCUSSION:

This status report is divided into five sections.

Section I is a listing of forty-four (44) counties with complete and current Plans. The due date for either the Plan Revision or the next Plan Review Report is also included. All the Plan Review Reports that were due have been received.

Section II lists three (3) counties which have been required by the Board to resubmit their Plan Revision to address deficiencies of the originally submitted Plan Revision.

Section III lists one (1) county that have recently submitted their delinquent CoSWMP Revision.

Section IV list six (6) counties with delinquent CoSWMPs, not yet received, that have been referred to the State Attorney General.

Section V lists three (3) counties that have recently become delinquent. Board staff is in the process of referring these delinquent Plans to the State Attorney General's Office.

I. Current CoSWMPs

The counties listed on the following page have current CoSWMPs. Staff has notified all counties which have Plan Review Reports due through December 1989, and plans periodic follow up contacts to ensure the timely submittal of Plan Review Reports. All Plan Review Reports that were due have been received by Board staff.

Staff is in frequent contact with counties preparing their CoSWMP Revision. The due date of either the next CoSWMP Revision or Plan Review Report for each county is also noted.

1.	Lake#	Revision due Oct. 1989
2.	Tuolumne#	Revision due Oct. 1989
3.	Yolo #	Revision due Nov. 1989
4.	Fresno #	Revision due Dec. 1989
5.	Trinity #	Revision due Dec. 1989
6.	Tehama#	Revision due Jan. 1990
7.	Placer#	Revision due Jan. 1990
8.	Butte#	Revision due Feb. 1990
9.	Monterey#	Revision due Feb. 1990
10.	Los Angeles#	Revision due Mar. 1990
11.	Sonoma#	Revision due Apr. 1990
12.	San Bernardino#	Revision due May 1990
13.	Stanislaus#	Revision due May 1990
14.	Lassen#	Revision due May 1990
15.	Merced*	July 1989
16.	Santa Barbara	Sept.1989
17.	San Joaquin	Oct. 1989
18.	Calaveras	Dec. 1989
19.	San Luis Obispo	Dec. 1989
20.	Tulare	Dec. 1989
21.	Colusa	Dec. 1989
22.	Sierra	Jan. 1990
23.	Modoc	Mar. 1990
24.	Mendocino	May 1990
25.	Mariposa	May 1990
26.	San Diego	Aug. 1990
27.	Marin	Nov. 1990
28.	Kings	Dec. 1990
29.	Plumas	Jan. 1991
30.	Madera	Feb. 1991
31.	Alpine	Mar. 1991
32.	Napa	May 1991
33.	Glenn	May 1991
34.	Imperial	June 1991
35.	San Francisco	June 1991
36.	Solano	Aug. 1991
37.	Amador	Aug. 1991
38.	Shasta	Sept.1991
39.	Kern	Nov. 1991
40.	Alameda	Nov. 1991
41.	Siskiyou	Feb. 1992
42.	Humboldt	Feb. 1992
43.	Sacramento	Mar. 1992
44.	Sutter-Yuba	Jul. 1992

Currently preparing a CoSWMP Revision.
* Plan Review Report to be considered at this Board meeting.

II. Plan Revisions Requiring Resubmittal.

Three CoSWMP Revisions were required to be resubmitted because of deficiencies previously identified by the Board in the originally submitted Plan Revisions. The details on each CoSWMP Revision status are included below:

San Mateo County

06/08/89 - Board partially approved the Plan Revision. Directed County to resubmit a Plan that fully addressed deficiencies of Disposal and Plan Implementation elements within 120 days.

06/15/89 - Letter from Chief Executive Officer sent to Board of Supervisors informing County of Board action partially approving Plan Revision and need to resubmit complete Plan Revision by 9/26/89.

07/24/89 - Board staff received a letter from the County requesting clarification on what additional information should be included in the implementation schedule.

07/25/89 - Board staff informs County by phone that they should submit a status update on their efforts to revise the Plan as directed by the Board in the June 8, 1989 resolution partially approving the CoSWMP.

07/25/89 - Board staff informed County by phone that they should submit required monthly status reports on their progress in resubmitting their Plan Revision.

08/17/89 - Representatives of EPA, SWRCB, Fish and Game, RWQCB, and the Army Corps of Engineers discussed their remaining permit concerns about the Ox Mountain Landfill expansion before the Board.

08/29/89 - Detailed letter from Chief Executive Officer sent to County providing clarification on the contents of the implementation schedule.

09/19/89 - In a phone conversation with Board staff, County staff indicated its intention to comply with Board request for a more detailed implementation schedule.

09/26/89 - Date for expiration of the 120-day time period for resubmittal of the deficient CoSWMP Revision (time limit set by Title 14, California Code of Regulations, Section 17154).

Del Norte County

07/13/89 - Board partially approved the Plan Revision. Directed County to resubmit a Plan that fully addressed deficiencies of disposal, household hazardous waste and plan implementation elements within 120 days.

07/20/89 - Letter from Chief Executive Officer sent to Board of Supervisors informing County of Board action partially approving Plan Revision and need to resubmit complete Plan Revision by 11/10/89.

07/27/89 - Letter received from County Board of Supervisors Chairman addressed to Board Chairman which requests that this Board grant full approval of the Plan Revision because of an inappropriate staff recommendation for partial approval at the July Board meeting.

08/17/89 - Letter from Board Chairman explaining in detail reasons for partially approving Plan Revision and requesting that County resubmit Plan Revision by November 1989, due date.

09/08/89 - Letter received from County Board of Supervisors Chairman addressed to Board Chairman John Gallagher indicating that County could comply with most of additional information requested for resubmitted Plan, however, would be unable to guarantee approved waste export agreement, which would secure minimum of eight years of remaining permitted disposal capacity, by Plan resubmittal due date of November 10, 1989.

11/10/89 - Date for expiration of the 120-day time period for resubmittal of the deficient CoSWMP Revision (time limit set by Title 14, California Code of Regulations, Section 17154).

Orange County

09/20/89 - Board partially approved the Plan Revision and directed County to resubmit a Plan that fully addresses deficiencies in Resource Recovery, Recycling, Waste Reduction, and Enforcement Program Elements and the corresponding portions of the Implementation Plan within 120 days.

01/19/90 - Date for expiration of the 120-day time period for resubmittal of the deficient CoSWMP Revision (time limit set by Title 14, California Code of Regulations, Section 17154).

III. Recently submitted CoSWMP Revision

Riverside County has recently submitted its Final Plan Revision. Consideration of approval of that Plan Revision is scheduled for this Board meeting. Below is more detailed information on the submitted CoSWMP Revision.

Riverside County

08/10/88 -	Plan Review Report accepted by Board and County was directed to revise Plan in several areas.
02/10/89 -	Date comments were sent to County staff on draft Plan Revision.
03/20/89 -	Director of Waste Management Department indicated over phone that submission of the CoSWMP Revision could be delayed approximately a month because of lengthy comments made on draft Plan Revision and loss of primary staff person working on Plan Revision.
04/10/89 -	Date Final Plan Revision submitted to incorporated cities for approval.
04/14/89 -	County Waste Management staff over phone indicated that Plan Revision was about to be sent to the cities for approval. Staff also indicated that cities would be encouraged to approve document as soon as possible.
05/02/89 -	Board staff spoke by phone with County Waste Management Department Director. Environmental document for Plan Revision is under preparation.
05/09/89 -	Board staff received letter from County Waste Management Department Director stating a locally-approved Final Plan Revision should reach the Board by early July 1989.
05/10/89 -	Date locally approved CoSWMP Revision due to the Board.
05/11/89 -	Board informed by Board staff of the initiation of referral of delinquent Plan Revision to the State Attorney General's Office.
05/17/89 -	Board staff visit County Waste Management Department. The Department anticipates no opposition from the cities in approval of the Plan Revision.
05/22/89 -	Board staff spoke by phone with County Waste Management Department Director, who said the Plan Revision environment document should be sent to State Clearinghouse next week.

06/01/89 - Board staff spoke by phone with County Waste Management Department staff, who said four cities have approved the Final Plan Revision.

06/15/89 - Board staff spoke by phone with County Waste Management Department staff, who said four cities have approved the Final Plan Revision.

06/26/89 - County informed by letter of Board referral of delinquent Plan Revision to State Attorney General's Office.

07/10/89 - Date cities 90 day review period ended for approving Final Plan Revision.

08/01/89 - Date Board of Supervisors approved Plan Revision.

08/04/89 - Date Board received twenty copies of Final Plan Revision.

IV. Delinquent CoSWMP Revisions Referred to the State Attorney General

In February 1985, the Board adopted a policy of referring all delinquent CoSWMPs to the State Attorney General's Office for appropriate action. This policy was based on the determination that neither the Government Code nor the California Code of Regulations provide for the granting of an extension of the 270 day time limit for submittal of CoSWMP Revisions.

Six delinquent CoSWMP Revisions, not yet received by the Board, have been referred to the State Attorney General for enforcement action. The first, the Contra Costa CoSWMP Revision, was previously disapproved by the Board. Referral to the Attorney General was initiated when the County failed to meet the CoSWMP Revision resubmittal date.

Five additional delinquent Plan Revision has also been referred to the Attorney General. Those referrals were initiated when counties went beyond the required 270 days for the preparation of its Plan Revision. The details on status of each county's Plan Revision status are presented below:

<u>Contra Costa County</u>

09/22/86 - Plan Review Report accepted; revisions to CoSWMP required by Board.

01/30/87 - Letter from County indicating CoSWMP Revision would be on schedule but without future facilities.

03/26/87 - County presentation to Board on siting situation and CoSWMP Revision status.

04/21/87 - Draft CoSWMP Revision circulated to cities and Board for review.

06/22/87 - Date locally approved CoSWMP Revision was due to the Board.

06/26/87 - Board of Supervisors approved CoSWMP Revision and authorized submittal of document to the cities for their approval.

09/24/87 - County submitted CoSWMP Revision to Board.

01/13/88 - Board disapproved CoSWMP Revision because of inadequacies in a number of areas.

02/10/88 - Letter from Board which described CoSWMP Revision deficiencies sent to County Board of Supervisors.

04/08/88 - In phone conversation with Board staff, CoSWMP liaison indicated that future facilities had not been identified in the CoSWMP. He also indicated that the County would not meet the 5/12/88 deadline for the resubmitted Plan.

05/10/88 - Letter sent by Board of Supervisors' Chairman requesting time extension for preparing CoSWMP Revision.

05/12/88 - Expiration of the 120-day time period for resubmittal of the deficient CoSWMP Revision occurred (time limit set by Title 14, California Code of Regulations, Section 17154).

05/12/88 - Board directed staff to refer County to State Attorney General to ensure County compliance with State planning law.

06/17/88 - Letter from Board Chairman to County denying request for time extension and informing County that matter of delinquent CoSWMP was being referred to State Attorney General.

07/26/88 - Board of Supervisors certified two initiatives designating the Garaventa and Marsh Canyon landfills as replacement sites. The Board also included two advisory measures on whether to include the Bay Pointe and a "super landfill", (which includes the proposed Kirker Pass, the previously proposed Central Landfill and property known as Keller Ranch) as proposed landfills.

08/22/88 - Letter from State Attorney General sent to Contra Costa County Counsel informing him that the filing of litigation on the delinquent CoSWMP Revision would be delayed until September 9, 1988 so that the County would have the opportunity to suggest proposals to resolve matter of delinquent Plan.

09/26/88 - County staff, Board staff and a representative from State Attorney General's Office met to discuss how County could expedite submittal of CoSWMP Revision.

09/29/88 - County staff requested expedited review of resubmitted CoSWMP Revision.

09/30/88 - Board staff received resubmitted Draft Plan Revision.

10/07/88 - Board staff over phone communicated comments on resubmitted draft to County.

10/17/88 - Board staff sent written comments on resubmitted Draft Plan Revision.

10/17/88 - Board staff received second version of resubmitted Draft Plan Revision.

10/17/88 - Board staff over phone communicated comments on second version to County.

10/18/88 - Contra Costa County Board of Supervisors approved CoSWMP Revision and circulated document to cities for approval. Board of Supervisors also certified Notice of Exemption for Plan Revision.

11/04/88 - Board staff sent written comments on second version of resubmitted Plan Revision to County.

11/08/88 - Voters disapproved all initiatives relating to proposed landfills.

11/10/88 - Board of Supervisors decided to pursue siting of the Bailey Road Landfill.

11/10/88 - Board staff received for review Draft Environmental Impact Report for Bailey Road Landfill.

12/16/88 - County and Board representatives met to discuss adequacy of Plan and Notice of Exemption filed on the Plan Revision.

01/06/89 - Attorney General, Board Counsel, and Board staff met jointly with Contra Costa County and Alameda County to discuss inter-county waste transfer and actions necessary to resolve delinquent Plan status.

02/03/89 - Board staff met with County consultants to discuss information to be included in an Environmental Impact Report (EIR) for the CoSWMP Revision and General Plan Amendments for designation of future disposal sites.

02/15/89 - County held scoping meeting on an EIR for the CoSWMP Revision and General Plan Amendments.

02/24/89 - Board staff sent comments on Notice of Preparation of EIR for the CoSWMP Revision and General Plan Amendments for designation of future disposal sites.

03/01/89 - County received Comprehensive Project Descriptions for Bay Pointe and Keller-Bailey landfill projects.

03/02/89 - County received the Comprehensive Project Description for Marsh Canyon Landfill.

03/02/89 - Lawsuit filed by Board on delinquent CoSWMP Revision. The court issued an order based on a stipulation between Contra Costa County and the Board to adopt a CoSWMP revision by December 1, 1989. Stipulation included a detailed timetable, monthly reports to the California Waste Management Board (Board), and schedule of activities to ensure the December 1, 1989 Plan submittal date.

04/12/89 - Board staff received Notice of Preparation (NOP) for proposed Keller-Bailey Landfill.

04/12/89 - County circulated NOP for proposed Marsh Canyon Landfill.

04/21/89 - County presented status update on Plan Revision at Board meeting.

04/24/89 - Consultant submitted administrative draft of CoSWMP-GPA EIR to County staff.

04/28/89 - County holds EIR scoping meeting on proposed Marsh Canyon Landfill.

05/08/89 - Board staff commented on Keller-Bailey NOP.

05/11/89 - County staff briefed Board on status of CoSWMP Revision.

05/15/89 - Board staff received CoSWMP/General Plan Amendment Draft EIR. Comment on document due 06/30/89.

05/16/89 - County selected consultant to prepare Draft EIR for the Keller Bailey Landfill Project.

06/05/89 - Date Board staff received proposed Mitigated Negative Declaration for receipt of Contra Costa wastes at the Altamont Landfill.

06/06/89 - Board staff's written comments sent on draft Plan Revision.

06/08/89 - County staff briefed Board on status of CoSWMP Revision.

06/12/89 - Board staff sent written comments on Mitigated Negative Declaration for receipt of Contra Costa County's wastes at the Altamont Landfill.

06/21/89 - Zoning Administrator held public hearing on DEIR for CoSWMP Revision and General Plan Amendments.

06/26/89 - Board staff received NOP for DEIR for Marsh Canyon Landfill.

07/03/89 - Board staff sent written comments on the CoSWMP/GPA DEIR.

07/14/89 - County staff briefed Board on status of CoSWMP Revision.

07/18/89 - Board staff sent written comments on the NOP for a DEIR on the proposed Marsh Canyon Landfill.

07/19/89 - Alameda County Waste Management Authority circulated CoSWMP Amendment and Mitigated Negative Declaration for import of Contra Costa County waste for city approval.

07/19/89 - Solano County Board of Supervisors circulated a CoSWMP Amendment and Negative Declaration for import of Contra Costa County waste for city approval.

07/29/89 - FEIR for the CoSWMP Revision and GPAs sent to the printer.

08/11/89 - Board staff meets with County staff to discuss the status of the Plan Revision and Solid Waste Export Agreements.

08/15/89 - County Board approves Plan Revision for circulation and certifies the EIR.

08/17/89 - Planning Commission made recommendations on GPAs for landfill sites:

- Marsh Canyon, Pay Point and Kirker Pass - Approve
- Keller - Bailey - Deny
- East Contra Costa - No Recommendation

08/18/89 - County staff briefed Board on status of CoSWMP Revision.

08/28/89 - Board staff meets with representatives from Solano and Contra Costa Counties to discuss Solano County's Waste Import Amendment.

08/31/89 - Board staff sends comments on the Negative Declaration for Solano County's import of Contra Costa County's solid waste.

09/19/89 - Board of Supervisors approved all five GPAs for future landfills.

09/21/89 - County staff briefed Board on status of CoSWMP Revision. During the presentation, the County indicated that three cities had already approved the CoSWMP Revision. Concerning waste export agreements, County staff indicated that the Solano CoSWMP Amendment was close to being approved and the Alameda CoSWMP amendment had been approved by four of eight cities. The County also indicated that work on the EIRs for the specific landfill projects had fallen behind by approximately two weeks.

12/01/89 - Date Plan Revision to be submitted to Board according to Court Order.

Santa Cruz County

08/10/88 - Plan Review Report accepted by Board and County was directed to revise Plan in several areas.

12/08/88 - County staff met with Board staff in Sacramento to discuss contents of draft Plan Revision.

02/23/89 - Board staff by phone contacted County on progress of Plan Revision. At that time, County staff indicated that because of staffing problems, the preparation of the Plan Revision had fallen behind schedule.

03/06/89 - Board staff by phone contacted County staff on Plan Revision progress.

03/21/89 - Board staff visited County to assist in preparation of Plan Revision.

04/05/89 - Board staff by phone contacted County staff on Plan Revision progress.

04/19/89 - Draft CoSWMP Revision submitted to Board.

04/26/89 - Board staff by phone contacted County concerning progress in completing Plan Revision.

05/10/89 - Date locally approved CoSWMP Revision was due to the Board.

05/11/89 - Board informed by Board staff of the initiation of referral of delinquent Plan Revision to the State Attorney General's Office.

05/24/89 - Written comments on draft CoSWMP Revision sent to County.

06/05/89 - Board staff by phone discussed status of Plan Revision with County staff.

06/26/89 - County informed by letter of Board referral of delinquent Plan Revision to State Attorney General's Office.

06/28/89 - In phone conversation with Board staff, County indicated Final Plan Revision will be sent to cities in late July.

07/05/89 - Letter sent from Chairman of Board of Supervisors, which includes a revised time schedule, indicated a February 16, 1990 submittal date for the final Plan Revision.

07/31/89 - Date second Draft Plan Revision received by Board staff.

08/15/89 - Letter from State Attorney General sent to Board of Supervisors Chairman requesting a written commitment to submit a Final Plan Revision by December 15, 1989.

08/24/89 - Written comments on Draft Plan Revision sent to County.

08/29/89 - County staff in phone conversation with Board staff indicated that County could meet the December 15, deadline for submitting Plan Revision.

09/25/89 - County staff in phone conversation with Board staff indicated that the County Board of Supervisors had agreed to commitment date of December 15, 1989 for submitting the Plan Revision.

Nevada County

10/19/88 - Plan Review Report accepted by Board and County was directed to revise Plan in five areas.

12/03/88 - Board staff met with County staff in Nevada City to discuss Plan content, procedures and the revision approval process.

01/19/89 -	County submitted time schedule for CoSWMP Revision to this Board.
04/13/89 -	County submitted letter to Board requesting time extension to complete Plan.
05/25/89 -	Board staff sent letter denying time extension request.
05/26/89 -	Board staff met in Nevada City with County staff to discuss Plan progress and assist with completion of Plan.
05/30/89 -	Board staff phoned County staff to discuss inclusion of asbestos disposal in plan.
05/31/89 -	Board staff phoned County staff to discuss existing noncompliance with State Minimum Standards at McCourtney Landfill and a program to bring facility into compliance in Plan Revision. Staff learned during phone conversation that the County was going to hire a consultant to complete revision.
05/31/89 -	County consultant phoned Board staff to indicate his firm had been selected as consultants for Nevada County and to discuss procedures and content of Plan Revision.
06/02/89 -	County's consultant phoned Board staff to further discuss format of Plan, the city approvals, and the CEQA process.
06/04/89 -	Board staff met with County's consultant at Board headquarters to discuss plan element contents and process of completing Plan Revision.
06/04/89 -	County submitted revised time schedule to CWMB for completion of Plan Revision.
07/10/89 -	Board staff met with County staff in Nevada City to assist with completion of Plan Revision and discuss consultant's role in completion of document.
07/19/89 -	Date locally approved CoSWMP was due to this Board.
07/19/89 -	County submitted draft plan to this Board.
07/24/89 -	County's consultant phoned Board staff regarding distribution of draft Plan Revision to cities.
07/24/89 -	Notice of Consultation sent on proposed environmental document for the Plan Revision sent.
08/17/89 -	Letter from County Administrator indicating that after the Board of Supervisors approves Plan Revision in late October, it would be submitted to the Board.

08/17/89 - Board informed by Board staff of the initiation of referral of delinquent Plan Revision to State Attorney General's Office.

08/23/89 - County informed by letter of Board referral of delinquent Plan Revision to State Attorney General's Office.

08/25/89 - Written comments on Draft Plan Revision sent to County.

09/26/89 - Plan consultant in phone conversation with Board staff indicated that Final Plan Revision was being sent to County.

Santa Clara County

11/16/88 - Board accepted the Plan Review Report and directed County to revise Plan in several areas.

12/11/88 - Letter sent from Chief Executive Officer informing County of Board action on Plan Review Report.

01/10/89 - Board staff received the timetable for completing the Plan Revision within the 270 days required by Board regulations.

02/14/89 - Board staff receives advance copy of the recycling element for the Plan Revision

03/24/89 - Board staff sent written comments on the draft recycling element.

07/17/89 - Board staff received revised timetable for completing the Plan Revision which indicates that the Plan will not be submitted to the Board until May, 1990 - nine months late.

07/26/89 - Board staff informed the County by phone that since the Plan Revision would be late, that the matter of the County's delinquent Plan Revision would be referred to the Attorney General's Office for enforcement once the County went beyond 270 days for preparing the Plan Revision.

08/10/89 - Board staff met with County staff to discuss status$of Plan Revision.

08/14/89 - Date Final Plan Revision was due to the Board.

08/17/89 - Board informed by Board staff of the initiation of referral of delinquent Plan Revision to State Attorney General's Office.

08/25/89 - County informed by letter of Board referral of the delinquent Plan Revision to State Attorney General's Office.

09/19/89 - Board of Supervisors approved circulation of preliminary CoSWMP Revision.

10/27/89 - Date review period ends on preliminary CoSWMP Revision.

Inyo County

11/16/88 - Board accepted the Plan Review Report and directed County to revise Plan in several areas.

12/11/88 - Letter sent from Chief Executive Officer informing County of Board action on Plan Review Report.

07/22/89 & 07/23/89 - Board staff met with County Plan Liaison staff to discuss Plan Revision progress and assist in document preparation.

08/01/89 - Board staff phoned County Plan Liaison concerning status of Plan Revision. County staff indicated that draft Plan Revision was complete.

08/02/89 - Board staff in phone conversation with County explained remaining steps needed to get final Plan Revision submitted to Board.

08/04/89 - Draft Plan Revision submitted to Board.

08/14/89 - Date Final Plan Revision was due to the Board.

08/17/89 - Board informed by Board staff of the initiation of the referral of the delinquent Plan Revision to the State Attorney General's Office.

08/23/89 - County informed by letter of Board referral of the delinquent Plan Revision to State Attorney General's Office.

09/01/89 - Board staff by phone discussed status of Plan Revision with County and set up meeting to discuss Draft Plan.

09/07/89 - Board staff met with County staff to discuss Plan Revision progress and comments on Draft Plan Revision.

09/26/89 - Board staff comments sent on draft CoSWMP Revision.

Ventura County

11/16/88 -	Board accepted the Plan Review Report and directed County to revise Plan in several areas.
12/09/88 -	Letter sent from Chief Executive Officer informing County of Board action on Plan Review Report.
12/16/88 -	Board received letter and timetable from County indicating County would submit a revised Plan to the Board within 270 days of Plan Review Report approval. County noted 70% of this period would be taken up with mandated city and public review periods, and suggested an 18 month adoption process would be more realistic.
02/16/89 -	County time schedule for completing Plan Revision received by Board staff.
03/16/89 -	Board staff phoned County Plan Liaison concerning status of Plan Revision and need to include discussion of shipboard and port wastes in Plan.
03/16/89 -	County Solid Waste Management Department staff noted, in conversation with Board staff, the Plan Revision was behind schedule.
03/27/89 -	County Solid Waste Management Department staff noted, in conversation with Board staff, the preparation and circulation of the EIR for the Plan Revision was behind schedule.
03/27/89 -	In phone conversation with Board staff, County Plan Liaison indicated that they would not start writing an EIR for the Plan Revision until more of the Plan was written.
06/29/89 -	County Solid Waste Management Department staff noted, in conversation with Board staff, the Plan Revision continued to be behind schedule. Board staff again reminded County staff that a delinquent Plan Revision would result in the inability of the Board to concur in the issuance of new or revised Solid Waste Facilities Permits and would result in referral to the Attorney General's office. County staff indicated a Plan Revision may not reach the Board until the second quarter of 1990.
07/25/89 & 07/26/89 -	Board staff met with County Plan Liaison staff to discuss current status of Plan Revision. County staff indicated that 5 of 13 Plan Chapters had been drafted. Once the Plan Revision was drafted, it would then need to go through the Solid Waste Management Committee and CoSWMP Review committee. County did not expect preliminary draft to go out for review until after Christmas.

08/02/89 - Board staff met with County Solid Waste Management Department staff to discuss progress of Plan Revision and consequences of a delinquent Plan. Board staff recommended County consider hiring consultant to speed up process of writing and completing Plan Revision, but County deemed the suggestion politically unfeasible.

08/10/89 - Ventura County staff met with Board staff in Sacramento to submit a revised Plan Revision timetable indicating Plan Revision will not be submitted until July 1990, and to discuss status of Simi Valley Landfill expansion in relation to delinquent Plan Revision.

08/14/89 - Deadline for submission of Plan Revision to Board reached; no Plan Revision submitted by Ventura County.

08/14/89 - Date Final Plan Revision was due to the Board.

08/17/89 - Board informed by Board staff of the initiation of the referral of the Delinquent Plan Revision to the State Attorney General's Office.

09/01/89 - Ventura County officials meet with Board staff in Sacramento to discuss status of Simi Valley Landfill expansion in relation to delinquent Plan Revision.

V. CoSWMP Revisions recently becoming delinquent

Three CoSWMP Revisions have recently become delinquent when the required the 270 days for preparation were exceeded. Those counties with newly delinquent CoSWMPs are San Benito, El Dorado and Mono. Board staff is now in the process of referring those delinquent Plan Revisions to the State Attorney General's Office. The status of each Plan Revision is included below.

<u>El Dorado County</u>

12/15/88 - Plan Report accepted by Board, and directed County to revise in 10 areas.

03/27/89 - Board staff phoned County to discuss status of Plan Revision.

05/23/89 - Board staff visited County to assist with Plan Revision Preparation.

08/01/89 - Board staff phone County to discuss Plan Revision progress.

08/04/89 - County submitted Draft Plan.

09/11/89 - Date Plan Revision was due to Board.

09/13/89 - Comments on Draft Plan Revision sent to County.

09/20/89 - Board informed by Board staff of the initiation of the referral of the Delinquent Plan Revision to the State Attorney General's Office.

09/25/89 - County informed by letter of Board referral of the delinquent Plan Revision to State Attorney General's Office.

San Benito County

12/15/88 - Plan Review Report accepted by Board, and County directed to revise Plan in 11 areas.

02/23/89 - Board staff phoned County to discuss Plan Revision progress.

03/06/89 - Board staff phoned County to assist with Plan Revision.

03/21/89 - Board staff visited County to assist with Plan Revision.

04/26/89 - Board staff phoned County to discuss Plan Revision progress - negotiating for a consultant.

07/19/89 - Board staff visited County to assist with Plan Revision.

08/17/89 - Board staff phoned County to discuss Plan Revision and County's selection of a Plan Consultant.

09/11/89 - Date Plan Revision due to Board.

09/20/89 - Board informed by Board staff of the initiation of the referral of the Delinquent Plan Revision to the State Attorney General's Office.

09/25/89 - County informed by letter of Board referral of the delinquent Plan Revision to State Attorney General's Office.

Mono County

12/15/88 - Plan Review Report accepted by Board and directed County to revise Plan.

07/22/89 - Board staff met with County Plan Liaison to discuss Plan Revision progress and assist in document preparation.

09/01/89 - Board staff by phone discussed status of Plan Revision with County and set up meeting to discuss Draft Plan.

09/06/89 - Board staff met with County staff to discuss contents of the Draft Plan Revision.

09/11/89 - Date Plan Revision due to the Board.

09/20/89 - Board informed by Board staff of the initiation of the referral of the Delinquent Plan Revision to the State Attorney General's Office.

RECOMMENDATION:

Information item only.

CALIFORNIA WASTE MANAGEMENT BOARD

AGENDA ITEM NO. 5

OCTOBER 11 - 12, 1989

Item:

Consideration of Determination of Conformance and Concurrence in a Solid Waste Facilities Permit for Bee Canyon Landfill, Orange County.

Key Issues:

- New Landfill to replace Coyote Canyon Landfill
- Site Capacity of 109 million cubic yards (70 + million tons)
- Site life of 25 - 30 years

Facility Facts:

Name:	Bee Canyon Landfill
Project:	New Landfill
Location:	Four mile NE of El Toro Marine Corps Air Station
Owner/Operator:	County of Orange
Area:	725 acres, of which 362 will be used for fill
Permitted Capacity:	8,500 tons per day
Estimated Closure Date:	2020

Background:

The Bee Canyon Landfill has been under development for many years as a replacement for Coyote Canyon Landfill. With Coyote's closure expected in early 1990, the development and opening of Bee Canyon has reached a critical stage. All major approvals have been received except for the compliance plan with the South Coast Air Quality Management District and the two actions before the Board today.

The Bee Canyon Landfill site covers 725 acres of county owned property, 362 acres of which is designated for refuse disposal. This landfill is expected to have a capacity of 109 million cubic yards with a useful life estimate of 25 to 30 years. (Attachment No. 1)

The wastes which will be disposed of at the site are classified as solid waste and inert waste in accordance with Article 2 of California Code of Regulations, Title 23, Chapter 3, Subchapter 15. The site is classified as a Class III landfill.

In 1984 the County and the City of Irvine entered into a Settlement Agreement which imposes restrictions on the operation of the landfill. One of those limitations is the amount of waste the site can receive. The proposed permit has a permitted capacity of 8,500 tons per operating day. However, the Settlement Agreement limits the site to an average of 6,000 tons per day starting January 1, 1989 with an annual increase of 1.75%. Staff have included the Settlement Agreement, for the Board's information, as Attachment No. 2.

Because of the permeability and transmissivity of the bedrock underlying the site, the landfill will be lined. The liner will be a combination of clay and synthetic materials. In addition, a leachate collection and removal system, subdrain system, and landfill gas collection and recovery system will be installed.

Board Action:

Because a new Solid Waste Facilities Permit is being proposed, the Board must review this proposal for conformance with the Orange County Solid Waste Management Plan (CoSWMP) and must either object to or concur with the proposed permit as submitted by the LEA.

Pursuant to GC Section 66796.32(e), the Board has 40 calendar days to concur in or object to the issuance or revision of a Solid Waste Facilities Permit. Since the proposed permit for this facility was received on August 14, 1989, the last day the Board could act is September 23, 1989. At the Board's September meeting the operator waived this requirement to allow the matter to be considered at this month's meeting.

California Environmental Quality Act (CEQA):

CEQA requires that the environmental impacts of any project be considered by any public agency which has discretionary authority over that project. Both the Determination of Conformance and Concurrence in the issuance of a Solid Waste Facilities Permit are discretionary acts under CEQA. Therefore, the Board must review the potential environmental impacts of the actions which are now under consideration.

The County of Orange prepared an environmental assessment for this project. In that report, the County concluded that the project would have a significant impact on the environment. It then prepared Environmental Impact Report (EIR) No. 018 (IP87-026) in 1979 and an Addendum to the EIR in 1988 which listed mitigation measures to reduce possible effects to a level of insignificance. These mitigation measures include:

<u>Land Resources: Visual and Aesthetic</u>

-creating a modulated slope face to make the site more compatible with surrounding topography

-revegetation, using plants suitable to local soils, of graded areas in a phased, timely manner

-screening the access road with plantings of native vegetation to minimize the view of the road from the village of Northwood

-all grading performed in accordance with Orange County Grading Code

-contour grade all cut slopes involved in construction of Bee Canyon access road

-periodic filling and regrading where settlement has occurred

-final fill face of landfill to be contour cut to blend in with surrounding topography

Water Quality

-sediment and debris collection basins will be constructed at base of landfill

-site location on relatively impermeable non-water bearing bedrock

-daily cover soils on-site, high in clay content, will reduce rainfall infiltration

-gentle slopes will minimize turbidity and sedimentation, while maintaining drainage of rainfall

-soil moisture sensors installed to detect excessive soil moisture and prevent over-irrigation of landscape

-design of storm drain facilities to control runoff

-leachate collection as needed and required by the Santa Ana Regional Water Quality Control Board

-regular monitoring of ground water and surface water on-site and off-site

Air Quality

-application of daily cover over refuse

-wetting down roads and grading areas to control fugitive dust

-increased frequency of watering during high wind periods

-installation of state-of-the-art landfill gas collection and control system

Litter

-installation of fine mesh fencing along access roads

-use of portable fencing around active face

-use of sufficient manpower to clean up area on Sand Canyon Avenue between I-405 and the landfill access route, at least weekly

-enforcement of load covering regulations for vehicles hauling refuse

Transportation and Traffic Circulation

-installation of traffic signals at the intersection of Sand Canyon Avenue and Irvine Boulevard, where the landfill access road begins

-designation of permissible routes for facility users (refuse trucks)

-construction of a paved two-lane access route for incoming vehicles

Noise

-natural topography around site inhibits most noise impacts

-installation of buffer zones, barrier walls and building setbacks along access routes and around disposal areas

-County will maintain minimum distance of one mile between the Bee Canyon access road and existing residential development (excluding military housing)

Odor

-application of daily cover over refuse

-monitoring of landfill gas generation

-installation of landfill gas extraction and control system

Fire

-construction of fire breaks around landfill

-use of landfill equipment and personnel to control fires

Health and Safety

-operation in conformance with State Minimum Standards for a Class III facility

-no treatment or acceptance of sludge until a separate environmental document is prepared by City of Irvine in compliance with CEQA

-training of landfill operating personnel including gate staff in monitoring and identification of hazardous wastes

-daily random sampling and inspection of truck loads for hazardous wastes

-development and use of detailed hazardous materials management procedures

Disease Vectors

-use of baiting program for rodent control as needed

-covering waste loads during transport to landfill

Gull Hazards to Aircraft

-use of adequate daily cover, minimizing size of active face, pole-wire installation, and use of randomly timed noise makers (blank pistol shells) to discourage gulls.

Land Use

-final use of landfill site as a regional park or other open air facility

-prevent encroachment of incompatible developments near the landfill by land use and zoning control

-developers to be responsible for construction of necessary noise barrier walls, berms and landscape buffer areas to reduce impacts to sensitive areas

The County also found there were some potential environmental impacts of the project which could not be mitigated to a level of insignificance. These impacts are:

Land Resources

-Filling up of canyons on site with solid waste which cannot support permanent structures after termination of landfill operations

-Construction of an access road which will alter the natural topography of the site

Air Quality

-A localized degradation of air quality will occur due to the preparation of the site and the operation of landfill equipment and accessing vehicles

Biological Resources

-The landfill would cause a direct impact to approximately 16 acres of riparian woodland and approximately 346 acres of coastal sage scrub and mixed chaparral. Some wildlife would also be displaced.

Aesthetics

-Part of the landfill face will be visible from portions of Hicks Canyon and the Tustin Plain.

Circulation/Transportation

-Generation of about 2,220 one-way vehicular trips per day, with about 90% of these trips accessing the landfill via the Santa Ana Freeway/Sand Canyon Avenue interchange.

Noise

-During landfill operations, and depending on the interim and ultimate use of the site, there will be an increase in ambient noise levels, particularly noticeable in the northern portion of the site where aircraft noise is less dominant.

The Orange County Board of Supervisors then adopted a Statement of Overriding Considerations for these unmitigatable impacts in Resolution No. 88-51, on June 7, 1988. Board staff believe the County's Statement of Overriding Considerations appears to be appropriate.

The Board as a Responsible Agency, as defined in the CEQA Guidelines, shall also make a Finding of Overriding Considerations **only** for those areas in which the Board is assigned legislative responsibility (Public Resources Code Section 21002, 21002.1(d) and CEQA Guidelines Section 15093). In the case of the list of non-mitigatable impacts of the proposed Bee Canyon Landfill project, Board staff have found that none of the items listed therein pertain to matters over which the Board has legal jurisdiction. Therefore it is not necessary for the Board to make a Finding of Overriding Considerations for this project and facility.

Orange County circulated the environmental documents for the project to the public in compliance with CEQA and filed a Notice of Determination with the Orange County Clerk and the State Clearinghouse on June 7, 1988. (Attachment No. 3)

Board staff has carefully reviewed the Environmental Assessment, Environmental Impact Report, and the Addendum to the EIR, and found they are adequate and appropriate for this Board's consideration of the project.

Requirements for a Determination of Conformance:

Title 7.3, Government Code, Section 66784 requires that the Board make a Determination of Conformance with the County Solid Waste Management Plan (CoSWMP) prior to the establishment of any new or expanded Solid Waste Facility. In accordance with Board procedures for obtaining a Determination of Conformance, which are identified in California Code of Regulations, Title 14, Chapter 4, the project proponent filed a Notice of Proposed Facility with the Board (Attachment No. 4).

Also in accordance with those procedures, the Orange County Waste Management Program, as the local agency responsible for the CoSWMP, found the facility in conformance with the recently submitted second revision of the Orange CoSWMP (Attachment No. 5).

Only two elements of the recently submitted second revision of the Orange CoSWMP were found inadequate by the Board: the Resource Recovery/Recycling/Waste Reduction and Enforcement Program elements, together with the corresponding sections of the Implementation Schedule. The Waste Disposal and Processing Element of the recently submitted second revision of the Orange CoSWMP, as well as all other elements of the Plan Revision, have been approved by the Board.

Orange County found the site consistent with the County General Plan in Board of Supervisors Resolution No. 88-51 on June 6, 1988, as required by Government Code Section 66796.41.

On June 7, 1988 the Board of Supervisors also found, by Resolution No. 88-52 that the site to be established is a sufficient distance for the nearest residential structures so as to permit adequate control of odor nuisances, litter nuisances and vectors, as required by Government Code Section 66784.2.

Use Permit #UP87-23P was adopted by the Orange County Board of Supervisors on June 7, 1988 by Resolution Nos. 88-51 and 88-52.

Waste Discharge Requirements were issued by the Santa Ana Regional Water Quality Control Board on April 4, 1989. The State Department of Fish and Game Permit Section 1601 Permit and U.S. Army Corps of Engineers Section 404 Permit were issued in early 1989.

Staff finds that all local actions have been completed and it is appropriate for the Board to consider the request of a Determination of Conformance for the subject facility. Staff has reviewed the partially approved second revision of the CoSWMP and the Notice of Proposed Facility and makes the following findings based on the four Board-established criteria for a Determination of Conformance:

1. Consistency with State Policy.

   The establishment of the proposed facility is consistent with the Board's State Policy of providing for an environmentally safe and efficient method of waste disposal.

2. Consistency with the Policies and Objectives of the CoSWMP.

   The establishment of the proposed facility is consistent with specific CoSWMP objectives of both providing an efficient, economic and convenient disposal system.

3. Consistency with Short, Medium and Long Term Facilities Element of the CoSWMP.

   The Bee Canyon Landfill facility is specifically identified in the CoSWMP as a long term disposal facility on pg. 3-8 and Table 3.1 of the recently submitted second revision of the Orange CoSWMP.

4. Local Issues and Planning.

   All local approvals have been obtained for this site. In addition, the following State and Federal Permits have been received by the project proponent: Waste Discharge Requirements from the Santa Ana Regional Water Quality Control Board, State Department of Fish and Game Section 1601 Permit, and U.S. Army Corps of Engineers Section 404 Permit.

Requirements for Closure and Postclosure Maintenance:

Approval of Operator Certification

The operator has certified: 1) preparation of an initial cost estimate for closure and postclosure maintenance, 2) establishment of a financial mechanism, and 3) funding of the mechanism that will ensure adequate resources for closure and postclosure maintenance.

Initial Cost Estimate

The initial cost estimate for the Bee Canyon Landfill has been reviewed by the Board's Standards and Regulations Division. The general site information including specific characteristics concerning the landfill classification and waste description, as well as, site geology and groundwater features has been compared with other supporting site documentation. These supporting documents include the Solid Waste Facility Permit Application, Report of Facility Information (RDSI), and the Waste Discharge Requirements (WDR).

Initial cost estimates were based on 362 acres of fill area designated on the 725 acre site. The landfill is expected to be useful as a disposal site for 25 to 30 years from the date of its opening. If the site opens in 1990, the closure date would then be in the year 2020.

These estimates were prepared by a registered civil engineer. The itemized cost calculations for materials, labor, monitoring and maintenance, and replacement costs of materials have been checked. A Summary of the Initial Cost Estimates is included as Attachment No. 7. The following is a summation of closure and postclosure maintenance costs including a 20% contingency cost and 15 years of postclosure care.

Closure Costs	$ 24,382,400
Postclosure Maintenance Costs x 15 years of care	11,393,244
Total Costs	$ 35,775,643

Board staff has verified that initial cost estimates have been prepared that satisfy the requirement of Government Code Section 66796.22 (b)(1).

Financial Mechanism

The County of Orange submitted documentation for establishing an Enterprise Fund for the purpose of closure and postclosure maintenance for the Bee Canyon Landfill.

The Finance Unit staff conducted a preliminary evaluation of the documents submitted in relation to the requirements for Enterprise Funds as financial assurance mechanisms for closure and postclosure maintenance costs based on the Emergency Regulations (Title 14, Division 7, Chapter 5, Article 3.5, Section 18285).

The following comments are based on the staff's preliminary evaluation of the submittal for Bee Canyon Landfill.

1. The Enterprise Fund does not dedicate revenues exclusively to financing closure and postclosure maintenance of the Bee Canyon Landfill site. An excerpt from Orange County's bond documents states that:

   > "...Moneys in such an Account shall be used solely for the purpose of paying current or future costs of compliance with all applicable statutes and regulations relating to the closure and postclosure maintenance of solid waste landfills comprising part of the system..." (Section 3.8 (b), Page 15)

It appears that Bee Canyon Landfill is included as "part of the system" and that funds are not exclusively dedicated to this site as required by regulations.

2. The Resolution of the Board of Supervisors of Orange County, November 29, 1988, (No. 88-1577) makes no mention of the Bee Canyon Landfill specifically and does not exclusively dedicate deposits to closure and postclosure maintenance of this site. The Resolution refers to a trust agreement with Bankers Trust Company of California N.A.. Documentation was not submitted to support the establishment of this trust agreement. Pursuant to the Emergency Regulations, support documentaiton should include:

   - A copy of the trust agreement, signed by both the operator and trustee.

   - Exhibit A including names, signatures, and titles of persons authorized to act as grantor.

- Schedule A listing facilities and amounts of closure and postclosure maintenance costs covered.
- A trust agreement utilizing CWMB Form 100.

The Finance Unit has determined that this financial assurance mechanism does not satisfy the requirements of an Enterprise Fund in accordance with the Emergency Regulations.

Staff discussed this matter with the operator and expects to receive additional information. Staff will report to the Board on the adequacy of the additional information if provided.

Submission of Closure and Postclosure Maintenance Plans

The Solid Waste Facilities Permit contains a condition that requires the operator to submit a closure and closure maintenance plan to the local enforcement agency and the Board by October 1, 1990, for consideration of approval. The cost estimates and the financial mechanism must be revised to reflect the development of the plans.

Requirements for Concurrence with the Solid Waste Facilities Permit:

Government Code Section 66796.30 et.seq. requires an operator of a solid waste facility to file an application with the LEA for a Solid Waste Facilities Permit. Included with the application is an appropriate Report of Facility Information (RFI), which in the case of the proposed Bee Canyon Landfill is the required Report of Disposal Site Information. When the application is deemed complete by the LEA, a copy of the application and RFI are transmitted to the Board. Staff have reviewed these documents and find them to be satisfactory.

Within 75 days of accepting an application, an LEA is to submit a proposed Solid Waste Facilities Permit to the Board. The operator waived this requirement.

When submitting the proposed permit, the LEA is required to make the following three findings required by GC 66796.32(c):

1. Consistency with CoSWMP

   The proposed Solid Waste Facilities Permit has been determined to be consistent with the Orange County Solid Waste Management Plan. Staff agrees with this determination.

2. Consistency with Board Standards

   The facility has been determined to be in compliance with the State Minimum Standards. Staff agrees with this determination based upon the proposed design and operation.

3. Consistency with General Plan

   The facility has been determined to be consistent with the Orange County General Plan by the LEA. Staff agrees with this determination.

Staff have reviewed the proposed Solid Waste Facilities Permit and supporting documentation and find the form and content of the permit to be acceptable.

Board Options:

1. Take no action. If the Board does not act on a permit within 40 days of receipt, concurrence would be by default, and the permit would be issued by the LEA.

2. Deny conformance and object to issuance of the permit. This action would be appropriate if the proponent and the LEA had not met all local and state requirements for these two actions.

3. Find conformance and concur in issuance of the permit. This would be appropriate if the proponent and LEA have met all state and local requirements for these two actions.

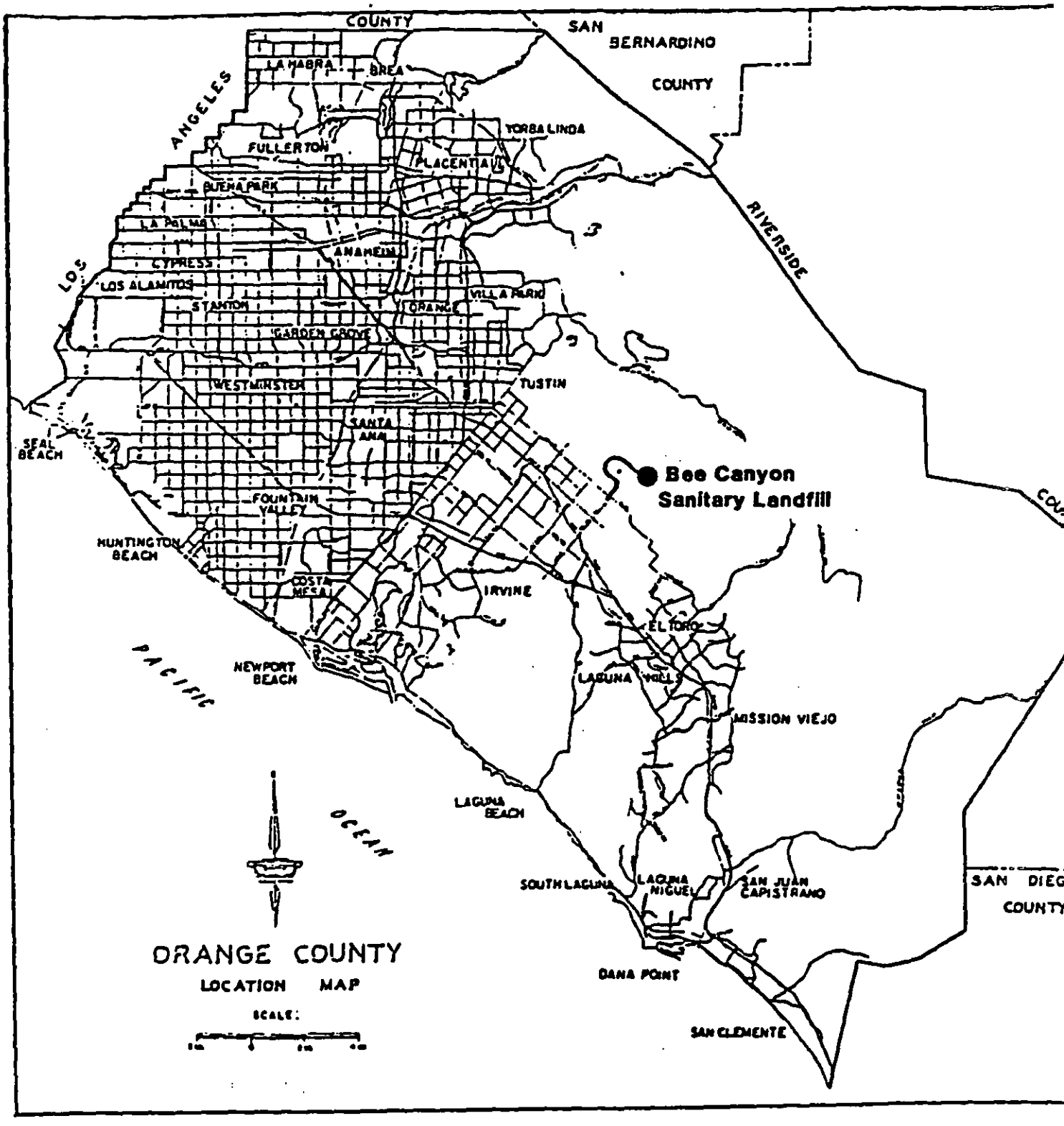
Recommendation:

Staff recommends Option No. 3 that the Board adopt Solid Waste Facility Determination of Conformance No. 89-6 and Solid Waste Facilities Permit Decision No. 89-65, concurring in the issuance of Solid Waste Facilities Permit No. 30-AB-0360. Staff makes this recommendation only if additional information is submitted and found acceptable regarding the funding mechanism.

Attachments:

1. Location Map
2. Settlement Agreement between County of Orange and City of Irvine
3. Notice of Determination filed with State Clearinghouse
4. Notice of Proposed Facility and compliance with Government Code Section 66784.2
5. Conformance with County Solid Waste Management Plan and County General Plan
6. Operator Certification for the Preparation of Initial Cost Estimates, Establishment of a Financial Mechanism, and Annual Deposits into the Financial Mechanism.
7. Summary sheet of initial cost estimates
8. Proposed Permit No. 30-AB-0360
9. Solid Waste Facility Determination of Conformance No. 89-6 and Solid Waste Facilities Permit Decision No. 89-65.

ATTACHMENT 1



ATTACHMENT 2

SETTLEMENT AGREEMENT
BETWEEN
THE CITY OF IRVINE
AND
THE COUNTY OF ORANGE
REGARDING THE BEE CANYON LANDFILL

THIS SETTLEMENT AGREEMENT is entered into on this 1st day of August, 1984, between the City of Irvine ("City") and the County of Orange ("County"), through their respective legislative bodies. The purpose of this Agreement is to resolve the pending litigation between the City and County regarding the County's proposed Bee Canyon landfill by creating a binding agreement with respect to the commencement and operation of the Bee Canyon landfill and other matters of mutual concern. The City and the County hereby agree as follows:

A. Public Health and Safety

The potential danger of a landfill operation to public health and safety shall be minimized. Proper operation and monitoring shall be enforced. The following conditions are provided to achieve an environmentally safe operation.

1. Adherence to State Standards:

State standards are not explicitly discussed in this document. However, the site will be operated in conformity with State requirements for a Class II-2 site. Strict adherence to all applicable State standards is the legal responsibility of the landfill operating agency. The Bee Canyon landfill will not operate unless State standards are successfully enforced.

2. Leachate Monitoring:

a. Prior to site operation, background water quality will be evaluated so that future water quality can be checked on a regular basis.

b. Surface and groundwater on site and off site will be tested in accordance with such requirements as will be placed upon the

operating agency by the Santa Ana Regional Water Quality Control Board (SARWQCB).

c. A contingency plan for leachate collection will be developed prior to operation. The trigger for implementing collection procedures will be determined by the Santa Ana Regional Water Quality Control Board. If necessary, leachate collection procedures will be implemented by the landfill operating agency. These procedures will be subject to the approval of the SARWQCB.

3. Methane Monitoring:

a. The operating agency will install peripheral monitoring wells to detect lateral gas migration within six months of the initiation of landfill operation.

b. The operating agency will install a state-of-the-art gas collection system for the control of odors or for the recovery of methane for utilization, as deemed necessary by the South Coast Air Quality Management District (SCAQMD) and/or California Waste Management Board.

4. Refuse Composition and Toxicity:

a. This Agreement supersedes Orange County Resolution No. 81-1106 to the extent that, not only sludge treatment, but also the drying, mixing or dumping of sludge will be prohibited, unless and until the County shall have fully complied with the provisions of the California Environmental Quality Act with respect thereto, including but not limited to preparation of a new Environmental Assessment and Environmental Impact Report, with the City of Irvine serving as a responsible agency, and further provided that:

(1) Any sludge dumped on the site shall be disposed of at a

solid to liquid ratio of ten to one;

(2) All sludge to be dumped will be treated so as to achieve a toxicity content no greater than other materials which may be lawfully disposed of in the landfill;

(3) The City of Irvine will receive copies of all toxicity reports on sludge to be disposed of on the site; and,

(4) The operating agency will explore and implement technological advances as they develop so as to further reduce the hazards relating to sludge disposal on the site.

(5) That any sludge dumped on the site will be counted in the daily tonnage limit stipulated in Section D.2., below.

b. The operating agency will provide training for all landfill operating personnel and for booth operators to increase their awareness and skills in the identification of potentially hazardous, toxic and other undesirable wastes, to assure continual monitoring and inspection of dumped loads.

c. The County shall establish a program of daily random sampling and inspection of truck loads for hazardous wastes. At least three trucks per day will be inspected.

B. Operating Procedures

As stated in Section A.1. above, it is assumed that adherence to State standards is a condition for landfill operation. In addition, adherence to the following standards, even where they go above and beyond State standards, is a condition for landfill operation.

1. Public Dumping:

County will exclude non-commercial (public) dumping at the Bee Canyon landfill as long as some alternative is available in the area. If there is no alternative, public dumping will be limited to one (1)

000141

designated Saturday per month. County will provide for personnel to supervise public dumping.

2. Operating Hours:

The operating agency will limit landfill access to daylight hours, Monday through Saturday.

3. Litter Control:

a. The operating agency will utilize portable fencing around the active face in order to catch windblown debris. Under Santa Ana wind conditions, the operating agency will take whatever additional steps are necessary to control windblown debris.

b. The operating agency will provide sufficient manpower to clean up access route at least once per week.

c. All trash hauling vehicles must be covered. If legally permissible, uncovered vehicles shall be charged at least double the tipping fee.

d. Upon initiation of landfill operations, County will implement a litter cleanup program on Sand Canyon Avenue between I-405 and the Bee Canyon access road, including the access road; and on Bonita Canyon Drive between MacArthur Boulevard and the Coyote Canyon access road, including the access road.

e. City and County will adopt and strictly enforce ordinances prohibiting the dumping of debris and littering on all public streets and assessing fines therefor.

4. Odor and Dust Control:

a. The open face will be kept as small as possible so that odor is minimized.

b. County will require daily cover of the working face at Bee Canyon with six (6) inches of dirt.

c. County will require cover of areas in Bee Canyon not being used for one hundred eighty (180) days or more with twelve (12) inches of dirt.

d. Grading areas and the access roads shall be watered at least daily, or as necessary to control dust, except when raining. Dust limits shall be established in cooperation with the SCAQMD.

e. Special operating procedures shall be established for Santa Ana wind conditions. These shall include but not be limited to (1) a full foot of earth cover over compacted rubbish, and (2) more frequent watering.

5. Visibility:

County will not permit the Bee Canyon landfill operation to be visible from the surrounding area.

6. Closing:

a. County will close the Bee Canyon landfill in conformance with State standards in effect at the time of closure.

b. County will require that the final fill face of the Bee Canyon landfill be contour cut to blend in with the surrounding topography, as practical.

C. Access to Bee Canyon

1. Landscaping:

a. County will provide maximum practical landscaping to screen Bee Canyon access road from view of the village of Northwood.

b. County will contour grade all cut slopes involved in construction of Bee Canyon access road to the maximum extent feasible.

2. Noise Mitigation:

County will maintain a minimum distance of approximately one (1) mile between the Bee Canyon access road and residential development existing

000143

at the time of this Agreement, excluding military housing.

3. Truck Route Selection:

The County shall prepare and have ready for distribution from the opening day of the site a statement of restrictions and conditions to be placed upon users of the facility. These are to be handed to each incoming hauler and shall include a map clearly designating the approved access routes of I-5, I-405, and Sand Canyon Avenue. These routes will be designated as the only permissible truck routes by the jurisdiction in whose boundary the street lies.

4. Road Construction and Maintenance:

a. Prior to the opening of the Bee Canyon landfill, County will analyze existing structural sections and determine need for reconstruction of all routes located in City.

b. City and County will share the cost for road reconstruction identified in item C.3., above, as well as maintenance of such streets, proportionate to Bee Canyon landfill-bound and other truck traffic. Such proportions will be determined via an axle count study to be conducted by County. Improvements made pursuant to this Agreement will not preclude or prejudice further improvements to such streets via Arterial Highway Funding Program (AHFP).

c. Prior to the opening of the Bee Canyon landfill, County will provide a traffic signal at the intersection of Sand Canyon Avenue and Irvine Boulevard.

D. Scope of Operations

1. Simultaneous Use of Bee and Coyote:

a. County will minimize simultaneous operation of the Bee and Coyote Canyon landfills and in no case will the two (2) sites be operated

for a period longer than one hundred eighty (180) days. At no time during simultaneous operation will more than seven hundred fifty (750) tons per day be accepted at Coyote Canyon. This restriction will not apply to site preparation or closure activities. County will, however, complete all closure activities at Coyote Canyon within two (2) years from accepting the last refuse deposit.

b. County will not use the Coyote Canyon landfill as a transfer station.

2. Limitation on Volume:

a. Except as provided below, the Bee Canyon operation will be limited to a maximum annual average of six thousand (6,000) tons per day, adjusted for growth within the service area, commencing January 1, 1989 but in no event adjusted in excess of 1-3/4% per year, to a maximum annual average of eight thousand, five hundred (8,500) tons per day. (See attached Addendum.) The EIR clearly states that Bee Canyon is the replacement for Coyote Canyon. Thus, the level of operation of Bee Canyon shall not exceed that of Coyote Canyon and Bee Canyon shall not serve as a replacement for other landfill sites scheduled to close within the next three (3) to five (5) years. No increase in said limitation shall be permitted unless and until the County shall have fully complied with the provisions of the California Environmental Quality Act with respect thereto, including but not limited to, preparation of a new Environmental Assessment and Environmental Impact Report, with the City of Irvine serving as a responsible agency. Additionally, permits for any such increased volume must be obtained from the Regional Water Quality

Control Board and the State of California as applicable and required. County agrees to make every effort to obtain alternate sites to serve the landfill needs resulting from the closure of such other landfill sites.

b. The initial waste discharge permit to be issued by the Regional Water Quality Control Board and the operating permit to be issued by the State of California shall specifically stipulate a maximum annual average tonnage limitation of six thousand (6,000) tons per day. In the event there is an increase in excess of 10% of the six thousand (6,000) tons per day limitation, new waste discharge permits and operating permits shall be obtained.

c. A weigh station will be utilized at the site to monitor Bee Canyon daily tonnage volume.

3. Resource Recovery:

Prior to the opening of the Bee Canyon landfill, the County will develop an action plan for implementing a program of resource recovery. This plan will include but not be limited to (1) a target date for waste-to-energy pilot plant operation, and (2) resource recovery phasing with identified target dates and economic thresholds.

4. Financing:

Specific tipping fees for Bee Canyon shall be established so as to cover the full costs of safe and proper operation of the landfill, including the costs of implementing the conditions of this Agreement.

E. Enforcement

1. The County will conform with all applicable regulations, restrictions and statutes at the Federal, State, and local level.

2. If the County elects to operate Bee Canyon through a private

contractor, said contractor will be required by County to provide all of the operating safeguards that will be contained within this Agreement and will be under continuous surveillance and inspection by appropriate County inspectors and officials.

F. Implementation of Agreement

The following procedure will be used for items C.1, C.2, and C.4, above.

1. County will notify City at least four (4) weeks prior to initiation of the design, study or survey in question.
2. City will provide County with suggestions, requirements, etc., for such study within four (4) weeks.
3. City and County will meet to discuss method and schedule for study.
4. County will submit study to City in draft form.
5. City will review study within four (4) weeks.
6. City and County will meet to discuss comments and revisions, as necessary.
7. County will finalize study.

G. Upon signature of this Agreement by the authorized representatives of the parties hereto, City agrees to provide County with dismissals with prejudice as to all defendants in its two (2) lawsuits filed in connection with cities' contentions regarding County's sanitary landfills and the County's compliance with the California Environmental Quality Act, namely City of Irvine v. County of Orange, OCSC No. 38-68-96 and City of Irvine v. County of Orange, OCSC No. 40-63-12. Each party shall bear its own costs and attorneys' fees with regard to said suits. Said actions shall be so dismissed as to each and every cause of action contained therein and the non-County signatories hereto waive any objection to any action of County, its officers and employees concerning the sufficiency of EIR

000147

No. 018 (Revised) relating to Bee Canyon landfill or the access road thereto and any other aspect of the Amendment to the Land Use Element of the County's General Plan adopted by the Board of Supervisors on May 25, 1983.

DATED: August 17, 1984

COUNTY OF ORANGE

BY: HARRIETT WIEDER
Chairman, Board of Supervisors of the County of Orange

DATED Aug 7, 1984

CITY OF IRVINE

BY: DAVID SILLS
Mayor, City of Irvine

ADDENDUM

(See Paragraph D.2.a. of Settlement Agreement)

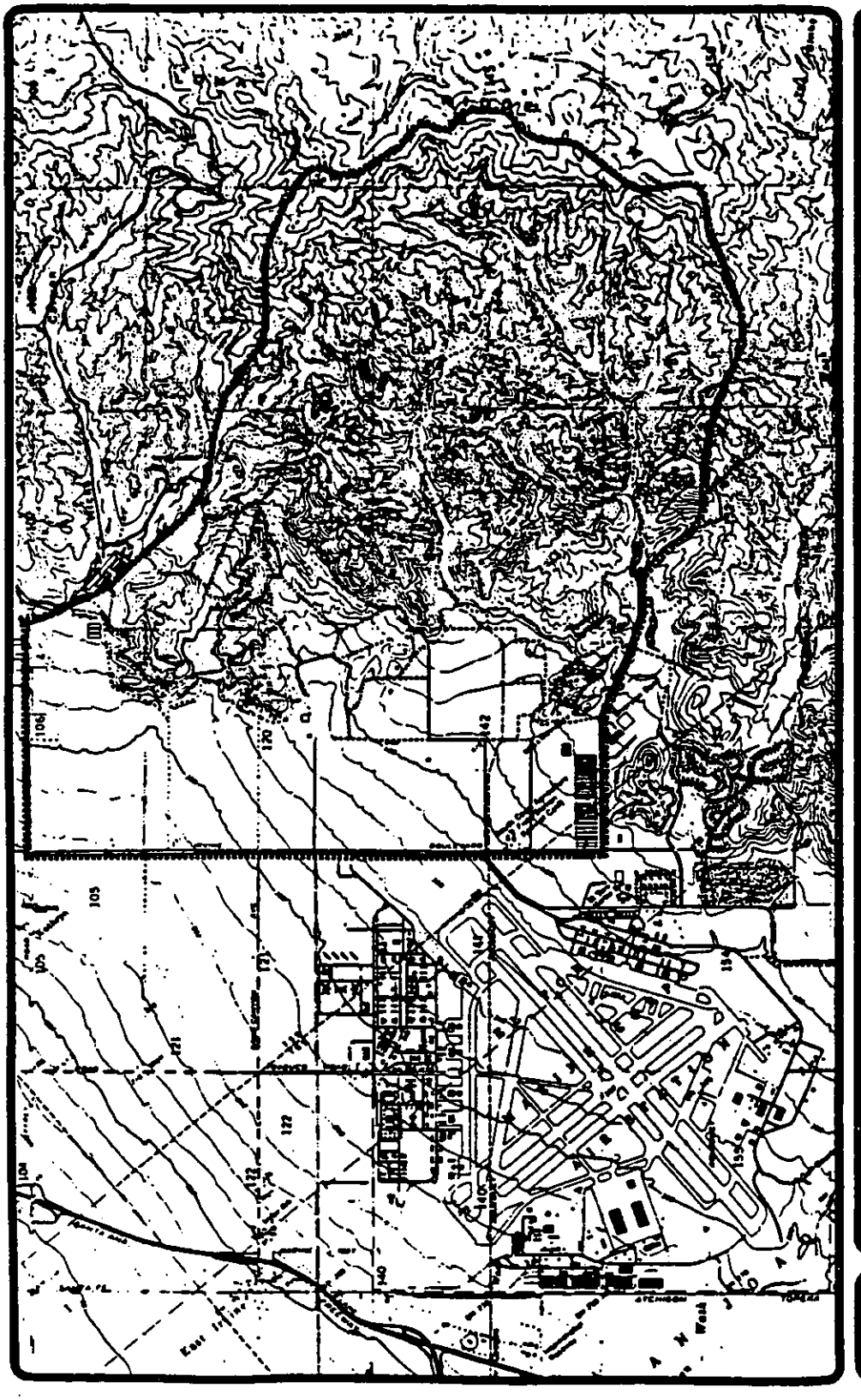
The following is the annual average tonnage, by year, for the Bee Canyon landfill. A factor of 1.0175 was used to determine the growth rate of 1-3/4% per year.

The average daily tonnage is based on a six day operating week, excluding holidays.

Year	Tonnage	Year	Tonnage	Year	Tonnage
* 01	6105	08	6894	15	7785
02	6212	09	7015	16	7921
03	6321	10	7138	17	8060
04	6432	11	7263	18	8201
05	6544	12	7390	19	8345
06	6658	13	7519	20	8491
07	6775	14	7651	21	8640

* Currently scheduled for 1989.

000145



LEGEND

VICINITY MAP

= Proposed Landfill Study Area

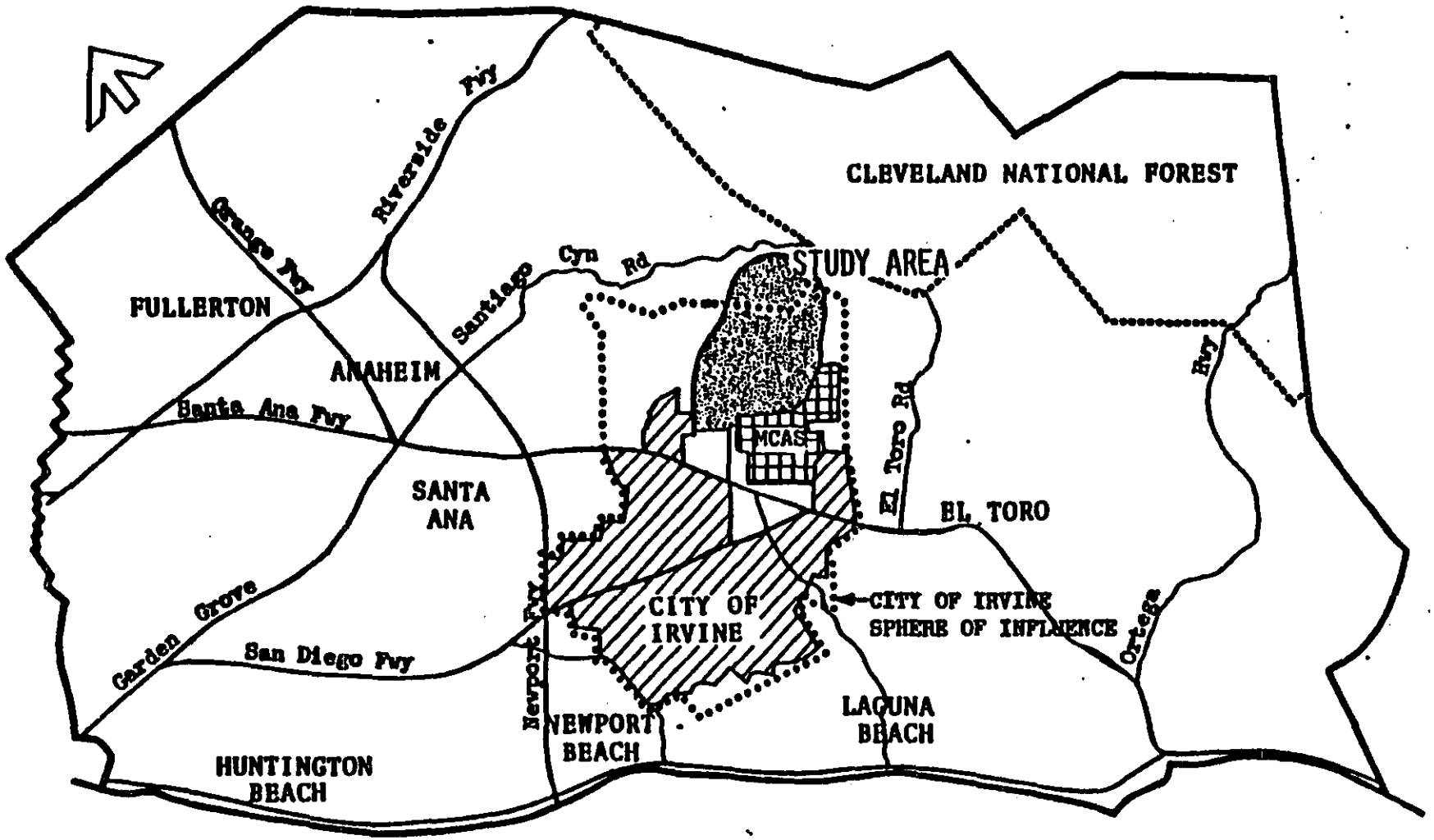
FIGURE II - 5

N

SCALE

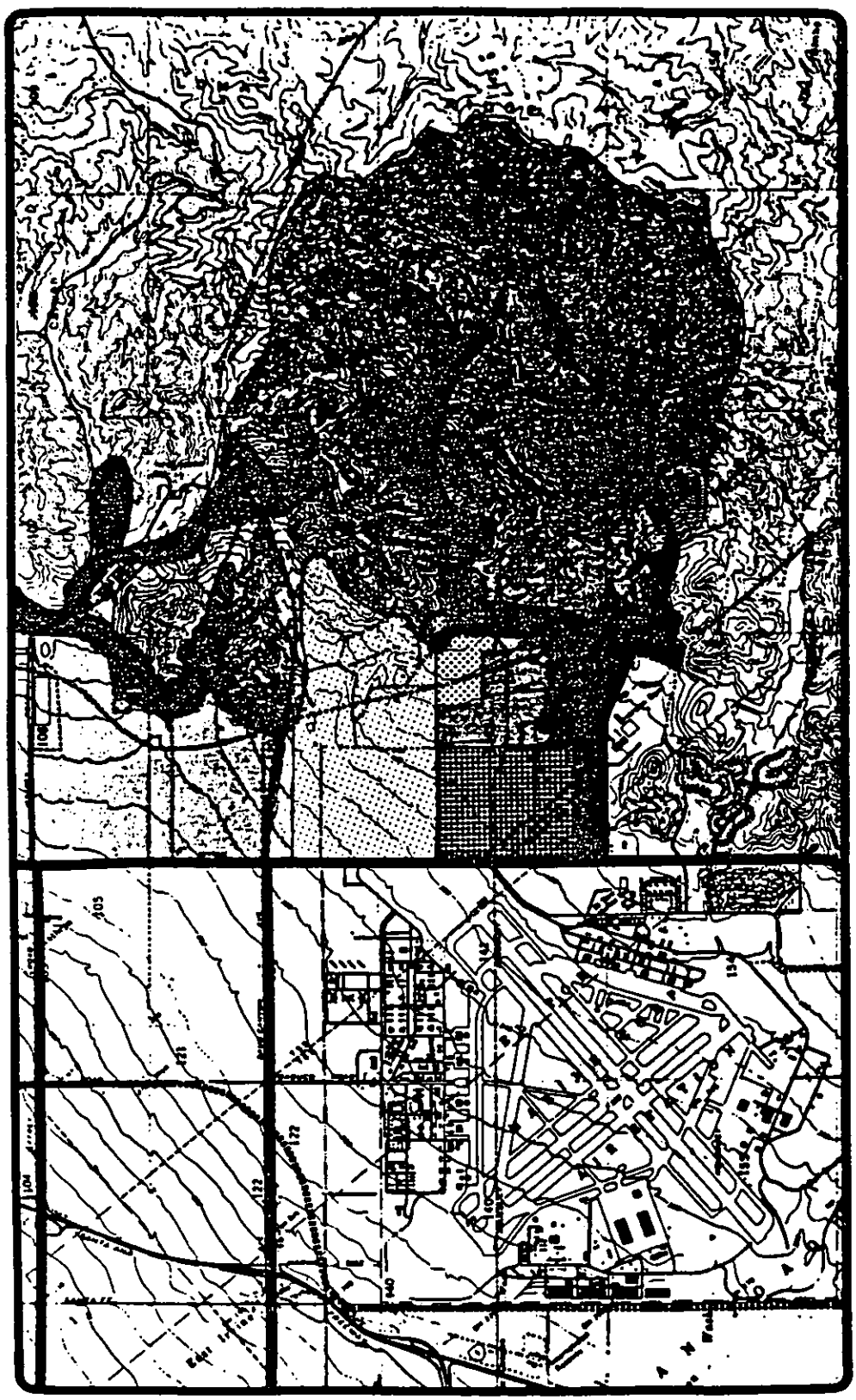
1" = 2500'

TOUPS CORPORATION



LOCATION OF STUDY AREA

FIGURE II-4



LEGEND

ORANGE COUNTY
GENERAL PLAN

AGRICULTURE

- Exclusive Agriculture (5.21)
- General Agriculture (5.22)

OPEN SPACE

- Natural Resources (5.1)
- Recreational (5.3)
- Open Space Designated (5.4)
- Public Facilities (4.1)

( ) # in Parenthesis refer to sections in Orange County General Plan

CIRCULATION

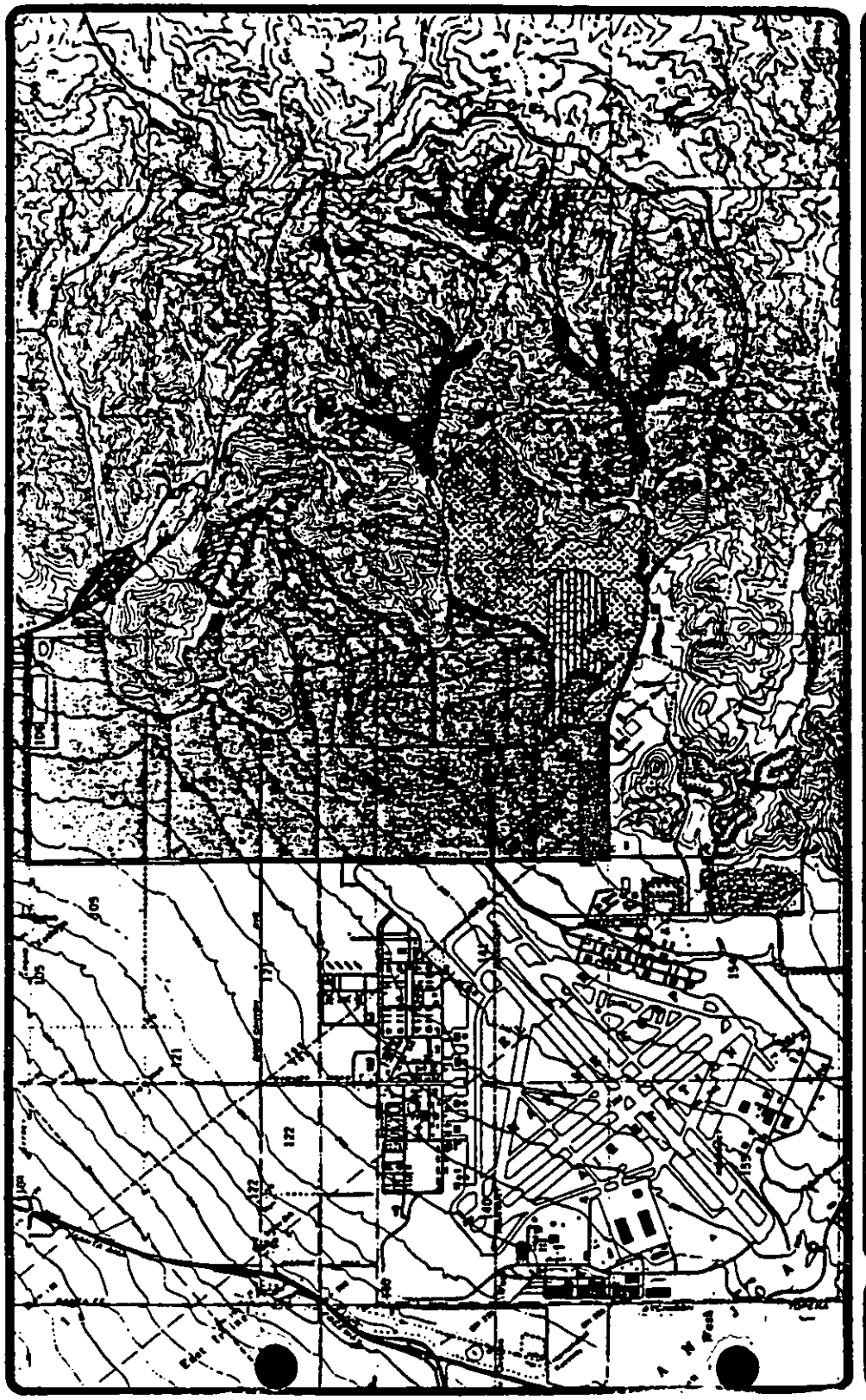
- Existing Major Arterial
- Existing Primary Arterial
- Proposed Primary Arterial
- Proposed Secondary Arterial

FIGURE III-7

N

SCALE
1" = 2500'

LOCKMAN/TOUPS



LEGEND

VEGETATION MAP

- Study Area Boundary
- Agricultural Land Use
- Recreational Land Use
- Disturbed Areas
- Riparian Woodland

Remaining Area Within Study Area is Composed of Coastal Sage Scrub and Mixed Chaparral Community

FIGURE III-14

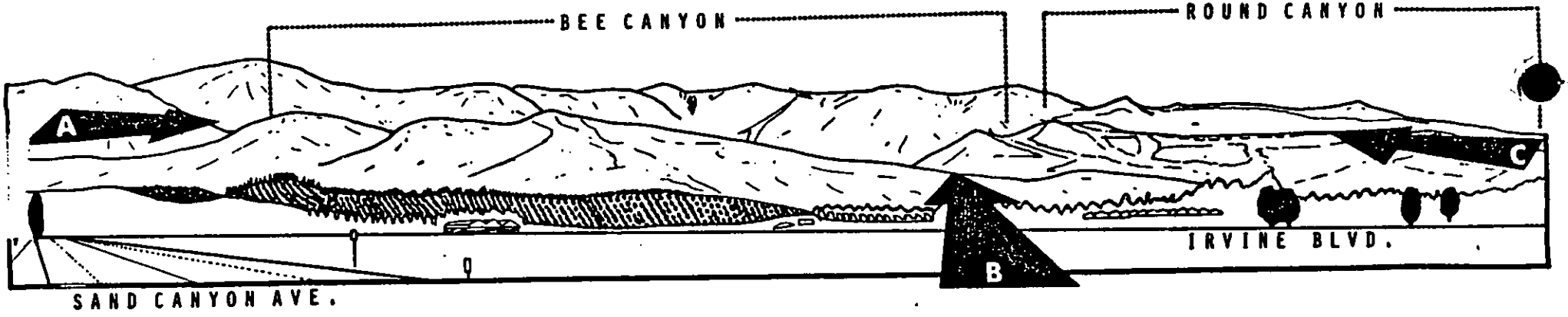
N

SCALE

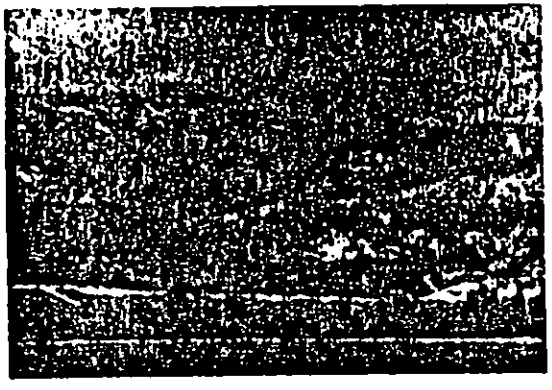
1" = 2500'

LOCKMAN/TOUPS

000153



A



B

C

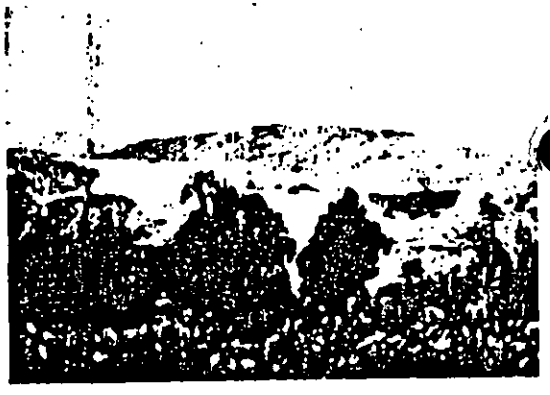


Figure III - 13 VIEWS OF THE STUDY AREA

000154

JUN -7 1988

ATTACHMENT 3

NOTICE OF DETERMINATION

TO: [X] OFFICE OF PLANNING AND RESEARCH
1400 TENTH STREET, ROOM 121
SACRAMENTO, CALIFORNIA 95814

[X] COUNTY CLERK
COUNTY OF ORANGE

FROM: Environmental Management Agency
P.O. Box 4048
Santa Ana California 92702-4048

SUBJECT: Filing of Notice of Determination in Compliance with Section 21108 or 21152 of the Public Resources Code

Project Title: Bee Canyon Sanitary Landfill Development and Operation	EIR /ND No. Addendum to EIR 018 (IP87-026)
State Clearinghouse Number (If Submitted To State Clearinghouse) SCH #78080895	
Contact Person: Patrick T. Lee	Telephone: (714) 834-3847
Project Location: Approximate 2 miles northeast of Irvine Boulevard, opposite El Toro Marine Corp. Air Station.	
Project Description: The project involves development and operations of a Class III Sanitary Landfill, The proposed site is a replacement of the County Landfill at Coyote Canyon, Irvine which is scheduled to close by Sept. 1989. The new site covers 725 acres of County-owned property, 362 acres of which is designated for refuse disposal. The estimated capacity is 109 million cubic yards and the expected service life is 30 years.	

Notice is hereby given that the

EMA (Lead Agency-EMA, GSA, Etc.) ::: ~~Environmental/Special Projects~~ Division (Lead District, Division, Section, Etc.)

has made the following determination on the above-described project:

1. The project was approved by Planning Commission (B/Supv, Spov. Com, Ping. Comm, Z.A., Etc.) on June 7, 1988 (Date)
2. The project [X] will [ ] will not have a significant effect on the environment.
   [X] An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.
   [ ] A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation Measures [X] were [ ] were not incorporated into the project through conditions of approval and project design.
4. For this project a Statement of Overriding considerations was [X] adopted. [ ] not adopted.
5. A copy of the EIR or Negative Declaration and the record of the project approval is on file and may be examined at the Environmental Management Agency, 12 Civic Center Plaza, Room G24 Santa Ana, California 92702-4048. ~~Environmental and Special~~ Projects Division (714) 834-3847

RECEIVED JUN 22

Signature: Patrick T. Lee

Date: June 7, 1988

Title: Chief, Environmental/Special Projects/Long Ran

F0250-724 8/86

ATTACHMENT 4

COUNTY OF ORANGE

R. A. SCOTT
Director, General Services Agency

FRANK BOWERMAN
Director & Chief Engineer

VICKI WILSON
Assistant Director

GENERAL SERVICES AGENCY
WASTE MANAGEMENT PROGRAM

1200 N. Main St., Suite 201
Santa Ana, California 92701
(714) 568-4160

RECEIVED
SEP - 7 1989

September 6, 1989

Mr. George Eowan, Chief Executive Officer
California Waste Management Board
1020 9th Street
Sacramento, CA 95814

ATTENTION: John Smith

Dear Mr. Eowan,

SUBJECT: NOTICE OF PROPOSED FACILITY (NOTICE OF INTENT) - BEE CANYON SANITARY LANDFILL

This letter serves as our notice of intent to operate a Class III sanitary landfill in Bee Canyon commencing in January 1990. As required, we are submitting the following information with this notice :

a. A County map (Figure 1) showing the proposed Bee Canyon landfill, existing transfer stations and disposal sites, the service area for Bee Canyon, and communities within and immediately adjacent to the Bee Canyon service area.

b. Required facility information including:

- Owner: County of Orange
- Operator: County of Orange, General Services Agency, Waste Management Program.
- Overall site area: 725 acres
- Proposed landfill area: 362 acres
- Projected site life: 30 years

6000FRB

- Volume and type of wastes to be received: 109,000,000 cu yd of non-hazardous and inert solid waste. Sludge may be accepted at the site in the future at a solid to liquid ratio of 10 to 1. However before any sludge is accepted the county shall have fully complied with the provisions of CEQA and other conditions established through a settlement agreement between the County of Orange and the City of Irvine.

c. Evidence of CEQA compliance: See attachments A, Board of Supervisors recertification of EIR 018 and B, Notice of Determination.

d. Local land use approved: See attachment B.

e. Page references in approved County Solid Waste Management Plan: Pages vii, 3-8, 9-6, T-3.1, T-10.1.1 and E 3.3 in the County of Orange Solid Waste Management Plan Final Draft, April 1989.

f. A discussion of resource recovery to be conducted at the Bee Canyon Site: The County is in the process of preparing an action plan for implementing a program of resource recovery. This program will reflect recent California legislation (Assembly Bill No. 1462) which requires counties to establish a goal of recycling 20% of the solid waste generated in the county.

The U.S. Congress is also contemplating the rewrite of RCRA Subtitle D regulations to require every state to phase in a recycling program that would, over a 10 year period, achieve a 50% percent reduction in the landfilling of solid wastes. Within 12 months of enactment, each state would be required to recycle 10% of its economically recyclable solid waste (paper, various plastics, aluminum, steel or glass having an economic value greater than their disposal costs). Twenty-five percent of the usable product would have to be recovered within three years and 50% within 10 years. If this legislation is passed, the County would modify its resource recovery action plan accordingly.

Several aspects of the action plan have already been implemented by the County including:

- recycling of County office ledger and computer paper

- salvaging of used County materials (e.g. office furniture) either by reuse or by sale as scrap.

6000FRB

- salvaging, by contract salvagers, of certain materials (e.g., aluminum and wood) delivered to the landfill sites. A contract salvager will collect recyclable materials that are disposed at the Bee Canyon site.

In addition, each of the active county landfills has been/is being equipped with a landfill gas (LFG) collection system. The LFG collected from the Olinda Landfill is being used as a fuel to power internal combustion engines which generate electricity that is sold to Southern California Edison. The LFG that is collected from Coyote Canyon landfill will also be used to generate electricity. Various options for use of the collected LFG are being considered for other sites.

If you have any questions regarding this transmittal please contact Mr. Tom Wright, or myself.

Sincerely,

Vicki L. Wilson (for)

Frank R. Bowerman
Director and Chief Engineer

TW:sb

Enclosures

6000FRB

ATTACHMENT 5

COUNTY OF ORANGE

R. A. SCOTT
Director, General Services Agency

FRANK BOWERMAN
Director & Chief Engineer

VICKI WILSON
Assistant Director

GENERAL SERVICES AGENCY
WASTE MANAGEMENT PROGRAM

1200 N. Main St., Suite 201
Santa Ana, California 92701
(714) 568-4160

RECEIVED
SEP - 7 1989

September 6, 1989

Mr. George Eowan, Chief Executive Officer
California Waste Management Board
1020 9th Street
Sacramento, CA 95814

Attention: John Smith

Dear Mr. Eowan:

Subject: Bee Canyon Sanitary Landfill

The County of Orange Waste Management Program, as the agency assigned to maintain the Orange County Solid Waste Management Plan, has reviewed the plans for the proposed Bee Canyon Sanitary Landfill and has found that they conform to the County plan.

Bee Canyon and land for access to this canyon have been acquired to replace the Coyote Canyon Sanitary Landfill as indicated on pages vii, 3-8, 9-6, T-3.1, T-10.1.1 and E 3.3 of the County of Orange Solid Waste Management Plan Final Draft, dated April 1989.

Should you have any questions, please contact Tom Wright at (714) 568-4160.

Sincerely,

Vicki L. Wilson (for)

Frank R. Bowerman
Director and Chief Engineer
GSA/Waste Management

FRB:RD:11

cc: Don Dyer, California Waste Management Board

5005BD

ATTACHMENT 6

PROFESSIONAL CERTIFICATION FOR INITIAL CLOSURE AND POSTCLOSURE MAINTENANCE COST ESTIMATES

RECEIVED
AUG 25 1989

I, _____, an Engineering Geologist, certification number _____, certified by the State of California, pursuant to section 7842 of the Business and Professions Code,

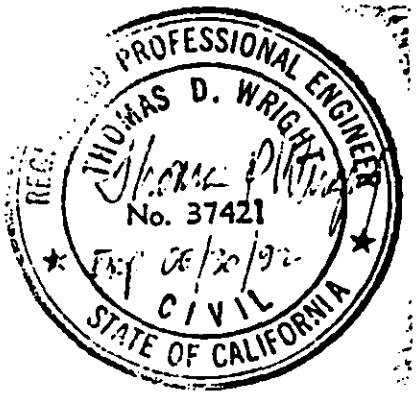
OR

I, Thomas D. Wright, a Civil Engineer, registration number RCE 037421, registered in the State of California pursuant to Section 6762 of the Business and Professions Code, hereby certify that I have prepared initial cost estimates pursuant to Government Code Section 66796.22(b) pertaining to closure and postclosure maintenance, for the solid waste landfill Bee Canyon Sanitary Landfill (name of "facility") located at 2 Bee Canyon Road in --- (city) in the county of Orange, facility number 30-AB-0360 (Solid Waste Information System (SWIS) number), and have made visual inspection(s) and formulated initial cost estimates for the aforementioned facility. These initial cost estimates were prepared for The County of Orange.

I certify (or declare) under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

8/24/89 Santa Ana, CA
Date and Place

(Seal)



Signature

RCE 037421
C.E.G. or C.E. Number

1200 N. Main Street
Business Address

Santa Ana, CA 92701

714/568-4160
Telephone Number

ATTACHMENT 7

drainage sediment chokad conduits

- o Gas collection/control systems
- o Leachate collection and treatment systems effectiveness, and continuity
- o Security - fences, gates and signs
- o Vector and fire control
- o Monitoring equipment
- o Litter control

SUPPLEMENTAL DATA

54. Itemize annual costs on additional worksheets for monitoring a postclosure maintenance procedures, specific to this solid waste disposal site, and attach at the end of this worksheet. Make sure each page is appropriately labeled with site name and SWIS number.

Other- Annual Postclosure Maintenance Costs	$	0.00

SUMMARY OF INITIAL COST ESTIMATES

Facility Name Bee Canyon Landfill SWIS # _____

Closure			
Final Cover (Line 23)	$	~~4073293.06~~	4,596,436
Revegetation (Line 29)	$	754599.04	
Landfill Gas Monitoring and Control (Line 32)	$	~~0.00~~	102,500
Groundwater Monitoring Installations (Line 34)	$	0.00	
Drainage Installation (Line 35c)	$	1050000.00	
Security Installation (Line 36d)	$	0.00	
Other (Line 37)	$	0.00	
I. Subtotal	$	~~5877892.10~~	6,503,535 ~~6,401,035~~
Monitoring and Postclosure Maintenance			
Revegetation (Line 40)	$	31107.96	
LEACHATE MANAGEMENT (LINE 46)		23038	

(Line 50) MON_ORING		126812	
Drainage (Line 51)	$	450000.00	
Security (Line 52)	$	1000.00	
Inspection (Line 53b)	$	2000.00	
Other (Line 54)	$	0.00	
II. Subtotal	$	~~632157.98~~	632,958
III. Subtotal II x 15 years Postclosure Care	$	~~9482369.70~~	9,494,370
IV. Sum of I & III x 20% Contingency Costs	$	~~3072052.37~~	~~3,179,031~~ 3,199,581
TOTAL COSTS (Item I + Item III + Item IV)	$	~~10432314.19~~	~~19,074,486~~ 19,197,486

ATTACHMENT 8

OPERATING PERMIT FOR FACILITIES RECEIVING SOLID WASTE	TYPE OF FACILITY	FACILITY/PERMIT NUMBER
	Sanitary Landfill	30-AB-0360

NAME AND STREET ADDRESS OF FACILITY	NAME AND MAILING ADDRESS OF OPERATOR
Bee Canyon Sanitary Landfill Sand Canyon Road Extension	GSA/Waste Management Program 1200 North Main Street, Suite 206 Santa Ana, CA 92701

PERMITTING ENFORCEMENT AGENCY	CITY/COUNTY
Orange County Solid Waste Enforcement Agency	County of Orange

PERMIT

This permit is granted solely to the operator named above, and is not transferrable.

Upon a change of operator, this permit is subject to revocation.

Upon a significant change in design or operation from that described by the Plan of Operation or the Report of Station or Disposal Site Information, this permit is subject to revocation, suspension, or modification.

This permit does not authorize the operation of any facility contrary to the State Minimum Standards for Solid Waste Handling and Disposal.

This permit cannot be considered as permission to violate existing laws, ordinances, regulations, or statutes of other government agencies.

The attached permit findings, conditions, prohibitions, and requirements are by this reference incorporated herein and made a part of this permit.

APPROVED:	AGENCY ADDRESS
APPROVING OFFICER Robert Collacott, Chairman NAME/TITLE	10 Civic Center Plaza, Third Floor Santa Ana, CA 92701
SEAL	AGENCY USE/COMMENTS
	PERMIT RECEIVED BY CWMB / CWMB CONCURRANCE DATE
	PERMIT REVIEW DUE DATE / PERMIT ISSUED DATE

CWMB (Rev. 7/84)

BEE CANYON SANITARY LANDFILL OPERATING PERMIT

FINDINGS

1. The Bee Canyon Sanitary Landfill is a new Class III site as designated by the State Water Resources Control Board under Subchapter 15 and may only accept nonhazardous solid and inert waste. The landfill is located near the Santa Ana Mountains, four miles northeast of the El Toro MCAS. It is owned and operated by the County of Orange, General Services Agency, Waste Management Program.

   The Bee Canyon Landfill consists of a total of 725 acres, of which, 362 acres will comprise the fill area. Site life is expected to be 30 years based upon a total disposal capacity estimated at 109 million cubic yards. The area fill method is used and initially the site may dispose of an average of 6000 tons of waste per day over a six day week. The site is open Monday through Saturday from 6:00 a.m. to 5:00 p.m. and is closed on Sundays and major holidays. Some slight variations in these hours may occur to reflect winter and summer daylight conditions. Increased recycling over the next five years should reduce the daily tonnage to below existing projections.

   Tonnages above the average 6000 tons per day are allowed per the Settlement Agreement between the County of Orange and City of Irvine. The Settlement Agreement provides for a 1.75% annual increase in tonnage to a maximum of 8500 tons per day. The general public is not permitted to use Bee Canyon as long as alternative facilities are available. Pending completion of an Environmental Impact Report addressing the issue, waste treatment sludge may not be accepted at Bee Canyon.

   The County has contracted with a private salvage company for the exclusive right to salvage materials from the disposal site. The salvage operation consists of extracting certain materials such as aluminum, metal, wood, etc., from the waste stream.

2. The following documents condition the adoption, design, operation and use of this facility:

   a. Environmental Impact Report No. 018, Bee Canyon, March 1979 State Clearing House No. SCH #78080895 and Board of Supervisors Resolution No. 79-1409 dated September 25, 1979 (EIR Certification) and Board of Supervisors Resolution No. 83-806 dated May 25, 1983 (Recertification of the EIR).

   b. General Plan Amendment No. 83-1 and Board of Supervisors Resolution No. 83-804 dated May 25, 1983.

   c. Addendum to Environmental Impact Report No. 018, Bee Canyon, June 1988, State Clearing House No. SCH #78080895, and Planning Commission Resolution No. 88-51 dated June 7, 1988 approving the Addendum.

   d. Planning Commission Use Permit No. UP 87-23P, adopted by Planning Commission Resolution No. 88-52 dated June 7, 1988.

e. Settlement Agreement between the City of Irvine and County of Orange entered into on August 1, 1984 and approved by Board of Supervisors Resolution No. 84-1192 dated August 1, 1984.

f. Report of Disposal Site Information dated May 1988 as amended September, 1989.

g. Waste Discharge requirements, Order No. 89-1, California Regional Water Quality Control Board, Santa Ana region dated April 14, 1989.

h. Approved Compliance Plan for South Coast Air Quality Management District Rule 1150.1 (Control of Landfill Gas Emissions).

i. United States Army Corps of Engineers 404 Permit No. 88-347-MD dated February 21, 1989.

j. California State Department of Fish and Game 1601 Agreement No. V-87-32 dated March 6, 1989.

3. The design and operation of this facility is in compliance with the State Minimum Standards for Solid Waste Handling and Disposal established by the California Waste Management Board.

4. The local Fire Protection District has determined that the landfill is in compliance with Public Resources Code Section 4373 (Clearance from the Periphery of Exposed Flammable Solid Wastes).

5. This facility is consistent with the latest version of the Orange County Solid Waste Management Plan.

6. This facility is consistent with and designated in the Orange County General Plan.

7. Land within 1000 feet of the disposal site is used for agricultural purposes and cattle grazing. The landfill site is zoned general agriculture.

8. An Environmental Impact Report was prepared in March 1979 and addendum June 1988, processed and certified for this facility pursuant to the California Environmental Quality Act of 1970, as amended.

9. This permit is consistent with the standards for handling and disposal of solid wastes adopted by the California Waste Management Board.

CONDITIONS

Requirements

1. This facility must comply with the State Minimum Standards for Solid Waste Handling and Disposal established by the California Waste Management Board and administered locally by the Local Enforcement Agency.

2. This facility must comply with all applicable federal, state and local enactments, laws and regulations.

3. Additional information concerning the design and operation of this facility must be furnished upon request and within the time frame indicated by the Local Enforcement Agency.

4. By October 1, 1990 the operator shall submit to the Local Enforcement Agency, Regional Water Quality Control Board, and California Waste Management Board, a preliminary closure and post closure maintenance plan.

Prohibitions

The following actions are prohibited at this facility:

1. Disposal of hazardous wastes.

2. Disposal of liquid wastes, containerized or not.

3. Open burning of wastes.

4. Standing water on covered fill area.

5. Scavenging.

6. Disposal of sewage sludge.

7. Disposal by the general public as long as alternative facilities are available.

Specifications

1. No significant change in the design or operation of the facility, as stipulated in the FINDINGS section of this permit is allowed without a revision of this permit.

2. This facility has a permitted daily capacity of 8500 tons of solid waste per operating day. It shall not receive more than the amount allowed in the Settlement Agreement. It shall not receive more than a maximum 8500 tons per day unless the operator first obtains a revision of this permit.

Provisions

1. This permit is subject to review and may be suspended, revoked, or modified at any time for sufficient cause.

2. A copy of the most recent printing of the State Minimum Standards for Solid Waste Handling and Disposal, and a copy of this and all other permits issued for the operation of this facility must be kept at the site. These documents must be available for review by site supervisors and authorized representatives of the Enforcement Agency.

3. A copy of the most recent inspection report resulting from an inspection of the facility by representatives of the Enforcement Agency must be maintained at the site.

4. To the maximum extent possible, the disposal operation must be oriented to enable refuse to be unloaded at the toe of the active face.

5. A minimum of 150 foot clearance of all flammables shall be provided and maintained around the periphery of the active disposal area. (Public Resources Code Section 4373)

6. A minimum of 150 foot clearance of all flammables shall be provided and maintained around any structure located within 150 feet of the accumulation of the disposal area. (Public Resources Code Section 4373)

7. A fire department approved secondary firebreak cleared to mineral soil shall be provided and maintained around the exterior boundaries of the landfill property during those periods when the surrounding brush and grass are dry and may be subject to burning. A more convenient location for the secondary firebreak may be approved by the Fire Department at the request of the operator.

8. All equipment with internal combustion engines, gas or diesel, must have fire department approved spark arresters attached to the exhaust systems. Equipment with turbochargers and motor vehicles as defined in the California Vehicle Code are exempted.

9. The permittee shall make application and secure the following permits from the Orange County Fire Department:

   a. Permit to dispense and store flammable and combustible liquids.

   b. Permit to dispense liquid petroleum gas.

10. One fire extinguisher, with a minimum 2A10 BC rating, shall be provided on each piece of heavy equipment, i.e., bulldozers, scrapers, water trucks, welders, etc.

11. At least one fire extinguisher, with a minimum rating of 2A10 BC, must be provided in the office/lunch room.

12. At least one fire extinguisher, with a minimum rating of 40 BC, must be provided within 50 feet of the above ground flammable liquid tanks.

13. The sides of internal access roads must be maintained clear of all grass, brush and other flammable material for a distance of 20 feet from the edge of the traveled surface of the roadway.

14. Accumulations of flammable debris must be removed from tractors, scrapers, etc., on a daily basis.

15. At least 3000 gallons of water must be maintained on site for fire fighting purposes.

16. The current method of reporting fires within disposal sites used by other Orange County landfills will be maintained and utilized at Bee Canyon. All fires must be reported to the Orange County Fire Department immediately.

17. The disposal site shall be designed to provide protection from washout and inundation by surface runoff.

18. An approved leachate control system is to be installed and maintained and a liner is to be installed in the fill portion of the landfill.

19. An approved landfill gas monitoring and control system is to be installed and maintained.

20. An effective bird control system is to be installed and maintained in the landfill.

21. On-site structures shall be periodically monitored for the presence of landfill gas.

22. A closure plan and post closure maintenance shall be submitted with the first application for a five year permit review after July 1, 1990.

23. A load check program is to be implemented and at least three randomly selected loads per day are to be dumped and inspected. An investigation report must be filled out for each load and if unacceptable wastes are found, the Enforcement Agency will be notified.

<u>Self-Monitoring</u>

1. Quarterly monitoring reports must be submitted to the Enforcement Agency indicating the following information during the preceding period:

   a. The areas of the site that were utilized for disposal.

   b. The quantities and types of wastes received and/or recycled per operating day and week.

c. Special occurrences, such as, fires, explosions, accidents, and hazardous waste incidents.

2. On February 1 of each year, a monitoring report must be submitted to the Enforcement Agency indicating the number of cubic yards of solid waste disposal capacity that was filled during the preceding calendar year, and the number of cubic yards of remaining disposal capacity.

3. Upon installation of the Leachate Control System, monitoring data must be submitted to the Enforcement Agency at the same time it is submitted to the Regional Water Quality Control Board.

4. Upon installation of the landfill gas monitoring and control system, monitoring data must be submitted to the Enforcement Agency at the same time it is submitted to the South Coast Air Quality Management District.

5. A daily vehicle count shall be kept and made available to the Enforcement Agency upon request.

JC:kmr

(9/28/89)

(bcp)

CALIFORNIA WASTE MANAGEMENT BOARD

Solid Waste Facility Determination of Conformance No. 89-6
Solid Waste Facilities Permit Decision No. 89-65
October 11 - 12, 1989

WHEREAS, the Board finds that Orange County has filed a Notice of Proposed Facility to operate the Bee Canyon Landfill; and

WHEREAS, the Board finds that Orange County has determined the project to be in conformance with the County Solid Waste Management Plan; and

WHEREAS, Orange County has prepared and circulated an Environmental Impact Report for this project, in compliance with the California Environmental Quality Act; and

WHEREAS, mitigation measures identified in the Environmental Impact Report and its Addendum reduce or eliminate potential significant impacts coming under the jurisdiction of this Board; and

WHEREAS, Board staff has reviewed the Environmental Impact Report and finds that it is adequate and appropriate for the Board's use; and

WHEREAS, the Board has considered the issue of conformance for the Bee Canyon Landfill from the standpoint of local issues and planning, consistency with the Board's State Policy, consistency with the short, medium and long term facilities element, and goals and objectives of the Orange County Solid Waste Management Plan; and

WHEREAS, the County of Orange, acting as Local Enforcement Agency, has submitted to the Board for its review and concurrence in, or objection to, the issuance of a Solid Waste Facilities Permit for the Bee Canyon Landfill; and

WHEREAS, Board staff has evaluated this new permit proposal for consistency with the State Minimum Standards for Solid Waste Handling and Disposal Regulations under Division 7, Title 14 of the California Code of Regulations; and

WHEREAS, the Board finds the proposed permit is consistent with the Orange County Solid Waste Management Plan, the State Minimum Standards for Solid Waste Handling and Disposal, and the Orange County General Plan; and

WHEREAS, the proposed operator has certified financial responsibility for closure and postclosure maintenance as required by Government Code Section 66796.22.

NOW, THEREFORE, BE IT RESOLVED that the California Waste Management Board finds the Bee Canyon Landfill to be in conformance with the Orange County Solid Waste Management Plan; and

BE IT FURTHER RESOLVED that the California Waste Management Board approves the operator certification of initial cost estimates and financial ability for closure and postclosure maintenance; and

BE IT FURTHER RESOLVED that the California Waste Management Board concurs in the issuance of Solid Waste Facilities Permit No. 30-AB-0360.

CERTIFICATION

The undersigned Chief Executive Officer of the California Waste Management Board does hereby certify that the foregoing is a full, true and correct copy of a resolution duly and regularly adopted at a meeting of the California Waste Management Board held October 11 - 12, 1989.

Dated:

George T. Eowan
Chief Executive Officer

CALIFORNIA WASTE MANAGEMENT BOARD

AGENDA ITEM NO. 6

OCTOBER 11 - 12, 1989

ITEM:

Consideration of Determination of Conformance and Concurrence in A Solid Waste Facilities Permit for Charter Evaporation Resource Recovery Systems Solid Waste Disposal Site, Colusa County.

KEY ISSUES:

- Permit for new Charter Evaporation Resource Recovery Systems Solid Waste Disposal Site
- Facility designed to dispose of dewatered drilling muds from the adjacent Charter Evaporation Resource Recovery Systems Waste Processing Facility

FACILITY FACTS:

Name:	Charter Evaporation Resource Recovery Systems (CERRS) Solid Waste Disposal Site, Facility #06-AA-0007
Project:	New Waste Disposal Facility
Location:	1 mile north of Arbuckle, Colusa County
Owner/Operator:	Charter Brothers, A California General Partnership
Area:	2 (two) acres
Permitted Capacity:	Drilling Muds - 840 tons per day
Estimated Closure Date:	2010

BACKGROUND:

The Charter Evaporation Resource Recovery Systems (CERRS) solid waste disposal facility will be located one mile north of Arbuckle (see Attachment 1). It has been permitted by the Central Valley Regional Water Quality Control Board as a Class II landfill. It will be approximately 2 acres in size and will be the final disposal area for processed drilling muds and cuttings that are not marketable (see Attachment 2). This facility will serve a dual purpose while CERRS is operating. Portions of the area will be used for temporary storage of soil awaiting marketing. As the 2 acres are progressively filled with unmarketable soils, the portion used for temporary storage will decrease. When CERRS is closed in 20 years, the entire 2 acres of the solid waste disposal facility will be devoted to permanent disposal of unmarketable muds.

The capacity of the solid waste disposal facility will be approximately 41,000 cubic yards. An assumption was made that 1-4% of the drilling muds and cuttings accepted at the facility will be nonmarketable and will require onsite disposal. A conservative estimate of 4% represents approximately 390,000 barrels of unprocessed drilling muds and cuttings.

An approach to permitting was developed that involved issuing two solid waste facilities permits. CERRS will still be owned and operated as one facility, but will be issued two permits. One permit will be for a transfer/processing station and will address the brine wastewater and mud processing operations at CERRS. The second permit, the one addressed by this item, will be for a solid waste disposal facility which will be that small portion of CERRS where the unmarketable muds will undergo ultimate disposal.

BOARD ACTION:

Because a new Solid Waste Facilities Permit is being proposed, the Board must review this proposal for conformance with Colusa County Solid Waste Management Plan (CoSWMP) and must either object to or concur with the proposed permit as submitted by the LEA.

Pursuant to GC Section 66796.32(e), the Board has 40 calendar days to concur in or object to the issuance or revision of a Solid Waste Facilities Permit. Since the proposed permit for this facility was received on September 12, 1989, the last day the Board could act is October 22, 1989.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA):

CEQA requires that the environmental impacts of any project be considered by any public agency which has discretionary authority over that project. The Determination of Conformance and Concurrence in the Solid Waste Facilities Permit are both discretionary acts under CEQA. Therefore, the Board must review the potential environmental impacts of the actions which are now under consideration.

The Colusa County Department of Planning prepared and circulated an Environmental Impact Report in compliance with CEQA. In the document the County found the project would not have a significant impact on the environment. The County certified the environmental document and filed a Notice of Determination for the project with the County Clerk and State Clearinghouse (see Attachment #3).

Staff reviewed the Environmental Impact Report and found it to be adequate and appropriate for the Board's consideration of this project.

Potential environmental impacts and proposed mitigation measures for these impacts are as follows:

IMPACT - LAND USE

The proposed project would remove about 115 acres from agricultural use during the facility's lifetime, which is expected to be approximately 20 years. Two (2) of the 115 acres will be used as the Solid Waste Disposal Site.

MITIGATION MEASURES RECOMMENDED

- The County could establish a conservation easement to reduce noise, visual and odor impacts during project operation. This would provide a landscaped buffer between the evaporation ponds and surrounding uses.

- The County could require that any proposed residential developments be restricted to minimum distances from the project site such that potential environmental impacts would remain at insignificant levels.

IMPACT - SOILS AND SEISMIC HAZARDS

Ponds and pond walls could be subject to significant groundshaking during a major seismic event. Some existing soils within ponds and pond walls are very permeable. Pond walls could be subject to erosion.

MITIGATION MEASURES IDENTIFIED AS PART OF THE PROJECT

- Earth berms would be constructed around each pond. Soil would excavated to about six feet below existing grade, and berms would be built using the excavated soil.

- The double high density polyethylene liners and the leak detection system would be installed.

- Unstable soil would be removed or compacted or otherwise treated so it would be stronger, both under normal conditions and during seismic events.

- Ponds, slopes, berms, and other structures would be designed to withstand soil acceleration of 0.35 g.

IMPACT - HYDROLOGY

Groundwater quality could be adversely affected.

MITIGATION MEASURES IDENTIFIED AS PART OF THE PROJECT

- The evaporation ponds would be lined with a double layer of high density polyethylene liners to prevent movement of waste materials into the groundwater supplies.

- Three ground water monitoring wells -- in addition to those already in place -- would be installed to assure accurate down gradient groundwater monitoring. These would be emplaced downgradient from the evaporation ponds in order to monitor potential water quality degradation.

IMPACT - BIOLOGY

Project construction would result in the removal of about 115 acres of cultivated agricultural land from wildlife use, two of which will be used for the Solid Waste Disposal Site.

Routine site operation impacts would be minimal to the local plant and animal life. Fugitive dust along access and haul roads would adversely impact some plants.

MITIGATION MEASURES IDENTIFIED

- Fugitive dust would be controlled by watering roads regularly.
- Topsoil from disturbed areas would be stockpiled for future use when the site closes.
- The mud disposal site would be revegetated after closure with native species.

IMPACT - AIR QUALITY

Project construction would result in particulate emissions, mostly through excavation and truck movements.

MITIGATION MEASURES

- Water disturbed soil twice daily at the construction site. Construction-related TSP emissions would be reduced by as much as 50%
- Water the Charter Ranch Road during construction to reduce emissions from construction traffic.
- Stabilize soil around the evaporative ponds.

IMPACT - NOISE

Increased vehicular traffic during project construction would be audible from residences.

MITIGATION

- Limited construction and operational activity to day light hours.

REQUIREMENTS FOR DETERMINATION OF CONFORMANCE:

Government Code 66784 requires that the Board make a Determination of Conformance prior to the establishment of any solid waste facility. In accordance with procedures for obtaining a Determination of Conformance, specified in Title 14, California Code of Regulations (CCR), Chapter 4, the project proponent has submitted a Notice of Proposed Facility with the Board (see Attachment #4).

Also, in accordance with those procedures, the Colusa County Department of Public Works, as the agency responsible for the County Solid Waste Management Plan (CoSWMP), found the facility in conformance with the CoSWMP (see Attachment #5).

Staff finds that all local actions have been completed and it is appropriate for the Board to consider the request of a Determination of Conformance for the subject facility. Staff has reviewed the CoSWMP and the Notice of Proposed Facility and makes the following findings based on the four Board established criteria for a Determination of Conformance:

1. <u>Consistency with State Policy</u>

   The establishment of the facility is consistent with the Board's State Policy of providing for an environmentally safe and efficient method of waste disposal.

2. <u>Consistency with the Policies and Objectives of the CoSWMP</u>

   The proposed facility is consistent with a specified CoSWMP policy of encouraging an expanded program of resource recovery and safe disposal.

3. <u>Consistency with Short, Medium, and Long Term Facilities Element of the CoSWMP</u>

   This facility is specifically identified in the Amended CoSWMP.

4. <u>Local Issues and Planning</u>

   The project proponent has obtained all local approvals for this project.

Conclusion:

In conclusion, staff finds the proposed project meets all four Board established criteria for a Determination of Conformance.

Requirements for Closure and Postclosure Maintenance:

Approval of Operator Certification

Initial Cost Estimate

Staff has reviewed the initial cost estimates and professional certification for closure and postclosure maintenance. These estimates do not include initial cost estimates for; 1) the clay layer as described in Section 17773. Final Cover, and 2) the installation of landfill gas monitoring prior to closure in accordance with Section 17783. Gas Monitoring and Control During Closure and Postclosure.

Staff has been in contact with the operator and expects to receive revised cost estimates reflecting these minimum requirements. Staff will report to the Board on the adequacy of the additional information.

Because of the aforementioned changes in the initial cost estimates, the operator is required to submit an updated operator certification. The operator must certify: 1) preparation of an initial cost estimate for closure and postclosure maintenance, 2) establishment of a financial mechanism, and 3) funding of the mechanism that will ensure adequate resources for closure and postclosure.

Financial Mechanism

CERRS has submitted a Trust Fund for the purpose of closure and postclosure maintenance. The Board's Finance Unit reviewed the Trust Fund in relation to the requirements for Trust Funds as Financial Assurance Mechanisms for Closure and Postclosure Maintenance Costs based on the Emergency Regulations.

The Trust Fund was established with Wells Fargo Bank in the amount of $252,637 and has $300 deposited in the fund.

The Trust Fund is in compliance with the Board's Emergency Regulations.

Submission of Closure and Postclosure Maintenance Plans

The Solid Waste Facilities Permit contains a condition that requires the operator to submit a closure and closure maintenance plan to the local enforcement agency and the Board by October 1, 1990, for consideration of approval. The cost estimates and the financial mechanism must be revised to reflect the development of the plans.

REQUIREMENTS FOR CONCURRENCE WITH THE SOLID WASTE FACILITIES PERMIT:

Government Code Section 66796.30 et.seq. requires an operator of a solid waste facility to file an application with the LEA for a Solid Waste Facilities Permit. Included with the application is a Report of Facility Information (RFI) which in this case is a 1989 Report of Disposal Site Information. When the application is deemed complete by the LEA, a copy of the application and RFI are transmitted to the Board. Staff have reviewed these documents and find them to be satisfactory.

Within 75 days of accepting an application, an LEA is to submit a proposed solid waste facilities permit to the Board. The LEA has complied with this requirement.

When submitting the proposed permit, the LEA is required to make the following three findings required by GC 66796.32(c):

1. Consistent with CoSWMP

   The proposed solid waste facilities permit has been determined to be consistent with the Colusa County Solid Waste Management Plan. Staff agrees with this determination.

2. Consistent with Board Standards

   The facility has been determined to be in compliance with the State Minimum Standards. Staff agrees with this determination based upon the proposed design and operation.

3. Consistency with General Plan

   The facility has been determined to be consistent with the Colusa County General Plan by the LEA. Staff agrees with this determination.

Staff have reviewed the proposed Solid Waste Facilities Permit and supporting documentation and find the form and content of the permit to be acceptable.

BOARD OPTIONS:

1. Take no action. If the Board does not act on a permit within 40 days of receipt, concurrence would be by default, and the permit would be issued by the LEA.

2. Deny conformance and object to issuance of the permit. This action would be appropriate if the proponent and the LEA had not met all local and state requirements for these two actions.

3. Find conformance and concur in issuance of the permit. This would be appropriate if the proponent and LEA have met all state and local requirements for these two actions.

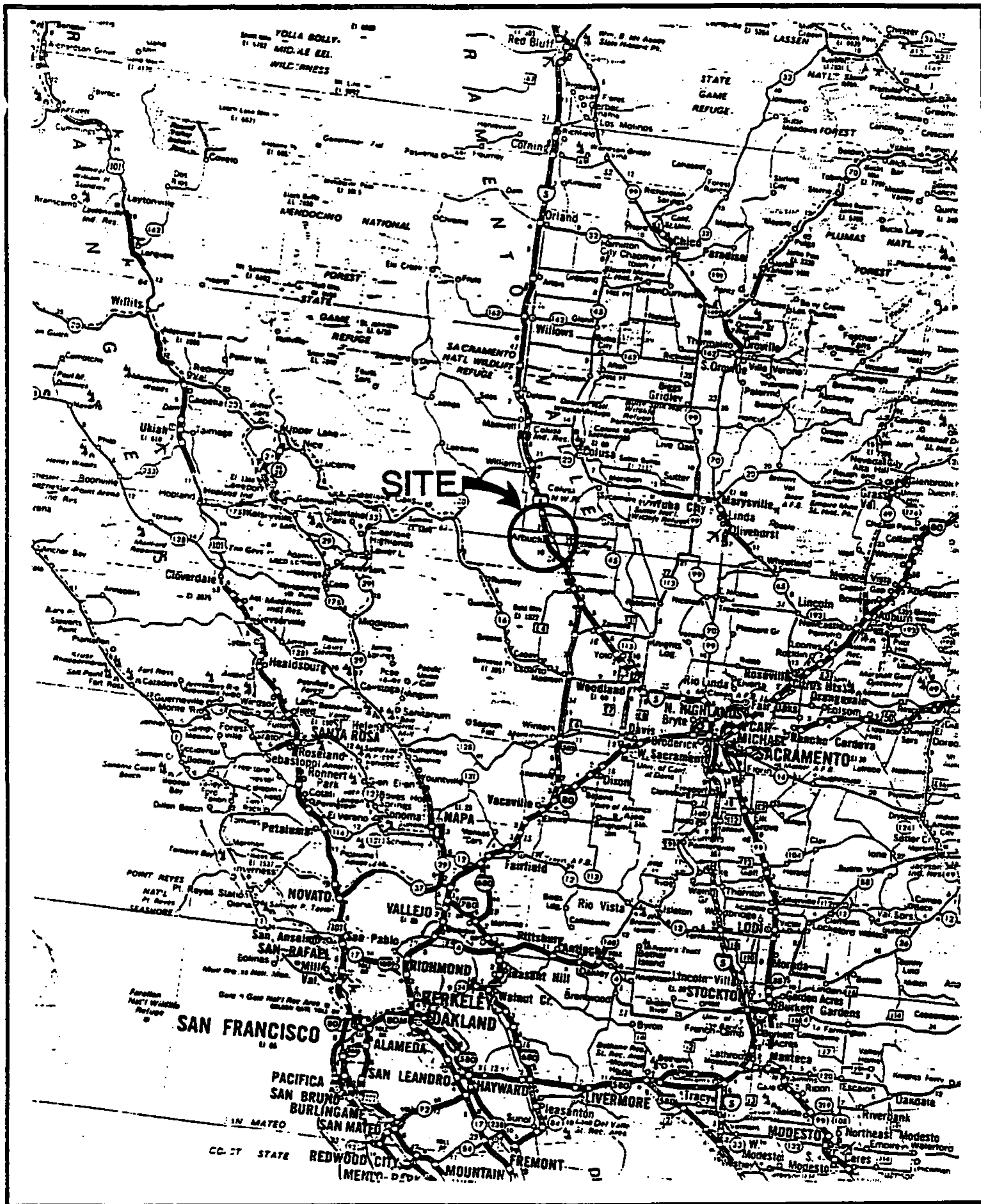
RECOMMENDATION:

Staff recommends Option No. 3 that the Board adopt Solid Waste Facility Determination of Conformance No. 89-16 and Solid Waste Facilities Permit Decision No. 89-72, concurring in the issuance of Solid Waste Facilities Permit Number 06-AA-0007. Staff makes this recommendation only if the operator submits an acceptable revised cost estimate and updated certification.

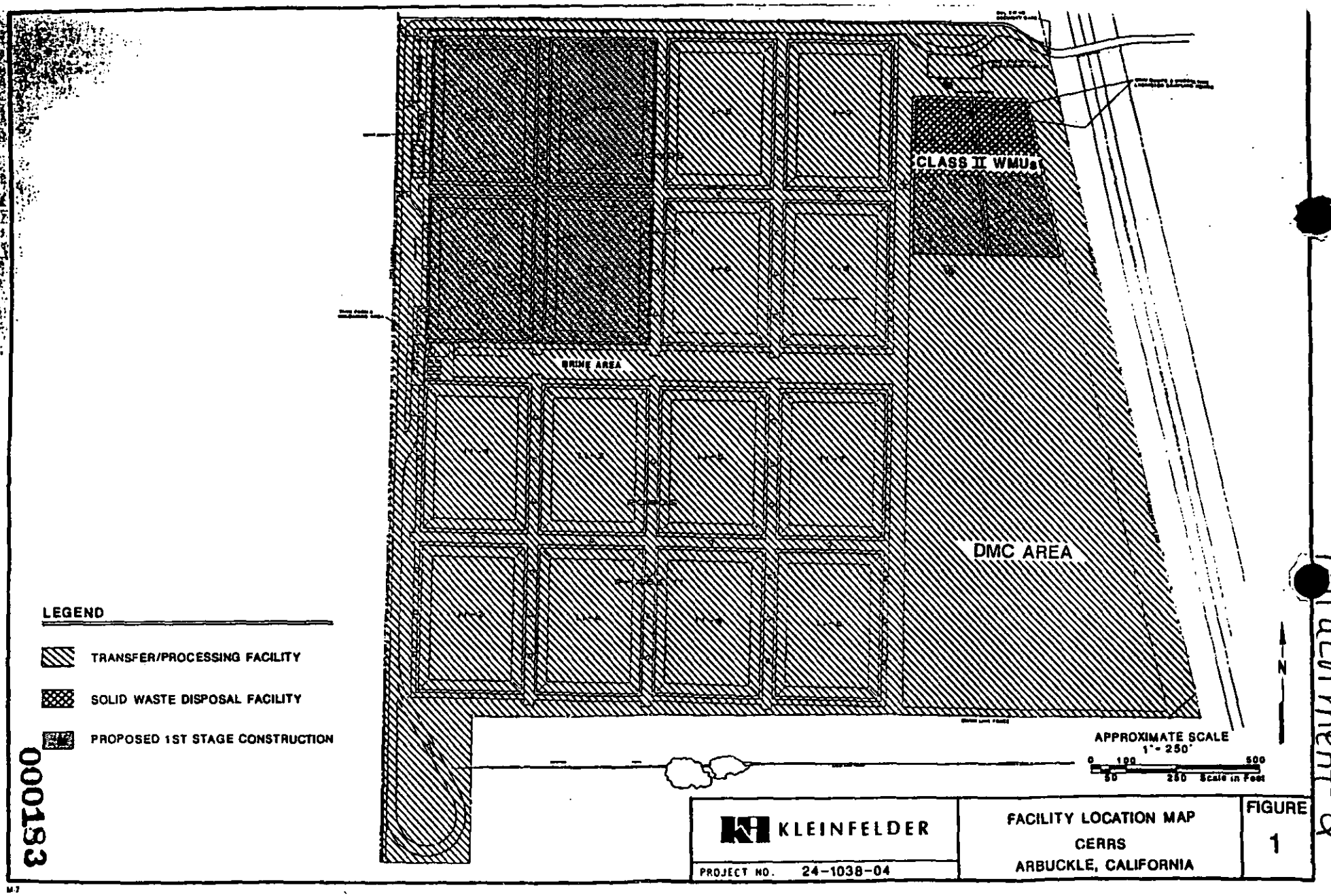
Attachments:

1. Location Map
2. Plot Plan
3. Notice of Determination filed with State Clearinghouse
4. Notice of Proposed Facility
5. Conformance with County Solid Waste Management Plan
6. Consistency with County General Plan
7. Conformance with Government Code Section 66784.2, "distance letter"
8. Operator Certification for the Preparation of Initial Cost Estimates, Establishment of a Financial Mechanism, and Annual Deposits into the Financial Mechanism
9. Proposed Permit No. 06-AA-0007
10. Solid Waste Facility Determination of Conformance No. 89-16 and Solid Waste Facilities Permit Decision No. 89-72.

Attachment 1



KLEINFELDER	REGIONAL LOCATION MAP CERRS FACILITY ARBUCKL CALIFORNIA	PLATE 4.1
PROJECT NO. 24-1038 4		000182



Attachment 2

000183

Attachment 3

ENDORSED FILED

JAN 23 1989

KATHLEEN MORAN
Clerk-Colusa County

RECEIVED
JUN 6 1989

NOTICE OF DETERMINATION

TO: Office of Planning & Research
1400 Tenth Street, Room 121
Sacramento, CA 95814

County Clerk
Courthouse, 546 Jay Street
Colusa, CA 95932

FROM: Colusa County Planning Commission
220 - 12th Street
Colusa, CA 95932

SUBJECT: Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.

Project Title: CERRS (Charter Evaporation Resource Recovery Systems)

State Clearinghouse Number (If submitted to Clearinghouse): 88012618

Contact Person: Stanley M. Walker Telephone Number: 916/458-8877

Project Location: AP#18-260-39; portion of Section 29 & 32, west of Arbuckle area.

Project Description: to receive non-toxic saline wastewater from regional natural gas production fields and other resources. The facility would also handle drilling muds. The project would consist of sixteen evaporation ponds (about 2 acres each) to be constructed in two phases of eight ponds each; a drilling muds frying area; office;laboratory & stor

This is to advise that the Colusa County Planning Commission has approved the above described project and has made the following determinations regarding the above described project:

1. The project __ will, XX will not, have a significant effect on the environment.

2. XX An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.

   __ A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.

   The EIR or Negative Declaration and record of project approval may be examined at the Colusa County Planning Department, 220 12th Street, Colusa, CA 95932.

3. Mitigation measures XX were, __ were not, made a condition of the approval of the project.

4. A statement of Overriding Considerations __ was, XX was not, adopted for this project.

Date Received for Filing: 12-21-88

Signature Stanley M. Walker

Director of Planning & Building Administration
Title

NOTICE OF PROPOSED FACILITY

Charter Evaporation, Inc., (Route 1, Box 213, Williams, California, 95987) is proposing to construct a nonhazardous waste management facility west of Arbuckle in Colusa County. The facility will accept nonhazardous brine wastewater from energy and food production industries, and nonhazardous drilling muds and cuttings. When fully developed, the site will cover approximately 100 acres. During its 20 year life, the facility will serve primarily the counties of Glenn, Lake, Colusa, Sutter, Yolo, Napa, Sonoma, Sacramento, and Solano. Shipments from the remaining counties in Northern California will also be accepted as the situation arises. Lands surrounding the facility are used exclusively for agriculture.

Completed permitting activities include:

1. Inclusion of CERRS in the Colusa County General Plan.

2. Preparation and adoption of EIR.

3. Obtained Waste Discharge Requirements from the Regional Water Quality Control Board.

4. Preparation of CoSWMP Amendment, adoption of amendment by Colusa County and the Cities of Williams and Colusa.

5. Preparation and submission of Application for Solid Waste Facility Permit.

Construction of the facility is scheduled to begin during the summer of 1989. Operation may begin as early as November 1989.

Attachment 5

TELEPHONE: 458-0186
458-0187

COUNTY OF COLUSA

COLUSA, CALIFORNIA

DEPARTMENT OF PUBLIC WORKS
ROAD COMMISSIONER-SURVEYOR-ENGINEER
1215 MARKET ST., COLUSA, CALIFORNIA 95932

O. GARY PLUNKETT, DIRECTOR

RECEIVED
JUN - 2 1989

June 1, 1989

Mr. Cy Armstrong
California Waste Management Board
1020 Ninth Street, Suite 300
Sacramento, CA 95814

Re: Colusa County Solid Waste Management Plan Amendment - Charter Evaporation Resource Recovery System

Dear Mr. Armstrong:

The Charter Evaporation Resource Recovery System will be in conformance with the Colusa County Solid Waste Management Plan upon approval by the California Waste Management Board of the amendment to include those facilities in the plan.

Sincerely,

O. Gary Plunkett
Director of Public Works

/so

Attachment 6

RECEIVED
JUN - 2 1989

COUNTY OF COLUSA

DEPARTMENT OF

PLANNING AND BUILDING ADMINISTRATION

Stanley M. Walker
DIRECTOR

220 12th Street
Colusa, California 95932
Telephone: (916) 458-8877

Cy Armstrong
California Waste Management Board
1020 Ninth Street, Suite 300
Sacramento, California 95814

re: CERRS - 1989 Colusa County General Plan

This letter is in regard to certain information concerning the CERRS project and its relationship to the 1989 Colusa County General Plan.

The CERRS project was approved in the 1989 Colusa County General Plan and is described in said Plan under the category of Privately Operated Designated Solid Waste Facility (PSWF) as follows:

CERRS, a privately-operated designated solid waste facility has been proposed on a 160-acre side three miles northwest of Arbuckle. The facility has been designed to receive non-toxic saline wastewater and brines which are drawn up during natural gas drilling. As planned, it will consist of 16 brine evaporation ponds; a stormwater/emergency management pond, office, laboratory, and storage buildings; and staging, offloading, and processing areas. The ponds would be lined with synthetic material as well as reworked clay from the site. Toxic materials or hazardous wastes would not be permitted at the site.

Enclosed is an endorsed filed copy of the Notice of Determination indicating approval of the final Environmental Impact Report for the CERRS project together with the Resolution of the Colusa County Board of Supervisors adopting the 1989 Colusa County General Plan. In adopting the 1989 County General Plan, the Board of Supervisors found the CERRS site to be consistent with the General Plan (Government Code Section 66796.41).

If you have further questions regarding this matter, please contact this Office.

Very truly yours,

Stanley M. Walker

Stanley M. Walker
Director of Planning &
Building Administration

May 30, 1989
/cs
cc: Attorney D.W.Littlejohn

Attachment 7

COUNTY OF COLUSA
PUBLIC HEALTH DEPARTMENT

☐ Public Health (916) 458-5177
☒ Environmental Health (916) 458-7717
☐ Child Health & Disability Program (CHDP) 458-5177
☐ Animal Control (916) 458-4500
☐ California Children Services (CCS) (916) 458-5177

P.O. Box 610 • 251 E. Webster Street • Colusa, CA 95932

RECEIVED
JUN 14 1989

June 12, 1989

Cy Armstrong
California Waste Management Board
1020 - 9th Street, Suite 300
Sacramento, CA 95814

RE: Proposed Charter Evaporation Resource Recovery Systems

Dear Mr. Armstrong:

The nearest residential structure to the proposed facility is 3200 feet away. This distance should be sufficient to permit adequate control of noise levels, odor nuisances, traffice congestion, litter nuisances and vectors. The distance between the site and the nearest residential structure is in compliance with all of the state minimum standards for solid waste management.

Sincerely,

Janet Warrick Krug

Janet Warrick Krug
Environmental Health Officer

JWK:cag

INITIAL COST ESTIMATE WORKSHEET
22/39

ATTACHMENT 8

Site Description

The following questions will provide general information regarding the site description. the type of waste accepted at the site and basic geological information. This information will aid in assessing factors that may affect the initial cost estimates.

Prepared By: TIMOTHY CRANDALL, EIT AND KENT ZENOBIA, PE
KLEINFELDER

General Site Information

Name of Solid Waste Landfill CHARTER EVAPORATION

RESOURCE RECOVERY SYSTEMS (CERRS)

Solid Waste Facilities Permit Number NEW FACILITY, NUMBER NOT YET ISSUED

Facility Operator CERRS

Site Owner CERRS

Site Location (California coordinates, township & range or longitude/latitude, preferred) T14N, R2W, SECTION 29 MDB&M

Assessors Parcel Number 18-260-038 AND 18-260-039

Site Address MAILING ADDRESS: CERRS, C/O LITTLEJOHN & WESTFALL,

P.O. BOX 927, COLUSA, CA 95932

1. What is the existing State Water Resources Control Board classification of the solid waste landfill? (mark the appropriate response)

NEW	OLD
If Waste Discharge Requirements (WDR) revised since 11-34	
_____Class I	_____Class I
	_____Class II-1

Note: The solid waste landfill is excluded from these requirements, if the facility is a hazardous waste facility or co-disposal facility of both hazardous and nonhazardous waste as a RCRA Subtitle C facility subject to specified closure plan requirements.

X Class II	_____Class II-2
_____Class III	_____Class III

2. What is the anticipated closing date for the existing permitted landfill? Proposed expansions which have not been approved by the Board and LEA are not to be included in these calculations. Include calculations supporting the estimated date. (Attach additional sheets as necessary.)

month SEPTEMBER ,year 2010

September 28, 1992, or earlier, will be required to submit their closure and postclosure maintenance plan no later than July 1, 1990.

Type of Fill

3. Type of Fill (check appropriate type)

_____Trench _____Canyon

X Area _____Other (describe)

_____Pit _____

Volume of Waste

4. What is the estimated in-place volume of landfilled wastes at the site in cubic yards? 0.00

5. What is the design capacity of the site in cubic yards? 41000.00

6. Minimum thickness of waste (ft)? 15

7. Average thickness of waste (ft)? 15

8. Maximum thickness of waste (ft)? 15

9. Average height above surrounding terrain (ft)? 11

10. Typical inclination of side slopes, in slope ratio (horizontal:vertical)? (e.g., 5:1, 2:1) 3 : 1

Note: #'S 6-10 ARE DESIGN ESTIMATES

11. Quantity of waste typically received (tons/day)? VARIABLE

12. Total permitted site acreage? 2

13. Waste disposal area acreage? 2

Waste Description

14. Estimate of solid waste received (total of entries for residential, commercial, industrial, demolition and other should add up to 100%).

% Residential _____ % Commerical _____

% Industrial _____ % Demolition _____

_____

% Other (special waste streams, such as ash, auto shredder waste, infectious waste, sludge, asbestos) 100

Describe material under "other" and give its percentage.

Material Percentage

_____ _____

Resid. + Indus. + Comm. + Demo. + Other = 100 100

Site Geology and Groundwater Data

15. Briefly describe the underlying geology of the site. (Mark as many boxes that apply.)

_____Shallow alluvium <50' X Deep alluvium >50'

_____Sedimentary _____Igneous

_____Metamorphic

a. What is the name of the nearest major fault?

CLOSEST HOLOCENE FAULT IS THE DUNNIGAN HILLS FAULT

b. Distance from site (miles)? 10

c. On-site fault(s), if known? NONE KNOWN

16. What are the groundwater characteristics?

a. What is the depth to groundwater (ft) 87.24-104.06

This will be the range of water levels, from well data, in a groundwater well network. Note: Consider seasonal variations from rainy to dry periods, wet and dry years, well locations and variations in the subsurface geology.

Highest recorded level (depth in ft) 87.24

Well Number 2 Date Recorded 8/14/87

Lowest recorded level (depth in ft) 104.06

Well Number 2 Date Recorded 12/20/87

Typical _____

b. What direction does the groundwater flow? NORTH

c. What is the groundwater gradient? 0.12-0.34 ft/ft

CLOSURE COSTS

Final Cover

17. Area of Landfill for Final Cover

a. Area of top deck to be capped (ft^2) Ad = 61500

18. Final Cover Soil

a. Thickness

1) Top deck (minimum 3 feet of soil & 1 foot of clay)

Td = (> or = 3') 3

2) Side slope (minimum 4 feet normal to slope)

Ts = (> or = 4') 4

b. Volume = [(Td x Ad) + (Ts x As x Conv. factor)]/27 = (yd^3)

12043

c. % Native soil 100.00

d. Native material acquisition cost (excavation, hauling, etc.) ($/yd^3) 1.40

e. Native soil cost ($) 16860.05
(Line 18b x Line 18c x Line 18d)

f. % Imported soil 0.00

g. Imported material acquisition cost (purchase, delivery, etc.) ($/yd^3) _____

h. Imported soil cost ($) 0.00
(Line 18b x Line 18f x Line 18g)

i. Placement, grading and compaction (to achieve relative compaction of .90) unit cost ($/yd^3) 1.70

j. Placement, grading and compaction cost ($) 20472.92
(Line 18b x Line 18i)

k. Subtotal final cover soil ($) 37332.97
(Line 18e + Line 18h + Line 18j)

19. Clay Layer

a. Area to be capped (ft^2) A SYNTHETIC CAP WILL BE USED INSTEAD OF CLAY
(Line 17a)

b. Thickness (ft) (minimum 1 foot) _____

c. Volume (yd^3) 0
(Line 19a x Line 19b)/27

d. % On-site Clay _____

e. On-site material acquisition cost (excavation, hauling, etc.) ($/yd^3) _____

f. On-site clay cost ($) 0.00
(Line 19c x Line 19d x Line 19e)

g. [illegible]

h. Imported material acquisition cost (purchase, delivery, etc.) ($/yd^3) _____

i. Imported clay cost) ($) 0.00
(Line 19c x Line 19g x Line 19h)

j. Placement/spreading, grading, compaction (to achieve permeability no greater than 1 x 10-6 cm/sec) unit costs ($/yd^3) _____

k. Placement, grading and compaction cost ($) 0.00
(Line 19c x Line 19j)

l. Subtotal clay costs ($) 0.00
(Line 19f + Line 19i + Line 19k)

20. Synthetic Membrane (if applicable)

a. Type of membrane (e.g., HDPE, CPE, PVC)

HDPE

Thickness (minimum 30 mils) 40.00

b. Quantity (ft^2) 106300

c. Purchase, delivery and installation unit cost ($/ft^2)

0.40

d. Synthetic layer testing (percent of total synthetic membrane unit cost)(%/100)

0.15

e. Synthetic layer costs ($) 48898.00
(Line 20b x Line 20c x (1 + 20d)

21. What other types of materials/layers are included in the design (e.g., asphalt-tar, gravel for gas venting)?

ONE LAYER OF GEOTEXTILE WILL BE PLACED ON EACH SIDE OF THE GEOMEMBRANE. THE $0.40/SQ FT INCLUDES THIS COST.

Note: Thickness of individual layers may be modified depending on the integrated cover design.

22. Construction Quality Assurance

The following cost estimates apply to the quality assurance activities necessary to observe that the final cover is installed properly, as specified in the design parameters, and fulfill the conditions mandated by regulations.

a. Monitoring costs incurred while evaluating the final cover system components:

1) Laboratory test fees (e.g., soil permeability, soil density and moisture content) ($)

1000.00

permeability tests, relative compaction tests) ($)

2000.00

b. Inspections (e.g., initial inspection of native and imported soil or clay, visual check of completed cover)($)

6300.00

c. Reporting costs (e.g., daily reporting procedures, corrective measure reports) ($)

4000.00

d. Engineering design costs 5700.00

e. Quality assurance costs ($) 19000.00
(Line 22a1 + Line 22a2 + Line 22b + Line 22c + Line 22d)

23. Final Cover Subtotal ($) 105230.97
(Line 18k + Line 19l + Line 20e + Line 22e)

Revegetation

24. Soil Preparation

a. Area to be vegetated, including closed areas that need replanting (acres)
(Line 17a + Line 17b)/43560 2

b. Preparation unit cost ($/acre) 0.00

c. Soil preparation subtotal ($) 0.00
(Line 24a x Line 24b)

25. Planting

a. Type of vegetation MIXTURE OF NATIVE AND RYE GRASS

b. Planting unit cost (e.g., seeding, sprigging, plugs) (include cost of seeds, sprigs, plugs)($/acre)

580.00

c. Planting cost($) 1160.00
(Line 24a x Line 25b)

26. Fertilizing

a. Type of fertilizer LIQUID 16-20-0

b. Fertilizer unit cost ($/acre) 580.00

c. Fertilizing cost ($) 1160.00
(Line 24a x Line 26b)

27. Mulching

a. Mulch unit cost ($/acre) 580.00

b. Mulching cost ($) 1160.00

(Line 24a x Line 27a)

28. Irrigation installation cost ($) _____

29. Revegetation Subtotal ($) 3480.00
(Line 24c + Line 25c + Line 26c + Line 27b + Line 28)

Landfill Gas Monitoring and Control

30. Does the landfill have a gas monitoring network?

YES _____ NO X

If NO,

a. What will be the spacing between probes? _____

b. What criteria was used to select this spacing?

NO GAS GENERATION IS ANTICIPATED AT THE LANDFILL BECAUSE DRILLING MUDS CONTAIN LITTLE OR NO ORGANIC MATERIAL. NO GAS MONITORS OR CONTROLS WILL BE INSTALLED.

c. Total footage for gas probes. _____

Note: Depth of probes should equal at least 1 x depth of refuse within 1,000'.

d. Probe intervals per boring. _____

Suggested minimum;

1) Surface (5-10 ft)

2) Intermediate (half the depth of boring)

3) Deep (to depth of boring)

e. Cost of design ($) _____

f. Cost of drilling, materials ($) _____

g. Cost of installation ($) _____

h. Subtotal for monitoring network ($) 0.00
(Line 30e + Line 30f + Line 30g)

If YES,

i. How many probe installations are in place? _____

j. What is the lateral spacing between probe installations? _____

k. What is the number of probe intervals per boring?

_____

31. Is there a gas control system operating at the landfill?

YES _____ NO _____

a. Type(s) (e.g., recovery, perimeter extraction, air

If applicable,

b. What type of system will be installed during closure?

_____

c. Cost of design ($) _____

d. Cost of materials ($) _____

e. Cost of installation ($) _____

f. Subtotal for control system ($) 0.00
(Line 31c + Line 31d + Line 31e)

32. Landfill Gas Subtotal ($) 0.00
(Line 30h + Line 31f)

Groundwater Monitoring Installations

33. Does the landfill have a groundwater monitoring network?

YES X NO _____

If YES,

a. Number of upgradient (minimum 1) wells 1.00

b. Number of downgradient (minimum 3) wells 3.00

If less than minimum or NO,

c. Number of wells to be installed (minimum 1 upgradient and minimum 3 downgradient) 0

d. Drilling total footage (ft) _____

e. Cost of design ($) _____

f. Developing, installing, materials ($) _____

34. Groundwater monitoring subtotal ($) 0.00
(Line 33e + Line 33f)

Drainage

35. Is there a surface water runon and runoff control system existing at the site?

YES X NO

If NO,

a. What will be the estimated cost of installation and construction of the drainage conveyance system to accommodate anticipated runoff (e.g., diversion ditches, downdrains, energy dissipators) and protection from runon (e.g., dikes, levees, protective berms)?

-SURFACE WATER RUNON AND RUNOFF CONTROL FEATURES WILL BE CONSTRUCTED BEFORE THE LANDFILL BEGINS OPERATION. COST OF CONTROL FEATURES ASSOC

WITH CLOSURE (LINING OF THE LANDFILL) IS INCLUDED IN CAPPING COSTS.

b. Cost of design ($)

c. Drainage subtotal ($) 0.00
(Line 35a + Line 35b)

Security

36. Is there a security system established at the landfill (e.g., fencing, access gates, locks on the gates, informational signs)?

YES X NO _____

a. What is presently in place at the site? (mark appropriate boxes)

X	Fencing	X	Locks
X	Gates	_____	Other (describe)
X	Signs	_____	

b. What will be the estimated cost of installing a security fence, access gates with locks, and/or informational signs (e.g., either around site perimeter or around enclosures) to protect equipment and the public and is compatible with postclosure use?
1000.00

c. What will be the estimated cost of dismantling and removing security equipment not necessary after closure and incompatible with postclosure use?
5000.00

d. Security system costs ($) 6000.00
(Line 36b + Line 36c)

SUPPLEMENTAL DATA

37. Itemize costs on additional worksheets for closure procedures, specific to this solid waste disposal site, and attach at the end of this worksheet. Make sure each page is appropriately labeled with site name and SWIS number.

Other - Closure Costs $ 0.00

POSTCLOSURE MONITORING AND MAINTENANCE COSTS

Revegetation
-SITE IS CURRENTLY A FALLOW FIELD THAT HAS A LUSH GROWTH OF ENDEMIC PL
THIS GROWTH SHOULD RE-ESTABLISH ITSELF ON THE LANDFILL CAP AFTER CLOS

38. Fertilizing

a. Area to be fertilized (acres)
-ASSUME ENDEMIC PLANT GROWTH WILL ELIMINATE NEED FOR REVEGETATION
b. Type of fertilizer _____
-3:1 SLOPES ARE SHALLOW, ENDEMIC PLANTS SHOULD OFFER SUFFICIENT CONTRO
c. Fertilizer unit cost ($/acre/yr) _____

(Line 38a x Line 38c)

39. Irrigation

a. Type of irrigation system NONE

b. Quantity (gallon/day) _____

c. Unit cost ($/gallon) _____

d. How many irrigation days per week? _____

e. Annual irrigation costs ($/yr) 0.00
{(Line 39b x Line 39c) x Line 39d} x 52 wk/yr

f. Annual maintenance costs ($/yr) _____

g. Irrigation costs ($/yr) 0.00
(Line 39e + Line 39f)

40. Revegetation subtotal ($/yr) 0.00
(Line 38d + Line 39g)

Leachate Management

41. Does the solid waste disposal site have a liner?

YES X NO _____

-LINER WILL BE INSTALLED BEFORE OPERATION OF LANDFILL BEGINS

42. Does the landfill have a leachate collection/removal system? (e.g., leachate barrier and recovery system, dendritic system)

YES X NO _____

If YES,

a. What type of system? BLANKET WITH SUMP

-DRILLING MUDS WILL BE DEWATERED TO >50% SOLIDS BEFORE PLACEMENT IN TH LANDFILL. A SYNTHETIC CAP WILL BE PLACE OVER THE WASTE AT CLOSURE. DUE TO THESE FACTORS, LCRS O&M COSTS ARE ASSUMED TO BE $0.00.

b. Annual cost of operation and maintenance of system. ($)

0.00

43. List types of leachate (including leachate-affected water and landfill gas condensate) treatment used and that will continue to be used during closure and postclosure maintenance (e.g., discharge to sewer, on-site or off-site management).

a. Type of treatment (on-site)

-AS EXPLAINED IN #42, WE DO NOT ANTICIPATE LECHATE GENERATION AT THIS AND HAVE NOT INCLUDED COSTS FOR LEACHATE TREATMENT AND TESTING.

b. Volume/unit frequency (e.g., gals/day, gals/month)

_____

c. Unit cost of treatment ($) _____

d. Annual costs of on-site treatment. ($/yr) _____

44. Type of treatment (off-site) _____

_____

a. Volume/unit frequency (e.g., gals/day, gals/month)

_____

b. Unit cost of treatment ($) _____

c. Annual costs of off-site treatment. ($/yr) _____

d. Other (explain) _____

_____

45. Leachate sampling and testing

a. Number of samples/round _____

b. Sampling costs/round ($) _____

c. Frequency of sampling per year _____

d. Annual sampling costs ($/yr) 0.00
(Line 45b x Line 45c)

e. Testing costs/sample ($) _____

f. Annual testing costs ($/yr) _____
(Line 45a x Line 45c x Line 45e)

g. Annual sampling/testing cost subtotal ($) 0.00
(Line 45d + Line 45f)

46. Leachate management costs ($/yr) 0.00
(Line 42b + Line 43d + Line 44c + Line 45g)

Monitoring

47. Gas Monitoring Systems

a. Monitoring devices of principal gases (e.g., Gastech, OVA, etc.)

THERE WILL BE NO GAS MONITORS

b. Frequency of monitoring (e.g., daily, weekly, monthly)

_____

c. On-site annual monitoring costs for principal gases? ($/yr)

_____

d. Annual sampling costs for trace gases ($/yr)

_____

e. Annual testing costs for trace gases ($/yr)

_____

g. Installation unit cost for probes ($) _____

h. Annual replacement costs ($) 0.00
(Line 30i x Line 47g)/Line 47f

i. Annual maintenance costs ($/yr) _____

j. Gas monitoring subtotal ($/yr) 0.00
(Line 47c + Line 47d + Line 47e + Line 47h + Line 47i)

48. Is the vadose (unsaturated) zone monitored at this landfill?

YES X NO _____

If YES,

a. What type of monitoring procedures and equipment are utilized? (e.g., vacuum/pressure lysimeter)

PRESSURE/VACUUM LYSIMETERS

b. How many monitoring devices are utilized? 2

c. Annual sampling costs ($/yr) 544.00

d. Annual testing costs ($/yr) 1880.00

e. Assumed replacement frequency, of devices, in years.

ASSUME NO REPLACEMENT _____

f. Installation unit cost of devices. ($) _____

g. Annual replacement cost ($/yr) 0.00
(Line 48b x Line 48e)/Line 48f

h. Annual maintenance costs ($/yr) _____

i. Vadose zone monitoring subtotal ($/yr) 2424.00
(Line 48c + Line 48d + Line 48g + Line 48h)

49. Groundwater Monitoring

a. Number of wells 3

b. Frequency of monitoring, per year 2

c. Analytical methods (e.g., EPA 601 and 602 or 624, and 625)
601/602, METALS, GENERAL MINERALS

d. Number of samples/round 1

e. Testing costs/sample ($) 470.00

f. Annual groundwater sampling & testing costs ($/yr)

((Line 49d x Line 49e) x Line 49a) x Line 49b

2920.00

h. Annual monitoring costs ($/yr) 544.00

i. Assumed replacement frequency, of wells, in years.

ASSUME NO REPLACEMENT _____

j. Installation unit cost of wells ($) 0.00
(Line 34/Line 33c)

k. Annual replacement cost ($/yr) 0.00
(Line 49a x Line 49j)/Line 49i

l. Annual maintenance costs ($/yr) _____

m. Groundwater monitoring subtotal ($/yr) 3364.00
(Line 49f + Line 49h + Line 49k + Line 49l)

50. Monitoring Cost Subtotal ($/yr) 5788.00
(Line 47j + Line 48i + Line 49m)

Drainage

51. How often do you anticipate the need to perform maintenance activities (e.g., clear material from runoff surface water conveyances, erosion repair, minor grading, repair of articulated drains; also problems with runon maintenance and repairs of levees, dikes, protective berms)?

____ANNUALLY

a. Annual maintenance costs ($/yr) 500.00

Security

52. What are the estimated annual maintenance costs to repair/replace fencing, gates, locks, signs, and/or other security equipment at the landfill site? ($/yr)

100.00

Inspection

53. What will be the routine maintenance inspection frequency of the landfill during postclosure (minimum semi-annually)?

SEMI-ANNUALLY

a. Inspection unit cost ($) 1500.00

b. Annual inspection costs during the postclosure care period? ($/yr)

3000.00

Components that should be inspected include, but are not limited to:

- o Final cover - erosion damage
- o Final grading - ponding caused by settlement

- o Gas collection/control systems

-NOTE: THERE WILL BE NO GAS SYSTEMS TO INSPECT

- o Leachate collection and treatment systems effectiveness, and continuity

-NOTE: INSPECTION WILL CONSIST OF TESTING LCRS FOR PRESENCE OF LIQUIDS

- o Security - fences, gates and signs
- o Vector and fire control
- o Monitoring equipment
- o Litter control

SUPPLEMENTAL DATA

54. Itemize annual costs on additional worksheets for monitoring and postclosure maintenance procedures. specific to this solid waste disposal site. and attach at the end of this worksheet. Make sure each page is appropriately labeled with site name and SWIS number.

Other- Annual Postclosure Maintenance Costs	$	0.00

SUMMARY OF INITIAL COST ESTIMATES

Facility Name CERRS SWIS # NONE

Closure

Final Cover (Line 23)	$	105230.97
Revegetation (Line 29)	$	3480.00
Landfill Gas Monitoring and Control (Line 32)	$	0.00
Groundwater Monitoring Installations (Line 34)	$	0.00
Drainage Installation (Line 35c)	$	0.00
Security Installation (Line 36d)	$	6000.00
Other (Line 37)	$	0.00
I. Subtotal	$	114710.97

Monitoring and Postclosure Maintenance

Revegetation (Line 40)	$	0.00
Leachate Management (Line 46)	$	0.00
Monitoring	$	5788.00

(Line 50)

Drainage (Line 51)	$	500.00
Security (Line 52)	$	100.00
Inspection (Line 53b)	$	3000.00
Other (Line 54)	$	0.00
II. Subtotal	$	9388.00
III. Subtotal II x 15 years Postclosure Care	$	140820.00
IV. Sum of I & III x 20% Contingency Costs	$	51106.19
TOTAL COSTS (Item I + Item III + Item IV)	$	306637.16

ATTACHMENT 9

ERATING PERMIT FOR FACILITIES ECEIVING SOLID WASTE	TYPE OF FACILITY: Landfill	FACILITY/PERMIT NUMBER: 06-AA-0007
ME D STREET ADDRESS OF FACILITY: arter Evaporation Resource Recovery Systems ivate access road exiting Putnam Way proximately 1 mile North of Arbuckle	NAME AND MAILING ADDRESS OF OPERATOR: Charter Evaporation Resource Recovery Systems Route 1, Box 213 Williams, CA 95987	
RMITTING ENFORCEMENT AGENCY: vironmental Health Services	CITY/COUNTY: Colusa County	

Proposed

PERMIT

This permit is granted solely to the operator named above, and is not transferrable.

Upon a change of operator, this permit is subject to revocation.

Upon a significant change in design or operation from that described by the Plan of Operation or the Report of Station or Disposal Site Information, this permit is subject to revocation, suspension, or modification.

This permit does not authorize the operation of any facility contrary to the State Minimum Standards for Solid Waste Handling and Disposal.

This permit cannot be considered as permission to violate existing laws, ordinances, regulations, or statutes of other government agencies.

The attached permit findings, conditions, prohibitions, and requirements are by this reference incorporated herein and made a part of this permit.

PROVED:	AGENCY ADDRESS: Environmental Health Services 251 East Webster P.O. Box 610 Colusa, CA 95932
APPROVING OFFICER NAME/TITLE: Janet Warrick Krug Environmental Health Officer	
SEAL	AGENCY USE/COMMENTS
	PERMIT RECEIVED BY CWMB: SEP 12 1989 — CWMB CONCURRANCE DATE: 000204
	PERMIT REVIEW DUE DATE — PERMIT ISSUED DATE

Colusa County
Solid Waste Facility Permit

Charter Evaporation Resource Recovery Systems
Solid Waste Disposal Site

FINDINGS:

1. Facility Design and Operation

The Charter Evaporation Resource Recovery Systems is a corporation formed for the purpose of providing facilities for the processing and/or disposal of two types of designated wastes, brines and drilling muds and cuttings (DMC). This particular facility will be used for the disposal of drilling muds and cuttings that cannot be processed for reuse, and are designated wastes, not hazardous wastes. The 160 acre site lies three miles northwest of Arbuckle. The disposal facility will be developed on 2 acres of the site.

The facility consists of two sumps and two Class II waste management units. A laboratory will be available at the adjacent waste processing facility for testing incoming wastes. The waste processing facility will be operating under a separate Waste Processing Facility Permit.

Detailed information on the design and operation of the landfill facility is provided in the Report of Disposal Site Information.

2. Supporting Documents

The following documents describe and condition the use of the proposed facility:

a. Report of Disposal Site Information, (RDSI), dated April 25, 1989. This includes the August 21, 1989 Addendum, and the September 6, 1989 response to comments. These documents were prepared by Kleinfelder.

b. Use Permit #86-27 issued 04-07-1986 by the Colusa County Planning Commission.

c. Central Valley Regional Water Quality Control Board Waste Discharge Requirements, Order No. 89-011.

d. The Environmental Impact Report, certified as final by the Colusa County Planning Commission Resolution #88-3 on 12-19-1988.

e. Ground Lease with Option to Renew, approved March 1, 1989, for the term of January 1, 1989 through December 31, 2008. There are three options for renewal, in increments of 10 years.

f. Colusa County Air Pollution Control District Permit to Operate, if one is issued. (Evaluation of need for permit is made during the construction process, and permit is issued upon completion.)

3. Government Code 66796.32 findings:

a. Gary Plunkett, Director of Public Works, stated in a letter on June 1, 1989 that this facility is consistent with the proposed amended County Solid Waste Management Plan (CoSWMP). The CoSWMP was approved during the July 1989 meeting of the California Waste Management Board.

b. Stanley M. Walker, Director of Planning and Building, stated in a letter on May 30, 1989, that this facility is consistent with and designated in the Colusa County General Plan, adopted on January 13, 1989. In this letter, specific reference is made to Government Code 66796.41 where terms of compatible uses are listed.

c. This permit shall be consistent with standards adopted by the California Waste Management Board.

4. This facility shall be maintained in compliance with the flammable clearance provisions of Chapter 5 (commencing with Section 4371) of Part 2 of Division 4 of the Public Resources Code. (Copy of letter from Gary Cox, Chief, Arbuckle Fire District is attached.)

5 The facility proponent prepared an Environmental Impact Report for this project. The Notice of Determination was received for filing on December 21, 1988.

CONDITIONS:

Requirements

1. The CERRS facility must comply with all applicable portions of the State Minimum Standards for Solid Waste Handling and Disposal, as contained in Title 14 of the California Code of Regulations.

2. The CERRS facility must comply with all federal, state, and local requirements, including mitigation measures contained in the Environmental Impact Report.

3. The CERRS facility must provide additional pertinent information as required by the Local Enforcement Agency.

4. There is no plan for a gas monitoring program. Should the nature of the facility change, or problems be suspected, landfill gas monitoring probes shall be

installed for detection of gas migration, at the discretion of the enforcement agency.

5. Placement of cover, other than final cover, is not initially required. Cover requirements shall be at the discretion of the Local Enforcement Agency, based on facility operation, test results, permit findings and conditions, and recommendations of the Central Valley Regional Water Quality Control Board.

Prohibitions

1. Accepting wastes for which the facility is not approved such as hazardous wastes, infectious wastes, dead animals, sewage sludge, municipal refuse, etc.

2. Conducting unacceptable activities at the facility: e.g. open burning of wastes, recycling or recovery of materials not listed in the permit, recycling of inadequately treated or processed wastes.

3. Accepting wastes beyond the capacity of the facility.

4. Allowing standing water on covered fill areas.

5. Disposal of any waste containing more than 60% water by weight or volume.

Specifications

1. Changes that would cause the design or operation of the facility not to conform to the terms or conditions of the permit are prohibited. Such changes would be considered significant and require a permit revision.

2. The deliveries are made from vacuum trucks and quantities are measured in gallons. A conversion factor has been used to provide the following table:

Drilling Muds	Avg. Daily Gallons	Avg. Daily Tons	Max. Daily Tons
	100,000	420	840

Conversion Factor - 1 gallon = 0.0042 tons. Actual weight per gallon varies depending upon the percent of solids.

The values given are averages and maximums, and are identical to quantities listed to be processed at the adjacent CERRS solid waste processing facility. The portion of the total amount of drilling muds and cuttings that cannot be processed and must be disposed is indeterminate. The quantities listed are maximums and

will most likely never be reached. Reprocessing shall be the handling method of choice, with disposal as the second alternative.

The amount of annual rainfall could reduce the maximum allowed tonnage. This factor is managed through the Waste Discharge Requirements issued by the Regional Water Quality Control Board.

Provisions

1. This permit is subject to review by the Local Enforcement Agency and may be modified, suspended, or revoked, for sufficient cause after a hearing.

2. This permit is issued to the applicant and is non-transferrable. A change in the operator would require a new permit.

Closure/Postclosure Maintenance

All documentation relating to the preparation of closure and postclosure maintenance costs shall be retained by the operator and shall be available for inspection by the Board or the LEA at reasonable times.

The operator shall submit to the LEA copies of a plan for the closure of the landfill and a plan for the postclosure maintenance of the landfill for approval by the LEA, the Regional Water Quality Control Board and the CWMB. The plan shall be submitted not later than October 1, 1990.

Self-Monitoring

1. Records shall be maintained that detail each vehicle, waste type, and waste quantity. Records shall also indicate the location of content disposal. The records shall be available for review by the LEA.

2. A copy of all water quality monitoring required by the Regional Water Quality Control Board in their Waste Discharge Order 89-011 shall be provided to the Local Enforcement Agency at the frequency and within the timeframes therein listed.

3. The operator shall report the amount of DMC that is disposed to the Local Enforcement Agency on a monthly basis.

4. A log of special occurrences, i.e., fires, explosions, accidents, hazardous wastes, etc., shall be maintained.

Attachment #10

CALIFORNIA WASTE MANAGEMENT BOARD

Solid Waste Facility Determination of Conformance No. 89-16
Solid Waste Facilities Permit Decision No. 89-72

October 11 - 12, 1989

WHEREAS, the Board finds that Charter Evaporation Resource Recovery Systems has filed a Notice of Proposed Facility to operate the Charter Evaporation Resource Recovery Systems Solid Waste Disposal Site; and

WHEREAS, the Board finds that Colusa County has determined the project to be in conformance with the Colusa County Solid Waste Management Plan; and

WHEREAS, Colusa County has prepared and circulated an Environmental Impact Report for this project, in compliance with the California Environmental Quality Act; and

WHEREAS, mitigation measures in the environmental document significantly reduce or eliminate potential impacts to a level of insignificance; and

WHEREAS, Board staff has reviewed the Environmental Impact Report and finds that it is adequate and appropriate for the Board's use; and

WHEREAS, the Board has considered the issue of conformance for the Charter Evaporation Resource Recovery Systems Solid Waste Disposal Site from the standpoint of local issues and planning, consistency with the Board's State Policy, consistency with the short, medium and long term facilities element, and goals and objectives of the Colusa County Solid Waste Management Plan; and

WHEREAS, the County of Colusa, acting as Local Enforcement Agency, has submitted to the Board for its review and concurrence in, or objection to, the issuance of a Solid Waste Facilities Permit for the Charter Evaporation Resource Recovery Systems Solid Waste Disposal Site; and

WHEREAS, Board staff has evaluated this new permit proposal for consistency with the State Minimum Standards for Solid Waste Handling and Disposal Regulations under Division 7, Title 14 of the California Code of Regulations; and

WHEREAS, the Board finds the proposed permit is consistent with the Colusa County Solid Waste Management Plan, the State Minimum Standards for Solid Waste Handling and Disposal, and the Colusa County General Plan.

NOW, THEREFORE, BE IT RESOLVED that the California Waste Management Board finds the Charter Evaporation Resource Recovery Systems Solid Waste Disposal Site to be in conformance with the Colusa County Solid Waste Management Plan; and

BE IT FURTHER RESOLVED that the California Waste Management Board concurs in the issuance of Solid Waste Facilities Permit No. 06-AA-0007.

CERTIFICATION

The undersigned Chief Executive Officer of the California Waste Management Board does hereby certify that the foregoing is a full, true and correct copy of a resolution duly and regularly adopted at a meeting of the California Waste Management Board held October 11 - 12, 1989.

Dated:

George T. Eowan
Chief Executive Officer

CALIFORNIA WASTE MANAGEMENT BOARD

AGENDA ITEM No. 7

OCTOBER 11 - 12, 1989

ITEM:

Consideration of Determination of Conformance and Concurrence in a Solid Waste Facilities Permit for Charter Evaporation Resource Recovery Systems Waste Processing Facility, Colusa County.

KEY ISSUES:

- Permit for new Charter Evaporation Resource Recovery Systems Waste Processing Facility
- Facility designed to process drilling muds and brines

FACILITY FACTS:

Name:	Charter Evaporation Resource Recovery Systems (CERRS) Waste Processing Facility, Facility #06-AA-0006
Project:	New Transfer/Processing Facility
Location:	1 mile north of Arbuckle, Colusa County
Owner/Operator:	Charter Brothers, A California General Partnership
Area:	102 acres
Permitted Capacity:	Brines - Phase 1: 630 tons per day Phase 2: 1260 tons per day Drilling Muds: 840 tons per day
Estimated Closure Date:	2010

BACKGROUND:

The Charter Evaporation Resource Recovery Systems (CERRS) waste processing facility will be located in Colusa County near the City of Arbuckle (see Attachment 1). The facility will accept nonhazardous wastes in the form of brine wastewater and drilling muds, and will be operated as a resource recovery facility (see Attachment 2). The site has been permitted by the Central Valley Regional Water Quality Control Board as a Class II surface impoundment. Brine wastewater will be evaporated and the salt recovered and sold. Drilling mud and cuttings will be dewatered and marketed for use as landfill cover and general construction fill. The site will operate during daylight hours and receive wastes primarily from regional natural gas production fields and borehole drilling operations. The site will be surrounded by a chain link fence with a locking double swing security gate entrance.

An approach to permitting was developed that involved issuing two solid waste facilities permits. CERRS will still be owned and operated as one facility, but will be issued two permits. One permit, the one addressed in this item, will be for a transfer/processing station and will address the brine wastewater and mud processing operations at CERRS. The second permit will be for a solid waste disposal facility which will be that small portion of CERRS where the unmarketable muds will undergo ultimate disposal.

Brine Wastewater Processing and Treatment

The brine wastewater processing and treatment facility will be developed in two phases. Each phase will contain eight evaporation surface impoundments and each surface impoundment will have an area of approximately 1.9 acres.

Brine wastewater will be delivered to the proposed CERRS facility in 5,000-gallon vacuum trucks. Each load will be logged and sampled prior to entering the facility staging area. After receiving clearance from the laboratory, the truck driver will pump the wastewater through a flow totalizer to the holding tank specified by CERRS personnel. The volume of each shipment

will be logged based on the totalizer readings. Wastewater will be routed either to one of two 6,000-gallon, high-oil wastewater tanks or to one of two 24,000-gallon wastewater tanks depending on the oil content of the wastewater. Oil will be removed as necessary, prior to transferring to the wastewater evaporation ponds. Use of separate high-oil wastewater tanks will reduce cross-contamination and treatment requirements.

All wastewater that contains sufficient oil to significantly inhibit evaporation will be processed prior to discharge to the evaporation ponds. The proposed treatment system incorporates physical separation for removal of floating oil and media filtration for removal of trace amounts of oil.

Wastewater from the high-oil waste tanks will be processed through the entire treatment system prior to discharge to the evaporation ponds. Wastewater from the low-oil waste tanks can be routed through any treatment stage necessary to reduce oil concentrations to an acceptable level to minimize the impact on evaporation rates; however, wastewater from these tanks normally should not require treatment.

Wastewater will be transferred from the temporary storage area to the evaporation surface impoundment on a daily basis. The wastewater will be distributed between the ponds in accordance with a surface impoundment management program, which will address the following:

- Surface impoundment capacity
- Surface impoundment water salinity
- Estimated salt volume
- Projected precipitation and evaporation rates

Wastewater will not be accepted by the facility if projected surface impoundment capacity is not sufficient to provide a minimum 2 feet of freeboard and allow capacity for 100-year rainfall.

When a surface impoundment contains sufficient salt for economic recovery, the pond will be allowed to dry over the summer. Equipment suitable for use in surface impoundments with synthetic liners will be used to harvest the salt and transfer it to trucks

for transport to regional salt manufacturers. After the salt is harvested, the surface impoundment liner will be inspected for damage before the surface impoundment is placed back in service.

Drilling Mud and Cuttings (DMC) Processing and Treatment

Trucks with drilling muds will receive approval from the onsite laboratory prior to unloading at the treatment dewatering facility. Trucks will park on an above-grade pad that will be bermed to contain any spill. The pad will slope to a central drain that will discharge to the drain sump in the tank farm. The pad and transfer piping connections are designed to accommodate two trucks simultaneously.

Muds will pass through a flowmeter so that a record of delivered volumes can be maintained. The tank farm is designed to contain a volume of 50,000 gallons. The tank farm will have a concrete base and a lined concrete berm to contain DMC should a tank failure occur. Rainwater and spilled muds will be collected in a sump for periodic transfer to the holding tank.

After off loading, the drilling muds will be either dewatered or solidified. The method which will be implemented cannot be determined at this time. The selection will be a business decision. Quite possibly, one method might be implemented first, followed by a second method as the market develops. These two methods are as follows:

1. Drilling muds would be discharged to above ground tanks at the treatment/dewatering facility. The material would be passed through dewatering equipment to achieve at least 50 percent solids. The filtrate would be discharged to Class II surface impoundment.

2. Drilling muds would be discharged to above ground tanks at the treatment/dewatering facility and mixed with a cement and sodium silicate solidification agent. Once in the waste management area, the material will solidify to form a dense, low permeability soil.

BOARD ACTION:

Because a new Solid Waste Facilities Permit is being proposed, the Board must review this proposal for conformance with Colusa County Solid Waste Management Plan (CoSWMP) and must either object to or concur with the proposed permit as submitted by the LEA.

Pursuant to GC Section 66796.32(e), the Board has 40 calendar days to concur in or object to the issuance or revision of a Solid Waste Facilities Permit. Since the proposed permit for this facility was received on September 12, 1989, the last day the Board could act is October 22, 1989.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA):

CEQA requires that the environmental impacts of any project be considered by any public agency which has discretionary authority over that project. The Determination of Conformance and concurrence in the Solid Waste Facilities Permit are both discretionary acts under CEQA. Therefore, the Board must review the potential environmental impacts of the actions which are now under consideration.

The Colusa County Department of Planning prepared and circulated an Environmental Impact Report in compliance with CEQA. In the document the County found the project would not have a significant impact on the environment. The County certified the environmental document and filed a Notice of Determination for the project with the County Clerk and State Clearinghouse (see Attachment #3).

Staff reviewed the Environmental Impact Report and found it to be adequate and appropriate for the Board's consideration of this project.

Potential environmental impacts and proposed mitigation measures for these impacts are as follows:

IMPACT - LAND USE

The proposed project would remove about 115 acres from agricultural use during the facility's lifetime, which is expected to be approximately 20 years. 102 of the 115 acres will be used as the location of the Waste Processing Facility.

MITIGATION MEASURES RECOMMENDED

- The County could establish a conservation easement to reduce noise, visual and odor impacts during project operation. This would provide a landscaped buffer between the evaporation ponds and surrounding uses.

- The County could require that any proposed residential developments be restricted to minimum distances from the project site such that potential environmental impacts would remain at insignificant levels.

IMPACT - SOILS AND SESMIC HAZARDS

Ponds and pond walls could be subject to significant groundshaking during a major seismic event. Some existing soils within ponds and pond walls are very permeable. Pond walls could be subject to erosion.

MITIGATION MEASURES IDENTIFIED AS PART OF THE PROJECT

- Earth berms would be constructed around each pond. Soil would excavated to about six feet below existing grade, and berms would be built using the excavated soil.

- The double high density polyethylene liners and the leak detection system as described by Kleinfelder, (1988) would be installed.

- Unstable soil would be removed or compacted or otherwise treated so it would be stronger, both under normal conditions and during seismic events.

- Ponds, slopes, berms, and other structures would be designed to withstand soil acceleration of 0.35 g.

IMPACT - HYDROLOGY

Groundwater quality could be adversely affected.

MITIGATION MEASURES IDENTIFIED AS PART OF THE PROJECT

- The evaporation ponds would be lined with a double layer of high density polyethylene liners to prevent movement of waste materials into the groundwater supplies.

- Three ground water monitoring wells -- in addition to those already in place -- would be installed to assure accurate down gradient groundwater monitoring. These would be emplaced downgradient from the evaporation ponds in order to monitor potential water quality degradation.

IMPACT - BIOLOGY

Project construction would result in the removal of about 115 acres of cultivated agricultural land from wildlife use, 102 of which would serve as the Waste Processing Facility.

Routine site operation impacts would be minimal to the local plant and animal life. Fugitive dust along access and haul roads would adversely impact some plants.

MITIGATION MEASURES IDENTIFIED

- Fugitive dust would be controlled by watering roads regularly.

- Topsoil from disturbed areas would be stockpiled for future use when the site closes.

- The mud disposal site would be revegetated after closure with native species.

IMPACT - AIR QUALITY

Project construction would result in particulate emissions, mostly through excavation and truck movements.

MITIGATION MEASURES

- Water disturbed soil twice daily at the construction site. Construction-related TSP emissions would be reduced by as much as 50%
- Water the Charter Ranch Road during construction to reduce emissions from construction traffic.
- Stabilize soil around the evaporative ponds.

IMPACT - NOISE

Increased vehicular traffic during project construction would be audible from residences.

MITIGATION

- Limited construction and operational activity to day light hours.

REQUIREMENTS FOR DETERMINATION OF CONFORMANCE:

Government Code 66784 requires that the Board make a Determination of Conformance prior to the establishment of any solid waste facility. In accordance with procedures for obtaining a Determination of Conformance, specified in Title 14, California Code of Regulations (CCR), Chapter 4, the project proponent has submitted a Notice of Proposed Facility with the Board (see Attachment #4).

Also, in accordance with those procedures, the Colusa County Department of Public Works, as the agency responsible for the County Solid Waste Management Plan (CoSWMP), found the facility in conformance with the CoSWMP (see Attachment #5).

Staff finds that all local actions have been completed and it is appropriate for the Board to consider the request of a Determination of Conformance for the subject facility. Staff has reviewed the CoSWMP and the Notice of Proposed Facility and makes the following findings based on the four Board established criteria for a Determination of Conformance:

1. Consistency with State Policy

   The establishment of the facility is consistent with the Board's State Policy of providing for an environmentally safe and efficient method of waste handling.

2. Consistency with the Policies and Objectives of the CoSWMP

   The proposed facility is consistent with a specified CoSWMP policy of encouraging an expanded program of resource recovery.

3. Consistency with Short, Medium, and Long Term Facilities Element of the CoSWMP

   This facility is specifically identified in the Amended CoSWMP.

4. Local Issues and Planning

   The project proponent has obtained all local approvals for this project.

Conclusion:

In conclusion, staff finds the proposed project meets all four Board established criteria for a Determination of Conformance.

REQUIREMENTS FOR CONCURRENCE WITH THE SOLID WASTE FACILITIES PERMIT:

Government Code Section 66796.30 et.seq. requires an operator of a solid waste facility to file an application with the LEA for a Solid Waste Facilities Permit. Included with the application is a Report of Facility Information (RFI). When the application is deemed complete by the LEA, a copy of the application and RFI are transmitted to the Board. Staff have reviewed these documents and find them to be satisfactory.

Within 75 days of accepting an application, an LEA is to submit a proposed solid waste facilities permit to the Board. The LEA has complied with this requirement.

When submitting the proposed permit, the LEA is required to make the following three findings required by GC 66796.32(c):

1. <u>Consistency with CoSWMP</u>

   The proposed solid waste facilities permit has been determined to be consistent with the Colusa County Solid Waste Management Plan. Staff agrees with this determination.

2. <u>Consistency with Board Standards</u>

   The facility has been determined to be in compliance with the State Minimum Standards. Staff agrees with this determination based upon the proposed design and operation.

3. <u>Consistency with General Plan</u>

   The facility has been determined to be consistent with the Colusa County General Plan by the LEA. Staff agrees with this determination.

Staff have reviewed the proposed Solid Waste Facilities Permit and supporting documentation and find the form and content of the permit to be acceptable.

BOARD OPTIONS:

1. Take no action. If the Board does not act on a permit within 40 days of receipt, concurrence would be by default, and the permit would be issued by the LEA.

2. Deny conformance and object to issuance of the permit. This action would be appropriate if the proponent and the LEA had not met all local and state requirements for these two actions.

3. Find conformance and concur in issuance of the permit. This would be appropriate if the proponent and LEA have met all state and local requirements for these two actions.

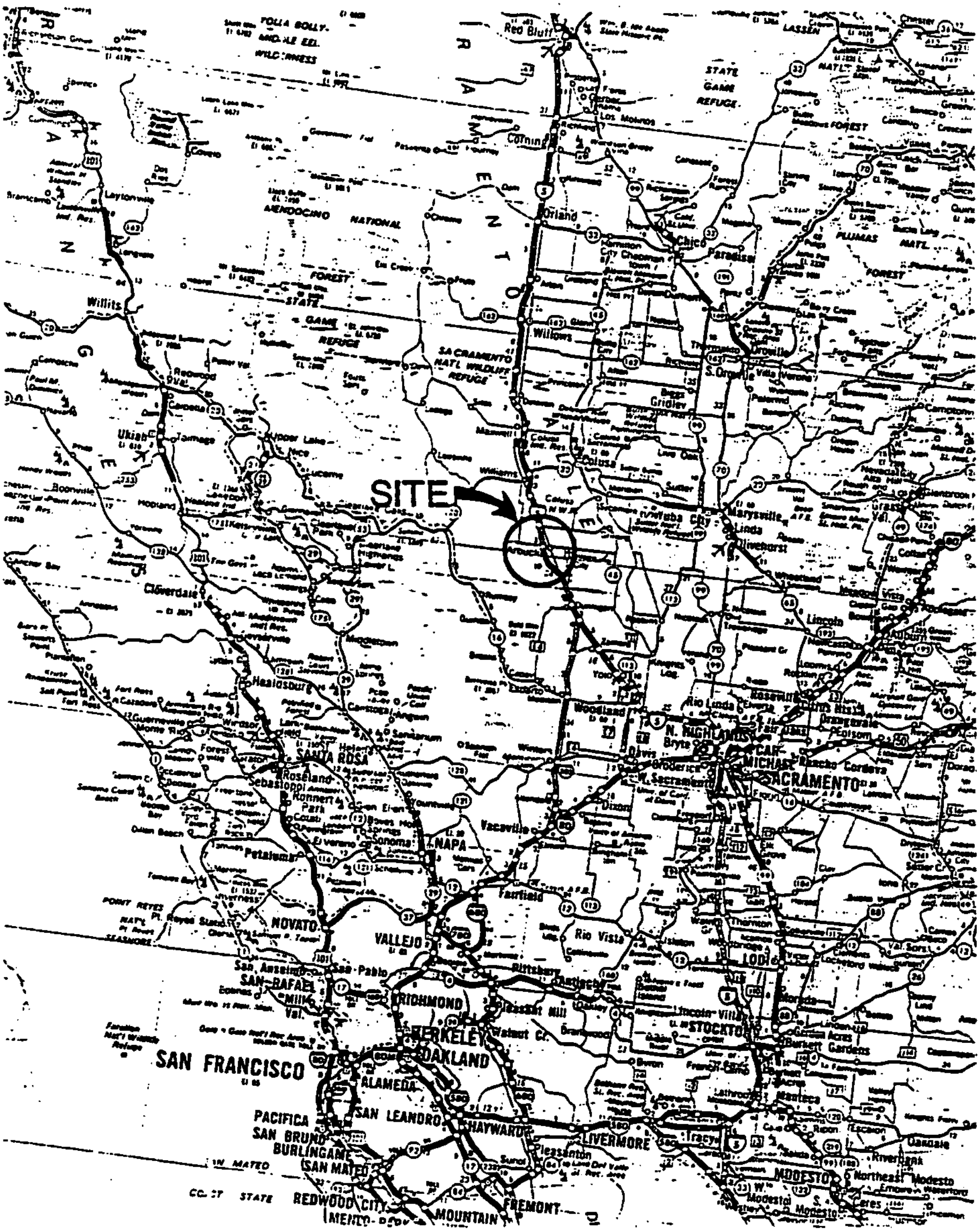
RECOMMENDATION:

Staff recommends Option No. 3 that the Board adopt Solid Waste Facility Determination of Conformance No. 89-15 and Solid Waste Facilities Permit Decision No. 89-73, concurring in the issuance of Solid Waste Facilities Permit Number 06-AA-0006.

Attachments:

1. Location Map
2. Plot Plan
3. Notice of Determination filed with the State Clearinghouse
4. Notice of Proposed Facility
5. Conformance with County Solid Waste Management Plan
6. Conformance with County General Plan
7. Conformance with Government Code Section 66784.2, "distance letter"
8. Proposed Permit No. 06-AA-0006
9. Solid Waste Facility Determination of Conformance No. 89-15 and Solid Waste Facilities Permit Decision No. 89-73

Attachment 1



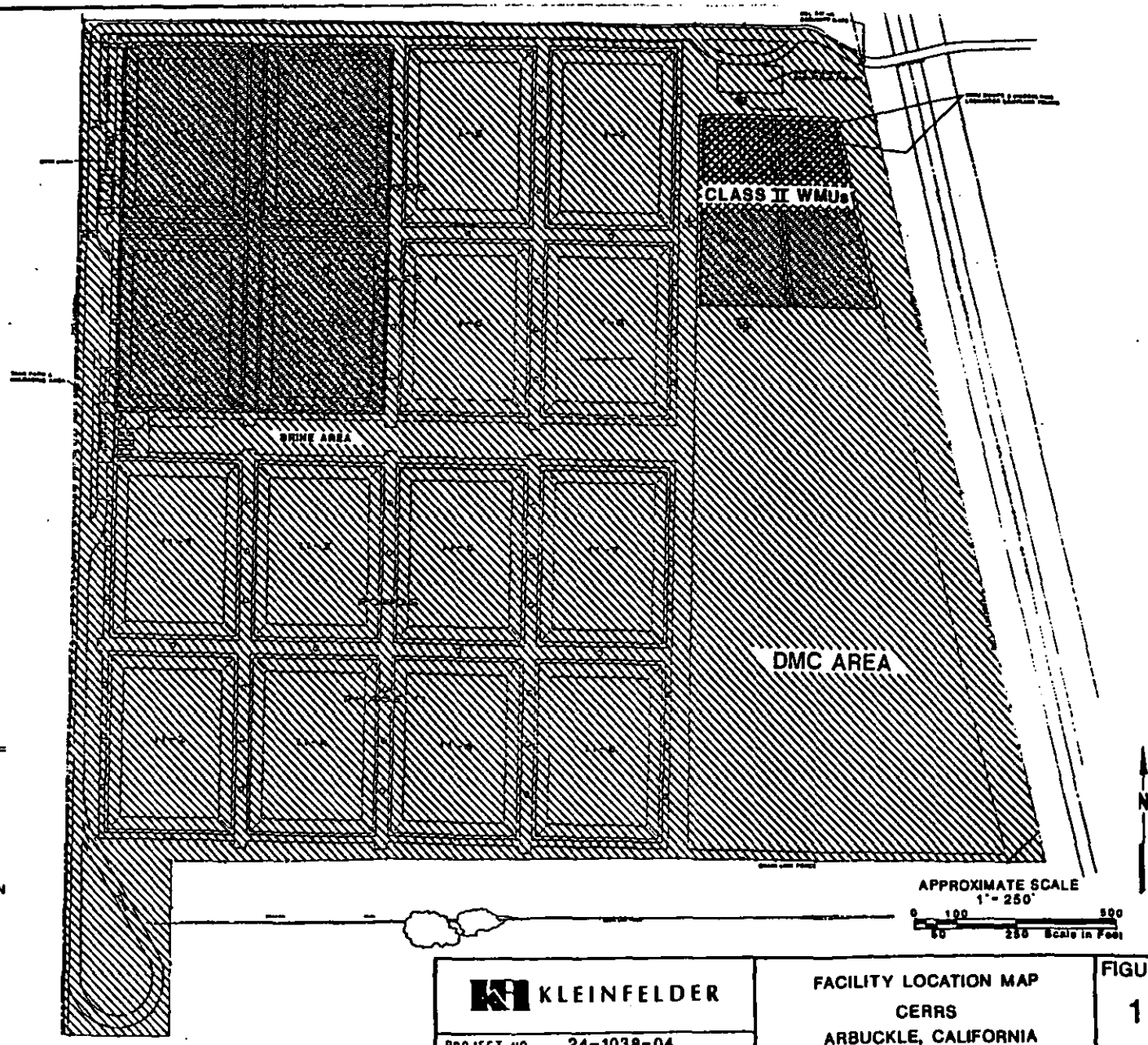
KLEINFELDER

PROJECT NO. 24-1038•4

REGIONAL LOCATION MAP
CERRS FACILITY
ARBUCKLE, CALIFORNIA

PLATE
4.1

000222



LEGEND

- TRANSFER/PROCESSING FACILITY
- SOLID WASTE DISPOSAL FACILITY
- PROPOSED 1ST STAGE CONSTRUCTION

KLEINFELDER

PROJECT NO. 24-1038-04

FACILITY LOCATION MAP
CERRS
ARBUCKLE, CALIFORNIA

FIGURE 1

Attachment 2

000223

Attachment 3

ENDORSED FILED

JAN 23 1989

KATHLEEN MORAN
Clerk, Colusa County

RECEIVED
JUN 6 1989

NOTICE OF DETERMINATION

TO: Office of Planning & Research
1400 Tenth Street, Room 121
Sacramento, CA 95814

County Clerk
Courthouse, 546 Jay Street
Colusa, CA 95932

FROM: Colusa County Planning Commission
220 - 12th Street
Colusa, CA 95932

SUBJECT: Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.

Project Title: CERRS (Charter Evaporation Resource Recovery Systems)

State Clearinghouse Number (If submitted to Clearinghouse): 88012618

Contact Person: Stanley M. Walker Telephone Number: 916/458-8877

Project Location: AP#18-260-39; portion of Section 29 & 32, west of Arbuckle area.

Project Description: to receive non-toxic saline wastewater from regional natural gas production fields and other resources. The facility would also handle drilling muds. The project would consist of sixteen evaporation ponds (about 2 acres each) to be constructed in two phases of eight ponds each; a drilling muds frying area; office;laboratory & stor

This is to advise that the Colusa County Planning Commission has approved the above described project and has made the following determinations regarding the above described project:

1. The project __ will, XX will not, have a significant effect on the environment.

2. XX An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.

   __ A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.

   The EIR or Negative Declaration and record of project approval may be examined at the Colusa County Planning Department, 220 12th Street, Colusa, CA 95932.

3. Mitigation measures XX were, __ were not, made a condition of the approval of the project.

4. A statement of Overriding Considerations __ was, XX was not, adopted for this project.

Date Received for Filing: 12-21-88

Signature Stanley M. Walker

Director of Planning & Building Administration
Title

NOTICE OF PROPOSED FACILITY

Charter Evaporation, Inc., (Route 1, Box 213, Williams, California, 95987) is proposing to construct a nonhazardous waste management facility west of Arbuckle in Colusa County. The facility will accept nonhazardous brine wastewater from energy and food production industries, and nonhazardous drilling muds and cuttings. When fully developed, the site will cover approximately 100 acres. During its 20 year life, the facility will serve primarily the counties of Glenn, Lake, Colusa, Sutter, Yolo, Napa, Sonoma, Sacramento, and Solano. Shipments from the remaining counties in Northern California will also be accepted as the situation arises. Lands surrounding the facility are used exclusively for agriculture.

Completed permitting activities include:

1. Inclusion of CERRS in the Colusa County General Plan.

2. Preparation and adoption of EIR.

3. Obtained Waste Discharge Requirements from the Regional Water Quality Control Board.

4. Preparation of CoSWMP Amendment, adoption of amendment by Colusa County and the Cities of Williams and Colusa.

5. Preparation and submission of Application for Solid Waste Facility Permit.

Construction of the facility is scheduled to begin during the summer of 1989. Operation may begin as early as November 1989.

Attachment 3

TELEPHONE: 458-0186
458-0187

O. GARY PLUNKETT, DIRECTOR

COUNTY OF COLUSA

COLUSA, CALIFORNIA

DEPARTMENT OF PUBLIC WORKS
ROAD COMMISSIONER-SURVEYOR-ENGINEER
1215 MARKET ST., COLUSA, CALIFORNIA 95932

RECEIVED
JUN - 2 1989

June 1, 1989

Mr. Cy Armstrong
California Waste Management Board
1020 Ninth Street, Suite 300
Sacramento, CA 95814

Re: Colusa County Solid Waste Management Plan Amendment - Charter Evaporation Resource Recovery System

Dear Mr. Armstrong:

The Charter Evaporation Resource Recovery System will be in conformance with the Colusa County Solid Waste Management Plan upon approval by the California Waste Management Board of the amendment to include those facilities in the plan.

Sincerely,

O. Gary Plunkett
Director of Public Works

/so

Attachment 6

RECEIVED
JUN - 2 1989

COUNTY OF COLUSA

DEPARTMENT OF

PLANNING AND BUILDING ADMINISTRATION

Stanley M. Walker
DIRECTOR

220 12th Street
Colusa, California 95932
Telephone: (916) 458-8877

Cy Armstrong
California Waste Management Board
1020 Ninth Street, Suite 300
Sacramento, California 95814

re: CERRS - 1989 Colusa County General Plan

This letter is in regard to certain information concerning the CERRS project and its relationship to the 1989 Colusa County General Plan.

The CERRS project was approved in the 1989 Colusa County General Plan and is described in said Plan under the category of Privately Operated Designated Solid Waste Facility (PSWF) as follows:

CERRS, a privately-operated designated solid waste facility has been proposed on a 160-acre side three miles northwest of Arbuckle. The facility has been designed to receive non-toxic saline wastewater and brines which are drawn up during natural gas drilling. As planned, it will consist of 16 brine evaporation ponds; a stormwater/emergency management pond, office, laboratory, and storage buildings; and staging, offloading, and processing areas. The ponds would be lined with synthetic material as well as reworked clay from the site. Toxic materials or hazardous wastes would not be permitted at the site.

Enclosed is an endorsed filed copy of the Notice of Determination indicating approval of the final Environmental Impact Report for the CERRS project together with the Resolution of the Colusa County Board of Supervisors adopting the 1989 Colusa County General Plan. In adopting the 1989 County General Plan, the Board of Supervisors found the CERRS site to be consistent with the General Plan (Government Code Section 66796.41).

If you have further questions regarding this matter, please contact this Office.

Very truly yours,

Stanley M. Walker

Stanley M. Walker
Director of Planning &
Building Administration

May 30, 1989
/cs
cc: Attorney D.W.Littlejohn

Attachment 7

COUNTY OF COLUSA
PUBLIC HEALTH DEPARTMENT

☐ Public Health (916) 458-5177
☒ Environmental Health (916) 458-7717
☐ Child Health & Disability Program (CHDP) 458-5177
☐ Animal Control (916) 458-4500
☐ California Children Services (CCS) (916) 458-5177

P.O. Box 610 • 251 E. Webster Street • Colusa, CA 95932

RECEIVED
JUN 14 1989

June 12, 1989

Cy Armstrong
California Waste Management Board
1020 - 9th Street, Suite 300
Sacramento, CA 95814

RE: Proposed Charter Evaporation Resource Recovery Systems

Dear Mr. Armstrong:

The nearest residential structure to the proposed facility is 3200 feet away. This distance should be sufficient to permit adequate control of noise levels, odor nuisances, traffice congestion, litter nuisances and vectors. The distance between the site and the nearest residential structure is in compliance with all of the state minimum standards for solid waste management.

Sincerely,

Janet Warrick Krug

Janet Warrick Krug
Environmental Health Officer

JWK:cag

ATTACHMENT 8

'ERATING PERMIT FOR FACILITIES [illegible]IVING SOLID WASTE	TYPE OF FACILITY: Transfer/Processing	FACILITY/PERMIT NUMBER: 06-AA-0006
ME AND STREET ADDRESS OF FACILITY: arter Evaporation Resource Recovery Systems ivate access road exiting Putnam Way proximately 1 mile North of Arbuckle	NAME AND MAILING ADDRESS OF OPERATOR: Charter Evaporation Resource Recovery Systems Route 1, Box 213 Williams, CA 95987	
MITTING ENFORCEMENT AGENCY: vironmental Health Services	CITY/COUNTY: Colusa County	

Proposed

PERMIT

This permit is granted solely to the operator named above, and is not transferrable.

Upon a change of operator, this permit is subject to revocation.

Upon a significant change in design or operation from that described by the Plan of Operation or the Report of Station or Disposal Site Information, this permit is subject to revocation, suspension, or modification.

This permit does not authorize the operation of any facility contrary to the State Minimum Standards for Solid Waste Handling and Disposal.

This permit cannot be considered as permission to violate existing laws, ordinances, regulations, or statutes of other government agencies.

The attached permit findings, conditions, prohibitions, and requirements are by this reference incorporated herein and made a part of this permit.

PROVED:	AGENCY ADDRESS: Environmental Health Services 251 East Webster Street P.O. Box 610 Colusa, CA 95932
APPROVING OFFICER: Janet Warrick Krug Environmental Health Officer NAME/TITLE	
	AGENCY USE/COMMENTS
SEAL	PERMIT RECEIVED BY CWMB: SEP 12 1989 / CWMB CONCURRANCE DATE: 000229
	PERMIT REVIEW DUE DATE / PERMIT ISSUED DATE

Colusa County
Solid Waste Facility Permit

Charter Evaporation Resource Recovery Systems
Waste Processing Facility

FINDINGS:

1. Facility Design and Operation

The Charter Evaporation Resource Recovery Systems is a corporation formed for the purpose of providing facilities for the processing of two types of designated wastes, brines and drilling muds and cuttings (DMC). This particular facility will be used for processing only. The 160 acre site lies three miles northwest of Arbuckle. The facility will be developed on 102 acres of the parcel, and will occur in two phases.

The facility consists of a series of ponds, tanks, a drilling muds and cuttings treatment/dewatering facility, and an office building. A laboratory will be provided for on-site testing.

Detailed information on the design and operation of the facility is provided in the Report of Disposal Site Information.

2. Supporting Documents

The following documents describe and condition the use of the proposed facility:

a. Report of Disposal Site Information, (RDSI), dated April 25, 1989. This includes the August 21, 1989 Addendum dated August 21, 1989, and the September 6, 1989 response to comments. These documents were prepared by Kleinfelder.

b. Use Permit #86-27 issued 04-07-1986 by the Colusa County Planning Commission.

c. Central Valley Regional Water Quality Control Board Waste Discharge Requirements, Order No. 89-011.

d. The Environmental Impact Report, certified as final by the Colusa County Planning Commission Resolution #88-3 on 12-19-1988.

e. Ground Lease with Option to Renew, approved March 1, 1989, for the term of January 1, 1989 through December 31, 2008. There are three options for reneval, in increments of 10 years.

f. Colusa County Air Pollution Control District Permit to Operate, if one is issued. (Evaluation of need for

000230

permit is made during the construction process, and permit is issued upon completion.)

3. Government Code 66796.32 findings:

a. Gary Plunkett, Director of Public Works, stated in a letter on June 1, 1989 that this facility is consistent with the proposed amended County Solid Waste Management Plan (CoSWMP). The CoSWMP was approved during the July 1989 meeting of the California Waste Management Board.

b. Stanley M. Walker, Director of Planning and Building, stated in a letter on May 30, 1989, that this facility is consistent with and designated in the Colusa County General Plan, adopted on January 13, 1989. In this letter, specific reference is made to Government Code 66796.41 where terms of compatible uses are listed.

c. This permit shall be consistent with standards adopted by the California Waste Management Board.

4. This facility shall be maintained in compliance with the flammable clearance provisions of Chapter 5 (commencing with Section 4371) of Part 2 of Division 4 of the Public Resources Code. (Copy of letter from Gary Cox, Chief, Arbuckle Fire District is attached.)

5 The facility proponent prepared an Environmental Impact Report for this project. The Notice of Determination was received for filing on December 21, 1988.

CONDITIONS:

Requirements

1. The CERRS facility must comply with all applicable portions of the State Minimum Standards for Solid Waste Handling and Disposal, as contained in Title 14 of the California Code of Regulations.

2. The CERRS facility must comply with all federal, state, and local requirements, including mitigation measures contained in the Environmental Impact Report.

3. The CERRS facility must provide additional pertinent information as required by the Local Enforcement Agency.

Prohibitions

1. Accepting wastes for which the facility is not approved such as hazardous wastes, infectious wastes, dead animals, municipal refuse, etc.

2. Conducting unacceptable activities at the facility: e.g. open burning of wastes, recycling or recovery of materials not listed in the permit, recycling of inadequately treated or processed wastes.

3. Accepting wastes beyond the capacity of the facility.

4. This facility shall process brines and drilling muds and cuttings for resource recovery. There shall be no disposal in place at this facility.

Specifications

1. Changes that would cause the design or operation of the facility not to conform to the terms or conditions of the permit are prohibited. Such changes would be considered significant and require a permit revision.

2. The deliveries are made from vacuum trucks and quantities are measured in gallons. A conversion factor has been used to provide this table. The permitted capacities are as follows:

Brines

	Avg. Daily Gallons	Avg. Daily Tons	Max. Daily Tons
Phase 1 -	75,000	315	630
Phase 2	150,000	630	1260

Conversion Factor - 1 gallon = 0.0042 tons

Drilling Muds

Avg. Daily Gallons	Avg. Daily Tons	Max. Daily Tons
100,000	420	840

Conversion Factor - 1 gallon = 0.0042 tons. Actual weight per gallon varies depending upon the percent of solids.

The values given are averages and maximums. The amount of rainfall during the winter is an additional factor that could reduce the maximum allowed tonnage. This factor is contained in the Waste Discharge Requirements issued by the Regional Water Quality Control Board.

Provisions

1. This permit is subject to review by the Local Enforcement Agency and may be modified, suspended, or revoked, for sufficient cause after a hearing.

2. This permit is issued to the applicant and is non-transferrable. A change in the operator would require a new permit.

3. Unless all wastes, waste residues, contaminated containment system components, and contaminated geologic materials have been removed or decontaminated during closure to the satisfaction of the Local Enforcement Agency and the California Waste Management Board, this facility shall be closed and maintained as a solid waste landfill.

Self-Monitoring

1. Records shall be maintained that detail each vehicle, waste type, and waste quantity. Records shall also indicate the location of content disposal. The records shall be available for review by the Local Enforcement Agency.

2. A copy of all water quality monitoring required by the Regional Water Quality Control Board in their Waste Discharge Order 89-011 shall be provided to the Local Enforcement Agency at the frequency and within the timeframes therein listed.

3. A report shall be filed with the Local Enforcement Agency on a monthly basis that details the status of the drilling muds and cuttings. This report shall include the quantity of DMC that is processed for resource recovery, the amount that is backlogged waiting for processing, the processed quantity waiting for marketing, and any amount that is to be disposed.

4. A log of special occurrences, i.e., fires, explosions, accidents, hazardous wastes, etc., shall be maintained.

CALIFORNIA WASTE MANAGEMENT BOARD

Solid Waste Facility Determination of Conformance No. 89-15
Solid Waste Facilities Permit Decision No. 89-73

October 11 - 12, 1989

WHEREAS, the Board finds that Charter Evaporation Resource Recovery Systems has filed a Notice of Proposed Facility to operate the Charter Evaporation Resource Recovery Systems Waste Processing Facility; and

WHEREAS, the Board finds that Colusa County has determined the project to be in conformance with the Colusa County Solid Waste Management Plan; and

WHEREAS, Colusa County has prepared and circulated an Environmental Impact Report for this project, in compliance with the California Environmental Quality Act; and

WHEREAS, mitigation measures in the environmental document significantly reduce or eliminate potential impacts to a level of insignificance; and

WHEREAS, Board staff has reviewed the Environmental Impact Report and finds that it is adequate and appropriate for the Board's use; and

WHEREAS, the Board has considered the issue of conformance for the Charter Evaporation Resource Recovery Systems Waste Processing Facility from the standpoint of local issues and planning, consistency with the Board's State Policy, consistency with the short, medium and long term facilities element, and goals and objectives of the Colusa County Solid Waste Management Plan; and

WHEREAS, the County of Colusa, acting as Local Enforcement Agency, has submitted to the Board for its review and concurrence in, or objection to, the issuance of a Solid Waste Facilities Permit for the Charter Evaporation Resource Recovery Systems Waste Processing Facility; and

WHEREAS, Board staff has evaluated this new permit proposal for consistency with the State Minimum Standards for Solid Waste Handling and Disposal Regulations under Division 7, Title 14 of the California Code of Regulations; and

WHEREAS, the Board finds the proposed permit is consistent with the Colusa County Solid Waste Management Plan, the State Minimum Standards for Solid Waste Handling and Disposal, and the Colusa County General Plan.

NOW, THEREFORE, BE IT RESOLVED that the California Waste Management Board finds the Charter Evaporation Resource Recovery Systems Waste Processing Facility to be in conformance with the Colusa County Solid Waste Management Plan; and

BE IT FURTHER RESOLVED that the California Waste Management Board concurs in the issuance of Solid Waste Facilities Permit No. 06-AA-0006.

CERTIFICATION

The undersigned Chief Executive Officer of the California Waste Management Board does hereby certify that the foregoing is a full, true and correct copy of a resolution duly and regularly adopted at a meeting of the California Waste Management Board held October 11 - 12, 1989.

Dated:

George T. Eowan
Chief Executive Officer

CALIFORNIA WASTE MANAGEMENT BOARD

AGENDA ITEM NO. 8

OCTOBER 11 - 12, 1989

Item:

Consideration of Determination of Conformance and Concurrence in a Solid Waste Facilities Permit for Simi Valley Landfill, Ventura County.

Key Issues:

- Vertical and horizontal expansion of existing landfill
- CoSWMP is delinquent
- A number of required documents are lacking
- Staff recommends denying conformance
- Staff recommends objecting to issuance of permit

Facility Facts:

Name:	Simi Valley Landfill, Facility No. 56-AA-0007
Project:	New permit due to change in operator
	Horizontal expansion increases waste footprint from 83 acres to 136 acres
	Non hazardous waste to be deposited on existing hazardous waste area
	Vertical expansion increases site capacity from 940,000 cubic yards to 14,700,000 yards

Location:	City of Simi Valley, Southeastern Ventura County
Owner/Operator:	Waste Management of California, Inc.
Area:	274 acres, of which 136 acres will be used for fill
Permitting Capacity:	3,000 tons per day
Estimated Closure Date:	2001

Background:

The Simi Valley Landfill commenced operations in 1970. In 1979 the LEA issued a Solid Waste Facilities Permit (SWFP) to the Ventura Regional County Sanitation District (VRCSD) to operate the existing Class I facility. The facility was owned by Moreland Investment Company and the Union Oil Company. The facility was permitted to receive hazardous and nonhazardous waste. Hazardous wastes were deposited in a Class I area in the northern 75 acre portion of the 230 acre facility. In 1980, as a result of newly enacted federal and state laws, geologic and hydrogeologic investigations were conducted, and an inventory of wastes deposited in the hazardous waste area was compiled. As a result of the investigations and in consultation with the State Water Resources Control Board, the Moreland Investment Company suspended receipt of most hazardous wastes in November 1980. Further investigations were conducted and in March 1982 the Regional Water Quality Control Board issued an administrative order prohibiting disposal of all liquid and hazardous wastes at the facility.

In January 1983, the facility was acquired by Chemical Waste Management (CWM). A Solid Waste Facilities Permit (SWFP) was issued to CWM in October 1983. The 1983 SWFP prohibited disposal of hazardous waste. It allowed waste to be deposited in areas previously covered with nonhazardous waste and not previously used for hazardous waste disposal. A provision of the SWFP allowed wastes to be deposited in the Class I area, up to an ongoing groundwater investigations showed disposal beyond the problems. In December 1988, the LEA authorized disposal within the Class I area as provisions of the 1983 SWFP allowed (Attachment No. 2). The LEA's authorization was made following the Department of Health Services determination, "that

overfilling of the former Class I area with non-hazardous solid waste in itself would not pose a threat to public safety..." (Attachment No. 3).

The proposed SWFP would allow an unspecified vertical expansion, and disposal of waste into the Class I area beyond the 980 foot elevation limit. Although not specifically stated in the proposed SWFP, the issuance of the proposed permit transfers ownership and operations from Chemical Waste Management to Waste Management of California, Inc. (WMC). The Report of Facility Information, dated July 1989, states, "Upon issuance of new permits, all legal ownership of Simi Valley will pass to WMC".

The Simi Valley Landfill serves the waste disposal needs of the eastern Ventura County wasteshed. The facility currently receives approximately 1200 tons of waste per day. The proposed permit allows the receipt of up to 3000 tons of waste per day. The types of waste the facility can receive will include nonhazardous waste, hospital waste and municipal sewage sludge. Loads are received from commercial haulers and the general public. The facility is open during daylight hours, seven days a week.

A toe barrier and leachate collection system are in place at the toe of the landfill. The system is designed to control the subsurface migration of fluids from the landfill via an alluvial channel at the base of the refuse fill. Neither the RDSI nor the proposed permit specify the type of liners that will be used at this facility.

In July of this year, representatives of WMC and the Ventura County Plan Liaison staff estimated that the facility would run out of landfill capacity by the end of the summer.

Board Action:

Because a new Solid Waste Facilities Permit is being proposed, the Board must review the proposal for conformance with the Ventura County Solid Waste Management Plan (CoSWMP), and must either object or concur with the proposed permit as submitted by the LEA.

Pursuant to GC Section 66796.32(e), the Board has 40 calendar days to concur in or object to the issuance or revision of a Solid Waste Facilities Permit. Since the proposed permit for this facility was received on September 21, 1989, the last day the Board could act is October 31, 1989.

California Environmental Quality Act (CEQA):

CEQA requires that the environmental impacts of any project be considered by any public agency with discretionary authority over the project. Both the Determination of Conformance and concurrence with the Solid Waste Facilities Permit are discretionary acts by the Board and require a priori CEQA review.

EIR Preparation and Certification

The Ventura County Resource Management Agency prepared an Environmental Impact Report (EIR) for the Project. The County Board of Supervisors certified the Final EIR. Board staff have reviewed the EIR and have determined that it is an appropriate and adequate environmental document for this project.

As required by the CEQA Guidelines, the environmental document for the project discusses the potential environmental impacts, mitigation measures and alternatives to the project. Described below are the project's major impacts and mitigation measures.

Environmental Impacts and Mitigation Measures

Impacts (Land Use)

- Odors, noise, dust, vectors, and litter could cause conflicts with existing or future open space, agriculture, oil extraction, or industrial/office

Mitigation Measures

- Operate the landfill in accordance with federal, state, and local waste disposal regulations, and continue inspections and enforcement of these regulations by Ventura County Resource Management Agency.

- Impose interim 1,000-foot land use buffer around landfill until it can be finished in those areas closest to proposed urban uses, or coordinate phasing between the landfill and adjacent properties, or require that the environmental documents for the adjacent uses reflect the latest landfill test data.

Impact (Air Quality)

- For persons on the CUP boundary, the maximum calculated theoretical worst case excess cancer risk due to surface emissions of toxic/carcinogenic compounds contained in landfill gas is approximately 1 in 156,000 (very conservative estimate).

Mitigation Measures

- Install/operate best-available technology LFG recovery/utilization system per plans approved by VCRMA and Ventura County Air Pollution Control District.

- Conduct annual surface gas monitoring program to identify toxic gas releases.

Impacts (Hydrology/Water Quality)

- Contamination of surface waters could occur by various means including: direct precipitation onto uncovered refuse; erosion and scouring of landfill slopes and subsequent contact with exposed refuse surface.

- Leachate seeps on the face and along the toe of the main landfill slope.

- Leachate could impair bedrock water quality

- Additional refuse saturation, caused by squeezing out additional leachate due to landfill expansion, could potentially raise the fluid levels in the lower portion of the refuse.

Mitigation Measures

- Monitor surface water flows and quality.

- On a quarterly basis and following any season of high precipitation and/or period of years of above-normal precipitation, site work should include monitoring of the face and along the toe of the main landfill slope for leachate seeps and for growth of reeds or other phreatophytes. Provide for collection and disposal of such liquids.

- Surface water runoff quantity and quality should be consistent with requirements set forth by the RWQCB.

- Construct additional monitoring wells to assess off-site migration of leachate to the west.
- Protect existing wells on property from damage or destruction during proposed expansion.
- If monitoring detects definitive off-site migration of leachate, notify the RWQCB and the County of Ventura. Prepare and implement an exploration program and a remedial action plan.
- If warranted, implement leachate dewatering program after leachate location/characterization studies are complete.

Impact (Public Safety)

- The availability of food scraps, shelter, and breeding areas could entice animals or insects capable of carrying or transmitting disease pathogens.
- During soil excavation near the Class I area, buried hazardous material could accidentally be exposed, possibly causing larger scale reactions and resulting in injuries to equipment operators only.

Mitigation Measures

- Place daily soil cover over each day's deposited wastes and compact.
- Modify the current vector control program as necessary.
- In the event that the project site area is considered a possible source of Valley Fever spores, apply the same measures as for dust control.
- Provide 50 foot buffer between excavation areas and expected edge of Group I refuse column.
- Exercise caution when excavating material from areas near cells where hazardous materials have been deposited; take care not to rupture deposited containers; take care in relying on old and possibly inaccurate records regarding cell contents and their boundaries; survey area prior to excavation.

Impacts (Visual/Aesthetics)

- Final maximum vertical elevation of the landfill will be 160 feet above the maximum permitted grade, which will make it higher that the surrounding hills in the centermost area of the landfill.
- Landfill operation will be most visible from the south throughout the project; from the north and east after several years; and from the west and north if UNOCAL proceeds with development of the Los Alamos Canyon region.

Mitigation Measures

- Revegetate the completed landfill and surrounding hills with native vegetation in phases.
- Round the final contours and minimize benches to soften the appearance of the landfill
- Construct sufficiently high visual berms to obstruct views of landfill operations.
- Perform soil excavation so that, whenever possible, intervening features are left in place as long as possible.
- Contour refuse fill slopes, making the land forms appear more natural.
- Landscape the front face of the landfill with native vegetation in progressive stages.
- Immediately plant groupings of trees along ridges near the property boundaries where the landfill is most visible.

Impact (Litter)

- Litter may escape from landfill operations to the front face during strong winds.

Mitigation Measures

- Apply daily cover with 6 inches of soil.
- Use portable anti-litter fences
- Have landfill employees collect on/off site litter.
- On windy days, cover refuse with soil at an earlier stage of the day's operational activities.

Impact (Noise)

- Impacts of on-site gas recovery/utilization facility and landfill operations on industrial/commercial and UNOCAL caretaker areas.

Mitigation Measures

- Design the facility and operations not to exceed 45 dBA at the nearest residential area and 55 dBA at the nearest industrial/commercial area.

- Impose a 1,000 foot land use buffer zone around the landfill until it can be finished in those areas closest to proposed urban users.

Impacts (LFG and LFG Condensate)

- LFG generation and migration through soil to off-site areas, through fill slopes, or upwards through the top surface of the landfill could cause the following impacts: explosions and fires in on-site structures and potential UNOCAL property development structures if it accumulate at a concentration of 5 percent by volume; release of volatile organic compounds into enclosed environments on or adjacent to the landfill; ground water contamination if LFG comes into contact with it; and damage to vegetation if LFG is present in the root zone.

Mitigation Measures

- Collect LFG within the landfill followed by disposing via venting, flaring, or utilization as an energy source.

- Limit land use within 2,000 feet of the northern perimeter of the site.

- Install active or passive collection systems for subsurface gas between the landfill and threatened properties.

- Install permanent subsurface LFG monitoring wells (1) between landfilled wastes and proposed landfill facility buildings, and (2) along the landfill perimeter, particularly in areas of encroaching development. Conduct annual surface gas monitoring program to identify toxic gas releases and modify barrier system as needed.

- Protect the facility structures by subfloor/subslab LFG protective measures as specified by the RWQCB/CWMB.

- Install perimeter LFG migration control system if off-site migration control becomes necessary.

Project Alternatives

As required by CEQA, the County of Ventura, in preparing the EIR, looked at project alternatives which included the no project alternative, alternative project designs, and alternative sites for the development of a new landfill. After review of the alternatives, the County determined that the proposed project would best serve the needs of the County. Since some of the impacts associated with the project could not be mitigated to a level of insignificance, including visual/aesthetic and air quality impacts, the County adopted a statement of over-riding social considerations in order to approve the project.

DETERMINATION OF CONFORMANCE

CoSWMP History

At its November 16, 1988 meeting, the Board accepted the Ventura County Plan Review Report and directed the County to revise the CoSWMP. The CoSWMP Revision was due to the Board on August 14, 1989. To date, Board staff has not received the required CoSWMP Revision from the County.

Since the County failed to submit its CoSWMP Revision within the time allowed by state law, the Board therefore referred the matter of the County's delinquent CoSWMP Revision to the Attorney General's Office for resolution.

In regard to delinquent CoSWMPs, the Board established the following policy at its February 7-8, 1985 meeting:

1. That no further time extensions would be granted for CoSWMP Revisions.

2. CoSWMPs would be considered delinquent once the 270 day time limit for preparation of the CoSWMP Revision had been exceeded.

3. That counties with delinquent CoSWMPs would be referred to the Attorney General for enforcement.

4. No new or expanded solid waste facilities could be found in conformance with the CoSWMP while it is delinquent.

At this time, the County has not yet submitted its CoSWMP Revision. Action by the Attorney General to require the County to comply with Board requirements for revising its CoSWMP is pending.

Project Conformance

In accordance with Board procedures for obtaining a Determination of Conformance, the project proponent, Waste Management of California, Inc., submitted a Notice of Proposed Facility to this Board.

Also in accordance with Board procedures, the Ventura County Solid Waste Management Department, the department designated by the County Board of Supervisors as the CoSWMP Liaison, made a local finding of conformance with the previous revision of the CoSWMP for the proposed project.

Board staff have reviewed the Notice of Proposed Facility and Local Finding of Conformance for the proposed project. Based on review of the above documents, Board staff determined that the proposed project does not meet the Board's four criteria for making Determination of Conformance with CoSWMP. These four criteria, and the reasons why the project doesn't meet them, are listed below.

1. Consistency with State Policy

   The expansion of the Simi Landfill is consistent with State Policy in that it provides for an environmentally safe and economically efficient solid waste facility.

2. Consistency with the Policies and Objectives of the County Solid Waste Management Plan (CoSWMP)

   Since the CoSWMP Revision is delinquent, the project does not meet this criterion.

3. Consistency with the Short, Medium, and Long Term Facilities Element of the County Solid Waste Management Plan

   Since the CoSWMP Revision is delinquent, the project does not meet the above criterion.

4. Local Issues and Planning

The facility is designated in the County General Plan. However, the project does not have current Waste Discharge Requirements from the Regional Water Quality Control Board, nor does it have a distance statement (which verifies that the project will not adversely impact residential areas) as required by Government Code 66784.2. Consequently, the project does not meet this criteria because not all state and local approvals have been obtained for this project.

Conclusion

The project does not meet the second and third criteria for conformance because the CoSWMP is delinquent. In addition, the project does not meet the fourth criteria because it does not have current Waste Discharge Requirements nor a distance finding. Consequently, the Board will be unable to make a conformance finding as long as the CoSWMP remains delinquent, and as long as all state and local approvals have been rendered for the project.

Additional Considerations

Waste Management of California, the project proponent, is requesting that a finding of public need and necessity be made in order to allow the immediate implementation of the project. The need and necessity provisions (Title 7.3 Government Code, Section 66783.1) were placed in the original law organizing the Board to provide for the interim authorization of old waste disposal sites while the first CoSWMPs were being drafted. The drafters of the law did not contemplate that this law would be invoked in the case of a county which was without an approved CoSWMP, because it was violating the law by not preparing one within the time allowed by law.

Nevertheless, the law is still extant and must be considered, because, by its terms, it does not exclude its use in the event that the CoSWMP is delinquent.

After reviewing the facts of the matter, Staff recommend that a finding of need and necessity not be granted for the following reason:

> Whether used in the context of the time before the first CoSWMP or delinquent CoSWMPs, the law was intended to address urgent situations occurring due to unforseen and emergency bases. Ventura County is not faced with unforseen or emergency circumstances. The County has been well aware of the consequences for missing the submittal deadline for its CoSWMP Revision, and has been well aware of the fact

that the County would have no valid CoSWMP once the deadline for submittal of the Revision was missed. In February 1985, the Board stated that delinquent CoSWMPs could not be used for new or expanded solid waste facility siting. Ventura County's situation is anything but unforseen. To allow a finding of need and necessity now would seriously weaken the Board's aggressive campaign at keeping CoSWMPs updated.

Requirements for Closure and Postclosure Maintenance:

Approval of Operator Certification

The operator is required to certify: 1) preparation of an initial cost estimate for closure and postclosure maintenance, 2) establishment of an acceptable financial assurance mechanism, and 3) funding of the mechanism that will ensure adequate resources for closure and postclosure maintenance. The operator certification is incomplete, because the use of a corporate guarantee is not allowed for closure under the Boards emergency regulations for closure. Staff review of the operator certification will resume when a complete operator certification is received.

The operator certification received does not satisfy the requirements of Government Code § 66796.22 (b)(1).

Submission of Closure and Postclosure Maintenance Plans

The Solid Waste Facilities Permit contains a condition that requires the operator to submit a closure and closure maintenance plan to the local enforcement agency and the Board by October 1, 1990, for consideration of approval. The cost estimates and the financial mechanism must be revised to reflect the development of the plans.

Requirements for Concurrence with the Solid Waste Facilities Permit:

Government Code Section 66796.30 et.seq. requires an operator of a solid waste facility to file an application with the LEA for a Solid Waste Facilities Permit. Included with the application to operate a landfill is a Report of Disposal Site Information, closure and postclosure maintenance plans, an acceptable Financial Assurance Mechanism, and all necessary approvals from other regulatory agencies. When the application is deemed complete by the LEA, a copy of the application and required

documents are transmitted to the Board. Staff have reviewed the application and the required documents and find the following deficiencies:

1. Waste Management of California, Inc. has applied for a revision of the Solid Waste Facilities Permit. A change in operator from Chemical Waste Management to Waste Management of California, Inc. requires the issuance of a new Solid Waste Facilities Permit.

2. Government Code (GC) 66796.22 (a) requires financial assurance of the closure and postclosure maintenance of solid waste landfills. The Financial Assurance Mechanism that was submitted for the Simi Valley Landfill is not acceptable per 14 CCR 18283 (f)(1).

3. GC 66784.2 requires that the city or county in which a site is located finds that the distance from the site to the nearest residential structure is in compliance with all State Minimum Standards. Evidence of such a finding has not been provided.

4. Revised Waste Discharge Requirements are necessary for operations in the proposed expansion area of the Simi Valley Landfill. Circulation of tentative WDR's is expected in early November 1989. Final WDR's will be presented to the Regional Water Quality Control Board for approval in late November of early January.

   Tentative WDR's must be released prior to the California Waste Management Board's consideration of the proposed permit.

Within 75 days of accepting an application, an LEA is to submit a proposed Solid Waste Facilities Permit to the Board. The LEA has complied with this requirement. Board staff have reviewed the proposed permit and find the following deficiencies:

1. The acreage stated in the proposed permit is not consistent with the acreage stated in the RDSI and the SWFP application.

2. Maximum fill elevations are not stated.

3. The previous disposal of hazardous waste at this facility is not stated.

When submitting the proposed permit, the LEA is required to make the following three findings required by GC 66796.32(c):

1. Consistency with CoSWMP

   The LEA has determined the proposed permit is consistent with the Ventura CoSWMP. The Ventura CoSWMP revision has been delinquent since August 14, 1989. Staff disagrees with LEA's determination.

2. Consistency with Board Standards

   The LEA has determined that the facility is consistent with Board standards. Staff finds the discrepancies in the permit are inconsistent with Board standards.

3. Consistency with General Plan

   The facility has been determined to be consistent with the Ventura County General Plan by the LEA. Staff agrees with this determination.

Board Options:

1. Take No Action: By taking no action, the Board would relinquish its authority and no useful purpose would be served. If the Board does not act within 40 days of receipt of the permit, the permit is deemed to have been concurred in.

2. Deny Conformance and Object to Issuance of the Permit

   This action would be appropriate if the applicant had not met all the local and Board requirements for the two actions.

3. Find Conformance and Concur in Issuance of the Permit

   This action would be appropriate if the applicant and LEA had met all the Board requirements for these two actions.

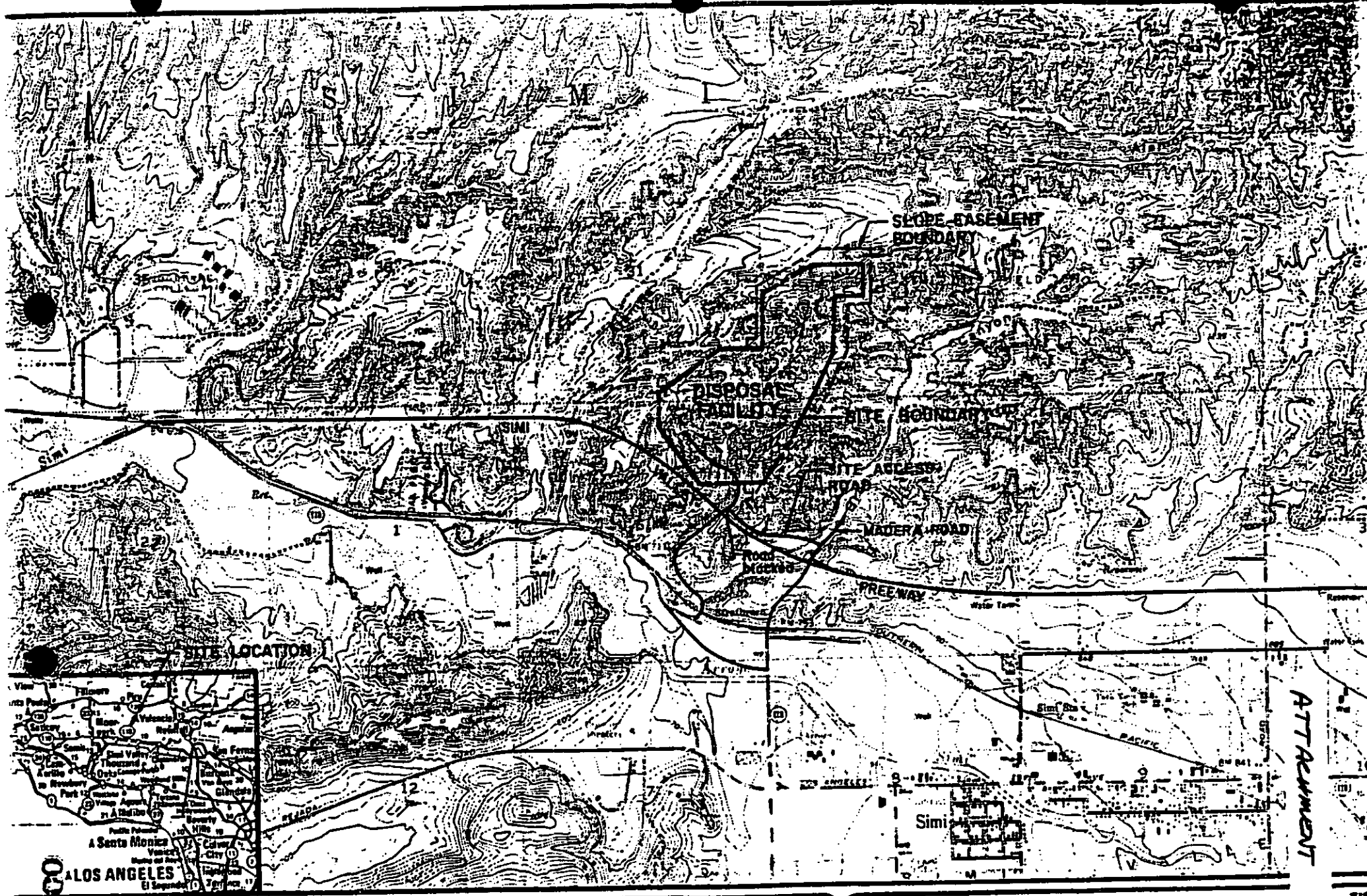
Recommendation:

Staff recommends Option 2, that the Board adopt Determination of Conformance No. 89-18 finding the project to not be in conformance with the Ventura County Solid Waste Management Plan, and Solid Waste Facilities Permit Decision No. 89-74 objecting to the issuance of Solid Waste Facilities Permit No. 56-AA-0007 for the following reasons:

1. Lack of WDR's
2. Lack of acceptable financial assurance mechanism for closure
3. Lack of the required distance finding
4. Absence of an approved CoSWMP
5. Discrepancies in the proposed permit

Attachments:

1. Location Map
2. Letter from LEA allowing waste disposal within former Class I area of landfill
3. Memo from Department of Health Services on overfilling Class I area
4. Proposed Permit No. 56-AA-0007
5. Determination of Conformance No. 89-18 and Permit Decision No. 89-74



Scale 0 2000 4000 6000 8000 Feet

WASTE MANAGEMENT OF NORTH AMERICA INC.
SIMI VALLEY LANDFILL EXPANSION
VENTURA COUNTY, CALIFORNIA

LOCATION MAP

ATTACHMENT 1

000251

To File 56-AA-0007
ATTACHMENT 2

RESOURCE MANAGEMENT AGENCY

county of ventura

Environmental Health Department
Donald W. Koepp
Director

December 12, 1988

Simi Valley Landfill
2801 Madera Rd.
P.O. Box 1495
Simi Valley, CA 93062

Attention: Silvio Mode'

WASTE DISPOSAL WITHIN THE FORMER CLASS I AREA

This Department, as Local Enforcement Agency (LEA), has received a copy of the Department of Health Services (DOHS) memorandum dated November 30, 1988. The memo concludes, "... it is our (DOHS) opinion that allowing overfilling of the former Class I area with non-hazardous solid waste in itself would not pose a threat to public safety if the regulatory agencies implement the above recommendations and the other mitigation measures identified in the EIR."

The LEA has determined that the conclusions made in the DOHS memo enable compliance with the intent of Solid Waste Facilities Permit (SWFP) Conditions A-4 and D-6. Class III waste may now be disposed of within the former Class I area. The SWFP, issued October 21, 1983, has no other conditions which restrict or prohibit disposal of Class III solid wastes within the former Class I area.

This letter only authorizes disposal of Class III wastes within the former Class I area. It does not authorize expansion of the Simi Valley Landfill as proposed in the Project Description for the major modification of Conditional Use Permit 3142, nor does it constitute a significant change in the SWFP. This letter is not a revision to the SWFP.

As a result of the LEA's above determination, the LEA has no objection to the placement of your wet-weather disposal area as shown on your "Interim Drainage and Erosion Control Plan, 1988."

Should you have any questions with respect to the above, please contact Richard R. Hauge at (805) 654-2434.

Terrence Gilday

TERRENCE O. GILDAY, MANAGER
ENVIRONMENTAL HEALTH DEPARTMENT

TOG/RH/sj/simi

cc: T. Estes - CWMB (Fullerton)
M. Williams - Waste Mgmt. of Ventura
S. Ellison - VCPLNG
D. Koepp - VCEHD

800 South Victoria Avenue, Ventura, CA 93009 (805) 654-2813

FEIR ADDENDUM

APPENDIX

ATTACHMENT 3

Memorandum

Department of Health Services

To: Alan A. Oldall
Deputy Executive Officer
California Waste Management Board
1020 Ninth Street, Suite 300
Sacramento, CA 95814

Date: NOV 30 1988

Subject: Simi Valley Landfill Expansion Project

From: Region 3 (Los Angeles)
Toxic Substances Control Division
107 South Broadway, Room 7011
Los Angeles, CA 90012

This concerns your July 20, 1988 memorandum regarding the expansion of the Simi Valley Landfill as proposed by Waste Management of California. As you know, the Department has statutory authority and public responsibility to regulate releases of hazardous waste and hazardous substances. However, since Simi Valley Landfill stopped accepting hazardous waste on or about November 18, 1980, we believe that Government Code Section 66796.12 does not apply to this site. Therefore, the Department does not have enforcement nor regulatory authority regarding the expansion of this landfill. The Department's concerns with this project has been focused on the potential effects resulting from continued disposal of nonhazardous waste (Class III) on the portion of the landfill previously used for hazardous waste (Class I) disposal.

In responding to your July 20th request, we evaluated the two issues: (1) Is the existing site data base adequate to determine if the public safety is protected by allowing the proposed continued disposal of nonhazardous solid wastes to be disposed over the previously Class I area; and (2) Does the April 1988 Draft EIR adequately reflect the impacts associated with the proposed project.

With these in mind, Department staff met with representatives of your Agency, the Regional Water Quality Control Board, and the Ventura County staff and their technical consultants on September 29, 1988 to review the project proposal and the available geologic and water quality data. A meeting with the project applicant and their technical consultants followed for the purpose of obtaining answers to questions which had arisen during the course of the earlier meeting among the regulatory agencies.

Technical staff in attendance at these two meetings agreed that the data base was adequate to support the conclusion that the public health and the environment would not be threatened by the placement of non-hazardous landfill material over the former Class I disposal area at the Simi Valley Landfill. The Department concurs with this finding, subject to imposition/clarification of several conditions as noted below. Both the County, as regulator, and Waste Management of California, the applicant, have agreed to the imposition of the additional conditions.

In addition, the Department concurs that the April 1988 Draft EIR appears to adequately describe the impacts associated with the proposed project. These

NOV 30 1988

conclusions are based on this Department's evaluation of the EIR, as well as discussions with and the conclusions of the staff of the regulatory agencies and the independent, third-party consultants who met with us on September 29, 1988.

We wish to stress that the above determinations were based on the understanding that ongoing monitoring of the site will continue at levels set by the County and the Regional Water Quality Control Board; that all specified studies will be carried out in a timely fashion; and that any and all appropriate leachate extraction and treatment will be required in the proposed Conditional Use Permit by the County.

The Department's determinations also reflect the County's agreement to require the following:

1. Further studies will be undertaken to determine the source of groundwater contamination in Wells S-1 and S-1RD. If the contamination is determined to be leachate from the former Class I area, the feasibility of dewatering this area would be addressed.

2. Although no leachate has been detected, further studies will be undertaken to definitively determine to the satisfaction of the County and the RWQCB why groundwater is flowing to the east in Sandstone Beds 20 and 22. The possibility of lateral leachate migration in this area should then be evaluated.

3. The existence and condition of a possible oil well in the northeast corner of the Class I area will be determined. If such a well exists and is not in production, it will be abandoned per State and local regulations.

4. The leachate monitoring and control programs as described in the EIR must be implemented to the satisfaction of the various permitting agencies. The leachate control program will, at a minimum if feasible, include a trench collection system located below the bottom elevations of the refuse column. The system must be designed to collect any leachate which may be generated from the refuse column due to increased hydrologic head.

5. Any leachate and/or gas condensate must be managed in a manner consistent with applicable laws and regulations.

In summary, it is our opinion that allowing overfilling of the former Class I area with non-hazardous solid waste in itself would not pose a threat to public safety if the regulatory agencies implement the above recommendations and the other mitigation measures identified in the EIR.

Please do not hesitate to call us should you have questions or wish to discuss any of the above further.

for Dennis A. Dickerson
Chief

DAD:HS:cs

cc: C. David Willis
Deputy Director
Toxic Substances Control Division

Scott Ellison, Senior Planner
Ventura County Resources Management Agency

Kerry D. Jones, Manager of Environmental Programs
Waste Management of North America, Inc. Western Region

ATTACHMENT 4

OPERATING PERMIT FOR FACILITIES RECEIVING SOLID WASTE	TYPE OF FACILITY: Landfill	FACILITY/PERMIT NUMBER: 56-AA-0007
NAME AND STREET ADDRESS OF FACILITY: Simi Valley Landfill, 2801 Madera Rd., P.O. Box 1498, Simi Valley, CA 93065	NAME AND MAILING ADDRESS OF OPERATOR: Waste Management of California Inc., 2801 Madera Rd., Simi Valley, CA 93065	
PERMITTING ENFORCEMENT AGENCY: Environmental Health Department, Local Enforcement Agency	CITY/COUNTY: Ventura County	

PERMIT

This permit is granted solely to the operator named above, and is not transferrable.

Upon a change of operator, this permit is subject to revocation.

Upon a significant change in design or operation from that described by the Plan of Operation or the Report of Station or Disposal Site Information, this permit is subject to revocation, suspension, or modification.

This permit does not authorize the operation of any facility contrary to the State Minimum Standards for Solid Waste Handling and Disposal.

This permit cannot be considered as permission to violate existing laws, ordinances, regulations, or statutes of other government agencies.

The attached permit findings, conditions, prohibitions, and requirements are by this reference incorporated herein and made a part of this permit.

APPROVED:	AGENCY ADDRESS
APPROVING OFFICER: Donald W. Koepp, Deputy Director NAME/TITLE	Environmental Health Department Resource Management Agency Ventura County 800 S. Victoria Ave. Ventura, CA 93009
SEAL	AGENCY USE/COMMENTS
	PERMIT RECEIVED BY CWMB: SEP 21 1989 — CWMB CONCURRANCE DATE:
	PERMIT REVIEW DUE DATE: — PERMIT ISSUED DATE:

000256

SWFP #56-AA-0007
SIMI VALLEY LANDFILL

I. Findings

1. The following is a brief description of the facility's design and operation as authorized by this permit:

   a. This permit is for a Class III facility owned and operated by Waste Management of California, Inc., and is for the vertical and horizontal expansion of the existing facility.

   b. The property boundaries of the site are as described in the Report of Disposal Site Information (RDSI), Section 5.0. The general location of the facility is shown on Figure 1 of the RDSI and land uses within 1,000 feet of the site are shown on Attachment 4 of the RDSI. Total acreage of the site is 233 acres plus 42 acres for easements. 136 acres will be utilized for landfilling of solid wastes.

   c. Complete description of the facility is located in the RDSI, Section 1.0. The expansion of this facility will increase the site capacity from 942,000 cubic yards to 14,700,000 cubic yards of refuse as estimated in the RDSI, Table 4 (July 1989).

   d. This permit authorizes the following types of non-hazardous solid waste for disposal:

      1. Residential

      2. Commercial

      3. Street sweeping

      4. Abandoned autos

      5. Construction and demolition

      6. Industrial

      7. Hospital

      8. Municipal sewage sludge (50% solids or greater)

      9. Wastes as authorized in the Waste Discharge Requirements as issued by the Los Angeles Regional Water Quality Control Board, Order Number 83-26, or latest revision thereof.

   e. At the commencement of the site expansion, average daily waste loadings are expected to be 1,300 tons, based on a survey of incoming loads between April 20 and May 20, 1989. The peak loading in that month was approximately 2,000 tons per day. Future volumes have been projected to increase approximately 5%

per year for the next 14 years, depending on population growth and wasteshed boundary changes. However, over the last three years, the site has noted an increase of 16 to 18% per year in incoming tonnages. This facility's proposed expanded design capacity is 14,700,000 cubic yards of compacted refuse (RDSI, Table 4, July 1989).

f. The method of operation is as follows: Incoming waste is weighed and directed to the active face. After discharge, the waste is spread and compacted in 2-foot-thick layers over the inclined slope of the active face. Spotters direct private customers to the side of the commercial dumping area. This operation cycle is described in detail in the RDSI, Section 1.5.

g. No scavenging is permitted at the facility.

h. The permittee's hazardous waste screening program is as described in Attachment 3 of the RDSI. Additional measures may be required upon the request of the LEA or the Board.

i. There are no anticipated changes in the design or operation of this facility within the next five years.

j. For the purposes of this permit, the site may be in operation seven days a week, during daylight hours only. Daylight hours commence at sunrise and end at sunset. The site is closed on holidays as posted at the gate. The site may be closed by the operator at other times as approved or directed by the LEA, e.g., high wind conditions, severe wet weather, accidents, incidents, etc. Estimated site life is 14 years with closure in 2002. NOTE: "Operation" includes the acceptance, handling, disposal, covering of waste, excavation of cover material, and other construction activities, but does not include equipment maintenance, ordinary building maintenance, office activities, or site security.

2. The following documents condition the operation and use of this facility and are adopted by reference:

a. Report of Disposal Site Information (Volumes 1 & 2) dated July 1989.

b. California Regional Water Quality Control Board, Los Angeles Region (RWQCB-LA): Waste Discharge Requirements (WDR), Order Number 83-26, or latest revision thereof.

c. Ventura County Planning Division, Conditional Use Permit #3142, or latest revision thereof.

d. Environmental Impact Report for the proposed expansion of the Simi Valley Landfill, certified on June 15, 1989.

3. This facility is in compliance with the following three findings as required in Government Code Section 66796.32:

   a. This permit is consistent with the County Solid Waste Management Plan.

   b. This permit is consistent with the standards adopted by the California Waste Management Board.

   c. The County has found the expansion of this facility to be consistent with its General Plan.

4. The design and operation of this facility is in compliance with the State Minimum Standards for Solid Waste Handling and Disposal as determined by the LEA on June 26, 1989.

5. The local fire protection district has determined that the facility is in conformance with applicable fire standards as required in Government Code Section 66796.43.

6. The Ventura County Planning Division has found that surrounding land use is compatible with this facility's operation.

7. The Ventura County Resource Management Agency, Planning Division, prepared the Environmental Impact Report for the proposed expansion of the Simi Valley Landfill. This EIR was certified on June 15, 1989.

II. Conditions

Requirements

1. This facility must be in compliance with the State Minimum Standards for Solid Waste Handling and Disposal.

2. This facility must be in compliance with all federal, state, and local requirements and enactments.

3. Additional information with respect to the design and/or operation of this facility must be provided as required by the LEA.

4. At the discretion of the LEA, additional landfill gas monitoring probes shall be installed for detection of gas migration. If the LEA determines that gas migration control is needed, a landfill gas control system shall be installed.

Prohibitions

The following are prohibited at the facility:

1. Disposal of hazardous waste as defined in Health and Safety Code, Chapter 6.5, Section 25117.

2. Disposal of those liquid wastes not permitted under the Los Angeles Regional Water Quality Control Board Waste Discharge Requirements and the State Minimum Standards for Solid Waste Handling and Disposal.

3. Scavenging

4. Open burning

5. Disposal of biomedical waste without LEA approval.

6. Disposal of oily wastes, oilfield operating waste, oilfield brines and drilling muds not permitted under the Los Angeles Regional Water Quality Control Board Waste Discharge Requirements and State Minimum Standards for Solid Waste Handling and Disposal.

7. The receipt of solid waste at any time other than as specified in the Findings, item 1.j.

8. Standing water on covered fill areas.

9. Smoking on any portion of the facility, except in designated areas approved by the LEA.

10. Disposal of liquid sewage sludge (less than 50% solids).

11. Disposal of radioactive wastes requiring disposal permits from federal or state authorities.

12. Placement of wastes in the landfill beyond the contours as described on the Final Grading Plan (Attachment #6 of the RDSI).

13. Acceptance of waste from commercial vehicles without valid health permit tags.

Specifications

1. Any change that would cause the design or operation of this facility not to conform with the terms and conditions of this permit is prohibited. Any significant change that may be proposed for this facility shall require submission of an amended Report of Disposal Site Information and application for a revised Solid Waste Facilities Permit to the LEA. Significant change is as defined in guidelines approved by the California Waste Management Board (May 1987).

2. This facility has a peak daily waste loading of 3,000 tons per operating day and shall not receive more than this amount without first obtaining a revision of this permit.

3. Any change in the operator of this facility constitutes a change that would require a revision of this permit.

4. Design and operation of this facility are as described in the Report of Disposal Site Information (Volumes 1 & 2) dated July 1989.

5. Disposal of large dead animals or significant quantities of dead animals shall be coordinated with the LEA. For the pusposes of this permit, "Large Animals" are those larger than a horse or cow.

6. The permittee, by acceptance of this permit, accepts the responsibility for mitigation of leachate, groundwater, and/or landfill gas problems which may occur during the life of this permit.

7. The permittee shall comply with all leachate and/or groundwater monitoring, reporting, and mitigation requirements specified by the RWQCB-LA. The permittee shall provide to the LEA upon request any pertinent correspondence and/or documentation with respect to groundwater issues. If mitigation is necessary for groundwater protection, a copy of the RWQCB-LA approved remedial plan shall be submitted to the LEA.

8. Adequate cover material shall be stockpiled prior to the onset of the rainy season, or immediately available for use, to provide sufficient material for 30 days daily cover during periods of inclement weather.

9. The permittee shall be responsible for, and remove, windblown litter from properties adjacent to the site boundary, the site access road, and Madera Road as described in CUP #3142, Condition #53.

10. The permittee shall submit an onsite drainage plan to the LEA for review and approval. The plan is due annually no later than June 30.

    The plan shall include, but need not be limited to:

    a. Map of site (of appropriate scale).

    b. Water run-on control systems.

    c. Water run-off control systems.

    d. Locations and sizes of berms, sediment basins, ditches, lined and unlined channels, culverts, sediment barriers, and control fences.

    e. Section drawings of typical berms, ditches, channels, etc.

    f. Direction of water sheet flow.

    g. Designated location of wet weather area and wet weather cover stockpile.

    h. Implementation schedule.

11. The permittee shall comply with the requirements listed in the Memorandum from the Department of Health Services to the California Waste Management Board dated November 30, 1988, Attachment #15 of the RDSI.

12. The permittee shall install and maintain permanent survey monuments on the surface of the facility at locations designated by the LEA. The number of monuments will be designated by the LEA. These monuments shall be installed within 6 months of the date that this permit is issued. Results of surveys shall be filed with the LEA.

13. The permittee shall develop and submit, for LEA review and approval, a responsible resource recovery program no later than six (6) months after the date of issuance of this permit. Said program shall also be in conformance with the County Solid Waste Management Plan.

14. The permittee shall have a Waste Stream/Refuse Characterization Program as described in Conditional Use Permit, Condition #39 (CUP-3142, Major Modification #2).

15. The operator shall provide Closure Plans and Postclosure Maintenance Plans for the sequential closure of each of the four (4) proposed fill modules to the LEA, CWMB, and LARWQCB in accordance with State regulations.

16. Minimum fee vehicles shall be kept separated from the commercial vehicles at the active face.

17. The permittee shall develop a radiation monitoring and reporting program for the waste stream. Said program shall be submitted to the LEA for review and approval no later than 90 days after the issuance of this permit.

Provisions

1. This permit is subject to review by the LEA and may be modified, suspended, or revoked for sufficient cause after a hearing.

2. Notwithstanding the requirements of Specification #15, the operator shall submit to the LEA and the CWMB copies of a plan for the closure of the landfill and a plan for the postclosure maintenance of the landfill for approval by the LEA and the CWMB. These plans shall be submitted no later than the first date after July 1, 1990 that this permit is required to be reviewed. Along with these plans, the operator is to submit evidence of financial ability to provide for the cost of closure and 15 years of postclosure maintenance.

Self-Monitoring

The following items shall be monitored by the permittee or his agent. Records shall be kept and made available to the LEA upon request, or in accordance with the specified schedule:

1. Number of minimum fee vehicles utilizing the site each month.

2. Number of commercial vehicles utilizing the site each month. For the purposes of this permit, commercial vehicles are those which collect and/or dispose of "commercial solid wastes" as defined in Title 14, CCR, Section 17225.12; and/or "industrial wastes" as defined in Title 14, CCR, Section 17225.35; and/or "residential refuse" as defined in Title 14, CCR, Section 17225.57.

3. Quantity (in tons) and types of waste, as listed on the LEA's Waste Receipt Questionnaire, received at the site each month.

4. Area and estimated volume of the site utilized quarterly.

5. Contour maps, satisfactory to the LEA, of the site showing the progress of the filling operations. These maps shall be provided to the LEA on a 6-month basis (e.g., June and December).

6. A log of special occurrences.

7. Citizen and customer environmental nuisance complaints.

8. Results of groundwater monitoring as specified in the Waste Discharge Requirements, and results of analyses of liquids from any Leachate Collection and Removal System.

9. Landfill gas probes shall be monitored quarterly as described in the RDSI, Section 13.0. Reports shall be submitted to the LEA in February, May, August, and November of each year. This reporting schedule may be modified at the discretion of the LEA.

10. Identification (name of hauler, vehicle license number) of vehicles, and type of waste, refused entry with loads of prohibited materials.

11. If the permittee receives all required approvals to commence resource recovery operations, the types and amounts of materials recovered or salvaged each month.

RH:j/G154

Attachment No. 5

CALIFORNIA WASTE MANAGEMENT BOARD

Solid Waste Facility Determination of Conformance No. 89-18
Solid Waste Facilities Permit Decision No. 89-74

WHEREAS, the Board finds that Ventura County has filed a Notice of Proposed Facility to expand the Simi Valley Landfill; and

WHEREAS, the Board directed Ventura County on November 16, 1988 to revise its County Solid Waste Management Plan (CoSWMP) to remain consistent with state policy; and

WHEREAS, the County of Ventura has not submitted to this Board a CoSWMP revision that is consistent with state policy; and

WHEREAS, the Board has determined that the Ventura CoSWMP is delinquent and no longer valid because the County has not completed the CoSWMP revision in the time required by Title 14 California Code of Regulations Section 17152; and

WHEREAS, the proposed project is not identified in an approved CoSWMP as required by Government Code Section 66784; and

WHEREAS, the Local Enforcement Agency has submitted a proposed permit to the Board for concurrence in or objection to its issuance; and

WHEREAS, the proposed permit has been evaluated for consistency with the State Minimum Standards under Division 7, Title 14 of the California Code of Regulations; and

WHEREAS, the Board finds the proposed permit is not consistent with the Ventura Solid Waste Management Plan or standards adopted by the Board.

NOW, THEREFORE, BE IT RESOLVED, that the California Waste Management Board denies conformance with the Ventura CoSWMP for the expansion of the Simi Valley Landfill; and

BE IT FURTHER RESOLVED, that the California Waste Management Board objects to the issuance of Solid Waste Facilities Permit No. 56-AA-0007.

CERTIFICATION

The undersigned Chief Executive Officer of the California Waste Management Board does hereby certify that the foregoing is a full, true and correct copy of a resolution duly and regularly adopted at a meeting of the California Waste Management Board held October 11 - 12, 1989.

Dated:

George T. Eowan
Chief Executive Director

CALIFORNIA WASTE MANAGEMENT BOARD

AGENDA ITEM NO. 9

OCTOBER 11 - 12, 1989

Item:

Consideration of Determination of Conformance and Concurrence in a Solid Waste Facilities Permit for Twin Bridges Landfill, Shasta County.

Key Issues:

- New Landfill to replace the Simpson Paper Company Landfill
- Private monofill site for papermill sludge
- Site life of 50 years
- A number of required documents are lacking or deficient
- Staff recommends objection to issuance of permit and denial of conformance

Facility Facts:

Name:	Twin Bridges Landfill, Facility No. 45-AA-0058
Project:	New Landfill
Location:	One mile north of Dersch Road and one-half mile east of Millville Plains Road, Shasta County
Owner/Operator:	Simpson Paper Company
Area:	160 acre site, of which 21 acres will be used for landfill and five acres will be used for leachate and sedimentation ponds

Permitted Capacity: 30 tons per day

Estimated Closure Date: 2040

Background:

The Twin Bridges Landfill will replace the existing Simpson Paper Company Landfill. The immediate construction and operation of the Twin Bridges Landfill is crucial to the waste disposal needs of the Simpson Papermill.

The proposed Twin Bridges Landfill encompasses 160 acres. Twenty-six acres will be permitted for use as a landfill. Twenty-one acres are to be used as landfill cells. The remaining five acres are to be used for a leachate holding pond, a sedimentation pond, and access roads. The landfill will consist of five cells, each having a life span of approximately ten years. As each cell nears its capacity, the next cell will be constructed. Each cell is be closed when it has reached its design capacity.

The waste disposed of at this site is generated by the paper making process from the Simpson Paper Mill in Anderson, California. 98% of the waste will consist of primary claifier solids (sludge), with a moisture content of less than 50%. Dioxin (2,3,7,8,-tetrachlorodibenzo-p-dioxin) is present in the sludge at 0.023 parts per billion. The EPA action level for dioxin in residential soil is 20 parts per billion, and the State of California Soluble Threshold Limit Concentration for dioxin is 1.0 parts per billion. As dioxin is immobial in soils in the absence of solvents and the sludge will be disposed of in monofill cells, the Regional Water Quality Control board has determined that the small quantities of dioxin contained in the sludge will remain immobile.

The remaining two percent of the waste to be deposited at the landfill consists of dewatered dredgings from the mill's wastewater treatment lagoons, and dregs and grits from the mill's chemical recovery process. A chemical analysis of these wastes was not available as of this writing.

This facility has been designed to meet Subchapter 15 requirements for a Class II landfill. The landfill cells will have composite liners consisting of a natural soil liner at least twelve inches thick and not less than 1×10^{-6} cm/sec

permeability, overlain with a 60 ml high density polyethylene (HDPE) liner. The leachate holding pond is designed to comply with the Subchapter 15 Requirements for a Class II surface impoundment. The leachate holding pond will have a composite liner consisting of a 24 inch thick natural soil liner with a permeability of not less than 1 x 10^{-6} cm/sec, overlaid with a 100 ml HDPE liner, a "geonet" leak detection layer, and a final 100 ml HDPE liner.

Leachate from the landfill and the leachate collection system will be discharged into the site's leachate collection pond. The leachate will be removed from the pond by tanker trucks and transported to the Simpson Paper Company wastewater treatment facility for treatment and disposal. As the leachate from the sludge is high inorganic salts and soluble organic matter and has the potential to degregrate ground and surface water, the leachate has been classified as a "Designated Waste" per Subchapter 15 criteria.

Special Considerations:

Title 14, California Code of Regulations, Section 17682-Cover provides that "the Board shall consider any application for different cover and compaction requirements for special operating practices...". The LEA has determined that daily cover is not necessary to maintain compliance with the State Minimum Standards. This determination is based on the nature of the waste and the LEA's experience with the existing Simpson Paper Company Landfill. The LEA has determined that there are no vectors associated with sludge, the sludge is not flammable, it cannot be blown by wind, and it is generally impermeable to moisture.

The proposed permit does not specify any daily cover requirements. Requirement number six of the conditions portion of the permit stipulates that the area of uncompacted waste may not exceed 1/2 acre in size. The area of compacted, uncovered waste is not limited.

Staff have evaluated this cover proposal and have determined that allowing an unrestricted area of uncovered waste has the potential to cause a number of environmental and public safety problems. Areas of concern include control of noxious odors, minimization of wind erosion, preservation of slope stability, resistance to cracking, and resistance to excess infiltration.

Staff recommend the Board deny this consideration of no daily cover.

Board Action:

Because a new Solid Waste Facilities Permit is being proposed, the Board must review this proposal for conformance with the Shasta County Solid Waste Management Plan (CoSWMP) and must either object to or concur with the proposed permit as submitted by the LEA.

Pursuant to GC Section 66796.32(e), the Board has 40 calendar days to concur in or object to the issuance or revision of a Solid Waste Facilities Permit. Since the proposed permit for this facility was received on September 8, 1989, the last day the Board could act is October 18, 1989.

California Environmental Quality Act (CEQA):

CEQA requires that the environmental impacts of any project be considered by any public agency which has discretionary authority over that project. The Determination of Conformance and Concurrence in the Solid Waste Facilities Permit are both discretionary acts under CEQA. Therefore, the Board must review the potential environmental impacts of the actions which are now under consideration.

The Shasta County Department of Planning has prepared and circulated an Environmental Impact Report in compliance with CEQA. In the document, the County found the project would not have a significant impact on the environment. The County certified the environmental document and filed a Notice of Determination for the project with the County Clerk and State Clearinghouse (Attachment No. 2).

A Summary of Potential Impacts and Mitigation Measures Conditioning the project is as follows:

Environmental Factor	Potential Impact	Mitigation Measures
Air Quality	All State and Federal emissions standards met.	None necessary
	Particulate (dust) generated during construction and operation.	Applicant at all times to see that generation of airborne particulates is prevented through surface

		wetting, chemical applications, and soil covering.
Odor	Malodor could develop if site is improperly operated; under proper operation, odors would be minor or nil.	If odor noticeable, Applicant to maintain cover over waste, remove leachate more often, and if necessary, cover leachate pond and scrub odors from exhaust air.
Noise	Project truck traffic would not cause a perceptible noise increase, or exceed County standards along travel route.	None necessary
	Noise levels in "residentially" designated lands abutting access road would increase perceptibly but County standard not exceeded.	None necessary
Cultural Resources	Project would be 400' to west of archaeologic site having little value.	Site has been recorded at Northeast California Information Center.
Vegetation (Plants)	No habitats of high value or special plants should be impacted.	None necessary
Land Use	Project conforms with County General Plan and Zoning Plan provisions for landfills.	None necessary
	Potential constraint to nearby residential development when combined with major transmission lines.	None necessary

Growth	None	—
Groundwater Quality	Total Dissolved Solids could reach groundwater in 50 years and local wells in 80 years; the groundwater beneath the landfill should maintain its excellent quality; no toxics problems.	None necessary assuming synthetic liner does not fail
	Integrity of synthetic membrane liner questionable over life of project	Applicant to design and install lysimeter monitoring system under cells to provide timely water quality data to RWQCB for life of project; design and reporting schedule to be approved by RWQCB.
	Leachate collection system could breakdown over long term.	System to be designed, operated, and maintained to prevent failure over long term.
Wastewater Treatment	Small incremental increase in wastewater treatment volume at Shasta Mill.	None necessary
Traffic and Roads	Up to 20 trips per day could be added to local roads during winter rainfall conditions; up to 45 trips per day during heavy "100-year" storm periods.	None necessary
	Project traffic would not change future Levels and Service on local roads.	None necessary

Heavy trucks could damage pavement on Nobles Trail and Millville Plains Roads.	County to specify where and how improvements are to be made; Applicant to make improvements.
Long-term integrity of paved access road not assured; risk of future dust, erosion, and uncontrolled runoff.	Applicant to submit design and long-term maintenance plan for prevention of pavement and drainage failure to County for approval.

Project alternatives such as No Project, Public Landfilling, Composting and Incineration were considered, however the present project was deemed to be the most feasible.

Staff reviewed the environmental document and found it to be adequate and appropriate for the Board's consideration of this project.

Requirements for Determination of Conformance:

Title 7.3, Government Code, Section 66784 requires that the Board make a Determination of Conformance prior to the establishment of any solid waste facility. In accordance with procedures for obtaining a Determination of Conformance, specified in Title 14, California Code of Regulations, Chapter 4, the project proponent has submitted a Notice of Proposed Facility with the Board (Attachment No. 3).

Also, in accordance with those procedures, the Shasta County Department of Public Works, as the agency responsible for the County Solid waste Management Plan (CoSWMP), found the facility in conformance with the CoSWMP (Attachment No. 4).

As required by Government Code Section 66784.2, the County Division of Environmental Health has also found the project to be a satisfactory distance from the closest habitation. (Attachment No. 5)

Staff has reviewed the CoSWMP and the Notice of Proposed Facility and makes the following findings based on the four Board established criteria for a Determination of Conformance:

1. Consistency with State Policy

   The establishment of the facility is consistent with the Board's State Policy of providing for an environmentally safe and efficient method of waste handling.

2. Consistency with the Policies and Objectives of the CoSWMP

   The proposed facility is consistent with a specified CoSWMP policy of reducing and eliminating environmental degradation caused by solid waste.

3. Consistency with Short, Medium, and Long Term Facilities Element of the CoSWMP

   This facility is specifically identified in the Shasta CoSWMP.

4. Local Issues and Planning

   The project proponent has obtained all local approvals for this project. However, Waste Discharge Requirements have not been issued by the Regional Water Quality Control Board.

CONCLUSION:

Staff finds that while three of the four established Board criteria have been met, the fourth criteria has not been met as the Waste Discharge Requirements for the project have not as yet been obtained. Therefore, staff can not recommend the Board make a Determination of Conformance for the project.

Requirements for Closure and Postclosure Maintenance:

Approval of Operator Certification

The operator is required to certify: 1) preparation of an initial cost estimate for closure and postclosure maintenance, 2) establishment of an acceptable financial assurance mechanism, and 3) funding of the mechanism that will ensure adequate resources for closure and postclosure maintenance. The operator certification received was rejected as incomplete, because it did

not include an acceptable financial assurance mechanism for closure. The use of a financial means test is not allowed for closure under the Board's emergency regulations. A letter advising the operator was mailed on September 13, 1989. Staff review of the operator certification will resume when a complete operator certification is received.

The operator certification received does not satisfy the requirements of Government Code Section 66796.22 (b)(1).

Submission of Closure and Postclosure Maintenance Plans

The Solid Waste Facilities Permit contains a condition that requires the operator to submit a closure and closure maintenance plan to the local enforcement agency and the Board by October 1, 1990, for consideration of approval. The cost estimates and the financial mechanism must be revised to reflect the development of the plans.

Requirements for Concurrence with the Solid Waste Facilities Permit:

Government Code Section 66796.30 et.30 et.seq. requires an operator of a solid waste facility to file an application with the LEA for a Solid Waste Facilities Permit. Included with the application to operate a landfill is a Report of Disposal Site Information, an acceptable Financial Assurance Mechanism, and all necessary approvals from other regulatory agencies. When the application is deemed complete by the LEA, a copy of the

application and other required documents are transmitted to the Board. Staff have reviewed the application and the required documents and find the following deficiencies:

1. Government Code (GC) 66796.22(a) requires financial assurance of the closure and postclosure maintenance of solid waste landfills. The Financial Assurance Mechanism that was submitted for the Twin Bridges Landfill is not acceptable per 14 CCR 18283 et.seq.

2. In reviewing the Twin Bridges RDSI, staff determined the following items should be addressed prior to issuance of a SWFP:

a. General Design Parameters.

The FEIR states the fill will proceed in years 1 through 4 by placing the sludge from the current year on top of the fill from the previous year, except in year 1 where the fill is placed directly on the liner system. This method would cause a section of the cell to reach final elevation after the fourth year. The lifts are described as being 10-15 feet high. Fill elevations of 510 to 580 feet are reached.

The RDSI describes a different fill sequence. In the RDSI, sludge is not placed on the fill from the previous year. Each lift is placed independently and reaches a height of 30 feet. Each year, for the first six years, the fill will reach an elevation of 570 feet. From the seventh through the tenth years the sludge will be filled over the fill from the previous six years. A fill elevation of 590 feet is reached.

Staff have determined that both fill methods result in questionable slope stability. There is no documentation provided regarding the ability of the slopes to remain intact. Additionally, the sludge has the potential to gain up to 26% water during the rainy season. The increase in water content could cause the slopes to become even more unstable.

b. Possible Hazardous Constituents

An analysis of the chemical composition of the dregs, grits, and dredgings has not been provided. These materials will account for two percent of the total waste stream.

c. Landfill Gas

Mitigation measures protecting against offsite migration of landfill gas have not been provided. This is an immediate concern, since the migration of landfill gas from the existing Simpson Paper Company Landfill is suspected of destroying surrounding native vegetation.

d. Personnel Health and Safety

Protective gear for site personnel is not specified in the RDSI. Due to the "designated waste" classification of the leachate, safety gear and washing facilities

should be provided. It is estimated 25 to 40 tanker trucks of leachate will be hauled from this site during the winter months.

e. Liner Installation

The RDSI does not include the quality assurance/quality control methods that will be employed during the installation of the landfill liner. The design and construction of the site must be under the direction of a Registered Civil Engineer in the State of California.

3. Waste Discharge Requirements are necessary for the operation of a landfill. Circulation of tentative WDR's is expected in early October 1989. Final WDR's will be presented to the Regional Water Quality Control Board for approval in November.

   Tentative WDR's must be released prior to the California Waste Management Board's consideration of the proposed permit.

Within 75 days of accepting an application, an LEA is to submit a proposed Solid Waste Facilities Permit to the Board. The LEA has complied with this requirement.

When submitting the proposed permit , the LEA is required to make the following three findings required by GC 66796.32(c):

1. <u>Consistency with CoSWMP</u>

   The proposed Solid Waste Facilities Permit has been determined to be consistent with the Shasta County Solid Waste Management Plan. Staff agrees with this determination.

2. <u>Consistency with Board Standards</u>

   The LEA has determined that the permit is consistent with Board standards. Staff finds the deficiencies of the RDSI are inconsistent with Board standards.

3. <u>Consistency with General Plan</u>

   The facility has been determined to be consistent with the Shasta County General Plan by the LEA. Staff agrees with this determination.

Staff have reviewed the proposed Solid Waste Facilities Permit and find its form and content to be acceptable.

Board Options:

1. Take no action. If the Board does not act on a permit within 40 days of receipt, concurrence would be by default, and the permit would be issued by the LEA.

2. Deny conformance and object to issuance of the permit. This action would be appropriate if the proponent and the LEA had not met all local and state requirements for these two actions.

3. Find conformance and concur in the issuance of the permit.

   This would be appropriate if the proponent and LEA have met all State and Local requirements for these two actions.

Recommendation:

Staff recommends Option No. 2 that the Board adopt Solid Waste Facility Determination of Conformance No. 89-17 denying a determination of conformance to the Twin Bridges Landfill and Solid Waste Facilities Permit Decision No. 89-78, objecting to the issuance of Solid Waste Facilities Permit No. 45-AA-0058 for the following reasons:

1. Lack of WDR's
2. Lack of acceptable financial assurance mechanism for closure
3. Deficiencies in the RDSI

Attachments:

1. Notice of Determination
2. Notice of Proposed Facility
3. Local Conformance Finding
4. Distance Finding per GC 66784.2
5. Proposed Permit No. 45-AA-0058
6. Determination of Conformance No. 89-17 and Permit Decision No. 89-78

ATTACHMENT 3

JUN 0 1 1989

ENVIRONMENTAL HEALTH DIVISION

COUNTY OF SHASTA

INTERDEPARTMENTAL MEMORANDUM

DATE May 31, 1989

TO Environmental Health Division, Jim Smith

FROM R. W. CURRY BY Tom Hayward, Sr. Trans. Planner

SUBJECT Simpson Landfill

In response to your inquiry of May 23, we have reviewed the County Solid Waste Management Plan and the Plan Review Report and can assure you that the new Simpson Paper Co. landfill Twin Bridges site is consistent with both documents. If there is anything else you need for your file, please let me know.

/mlc

DPW

000250

RECEIVED
JUL 27 1989
ENVIRONMENTAL HEALTH DIVISION

COUNTY OF SHASTA

COMMUNITY DEVELOPMENT DEPARTMENT
PLANNING DIVISION

1855 PLACER ST., REDDING, CA 96001 JOE HUNTER, DIRECTOR PHONE 225-5532

MEMORANDUM

DATE: July 26, 1989

TO: Jim Smith

FROM: Paul Bolton, Senior Planner P.J.B.

SUBJECT U.P. 31-89, Simpson Paper Company

You have requested written confirmation from our Department that the proposed new landfill project for Simpson Paper Company is consistent with the Shasta County General Plan. Also, you want to confirm that the following finding and Notice of Determination have been satisfied:

1) The local governing body has made a written finding that surrounding land use is compatible with the facility operation, as required in GC 66796.41(b) and

2) An environmental determination (i.e. Notice of Determination) has been filed with the State Clearinghouse for all facilities which are not exempt from CEQA (See GC 66796.45 and 66796.46).

The Planning Staff, in conjunction with the County Counsel's office, has determined that the project, as approved by the Planning Commission and Board of Supervisors, is consistent with the Rural Residential B (RB) General Plan designation which applies to the 160 acre site.

The following findings were made by the Planning Commission when it approved Use Permit 31-89 via Resolution No. 7693:

1) That the establishment, maintenance, or operation of the use, building or facilities applied for will not, under the circumstances, of the particular case be detrimental to the health, safety, peace, morals, comfort and general welfare of persons residing or working in the neighborhood of the proposed use or be detrimental or injurious to property or improvements in the neighborhood or to the general welfare of the county.

2) That the proposed use is consistent with the General Plan policies for that area.

3) That changes or alterations have been required as conditions of the use permit, or incorporated into, the project which avoid or substantially lessen the environmental impacts as identified in the final EIR.

Please find attached a copy of the Notice of Determination filed with the State Clearinghouse.

I hope the above information responds to the issues you have described. Please contact me if I can be of any further assistance.

DEPARTMENT OF PUBLIC HEALTH
ENVIRONMENTAL HEALTH DIVISION
COUNTY OF SHASTA
1855 Placer Street
Redding, California 96001
Telephone (916) 225-5787

ATTACHMENT 4

Stephen J. Plank, M.D., Dr. P.H.
Public Health Officer

Russ Mull, R.S.
Environmental Health Director

July 25, 1989

RECEIVED
JUL 26 1989

California Waste Management Board
Cy Armstrong
1020 Ninth Street, Suite 300
Sacramento, CA 95814

Re: Distance Letter--Simpson Paper Company/
Twin Bridges Landfill

Dear Mr. Armstrong:

This letter shall serve as notice that there are no dwellings or structures (except high voltage transmission towers) within 1000 feet of the landfill area proposed by Simpson Paper Company.

Sincerely,

James Smith

James Smith, R.E.H.S.
Hazardous Materials Specialist

JS/cv

ATTACHMENT 5

OPERATING PERMIT FOR FACILITIES RECEIVING SOLID WASTE	TYPE OF FACILITY: Landfill (Class II)	FACILITY/PERMIT NUMBER: 45 AA 0058
NAME AND STREET ADDRESS OF FACILITY: Twin Bridges Landfill off Hillville Plains Road, Shasta County	NAME AND MAILING ADDRESS OF OPERATOR: Simpson Paper Company, P. O. Box 637, Anderson, CA 96007	
PERMITTING ENFORCEMENT AGENCY: Division of Environmental Health	CITY/COUNTY: Shasta County	

PERMIT

This permit is granted solely to the operator named above, and is not transferrable.

Upon a change of operator, this permit is subject to revocation.

Upon a significant change in design or operation from that described by the Plan of Operation or the Report of Station or Disposal Site Information, this permit is subject to revocation, suspension, or modification.

This permit does not authorize the operation of any facility contrary to the State Minimum Standards for Solid Waste Handling and Disposal.

This permit cannot be considered as permission to violate existing laws, ordinances, regulations, or statutes of other government agencies.

The attached permit findings, conditions, prohibitions, and requirements are by this reference incorporated herein and made a part of this permit.

APPROVED:	AGENCY ADDRESS: Shasta County Health Department, Division of Environmental Health, 1855 Placer Street, Redding, CA 96001	
APPROVING OFFICER		
NAME/TITLE		
SEAL	AGENCY USE/COMMENTS	
	PERMIT RECEIVED BY CWMB: SEP 08 1989	CWMB CONCURRANCE DATE
	PERMIT REVIEW DUE DATE	PERMIT ISSUED DATE: 000283

CWMB (Rev. 7/84)

FINDINGS:

1. A. The Twin Bridges Landfill consists of a Class II landfill permitted to receive non-hazardous solid waste and a Class II surface impoundment constructed to receive leachate and contact water. It is owned and managed by Simpson Paper Company.

B. A legal description, general location map, and detail maps are all included in the Report of Disposal Site Information (RSDI) which is made a part of this permit. The total acreage of the facility is 160 acres. Twenty-six acres are permitted for use as a landfill as follows:

Approximately 21 acres for landfill cells and five acres for a leachate holding pond, a sedimentation pond, and access roads.

C. The landfill will consist of five cells each having a life span of approximately ten years. Each cell will have a composite liner consisting of a natural soil liner 12 inches or greater in thickness, with a permeability of not less than $1x10^{-6}$ cm/sec. overlain with a 60 ml high density polyethylene (HDPE) liner.

The landfill will also contain a leachate collection system to collect leachate and contact water (see sheet II of drawings in RSDI for details).

The leachate holding pond will have a composite liner consisting of a natural soil liner 24 inches or greater in thickness with a permeability of not less than $1x10^{-6}$ cm/sec. overlain with a 100 ml high density polyethylene (HDPE) liner, a "geonet" leak detection layer, and a final 100 ml HDPE liner.

A sedimentation pond will collect surface runoff water from around the landfill and provide a minimum of thirty minutes detention time to allow clarification of surface runoff water.

An unloading area will be constructed adjacent to each cell.

The design capacity of the facility is 950,000 cubic yards. The wastes will be placed into five cells of approximately equal capacity. One cell will be constructed at a time. As the cell nears its design capacity, a new cell will be constructed for use. Each cell is to be closed when it reaches capacity.

D. The wastes proposed for disposal at this site are industrial primary clarifier solids (sludges) containing a moisture content of less than 50%. 98% of the mass of this material to be landfilled consists of cellulose fiber and inert paper making clays. The remaining 2% of the material proposed for disposal at this site consists of dewatered dredgings from the mill's wastewater treatment lagoons, and dregs and grits from the mill's chemical recovery process.

Untreated wood products (such as bark, chips, and sawdust) and other flammable or combustible products will not be deposited in the landfill except for small amounts of sawdust cleaned from roads or used to absorb excess non-hazardous liquid and mill residues during transportation.

E. This facility will receive an average of 30 tons per day, (40 cubic yards).

F. Wastes will be hauled to the site and unloaded on a dump pad adjacent to each cell where they will be pushed and compacted into the cell. Leachate and contact water will be collected in the leachate holding pond. This liquid will be pumped into tank trucks as needed (not to exceed seven days) for transport to Simpson's wastewater treatment system. See cover requirements in the condition section of this permit.

G. There are no resource recovery or salvage operations planned at this site.

H. Hazardous wastes will not be received at this site.

I. There are no changes in the facility design or proposed method of operation anticipated over the next five years.

J. This is a private landfill to be used only by Simpson Paper Company's Shasta Mill. As such, operating days and hours will vary. The estimated site life is 50 years and estimated closure is 2039.

2. The following is a list of documents which condition the operation and use of the facility:

A. Report of Disposal Site Information for Simpson Paper Company, Twin Bridges Landfill dated May 1989 (including all maps and appendices).

B. Shasta County Use Permit 31-89. This Use Permit expires January 26, 1999.

C. Regional Water Quality Control Board Waste Discharge Requirement--Under consideration by RWQCB at this time.

D. Environmental Impact Report on Twin Bridges Landfill dated December, 1988.

3. The Shasta County Division of Environmental Health has made the following findings:

A. This permit is consistent with the County Solid Waste Management Plan (COSWMP) dated April, 1985.

B. This permit is consistent with the standards adopted by the California Waste Management Board.

C. The Shasta County Planning Department has determined that this landfill is consistent with and designated in the County General Plan.

4. The design and proposed operation of the facility are in compliance with the State Minimum Standards for Solid Waste Handling and Disposal as determined by Shasta County Division of Environmental Health on July 20, 1989.

5. The California Department of Forestry and Fire Protection/Shasta County Fire Department (CDF/SCFD) have indicated they cannot determine compliance with G.C. 66796.43 until the landfill is constructed. The facility shall not begin operation until it has been determined to be in compliance with G.C. 66796.43 and written determination has been provided to the Division of Environmental Health.

6. The Shasta County Planning Department has determined that the surrounding land use is compatible with the facility operation.

7. An EIR was prepared on this project for the Shasta County Planning Department by CH2M Hill in December 1988.

CONDITIONS:

Requirements:

1. This facility must comply with the State Minimum Standards for Solid Waste Handling and Disposal.

2. This facility must comply with all federal, state and local requirements and enactments.

3. Additional information must be provided as required by the Shasta County Division of Environmental Health.

4. Landfill gas monitoring probes shall be installed for detection of gas migration. The type of probes and their location at the site is to be approved by the Division of Environmental Health and the Air Quality Management District.

5. All conditions of use permit 31-89 are to be met by the times specified in the use permit.

6. The working face of the cells shall not be larger than ½ acre in surface area. In this regard, the working face is identified as that surface area of waste materials which have not been compacted or covered. Wastes which have been compacted to 10^{-6} cm/sec. or covered with 6 inches of compacted soil would, therefore not be included in the working face calculations.

   Prior to the rainy season, a minimum of 6 inches of compacted cover material is to be placed over the wastes (excluding the active face). This amount will be increased to 12 inches of compacted cover material where the cover material is expected to remain for more than 180 days. More frequent placement of cover material will be required if deemed necessary by the Division of Environmental Health.

Prohibitions:

1. Standing water on fill surfaces. This shall be prevented by proper grading and placement of cover material. All contact water must be collected in the leachate system.

2. Disposal of wastes other than Class II and Class III wastes from Simpson Paper Company's Shasta Mill in Anderson. Disposal of hazardous waste is prohibited. The disposal of wastes containing less than 50% solids is also prohibited.

3. There is to be no placement of wastes at depths exceeding 40 feet below the natural surface of the ground.

Specifications:

1. Any change that would cause the design or operation of the facility not to conform to the terms or conditions of this permit is prohibited.

2. This facility has a permitted capacity of 40 tons per operating day and shall not operate above this amount without first obtaining a revision of this permit.

Provisions:

1. The operator has certified:

   a. Preparation of an initial cost estimate for closure and fifteen years of post closure maintenance.

   b. Establishment of a financial mechanism for closure and post closure maintenance in accordance with Title 14, California Code of Regulations (CCR) Section 18283.

   c. The funding of the financial mechanism in accordance with 14 CCR Section 18282.

2. All documentation relating to the preparation of the closure and post closure maintenance costs shall be retained by the operator and shall be available by inspection by the California Waste Management Board or the Shasta County Division of Environmental Health during normal working hours.

3. The operator shall submit to the Shasta County Division of Environmental Health copies of a plan for the closure of the landfill and a plan for the post closure maintenance of the landfill for approval by the Shasta County Divison of Environmental Health, Regional Water Quality Control Board, and the California Waste Management Board. These plans shall be submitted the first date after July 1, 1990 that the Solid Waste Facility Permit is required to be reviewed.

4. The facility closure plan shall include plans for the installation of a landfill gas removal system. If the type of system proposed requires the placement of components into the wastes, then plans for the landfill gas removal system are required now. Installation of a landfill gas removal system shall not proceed without the approval of the Shasta County Division of Environmental Health.

Self-Monitoring:

1. Quantities and types of waste received shall be reported to the Division of Environmental Health on a quarterly basis. This shall include sludge, dredgings, dregs, grits and sawdust materials.

2. The applicant shall evaluate, at five year intervals, the integrity of the composite liner. The evaluation shall be conducted by a Registered Civil Engineer or Engineering Geologist with expertise or experience in the operation of composite, clay and synthetic liners. The Registered Civil Engineer or Engineering Geologist shall submit to the Shasta County Division of Environmental Health by the end of each five year period, certification that the liners are performing as required by the Shasta County Health Department and Regional Water Quality Control Board. This evaluation may be based on data obtained from onsite lysimeters and groundwater monitoring wells.

   This information shall be submitted as part of the application for five year review.

3. The volume and percentage of capacity of each cell utilized, shall be reported to the Shasta County Division of Environmental Health on an annual basis.

4. Background levels of all environmental measurements required by the Regional Water Quality Control Board shall be obtained before the site is placed into use. These measurements are detailed by the Waste Discharge Requirements issued by the Regional Water Quality Control Board.

5. A copy of the environmental measurements required in the Waste Discharge Requirements (WDR) issued by the Regional Water Quality Control Board are to be submitted to the Division of Environmental Health. They shall be submitted quarterly.

6. The total volume of leachate and contact water (in gallons) removed from the leachate holding pond shall be reported quarterly to the Division of Environmental Health.

7. The operator shall notify the Shasta County Division of Environmental Health immediately when results of the monitoring program prescribed by the Regional Water Quality Control Board Waste Discharge Requirements exceed any of those levels established as background for the facility.

8. Number of Vehicles - This is to include truck loads into site and leachate loads out of the site. This is to be reported quarterly.

9. A log of special occurrences shall be maintained. The log shall list accidents, vandalism, illegal dumping, fires, damage to liner and any other special occurrences.

Additional Requirements or Prohibitions:

1. In addition to other signs required to be posted, a sign at the entrance to the facility shall be posted to warn users that no communication facilities are available at the site.

2. There shall be no operations during hours of darkness.

3. Personnel shall use safety equipment or clothing if determined necessary at a future date by the Division of Environmental Health. Currently there is no requirement for safety equipment or clothing.

Attachment #6

CALIFORNIA WASTE MANAGEMENT BOARD

Solid Waste Facility Determination of Conformance No. 89-17
Solid Waste Facilities Permit Decision No. 89-78

October 11 - 12, 1989

WHEREAS, the Board finds that Shasta County has filed a Notice of Proposed Facility to establish the Twin Bridges Landfill; and

WHEREAS, the Board finds that Shasta County has determined the project to be in conformance with the Shasta County Solid Waste Management Plan; and

WHEREAS, Shasta County has prepared and circulated an Environmental Impact Report for this project, in compliance with the California Environmental Quality Act; and

WHEREAS, the Board finds that the environmental document prepared for the project is adequate and appropriate for the Board's use; and

WHEREAS, the Board finds that the project does not comply with the four Board established criteria for a Determination of Conformance, in that no Waste Discharge Requirements have been issued for the site; and

WHEREAS, Shasta County, acting as Local Enforcement Agency, has submitted to the Board for its review and concurrence in, or objection to, the issuance of a Solid Waste Facilities Permit for the Twin Bridges Landfill; and

WHEREAS, Board staff has evaluated this new permit proposal for consistency with the Minimum Standards for Solid Waste Handling and Disposal Regulations under Division 7, Title 14 of the California Code of Regulations; and

WHEREAS, the Board finds the proposed permit is consistent with the Shasta CoSWMP and Shasta County General Plan; and

WHEREAS, the Board finds the proposed permit is not consistent with standards adopted by the Board; and

WHEREAS, the operator certification submitted by the proponent does not include an acceptable funding mechansim for closure; and

WHEREAS, Waste Discharge Requirements have not been issued by the Regional Water Quality Control Board.

NOW, THEREFORE, BE IT RESOLVED that the California Waste Management Board denies a Determination of Conformance for the Twin Bridges Landfill with the Shasta County Solid Waste Management Plan; and

BE IT FURTHER RESOLVED that the California Waste Management Board objects to the issuance of Solid Waste Facilities Permit No. 45-AA-0058.

CERTIFICATION

The undersigned Chief Executive Officer of the California Waste Management Board does hereby certify that the foregoing is a full, true and correct copy of a resolution duly and regularly adopted at a meeting of the California Waste Management Board held October 11 - 12, 1989.

Dated:

George T. Eowan
Chief Executive Officer

CALIFORNIA WASTE MANAGEMENT BOARD

AGENDA ITEM NO. 11

OCTOBER 11-12, 1989

Item:

Status Report on Operator Compliance with Board's Notice and Order 89-01, McCourtney Landfill, Nevada County

Key Issues:

- On May 3, 1989, the Board issued Notice and Order No. 89-1 to Nevada County to cleanup and abate problems at the McCourtney Landfill.
- The Order required Nevada County to implement certain corrective actions by October 1, 1989.
- The operator may miss the October 1, 1989 deadline by 15 days.
- The operator and LEA have been asked to present an update on compliance efforts at the landfill and to answer any questions the Board may have.

Facility Facts:

Facility Name:	McCourtney Landfill
Facility No.:	29-AA-0001
Location:	Nevada County
Owner:	Nevada County
Operator:	Nevada County Dept of Sanitation
LEA:	Nevada County Health Department
Acreage:	140 acres
Tonnage:	90 tons per day (Permitted)

Background

During the winter of 1988-89, significant amounts of leachate were discovered draining from the McCourtney Landfill into French Ravine Creek. This problem resulted from poor cover and grading operations, inadequate drainage controls and the use of unlined septage ponds.

On March 15, 1989, the Nevada County Health Department (LEA) issued a Notice and Order (attachment #1) to Nevada County Department of Transportation which is now the Department of Sanitation (operator) to halt discharges of leachate to French Ravine Creek. On May 3, 1989, when the landfill operator had failed to contain leachate on site, the Board issued a Notice and Order (No. 89-1) (attachment #2) in conjunction with a Complaint for Civil Penalties issued by the Attorney General's Office on May 5, 1989 (attachment #3).

Board Notice and Order No. 89-1 directed the operator to implement certain corrective actions to mitigate the leachate control problem. While some of these corrective actions are not due to be implemented until October 1, 1990, the majority were due to be completed by October 1, 1989. The purpose of this agenda item is to update the Board on the progress being made by the operator towards meeting the terms and conditions of the Board's Notice and Order. To this end, the operator and the LEA have been invited to address the Board on this issue.

Notice and Order No. 89-1:

Corrective actions to be implemented by October 1, 1989:

1. By May 31, 1989, document that a source of suitable intermediate cover material has been secured.

2. By June 30, 1989, prepare a comprehensive drainage and erosion control corrective action plan.

3. By June 30, 1989, prepare a comprehensive facility grading corrective action plan.

4. By August 1, 1989, prepare a comprehensive leachate monitoring, control, collection and disposal corrective action plan.

5. By August 1, 1989, submit a complete Solid Waste Facilities Application with a Periodic Site Review and Revised Report of Disposal Site Information.

6. By October 1, 1989, apply and compact a one foot layer of approved cover material to all areas of the landfill that have previously received waste.

7. By October 1, 1989, completely implement the drainage and erosion control corrective action plan as approved by the LEA and the Board.

8. By October 1, 1989, implement the grading corrective action plan as approved by the LEA and the Board.

9. By October 1, 1989, install any structures or backup systems which will be needed to prevent the off-site release of any leachate during the winter of 1989-90.

Corrective actions to be implemented by October 1, 1990:

1. By October 1, 1990, completely implement the leachate corrective action plan as approved by the LEA and the Board.

2. By October 1, 1990, all septage received at the site shall only be disposed of in lined ponds.

3. By October 1, 1990, all unlined ponds will be pumped dry and filled with clean fill material.

Abridged Chronology of Recent Events:

July 3, 1989
Operator submits report on Intermediate Cover: Soils, Sources, Test Results and Procurement Activities, Drainage and Erosion Control Plan, Drainage and Grading Plan and Solid Waste Assessment Test.

Operator initiates construction activities, including site grading, drainage and erosion control, leachate control system construction and application of intermediate cover.

August 8, 1989
Operator submits Set of Final Plans to Supplement Leachate Management System Report submitted on August 2, 1989.

August 9, 1989
Operator submits revised Report of Disposal Site Information.

August 15, 1989
Operator submits Periodic Site Review.

August 18, 1989
Central Valley RWQCB finds Leachate Management System Report submitted on August 2, 1989 to be inadequate due to lack of information regarding the extent of leachate production at the site and other basic hydrogeologic information (attachment #4).

August 22, 1989
Board raises questions about the landfill dike stability and adequacy of proposed leachate control systems among other issues (attachment #5).

August 24, 1989
Operator responds to Board's concerns regarding dike stability. Proposes to conduct field review of dike stability (attachment #6).

August 25, 1989
Board staff inspects the landfill in conjunction with the LEA. Operator is cited for five violations and seven areas of concern regarding compliance with State Minimum Standards (Attachment #7).

August 28, 1989
LEA holds meeting with operator and Board staff to discuss compliance efforts at the landfill. Operator assures LEA and Board staff that it is committed to meeting the terms and conditions of the Boards Notice and Order. Operator agrees that it may be more cost effective to buttress landfill dike rather than conduct further studies. Operator assures Board staff that no leachate will be allowed to drain off site. Operator agreed with Board staff that leachate management plans submitted to date were incomplete. Operator agrees that the 3.5 million gallons of treated leachate currently stored in lined leachate collection pond will be disposed at a sewage treatment plan prior to October 1, 1989. Board staff confirms commitments made by county at the meeting in a letter dated September 5, 1989 (attachment #8).

August 30, 1989
Operator proposes to the RWQCB that the treated leachate stored in lined leachate collection pond be used as construction water and dust control at the landfill rather than having it hauled to a sewage treatment plant. Proposed rate of use is 150,000 gallons a day (attachment #9).

September 8, 1989
LEA in consultation with the Central Valley RWQCB approves use of the treated leachate as construction water at the landfill under specified conditions (attachment #10).

September 13, 1989
LEA notifies operator that the Report of Disposal Site Information and Periodic Site Review submitted by the operator on August 9 and August 15, 1989 are incomplete (attachment #11).

September 14, 1989
Operator notifies the Board that it is spraying 205,000 gallons of treated leachate per day at the landfill as construction water and dust control. This is 55,000 gallons more per day than originally proposed (attachment #12).

Operator agrees that additional study may be needed before a complete leachate control program can be designed. Operator proposes that the study be conducted in 1990 (attachment #12). (Board Notice and Order No. 89-01 required the operator to complete such a study by August 1, 1989).

September 19, 1989
Board staff visit site after three inches of rainfall. Board ordered grading had been completed at the site and most of the required intermediate cover had been applied. Construction of the drainage and erosion control system was near completion and certain facets of the leachate and collection system had been constructed including five wells for dewatering the waste mass.

No treated leachate was being sprayed at the site due to saturated soils from the recent heavy rains. The site was in relatively good shape except that a significant amount of sediment had flowed off site into French Ravine Creek. No leachate was observed at the site.

September 19, 1989

RWQCB requests operator to address inadequacies of original Water SWAT report and submit completed SWAT report by April 1, 1990.

September 20, 1989
The LEA cites the operator for spraying treated leachate on Wolf Mountain Road and other areas not approved for leachate spraying. Some leachate runs off site in seasonal drainage ways (attachment #13).

September 27, 1989

Board staff reminds operator that allowing any leachate to migrate off site is a violation of State Minimum Standards and Board Notice and Order No. 89-01 (attachment #14).

Also, the operator informed Board staff that because of the recent heavy rains they may miss the October 1, 1989 Board deadline by 15 days.

September 29, 1989
The operator and LEA are formally invited to address the Board at its regular meeting in Sacramento on October 11-12, 1989 regarding compliance efforts at McCourtney Landfill.

Board Action:

Information item only. Staff has requested the operator and LEA be present at this meeting to outline the current status of compliance efforts at the site and to answer any questions the Board may have.

Attachments:

1. Notice and Order issued to the Nevada County Department of Transportation (operator) by the Nevada County Department of Environmental Health (LEA) on March 15, 1989.

2. Board Notice and Order No. 89-01 issued to the County of Nevada (owner and operator) on May 3, 1989.

3. Complaint for Civil Penalties filed in the Superior Court of the State of California, County of Nevada, People of California vs. the County of Nevada, May 5, 1989.

4. August 18, 1989 Central Valley RWQCB response to operator regarding inadequacies of the proposed Leachate Management System.

5. August 22, 1989 Board staff response to initial reports submitted by operator which raises the issue of dike stability and adequacy of leachate production and basic hydrologic information.

6. August 24, 1989 response from Nevada County (operator) responding to Board concerns regarding dike stability.

7. September 28, 1989 state inspection report documenting results of Board staff inspection of the McCourtney Landfill conducted on August 25, 1989.

8. September 5, 1989 Board staff response to meeting held by LEA with operator on August 28,1989.

9. August 30, 1989 proposal by operator to RWQCB to spray treated leachate as construction water at the landfill.

10. September 8, 1989 approval by LEA to allow operator to use treated leachate as construction water at the landfill.

11. September 13, 1989 notification from LEA to operator that the previously submitted Report of Disposal Site Information and Periodic Site Review are incomplete.

12. September 14, 1989 response from operator to Board staff letter of September 5, 1989.

13. September 19, 1989 RWQCB notification to submit a complete Water SWAT report by April 1, 1990.

14. September 20, 1989 citation from LEA to operator regarding the off-site migration of treated leachate due to leachate spraying in unauthorized areas.

15. September 27, 1989 Board staff reminder to operator that allowing any leachate to migrate off site is a violation of Notice and Order No. 89-01.

ATTACHMENT NO. 1

NEVADA COUNTY DEPARTMENT of ENVIRONMENTAL HEALTH

950 Maidu Ave.
P.O. Box 6100
Nevada City, CA 95959-6100
(916) 265-1452

10994 Donner Pass Road
P.O. Box 2693
Truckee, CA 95734-2693
(916) 587-2521

MAR 16 '89

March 15, 1989

COPIES:
GTG
HI
JJ
GK
DD
BO
OHW

Wes Zachary, Director
Nevada County Department of Transportation
P.O. Box 6100
Nevada City, CA 95959

RE: McCourtney Road Landfill
Site-Facility #29-AA-0001

The California Waste Management Board contacted this Department this date requesting/directing that we (as the Local Enforcement Agency-LEA) issue an additional Notice and Order to Cease and Desist from continuing to discharge leachate offsite from the above referenced Facility.

NEVADA COUNTY DEPARTMENT
OF
ENVIRONMENTAL HEALTH
LOCAL ENFORCEMENT AGENCY
P.O. Box 6100
Nevada City, CA 95959

NOTICE AND ORDER 089-01

Please take notice that the following conditions have been found to exist with regard to the above-named Facility:

1. An inspection was conducted of the landfill on March 1, 1989 with the finding that leachate was not being controlled onsite in a manner to protect the public health, welfare, or safety. (See the previous notice to immediately take whatever steps are necessary to contain the leachate on site contained in the correspondence to you dated March 2, 1989)

2. The sample results from testing of the drainage continuing offsite has revealed significantly elevated bacteriological contamination.

3. Follow-up inspections including that performed on March 14, 1989 revealed that the leachate is not fully contained on the property and continues to cause or threaten to cause a condition of hazard, pollution, or nuisance constituting an emergency requiring immediate action to protect the public health, welfare, or safety.

DECLARATION

I, Tracy Gidel, declare under penalty of perjury that the following is true and correct:

1. I am duly employed as an Environmental Health Specialist III of the Nevada County Department of Environmental Health.

2. The allegations of the foregoing Notice and Order are known by my personal knowledge to be true and correct. This knowledge was obtained by:

   a. Site investigations on March 1, 1989 and March 14, 1989.

   b. Review of records on file at the Nevada County Department of Environmental Health.

Executed at 950 Maidu Lane, Nevada City, California 95959 on March at, 1989.

Tracy Gidel 3-15-89

Tracy Gidel
Environmental Health Specialist III

BEFORE THE

CALIFORNIA WASTE MANAGEMENT BOARD

In the Matter of IMPROPER OPERATION OF THE MCCOURTNEY LANDFILL, FACILITY NO. 29-AA-0001, IN THE COUNTY OF NEVADA	NOTICE AND ORDER NO. 89-01 (GOVERNMENT CODE SECTION 66796.50 *et seq.*)

TO: Gene Albaugh, County Administrative Officer, County of Nevada, (operator and landowner of McCourtney Landfill), P.O. Box 6100, Nevada City, California 95959.

WHEREAS the McCourtney Landfill, Site Facility No. 29-AA-0001, which is located approximately six miles southwest of Grass Valley in Nevada County, more particularly in the following areas:

> Assessors Parcels 25-120-12; 25-130-08, 46 and 47. Active landfill site located in section 8, with buffer zones located in sections 5 and 9, T15, N, R8E, MDB&M, (see ATTACHMENT A),

has a history of violations of Government Code section 66770, as codified in Title 14, California Code of Regulations (CCR), Division 7,

Chapter 3, sections 17616, 17637, 17656, 17658, 17681, 17682, 17684, 17688, 17690, 17704, 17707, 17709, 17710 and 17742, which were identified during inspections in August 1988 and March 1989, and

WHEREAS the violations included the failure to provide suitable intermediate cover, the failure to control leachate from leaving the site, and health and safety concerns related to the acceptance of septage at the site, and

WHEREAS on March 15, 1989, the Local Enforcement Agency, under the direction of the California Waste Management Board (Board), issued (Nevada County) Notice and Order No. 89-01 ordering the operator to clean up and abate the effects of the conditions at the landfill which constituted a violation of Title 14, California Code of Regulations (CCR), section 17704, and

WHEREAS on March 24, 1989, leachate was found to be leaving the site in violation of Notice and Order No. 89-01 by the Local Enforcement Agency, and the facility continues to be in violation of the requirements of Title 14, California Code of Regulations (CCR), Division 7, Chapter 3, <u>et seq.</u>,

YOU ARE THEREFORE ORDERED:

To implement the following actions by the designated dates:

1. **Intermediate Cover**

By <u>May 31, 1989</u>, the County shall submit documentation to the LEA and the Board that a reliable source of intermediate cover material has been secured in sufficient volume to apply a compacted one-foot layer over the entire landfill area which has received waste. When compacted, this cover material shall attain a permeability of 1×10^{-6} cm./sec. or less. Permeability shall be determined by appropriate field test methods in accordance with accepted civil engineering

practice. The plan shall include a Quality Assurance and Quality Control program for meeting the specified permeabilities as well as depth and a time schedule for applying the cover. The plan shall also include all calculations and test results. The Board may consider the use of a more permeable intermediate cover material if a specific and detailed justification is received on or before May 31, 1989.

By October 1, 1989, the County shall apply and compact a one foot layer of approved intermediate cover to all areas of the landfill that have previously received waste. In subsequent years, all areas of the landfill which have received waste shall have at least one foot of this compacted intermediate cover material in place prior to October 1 of that year, when the rainy season is deemed to commence.

2. Drainage and Erosion Control

By June 30, 1989, the County shall prepare a comprehensive facility drainage and erosion control corrective action plan and submit it to the LEA and the Board for approval. All drainage and erosion control structures shall be built to accommodate a 100-year storm event. The plan shall include all calculations and figures. At a minimum, the plan shall address the following issues:

1. The interception and routing of all surface drainage up gradient and peripheral to the landfilled waste.

2. The collection and routing of all surface drainage on landfilled waste.

3. Any necessary erosion control including structures or programs to control rill erosion and sedimentation and to provide energy dissipation.

4. A comprehensive plan for wet weather disposal activities designed to minimize the size of the active face during inclement

weather. The plan shall contain site-specific plans for the winter of 1989-90.

By October 1, 1989, the County shall completely implement the approved drainage and erosion control corrective action plan.

3. Grading of Fill Surfaces

By June 30, 1989, the County shall prepare a comprehensive facility grading corrective action plan and submit it to the LEA and the Board for approval. The plan shall be based on an engineering survey of the landfill which identifies all areas not graded to at least a three percent grade. The plan shall identify specific remedial action that will be taken to bring all landfill surfaces to a smooth grade of not less than three percent.

By October 1, 1989, the County shall implement the approved grading corrective action plan.

4. Leachate Control

By August 1, 1989, the County shall prepare a comprehensive leachate monitoring, control, collection and disposal corrective action plan and submit it to the LEA and the Board for approval. The plan shall be based on a thorough analysis of leachate generation in the landfill, its migration, its chemical properties and constituents, and a complete hydrological survey identifying the groundwater gradient and migration of any contaminants. The plan shall address all mitigation measures that will be implemented to prevent further discharges of leachate into the off-site environment and proper handling of leachate retained on site, including adequate odor control. The facts, figures and calculations used to develop each aspect of the action plan shall be included in the plan and may incorporate the benefits of other corrective actions required by this Order.

The plan shall also identify any structures or backup systems such as secondary containment, which may be needed during the winter of 1989-90 to prevent <u>any</u> leachate or leachate contaminated surface drainage from being released to the off-site environment. <u>Any</u> leachate or leachate contaminated surface drainage collected shall be stored in a lined pond that meets the criteria outlined in Title 23, California Code of Regulations (CCR), Chapter 3, Subchapter 15, sections 2541 and 2542. The plan shall also verify that provisions have been made to have all leachate and leachate contaminated surface drainage that cannot be stored in lined ponds hauled to and disposed of at a facility permitted to accept and process this waste. At no time is leachate or leachate contaminated surface drainage to be placed in any septage pond.

By <u>October 1, 1989</u>, the County shall install any structures or backup systems, such as secondary containment which will be needed to prevent the off-site release of any leachate during the winter of 1989-90.

By <u>October 1, 1990</u>, the County shall completely implement the leachate corrective action plan as approved by the LEA and the Board.

8. Permit Review

By <u>August 1, 1989</u>, the County shall file a <u>complete</u> solid waste facilities permit application with the local enforcement agency (LEA) to initiate the permit review process. The application shall include a recently updated Report of Disposal Site Information (RDSI) and all other information as outlined in the California Waste Management Board (Board) guidelines of April 1989 entitled "The Permit Review." In addition, the application shall include a <u>completed</u> Periodic Site Review (Engineering Review) as outlined below. The date

allows the County a two month extension past the June 10, 1989 deadline for submission of this review.

Periodic Site Review

By August 1, 1989, the County shall complete and submit to the LEA and the Board a Periodic Site Review (Engineering Review) as described in Title 14, California Code of Regulations (CCR), section 17751 - Periodic Site Review, outlined in the Board guidelines of April 1989 entitled, "The Periodic Site Review".

The Periodic Site Review may include by reference any of the corrective action plans also required by this Order.

6. Septage and Septage Ponds

By October 1, 1990, all septage received at the site shall be disposed of only in lined ponds which meet the criteria outlined in Title 23, California Code of Regulations (CCR), Chapter 3, Subchapter 15, sections 2541 and 2542.

By October 1, 1990, all unlined ponds at the site shall be pumped dry and the contents shall be deposited in a lined pond or at another waste management facility permitted to accept and process septage.

By October 1, 1990, all drained unlined ponds shall be filled and brought to grade with clean fill material (not garbage).

PLEASE TAKE FURTHER NOTICE that this agency on or after the dates specified in this Order:

1. May petition the Superior Court for an injunction to enforce the provisions of this Order and enjoin you from maintaining the conditions and/or continuing the unpermitted activity specified. Should such an injunction be granted, its violation may be punishable

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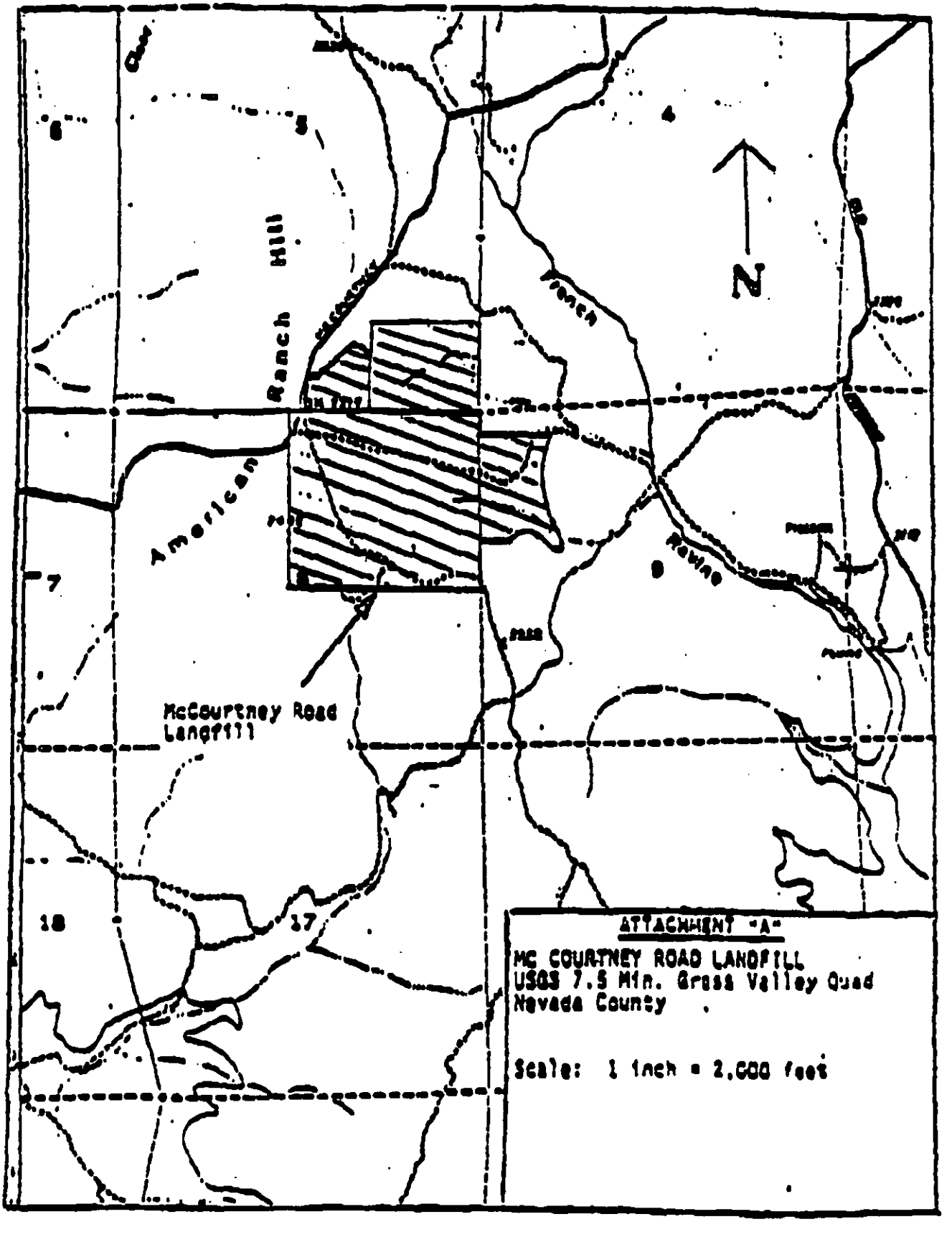
as contempt of court. Government Code sections 66796.691 and 66796.692.

2. May bring an action in the Superior Court to impose upon you civil penalties in an amount not to exceed $1,000.00 per day for each day on which the specified activities have not been accomplished following the designated dates set for their completion.

DATED: May 3, 1989

By: George T. Bowan

GEORGE T. BOWAN
Chief Executive Officer
California Waste Management Board


Ranch Hill
American
McCourtney Road
Landfill
N
ATTACHMENT "A"
MC COURTNEY ROAD LANDFILL
USGS 7.5 Min. Grass Valley Quad
Nevada County
Scale: 1 inch = 2,000 feet

DECLARATION OF SERVICE BY MAIL

Re: McCourtney Landfill Facility No. 29-AA-0001 No. 89-01 (NOTICE AND ORDER)

I am over 18 years of age, and not a party to the within cause; my business address is 1020 Ninth Street, Suite 300, Sacramento, California 95814; I served a copy of the attached.

NOTICE AND ORDER NO. 89-01 (Government Code Section 66796.50 et seq.)

on each of the following, by placing same in an envelope(s) addressed as follows:

CERTIFIED NO. P 480 974 989	Regular Mail
Gene Albaugh County Administrative Officer County of Nevada 950 Maidu Avenue Nevada City, CA 95959	Gene Albaugh County Administrative Officer County of Nevada P. O. Box 6100 Nevada City, CA 95959

Each said envelope was then, on May 4, 1989, sealed and deposited in the United States Mail at Sacramento, California, the county in which I am employed, with the postage thereon fully prepaid.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 4th day of May, at Sacramento, California.

Gaby L. Houston

GABY L. HOUSTON
Declarant

ATTACHMENT NO. 3

JOHN K. VAN DE KAMP, Attorney General
of the State of California
R. H. CONNETT
Assistant Attorney General
EDNA WALZ
Deputy Attorney General
1515 K Street, Suite 511
P.O. Box 944255
Sacramento, California 94244-2550
Telephone: (916) 324-5366

Attorneys for State of California

SESSIE PASCOE

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF NEVADA

PEOPLE OF THE STATE OF CALIFORNIA Plaintiff, v. THE COUNTY OF NEVADA, Defendant.	No. 40027 COMPLAINT FOR CIVIL PENALTIES Govt. Code §66796.51

Plaintiff alleges as follows:

1. This action is brought by the People of the State of California acting through the California Waste Management Board (hereinafter "the Board"). The Board is a public agency of the State of California, duly created, organized and existing pursuant to law. The Board is charged by law with enforcing the provisions of Title 7.3 of the Government Code (commencing with §66700) governing solid waste management and resource recovery.

2. The County of Nevada is a political subdivision of the State of California. The County of Nevada, through its Department of Transportation, maintains and manages the

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McCourtney Road Landfill, located approximately six miles southwest of Grass Valley in Nevada County.

3. Pursuant to its statutory authority, the Board has established minimum standards for management of solid waste disposal facilities. These minimum standards and other pertinent regulations adopted by the Board are contained in Title 14 of the California Code of Regulations starting at section 17601. Section 17704 of the minimum standards for disposal site controls provides as follows:

> "The operator shall take adequate steps to monitor, collect, treat and effectively dispose of leachates."

4. Government Code Section 66796.51, subparagraph (a), provides in pertinent part that any person who intentionally or negligently violates any standard adopted by the Board for storage of solid wastes shall be subject to a civil penalty not to exceed one thousand dollars ($1,000) for each day such violation or operation occurs.

5. The County of Nevada has intentionally or negligently violated section 17704 of Title 14 of the California Code of Regulations by permitting leachate to escape uncontrolled from the McCourtney Road Landfill. Such leachate has flowed down Frenchman's Ravine and into Wolf Creek.

6. By virtue of said violation, the County of Nevada has become liable for civil penalties in an amount up to one thousand dollars ($1000) for each day on which it permitted such leachate to escape uncontrolled from The McCourtney Road Landfill.

7. On March 15, 1989, the Nevada County Department of Environmental Health, which is the agency designated by the Nevada County Board of Supervisors and approved by the Waste Management Board (pursuant to Government Code section 66796) as the local agency for enforcing the Government Code Provisions and the Waste Management Board regulations for all waste disposal facilities in Nevada County, issued a notice and order to the County's Department of Transportation. This Notice and Order #89-01 notified the Nevada County Department of Transportation that an inspection had found the McCourtney Road Landfill in violation of section 17704 for permitting leachate to escape uncontrolled from the site. It further notified the Department of Transportation that a civil action seeking penalties in an amount up to one thousand dollars ($1000) per day might be brought. A copy of Notice and Order #89-01 is attached as Exhibit A hereto and incorporated by reference herein.

8. The Nevada County Department of Environmental Health has failed to bring a court action to recover the amounts provided for in Government Code section 66796.51, Subpara. (a). Accordingly, the Board has informed the Nevada County Department of Environmental Health, pursuant to Subparagraph (b) of Government Code section 66796.51, that it would be requesting the Attorney General to bring this action.

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WHEREFORE, the People pray for judgment against the County of Nevada as follows:

1. For $1000.00 per day for each day on which, according to proof, the violations of section 17704 of Title 14 of the California Code of Regulations continued, to be paid as follows:

a. One-half to be paid to the State of California.

b. One-half to be paid into a trust account administered by the County of Nevada and to be used only for the purposes of leachate control through projects approved by the court.

2. For costs of suit incurred herein.

3. For such other and further relief as the Court deems just and proper.

DATED: 5-5-89

JOHN K. VAN DE KAMP, Attorney General of the State of California
R. H. CONNETT
Assistant Attorney General

EDNA WALZ
Deputy Attorney General

Attorneys for California Waste Management Board

EXHIBIT A

(1)

NEVADA COUNTY DEPARTMENT of ENVIRONMENTAL HEALTH

950 Maidu Ave.
P.O. Box 6100
Nevada City, CA 95959-6100
(916) 265-1452

10994 Donner Pass Road
P.O. Box 2693
Truckee, CA 95734-2693
(916) 587-2521

MAR 16 '89

March 15, 1989

COPIES:
GTG
HI
JJ
GK
DD
BO
ORIGINAL TO FA

Wes Zachary, Director
Nevada County Department of Transportation
P.O. Box 6100
Nevada City, CA 95959

RE: McCourtney Road Landfill
Site-Facility #29-AA-0001

The California Waste Management Board contacted this Department this date requesting/directing that we (as the Local Enforcement Agency-LEA) issue an additional Notice and Order to Cease and Desist from continuing to discharge leachate offsite from the above referenced Facility.

NEVADA COUNTY DEPARTMENT
OF
ENVIRONMENTAL HEALTH
LOCAL ENFORCEMENT AGENCY
P.O. Box 6100
Nevada City, CA 95959

NOTICE AND ORDER 089-01

Please take notice that the following conditions have been found to exist with regard to the above-named Facility:

1. An inspection was conducted of the landfill on March 1, 1989 with the finding that leachate was not being controlled onsite in a manner to protect the public health, welfare, or safety. (See the previous notice to immediately take whatever steps are necessary to contain the leachate on site contained in the correspondence to you dated March 2, 1989)

2. The sample results from testing of the drainage continuing offsite has revealed significantly elevated bacteriological contamination.

3. Follow-up inspections including that performed on March 14, 1989 revealed that the leachate is not fully contained on the property and continues to cause or threaten to cause a condition of hazard, pollution, or nuisance constituting an emergency requiring immediate action to protect the public health, welfare, or safety.

DECLARATION

I, Tracy Gidel, declare under penalty of perjury that the following is true and correct:

1. I am duly employed as an Environmental Health Specialist III of the Nevada County Department of Environmental Health.

2. The allegations of the foregoing Notice and Order are known by my personal knowledge to be true and correct. This knowledge was obtained by:

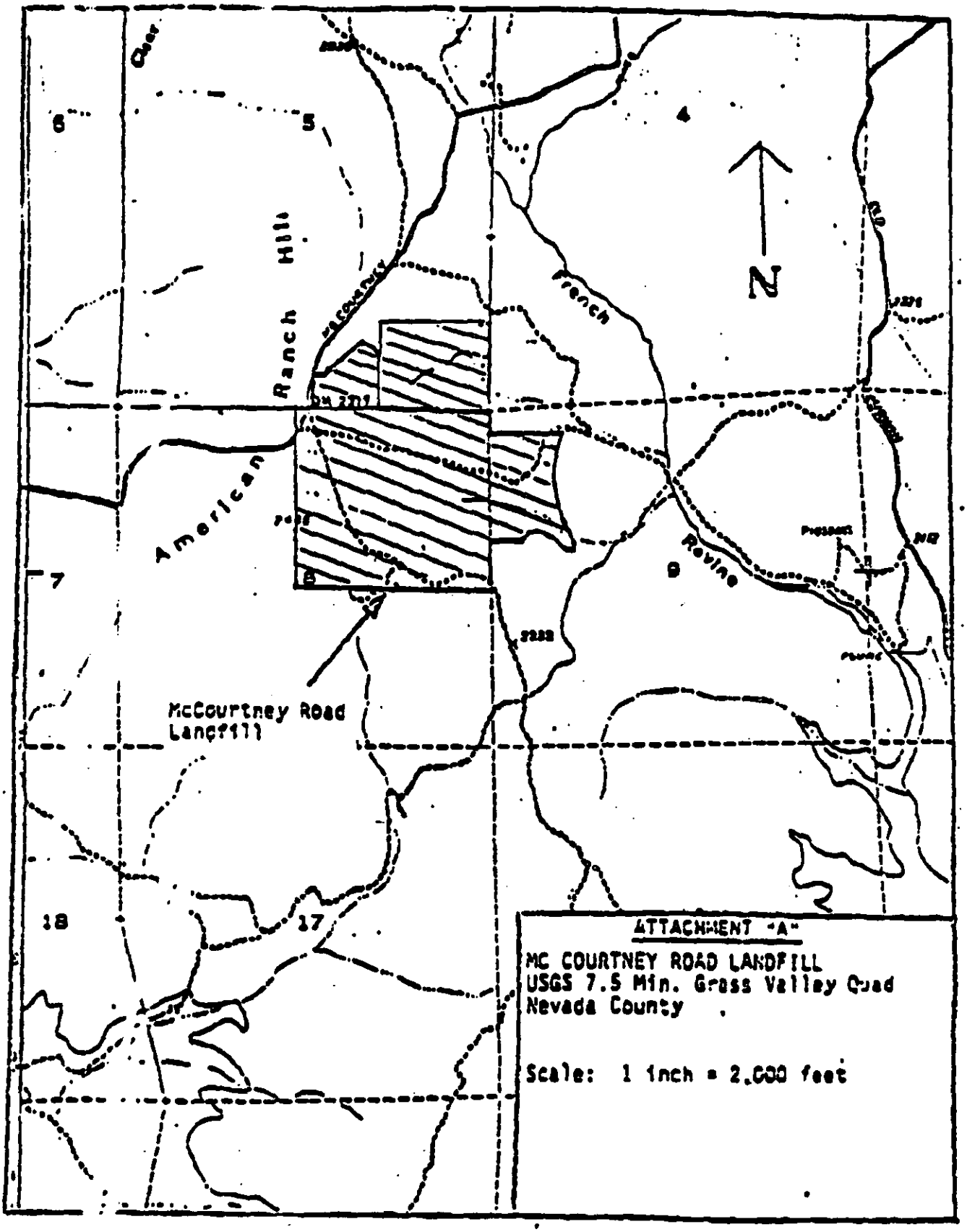
   a. Site investigations on March 1, 1989 and March 14, 1989.

   b. Review of records on file at the Nevada County Department of Environmental Health.

Executed at 950 Maidu Lane, Nevada City, California 95959 on March 15, 1989.

Tracy Gidel 3-15-89

Tracy Gidel
Environmental Health Specialist III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Ranch Hill
American
French
Ravine
N
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McCourtney Road
Landfill
18
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ATTACHMENT "A"
MC COURTNEY ROAD LANDFILL
USGS 7.5 Min. Grass Valley Quad
Nevada County
Scale: 1 inch = 2,000 feet

ATTACHMENT NO. 4

STATE OF CALIFORNIA

GEORGE DEUKMEJIAN, Governor

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD—
CENTRAL VALLEY REGION
3443 R[illegible]IER ROAD
SACRA[illegible]NTO, CA 95827-3098

AUG 22 1989

18 August 1989

BM|JB|LR

Mr. Doug Farrell
Nevada County Sanitation District
960 Maidu
Nevada City, CA 95959

LEACHATE MANAGEMENT SYSTEM REPORT, MC COURTNEY ROAD LANDFILL, NEVADA COUNTY - CASE #2120

The enclosed memorandum summarizes our comments and concerns with the 1 August 1989 Leachate Management Report submitted by Resource Management International. The memorandum documents the inadequacy of the report and the measures we feel are necessary to implement an acceptable leachate management program. We cannot approve the proposed leachate collection system until you have addressed our concerns.

Additional work is needed to complete the leachate report and the hydrological survey. By 15 September 1989, you are required to submit a report describing how you will obtain the additional information. The report must include a time schedule for completing both reports.

Should you have any questions, you may contact Michael Waggoner at (916) 361-5660.

Wendy L. Cohen

WENDY L. COHEN
Senior Engineer

MGW:gs

Enclosure

cc: Mr. John Bell, California Waste Management Board, Sacramento
Mr. Thomas Unsell, Nevada County Department of Environmental Health, Nevada City
Mr. John Boss, Resource Management International, Sacramento

MEMORANDUM

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD - CENTRAL VALLEY REGION

3443 Routier Road
Sacramento, CA 95827-3098

Phone: (916) 361-5600
ATSS Phone: 8-495-5600

WLC

TO: Wendy L. Cohen, Sr. Engr.
Files: McCourtney Road Landfill

FROM: Michael Waggoner
Area Engineer

DATE: 18 August 1989

SIGNATURE: Michael Waggoner

SUBJECT: LEACHATE MANAGEMENT SYSTEM REPORT, MC COURTNEY ROAD LANDFILL, NEVADA COUNTY

I have reviewed the 1 August 1989 report prepared by Resource Management International (RMI), entitled "Leachate Management System Report for Nevada County McCourtney Road Landfill". The report was prepared in response to our 27 April 1989 letter which required the Nevada County Sanitation Department (NCSD) to address leachate production in the landfill, submit a mass balance of all liquids or moisture in the landfill, evaluate the entire leachate collection and removal system, and contain plans for developing an integrated corrective action program. The letter also required the NCSD to submit a complete hydrological survey, identify any springs or seeps, and document the migration of all potential contaminants. This latter information is necessary to supplement the Solid Waste Assessment Test (SWAT) report.

RMI's report does not characterize the extent of all leachate production in the landfill. RMI utilized the Hydrologic Evaluation of Landfill Performance (HELP) model for determining the volume of leachate produced from infiltration through the interim cap and the wet weather active area (incorporating the planned interim cap improvements and lateral expansion of the landfill), but did not evaluate subsurface leachate production. The volume of leachate accumulated in the landfill (behind the dike) is still unknown.

RMI subcontracted the review of the existing hydrogeology and ground water monitoring system to Hydro-Search Inc. (HSI). RMI apparently assumed that review of the SWAT report and earlier data would allow completion of this task. However, HSI concluded that since information contained in the SWAT was insufficient, they could not complete an adequate interpretation by the 1 August 1989 deadline for the leachate report. HSI made several recommendations for obtaining the necessary data.

Additional work is needed to complete the leachate report. The NCSD is responsible for providing us with the information specified in our 27 April 1989 letter and for completing the SWAT report. At this time, I can only provide specific comments on the information provided by RMI's report and the final drawings.

RMI's leachate collection proposal consists of two systems. An interconnected trench system is proposed for diverting leachate from an elevation of 2,220 feet and above to a new pump station situated near the existing concrete leachate collection box, near the toe of the landfill. The second proposed system relies upon passive dewatering of accumulated leachate mounds whenever a significant pressure head develops behind the landfill dike.

Interconnected Leachate Collection Trench System

RMI proposes to install approximately 15,000 lineal feet of interconnected collection trenches below the intermediate clay cover. The proposed trench system is designed to intercept and divert leachate that migrates laterally to the sides of the landfill to a collector system which will be installed near the toe of the landfill. Trenches filled with gravel (one foot deep and spaced at approximate 100-foot intervals) will be installed slanting down the side slopes of the landfill. Larger lateral drains will be installed along the face to intercept drainage from these trenches. The lateral drains will tie into interceptor trenches (three feet deep, containing drain gravel and six-inch diameter slotted PVC pipe). The interceptor trenches will drain into a single collection manhole situated near the southeast corner of the existing refuse containment dike. A six-inch diameter PVC gravity drain will be installed to transport leachate from the manhole to the new pump station. The proposed trench system is designed to accommodate a peak flow of 60 gpm, based on assumptions used in the HELP model. Below are my specific comments on the trench system:

1. RMI provided a printout of the assumptions and calculations used in the HELP model. It appears most of their assumptions are conservative since they assumed saturated conditions. However, RMI did not justify how other parameters (porosity, field capacity, wilting point, initial soil water content, saturated hydraulic conductivity, general simulation data, and climatological data) were derived. RMI also does not discuss how they determined the peak leachate flow (60 gpm) for the proposed trench system from the data generated from the model.

   The HELP model estimates the volume of infiltration (from rainfall) through the garbage mass, incorporating five representative layers. RMI's selected saturated hydraulic conductivities for layers four and five may not be representative of actual conditions. Since the drain rock in layer four is most likely plugged, the selected permeability (1×10^{-2} cm/s) may be too high. The county has indicated that subsurface leachate drainage to the existing concrete leachate collection box is minimal year round. Since the base of the landfill contains numerous fractures, rather than a continuous bedrock layer, the actual permeability for this layer is most likely higher than 1×10^{-10} cm/s. RMI must confirm whether these assumptions are conservative and describe how they will affect the outcome of the data generated from the model.

   The HELP model did not account for vertical expansion of the landfill mass. The 1986 Mundhir Eljumailey Associates site operations and closeout plan shows the finished grade (by the year 2005) will be approximately 100 feet above the interim cap to be constructed this fall (maximum elevation of finished grade 2,364 feet, current maximum elevation approximately 2,275 feet). The county must distinguish how the trench system will be used as the landfill expands vertically before we will approve their proposed design.

2. During my 20 July 1989 meeting with RMI and county officials, I expressed concern about the proximity of leachate collection trench 4 to an adjacent surface water drainage ditch. The ditch and trench are separated by a filter fabric and 18 inches of clay. The flow line in the drainage ditch is approximately eight inches above the leachate drainage pipe (measured from the bottom of the rip-rap to the top of the perforated trench pipe). Therefore, it is more likely that water from the drainage ditch will flow to the leachate collection trench than vice versa, but both situations are possible if there is insufficient separation between the two systems. If the bottom of the drainage ditch is lined with a high density polyethylene liner, in addition to the clay, the surface water monitoring frequency could be reduced. We normally recommend a minimum HDPE thickness of 40 mils.

3. We agree the drain rock used in the leachate trenches should conform to the State of California Department of Transportation Standard Specifications (i.e. Section 68-1.025, July 1984 edition). However, the county must still specify the selected material.

4. We agree that all surface runoff from the winter active landfill face should be considered leachate. RMI states that runoff in winter areas should be held in a small siltation basin prior to discharge to the leachate collection system and that additional leachate collection drains will be provided as necessary. However, RMI did not provide any details for the basin or how leachate from the active area will be tied into the leachate trench system. The final as-built drawings must show how this will be accomplished.

Leachate Dewatering Program

RMI proposes to install five dewatering wells in and around the landfill mass and recommends that water levels in the wells be monitored monthly to detect a significant leachate mound. Dewatering would be initiated whenever the mound threatens to impair the structural integrity of the landfill dike. RMI expects periodic pumping of these wells will be necessary. Below are my specific comments on the proposed program.

1. RMI does not state whether monthly water level measurements in the proposed wells will enable them to make a complete hydrologic evaluation of leachate production in the landfill. Discharge Specification B.22 in Waste Discharge Requirements (WDRs) Order No. 87-189 required the County to install means to accurately measure leachate production from the landfill by 31 December 1987, but this has not been done. If water level measurements in the proposed wells will not provide the county with enough data to accurately measure leachate production, then they must evaluate alternative means for doing so. Modifying the proposed well locations may provide more useful information. Another alternative would be to implement a more active dewatering program. An extended pump test could provide useful information for determining leachate production below 2,220 feet.

2. Discharge Specification B.21 of Order No. 87-189 requires the county to cease discharging sludges and other high-moisture wastes to the landfill if leachate generation exceeds 7.7 gpm (330,000 gallons per month). In 1987 the County estimated that five gpm of leachate were produced at the site. I am concerned that actual leachate production significantly exceeds 7.7 gpm. Approximately 5 gpm of "spring water" is discharged to the existing leachate collection box year round via a eight-inch diameter steel pipe. This water is also treated as leachate since previous chemical analyses showed it was significantly contaminated. The existing leachate collection box also receives a trickle of leachate from a six-inch diameter steel pipe, originally designed to remove leachate accumulated behind the landfill dike.

   Data from an extended pump test would help determine whether the county should continue to accept sludge at the landfill. Sludge currently accepted at the landfill typically has a 30% solids content, but the WDRs require a solids content of at least 50% by 1992. In the meantime, the county should consider measures (such as sludge drying beds) to reduce moisture in the garbage mass if sludge will continue to be accepted.

3. The proposed dewatering operation appears to be designed to prevent structural impairment of the landfill dike rather than to actively remove leachate. Since there is little or no separation between the existing garbage mass and ground water, it is important that the county take measures to remove leachate before it reaches ground water. Discharge Prohibition A.1 of Order No. 87-189 specifically prohibits the discharge of liquid waste or leachate to ground water. I agree that periodic pumping of the dewatering wells will reduce the hydraulic pressure on the underlying "soils" but we need a more specific proposal for actively removing leachate. Without dewatering, the county does not have the capability to remove leachate between 2,220 feet and the base of the landfill (approximately 2,170 feet). Since the base of the landfill is in a highly fractured environment, the County will need to justify that their dewatering program will prevent significant leachate migration through the fractures.

4. We need to know what drilling methods will be used for installing these wells. Core samples near the base of the landfill would provide valuable information for assessing transmissive properties of the underlying materials if it is possible to obtain them without contaminating ground water.

5. The well construction details show the wells will be screened to the bottom of the refuse, but specify a variable screened interval. RMI needs to verify whether all of the wells will be screened to the landfill base. RMI will also need to specify whether the casing will be stainless steel (as shown in the details) or PVC pipe (as shown in the specifications).

6. At least one of the proposed wells should be incorporated into the monitoring program since leachate characteristics near the base of the landfill will be useful for assessing the threat to ground water. The report does not provide any information for the dewatering pumps. If submersible pumps are to be installed in these wells, the county will need to assure us that representative samples (especially for VOCs) can be obtained.

7. Leachate dewatering and collection capabilities were omitted. The report does not indicate how dewatered leachate will be collected and incorporated into the overall leachate collection system. This information is needed before we can approve dewatering.

Leachate Disposal

The interconnected leachate trench system can easily accommodate 60 gpm, and additional leachate will be generated from dewatering. The proposed pump station is designed to pump approximately 80 gpm of leachate to the 5.2 million gallon Class II surface impoundment (design head of 128 feet). However, we have no assurances the County will be able to properly contain and/or dispose of leachate collected for an extended period. An accompanying mass balance is definitely needed to assess whether additional storage and/or treatment facilities are needed. RMI indicated in the report that the county is exploring the possibility of implementing (by the summer of 1990) the on-site spray irrigation alternative recommended by Black and Veatch. However, we have no assurances that they will be able to properly contain leachate during the upcoming wet season.

Discharge Specification B.9 of Order No. 87-189 requires leachate and collection removal systems to be designed, constructed, and maintained to collect twice the anticipated daily volume of leachate generated by the waste management unit. The liquid mass balance must address this requirement.

Pump Station

The proposed pump station will be situated near the existing concrete leachate collection sump, near the toe of the landfill. The existing leachate collection sump will remain in place since RMI is concerned any excavation activities would disturb the toe of the landfill. Approximately 5 gpm of leachate collected in the existing box will also be diverted to the new pump station. Two submersible 40-gpm heavy duty non-clog type sewage pumps (design head 128 feet) will be available for pumping leachate to the Class II surface impoundment. The pump station will be connected to an existing six-inch diameter ductile iron force main which can accommodate 1,000 gpm. Below are my specific comments on the proposed pump station:

1. The proposed pump station has a total wet well capacity of approximately 4,500 gallons. Approximately 3,100 gallons can be contained before overflow to the emergency tanks would commence (assuming a vertical scale of 1 inch = 1 foot and accounting for the elevation of the emergency overflow pipe). The pump station details indicate any potential overflows would be diverted to two emergency tanks. However, the report and drawings do not provide any information for the emergency tanks or piping configuration. It appears the emergency tanks will have a combined storage capacity of 9,000 gallons. Since the pump station is close to the splash basin, it is important to provide adequate secondary containment features. This information should be submitted before the pump station is completed.

2. The drawing shows a free standing control panel and a bubbler tube will be used to activate pumping. An alarm light is also shown. We need assurances that someone from the NCSD will be notified and available to take action should the alarm be activated. It is unclear whether the bubbler tube and sensing equipment will be adequate for accurately measuring water levels in the wet well.

3. Discharge Specification B.24 of Order No. 87-189 specifies that any direct-line discharge to the surface impoundment shall have fail-safe equipment or operating procedures to prevent overfilling. The county has not yet provided us with this information.

4. We agree that the swing check valves should be installed as a safety measure. The county has indicated that the six-inch force main drains into the surface impoundment approximately three feet below the top of the dike but they have not provided us with engineered drawings to confirm this.

5. RMI should provide additional details for the three-way plug valve to verify that the valve will not restrict flow from the pumps to the six-inch force main when both pumps are activated. RMI should also provide us with the pump characteristic curves for the selected pumps.

6. RMI did not specify where the dewatered leachate will be diverted. If it will also be diverted to the pump station, then provisions for increased pumping operations are necessary.

7. The county will need to develop a contingency plan for dealing with power outages and/or interruptions. Adequate standby power and backup pumping equipment should be available at the site.

Hydrological Review

I agree with several of the observations and recommendations made by HSI. However, since their comments concerned the SWAT report and ground water monitoring program (rather than leachate production), I will address them when I provide my comments on the revised June 1989 SWAT report.

STATE OF CALIFORNIA

CALIFORNIA WASTE MANAGEMENT BOARD
1020 NINTH STREET, SUITE 300
SACRAMENTO, CALIFORNIA 95814

AUG 22 1989

Mr. Clay Castleberry, Director
Nevada County Department of Sanitation
P.O. Box 6100
Nevada City, CA 95959

Re: McCourtney Road Landfill, Facility No. 29-AA-0001

Dear Mr. Castleberry:

On May 3, 1989, the California Waste Management Board (Board) issued Notice and Order No. 89-01 to Nevada County regarding deficiencies at the county operated McCourtney Road Landfill. On Monday August 28, 1989, a meeting will be held at your offices to discuss the county's progress towards meeting the terms and conditions of the Board's order.

In hopes of making this meeting as productive as possible, I am taking this opportunity to present our major questions and concerns which remain after reviewing your compliance efforts to date and the following documents:

1. Intermediate Cover of Soils, Sources, Test Results and Procurement Activities; Received July 3, 1989.

2. Drainage and Erosion Control Plan; Received July 3, 1989.

3. Drainage and Grading Plan; Received July 3, 1989.

4. Water Solid Waste Assessment Test; July 3, 1989.

5. Draft Preliminary Leachate Management System Report; Received August 2, 1989.

6. Set of Final Plans to Supplement Earlier Reports; Received August 8, 1989.

7. Report of Disposal Site Information; Received August 9, 1989.

8. Periodic Site Review; Received August 15, 1989.

Questions and Concerns

1. Appendix A of the Periodic Site Review suggests that the landfill dike is unstable under dynamic conditions and theoretically unstable under static conditions. What is your program for determining the stability of the dike and devising remedial measures? What safety measures are being implemented until the stability of the dike can be assured?

2. Notice and Order No 89-01 required that you identify any structures or backup leachate control systems which may be needed during the winter of 1989-90 to prevent <u>any</u> leachate or leachate contaminated surface drainage from being released to the off-site environment. How do you plan to comply with this stipulation of the Notice and Order?

3. As currently planned, leachate control is primarily based on a periphery leachate collection system connected to a sump pump located at the toe of the landfill dike and five? leachate extraction wells located behind the landfill dike. It is assumed that leachate collected by both systems will be pumped and stored in the facility's lined leachate storage and evaporation pond.

   A. How do you plan to operate the leachate extraction wells? What type and size of pumps do you plan to use? What sort of draw drown problems do you foresee (i.e. what is the projected zone of influence of each extraction well and will any specific schedule of operations be necessary to maximize leachate extraction)?

   B. What is the estimated quantity of leachate that will be pumped from the leachate extraction wells?

   C. What is the estimated quantity of leachate that will be captured by the leachate collection trenches?

   D. Is there enough capacity in the lined leachate storage pond for the total amount of leachate projected to be collected over the upcoming water year?

E. How do you plan to deal with the considerable amount of leachate now being stored in the lined leachate pond and how does this leachate affect your ability to store leachate which will be collected this coming water year?

F. What levels of leachate storage capacity versus rate of leachate pumping do you plan to designate as action levels for leachate storage reduction?

G. What provisions have been made to have all leachate and leachate contaminated surface water that cannot be stored in the lined pond hauled to and disposed of at a facility permitted to accept and process this waste?

4. The Water SWAT and Leachate Management System Report do not adequately characterize the site's hydrogeology and subsurface production of leachate. What is your program for gathering this needed hydrologic data and how and when are you going to determine when further investigation has provided sufficient data?

5. What are your contingency plans if you observe any of the following?

   A. Leachate or leachate contaminated surface drainage water in the settlement pond or splash basin?

   B. Leachate seeping from around the sides or bottom of the dike?

   C. Leachate contaminated water is discovered in the stream below the splash basin?

   D. The pumps at any pump station fail to function?

6. What is your respiratory safety program for personnel working in and around excavations made into or near waste with regards to exposure to toxic landfill gas constituents, identification of potential landfill gas explosive hazards, and identification of potential oxygen deficient environments?

7. Are you landfilling municipal sludge and if so, do you plan to continue this process? What is the moisture content of this sludge?

8. Your current Solid Waste Facilities Permit limits your disposal operations at McCourtney Road to 90 tons of waste per day. Current weight and volume records for the site indicate that you are currently accepting approximately 185 tons per day. What are your plans for limiting site operations to the terms and conditions of your current Solid Waste Facilities Permit until it can be revised?

Sincerely,

John K. Bell, Manager
Monitoring and Compliance Section
Enforcement Division

JKB:JWM:tk

cc: Tom Unsell, Nevada County Health Department
Doug Farrell, Nevada County Department of Sanitation
Wendy Cohen, Central Valley RWQCB
Edna Waltz, State Attorney General's Office
Jim Curtis, County Counsel, Nevada County
Gene Albaugh, County Administrator, Nevada County
John Boss, Resource Management International, Inc.
Duane Butler, Eljumaily Butler Associates

ATTACHMENT NO. 6

AUG 24 1989

COUNTY OF NEVADA

DEPARTMENT OF SANITATION
Mailing Address: P.O. Box 6100
Nevada City, California 95959-6100

August 24, 1989 FILE: 310.2042 001

Robert F. Corbain, General Counsel
California Waste Management Board
1020 Ninth Street, Suite 300
Sacramento, CA 95814

Dear Mr. Corbain:

During the phone conversation between County staff and CWMB staff on August 21, 1989, the County agreed to send a letter to the CWMB discussing the stability of the landfill dike. County Counsel, James Curtis, delegated this task to the County engineering staff.

Due to the concerns of the landfill dike stability, we have asked Anderson Geotechnical to perform an additional field review of the dike and give us his opinion on the stability of the dike. In their attached letter, Anderson states:"..we do not believe there is a potential hazard to the safety of workmen at the site due to collapse of the restraining dike, provided that we do not experience a large earthquake near the site during working hours." To provide an additional factor of safety, our contractor has agreed to not operate heavy equipment on the road at the top of the dike.

On Wednesday, August 23, 1989, the first of the leachate collection wells was completed behind the dike. The well driller encountered wet garbage at different levels in the fill but did not encounter any ponded leachate behind the dike. Our well drilling program is continuing.

As part of the County's agreement with RMI (entered into this May) the landfill dike was to be investigated for stability and corrective measures were to be designed and constructed if the dike was found to be unstable. The first stage of the investigation involved Anderson Geotechnical reviewing existing data on this dike and specifying a course of action. This was the report that generated the CWMB concern. After reviewing this report, RMI recommended as a second stage, the well drilling program which is currently underway. The third stage of this program is to proceed with further investigation based on the data received in the well drilling stage. We were following our original plan of attack on the investigation of this dike when the CWMB raised its concerns.

We will be prepared to discuss this further at the August 28, 1989 meeting with your staff.

If you have further questions, please feel free to call.

Sincerely,

Gene Albaugh

Gene Albaugh,
County Administrator

cc: John Boss, PMI, Inc.
Gary Anderson, Anderson Geotechnical

Ref:corbeim.h23

ANDERSON
GEOTECHNICAL
CONSULTANTS, INC.

File No. 2355-66
23 August 1989

Resource Management International, Inc.
1010 Hurley Way, Suite 500
Sacramento, CA 95825

Attention: John Boss

Subject: McCourtney Road Landfill
Nevada County, Ca
STABILITY OF LANDFILL DIKE

Gentlemen:

On 30 June 1989 we issued a letter entitled "Embankment Stability" in which we summarized our review of past work which addressed the stability of the dike. Our review concluded that there was enough missing information to warrant future work be undertaken. We did not investigate the short term potential hazard due to work at the site as part of our 30 June review letter.

On 22 August 1989, we visited the site of the McCourtney Road Landfill and observed the area of the landfill dike. The purpose of the site visit was to assess the safety hazard to workers relative to the dike stability as recently addressed by the California State Waste Management Board.

Based on our review at the site on 22 August 1989, we do not believe there is a potential hazard to the safety of workmen at the site due to collapse of the restraining dike provided that we do not experience a large earthquake near the site during working hours.

We made this determination based on several factors which we observed or measured on the site during our 22 August 1989 visit, and those were:

1. There is currently no evidence of embankment saturation as assumed in Taber Consultants analysis of the dike. This means that assuming Taber's assumptions are correct, that the dike stability is better than that reported by them in 1985.

2. Drilling has started for the installation of leachate collection wells behind the dike. If high water levels are encountered by the wells, pumping will reduce the water levels which will effectively increase the stability of the dike.

3. Heavy construction equipment is not using the top of the dike.

10343 Brunswick Road, Suite C • Grass Valley, CA 95949 • (916) 272-5081

File No. 2355-66
23 August 1989

4. We did not observe tension cracks or other evidences of instability on or above the dike.

We do recommend that a study such as outlined in our 30 June 1989 letter be undertaken at the site to fill those gaps of information relative to the dike stability. The current activities at the site to install the dewatering wells will provide positive results to the overall stability of the dike.

For the record, Taber Consultants study and our review were conducted after the dike was raised. Both studies included the affect of the dike raising. Our review of Tabor's test boring logs confirmed that the original dike (constructed to elevation 2210) was constructed with soil and rock and did not include garbage fill. The subsequent raising of the dike to elevation 2230 included filling over some of the refuse. As we understand it, the County has no plans to increase the height of the dike in the future.

Based on our site visit and measurement of water levels in the existing bore holes, we would recommend that an additional water extraction well be installed near the northern flank of the dike at about elevation 2220 to allow dewatering of the somewhat anomolous water levels recorded in that area.

Very truly,

ANDERSON GEOTECHNICAL CONSULTANTS, INC.

Gary F. Anderson
GE 93, CE 25387, CEG 163

cc: Nevada County/Attn: Doug Farrell

RMI.
RESOURCE MANAGEMENT INTERNATIONAL, INC.

1010 HURLEY WAY, SUITE 500
SACRAMENTO, CALIFORNIA 95825
(916) 924-1534

RECEIVED
AUG 24 1989
DEPT. OF ENVIRONMENTAL HEALTH

August 23, 1989

Mr. Douglas T. Farrell
Associate Civil Engineer
County of Nevada
Department of Sanitation
P. O. Box 6100
Nevada City, Ca 95959-6100

Dear Doug:

Enclosed is a letter from Anderson Geotechnical Consultants, Inc. relative to their review of the McCourtney Road Landfill refuse dike stability and immediate threat to the health and safety of site workers. They have reviewed the existing site conditions and do not believe the dike to be an immediate threat except for the possibility of a large earthquake. They also concur in the steps currently being taken to identify the hydrostatic levels behind the dike and dewater the refuse mass as necessary. We have already discussed with you the desirability of also installing a dewatering well in the northern flank of the original dike. As a further precaution, we recommend that heavy equipment traffic on the top of the dike be minimized.

Anderson has reiterated the desirability to conduct further studies to more accurately characterize the stability of the dike, including consideration of the current dewatering program. We believe this study program will allow a definitive calculation of dike stability, and a recommendation whether additional stabilization measures are necessary.

We trust this responds to the concerns expressed by the State last Friday.

Sincerely,

John F. Boss
Manager of Engineering
Waste Management Division

Enclosure

000333

323-3725

COUNTY OF NEVADA

Eric Rood Adm. Bldg.
950 Maidu Avenue
P.O. Box 6100
Nevada City, CA 95959-6100

FAX TRANSMITTAL

DATE 8/24

TO: Bob Conheim, CWMB

FROM: County of Nevada

TOTAL NUMBER OF PAGES (including trans.) 6

PHONE (916)265-1715(fax)

NAME OF SENDER Doug Ferrell

COMMENTS/SPECIAL INSTRUCTIONS

Attachment #7

State Inspection Report -
of August 25, 1969

STATE OF CALIFORNIA

GEORGE DEUKMEJIAN, Governor

CALIFORNIA WASTE MANAGEMENT BOARD
1020 NINTH STREET, SUITE 300
SACRAMENTO, CALIFORNIA 95814

SEP 05 1989

Mr. Gene Albaugh
Nevada County Administrative Office
P. O. Box 6100
Nevada City, CA 95959

RE: McCourtney Landfill, Facility No. 29-AA-0001

Dear Mr. Albaugh:

On August 28, 1989, California Waste Management Board (Board) staff participated in a meeting convened by the Nevada County Department of Environmental Health regarding the McCourtney Landfill. The main focus of the meeting was to discuss current efforts by the Nevada County Department of Sanitation to meet provisions of the Board's Notice and Order No. 89-01 issued to Nevada County on May 3, 1989. This letter is to confirm the following major commitments and agreements made by County staff to Board staff at the meeting:

1. The County Department of Sanitation assured Board staff that the County is committed to the compliance schedule delineated in Board Notice and Order 89-01 and that the County intended to comply with all provisions of the Order. However, the County indicated that it may have trouble completely implementing the drainage and erosion control plan due to new requirements outlined in the Regional Water Quality Control Board's letter of August 18, 1989.

2. The County Sanitation Department committed itself to assuring the long term stability of the dike under both static and dynamic conditions. Board staff agreed it may be more cost effective to buttress the dike rather than conduct a comprehensive study of dike stability. The County Department of Sanitation also verified that the risk of the landfill dike collapsing under static conditions was minimal in the short term and that every possible safety measure was being employed to ensure worker safety around the dike.

3. The County Department of Sanitation assured Board staff that it is committed to providing for the collection of <u>all</u> leachate or leachate contaminated drainage water that may be produced this coming water year as required by the Notice and Order. The Department also assured Board staff that the 3.5 million gallons of leachate already being stored in the lined leachate storage pond would be properly disposed of before October 1, 1989.

4. The County Department of Sanitation agreed with Board staff that the leachate management plans submitted to the Board to date represent interim leachate collection and control measures designed to prevent any leachate or leachate contaminated surface drainage from leaving the site during the winter of 1989-90. It also agreed that these plans were incomplete because they were not specific with regards to the proposed leachate dewatering system design and operation.

5. The County Department of Sanitation agreed that they would still need to submit a "comprehensive leachate monitoring, control, collection and disposal corrective action plan based on thorough analysis of leachate generation in the landfill, its migration, its chemical properties and constituents and a complete hydrological survey".

6. The County Department of Sanitation made the commitment to immediately develop a safety program including respiratory safety for workers in and around any excavations undertaken at the site. This safety plan is to be submitted to the Board for review by September 13, 1989.

7. The County Department of Environmental Health assured Board staff that it was committed to processing the County's Permit Review Application with all due haste. The County was warned that the Board may be forced to take action if the Permit Review Report indicates that the County is operating the landfill outside the terms and conditions of their current Solid Waste Facilities Permit.

8. A question was raised as to whether the proposed winter disposal area which is now under construction is actually located within the currently permitted landfill boundary. Both the County Department of Sanitation and the Department of Environmental Health made a commitment to check into this matter immediately. Board staff expects a written response to this issue by September 13, 1989.

In addition, when queried by Board staff, County officials could not identify the Registered Civil Engineer responsible for site design as required by Title 14, California Code of Regulations (CCR), Section 17626 (Design Responsibility). Please identify the responsible Registered Civil Engineer by September 13, 1989.

If you have any questions or concerns regarding the issues presented in this letter or other matters concerning compliance at McCourtney Landfill, please contact me at (916) 323-6520 or Leandro Ramos at (916) 322-2662.

Sincerely,

John K. Bell, Manager
Monitoring and Compliance Section
Enforcement Division
Headquarters

JKB:JM:tk

cc: Jim Apperson, Nevada County Department of Sanitation
Tom Unsell, Nevada County Department of Environmental Health
Doug Farrell, Nevada County Department of Sanitation
Wendy Cohen, Central Valley RWQCB
Michael Waggoner, Central Valley RWQCB
Edna Walz, State Attorney General's Office
Jim Curtis, County Counsel, Nevada County
John Boss, Resource Management International, Inc.

ATTACHMENT NO. 9

29-AA-0001

COUNTY OF NEVADA

DEPARTMENT OF SANITATION
Mailing Address: P.O. Box 6100
Nevada City, California 95959-6100

SEP

FAX'D August 30, 1989

FILE: 310.2042 001

JM

Mr. Michael Waggoner
California Regional Water Quality Control Board
Central Valley Region
3443 Routier Rd.
Sacramento, CA 95814

SUBJECT: Use of Treated Leachate as a Construction Water Source at the McCourtney Road Landfill

Dear Mr. Waggoner:

Since the treated leachate currently being held at the McCourtney Landfill is of of such low strength, the County proposes to use this liquid as a source of construction water for use in the McCourtney Landfill construction project this summer.

We believe that due to the low strength of this liquid, there would be no health hazard in such an operation. In addition, this process will cost thousands of dollars less than if we have to truck this waste to a sewage treatment plant.

We realize that such an operation must be closely regulated and monitored. We propose to apply this liquid only over areas being disturbed as a result of the construction or garbage burying operations. We will not apply this liquid to buffer lands or other undisturbed areas. The County's contractor will perform this operation. We propose to apply approximately 150,000 gpd. This is roughly the volume of construction water which is currently being applied. We will be operating two 4,000 gallon trucks and one 2,500 gallon truck six days per week. We will operate only one 2,500 gallon truck on Sundays.

There have been no odors coming from the leachate pond since June. If we do encounter odors from this liquid during our application, we will either dilute it with fresh water or cease the operation entirely.

We plan to load the trucks from the top of the pond to reduce the levels of suspended solids in the liquid to be applied.

We are currently constructing a reinforced concrete energy dissipating structure at the base of the landfill. The County proposes to temporarily modify the structure for use as a holding pond in the unlikely event that any construction water runs off the construction zone.

Due to the fact that we are under very tight time frames for disposing of this liquid, we would appreciate a response by September 1, 1989.

Thank you for your prompt attention to this matter and and please call if you require further information.

Sincerely,

James L. Appelman, Director

JLA:pp

Pad:waggoner.h30

ATTACHMENT NO. 10

NEVADA COUNTY DEPARTMENT
of
ENVIRONMENTAL HEALTH

950 Maidu Avenue
P.O. Box 6100
Nevada City, CA 95959-6100
(916) 265-1452

10075 Levone Avenue
P.O. Box 2693
Truckee, CA 95734
(916) 582-7820

MEMORANDUM

Date: September 8, 1989
To: James L. Apperson, DOS Director

From: H. Thomas Unsell, Environmental Health Director
Dr. Jerry Zarriello, Nevada County Health Dept

Subject: Use of Treated Leachate as Construction Water, McCourtney Landfill Site

After discussions with Doug Farrell and concurrence of the C.V.R.W.Q.C.B., your memo of September 5, 1989 outlining the proposed methods of disinfection and handling leachate for use as dust control and other construction purposes at the McCourtney Landfill is acceptable to us, subject to the following conditions:

1. 50 ppm chlorine residual must be maintained throughout each 4000 gallon truckload of leachate and held for a minimum of 30 minutes retention time to reduce the coliform count to <2.2 MPN.

2. Random samples of the leachate in the tanker trucks will be tested following the 30-minute retention time for chlorine residual using the test strip method approved by Environmental Health.

3. Metering of the chlorine concentrate into each tanker truck shall be accomplished by a method which insures the safety of personnel and the general public.

4. All tanker trucks to be distributing the treated leachate must be labelled as follows in 6-inch high letters:

CAUTION - LEACHATE
DO NOT DRINK

5. All monitoring and records shall be kept by assigned DOS staff and submitted to Doug Farrell daily. Records shall be available during normal working hours for review by all appropriate agencies.

Should you have any questions, please contact me at Ext.524.

CC: M. Waggoner, C.V.R.W.Q.C.B. / J. Bell, C.W.M.B.

BV/JB/Leanbo

ATTACHMENT NO. 11

RECEIVED
SEP 20 1989

NEVADA COUNTY DEPARTMENT of ENVIRONMENTAL HEALTH

950 Maidu Avenue
P. O. Box 6100
Nevada City, CA 95959-6100
(916) 265-1452

10075 Levone Avenue
P. O. Box 2693
Truckee, CA 95734
(916) 582-7820

FACILITY FILE CHECK COPY

Submitted By MEA

Original to: Fac file 29-AA-0001

Date 9/21/89 (2) BV/JB/Leanbo

September 13, 1989

John Boss, Resource Management International, Inc.
1010 Hurley Way, Suite 500
Sacramento, CA 95825

Re: Draft RDSI / Periodic Site Review
McCourtney Road Landfill Site
Facility No. 29-AA-0001

Dear Mr. Boss:

A review of the Draft RDSI and periodic site review for the above referenced site reveals the (2) documents to be incomplete in addressing the requirements of 14 CCR, Section 17616 and 17751 with regard to the following issues:

1. The statement on insects does not include proposed control measures for mosquitoes or flies which may occur from the presence of the new siltation ponds and the existing septage ponds.

2. Along with daily compaction and cover, intermediate and final cover will enhance rodent control at the landfill site.

3. Fire suppression should name the local fire department and or CDF station responsible for response at the landfill and include any memorandums of understanding or permits required by these fire agencies.

4. An expanded statement for the proposed household hazardous waste transfer station must include a site plan and safety/fire procedures.

5. The 50 tons of asbestos remaining at Nevada County Schools and requiring removal should be stated as anticipated to be disposed of at the McCourtney Road Landfill and clarify the procedure for handling friable material.

6. Please add a statement on the handling of infectious waste whether rendered non-infectious or remaining potentially infectious due to the exempt clause.

7. Leachate control should now include the current alternate disposal plan for the use of treated leachate as construction water.

8. The grading plan should include a site map clarifying the (2) new proposed pads to be constructed west of the current landfill mass per the RWQCB letter of August 21, 1989.

9. The statement disclosing that salvaged metal is required to be hauled off the landfill site every 4 months is inadequate as to frequency. Removal should not exceed 2 months.

10. The current proposed buttress at the toe of the dike will require an engineers plan and certification to be included in the periodic site review.

11. Further discussion is required on the ancillary operations to clarify the intent of DOS as to upgrading the recycling sites to eliminate current violations.

12. The resource recovery and the recycling plan should include all expansion plans by DOS for load monitoring/hand picking within a warehouse facility.

Since all proposed activities at the landfill site have not yet been approved, every effort should be made in the RDSI to clearly separate them from the existing operation.

We would appreciate your prompt response to these issues so that review time can remain within the parameters set by this Department.

Should you have any questions, please contact me at (916) 265-1452, 8-9:00 a.m., Monday-Friday.

Sincerely,

NEVADA COUNTY DEPARTMENT OF ENVIRONMENTAL HEALTH
H. Thomas Unsell, R.E.H.S., M.P.H., Director

R. Hall, R.E.H.S. No.2531
Supervising Environmental Health Specialist

RH:bjm

CC: J. Bell, CWMB Compliance
J. Adams, CWMB Permitting
M. Waggoner, CVRWQCB
D. Farrel, DOS
G. Albaugh, COA
J. Curtis, County Counsel
T. Juvinall, Board of Supervisors
J. Callaghan, Board of Supervisors
J. Weir, Board of Supervisors
B. Schultz, Board of Supervisors
G.B. Tucker, Board of Supervisors

ATTACHMENT NO. 12

RMI.
RESOURCE MANAGEMENT INTERNATIONAL, INC.

1010 HURLEY WAY, SUITE 500
SACRAMENTO, CALIFORNIA 95825
(916) 924-1534

SEP 14 1989

September 13, 1989

BN | JB | LRB
Permits

Mr. John Bell, Manager
Monitoring and Compliance Section
Enforcement Division Headquarters
California Waste Management Board
1020 9th Street, Suite 300
Sacramento, CA 95814

Dear Mr. Bell:

On September 5, 1989, you requested that Mr. Gene Albaugh, Nevada County Administrator, respond to several questions related to the McCourtney Road Landfill. Your questions were the results of a meeting between the County of Nevada Department of Environmental Health, Department of Sanitation, and Resource Management International, Inc., (RMI) regarding information RMI and the Department of Sanitation have provided you relative to the McCourtney Road Landfill. This letter responds to your comments numbered 2, 3, 4, 5, 6 and 8.

Comments

2. The County has directed Anderson Geotechnical Consultants to design a buttress for a dike. It is anticipated that construction of the buttress will begin shortly after October 1, 1989.

3. The leachate is being sprayed to moisture condition the clay and for dust control on the site. At the current spraying rate of 205,000 gallons per day, the leachate pond should be ready for winter by October 1, 1989.

4. RMI is preparing a response to this issue for the CVRWQCB, which is due Friday, September 15, 1989, and will forward a copy to you by next week.

5. The County has reviewed RMI's recommendation relative to a comprehensive leachate program as well as the comments you made in your letter. The leachate situation may need additional study before a complete

leachate control program may be designed. The County anticipates requesting such a study next year.

6. The safety plan currently in use at the site for those individuals drilling the leachate wells is enclosed. These procedures will be followed whenever workers are close to excavations of old refuse.

8. The County obtained the original 140 acres of the landfill in 1951. The area now designated as the winter disposal area was part of that 140 acres. As a result, the County believes that the winter disposal area has always been a part of the permitted landfill.

If you have any questions about these responses, please contact me or Mark White.

Sincerely,

Arlo K. Armundson, Vice President
for John F. Boss
Manager of Engineering
Waste Management Division

Enclosure

STATE OF CALIFORNIA

ATTACHMENT NO. 13

GEORGE DEUKMEJIAN, Governor

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD—
CENTRAL VALLEY REGION
3443 ROUTIER ROAD
SACRAMENTO, CA 95827-3098

19 September 1989

Sep 21 1989

Mr. Doug Farrell
Nevada County Sanitation Department
950 Maidu Avenue
Nevada City, CA 95959

SOLID WASTE ASSESSMENT TEST REPORT, MC COURTNEY ROAD LANDFILL, NEVADA COUNTY - CASE #2120

We have reviewed the updated June 1989 Solid Waste Assessment Test (SWAT) report submitted by Duane Butler of Eljumailey, Butler, and Associates. Detailed comments are provided in the attached memorandum. We agree with Mr. Butler that additional work is needed since the June 1989 version did not address all of the concerns raised in our 1 February 1989 letter.

By **16 October 1989**, please provide us with a report which specifies the measures the County will implement to address the inadequacies of the SWAT report described in the attached memorandum. The report shall also contain a time schedule for assuring that the County will be able to obtain all of the needed information to submit a completed SWAT report by **1 April 1990**. Failure to provide an acceptable and complete SWAT report may result in staff recommending enforcement action.

Should you have any questions, you may contact Michael Waggoner at (916) 361-5660.

Wendy L. Cohen

WENDY L. COHEN
Senior Engineer

MGW:gs

Attachment

cc: Mr. John Bell, California Waste Management Board, Sacramento
Mr. Thomas Unsell, Nevada County Department of Environmental Health Nevada City
Mr. Duane Butler, Eljumailey, Butler, and Associates, Reno

MEMORANDUM

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD - CENTRAL VALLEY REGION

3443 Routier Road
Sacramento, CA 95827-3098

Phone: (916) 361-5600
ATSS Phone: 8-495-5600

TO: Wendy L. Cohen, Sr. Engineer
Files: McCourtney Road Landfill

FROM: Michael Waggoner
Area Engineer

DATE: 18 September 1989

SIGNATURE: Michael Waggoner

SUBJECT: COMMENTS ON UPDATED SOLID WASTE ASSESSMENT TEST REPORT, MC COURTNEY ROAD LANDFILL, NEVADA COUNTY - CASE #2120

I have reviewed the updated June 1989 Solid Waste Assessment Test (SWAT) Report submitted by Duane Butler of Eljumailey, Butler, and Associates. The June 1989 version is still incomplete since the County had not implemented an acceptable monitoring program at the time the updated report was prepared. Mr. Butler acknowledges this in the report and states that "the planned installation of both a vadose zone monitoring system and additional ground water monitoring wells during the summer of 1989 will provide supplemental information. Upon completion of the forthcoming work, a supplement to this report will be prepared and any conclusions provided." Below are my specific comments on the June 1989 version and the measures the County must address to complete the SWAT report:

1. Two additional ground water monitoring wells (MW-8 and MW-9) were installed on 26 June 1989. On 25 July 1989, Rick Sowers of Taber Consultants proposed two additional ground water monitoring wells and four vadose zone monitors to supplement the monitoring program and satisfy our requirements. On 10 August 1989, we concurred that the proposed vadose zone monitoring program satisfied SWAT requirements and provided comments on the proposed ground water monitoring wells. During our 11 September 1989 phone conversation, Mr. Sowers informed me that the County had not contacted or informed him of their plans to install the proposed wells, delaying final completion of the SWAT report.

2. Mr. Sowers concluded in his 23 June 1989 letter that the most likely potential pathway of contaminant release from the landfill would be along local fractured rock/shear zones. Since ground water movement is controlled by the fractured environment, it is important the County has the necessary geologic information to accurately reflect hydrogeologic conditions in and around the landfill. Unfortunately, it does not appear this information is available to them. The geologic map contained in the SWAT report only encompasses geologic formations underlying the landfill mass and does not characterize the geology where the ground water monitoring wells have been installed. The final SWAT report must contain an updated geologic map which characterizes the local geology and defines hydrogeologic conditions within the County's property boundary. The County must decide whether well logs from the monitoring wells will provide sufficient information to prepare the map, or if a more complete geologic study is necessary. A minimum of four cross-sections indexed to the geologic site map also is needed.

3. As required in Section 13273(b)(1) of the California Water Code, the final SWAT report must contain an adequate analysis of the surface and ground water on, under, and within one mile of the solid waste disposal site. A minimum of two ground water contour maps which satisfy this criterion is needed to characterize the perimeter of the landfill during wet and dry periods. The maps must identify the presence of all springs or seeps within the specified boundary and incorporate water level measurements from the five dewatering wells installed in the garbage mass and two additional wells planned.

4. Mr. Butler states that none of the constituents detected in the monitoring wells have exceeded State Action Levels (SALs). However, the water quality data contained in the SWAT report does not incorporate the results obtained during my 14 March 1989 inspection, which showed benzene levels in MW-1 exceeded the SALs. All available water quality data must be included in the SWAT report. Two additional sampling rounds which encompass all of the existing and planned monitoring wells are necessary. The sampling rounds must reflect both wet and dry conditions.

5. The County is responsible for ensuring the validity and reliability of all field and analytical laboratory data. The final SWAT report must evaluate whether sampling methods and chemical analytical and quality control criteria were met.

6. The leachate monitoring data may not be representative of actual leachate conditions in the landfill since the existing leachate collection box receives primarily spring water, originally diverted off-site. The concrete leachate collection box receives only a trickle from the original leachate drain pipe. The final SWAT report should compare existing leachate characteristics to samples obtained from the dewatering wells and the new leachate pump station to verify the chemical characteristics of the leachate.

7. Hydro-Search, Inc., recommended in their 31 July 1989 evaluation of the ground water monitoring program at the landfill that the County conduct single-well pump tests to identify hydraulic properties of the water-bearing zone. We agree the County should consider conducting pump tests for assessing whether the monitored aquifers are interconnected. The final SWAT report must discuss the rationale used for determining all necessary hydraulic characteristics.

8. The final SWAT report must address both lateral and vertical migration of hazardous constituents. The person responsible for certifying whether or not hazardous materials have left the site must state in writing whether sufficient information has been provided to make the determination.

9. The final SWAT report must also contain an interpretation of the data.

MGW:gs

ATTACHMENT NO. 14

29-DA-0001

RECEIVED SEP 22 1989

NEVADA COUNTY DEPARTMENT
OF
ENVIRONMENTAL HEALTH
950 Maidu Ave.
P.O. Box 6100
Nevada City, Ca. 95959-6100
(916)265-1452

MEMO:

DATE: 9/20/89

To: J.J. Zarriello, M.D., M.P.H.
Health Officer, and Director
Nevada County Health Department

From: Tracy Gidel, Environmental Health Specialist III

Subject: Proposition 65 Notification

A spill has occurred at the following location:
FACILITY NAME: Nevada Co. Landfill
ADDRESS: 14741 Wolf Mt. Rd.
CITY: Grass Valley
ZIP: 95945
A.P.#: 25-120-12

COMMENTS: As a result of a Request for Service from the Calif. Waste Mngt. Board. An inspection of the landfill revealed that "treated" leachate was being sprayed outside the landfill site on Bennett owned Butten land. As a result of this spraying some "treated" leachate was running in seasonal drainages. Spraying was also being done along Wolf Mt Rd.
I Requested that all spraying be stopped off the landfill site & be kept to Gross Conditions approved for Disposal.

If you have any questions please call me at 265-1449 between 8:00-9:00 A.M. Monday through Friday.

CC: Board of Supervisors
Tom Unsell
JOHN BELL, CVRWQCB
PROP-65.WPS
MIKE WAGGONER, CVRWQCB

STATE OF CALIFORNIA
GEORGE DEUKMEJIAN, Governor

CALIFORNIA WASTE MANAGEMENT BOARD
1020 NINTH STREET, SUITE 300
SACRAMENTO, CALIFORNIA 95814

SEP 27 1989

Mr. Jim Apperson, Director
Nevada County Department of Sanitation
P. O. Box 6100
Nevada City, CA 95959

RE: McCourtney Landfill, Facility No. 29-AA-0001

Dear Mr. Apperson:

On August 30, 1989, you made a written proposal to the Central Valley RWQCB entitled "The Use of Treated Leachate as a Construction Water Source at the McCourtney Road Landfill". In the proposal you assured the RWQCB that treated leachate would only be applied over areas being disturbed as a result of construction or garbage burying operations and that treated leachate would not be applied to buffer lands or other undisturbed areas.

On September 22, 1989, the California Waste Management Board (Board) was notified by the Nevada County Department of Environmental Health that your agency was spraying treated leachate outside the landfill boundary on undisturbed buffer lands and on Wolf Mountain Road. As a result of this unapproved activity, leachate was leaving the site in seasonal drainage ways. This is a direct violation of Title 14, California Code of Regulations (CCR), Section 17704 (Leachate Control) and CWMB Notice and Order No. 89-01, May 4, 1989) which prohibits the release of any leachate from the landfill to the off-site environment.

Regarding another issue at the McCourtney landfill; Board staff visited the site on Tuesday, September 19, 1989, following a storm that dumped approximately three inches of rain over the area. Observations indicated that a significant amount of silt was allowed to flow off site into French Ravine Creek. You are directed to take whatever measures are necessary to prevent any further discharge of sediments to French Ravine Creek that may impact downstream water quality or wildlife resources. If you are in doubt as to the levels of sediment allowed to be discharged to French Ravine Creek, please contact your local RWQCB or California Department of Fish and Game representative.

If you have any questions or concerns regarding the issues presented in this letter or other matters concerning compliance at McCourtney Landfill, please contact me at (916) 323-6520 or Leandro Ramos at (916) 322-2662.

Sincerely,

John K. Bell, Manager
Monitoring and Compliance Section
Headquarters

JKB:JM:tk

cc: Tom Unsell, Nevada County Department of Environmental Health
Doug Farrell, Nevada County Department of Sanitation
Wendy Cohen, Central Valley RWQCB
Michael Waggoner, Central Valley RWQCB
Edna Walz, State Attorney General's Office
Gene Albaugh, Nevada County Administrator
Jim Curtis, County Counsel, Nevada County
John Boss, Resource Management International, Inc.
California Department of Fish and Game, Region II

CALIFORNIA WASTE MANAGEMENT BOARD

AGENDA ITEM #12

OCTOBER 11-12, 1989

Item:

Consideration of approval by the Board of Los Angeles County Department of Health Service's Corrective Actions Plan and Schedule

Key Issues:

- The Board notified the Los Angeles County Department of Health Services of its intent to withdraw Board approval of the Department of Health Services' designation as the Local Enforcement Agency (LEA) unless an approvable Corrective Actions Plan and Schedule is submitted within 30 days.
- Board staff analyzed the Corrective Actions Plan and Schedule submitted by the LEA and found that the LEA has addressed those areas cited in Agenda Item # 8, during the August 17-18, 1989, Board Meeting.
- Staff recommends that the Board approve the Local Enforcement Agency's Corrective Actions Plan and Schedule and not withdraw approval of the LEA designation.

Background:

On August 18, 1989, the Board passed a resolution of its intent to withdraw its approval of the Los Angeles County Department of Health Services as LEA unless specific corrective actions were taken within 30 days. Board staff met with the LEA on August 30, 1989, to discuss the Action Plan. The purpose of the meeting was to establish a better line of communication between agencies and to clarify remedial action to be taken to mitigate those areas previously identified.

Findings:

Research from the previous Agenda Item found that the LEA had not fulfilled its obligations within the County.

The following findings include those areas previously identified and a statement of staffs analysis on the action taken by the LEA to mitigate the problems:

I. Actions taken by the LEA to correct delinquent Five Year Permit Reviews:

19-AA-0008 Santa Monica Transfer Station (due 7/31/83)
The 5yr permit review was completed and the LEA determined that the permit must be revised. The operator will submit permit application by September 30, 1989.

19-AA-0009 Antelope Valley Landfill (due 5/25/84)
The 5yr permit review was completed in July 1989, and LEA determined that the permit must be revised. The operator was directed to submit permit application by August 9, 1989. Application was submitted and subsequently rejected by the LEA as incomplete. The operator has not resubmitted an application as of this date.

19-AA-0044 Livingston-Graham Landfill (due 5/13/85)
The 5yr permit review was completed and the LEA forwarded review report to Board permitting staff in August 1989. This facility accepts only inert waste for disposal on their own property and may be exemptible from maintaining a Solid Waste Facilities Permit. The LEA will pursue the exemption process by November 30, 1989.

19-AA-0050 Waste Management of Lancaster Landfill (due 6/11/89) - The 5yr permit review was completed in June 1989, and the LEA determined that the permit must be revised. The operator submitted an application for permit revision on September 15, 1989.

19-AA-0053 Puente Hills Landfill (due 10/20/88)
The 5yr permit review was completed in June 1989 and the LEA determined that the permit must be modified. The LEA stated that a draft modified permit along with the permit review report will be submitted to the Board by October 31, 1989.

19-AA-0056 — Calabasas Landfill # 5 (due 9/16/88)
The 5yr permit review has been completed and a draft revised permit will be submitted to the Board by October 6, 1989.

19-AA-0057 — Wayside Honor Rancho Landfill (due 10/9/84)
The LEA completed the 5yr permit review in August 1989, and determined that the permit would have to be revised. The operator submitted an application for permit revision on September 14, 1989, and the LEA subsequently rejected the application as incomplete. The operator was given 30 days to resubmit their the application for revision.

19-AA-0298 through 19-AA-0402 — Los Angeles County Maintenance District Yards and/or Road Division Transfer Stations (due 3/30/87) - The 5yr permit reviews have been completed on all 25 of these facilities. The permit review reports were submitted to Board staff on August 25, 1989.

II. Actions taken by the LEA to bring those facilities exceeding their permitted tonnage into compliance with the Terms and Conditions of their Permits.

19-AA-0008 — Santa Monica Transfer Station
Permitted Tonnage - 200 Tons Per Day (TPD)
Actual Tonnage - 337 TPD

19-AA-0009 — Antelope Valley Landfill
Permitted Volume - 1000 cu.yds. per day
Actual Volume - 2026 cu.yds. per day

19-AA-0050 — Waste Management of Lancaster Landfill
Permitted Volume - 1500 cu.yds. per day
Actual Volume - 2114 cu.yds. per day

19-AA-0056 — Calabasas Landfill
Permitted Tonnage - 2200 TPD
Actual Tonnage - 2560 TPD

The above listed facilities were investigated by the LEA and found to be exceeding their permitted tonnages. On September 6, 1989, the LEA ordered the operators of these facilities to reduce their daily weight or volume inflow to the level specified in their permit.

19-AA-0052 Chiquita Canyon Landfill
Upon investigation of this facility the LEA found that the operator was not exceeding their permitted tonnage. However, Board staff requested weight and volume figures from the operator on two separate occasions and the operator both times reported that they were receiving 5900 TPD. Board staff inspected this site on August 4, 1988, and records maintained by the operator indicated that 5928 tons were received on August 3, 1988. There is a difference in reported tonnages as found by staff and the LEA. The LEA should institute an on-site investigation, such as a truck count, to reconcile the discrepancies.

19-AA-0506 Commerce Waste-To-Energy Facility
The LEA submitted a draft modified permit to the Board. The operator would like the tonnage linked to the BTU level or heating range needed to maintain a minimum power output. When the original permit was written the LEA and the operator did not have a clear view of the tonnage levels needed to operate this facility. Board staff is reviewing the situation to determine an acceptable and enforceable tonnage level for this permit.

19-AA-0814 Van Nuys Transfer Station
Upon investigation of this facility's weight and volume records the LEA determined that the operator was not accepting more than an average of 74 cu.yds. per day. The daily permitted tonnage is 100 cu.yds. per day.

III. Actions taken by the LEA to remove the sites in Los Angeles County on the RCRA Open Dump List.

19-AA-0580 Blanchard Street Dump (Surface Water)
The LEA performed six (6) field inspections in 1986 and reported that no ponding of surface water was evident. The LEA notified the Board in August 1989, requesting that this site be removed from the Open Dump List. Board staff will investigate this facility for concurrence with the LEA's finding and then present an Agenda Item to the Board.

19-AA-0587 Longden Avenue Dump (Safety/Gas)
The LEA initially stated that they had no record of this facility in their files. However, after communication between Board staff and the LEA it was determined that the LEA referred to this site as the Owl Park Dump. The LEA stated that they would investigate this facility and take the appropriate enforcement action by November 30, 1989, to bring this site into compliance.

19-AA-0769 El Monte Pit (Safety/Gas)
This facility is referred to by the LEA as the 19,000 Surplus Dump under a different SWIS number. Therefore, the LEA inspected a different site and the conclusion of their investigation, summarized in their August 29, 1989, letter to the Board, was based on results from gas samples for a different facility. Board staff inspected this site on July 6, 1988 and found that this was still in non-compliance for the safety/gas criterion. The LEA is aware of the confusion in site name and number and will take the appropriate enforcement by November 30, 1989.

IV. Actions that the LEA will implement to avoid future delinquency in 5yr Permit Reviews, Enforcement of the Terms and Conditions of the Solid Waste Facilities Permits, and timely removal of sites on the RCRA Open Dump List. The following actions were implemented by the LEA:

1) LEA staff will review all records maintained by the operator during every field inspection giving special attention to the weight and volume records.

2) Those sites found to be exceeding their permitted daily capacity will be ordered to reduce the amount of incoming waste to that specified in the Findings Section of their Permit. Operators will then be notified to submit an application for permit revision if they wish to accept additional waste.

3) All new, revised, and modified permits will include a requirement in the Monitoring Section that the operator maintain weight and volume records on-site for a period of one year.

4) The LEA will allocate one and a half positions expressly for the review and writing of permits.

Conclusion:

The above findings reveal that the LEA has taken considerable steps toward correcting those areas identified by Board staff at the August 17-18, 1989, Board Meeting. The LEA has completed all outstanding permit reviews. The LEA has taken enforcement action against those sites exceeding their permitted tonnage. The LEA has taken the appropriate action on one of the three RCRA Open Dumps. Confusion over the name of the other two has slowed the investigation process on the remaining facilities and subsequent removal from the Open Dump List. Some discrepancies were noted with regard to the appropriate actions that the LEA should take concerning enforcement and inspection of records at permitted facilities. The LEA should update their Enforcement Program Plan.

Board Options:

1) To withdraw Board approval for the Los Angeles County Department of Health Services' designation as the Local Enforcement Agency.

2) To approve the Corrective Actions Plan and Schedule and not withdraw Board approval for the Los Angeles County Department of Health Services' designation as the LEA. Also require the LEA to update the Enforcement Program Plan within 60 days and adhere to completion dates contained in the Staff Analysis.

3) Take no action.

Recommendation:

Board staff recommends that the Board adopt option #2.

COUNTY OF LOS ANGELES DEPARTMENT OF HEALTH SERVICES
ENVIRONMENTAL HEALTH / HEALTH FACILITIES
SOLID WASTE MANAGEMENT PROGRAM
2615 So. Grand Avenue, Room 430 ■ Los Angeles, CA 90007 ■ (213) 744-3261

September 28, 1989

California Waste Management Board
1020 Ninth Street, Suite 300
Sacramento, California 95814

Chairman and Members of the Board:

ACTION PLAN TO CORRECT DEFICIENCIES IN PERFORMANCE OF THE COUNTY OF LOS ANGELES DEPARTMENT OF HEALTH SERVICES LOCAL ENFORCEMENT AGENCY

On August 17, 1989, your Board unanimously adopted a staff recommendation to notify Los Angeles County Department of Health Services (DHS) of your Boards' intention to withdraw its approval of DHS' designation as the Local Enforcement Agency (LEA). The staff also recommended that your Board direct the LEA to provide for your approval a corrective actions plan and schedule within 30 days of receipt of your notice. Your notice was received on Wednesday, September 6, 1989.

In order to assist us in developing a corrective actions plan acceptable to your Board, Ralph Lopez, Environmental Health/Health Facilities Deputy, Jack Petralia, Richard Hanson and I, representing this Department, met with members of your staff (Messrs. Herbert Iwahiro, Gary King and John Boucher) on August 30, 1989. Mr. Jack Michael was also present representing the County of Los Angeles, Director of Public Works. We discussed our proposed corrective actions plan and responses to the proposed plan by your Board's staff. We believe, based upon the generally positive comments made by your staff regarding the scope and content and corrective actions proposed in the plan, that your staff found the proposed plan to be acceptable and should be approved by your Board.

We believe the proposed action plan outlined below addresses the deficiencies contained in the staff report supporting Item No. 8 on your Boards August 17-18, 1989 agenda. The Action Plan also outlines the steps that we will take to prevent similar deficiencies in the future.

I. Completion of five (5) year permit reviews.

A. Santa Monica Transfer Station (19-AA-0006): The permit review for this facility was completed in December 1988. It was determined that the permit required revision. The City is currently processing a Negative Declaration for an increase in the daily amount of incoming refuse at the facility. The City expects to complete the CEQA process by the end of September and will submit an application to revise the permit at that time (Attachment 1).

B. Antelope Valley Public Dump (19-AA-0009): This permit review was completed in July, 1989. The owner/operator of the facility was directed to submit an application to revise the permit on August 9, 1989 (Attachment 2).

C. Livingston-Graham Landfill (19-AA-0044): This permit review was completed in October 1988. The permit review report was submitted to your Board on August 23, 1989 (Attachment 3).

D. Waste Management of Lancaster (19-AA-0050): The permit review was completed in July 1989. The owner/operator was directed to submit an application for revision of the permit (Attachment 4), and the application to revise the permit was received on September 15, 1989.

E. Puente Hills Landfill No. 6 (19-AA-0053): The permit review was completed in June 1989, and a draft revised permit is being prepared. Submittal of the draft permit to your Board is planned for late October.

F. Calabasas Landfill No. 5 (19-AA-0056): An application for the five year review was received in November 1988. The review was delayed because the Waste Discharge Requirements had to be revised and were not received until June 1989, and the permit review is in progress. The owner/operator of the landfill has waived all time requirements. We plan to send a draft revised permit to your Board in October, 1989.

G. Wayside Honor Rancho Landfill (19-AA-0057): We have received an application to review and modify (or revise) the permit for this facility, and the review has been completed. We have rejected the application and returned it to the operator because the application is incomplete and inadequate. The applicant was directed to respond to our concerns within 30 days (Attachment 5).

H. Various Los Angeles County Maintenance District and/or Road Division Transfer Stations (19-AA-00298 thru 19-AA-0402): The five year permit reviews for all 25 small volume transfer stations (less than 100 cu. yd. per day) have been completed. The permit review report was submitted to your Board on August 25, 1989 (Attachment 6).

I. We have instituted the following in our overall permit procedure to ensure timely reviews and the submittal of Permit Review Reports and modified or revised permits.

1. A flow chart (attached) showing all permitted facilities under the purview of the LEA has been prepared showing when five year permit reviews and other permit processing steps are due. It will also show the current status of in-process reviews, revisions, etc. The chart will be consulted by staff as necessary (but not less than monthly) to keep current on the status of permits and permit processing.

2. Reviews involving the more complicated and time consuming permits will be undertaken prior to their due dates in order reduce the number of permits due for review at the same time.

3. One person has been assigned full-time to permit processing duties, and one other staff person is being trained and will be assigned half-time or more, if needed, to permit processing duties. We believe that allocating at least 1-1/2 positions to conduct permit processing duties will assure that the five year permit reviews are completed on time.

II. Enforcement actions taken by the LEA regarding facilities that have been found exceeding weight and volume conditions as set forth in solid waste facilities permits.

A. On August 23, 1989, staff from the Solid Waste Management Program conducted inspections at the seven (7) disposal facilities listed in the staff report as exceeding the weight or volume conditions contained in the solid waste facilities permits. As part of the inspection, staff reviewed the daily refuse dumping records for the two week period immediately preceding the inspection to determine the weight and/or volume of material received.

The results of the review of the daily dumping records is as follows:

Name of Facility	SWIS No.	Maximum Permitted Daily Weight/Vol.	Average Daily Weight/Vol.
Santa Monica Transfer Station	19-AA-0008	200 tons	337 tons
Antelope Valley Public Dump	19-AA-0009	1,000 Cu. Yds.	2026 Cu. yds
Waste Management of Lancaster	19-AA-0050	1,500 cu. yds	2114 cu. yds
Chiquita Canyon Landfill	19-AA-0052	5,000 tons	1459 tons
Calabasas Landfill	19-AA-0056	approx. 2,200 tons	2560 tons
Commerce Waste-to-Energy	19-AA-0506	420 tons	543 tons
Van Nuys Transfer Station	19-AA-0814	100 cu. yds	74 cu yds.

At the August 30, 1989 meeting, we discussed with your staff the difficulty in enforcing certain permits because of discrepancies due to vague and/or internally conflicting permit capacity language.

We intend to review the capacity language of all permits. Where we determine the language to be vague and/or internally conflicting, we will advise the operator of that facility of our enforcement threshold. If the operator challenges our enforcement threshold, we will attempt to reach conflict resolution based on the operator submitting appropriate justification.

Where conflict resolution cannot be reached, or we determine that such conflict resolution constitutes a "significant change" in facility operation, we will direct the operator to submit an application for a modified or revised permit, respectively.

As part of the permitting process for all new, modified, or revised permits, we will require operators to provide written acknowledgement of the permitted capacity enforcement threshold.

On September 6, 1989, the owners/operators of the four (4) facilities found exceeding the daily permitted weight or volume, as determined by the policy of your Board, (Santa Monica Transfer, Antelope Valley Public Dump, Waste Management of Lancaster, and Calabasas Landfill), were ordered to immediately reduce the daily weight or volume of total refuse received at the facility (copies attached). Applications for revised permits for each of these facilities are in process. Should any of these operators challenge the enforcement threshold set forth in the September 6, 1989 order, we will negotiate an interim enforcement threshold pending completion of the revised permit process.

Regarding the Commerce Waste-to Energy Facility, we previously determined that current operations at the facility do not represent a "significant change" from the existing permit. To clarify the permit language, we have submitted a draft modified solid waste facilities permit for this facility to your Board's Permit Section. Therefore, no enforcement action regarding the Commerce Facility is warranted. In addition, the daily waste quantities for the Chiquita Canyon and Van Nuys are well below the permitted limits; therefore, no enforcement action is warranted.

B. We have instituted the following changes in our inspection procedures and in the Monitoring Section of new, revised and modified permits in order to determine the daily amounts of refuse received at permitted facilities and necessary enforcement actions.

1. An integral part of each facility inspection will be a review of each day's refuse disposal records for the period since the last facility inspection. This information will be recorded on the inspection report. Staff will no longer rely on verbal reports or historical experience when recording daily weight or volume information.

2. After reviewing the inspection reports for those facilities found to be exceeding the permitted capacity enforcement threshold, the Program Director will determine the cause and severity of the exceedence and send the owner/operator of the facility an order to reduce the daily amount of incoming waste accordingly. If appropriate, the owner/operator may also be directed to initiate proceedings to revise the permit as indicated above.
3. All new revised or modified solid waste facilities permits will include a requirement in the Monitoring Section that the operator retain, at the facility for one year, all daily dumping records. This requirement was instituted with the recently submitted permit for the Scholl Canyon Landfill.

III. Actions taken to achieve compliance for the following facilities and to have them removed from the RCRA Open Dump Inventory (ODI).

A. Blanchard Street Dump (19-AA-0580): This facility was placed on the ODI because the original inspections revealed standing surface water on the site. Subsequent inspections between March 26,1986, and September 10, 1986, revealed no evidence of standing surface water.

B. Longden Avenue Dump (19-AA-0587): This facility was apparently placed on the ODI because of safety concerns due to landfill gas. The LEA has no records or any other information in its file regarding a facility with this name or SWIS Number.

C. El Monte Pit (19-AA-0769): This facility was placed on the ODI due to safety concerns due to landfill gas. From September 23,1987, to February 4, 1988, four (4) tests using an organic vapor analyser were conducted to test for the presence of landfill gas. No significant levels of gas were detected that would warrant retaining this facility on the ODI.

D. At the August 30, 1989 meeting, referenced above, it was agreed that we would work with your Board's staff to obtain compliance for those facilities remaining on the ODI, but not on the above list. Your Fullerton office will provide a listing of those facilities in Los Angeles County still on the ODI, and we will take appropriate enforcement actions.

D. (Cont'd.)

We will work with your Fullerton staff to ensure that all information regarding each facility such as name, SWIS Number and location, is correct. Additionally, we request that the above listed facilities be removed from the ODI.

IV. The LEA has failed to enforce the permit conditions regarding weight and volume, refuse fill area, refuse fill height, and refuse collection traffic at the Lopez Canyon Landfill (19-AA-0820).

We believe that we have adequately enforced the various permit conditions relative to the Lopez Canyon Landfill as we believe and understand them to be. It is our opinion that the Notice and Order issued by the LEA to the City of Los Angeles on July 21, 1989, is an appropriate order that adequately addresses and is responsive to the issues of concern to the LEA and your Board. Since this matter is under the jurisdiction of the Superior Court, and no resolution will occur before September 26, 1989, we believe that further discussion of this issue is inappropriate at this time.

We believe the actions and procedures outlined above address the concerns of your staff. We are always willing to discuss issues of mutual concern and work in a cooperative manner with you and your staff in order to conduct our mutual responsibilities. If your Board has any questions or requires more information, please call me at (213) 744-3261.

Very truly yours,

Charles W. Coffee

Charles W. Coffee, Director
Solid Waste Management Program

CWC:wp/cwmb1:cm

cc: R. Lopez
J. Petralia

ATTACHMENT 1

CITY OF
SANTA MONICA
CALIFORNIA

OFFICE OF THE CITY ENGINEER
1685 MAIN STREET, 458-8721
SANTA MONICA, CALIF. 90401-3293

August 14, 1989

Solid Waste Management Program
Los Angeles County
Department of Health Services
2615 S. Grand Avenue, 4th floor
Los Angeles, CA 90007

Attn: Mr. John L. Edmonson, R.S.

Re: Santa Monica Refuse Transfer Station

Dear Mr. Edmonson:

This is to advice you that we are in the CEQA process for the increase in operating capacity at the City's transfer station. As soon as the Negative Declaration is complete, we will be submitting our permit application for your review. We expect this will be within four to six weeks.

If you have any questions, please do not hesitate to call.

Sincerely,

Desi Alvarez, P.E.
City Engineer

cc: Neil Miller
Stan Scholl

s/daceqa

ATTACHMENT 2

COUNTY OF LOS ANGELES
DEPARTMENT OF HEALTH SERVICES
ENVIRONMENTAL MANAGEMENT SOLID WASTE MANAGEMENT PROGRAM
2615 SOUTH GRAND AVENUE ROOM 450 LOS ANGELES, CALIFORNIA 90007
(213) 744-3261

August 9, 1989

Palmdale Disposal Company, Inc.
P. O. Box 730
Palmdale, California 93550

ATTENTION: Mr. Philip H. Arklin,
President

Gentlemen:

SUBJECT: REVIEW OF STATE SOLID WASTE FACILITIES PERMIT - ANTELOPE VALLEY PUBLIC DUMP (Permit No. 19-AA-0009)

My staff and I have completed the review of your current State Solid Waste Facilities Permit for your firm's Antelope Valley Public Dump. You submitted an application for a review of the permit on June 20, 1989. Our review of the permit has determined that a significant change in the operation of the landfill has occurred which necessitates revision of the permit. The significant change which has occurred is that your landfill is currently receiving approximately twice as much refuse each day than is allowed by the terms of the permit. Your current permit calls for a daily volume of 1,000 cubic yards of refuse (approximately 350 tons); your application for review of the permit indicated a "peak daily loading" of 750 tons. In order for you to obtain a revised permit, I have enclosed several documents and instructions you need to apply for a revision of your permit.

I am enclosing a new permit application form. Be sure to mark box number 2, "Revision of Permit". I am also enclosing the instructions for preparing a Report of Disposal Site Information and Engineering Report which are part of the application. I have enclosed a questionnaire entitled "Environmental Analysis" which you must complete and return to me along with the permit application and other documents. You must address each "yes" response with a written description of what the impact(s) will be and how each will be mitigated. Adequate supporting studies and documents must be included with your response. Again, I request that you file the application with attendant reports and the Environmental Analysis, in duplicate, as one complete package. Additionally, please file your application for revision of the permit as soon as possible following receipt of these instructions and completion of the application.

Due to the volume of work involved in carrying out a revision of a solid waste facilities permit and the small amount of time in which to do it, I request that you provide a letter, which may be filed along with the application, which states that you waive the statutory five day application review period and 120 day permit processing period.

If you have any questions, please call me at (213) 744-3261.

Very truly yours,

Charles W. Coffee

CHARLES W. COFFEE, DIRECTOR
Solid Waste Management Program

CWC: a

cc: California Waste Management Board

Enclosures: (5)

ATTACHMENT 3

COUNTY OF LOS ANGELES
DEPARTMENT OF HEALTH SERVICES
ENVIRONMENTAL MANAGEMENT SOLID WASTE MANAGEMENT PROGRAM
2615 SOUTH GRAND AVENUE ROOM 450 LOS ANGELES, CALIFORNIA 90007
(213) 744-3261

August 23, 1989

California Waste Management Board
1020 Ninth Street, Suite 300
Sacramento, California 95814

Attention: Mr. Don Dier, Jr., P.E.
Permits Section

Ladies and Gentlemen:

SUBJECT: PERMIT REVIEW REPORT-FIVE YEAR REVIEW OF THE SOLID WASTE FACILITIES PERMIT FOR THE LIVINGSTON-GRAHAM LANDFILL (PERMIT NO. 19-AA-0044)

We have completed the required five (5) year review of the State Solid Waste Facilities Permit for the Livingston-Graham Landfill located in the City of Irwindale. The landfill is owned and operated by Livingston-Graham, Incorporated. As a result of the review, it has been determined that this is an unclassified waste disposal facility which receives only inert wastes from customers of the owner/operator. Because the inert wastes are deposited on the owner/operators property, I believe, in accordance with Title 7.3, California Government Code Section 66732(f), that a solid waste facilities permit is not required for this landfill.

Because of the foregoing, I request that the permit for the Livingston-Graham Landfill (19-AA-004) be cancelled or withdrawn and all reference to the facility in the Solid Waste Information System be deleted. Staff from this agency will continue to carry out routine periodic inspections of the facility to ensure that it is operated in a manner that will not jeopardize public health or the environment.

If you have any questions, please call me at (213) 744-3261.

Very truly yours,

CHARLES W. COFFEE, DIRECTOR
Solid Waste Management Program

CWC: a

cc: Livingston-Graham, Inc.

ATTACHMENT 4

COUNTY OF LOS ANGELES
DEPARTMENT OF HEALTH SERVICES
ENVIRONMENTAL MANAGEMENT SOLID WASTE MANAGEMENT PROGRAM
2615 SOUTH GRAND AVENUE ROOM 450 LOS ANGELES, CALIFORNIA 90007
(213) 744-3261

July 20, 1989

Mr. Scott Bradley
Environmental Engineer
Waste Management of California, Inc.
P. O. Box 1498
Simi Valley, California 93062

Dear Mr. Bradley:

SUBJECT: REVISION OF SOLID WASTE FACILITIES PERMIT FOR THE LANCASTER SANITARY LANDFILL (19-AA-0050)

In accordance with our recent discussions regarding my review of the subject permit and subsequent determination that it must be revised and your decision to request a 3500 cu.yd. daily refuse volume, I am enclosing several documents you will need in order to apply for revision of the permit.

I am enclosing a new permit application form. Be sure to mark box number 2, "Revision of Permit". I am also enclosing the instructions for preparing a Report of Disposal Site Information and Engineering Report which are part of the application. I have enclosed a questioner entitled "Environmental Analysis "which you must complete and return to me along with the permit application. You must address each "yes" response with a written description of what the impact(s) will be and how each will be mitigated. Adequate supporting studies and documents must be included with your response. Again, I request that you file the application with attendant reports and the Environmental Analysis, in duplicate, as one complete package.

Due to the volume of work involved in carrying out a revision of a solid waste facilities permit and the small amount of time in which to do it, I request that you provide a letter, which may be filed along with the application, which states that you waive the statutory five day application review period and 120 day permit processing period.

Mr. Bradley
July 20, 1989
Page 2.

If you have any questions, please call me at (213) 744-3261.

Very truly yours,

Charles W. Coffer

CHARLES W. COFFER, DIRECTOR
Solid Waste Management Program

CWC: ar

cc: California Waste Management Board
Robert Coyle
Doug Corcoran

Enclosures: (5)

COUNTY OF LOS ANGELES
DEPARTMENT OF HEALTH SERVICES
ENVIRONMENTAL HEALTH/HEALTH FACILITIES
SOLID WASTE MANAGEMENT PROGRAM
2615 S. Grand Avenue Room 450, Los Angeles, CA 90007
Telephone: (213) 744-3261

September 14, 1989

County of Los Angeles
Office of the Sheriff
Hall of Justice
Los Angeles, California 90012

ATTENTION: Fred M. Ramirez, Director
Fiscal Service

SUBJECT : Five Year Review of Solid Waste Facility Permit
Swis # 19-AA-0057

Dear Mr. Ramirez:

Your application for a five year review of the Solid Waste Facilities Permit of the landfill located at the Peter J. Pitchess Honor Rancho, 29300 The Old Road, Saugus, CA 91350, is hereby rejected and returned to you. The reasons for rejecting the application are as follow:

1. Missing Documents:

   a. Certification of Finding of Conformance by the County Solid Waste Management Plan Committee (Please contact Alice Chung, Los Angeles County Department of Public Works at (818) 458-3562 for information).
   b. Documentation that a Periodic Site Review has been accomplished by a Registered Engineer.

2. Clarifications in the Report of Disposal Site Information (RDSI):

   a. The description of the proposed baling operation is unclear and raises questions such as: 1. Will the bales be stacked by hand or machine? The data submitted with the RDSI suggest that the bales will weigh approx. 4800 lbs. 2. Will the front of the bales be exposed for more than 48 hrs., such as on a weekend? 3. When is the baling operation expected to begin? 4. Will the bales interfere with any gas extraction or monitoring requirements that might be mandated by the South Coast Air Quality Management District (SCAQMD) regarding Rule 1150.1?
   b. Include any findings or reports by the SCAQMD regarding Rule 1150.1 which could lead to a requirement that gas extraction or monitoring wells be constructed.
   c. Include the specific local fire requirements and the measures that will be used to meet these requirements.

d. Provide actual calculations showing available air space and in-place densities of trash and cover material which determine ultimate tonnage capacity.

e. Indicate on an plot plan, e.g. Exhibit 7, the distances to the nearest existing structures and all proposed structures, i.e. the proposed Jail Facility.

f. Indicate specific construction details of the permanent drainage structure on the landfill surface.

g. The topographic map should indicate the cut and/or fill sequence as the site is developed.

h. On page 26 there is a statement that the depth to he Saugus Aquifer is 200 feet but the table on page 27 indicated depth to groundwater as 88 feet at MW2 and 116 feet at MW3. There is also a conclusion that the aquifer slopes 4% to the West. Clarify this discrepancy and include a topographical cross section of the area between these two wells indicating the original topography and the upper and lower limits (if known) of the existing fill, the depth of the two wells and the depth to groundwater.

i. We have found from the information you have supplied that operation of the landfill as a balefill and disposing of about 40 tons of refuse per day as opposed to the current amount of 23 tons per day (an approximate 74% increase) is a significant change in the design and operation of this facility. This finding requires that the California Environmental Quality Act (CEQA) process be initiated. The Solid Waste Management Program (SWMP) as the Lead Agency in this process will make a determination as to which CEQA process to pursue upon receipt of the completed Environmental Analysis Questionaire (copy enclosed).

Please return the questionaire as soon as possible in order that we may expedite this process.

You are directed to submit the corrected application form along with the Report of Disposal Site Information to this office within 30 days of receipt of this letter.

If you have any questions, please call the Solid Waste Management Program at (213) 744-3261.

Very truly yours,

Charles W. Coffee

CHARLES W. COFFEE, DIRECTOR
Solid Waste Management Program

CWC:cm

Enclosures:(3)

ATTACHMENT 6

COUNTY OF LOS ANGELES
DEPARTMENT OF HEALTH SERVICES
ENVIRONMENTAL MANAGEMENT SOLID WASTE MANAGEMENT PROGRAM
2615 SOUTH GRAND AVENUE ROOM 450 LOS ANGELES, CALIFORNIA 90007
(213) 744-3261

August 25, 1989

California Waste Management Board
1020 Ninth Street, Suite 300
Sacramento, California 95814

Attention: Mr. Don Dier, Jr., P.E.
Permits Section

Ladies and Gentlemen:

SUBJECT: PERMIT REVIEW REPORT-FIVE YEAR REVIEW OF THE SOLID WASTE FACILITIES PERMITS FOR VARIOUS COUNTY OF LOS ANGELES DEPARTMENT OF PUBLIC WORKS MAINTENANCE DISTRICTS OR ROAD DIVISION FACILITIES (SMALL VOLUME TRANSFER STATIONS-PERMIT NUMBERS 19-AA-0298 THROUGH 19-AA-0314 AND 19-AA-0390 THROUGH 19-AA-0402)

We have completed the required five (5) year review of the Solid Waste Facilities Permits (SWFP) for each of the subject County of Los Angeles Department of Public Works Maintenance Districts or Road Division facilities (small volume transfer stations). Items reviewed were the permit applications, Plans of Operation for each facility and the current permit for each facility. A thorough physical inspection of each facility by two staff members was also included as a part of the permit review. As a result of the review, I have concluded that twenty four (24) of the twenty nine (29) facilities receive less than fifteen (15) cubic yards of material each day and a SWFP for each facility is not required. Five (5) of the facilities receive more than fifteen (15) cubic yards of material each day, and a SWFP for each of these will continue to be required.

The physical inspection of each of the below listed facilities determined that because of the type of material (primarily street sweepings) and low volume of material received and the continued satisfactory operation of each facility, these facilities do not constitute a real or potential threat to public health or the environment. I request that the SWFP for each of the below listed facilities be withdrawn or cancelled and each facility be removed from the Solid Waste Information System (SWIS).

Mr. Dier, Jr., P.E.
August 25, 1989
Page 2

The SWFP to be cancelled or withdrawn are as follows:

	PERMIT NO.	NAME	APPROXIMATE DAILY VOLUME
1.	19-AA-0298	Maintenance Dist. #2 Transfer Station	5cu. yd.
2.	19-AA-0299	Road Division #523 Transfer Station	12cu. yd.
3.	19-AA-0300	Road Division #523A Transfer Station	11cu. yd.
4.	19-AA-0301	Road Division #523B Transfer Station	1cu. yd.
5.	19-AA-0302	Road Division #524 Transfer Station	10cu. yd.
6.	19-AA-0305	Road Division #331 Transfer Station	6cu. yd.
7.	19-AA-0306	Road Division 3436 Transfer Station	8cu. yd.
8.	19-AA-0307	Road Division #438 Transfer Station	8cu. yd.
9.	19-AA-0308	Road Division #539 Transfer Station	9cu. yd.
10.	19-AA-0310	Road Division #557 Transfer Station	12cu. yd.
11.	19-AA-0311	Road Division #551 Transfer Station	1cu. yd.
12.	19-AA-0312	Road Division #552 Transfer Station	-0-
13.	19-AA-0313	Road Division #555 Transfer Station	1cu. yd.
14.	19-AA-0314	Road Division #558 Transfer Station	1cu. yd.
15.	19-AA-0390	Road Division #122,326 & 529 T.S.	1cu. yd.
16.	19-AA-0391	Road Division #117 Transfer Station	9cu. yd.
17.	19-AA-0393	Road Division #114 sub-yard T. S.	4cu. yd.
18.	19-AA-0394	Road Division #118 Transfer Station	3cu. yd.
19.	19-AA-0395	Road Division #112 Transfer Station	2cu. yd.
20.	19-AA-0396	Road Division #445 Transfer Station	8cu. yd.
21.	19-AA-0399	Road Division #146 Transfer Station	10cu. yd.
22.	19-AA-0400	Road Division #116 Transfer Station	6cu. yd.
23.	19-AA-0401	Road Division #114 Transfer Station	6cu. yd.
24.	19-AA-0402	Maintenance Dist.#1 Transfer Station	7cu. yd.

As stated above, five (5) facilities continue to receive more than fifteen (15) cubic yards of material each day and the SWFP for these facilities are to remain in effect. Our review the permits and other documents and the physical inspections determined that there had been no significant change in the design or operation of the facilities, therefore, the SWFP do not require modification or revision at this time. I have enclosed a new permit cover sheet for each facility.

The SWFP to remain in effect are as follows:

	PERMIT NO.	NAME	APPROXIMATE DAILY VOLUME
1.	19-AA-0303	Road Division #233 Transfer Station	33cu. yd.
2.	19-AA-0304	Road Division #232 Transfer Station	16cu. yd.
3.	19-AA-0309	Road Division #241 Transfer Station	41cu. yd.
4.	19-AA-0397	Road Division #342 Transfer Station	47cu. yd.
5.	19-AA-0398	Maintenance Dist. #4 Transfer Station	18cu. yd.

If you have any questions or need additional information, please call me or Mr. John Edmondson of my staff at (212) 744-3261.

Very truly yours,

Charles W. Coffee

CHARLES. W. COFFEE, DIRECTOR
Solid Waste Management Program

CWC: s

Enclosures: (5)
cc: County of Los Angeles Department of Public Works
Road Maintenance Division

COUNTY OF LOS ANGELES DEPARTMENT OF HEALTH SERVICES
ENVIRONMENTAL HEALTH / HEALTH FACILITIES
SOLID WASTE MANAGEMENT PROGRAM
2615 So. Grand Avenue, Room 450 ■ Los Angeles, CA 90007 ■ (213) 744-3261

September 6, 1989

City of Santa Monica
Department of General Services
1685 Main Street
P.O. Box 2200
Santa Monica, CA 90406-2200

Attention: Mr. Stanley E. Scholl,
Director of General Services

Ladies and Gentlemen:

ORDER TO REDUCE THE DAILY AMOUNT OF INCOMING REFUSE AT THE CITY OF SANTA MONICA TRANSFER STATION (PERMIT NO. 19-AA-0008)

At its August 18, 1989 Meeting, the California Waste Management Board (CWMB) affirmed its policy concerning weight or volume limits for landfills and transfer/processing facilities. The CWMB affirmed that the weight or volume of refuse received each day at these facilities, as stated in the Findings Section of the Solid Waste Facilities Permit (SWFP) issued for the facility is, in fact, a limit upon the amount of refuse that may be accepted for disposal each day at the facility. The CWMB also affirmed its policy that the receipt of more refuse than that stated in the Findings Section of the SWFP is a significant change int he design or operation of the facility and, as stated in the Specifications Section of the SWFP, no significant change in the design or operation of the facility from that described in the Findings Section is allowed.

On August 23, 1989, a member of my staff inspected your transfer station and, as part of the inspection, reviewed your records of the amount of refuse received at the transfer station each day. The records reviewed are for the period August 7, 1989, to August 22, 1989; a total of fourteen (14) days. The total weight of refuse received for disposal at the transfer station during the period was 4,718 tons. This is an average daily weight of 337 tons.

Item No. 1 of the Findings Section of the current SWFP for your transfer station states that the facility is receiving an annual average of 200 tons of refuse per day. Item No. 1 of the Specifications of the SWFP states, in part, "no significant change in design or operation from that described in Items 1 and 7 of the 'Findings' Section is allowed . . . "

In order to comply with the daily weight limit stated int he SWFP, you are directed to immediately reduce the daily weight of total refuse received at your transfer station to an average of 200 tons. This restriction is to remain in effect until an appropriately revised SWFP is issued. Periodic inspections will be made of your daily records of refuse received for disposal at your transfer station to ascertain your compliance with this order. Failure to comply with this order may result in further action being taken against you.

If you have any questions, please call me at (213) 744-3261.

Very truly yours,

Charles W. Coffee

Charles W. Coffee, Director
Solid Waste Management Program

CWC: kaj

cc: California Waste Management Board

COUNTY OF LOS ANGELES DEPARTMENT OF HEALTH SERVICES
ENVIRONMENTAL HEALTH / HEALTH FACILITIES
SOLID WASTE MANAGEMENT PROGRAM
2615 So. Grand Avenue, Room 450 • Los Angeles, CA 90007 • (213) 744-3261

September 6, 1989

Palmdale Disposal Company, Inc.
1200 West City Ranch Road
Palmdale, CA 93550

Attention: Mr. Philip Arklin,
President

Gentlemen:

ORDER TO REDUCE THE DAILY VOLUME OF INCOMING REFUSE
AT THE ANTELOPE VALLEY PUBLIC DUMP (PERMIT NO. 19-AA-0009)

At its August 18, 1989 Meeting, the California Waste Management Board (CWMB) affirmed its policy concerning weight or volume limits for landfills and transfer/processing facilities. The CWMB affirmed that the weight or volume of refuse received each day at these facilities, as stated in the Findings Section of the Solid Waste Facilities Permit (SWFP) issued for the facility is, in fact, a limit upon the amount of refuse that may be accepted for disposal each day at the facility. The CWMB also affirmed its policy that the receipt of more refuse than that stated in the Findings Section of the SWFP is a significant change in the design or operation of the facility and, as stated in the Specifications Section of the SWFP, no significant change in the design or operation of the facility from that described in the Findings Section is allowed.

On August 23, 1989, a member of my staff inspected your landfill and, as part of the inspection, reviewed your records of the amount of refuse received at the landfill each day. The records reviewed are for the period August 7, 1989 to August 19, 1989; a total of twelve (12) days. The total volume of refuse received for disposal at the landfill during the period was 24,311 cubic yards (cy). This is an average daily volume of 2,026 cy.

Item A of the Findings Section of the current SWFP for your landfill states that the facility is receiving approximately 1,000 cy. of refuse per day. The Provisions Section of the SWFP states, in part, "no significant change in design and operation from that described in Items 'A' or 'B' of the 'Findings' Section is allowed . . ." In order to comply with the daily volume limit stated int he SWFP (approximately 1,000 cy. per day), you are directed to immediately reduce the daily volume of total refuse received at your landfill to approximately 1,000 cy. This restriction must remain in effect until an appropriately revised SWFP is issued.

Periodic inspections will be made of your daily records of refuse received for disposal at your landfill to ascertain your compliance with this order. Failure to comply with this order may result in further action being taken against you.

If you have any questions, please call me at (213) 744-3261.

Very truly yours,

Charles W. Coffee

Charles W. Coffee, Director
Solid Waste Management Program

CWC: kaj

cc: California Waste Management Board

COUNTY OF LOS ANGELES/DEPARTMENT OF HEALTH SERVICES
ENVIRONMENTAL HEALTH / HEALTH FACILITIES
SOLID WASTE MANAGEMENT PROGRAM
2615 So. Grand Avenue, Room 450 • Los Angeles, CA 90007 • (213) 744-3261

September 6, 1989

Waste Management of Lancaster
Sanitary Landfill, Inc.
600 East Avenue F
Lancaster, CA 93534

Dear Sirs:

ORDER TO REDUCE THE DAILY VOLUME OF INCOMING REFUSE AT THE WASTE MANAGEMENT OF LANCASTER SANITARY LANDFILL (PERMIT NO. 19-AA-0050)

At its August 18, 1989 Meeting, the California Waste Management Board (CWMB) affirmed its policy concerning weight or volume limits for landfills and transfer/processing facilities. The CWMB affirmed that the weight or volume of refuse received each day at these facilities, as stated in the Findings Section of the Solid Waste Facilities Permit (SWFP) issued for the facility is, in fact, a limit upon the amount of refuse that may be accepted for disposal each day at the facility. The CWMB also affirmed its policy that the receipt of more refuse than that stated in the Findings Section of the SWFP is a significant change in the design or operation of the facility and, as stated in the Specifications Section of the SWFP, no significant change in the design or operation of the facility from that described in the Findings Section is allowed.

On August 23, 1989, a member of my staff inspected your landfill and, as part of the inspection, reviewed your records of the amount of refuse received at the landfill each day. The records reviewed are for the period August 3, 1989 to August 22, 1989; a total of seventeen (17) days. The total volume of refuse received for disposal at the landfill during the foregoing period was 35,941 cubic yards (cy). This is an average daily volume of 2,114 cy.

Item A of the Findings Section of the current SWFP for your landfill states that the facility is receiving 900 cy. per day. Item B of the Provisions Section of the SWFP states, in part, that the "daily inflow of total wastes received shall not exceed 1,500 cubic yards per day." In order to comply with the daily volume limit stated in the SWFP (1,500 cy. per day), you are directed to immediately reduce the daily volume of total refuse received at your landfill to 1,500 cy. This restriction must remain in effect until an appropriately revised SWFP is issued.

Periodic inspections will be made of your daily records of refuse received for disposal at your landfill to ascertain your compliance with this order. Failure to comply with this order may result in further action being taken against you.

If you have any questions, please call me at (213) 744-3261.

Very truly yours,

Charles W. Coffee, Director
Solid Waste Management Program

CWC: kaj

cc: California Waste Management Board

COUNTY OF LOS ANGELES DEPARTMENT OF HEALTH SERVICES
ENVIRONMENTAL HEALTH / HEALTH FACILITIES
SOLID WASTE MANAGEMENT PROGRAM
2615 So. Grand Avenue, Room 450 • Los Angeles, CA 90007 • (213) 744-3261

September 6, 1989

Mr. Charles W. Carry,
Chief Engineer & General Manager
County Sanitation Districts
of Los Angeles County
P.O. Box 4998
Whittier, CA 90607

Attention: Mr. Stephen R. Maguin,
Departmental Engineer

Dear Mr. Carry:

ORDER TO REDUCE THE DAILY AMOUNT OF INCOMING REFUSE AT THE CALABASAS LANDFILL (PERMIT NO. 19-AA-0056)

At its August 18, 1989 Meeting, the California Waste Management Board (CWMB) affirmed its policy concerning weight or volume limits for landfills and transfer/processing facilities. The CWMB affirmed that the weight or volume of refuse received each day at these facilities, as stated in the Findings Section of the Solid Waste Facilities Permit (SWFP) issued for the facility is, in fact, a limit upon the amount of refuse that may be accepted for disposal each day at the facility. The CWMB also affirmed its policy that the receipt of more refuse than that stated in the Findings Section of the SWFP is a significant change in the design or operation of the facility and, as stated in the Specifications Section of the SWFP, no significant change in the design or operation of the facility that described in the Findings Section is allowed.

On August 23, 1989, a member of my staff inspected your landfill and, as part of the inspection, reviewed your records of the amount of refuse received at the landfill each day. The records reviewed are for the period August 9, 1989 to August 22, 1989; a total of twelve (12) days. The total weight of refuse received for disposal at the landfill during the period was 30,725 tons. This is an average daily weight of 2,560 tons.

Item A of the Findings Section of the current SWFP for your landfill states that the facility is receiving an average of 2,200 tons of refuse per day. Item No. 1 of the Specifications Section of the SWFP states that "no significant change in design or operation from that described in Item A of the Findings Section of this permit is allowed."

In order to comply with the daily weight limit stated in the SWFP, you are directed to immediately reduce the daily weight of total refuse received at your landfill to an average of 2,200 tons. This restriction must remain in effect until an appropriately revised SWFP is issued. Periodic inspections will be made of your daily records of refuse received for disposal at your landfill to ascertain your compliance with this order. Failure to comply with this order may result in further action being taken against you.

If you have any questions, please call me at (213) 744-3261.

Very truly yours,

Charles W. Coffee

Charles W. Coffee, Director
Solid Waste Management Program

CWC: kaj

cc: California Waste Management Board

COUNTY OF LOS ANGELES/DEPARTMENT OF HEALTH SERVICES
ENVIRONMENTAL HEALTH / HEALTH FACILITIES
SOLID WASTE MANAGEMENT PROGRAM
2615 So. Grand Avenue, Room 450 • Los Angeles, CA 90007 • (213) 744-3261

August 29, 1989

California Waste Management Board
1020 Ninth Street, Suite 300
Sacramento, CA 95814

Ladies and Gentlemen:

REQUEST FOR REMOVAL OF FACILITIES FROM THE RCRA OPEN DUMP INVENTORY

This is to request that your Board remove the below-listed three (3) facilities from the RCRA Open Dump Inventory. Field investigations of two (2) of the facilities have determined that the conditions which caused them to be placed in the Inventory have been eliminated. We are unable to locate any files or references to the remaining facility.

The three (3) facilities, and the reasons for removing each from the Inventory, are as follows:

1. Blanchard Street Dump 19-AA-0580: Surface Water.
The Local Enforcement Agency (LEA) carried out six (6) field investigations of this facility from March 26, 1986, to September 10, 1986. The written field investigation reports and photographs taken during each investigation show no evidence of impounded surface water.

2. Longdon Avenue Dump 19-AA-0587: Safety/Gas.
The LEA has no file or any records on a facility with this name or Solid Waste Information System Number. This site name does not appear on any of the lists of facilities maintained by the South Coast Air Quality Management District or the California Regional Water Quality Control Board, Los Angeles Region, for Air or Water Solid Waste Assessment Tests.

3. El Monte Pit 19-AA-0769: Safety/Gas/
The LEA carried out four (4) Landfill Gas Surveys of this facility during the period September 23, 1987, to February 4, 1988. Using an Organic Vapor Analyzer, staff tested 247 bar probes. Only 32 of these probes tested positive for the presence of methane gas above the background level of 10 parts per million (ppm). The maximum level of methane gas detected was 100 ppm (.01%), while the overall average was 20 ppm (.002%) methane. it is our contention that methane gas is not a safety hazard at this facility.

Since our investigations, a large part of the closed landfill has been excavated, and a Southern California Rapid Transit District Bus Station and Park and Ride Facility has been constructed. Parking lots have been constructed ovr the remaining unexcavated portion of the facility. Our field investigations subsequent to completion of the foregoing construction activities have found no significant landfill gas problems.

If you have any questions or need any more information, please call me at (213) 744-3261.

Very truly yours,

Charles W. Coffee, Director
Solid Waste Management Program

CWC : kaj

SOLID WASTE FACILITIES PERMIT STATUS REPORT

FACILITY NAME, ADDRESS, PH. NO. AND SOLID WASTE FACILITIES PERMIT NUMBER	5-YR. REVIEW/ PERIODIC FACILITY (SITE) REVIEW DUE DATE	150 DAY NOTICE 5-YEAR REVIEW LETTER MAILD BY CWMB.(DATE RECEIVED FROM CWMB.)	APPLICATION RECEIVED	PHISICAL INSP: (SITE) FACILITY REVIEW	APPLICATION: ACCEPTED/ REJECTED	APPLICATION & PERMIT REVIW REPORT, MAILD TO CWMB.	DOCUMENTS RECEIVED COMPLETE	DRAFT PERMIT MAILD TO OPERATOR & CWMB.	DRAFT PERMIT COMMENTS RECEIVED	PROPOSED PERMIT MAILD TO OPERATOR CWMB. (REGIONAL WATER. ONLY IF LANDFILL)	PROPOSED PERMIT CWMB AGENDA FOR CONCURRENCE
19-AA-0001 ACTION TRANSFER CNTR. 1449 W. ROSECRANS AVE. GARDENA 213-532-6283											
19-AA-0005 SOUTH GATE TRANSFER ST 9530 GARFIELD AVE. SOUTH GATE 213-771-4801											
19-AA-0006 BRAND PARK LANDFILL 2000 W. BRAND PARK DR. GLENDALE 818-956-3950											
19-AA-0008 SNTA. MONICA TRANSFER 2500 MICHIGAN AVE. SANTA MONICA 213-828-4079											
19-AA-0009 ANTELOP VALLY LANDFILL 1200 W. CITY RANCH RD. LACO PALMDALE 805-942-4884											
19-AA-0012 SCHOLL CYN. LANDFILL 7721 N. FIGUEROA ST. GLENDALE 213-699-7411											
19-AA-0013 AZUSA LAND RECLAMATION 1201 W. GLANDSTONE ST. AZUSA 818-334-0719											
19-AA-0014 VAIL ST. DUMP 845 S. VAIL STREET MONTEBELLO 213-720-1330											
19-AA-0015 SPADRA LANDFILL 4125 W. VALLY POMONA 714-595-2701											

CMB CONCURRENCE DATE	S.W.F.P. ISSUE DATE BY LEA	CONCURRED S.W.F.P. MAILD TO, OPERATOR, CMB & PUBLIC WORKS (CO.ENG)

000239

SOLID WASTE FACILITIES PERMIT STATUS REPORT

FACILITY NAME, ADDRESS, PH. NO. AND SOLID WASTE FACILITIES PERMIT NUMBER	5-YR. REVIEW/ PERIODIC FACILITY (SITE) REVIEW DUE DATE	150 DAY NOTICE 5-YEAR REVIEW LETTER MAILD BY CWMB.(DATE RECEIVED FROM CWMB.)	APPLICATION RECEIVED	PHISICAL INSP: (SITE) FACILITY REVIEW	APPLICATION: ACCEPTED/ REJECTED	APPLICATION & PERMIT REVIW REPORT, MAILD TO CWMB.	DOCUMENTS RECEIVED COMPLETE	DRAFT PERMIT MAILD TO OPERATOR & CWMB.	DRAFT PERMIT COMMENTS RECEIVED	PROPOSED PERMIT MAILD TO OPERATOR CWMB. (REGIONAL WATER. ONLY IF LANDFILL)	PROPOSED PERMIT CWMB.AGENDA FOR CONCURRENCE
19-AA-0019 MONTEBELLO LANDWATER 283 E. WAIDEN LANE MONTEBELLO 213-722-8653											
19-AA-0024 CONROCK CO. 15626 E. ARROW HIGHWAY IRWINDALE 213-258-2777											
19-AA-0027 SAN MARINO CITY DUMP 212 E. LIVE OAK AVE. IRWINDALE 818-300-0700											
19-AA-0040 BURBANK # 3 1600 LOCHEED VIEW DRV. BURBANK 818-953-9622											
19-AA-0042 SOUTH GATE SOLID FILL 10200 MILLER WAY SOUTH GATE 213-567-1331											
19-AA-0043 MU-WAY INDUSTRIES 400 E. LIVE OAK AVE. IRVINDALE 213-359-4111											
19-AA-0047 DECOMPOSED GRANITE PIT 30TH ST. E.& AVE N-8 LANCASTER 805-947-7173											
19-AA-0048 ADVANCE RCY & TRANSFER 2509 W. ROSECRANS AVE. CORPTON 213-327-8463											
19-AA-0050 WASTE MGNT. LANCASTER 600 E. AVE. F LAOO LANCASTER 805-948-4721											

CLWB CONCURRENCE DATE	S.W.F.P. ISSUE DATE BY LEA	CONCURRED S.W.F.P. MAILD TO, OPERATOR, CLWB & PUBLIC WORKS (CO.ENG)

000350

SOLID WASTE FACILITIES PERMIT STATUS REPORT

FACILITY NAME, ADDRESS, PHL NO. AND SOLID WASTE FACILITIES PERMIT NUMBER	5-YR. REVIEW/ PERIODIC FACILITY (SITE) REVIEW DUE DATE	150 DAY NOTICE 5-YEAR REVIEW LETTER MAILD BY CUMB.(DATE RECEIVED FROM CUMB.)	APPLICATION RECEIVED	PHISICAL INSP: (SITE) FACILITY REVIEW	APPLICATION: ACCEPTED/ REJECTED	APPLICATION & PERMIT REVIEW REPORT, MAILD TO CUMB.	DOCUMENTS RECEIVED COMPLETE	DRAFT PERMIT MAILD TO OPERATOR & CUMB.	DRAFT PERMIT COMMENTS RECEIVED	PROPOSED PERMIT MAILD TO OPERATOR CUMB. (REGIONAL WATER. ONLY IF LANDFILL)	PROPOSED PERMIT CUMB.AGENDA FOR CONCURRENCE
19-AA-0052 CHIQUITA CANYON 29201 HENRY MAYO DRV. LACO CASTAIC 805-257-3655											
19-AA-0053 PUENTE HILLS # 6 2800 S. WORKMAN HILL LACO WHITTIER 213-695-8264											
19-AA-0055 QUARTZ HILL AVE. N-2 & 45 ST. W. LACO QUARTZ HILL 805-947-7173											
19-AA-0056 CALABASAS 5300 LOST HILL ROAD LACO AGOURA 818-991-4435											
19-AA-0057 MAYSIDE HONOR RANCH 29300 THE OLD ROAD LACO CASTAIC 805-257-4880											
19-AA-0061 PEBBLY BEACH DISP. SANTA CATALINA ISLAND LACO CATALINA ISLAND 213-510-0648											
19-AA-0062 TWO HARBORS LANDFILL TWO HARBORS LACO CATALINA ISLAND 213-510-0303											
19-AA-0063 U.S. NAVY LANDFILL SAN CLEMENTE ISLAND LACO SAN CLEMENTE ISLD 619-437-6011											
19-AA-0064 MU-WAY INDUSTRIES TRAN 400 E. LIVE OAK IRWINDALE 818-359-4111											

CMHB CONCURRENCE DATE	S.W.F.P. ISSUE DATE BY LEA	CONCURRED S.W.F.P. HAULD 10, OPERATOR, CMHB & PUBLIC WORKS (CO.ENG)

263000

SOLID WASTE FACILITIES PERMIT STATUS REPORT

FACILITY NAME, ADDRESS, PH. NO. AND SOLID WASTE FACILITIES PERMIT NUMBER	5-YR. REVIEW/ PERIODIC FACILITY (SITE) REVIEW DUE DATE	150 DAY NOTICE 5-YEAR REVIEW LETTER MAILD BY CNMB.(DATE RECEIVED FROM CNMB.)	APPLICATION RECEIVED	PHISICAL INSP: (SITE) FACILITY REVIEW	APPLICATION: ACCEPTED/ REJECTED	APPLICATION & PERMIT REVIW REPORT, MAILD TO CNMB.	DOCUMENTS RECEIVED COMPLETE	DRAFT PERMIT MAILD TO OPERATOR & CNMB.	DRAFT PERMIT COMMENTS RECEIVED	PROPOSED PERMIT MAILD TO OPERATOR CNMB. (REGIONAL WATER. ONLY IF LANDFILL)	PROPOSED PERMIT CNMB.AGENCY FOR CONCURRENCE
19-AA-0067 CITY OF INGLEWOOD TRAN 222 W. BEACH AVE. INGLEWOOD 213-412-5345											
19-AA-0252 BEVERLY HILLS TRANSFER 9357 W. THIRD STREET BEVERLY HILLS 213-550-4993											
19-AA-0298 MAINTENANCE DISTRICT #2 252 W. MOUNTAIN VIEW LACO ALTADENA 818-798-1178											
19-AA-0299 # 523 L.A. COUNTY ROAD DEP. 17931 SIERRA HWY. LACO NEWHALL 805-252-3085											
19-AA-0300 #523-A L.A. COUNTY ROAD DEP. 22310 PACERITA CYN. LACO NEWHALL 213-226-8294											
19-AA-0301 # 523-B L.A. COUNTY ROAD DEP. 27624 W. PARKER RD. LACO CASTAIC 805-257-4441											
19-AA-0302 ROAD DIVISION # 524 3916 DUNSMORE AVE. LACO LA CRESCENTA 818-294-3094											
19-AA-0303 233 T.S. L.A.CO. RD. DPT.MNT 5530- W. 88RD STREET LA CITY WEST 213-649-5123											
19-AA-0304 232 T.S. L.A.CO. ROAD DPT-MNT. 4055 W. COMPTON BLVD. LAWNDALE 213-679-2509											

Extended Page 3.1

CLWB CONCURRENCE DATE	S.W.F.P. ISSUE DATE BY LEA	CONCURRED S.W.F.P. MAILD TO, OPERATOR, CLWB & PUBLIC WORKS (CO.ENG)

000094

SOLID WASTE FACILITIES PERMIT STATUS REPORT

FACILITY NAME, ADDRESS, PHL NO. AND SOLID WASTE FACILITIES PERMIT NUMBER	5-YR. REVIEW/ PERIODIC FACILITY (SITE) REVIEW DUE DATE	150 DAY NOTICE 5-YEAR REVIEW LETTER MAILD BY CWMB.(DATE RECEIVED FROM CWMB.)	APPLICATION RECEIVED	PHISICAL INSP: (SITE) FACILITY REVIEW	APPLICATION: ACCEPTED/ REJECTED	APPLICATION & PERMIT REVIW REPORT, MAILD TO CWMB.	DOCUMENTS RECEIVED COMPLETE	DRAFT PERMIT MAILD TO OPERATOR & CWMB.	DRAFT PERMIT COMMENTS RECEIVED	PROPOSED PERMIT MAILD TO OPERATOR CWMB. (REGIONAL WATER. ONLY IF LANDFILL)	PROPOSED PERMIT CWMB.AGENDA FOR CONCURRENCE
19-AA-0305 #331 ROAD DIVISION 8752 EL TOVAR STREET LACITY WEST 213-226-8294											
19-AA-0306 # 436 L.A. CO. ROAD DIVISION 3637 WINTER CYN DRIVE LACO MALIBU 213-456-8014											
19-AA-0307 # 438 L.A. CO. ROAD DIVISION 24309 WALNUT LOMITA 213-326-3881											
19-AA-0308 # 539 L.A. CO. ROAD DIVISION 29773 W. MULHOLLAND HY LACO AGOURA 818-889-0323											
19-AA-0309 TRANS. ST. ROAD DIVISION 241-143 2120 E. 90TH STREET LACITY SOUTH CENTRAL 213-226-8294											
19-AA-0310 LA CO. ROAD DEPT.MAIN 38126 N. SIERRA HWY. PALMDALE 805-947-7173											
19-AA-0311 #551 L.A. CO. ROAD DEPT. 48519 W. AVENUE L-12 LACO LNCASTER 805-943-4043											
19-AA-0313 # 555 L.A. CO. ROAD DEPT. 45122 N. 70TH ST. E. LANCASTER 805-946-1818											
19-AA-0314 # 558 L.A. CO. ROAD DEPT. 8505 E. AVENUE T LACO PLNDALE 805-946-1508											

CJMB CONCURRENCE DATE	S.W.F.P. ISSUE DATE BY LEA	CONCURRED S.W.F.P. MAILD TO, OPERATOR, CJMB & PUBLIC WORKS (CO.ENG)

000396

SOLID WASTE FACILITIES PERMIT STATUS REPORT

FACILITY NAME, ADDRESS, PH. NO. AND SOLID WASTE FACILITIES PERMIT NUMBER	5-YR. REVIEW/ PERIODIC FACILITY (SITE) REVIEW DUE DATE	150 DAY NOTICE 5-YEAR REVIEW LETTER MAILD BY CUMB.(DATE RECEIVED FROM CUMB.)	APPLICATION RECEIVED	PHISICAL INSP: (SITE) FACILITY REVIEW	APPLICATION: ACCEPTED/ REJECTED	APPLICATION & PERMIT REVIW REPORT, MAILD TO CUMB.	DOCUMENTS RECEIVED COMPLETE	DRAFT PERMIT MAILD TO OPERATOR & CUMB.	DRAFT PERMIT COMMENTS RECEIVED	PROPOSED PERMIT MAILD TO OPERATOR CUMB. (REGIONAL WATER. ONLY IF LANDFILL)	PROPOSED PERMIT CUMB.AGENCY FOR CONCURRENCE
19-AA-0389 REDONDO BEACH TRANSFER 1513 BERYL STREET REDONDO BEACH 213-372-1171											
19-AA-0390 529 ROAD DIVISION 122,326 213 N. ENCINITA AVE. EMPLE CITY 213-286-3173											
19-AA-0391 #197 L.A. CO. ROAD DIVISION 19865 E. WALNUT DRIVE WALNUT 818-964-1518											
19-AA-0392 # 521 LA. CO. ROAD DIVISION 815 E. CALAVERAS ST. LACO ALTADENA 818-798-6711											
19-AA-0393 # 146 LA CO ROAD DEPT. 13761 E. TELEGRAPH RD. SANTA FE SPRINGS 213-944-5502											
19-AA-0394 # 118 LA. CO. ROAD DIVISION 161 N. VALENCIA ST. GLENDORA 818-335-2798											
19-AA-0395 # 112 LA. CO. ROAD DIVISION 221 S. EUCLA AVE. SAN DIMAS 818-332-5017											
19-AA-0396 # 445 LA. CO. ROAD DIVISION 12641 S. PARMOUNT DOWNEY 213-869-1178											
19-AA-0397 # 342 LA. CO. ROAD DIVISION 4394 EUGENE STREET LACO BELVEDERE 213-261-2140											

Extended Page 7.1

CUMB CONCURRENCE DATE	S.U.F.P. ISSUE DATE BY LEA	CONCURRED S.U.F.P. MAILD TO, OPERATOR, CUMB & PUBLIC WORKS (CO.ENG)

000393

SOLID WASTE FACILITIES PERMIT STATUS REPORT

FACILITY NAME, ADDRESS, PH. NO. AND SOLID WASTE FACILITIES PERMIT NUMBER	5-YR. REVIEW/ PERIODIC FACILITY (SITE) REVIEW DUE DATE	150 DAY NOTICE 5-YEAR REVIEW LETTER MAILD BY CUMB.(DATE RECEIVED FROM CUMB.)	APPLICATION RECEIVED	PHISICAL INSP: (SITE) FACILITY REVIEW	APPLICATION: ACCEPTED/ REJECTED	APPLICATION & PERMIT REVIW REPORT, MAILD TO CUMB.	DOCUMENTS RECEIVED COMPLETE	DRAFT PERMIT MAILD TO OPERATOR & CUMB.	DRAFT PERMIT COMMENTS RECEIVED	PROPOSED PERMIT MAILD TO OPERATOR CUMB. (REGIONAL WATER. ONLY IF LANDFILL)	PROPOSED PERMIT CUMB.AGENCY FOR CONCURRENCE
19-AA-0398 # 4 LA. CO. ROAD DEPT. 11282 S. GARFIELD AVE DOWNET 213-869-1178											
19-AA-0399 #146 LA. CO. ROAD DIVISION 13934 E. ROSECRANS AVE SANTA FE SPRINGS 213-226-8294											
19-AA-0400 # 116 LA. CO ROAD DIVISION 14959 E. PROCTOR AVE LA PUENTE 818-968-3312											
19-AA-0401 # 144 LA. CO. ROAD DEPT. 9521 E. BEVERLY BLVD. PICO RIVERA 213-692-2107											
19-AA-0402 #1 LA. CO. MAINTENENCE DI 14747 E. RAMONA BALDWIN PARK 818-337-1277											
19-AA-0404 CULVER CITY TRANSFER 9255 W. JEFFERSON BLVD CULVER CITY 213-202-5727											
19-AA-0409 LIVE OAK LANDFILL 128 E. LIVE OAK MONROVIA 818-574-1835											
19-AA-0506 COMMERCE WASTE/ENERGY 5926 SHEILA STREET COMMERCE 213-721-1278											
19-AA-0757 SOUTH GATE CITY YARD 9599 SALT LAKE AVE. SOUTH GATE 213-567-1331											

CLWB CONCURRENCE DATE	S.W.F.P. ISSUE DATE BY LEA	CONCURRED S.W.F.P. MAILD TO, OPERATOR, CLWB & PUBLIC WORKS (CO.ENG)

000-100

SOLID WASTE FACILITIES PERMIT STATUS REPORT

FACILITY NAME, ADDRESS, PH. NO. AND SOLID WASTE FACILITIES PERMIT NUMBER	5-YR. REVIEW/ PERIODIC FACILITY (SITE) REVIEW DUE DATE	150 DAY NOTICE 5-YEAR REVIEW LETTER MAILD BY CMB.(DATE RECEIVED FROM CMB.)	APPLICATION RECEIVED	PHISICAL INSP: (SITE) FACILITY REVIEW	APPLICATION: ACCEPTED/ REJECTED	APPLICATION & PERMIT REVIW REPORT, MAILD TO CMB.	DOCUMENTS RECEIVED COMPLETE	DRAFT PERMIT MAILD TO OPERATOR & CMB.	DRAFT PERMIT COMMENTS RECEIVED	PROPOSED PERMIT MAILD TO OPERATOR CMB. (REGIONAL WATER. ONLY IF LANDFILL)	PROPOSED PERMIT CMB.AGENDA FOR CONCURRENCE
19-AA-0802 BEL AIR ST. MAINT. DIS 11165 MISSOURI AVE LACITY WEST 213-478-0731											
19-AA-0803 CAHUENGA BLVD. TRANS. 2770 CAHUENGA BLVD. LACITY NORTHEAST 818-851-0305											
19-AA-0804 CANOGA PARK ST. MDY 7725 ALABAMA AVE. LACITY WEST VALLY 213-254-4303											
19-AA-0806 EAGLE ROCK SRTEET 2231 FAIR PARK AVE. LACITY NORTHEAST 213-255-1463											
19-AA-0807 HOLLYWOOD ST. MAINT. 6640 RORAIN STREET LACITY CENTRAL 213-485-4501											
19-AA-0809 NORTH HOLLYWOOD TRANS. 10811 CHANDLER BLVD. LACITY EAST VALLEY 818-989-1214											
19-AA-0811 SAN FERNADO ST. MDY 11370 SAN FERNAIDO RD. SAN FERNANDO 213-254-4303											
19-AA-0812 SOUTH EAST ST. MAINT. 4206 S. MAIN STREET LACITY SOUTH CENTRAL 213-485-3717											
19-AA-0813 SUNLAND TRANSFER STA. 9401 WESTWORTH ST. LACITY EAST VALLEY 818-353-2328											

CMB CONCURRENCE DATE	S.W.F.P. ISSUE DATE BY LEA	CONCURRED S.W.F.P. MAILED TO, OPERATOR, CMB & PUBLIC WORKS (CO.ENG)

000402

SOLID WASTE FACILITIES PERMIT STATUS REPORT

FACILITY NAME, ADDRESS, PH. NO. AND SOLID WASTE FACILITIES PERMIT NUMBER	5-YR. REVIEW/ PERIODIC FACILITY (SITE) REVIEW DUE DATE	150 DAY NOTICE 5-YEAR REVIEW LETTER MAILD BY CWMB.(DATE RECEIVED FROM CWMB.)	APPLICATION RECEIVED	PHISICAL INSP: (SITE) FACILITY REVIEW	APPLICATION: ACCEPTED/ REJECTED	APPLICATION & PERMIT REVIW REPORT, MAILD TO CWMB.	DOCUMENTS RECEIVED COMPLETE	DRAFT PERMIT MAILD TO OPERATOR & CWMB.	DRAFT PERMIT COMMENTS RECEIVED	PROPOSED PERMIT MAILD TO OPERATOR CWMB. (REGIONAL WATER. ONLY IF LANDFILL)	PROPOSED PERMIT CWMB.AGENDA FOR CONCURRENCE
19-AA-0814 VAN NUYS TRANSFER ST. 15145 OXNARD ST. LACITY EAST VALLEY 818-989-8812											
19-AA-0815 WHILSHIRE ST. MAINT. 1275 S. COCHRAN AVE. LACITY WEST 213-485-3481											
19-AA-0816 EAST STREET MAINT. 452 SAN FERNADO ROAD LACITY NORTHEAST 213-485-5680											
19-AA-0817 GRANNADA HILLS TRANS. 10210 ETIWANDA AVE. GRANADA HILLS 213-485-5630											
19-AA-0817 GRANADA HILLS STREET 10210 ETIWANDA AVE. LACITY WEST VALLEY 213-254-4383											
19-AA-0818 SOUTH WEST ST. MAINT. 5860 S. WILTON PLACE LACITY SOUTH CENTRAL 213-485-3782											
19-AA-0820 LOPEZ CANYON 11950 LOPEZ CANYON RD. LACITY EAST VALLEY 818-899-5054											
19-AA-0824 SILVERLAKE MAINTENENCE 2187 RIVERSIDE DRIVE LACITY EAST VALLEY 213-620-4745											
19-AA-0827 STONE CYN RESRVOIR 1900 STONE CANYON ROAD LACITY WEST 213-481-6970											

CMB CONCURRENCE DATE	S.W.F.P. ISSUE DATE BY LEA	CONCURRED S.W.F.P. MAILD TO, OPERATOR, CMB & PUBLIC WORKS (CO.ENG)

000404

SOLID WASTE FACILITIES PERMIT STATUS REPORT

FACILITY NAME, ADDRESS, PH. NO. AND SOLID WASTE FACILITIES PERMIT NUMBER	5-YR. REVIEW/ PERIODIC FACILITY (SITE) REVIEW DUE DATE	150 DAY NOTICE 5-YEAR REVIEW LETTER MAILD BY CUMB.(DATE RECEIVED FROM CUMB.)	APPLICATION RECEIVED	PHISICAL INSP: (SITE) FACILITY REVIEW	APPLICATION: ACCEPTED/ REJECTED	APPLICATION & PERMIT REVIW REPORT, MAILD TO CUMB.	DOCUMENTS RECEIVED COMPLETE	DRAFT PERMIT MAILD TO OPERATOR & CUMB.	DRAFT PERMIT COMMENTS RECEIVED	PROPOSED PERMIT MAILD TO OPERATOR CUMB. (REGIONAL WATER. ONLY IF LANDFILL)	PROPOSED PERMIT CUMB.AGENDA FOR CONCURRENCE
19-AA-0828 LA. CITY DEPT. WATER/P 11001 PENDLETON AVE. LACITY EAST VALLEY 818-785-8393											
19-AA-5527 CITY OF SAN FERNANDO 543 GLENOKS SAN FERNADO 818-365-2541											
19-AE-0004 CHANDLER'S DISPOSAL 26311 HARBONNE AVE. RULLING HILLS ESTATES 213-326-1212											
19-AF-0001 BKK WAST COVIBA LANDF. 2210 AZUSA AVE. WEST COVINA 818-965-0911											
19-AH-0001 (SAVAGE CY) WHITTIER CITY LANDFILL 13919 E. PRNN STREET WHITTIER 213-945-8242											
19-AI-0002 NORWALK TRANSFER STA. 13780 E. IMPERIAL HWY. SANTA FE SPRING 213-587-3387											
19-AK-0001 BEL ART TRANSFER STA. 2501 E. 68TH ST. LONG BEACH 213-327-2533											
19-AK-0085 RAY'S TRASH BOX TRANS. 1070 E. SPRING STREET LONG BEACH 213-426-8683											
19-AO-0001 WESTERN WASTES IND. 321 N. FRANCISCO ST. CARSON 213-327-2533											

CMB CONCURRENCE DATE	S.W.F.P. ISSUE DATE BY LEA	CONCURRED S.W.F.P. MAILED TO, OPERATOR, CMB & PUBLIC WORKS (CO.ENG)

000406

SOLID WASTE FACILITIES PERMIT STATUS REPORT

FACILITY NAME, ADDRESS, PH. NO. AND SOLID WASTE FACILITIES PERMIT NUMBER	5-YR. REVIEW/ PERIODIC FACILITY (SITE) REVIEW DUE DATE	150 DAY NOTICE 5-YEAR REVIEW LETTER MAILD BY CWMB.(DATE RECEIVED FROM CWMB.)	APPLICATION RECEIVED	PHISICAL INSP: (SITE) FACILITY REVIEW	APPLICATION: ACCEPTED/ REJECTED	APPLICATION & PERMIT REVIW REPORT, MAILD TO CWMB.	DOCUMENTS RECEIVED COMPLETE	DRAFT PERMIT MAILD TO OPERATOR & CWMB.	DRAFT PERMIT COMMENTS RECEIVED	PROPOSED PERMIT MAILD TO OPERATOR CWMB. (REGIONAL WATER. ONLY IF LANDFILL)	PROPOSED PERMIT CWMB.AGENDA FOR CONCURRENCE
19-AR-0002 SUNSHINE CYN. 14747 SAN FERNANDO RD. LACITY WEST VALLEY 818-367-5825											
19-AR-0008 BRADLEY WEST 9351 TUJUNGA AVE. LACITY EAST VALLEY 818-767-6180											
19-AR-0009 CALNAT-SUN VALLEY 9436 GLENOAKS BLVD. LACITY EAST VALLEY 818-768-4157											
19-AR-0302 FALCON REFUSE CENTER 5031 E. "I" STREET LACITY HARBOR 213-590-8531											
19-AR-0303 DE GARMO STREET DUMP 9147 DE GARMO STREET LACITY EAST VALLEY 818-768-7130											
19-AR-0305 AMERICAN DISPOSAL INC. 785 W. 182 ND. STREET GARDENA 213-515-0166											
19-AR-0309 LA. COUNTY ROAD DIV. 2120 E. 90TH ST. LACO FIRESTONE 213-582-7848											
19-AR-1015 ROLL A WAY DISPOSAL 790 BASIN STREET LACITY HARBOR 213-833-1688											
19-AR-1020 ANGELUS WESTERN PAPER 2476 PORTER STREET LACITY CENTRAL 213-623-9221											

CWMB CONCURRENCE DATE	S.W.F.P. ISSUE DATE BY LEA	CONCURRED S.W.F.P. MAILED TO, OPERATOR, CWMB & PUBLIC WORKS (CO.ENG)

000403

SOLID WASTE FACILITIES PERMIT STATUS REPORT

FACILITY NAME, ADDRESS, PH. NO. AND SOLID WASTE FACILITIES PERMIT NUMBER	5-YR. REVIEW/ PERIODIC FACILITY (SITE) REVIEW DUE DATE	150 DAY NOTICE 5-YEAR REVIEW LETTER MAILD BY CWMB.(DATE RECEIVED FROM CWMB.)	APPLICATION RECEIVED	PHISICAL INSP: (SITE) FACILITY REVIEW	APPLICATION: ACCEPTED/ REJECTED	APPLICATION & PERMIT REVIW REPORT, MAILD TO CWMB.	DOCUMENTS RECEIVED COMPLETE	DRAFT PERMIT MAILD TO OPERATOR & CWMB.	DRAFT PERMIT COMMENTS RECEIVED	PROPOSED PERMIT MAILD TO OPERATOR CWMB. (REGIONAL WATER. ONLY IF LANDFILL)	PROPOSED PERMIT CWMB.AGENDA FOR CONCURRENCE
19-AR-1160 CALMAT CLASS III D.S. 9436 GLENOAKS BLVD. LACITY EAST VALLEY 818-768-4157											
19-AR-1182 RECY. CENT. CENTRAL LOS ANGELES 2201 E. WASHINGTON BL. LACITY SOUTH CENTRAL NO PHONE											
19-AR-1183 VTR. MISSION RD. RECY. 804 SOUTH MISSION LACITY NORTHEAST NO PHONE											

CMHB CONCURRENCE DATE	S.W.F.P. ISSUE DATE BY LEA	CONCURRED S.W.F.P. MAILD TO, OPERATOR, CMHB & PUBLIC WORKS (CO.ENG)

000410

SOLID WASTE FACILITIES PERMIT STATUS REPORT

FACILITY NAME, ADDRESS, PH. NO. AND SOLID WASTE FACILITIES PERMIT NUMBER	5-YR. REVIEW/ PERIODIC FACILITY (SITE) REVIEW DUE DATE	150 DAY NOTICE 5-YEAR REVIEW LETTER MAILD BY CWMB.(DATE RECEIVED FROM CWMB.)	APPLICATION RECEIVED	PHISICAL INSP: (SITE) FACILITY REVIEW	APPLICATION: ACCEPTED/ REJECTED	APPLICATION & PERMIT REVIW REPORT, MAILD TO CWMB.	DOCUMENTS RECEIVED COMPLETE	DRAFT PERMIT MAILD TO OPERATOR & CWMB.	DRAFT PERMIT COMMENTS RECEIVED	PROPOSED PERMIT MAILD TO OPERATOR CWMB. (REGIONAL WATER. ONLY IF LANDFILL)	PROPOSED PERMIT CWMB.AGENDA FOR CONCURRENCE

CMB CONCURRENCE DATE	S.W.F.P. ISSUE DATE BY LEA	CONCURRED S.W.F.P. MAILED TO, OPERATOR, CMB & PUBLIC WORKS (CO.ENG)

Extended Pa

000412

CALIFORNIA WASTE MANAGEMENT BOARD

AGENDA ITEM # 13

OCTOBER 11-12, 1989

ITEM:

Report by the Los Angeles County Local Enforcement Agency (LEA) on Lopez Canyon Landfill Monitoring and Enforcement Activities.

KEY ISSUE:

- The Los Angeles County LEA has been directed to present monthly status reports on the monitoring and enforcement activities at Lopez Canyon Landfill.

DISCUSSION:

In a letter to the Chairman, Assemblymen Katz requested designation of a "point person" at the California Waste Management Board (Board) to collect data about Lopez Canyon Landfill from all involved agencies and provide bi-weekly status reports to agency and public officials.

This request was generated as a result of local resident concerns over the operation of the Lopez Canyon Landfill by the City of Los Angeles, Bureau of Sanitation.

In order to appropriately recognize the responsibilities of the LEA, staff has directed the LEA to prepare and present monthly reports at the regularly scheduled Board meetings on monitoring and enforcement activities at the Lopez Canyon Landfill. This report will be forwarded to the agencies involved and public officials.

The Los Angeles County LEA Director, Charles Coffee, will present the status report.

RECOMMENDATION:

Information item.

CALIFORNIA WASTE MANAGEMENT BOARD

AGENDA ITEM NO. 14

OCTOBER 11-12, 1989

Item:

Report on Review of Tuolumne County Local Enforcement Agency

Key Issues:

- o <u>Local Enforcement Agency Designation</u>:
  - conflict of interest
  - LEA acting as operator
- o <u>Enforcement Program</u>:
  - needs Staff Training Plan
  - needs clear distinction between duties as operator and LEA
- o <u>Administration</u>:
  - staffing adequate
  - staff is trained
  - needs funding specified
- o <u>Facility Status</u>:
  - four facilities operating without valid permits
  - one facility exceeding permitted tonnage
  - sporadic inspection program
  - compliance status not on par with State inspection results
- o <u>Permitting</u>:
  - five-year permit reviews are delinquent
- o <u>Closure/Postclosure Status</u>:
  - one facility slated to close by 1992
  - one facility to close by 1993
  - initial cost estimates submitted
  - certification of financial assurance delinquent

LEA Information:

SWIS ID Number:	55-AA
Designated LEA:	Tuolumne County Health Department Division of Environmental Health
Area of Jurisdiction:	County of Tuolumne
Active Landfills:	3
Active Transfer Stations:	2
Co-LEAs:	None

Discussion:

Designation:

During July 1977, the Board approved the designation of the Tuolumne County Health Department as the sole LEA for Tuolumne County. The Environmental Health Division was selected by the Tuolumne County Board of Supervisors to carry out the duties of the enforcement agency.

As of this review, the Health Department manages solid waste operations and performs enforcement duties for the county, without a conditional waiver from the Board. This is a direct conflict of interest per Government Code (GC) Section 66796 (e). This conflict has been in place prior to 1983 when the Tuolumne County Board of Supervisors appointed the Environmental Health Division as the county's operating unit. This responsibility was reviewed by Board staff in 1983. At that time, based on the material submitted by the LEA, Board staff wrote a letter to the County Administrative Officer stating there was no apparent conflict of interest (Attachment No. 1). Staff believes that now the situation has changed and that the LEA is acting as the facility operator.

During this review, the LEA informed Board staff that he has tried unsuccessfully to resolve this conflict with the County Administrative Officer and the Board of Supervisors.

Enforcement Program:

In 1984 the LEA submitted their Enforcement Program Plan (EPP) (Attachment No. 2) to the Board for approval. Board staff reviewed the EPP at that time and determined that it was acceptable with respect to the requirements of GC Section 66796.21. The EPP includes sections which specify the following:

1. State and Local Regulations
2. Program Goals and Objectives
3. Solid Waste Facility Permitting Procedures
4. Inspection Compliance Procedures
5. Staff Training
6. Workload Analysis
7. Organization

The main goal of the program, to assure that all residential, commercial, and industrial solid wastes are stored, transported, transferred, processed and disposed of in a safe, sanitary, and environmentally acceptable manner, is supported by the following goals and objectives:

- To have all facilities operated by authority of a current Solid Waste Facilities Permit
- To process permit applications within the specified timeframe
- To annually review permits and revise them if needed
- To inspect all facilities at least four times per year

The enforcement response program, implemented by the LEA, begins with issuing the operator verbal and written notices of violations documented in the field. Further enforcement actions consist of office hearings and, if those methods to achieve compliance fail, the LEA would issue a Notice and Order. The LEA also works with various local, state and federal agencies for compliance with their respective regulations.

Board staff reviewed the EPP during this evaluation, and found that implementation of the enforcement program falls short of the plan outlined in 1984. The following areas in the EPP should be updated or reviewed by the LEA to assure correct implementation of the program:

Permitting Procedure	**Implementation Needed:** The LEA should annually review permits as stated in the EPP. **Update Needed:** The LEA should update the EPP sections pertaining to closure requirements since closure regulations have changed.

Inspection Procedure	**Implementation Needed:** The LEA should adhere to the quarterly inspection frequency and submit SWIS inspection forms to the Board, as stated in the EPP.
Staff Training	**Update Needed:** The EPP should include a written training plan.
General	**Update Needed:** The EPP should address methods for separating the roles of operator and LEA performed by the Environmental Health Division.

Administration:

Board staff reviewed the LEA's administration for funding, staffing, training and organization.

Funding: The Tuolumne County Health Department has an overall annual budget of 1.1 million dollars. There is no specific funding for any single program or division. However, as the operator of four solid waste facilities in the county, the LEA prepares an independent operating budget for each fiscal year to support that program. The budget is entirely supported by tipping fees and reserve funds. The budget for this program was approximately $200,431 for fiscal year 1988/89.

Staffing: Two staff are assigned to the LEA, the Director of Environmental Health (who is also contract manager for solid waste operations) and one senior Registered Environmental Health Specialist (REHS). Their duties as stated in the EPP include:

- knowledge of regulations for solid waste handling and disposal practices
- permit processing
- inspections
- communicating with operators and collectors
- knowledge of inspection techniques
- field and office report preparation
- ability to present information at hearings
- knowledge of enforcement program administration

Training: All LEA staff are trained on-the-job; however, the EPP and the Director of Environmental Health pointed out that only senior REHS with previous enforcement experience are hired into the Solid Waste program. There is some mention of

training concepts in the EPP, but a formal, written, staff training plan which would detail everyday activities, was not available. The LEA staff has participated in the Enforcement Advisory Council and attends other solid waste related seminars when time permits.

Organization: An organization chart is attached (Attachment No. 3).

Facility Status:

Tuolumne County has three active landfills and two small volume transfer stations (Attachment No. 4). Four of the facilities are owned or leased by the county and one landfill is owned and operated by the State of California. The Environmental Health Division (also the LEA) operates three of the facilities through a contractor. The other county-owned facility is operated by the Road Department.

No facilities in the county are on the Federal RCRA Open Dump Inventory at this time. The four county-managed facilities are visited frequently on an informal basis by the LEA while acting in the role of operator. However, SWIS documentation of LEA inspections at these sites is sporadic and results are not transmitted on a quarterly basis. There is no documentation that the state facility has been inspected by the county. From 1988 to present, Board staff conducted 6 inspections at 4 facilities in Tuolumne County. 33% of those inspections documented no violation of the State Minimum Standards. During those same two years, the LEA conducted 19 inspections at the same facilities, and 64% of those inspections documented no violation of the Standards. **The discrepancies between the Board's and LEA's inspection results are significant.**

It should be noted that the county's facilities have improved their compliance record with respect to the Standards. However, Board staff has found that the Jamestown (Tuolumne Central Landfill) is not in compliance with terms/conditions of its permit. The Findings section of the permit states that the site receives 92 tons of waste per day. A recent state inspection found that the site actually receives 135 tons of waste per day. Also, the site has been receiving a designated waste, ash, which is not described or included in the governing permit. In addition, none of the county's facilities permits list the correct responsible operator of the four sites. The two landfill permits incorrectly list the contractor, and the transfer station permits list the Road Department as operators. Essentially, all four facilities are being operated without valid solid waste facilities permits.

No enforcement action has been initiated by the LEA to obtain solid waste facilities permit applications to reflect the correct operator of the four county facilities, or keep the Jamestown Landfill from accepting tonnage that exceeds what is stated in the existing permit. This site's permit is under review.

Despite the discrepancies listed above, it should be noted that the LEA has pursued a recent enforcement action at the Groveland-Big Oak Flat Landfill. In 1988, a state inspection documented 22 violations of the Standards at this site. The LEA initiated proceedings to remove the contract operator, secure funds and a contractor to implement site clean-up, and establish continued site maintenance with the county's Road Department. **A state inspection in 1989 verified that nearly all the violations had been corrected.**

Permitting:

The LEA has a permitting program; however, the four county facilities are incorrectly permitted.

During 1988, Board staff conducted a statewide survey of facilities and LEAs with overdue five year permit reviews. The survey identified that all five permits in Tuolumne County were delinquent or incorrectly issued. The three landfills had permit anniversary dates of 1988. The transfer station permits were incorrectly issued in 1979. Since the Board's notice, the LEA/operator has submitted applications for three permit reviews: the Jamestown Landfill and the transfer stations.

The state-operated facility has received little attention from the LEA regarding permit review. The LEA claims that the operator has not been responsive to requests for permit review; therefore, permit actions are delayed at this site.

The Groveland-Big Oak Flat Landfill has been slated to close by order of the County Board of Supervisors; therefore, the LEA has determined not to pursue this site's permit review immediately. It should still be reviewed as required.

Closure/Postclosure Status:

The two county-managed landfills within the LEA's jurisdiction will be closing before or shortly after 1992; it is rumored that the state-operated facility will close soon. Closure/postclosure plans will be due for review for these facilities before 1992. The LEA has allowed for contracted review of these plans since engineering expertise is not readily available within that agency. In addition, the operators of landfills have submitted initial cost

estimates, but the required certification for financial mechanism for closure/postclosure maintenance has yet to be completed.

Conclusion:

Board staff review of the current enforcement program implemented by the Tuolumne County Division of Environmental Health, reveals some conflict with the Government Code with respect to designation, and facility investigation. Currently, the Environmental Health Division is both the LEA and responsible operator for the county's facilities.

The LEA is in substantial compliance with respect to staffing and training (except for a written training plan) for an enforcement program. However, there are deficiencies with respect to funding, and organization. There is no clear budget for the Environmental Health Division as the LEA nor is there a clear distinction between the LEA's duties as operator and enforcement agency.

The Enforcement Program Plan, written in 1984, basically reflects the program as it exists today. Solid waste activities are coordinated with other regulatory agencies along with private parties. Enforcement activities commence with verbal and written notices to operators when violations are documented in the field. The only deficiencies with the EPP is the need for an update of closure practices, a lack of a written training plan, and clarification of the LEA's dual role as operator and LEA. The LEA needs to implement the statements made in the EPP regarding annually reviewing permits, and performing quarterly facility inspections and submittal of SWIS inspection forms to the Board.

One facility, the Jamestown Landfill, is operating outside the terms/conditions of its current permit. The site is receiving more than the permitted daily capacity of waste as well as unpermitted designated waste (ash). All the county-managed facilities do not list the correct responsible operator on the sites' permits.

One landfill and the two transfer stations are undergoing the permit review process at this time. However, the three facilities' permits under review, had missed the permit review due date by more than one year. The LEA has demonstrated good faith to finish these permit reviews as soon as possible. The LEA needs to take action to implement permit reviews at the other two sites as well.

Recommendations to the LEA:

1. By November 30, 1989, submit to the Board the resolution of the conflict of interest caused by having both operations and enforcement handled by the Environmental Health Division of Tuolumne County.

2. Revise the Enforcement Program Plan to incorporate upcoming activities such as closure plan review, develop a written staff training plan, and determine the actual budget needed to perform as an LEA. Immediately implement the annual review of solid waste facilities permits, and adhere to the quarterly inspection frequency and submit SWIS inspection forms to the Board, as stated in the Enforcement Program Plan.

3. Immediately pursue obtaining solid waste facilities permit applications to reflect the correct operator for the four county facilities. Develop a plan of action to expedite completion of the three permits under review and submit plan to the Board by November 30, 1989. Initiate permit reviews at the Sierra Conservation Center Landfill and Groveland-Big Oak Flat Landfill by November 30, 1989.

4. Immediately initiate appropriate enforcement action to assure that the Jamestown Landfill complies with the terms and conditions of its solid waste facilities permit.

5. Develop an action plan detailing methods to comply with all Closure/Postclosure requirements including, but not limited to, prompting operators to submit certification of financial assurance, and methods for LEA review of closure plans.

6. Present a status report concerning progress made on the above recommendations to the California Waste Management Board at its November, 1989 meeting.

Board Options:

1. Approve staff's review of the Tuolumne County Division of Environmental Health (LEA) including the above recommendations.

2. Rescind the designation of the Tuolumne County Health Department, Environmental Health Division as the LEA for Tuolumne County.

3. Take no action.

Staff Recommendation:

1. Staff recommends Board Option No. 1.

Attachments

STATE OF CALIFORNIA—THE RESOURCES AGENCY

GEORGE DEUKMEJIAN, Governor

CALIFORNIA WASTE MANAGEMENT BOARD
1020 NINTH STREET, SUITE 300
SACRAMENTO, CALIFORNIA 95814

RECEIVED
APR 22 1988

RECEIVED
AUG 02 1983
TUOLUMNE COUNTY HEALTH DEPARTMENT

July 11, 1983

Steven C. Szalay
Tuolumne County
Administrative Officer
Tuolumne County Administration Center
2 South Green Street
Sonora, CA 95370

Dear Mr. Szalay:

Periodically the California Waste Management Board informally reviews the designation of each of the states one hundred plus local solid waste enforcement agencies. Such a review was recently made of the Tuolumne County enforcement agency designation.

During the review process, it was determined that certain additional responsibilities had been assigned by the county to the Tuolumne County Health Department, which is the county's local enforcement agency (LEA).

By letter, Mr. Robert Tremewan was requested to provide information that would reveal if the county assigned duties were compatible with the responsibilities of the enforcement agency as outlined in 7.3 Government Code Section 66796.10 and 14 California Administrative Code Section 18051 and 18054.

Mr. Tremewan has, by letter, detailed those county assigned duties and has stated that they are not incompatible with his responsibilities as the administrator of the enforcement program. The letter has been accepted by the Board as assurance that the state and local responsibilities are compatible. Mr. Tremewan's letter will be included in the Tuolumne County enforcement agency designation file. The Board will continue to consult with Bob and provide him technical and administrative assistance and support.

The Board appreciates the enthusiasm and dedication of Mr. Tremewan to the county's solid waste management program and especially his willingness to serve as a member of the state's twelve member solid waste Enforcement Advisory Council.

Sincerely,

Douglas L. Strauch, Chief
Waste Management Division

cc: Robert Tremewan

BCortner:cr

ATTACHMENT NO. 2

TUOLUMNE COUNTY HEALTH DEPARTMENT

105 EAST HOSPITAL ROAD
SONORA, CALIFORNIA 95370
(209) 533-5755

JOHN R. PHILP, M.D.
HEALTH OFFICER

January 4, 1984

State of California
Waste Management Board
1020 Ninth Street - Suite 300
Sacramento, CA 95814

ATNN: Cy Armstrong

RE: Solid Waste Enforcement Program Plan

Dear Cy:

I may definitely be directing the enclosed document to the wrong person but I would appreciate your acceptance of the enclosure as you originally produced the background that I needed to complete the document. I hope your office may find the enclosure acceptable. If not, please see that those areas needing clarification are identified and appropriate comments are mailed out soon.

I will now proceed into the revision of our Solid Waste Master Plan.

Best personal regards.

Sincerely,

Bob Tremewan

ROBERT L. TREMEWAN
Sanitarian III

RLT:jml

Encls.

TUOLUMNE COUNTY
SOLID WASTE ENFORCEMENT PROGRAM

INTRODUCTION

Tuolumne County is a formerly rural county that is rapidly becoming a unit of exurbia. It's population, which held steady from the turn of the century to the beginning of the 1950's at approximately 12,000 persons has risen for several years at a space beyond any responsible forecast. At present, approximately 38,000 pople are year round occupants of the County and it's only incorporated city, Sonora. This population is always amplified by large numbers of tourists utilizing the forests and lakes of the Stanislaus National Forest and the Yosemite National Park portions of the county, the Emigration wilderness area, and the facilities of the Lake Don Pedro Recreation area and the new Melones Reservoir amoung others. In addition, thousands of second homes exist in the county, with many rented out for vacation and ski season use. The county is situated in the approximate center of California and is bordered on the west by Stanislaus County, on the south by Mariposa County, on the north by Calaveras County and on the east by Mono County.

When the Tuolumne County Solid Waste Master Plan was adopted by the Tuolumne County Board of Supervisors in February, 1977, solid waste generated by residence and tourists approximated 23,000 tons per year. Currently, all solid waste generated by the public is being handled by the Class II - disposal site locate adjacent Campo Seco Road between Sonora and Jamestown, at the Class II disposal site off Merrell Road between Groveland and Big Oak Flat, and at transfer stations located at Pinecrest and north of Tuolumne City. A permitted Class II

disposal site is operated by the State of California Department of Coreections at the Sierra Conservation Center westerly of Jamestown.

As part of the Master Plan, the Tuolumne County Health Department was designated as the local Solid Waste Enforcement Agency (LEA), and the department is responsible for permitting and enforcing all aspects of the solid waste program in Tuolumne County. To expedite the establishment of LEAs in 1977, the State Solid Waste Management Board (SSWMB) did not insist that Enforcement Program Plans accompany the submission of the respective proposed enforcement agency designations as otherwise required in Government Code Section 66796.21.

The Z'berg-Kapiloff Solid Waste Control Act of 1976 requires in Section 66780.5 (a) that an "Enforcement Program" shall be delineated in each County Solid Waste Management Plan". This Enforcement Program Plan is intended to serve as a working document for ongoing guidance to the Enforcement Agency staff of the County of Tuolumne.

The following local Solid Waste Enforcement Plan for Tuolumne County addresses the administrative, legal, technical, and staff development components necessary in the comprehensive Solid Waste Program. Included are reviews of State and local regulations, goals and objectives of the program, inspection and enforcement procedures, a workload analysis, a table of organization, and a program budget. The Enforcement Program Plan was developed in compliance with the Guidance Manual for Preparation of Local Solid Waste Agency Program Plans, 1981, prepared by the Enforcement Analysis Section of the State Waste Management

(SWMB).

I. State and Local Regulation

A. State Regulations:

In Tuolumne County, the Solid Waste Enforcement Program operates under the following State laws and regulations:

1. Disposal of Solid Waste and Infectious Wastes: California Administrative Code (CAC); Title 17, Section 488 (d), CAC, Title 22, Sections 70845-70847; 71649-71651; 72641-72643; 73643-73645.

2. Solid Waste Management Standards: CAC, Title 14, Section 17200 et. seq.

3. Solid Waste Management and Resources Recovery Act: Government Code Section 65700 et. seq.

4. Disposal of Fetal and Human Remains: Health and Safety Code, Section 7054.3 et. seq.

5. Pollution of Waters and Public Places: Health and Safety Code, Section 4400 et. seq., Penal Code, Section 374, Dumping on Public or Private Property.

B. Local Regulations:

In Tuolumne County, Solid Waste Standards are found

in the Tuolumne County Ordinance Code. The following ordinances apply:

1. Ordinance 994:
   Regulates collection, transportation and removal of garbage and rubbish. Creates garbage and rubbish collection permit areas.

2. Ordinance 1048:
   Expands variety of authorized collection services and amends collection fees.

3. Ordinance 1088:
   Regulates tampering, modifying, removal, or deposition of solid waste in any container without permission of container owner.

The above ordinances are applicable to all portions of the County other than within the City limits of Sonora. Sonora has created its own refuse collection and permit format.

Residents of Tuolumne County may dispose of their refuse at either of the two above named landfills or at the two above named transfer stations. A great majority of the permanent population lives within one of the four garbage and rubbish collection permit areas defined by ordinance. These residents may elect garbage collection service from the permit holder in their community or may alternatively refuse such service and transport their own waste. At present, collection

permits are held by Cal-Sierra Disposal, Inc., Moore Brothers Scavenger Company, Columbia-Jamestown Refuse Service, Inc., and Burns Refuse Service. As our Ordinance framework allows a business to collect and transport its own refuse, agencies such as the U.S. Forest Service, Sonora Union High School District, Lake Don Pedro Recreation Agency and a few mobile home park operators maintain collection and transportation services. The County of Tuolumne owns or leases all of the waste disposal sites and transfer stations open to the public, and has negotiated contracts to operate same with private companies.

II. Program Goals and Objectives

A. Goal:

To assure that all residential, commercial, and industrial solid wastes are stored, transported, transferred, processed and disposed of in a safe, sanitary, and environmentally acceptable manner.

B. Objectives:

To administer a Solid Waste Enforcement Program that results in the following:

1. All existing disposal sites and transfer stations are operating by authority of a current Solid Waste Disposal permit issued by the Tuolumne County Health Department.
2. All permit applications for new Solid Waste Facilities or revisions or modifications of existing, will be processed within the time specified in Title 7.3

Government Code Section 66796.32.

3. All permits will be reviewed annually and revised as necessary.

4. Inspection of all disposal sites and transfer stations at least four (4) times per year for compliance with then - existing standards. The inspections will be conducted on the provisions of the Solid Waste Information System (SWIS) Inspection Form categories.

III. Solid Waste Facility Permitting Procedure

At present, each of the public and private waste acceptance facilities in Tuolumne County is operating under permit. Although, fortunately, no facility in the County is near the end of it's useful life, the Tuolumne County Board of Supervisors has purchased a site abutting and adjacent to the current main disposal site off Campo Seco Road and plans to request a permit allowing creation and operation of the site in the foreseeable future. At inception of this activity, the following procedures would be followed:

A. Permits for solid waste facilities in Tuolumne County are based on information provided in the application for a Solid Waste Facilities Permit. A portion of the application is the Report of Disposal Site or Transfer / Processing Station Information and is submitted by the applicant to the Tuolumne County Health Department. Additional information requiring study includes a determination that the facility

is in the County Solid Waste Management Plan and the County General Plan and that surrounding lands are properly zoned. An Application for Waste Discharge Requirements will be made to the Regional Water Quality Control Board. A notice of determination of compliance with CEQA will also be solicited and evaluated. Any local conditional use permits necessary will be gained, and any other then - existing federal, state or local requirements will be determined and cooperation with the requirements solicited. All information provided will be reviewed by the LEA staff and verified during one or more facility inspections. A permit is then prepared using the State Waste Management Board (SWMB) format.

B. After preparation, a copy of the proposed permit is furnished the applicant for review and comment. The proposed permit is submitted to the SWMB for concurrence. If not contested, the permit will be issued by the LEA within the time required by law.

C. If the Tuolumne County Health Department or the SWMB determines a violation of the State Statues or Standards exists, the permit shall be denied. The applicant may file an appeal to the denial with the LEA who shall then submit the appeal to the Tuolumne County Board of Supervisors, the SWMB designated Hearing Panel. After a hearing, the decision of the Hearing

Panel is the basis for an action by the LEA. All appeal procedures shall be carried out in strict comliance Title 7.3 Government Code and the Administrative Procedures Act.

D. Permits are revised whenever a significant change in facility design or operation is proposed by the operator. Significant changes are considered, but not limited to, adjustment in boundaries, tonnages, elevations, and types of waste that may be received.

E. The permits may be modified when it has been determined that an existing permit no longer provides pertinent data in the findings, in the conditions, or the monitoring data that is necessary for the protection of the public health of the environment.

F. When the LEA becomes aware of a proposed solid waste facility closure, written notification of the closure procedure and requirements is delivered the disposal site operator and site owner.

Closure requirements include notification to the LEA a minimum of ten (10) days prior to completion or suspension of work at the disposal site. The Regional Water Quality Control Board must also be notified at least ninety (90) days prior to actual closure. A detailed description of the site must be filed with the County Recorder, the County Solid Waste Plan custodian

and the LEA.

Periodic monitoring by the LEA will be made to identify violations that may develop at the landfill site following it's closure.

G. Facility records and documents will be maintained at the Tuolumne County Health Department. Facility numbers are those assigned by the SWMB. General correspondence and inspection records are also maintained at the Health Department offices.

IV. Inspection and Compliance Procedures

A. All solid waste collection and/or transportation vehicles are inspected at least once annually while enroute and also while at their corporation yard. The results of these inspections are furnished the owner, and records are filed at the Health Department.

B. Solid Waste Disposal and Transfer facilities receive routine inspections of at least four (4) times per year using the SWMB recommended SWIS Inspection Form applicable. Inspections are performed when it is known that the operator or a representative will be present at the disposal site or transfer station. After inspection, a verbal report will be made to the operator or his representative, and the completed SWIS form is left with the operator. If necessary, a supplementary written report is prepared and provided

to the operator. The inspection report and/or written report is maintained in the facility file at the Health Department for five (5) years. Copies of each SWIS Inspection Form are forwarded to the SWMB.

C. Local Enforcement Agency Compliance Program Actions are:

1. Verbal Notice:

   To storage, collection, or facility operators at the time the violation is identified. A verbal order is confirmed on the SWIS form which is left with the operator. If the operator was not present the SWIS form will be mailed to him.

2. Written Notice:

   In addition to the SWIS form a written notice may be transmitted by mail to the operator.

3. Office Hearing:

   With the exception of the afford-mentioned private disposal site, all sites are operated under terms and conditions of a contract with the Tuolumne County Board of Supervisors. Accordingly, the County through the County Administrative Officer and the Board Solid Waste Committee can convene hearings providing a violator an opportunity to present evidence of compliance to avoid further enforcement procedures.

4. Notice and Order:

   Prepared and served as provided for in Title 14,

California Administrative Code, Chapter 5, (within five (5) days of the date of issuance, a copy of the Notice and Order document is transmitted to the State Waste Management Board). Compliance or non-compliance with a Notice and Order is determined by:

a. Inspections
b. Letters of compliance or non-compliance issued by other participating agencies

D. Written or verbal complaints that solid waste services or facilities are the source of health or environmental hazards or a public nuisance are accepted and investigated by the LEA if the complaintant's identity can be established. Anonymous complaints are investigated only when the probability of immediate health or safety hazard is apparent.

Complaint and investigation results are recorded on LEA forms. Verified complaints may result in the issuance of an official notice and/or abatement order. The results of the investigation are provided the complaintant by mail or telephone, with a copy of the report form being maintained in the premises file. Failure to comply with an official notice and/or abatement order is referred to County Counsel for enforcement action.

E. The following State and local agencies are closely coordinated in enforcement responsibilities and activities:

1. State Waste Management Board:

   Sets State policy, establishes statewide standards, concurs with or objects to Solid Waste Facility Permits, and aides, assists, and oversees local enforcement programs.

2. State Department of Health Services, Hazardous Waste Management Section:

   Regulates and permits hazardous and infectious waste transportation and disposal.

3. Tuolumne County Planning Department:

   Establishes land zoning and processes land-use permits.

4. Tuolumne County Transportation and Engineering Services Department:

   Provides assistance in engineering matters and assists in control of expenditures for improvements at County owned or leased sites when necessary.

5. Tuolumne County Building Department:

   Issues permits for structures of solid waste facilities.

6. State Department of Forestry and Tuolumne County Fire Department:

   Responsible for fire control at solid waste facilities.

7. Regional Water Quality Control Board:

   Issues waste discharge requirements for solid waste disposal sites, and establishes disposal site classifications.

V. Staff Training

The staff conducted by the LEA representative in the Health Department includes specific enforcement techniques for the solid waste management program and also technical training in the procedures for operation of safe waste disposal sites. The sanitarian in charge of the LEA is

expected to pocess the following competencies:

A. Knowledge of codes, minimum standards, and local ordinances.

B. Knowledge of individual permit processing, permit content and requirements.

C. Scheduling of routine inspections.

D. Establishment of communications with operators and refuse collectors.

E. Inspection techniques.

F. Field and office report preparation.

G. Post-inspection conferences with solid waste facility operators.

H. Techniques of written communication of inspection findings.

I. Preparation for Board of Supervisors meetings and/or court hearings.

J. Administration practices within the solid waste enforcement program.

VI. Workload Analysis

It is estimated that the present average annual work expenditure by the combined LEA designee and the County solid waste contract administrator exceeds thirty-five (35) man days. Both administrative and inspection time have been heavy in calendar year 1983 due to the need to

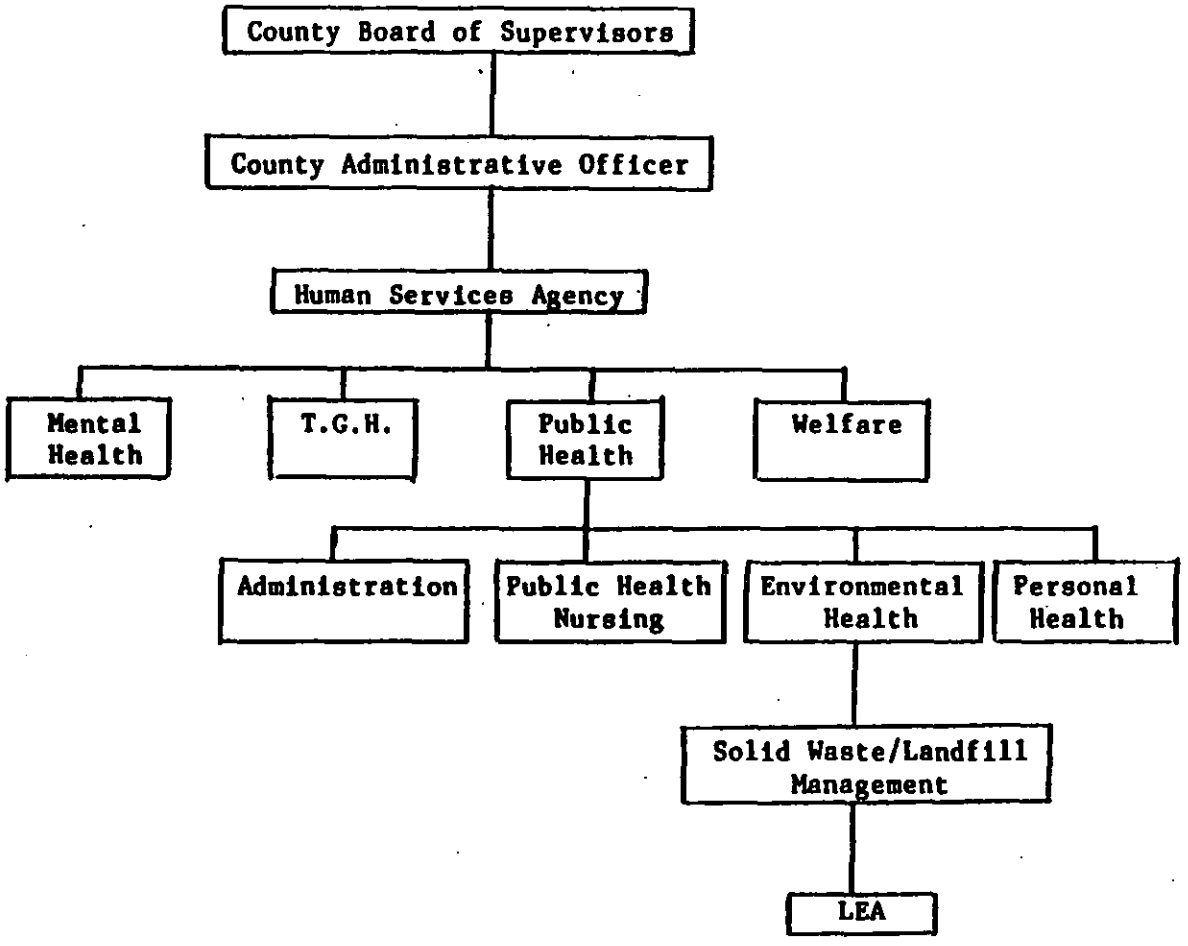
complete certain Permit preparation obligations and to solve many operational problems at one of the disposal sites. It is anticipated that 1984 will bring no reduction in time and expenditure, due to the need to revise the County's Solid Waste Management Plan and to take all the steps necessary to gain a permit for the proposed future main disposal site for the County.

VII. Table of Organization

For the past several years and at the present time, the Board of Supervisors and it's Solid Waste Committee have designated Robert Tremewan as LEA and also as contract administrator between the County and the operators of the disposal sites owned or leased by same. Periodically other staff members of the Health Department assist in such tasks as evaluation of the safety of commercial refuse containers and similiar. The person named above held the title of Director of Environmental Health but was recently demoted to Sanitarian III.

VIII. Budget

I am not able to extract a figure from the Tuolumne County Budget or the Health Department budgets specifically that can establish the cost to the County of the funding for the LEA.



ATTACHMENT NO. 3

TUOLUMNE COUNTY FACILITY STATUS

SWIS NO. (55-AA-)	FACILITY NAME	TYPE	ACTIVE	CLOSED INACTIVE	PUBLIC AGENCY	PRIVATE	5 YR REVIEW STATUS	DUE
0001	Groveland-Big Oak	LF	X		X		Delinq.	1988
0002	Jamestown LF	LF	X		X		Ongoing	1988
0003	Pinecrest TS	TS	X		X		Ongoing	1984
0004	Tuolumne TS	TS	X		X		Ongoing	1984
0005	Sierra Cons. Ctr	LF	X ?		X		Delinq.	1988
0006	Sonora Mining	LF	EXEMPT			X		

ATTACHMENT NO. 4

CALIFORNIA WASTE MANAGEMENT BOARD

AGENDA ITEM NO. 15

OCTOBER 11-12, 1989

Item:

Update on Status of the Board's Facility Inspection Program

Key Issues:

- First four-year inspection cycle completed July 1, 1989
- Inspection target was 100 percent of all large volume facilities and 50 percent of all small volume facilities
- 66 percent of all facilities inspected to date
- 101 percent of all targeted facilities inspected to date
- 98 percent of all targeted large volume facilities inspected after one complete cycle
- 103 percent of all targeted small volume facilities inspected after one complete cycle
- Three facilities issued Board enforcement orders

Background:

There are currently 525 active, permitted solid waste facilities in the state. Government Code, Section 66796.38 requires the California Waste Management Board (Board) to evaluate all permitted solid waste facilities receiving more than 100 tons-per-day (large volume) at least every four years, and those receiving 100 tons-per-day or less (small volume) at least every eight years.

Sites failing to comply with the State Minimum Standards after an initial inspection must enter into a compliance agreement. If compliance is still not achieved after reinspection, the site is subject to enforcement actions by the Board.

Status of Board's Program

The first cycle of inspections was initiated July 1, 1985. As of July 1, 1989, a total of 351 active, permitted sites had been inspected. This included both large and small volume facilities. Because this represents 101 percent of the four and eight year inspection requirements of the Government Code, the mandate was met and exceeded. The 351 inspected sites represent approximately 66 percent of the total number of active permitted solid waste facilities in the state, as shown in Attachments #1 and #2.

The first four year cycle for large volume facilities ended on July 1, 1989. Board staff inspected 98 percent (165 of 168) of the large volume facilities during this cycle.

July 1, 1989 also marked the halfway point of the small volume facilities' eight year cycle. Although the target was to inspect half of these facilities (177), enforcement staff inspected 183 small volume facilities, resulting in 103 percent of the targeted goal.

The compliance status of the 351 active, permitted sites inspected since July 1, 1985, is graphically represented in Attachment #3 and is as follows:

Sites in compliance	173	(49% of sites inspected)
Non-complying sites implementing a compliance agreement	118	(34% of sites inspected)
CWMB issued Notice and Order	3	(1% of sites inspected)
Sites currently under evaluation	57	(16% of sites inspected)
Total	351	100%

Of the 118 non-complying sites currently working to implement a compliance agreement, 72 will be due for a final inspection by the end of the third quarter on September 30, 1989. During the past 18 months, while these compliance agreements were being developed and implemented, a few of the non-complying sites were brought before the Board for enforcement action. However, the Board should be aware that a certain number of sites now reaching the end of their compliance agreements may fail their final inspection and may be brought to the Board for additional enforcement action.

Recommendation:

Information item only.

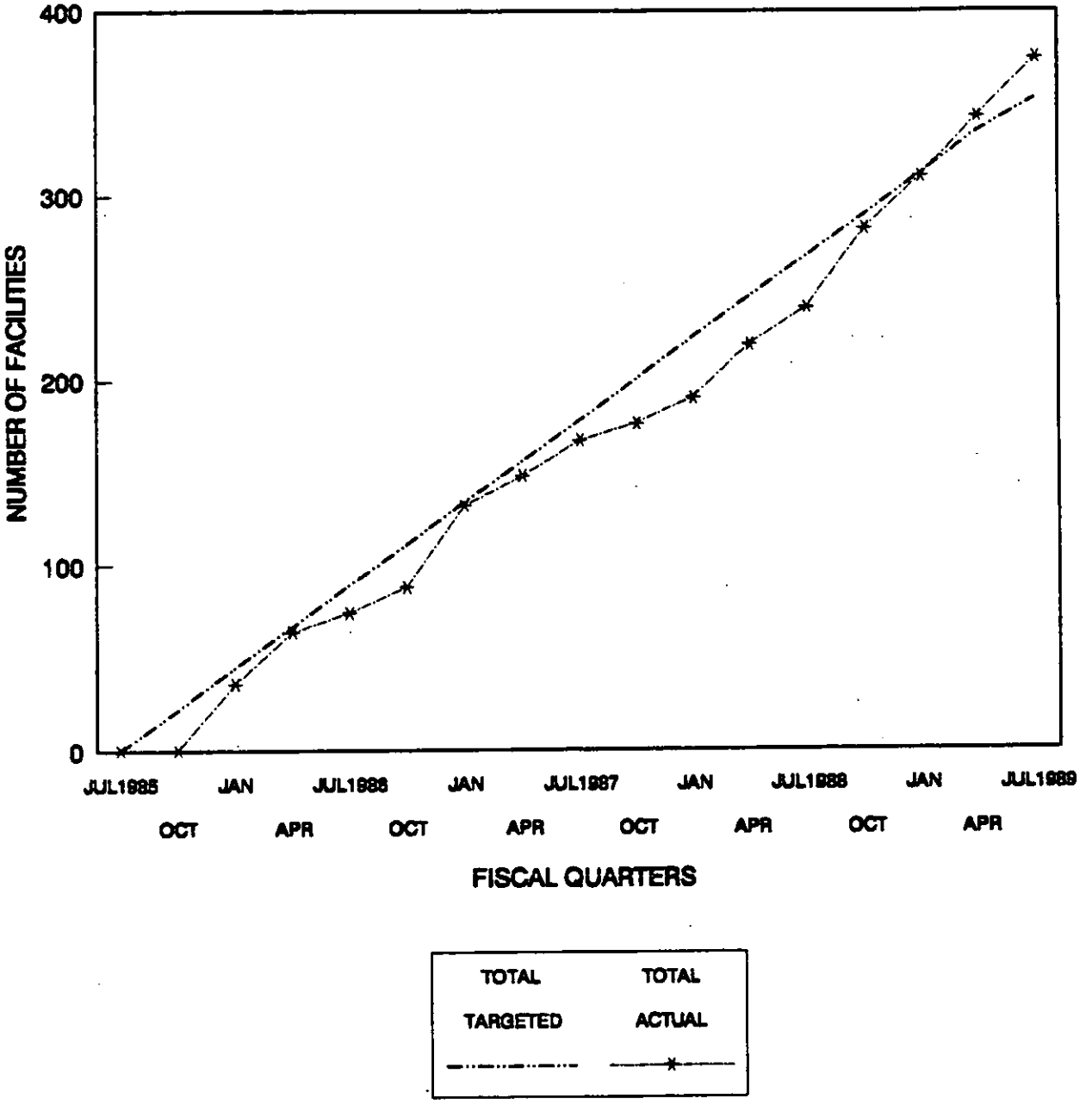
Attachments:

1. Inspection status as of March 1, 1989.
2. Status of sites inspected as of March 1, 1989.

ATTACHMENT No. 1

FACILITY INSPECTIONS

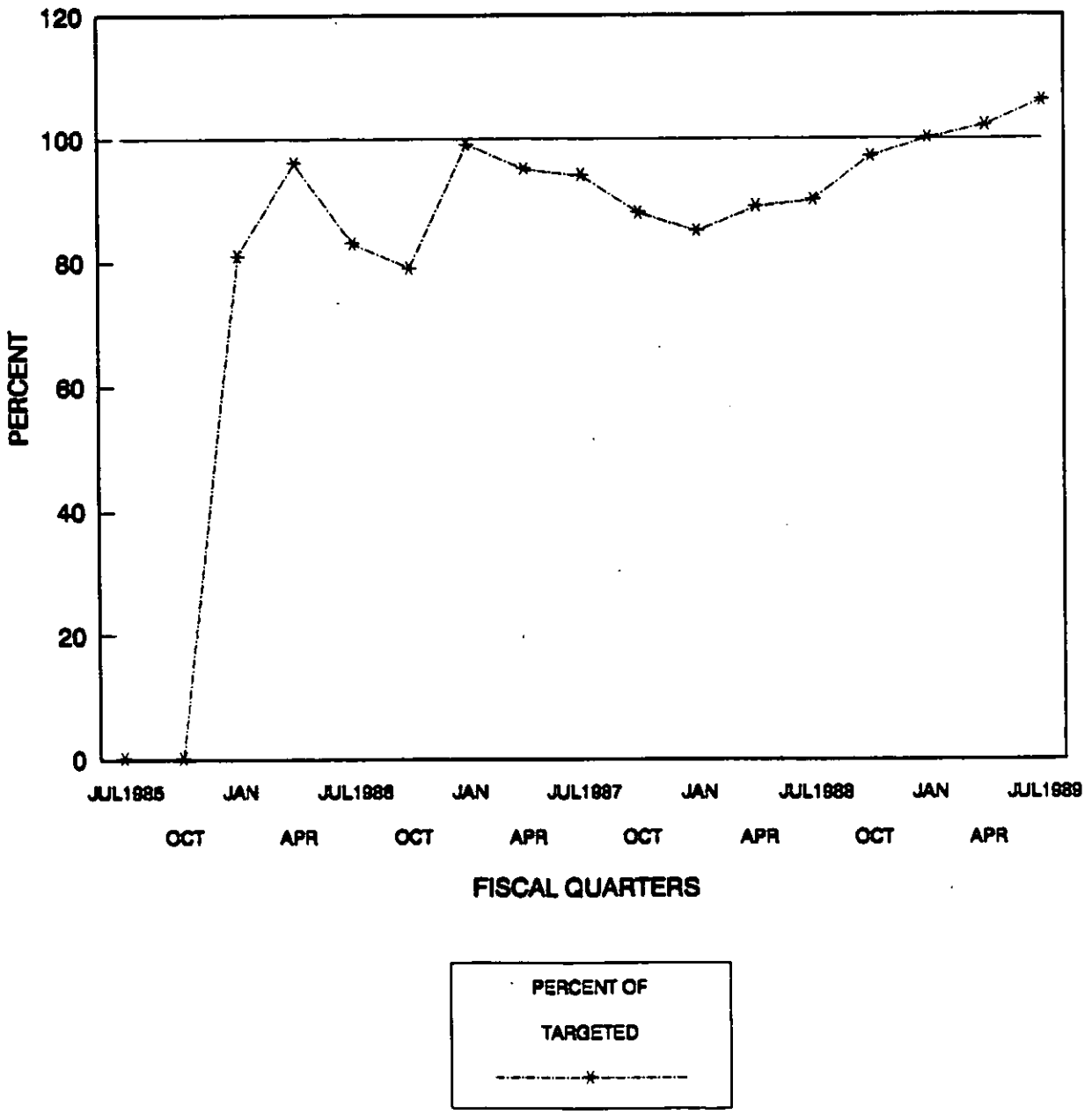
TARGETED VS. ACTUAL



ATTACHMENT No. 2

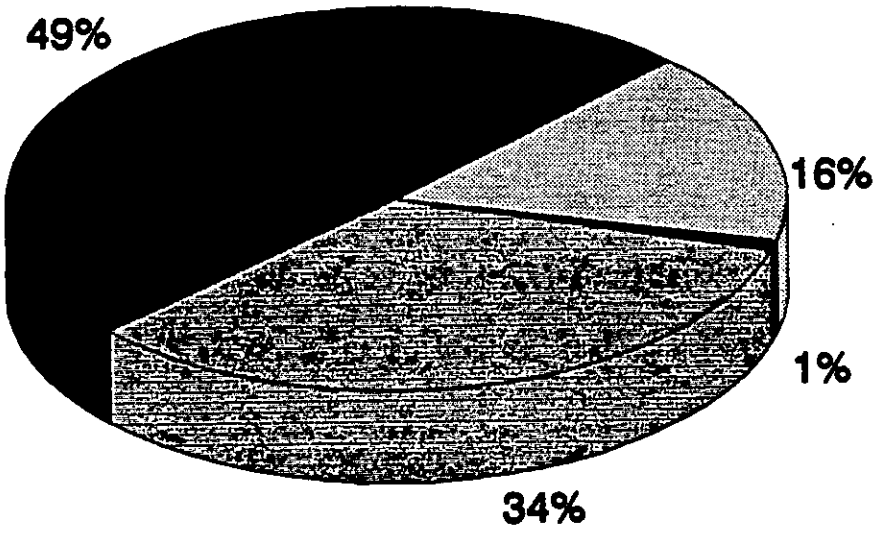
FACILITY INSPECTIONS

PERCENT OF TARGETED



ATTACHMENT No.3

COMPLANCE STATUS
PERMITED SITES INSPECTED
351 TOTAL



COMPLIANCE	COMPLIANCE AGREEMENT
NOTICE AND ORDER	UNDER EVALUATION

CALIFORNIA WASTE MANAGEMENT BOARD

AGENDA ITEM #16

October 11-12, 1989

ITEM: **Acceptance of the Final Report for Contract No. CWM-0813 and Consideration of Final Contract Closure.**

KEY ISSUES:

- A series of Board sponsored Recycling and Source Reduction Workshops were conducted state-wide between April and July of 1989.
- Community Environmental Council, the Gildea Resource Center (CEC) conducted these three workshops, two Recycling I workshops and one Source Reduction workshop.
- CEC provided workshop participants with a Workbook titled, Comparative Recycling Technologies.
- Nearly 250 local and state officials, recycling coordinators, and waste management planners participated in these three workshops.
- CEC completed all reporting requirements and has submitted the Final Contract Report.

BACKGROUND:

Assembly Bill 1462 (Cortese, Chapter 754, Statutes of 1987), requires that a 20% recycling goal be incorporated into the County Solid Waste Management Plans (CoSWMPs). Local government officials sought assistance from the Board regarding compliance with this law. The Board determined that conducting regional workshops for local elected officials, waste management planners, and recycling coordinators was the most cost effective and efficient means of meeting this need. The Board also concluded that using consultants would be the most appropriate mechanism to accomplish this.

DISCUSSION:

On March 8th, 1989, the Board entered a contract with CEC to conduct a series of three workshops on recycling and source

reduction. These workshops were designed to assist elected officials, waste management planners, public works directors, and recycling coordinators develop and implement plans to achieve the state mandated 20% recycling goal in AB 1462. The locations of the workshops were selected to enhance state-wide attendance.

The Recycling I Workshops were conducted by CEC in Santa Ana and Sacramento. The contractor provided the "Comparative Recycling Technologies Workbook" to all workshop participants. The Santa Ana workshop was co-sponsored by Orange County and Board Chairman John Gallagher gave the opening remarks. CEC has completed the reporting requirements for the Recycling Workshops.

The Source Reduction Workshop in Santa Barbara closed out the series with the best attendance (102). Once again, Board Chairman John Gallagher gave the opening remarks and took the opportunity to announce the Governor's Integrated Waste Management Plan developed by the Board. He also introduced the featured speaker, Senator Gary Hart. Board members George Tchobanoglous and James Lockington also attended. CEC provided several handouts, the most noteworthy of which was their 1988 publication "The Next Frontier: Solid Waste Source Reduction."

The Final Contract Report contains summary information on all aspects of the workshop series and the workbook. The report covers the workshop focus and materials that were used. It covers the attendance and important issues that were raised. The final report also contains information about each workshop. And finally, it summarizes both positive and negative aspects of the workshops. This report was well done and complete.

RECOMMENDATIONS:

Adopt Resolution #89-83 accepting the final contract report and approving contract closure for Contract #CWM-0813.

ATTACHMENTS:

Attachment A: Final Report for the Comparative Recycling Technologies and Source Reduction Workshops.

Attachment B: Resolution #89-83

Attachment A

FINAL REPORT

COMPARATIVE RECYCLING TECHNOLOGIES WORKSHOPS
Santa Ana, Calif. April 27 & 28th, 1989
and
Sacramento, Calif. May 4 & 5th, 1989

<<<<< >>>>>>

SOURCE REDUCTION WORKSHOP
Santa Barbara, Calif. July 27 & 28th, 1989

Sponsored by the California Waste Management Board

Conducted by the Gildea Resource Center

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Attendance

Questions Raised

Conclusion

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Workshop Materials and Focus

Attendance

Questions Raised

Conclusion

ATTACHMENTS

A: Issues Statement and Agendas for the Comparative Recycling Technologies Workshops

B: Questions Raised at Comp. Tech. Workshops

C: Issues Statement and Agenda for Source Reduction Workshop

D: Questions Raised at Source Reduction Workshop

E: Closing Session of Source Reduction Workshop (How participants questions were addressed)

000450

COMPARATIVE RECYCLING TECHNOLOGIES WORKSHOPS

Workshop Focus and Materials

On April 27 and 28th, 1989, the Gildea Resource Center conducted a day and a half workshop on Comparative Recycling Technologies in Santa Ana, California. Essentially the same workshop was recreated a week later on May 4 and 5th, 1989, in Sacramento, California, in order to target Northern California. The workshop was developed to assist local government solid waste management decision-makers in designing an integrated recycling program to fit the needs of their jurisdiction. A full range of recycling methods available to planners was covered, including: buyback/dropoff centers, residential source separation (curbside collection), commercial source separation, composting, and centralized materials recovery facilities. (Refer to Attachment A for a copy of the Issues Statement and agendas.)

The workshop emphasized that the range of recycling options (including composting) should be considered and that various methods could be used in conjunction to create a successful integrated recovery program. The speakers provided detailed information on the recovery methods addressed and the Gildea Center provided a decision-making framework in workbook form. Participants could use the workbook to place the speakers information in the context of designing an integrated recovery program to meet the 20-percent recycling goal set in AB 1462 (Cortese).

The 23-page workbook provided:

* a checklist of baseline data that each jurisdiction should compile before beginning to design a recycling system;

* detailed definitions of the various recycling methods addressed;

* comparative costs and recovery rates for the alternative recycling methods;

* strengths and weaknesses of the various recycling methods;

* evaluation criteria that could be used to rank and choose among recycling methods or among different combinations of methods; and

* an integrated recycling system scenario.

The two previously submitted workshop reports contain: detailed summaries of all presentations, a copy of the workbook, pre-registrants and participants lists, and copies of all handouts.

Attendance

For the Santa Ana workshop, 89 had pre-registered and final attendance was 74. In Sacramento, 87 had pre-registered and 59 attended. It became clear that **it would have been preferable to have held a one-day workshop,** especially in Sacramento. Taking two days out of the work week seemed to be a deterrent to some and having a session Friday morning also seemed to pose some problems. With some reworking, the same material could have been presented in a full day session, making the workshop more cohesive and compact.

It was also evident that there was **significant confusion over how the 6 workshops sponsored by the California Waste Management Board differed.** It was unclear that the workshops conducted by the Gildea Resource Center (GRC) and those conducted by R.W. Beck would have different focuses and what those differences were. The flyers advertising the workshops which were mailed out with Waste Board packets could have more clearly explained the differences and connections between the workshops.

Questions Raised

Attachment B (Questions Raised by Participants) summarizes the main questions and concerns voiced by workshop participants. Speakers were able to address the majority of simple factual questions. Some areas, however, such as market development and public versus private sector roles, did not lend to short responses and will require further attention in order to address the concerns of those who attended.

Conclusion

Participants of the Comparative Recycling Technologies Workshops seemed to grasp the integrated approach set forth in the workbook. It seemed that the charts and decision-making approach provided helped put into context the information provided by the various speakers. It would have probably been less frustrating to those interested in attending a workshop on this topic had they had a clearer idea of how the GRC and R.W. Beck workshops differed and complemented each other.

SOURCE REDUCTION WORKSHOP

Workshop Focus and Materials

On July 27th and 28th, 1989, the Gildea Resource Center conducted a day and a half solid waste Source Reduction Workshop in Santa Barbara, California. The purpose of the workshop was to inform local government decision-makers and legislators about source reduction goals, options, resources, and ongoing efforts nationwide. (Refer to Attachment C for a copy of the Issues Statement, agenda and policy alternatives chart.)

Speakers included representatives of the manufacturing industry, local, state and federal government officials, and non-profit research and educational organizations. Workshop participants were able to get a realistic feel for source reduction because all speakers are involved in actual source reduction programs and activities.

All workshop participants received the Gildea Center's 44-page policy paper, The Next Frontier: Solid Waste Source Reduction, which provides thorough background information and places source reduction into perspective with respect to integrated waste management. Many of the speakers also provided handouts to compliment their presentations.

The full Source Reduction Workshop Report contains detailed summaries of all presentations, pre-registrants and participants lists, and copies of all handouts.

Attendance

Prior to the workshop, 116 had pre-registered and actual attendance was 102 (including speakers and staff). There was significant confusion prior to the workshop as to how the Gildea Resource Center and R.W. Beck source reduction workshops would differ. As a result, a great deal of time was spent on the phone answering peoples questions as to the content and focus of the workshops. It would have been preferable had the flyers promoting the two

source reduction workshops been clearer as to the differences between to two workshops.

Attendance was high and steady for the two days, but the workshop advertising failed to draw legislators. Although a targeted letter was sent to all California Senate and Assembly members, it was difficult to get legislators to attend a day and a half long meeting, especially while only reaching them with one letter. It is possible that a shorter, more focused meeting would draw legislators, especially if there were more direct contact were made with them or their aides, and perhaps a better date were selected. The local government decision-makers that attended, however, did get a clear sense of the messages they should be passing along to their legislators and how such efforts in other areas were proceeding.

Questions Raised

At the beginning of the workshop, participants were asked to share any questions they had or reasons for attending the workshop. Attachment D lists the questions raised and Attachment E provides a summary of the closing session which reviewed how the workshop was able to address these concerns.

Conclusion

Workshop participants seemed very satisfied with the workshop format and the speakers presentations. It seemed
helpful that the speakers, several from back East, were actually involved in implementing source reduction and spoke of their activities as opposed to simply speaking theoretically. Many inquiries have been made with respect to receiving either a workshop summary or tapes of the presentations.

Attachment B

CALIFORNIA WASTE MANAGEMENT BOARD

Resolution # 89-83

October 11-12, 1989

WHEREAS, the California Waste Management Board (Board) has provided monies to the Community Environmental Council, the Gildea Resource Center (CEC) to conduct Recycling and Source Reduction Workshops and to provide written material for the State of California; and

WHEREAS, the Board entered into formal contract agreement with CEC; and

WHEREAS, the duration of this agreement was six months; and

WHEREAS, the grantee has completed all requirements under this contract, both reporting and performance, and expenditures have been reviewed by Board staff;

NOW, THEREFORE, BE IT RESOLVED that the Board will consider all contracts and obligations conducted by CEC as being completed, and the activities therein to be complete and will approve the closure of the contract agreement.

BE IT FURTHER RESOLVED that the Board authorizes the release of all monies that were withheld as terms of the contract agreement.

CERTIFICATION

The undersigned Chief Executive Officer of the California Waste Management Board does hereby certify that the foregoing is a full, true and correct copy of a resolution duly and regularly adopted at a meeting of the California Waste Management Board held on October 11-12, 1989.

Dated:

George T. Eowan
Chief Executive Officer

CALIFORNIA WASTE MANAGEMENT BOARD

AGENDA ITEM #17

October 11-12, 1989

ITEM: **Acceptance of the Final Report for Contract No. CWM-0819 and Consideration of Final Contract Closure.**

KEY ISSUES:

- A series of Board sponsored Recycling and Source Reduction Workshops were conducted state-wide between May and June of 1989.
- R.W. Beck and Associates (RWB) conducted these three workshops, two Recycling II workshops and one Source Reduction workshop.
- RWB provided workshop participants with a Resource Manual titled, Achieving Optimal Waste Recycling and Source Reduction.
- Nearly 250 local and state officials, recycling coordinators, and waste management planners participated in these three workshops.
- RWB completed all reporting requirements and has submitted the Final Contract Report.

BACKGROUND:

Assembly Bill 1462 (Cortese, Chapter 754, Statutes of 1987), requires that a 20% recycling goal be incorporated into the County Solid Waste Management Plans (CoSWMPs). Local government officials sought assistance from the Board regarding compliance with this law. The Board determined that conducting regional workshops for local elected officials, waste management planners, and recycling coordinators was the most cost effective and efficient means of meeting this need. The Board also concluded that using consultants would be the most appropriate mechanism to accomplish this.

DISCUSSION:

On March 8th, 1989, the Board entered a contract with RWB to conduct a series of three workshops on recycling and source reduction. These workshops were designed to assist elected

officials, waste management planners, public works directors, and recycling coordinators develop and implement plans to achieve the state mandated 20% recycling goal in AB 1462. The locations of the workshops were selected to enhance state-wide attendance.

The two Recycling Workshops were conducted in Ontario and San Mateo. Board Chairman John Gallagher opened the workshops by giving the Board's perspective on recycling and source reduction. Board member Ginger Bremberg also attended the Ontario workshop. RWB provided the "Achieving Optimal Waste Recycling and Source Reduction: Methods to Reach Your County's Recycling Goal" to all participants. This Resource Manual is comprehensive and was very well received. In fact, staff has received numerous requests for additional copies. Along with the workshop presentations and the Resource Manual, RWB arranged for workshop participants to tour two recycling facilities: Golden State Paper and West Coast Salvage. Participants of these two workshops were very enthusiastic about the presentations, the Resource Manual, and the special events. RWB has completed the reporting requirements for the Recycling Workshops.

The Source Reduction Workshop was held in Sacramento. This workshop featured Assemblywoman Lucy Killea as a luncheon speaker. RWB presented visual examples of over-packaging and talked at length about source reduction techniques and opportunities. The overall response from participants was very positive, particularly those from local government. RWB has completed the reporting requirements for the Source Reduction Workshops.

The Final Contract Report contains summary information on all aspects of the workshop series and the Resource Manual. The report covers the development of the Resource Manual, chapter by chapter. It covers the site selections and promotional activities. The final report also lists detailed information about each workshop, including attendance, agendas, and implementation. And finally, it summarizes both positive and negative aspects of the workshops. This report was very well done and complete.

RECOMMENDATIONS:

Adopt Resolution #89-84 accepting the final contract report and approving contract closure for Contract #CWM-0819.

ATTACHMENTS:

Attachment A: Final Report for the Recycling II Workshops, Source Reduction Workshop, and Resource Manual on Achieving Optimum Recycling and Source Reduction.

Attachment B: Resolution #89-84

Attachment A

CALIFORNIA WASTE MANAGEMENT BOARD

RECYCLING AND SOURCE REDUCTION WORKSHOPS

FINAL REPORT

A. INTRODUCTION

In January 1989, the California Waste Management Board (CWMB) entered into a contract (No. CWM - 0819) with R. W. Beck and Associates (RWB) to develop a resource manual and present workshops on recycling and source reduction. The workshops were part of a three-part series sponsored by the CWMB: Recycling I, Recycling II, and Source Reduction Workshops. The Recycling I workshop and one Source Reduction workshop was conducted by the Community Environmental Council (CEC) and Gildea Resource Center in Santa Barbara, California. The Recycling I workshops, "Comparative Recycling Technologies," were held in Santa Ana, California on April 27-28, and in Sacramento, California on May 4-5. The main objectives of the workshop were defining various recycling program options, discussing the strengths and weaknesses of each, and providing a method for evaluating options with respect to local needs and existing conditions. A 23-page workbook was developed by the CEC and handed out to all participants. The Source Reduction workshop conducted by CEC was held in Santa Barbara on July 27-28.

The Recycling II and Source Reduction Workshops titled, "Achieving Optimal Waste Recycling and Source Reduction," were presented by RWB. The workshop schedules appear below.

Southern California Recycling Workshop	May 15-16	Ontario, California
Northern California Recycling Workshop	May 17-18	San Mateo, California
Source Reduction Workshop	June 29-30	Sacramento, California

This report will discuss the development of the resource manual and workshops and evaluate their success in informing city and county officials how to plan and implement programs to achieve the State's current recycling goal of 20% recycling and beyond in their respective CoSWMP's. Reports on the individual workshops, and materials relating to them, have been submitted separately to the Board.

B. RESOURCE MANUAL

1. Principal Contributors

The Resource Manual was designed and written by R. W. Beck and Associates. Principal contributors included nationally acclaimed recycling specialists, Richard Gertman and Peter Grogan, and RWB's solid waste specialists, Bob Bingham and Gene Sampley. Todd Peterson, member of the RWB team and contributing author of the State of Washington's A-Way with Waste School Curriculum, was the author of Chapter 7 on Public Involvement and final editor of the manual. Robin Robertson, RWB's specialist on waste composition, provided substantial input on Chapter 2, Existing Conditions and Opportunities. Bill Shireman, RWB's recycling policy specialist, prepared Chapters 1, 3, 4 and 5. Other significant writing and editing contributions to the manual came from Tom Bennett of RWB, Margaret Gainer, principal of Gainer and Associates, and several members of the CWMB staff, including George Larson, Carole Brow, Chris Peck, Cheryl McNabb, and Mitch Delmage. Gery Rudolph, member of the RWB team, was responsible for the design of the manual.

2. Chapters

There were a total of eight chapters (152 pages) in the resource manual. Each of the chapters were divided into three sections: OBJECTIVES, OUTLINE, and TEXT. An OBJECTIVES statement was used at the head of each chapter to describe its purpose. An OUTLINE followed that summarized the material to be found in the chapter, and the TEXT covered and complemented the material presented in the workshops. However, the manual was designed primarily to be a "stand alone" planning guide for city and county solid waste management officials, whether they were able to attend the workshops or not.

The goals of the manual were to discuss the existing conditions affecting solid waste management in the state of California, outline the role of recycling and source reduction in solid waste management, provide sufficient information -- including material on markets, the legal framework in California, existing conditions, recyclable materials, recycling technologies, waste composition analysis, economics, budgeting, and implementation -- for thorough program planning, and demonstrate how the various solid waste management components can be designed to form an integrated system. Extensive examples, case studies, and guidelines were included to aid the planning process.

A brief summary of each chapter is provided below.

a. CHAPTER 1: California's New Approach to Integrated Waste Management: An Overview

Chapter 1 discusses the solid waste dilemma facing the state of California: rapidly diminishing existing landfill space, skyrocketing costs for waste disposal and siting of new landfills, and a populace that literally leads the world in waste generation per capita. This situation has created a growing public awareness of the adverse impacts of our throw-away society and the need for source reduction and recycling. The Cortese Act of 1987 (Assembly Bill 1462) was the State's response to these issues. Its effect on County Solid Waste Management Plans (CoSWMPs) is summarized. Also, the components of integrated waste management (IWM) -- source reduction, recycling, composting, energy recovery, and landfilling -- and the federal and state laws and regulations governing solid waste management are outlined. (13 pages)

b. CHAPTER 2: Existing Conditions and Opportunities

Chapter 2 explains the reasons for reviewing existing conditions before planning recycling programs. There is a detailed analysis of the existing conditions to be considered, including:

- Waste composition
- Existing waste collection and disposal activities
- Existing recycling activities
- Existing and potential markets
- Public Information Systems

At the end of the Chapter, a method is presented for determining goals, needs, and opportunities, using existing conditions. (24 pages)

c. CHAPTER 3: Which Materials Can Be Recycled and What Programs Can You Choose From?

Chapter 3 provides an extensive discussion of recyclable materials, their current market prices, and methods of collection and processing for each material. Sketches are provided throughout the text on numerous existing recycling programs for residential and commercial wastes. A special section was included on rural recycling alternatives. (42 pages)

d. CHAPTER 4: Evaluating Alternatives and Developing a Plan

Chapter 4 reviews the CoSWMP process as it applies to the recycling element. A question/answer section is provided to highlight problematic issues concerning what falls under the 20% recycling scenario as suggested in AB 1462. The chapter also discusses how solid waste management components can be integrated and concludes with an outline of an evaluation process that can be used to analyze potential recycling alternatives. (12 pages)

e. CHAPTER 5: Budget and Implementation Schedules

Chapter 5 gives an overview of the major expenses in recycling program budgets, i.e. collection, processing, marketing, and public information and education. It also discusses implementation schedules as they are required by California law. Six case studies of existing recycling plans are are used to illustrate how other communities have constructed their budget and implementation schedules. (21 pages)

f. CHAPTER 6: Economics of Source Reduction and Recycling

Chapter 6 gives two methods -- benefit-cost analysis and life-cycle costing -- to evaluate the economics of source reduction and recycling programs. An example of life-cycle costing is included to illustrate the economic and non-economic benefits of source reduction and recycling. (15 pages)

g. CHAPTER 7: Public Involvement

Chapter 7 presents programs for effective public education and involvement. It makes suggestions for developing new material and provides references for other, proven material. It discusses public involvement as it is required by California law. The Michigan Department of Natural Resources Public Involvement Plan is presented at the end of the chapter, including a four-page table describing and assessing various public involvement and education techniques. (16 pages)

h. CHAPTER 8: The Integrated System

Chapter 8 discusses how source reduction and recycling may affect other parts of a solid waste management system, including:

- Collection
- Transfer
- Energy recovery through incineration
- Landfilling

It concludes by saying that solid waste management is quickly becoming a diverse field, where landfilling is no longer the sole means of waste disposal. Recycling and source reduction will play a ever increasing role in future solid waste management planning. (9 pages)

3. Appendices

A total of eight appendices (195 pages) were included in the manual. They were designed to supplement the information in the Chapters, provide lists of important contacts, and provide essential background information for recycling program planning. The appendices are listed below.

a. APPENDIX A: Glossary of Solid Waste and Recycling Terms

b. APPENDIX B: Bibliography of Helpful Articles and Publications

c. APPENDIX C: Economic Evaluation of Source Reduction and Recycling

d. APPENDIX D: Guidelines for Conducting Waste Stream Characterization Sampling

e. APPENDIX E: Summaries of Applicable California Legislation

f. APPENDIX F: Guidelines for Enforcement of State Minimum Standards for Solid Waste Handling and Disposal

g. APPENDIX G: Recycling Information

1. Recycling Advocacy Organizations
2. Manufacturing Industry Organizations Active in Recycling and Solid Waste Management
3. Brokers List for Recycling in California
4. Recycling Companies: Tires, Household Plastics, Office Paper, and Magazines

h. APPENDIX H: List of County Local Enforcement Agencies (LEA)

4. Response

The Resource Manual was extremely well-received, both by attendees at the workshops and by others who requested copies but were not able to attend the workshops. Workshop attendees gave the manual an average rating of well over "9" (on a scale of 1 to 10). Those who have seen the manual outside the workshops have shown their enthusiasm by exhausting the initial supply. As of this writing, a substantial waiting list for the manual is being maintained by the Board. An additional 800 copies of the manual are presently being prepared for the Board.

C. WORKSHOPS

1. Site Selection

The Recycling II Workshops were held in two sites: Ontario in southern California and San Mateo in the north. Sacramento was selected as the lone site for the Source Reduction Workshop conducted by RWB. These sites were chosen by the Board and RWB during contract coordination meetings for their central location, proximity to airports, ease of access to major highways, and abundance of suitable convention locations. R. W. Beck selected the Clarion Hotel for the Ontario and Sacramento workshops and the Dunfey Hotel for the workshop in San Mateo.

2. Promotional and Registration Materials

Gainer and Associates (Gainer), recycling consultants from Arcata, California, was subcontracted to develop promotional and registration materials for the workshops in cooperation with RWB's Todd Peterson, editor and specialist in public involvement and education, and Bill Shireman. Media advisories were sent to publications of local government and recycling organizations and registration forms were sent in two mailings, each to approximately 3,000 California mayors, county and public works officials, and city managers. Separate media advisories were distributed immediately prior

to each workshop to local radio and television stations, newspapers, and press bureaus. Also, representatives from Gainer and RWB made contact calls and sent reminders to prospective participants, especially from the more rural counties.

3. Recycling II Workshops

a. Attendance

In response to the more than 3,000 flyers sent out to public officials and other private representatives, a total of 163 people pre-registered for the two recycling workshops. The table below shows attendance figures for both workshops, including the lunch presentations and tours.

	Ontario	San Mateo
Pre-Registrants:	85	78
Pre-Registrants Attending:	58	49
Registrants at Workshop:	7	22
Total Attendance:	65	71
Luncheon Attendance:	40	42
Tour Attendance:	27	22
No. of Manuals Distributed:	90	88

At both workshops, there was a noticeable drop off in attendance on the second day. Many people commented that they could only attend one day of the workshops. It may be advisable to limit future workshops to one day or offer a more complete agenda for the second day to encourage better participation. Also, contact calls made immediately prior to the workshops seemed to be effective in getting pre-registrants to attend.

b. Agenda

Because of the extensive scope of information to be covered, the workshops were scheduled for two days. The objectives of the first day included: introducing the sponsor (CWMB) and presenters (RWB) of the workshop, soliciting expectations about the workshop from participants, which were recorded on large sheets of paper and posted throughout the conference room, and presenting a systematic four-step approach to be used in recycling program planning and implementation. The approach, including the respective speakers and topics of discussion for each step, is outlined below.

STEP 1: IDENTIFY EXISTING CONDITIONS

Robin Robertson, RWB, Existing Conditions (Collection, Disposal, Recycling, and Waste Composition)

Paul Relis, CEC, Markets and Market Development

STEP 2: COMPARE COLLECTION AND PROCESSING STRATEGIES

Richard Gertman, RWB, Residential and Yard Waste Strategies

Pete Grogan, RWB, Residential Waste Strategies

Lynn Copeland, RWB, Commercial Waste Strategies

Paul Relis, CEC, Source Reduction

STEP 3: PLAN YOUR INTEGRATED WASTE MANAGEMENT SYSTEM

Gene Sampley, RWB, Integrated Systems Planning

David Kahl, RWB, Budgeting

STEP 4: IMPLEMENTATION

Gene Sampley, RWB, Public and Private Sector Roles

David Kahl, RWB, Key Issues in Procurement

The first day included an optional luncheon and special presentation. In Ontario, Arthur Jokela of Cal Poly University, Pomona, discussed revolutionary ideas for the use of compost in his presentation titled, "Potential New Markets for Compost." At the San Mateo workshop, Amy Perlmutter of the City of San Francisco, summarized the City's current and proposed recycling programs. At the end of the first day, a brief work session was conducted in which the participants were asked to break into groups, review the existing conditions of an example area, and develop the solid waste management needs and possible program alternatives for the example area.

The objectives of the second day were to emphasize the importance of public involvement in the planning and implementation process (Todd Peterson, RWB, and Margaret Gainer, Gainer) and to explain how the different solid waste management components form an integrated solid waste management system (Richard Gertman). A second work session was held to allow participants to discuss recycling alternatives for the existing conditions that they reviewed the previous day. The work sessions were also meant to give the participants time to meet one another and the staffs of RWB and the CWMB. To conclude the work sessions, a Game Show was held to test the participants' recycling knowledge. Prizes were awarded to everyone involved.

To wrap up the workshop, the workshop expectations were reviewed and other questions were addressed by a panel made up of RWB and CWMB staff members. The participants were then invited to attend tours at local businesses involved with recycling activities. In Ontario, a tour of Golden State Paper plant was conducted. This plant uses recycled newspaper exclusively in the production of new newsprint. In San Mateo, participants toured the West Coast Salvage Transfer Facility. West Coast Salvage is responsible for the transfer of all refuse from the City of San Francisco and has developed extensive resource recovery programs.

4. Source Reduction Workshop

a. Attendance

The number of pre-registrants for the source reduction workshop was considerably higher than for either of the recycling workshops. The following lists the attendance figures for the workshop, including the luncheon. Note that there was no tour for the source reduction workshop.

	Sacramento Workshop
Pre-Registrants:	126
Pre-Registrants Attending:	86
Registrants at Workshop:	5
Total Attendance:	91
Luncheon Attendance:	55
No. of Manuals Distributed:	100

Again, there was some drop off in attendance on the second day of the workshop.

b. Agenda

The source reduction workshop began in a similar fashion to the recycling workshops. The sponsor and presentors were introduced and the expectations for the workshop were recorded and posted. The objectives for the remainder of the first day were as follows: establishing a working definition for source reduction, discussing the four primary targets that fall under source reduction -- packaging, compostables, durable products, and paper products -- and outlining a number of methods for achieving source reduction, including variable rate structures, market development options, and building and construction codes.

At the end of the first day, participants were allowed to take part in one of four discussion groups. The discussion topics and the moderators for each group are noted below.

- Education and Public Participation (Peterson/Gainer)
- Rate Structures, Building Codes and Backyard Compost (Gertman)
- Procurement, Market Incentives and State Legislation (Shireman)
- Overview and Open Discussion (Grogan/Robertson)

These discussion groups were meant to provide the participants the opportunity to pursue topics of personal interest.

On the second day, the following topics were discussed: the role of public education in the success of source reduction programs, the 25% source reduction potential of backyard composting, and innovative ways to reduce plastic and styrofoam waste. These were followed by a Game Show which tested the participants' knowledge of source reduction. All participants received prizes. A panel consisting of RWB and CWMB staff reviewed the workshop expectations and answered further questions from the audience. There was to be a special media event involving representatives of the cloth diaper industry, but the event was canceled two days prior to the workshop.

D. SUMMARY

As noted in the resource manual, the state of California now spends almost $2 billion a year to manage the more than 43 million tons of waste it generates annually. Those figures are projected to grow rapidly due to increases in population, per capita waste generation, and landfill disposal costs. However, just when waste generation has reached all-time highs, landfill capacity in the state has reached the crisis point. Recent changes in environmental standards and growing public opposition have made new landfills much more difficult and expensive to site. If existing disposal rates continue, the state's remaining landfill capacity will be exhausted by the year 2000.

The State has responded to this crisis by implementing a number of new state laws that require a more responsible approach to solid waste management, including: the Cortese Act of 1987 (AB 1462), the Solid Waste Disposal Site Hazard Reduction Act of 1987 (AB 2448), the California Beverage Container Recycling and Litter Reduction Act of 1986 (AB 2020), and many procurement laws for state offices. These laws have required that public officials seriously consider the true costs of landfilling and the economic and environmental benefits of source reduction and recycling.

The initial intent of the workshops and manual was to inform public officials how to effectively plan and implement source reduction and recycling programs to achieve the 20% recycling goal in their respective CoSWMPs. However, after consideration, the emphasis was changed to achieving optimal recycling and encouraging the establishment of goals beyond the 20% set by the Cortese Act.

The Source Reduction and Recycling workshops and resource manual were developed to help public officials respond to the state's new regulations concerning solid waste management and understand the alternatives to simply landfilling solid waste. The manual was specifically designed to be a reference guide for the planning and implementation of integrated solid waste management programs that reduce, reuse, and recycle more waste materials. A step by step planning process is presented that will allow planners to understand their existing conditions, establish their local needs and opportunities, evaluate available source reduction and recycling alternatives, make budgets, provide public education, and eventually implement the selected programs. The presenters of the workshop adopted the motto, "No Shelf Documents," which was meant to urge the participants to put the information from the manual and workshops into action.

The response to the workshops was overwhelmingly positive. The resource manual and speakers from RWB were praised by the workshop participants. The participants were given the opportunity to make contacts with other public officials and private industry representatives, as well as the staffs of the CWMB and RWB. They also showed strong interest in a continuing series of recycling workshops on specific topics, e.g. marketing,

public education, composting, curbside collection, rural recycling options, etc. It seems that the California public is eager to learn more about source reduction and recycling and that these workshops served to whet their appetite even more.

Attachment B

CALIFORNIA WASTE MANAGEMENT BOARD

Resolution # 89-84

October 11-12, 1989

WHEREAS, the California Waste Management Board (Board) has provided monies to the R.W. Beck and Associates (RWB) to conduct Recycling and Source Reduction Workshops and to provide written material for the State of California; and

WHEREAS, the Board entered into formal contract agreement with RWB; and

WHEREAS, the duration of this agreement was six months; and

WHEREAS, the grantee has completed all requirements under this contract, both in reporting and in performance, and all expenditures have been reviewed by Board staff;

NOW, THEREFORE, BE IT RESOLVED that the Board will consider all contracts and obligations conducted by RWB as being completed, and the activities therein to be complete and will approve the closure of the contract agreement.

BE IT FURTHER RESOLVED that the Board authorizes the release of all monies that were withheld as terms of the contract agreement.

CERTIFICATION

The undersigned Chief Executive Officer of the California Waste Management Board does hereby certify that the foregoing is a full, true and correct copy of a resolution duly and regularly adopted at a meeting of the California Waste Management Board held on October 11-12, 1989.

Dated:

George T. Eowan
Chief Executive Officer

CALIFORNIA WASTE MANAGEMENT BOARD

AGENDA ITEM # 21

October 11-12, 1989

ITEM:

Presentation by Tires Recycling Energy Systems Incorporated on Tire Recycling.

KEY ISSUES:

- Tire recycling company uses a destructive distillation method.

BACKGROUND:

Tires Recycling Energy Systems Incorporated uses a destructive distillation method of processing shredded tires. The major marketable product of the system is carbon black. Their facility in Pennsylvania processes 2 tons of tires per hour. Board staff met with representatives of Tires Recycling Energy Systems in July 1989. Tires Recycling Energy Systems subsequently sent a letter to the Board requesting to be on the September agenda.

DISCUSSION:

Board staff continues to research the various means available for processing and recycling of tires. Among the more interesting technologies under development is destructive distillation. Representatives of Tires Recycling Energy Systems will describe their process for managing scrap tires.

RECOMMENDATION:

Informational item.

CALIFORNIA WASTE MANAGEMENT BOARD

AGENDA ITEM #22

OCTOBER 11-12, 1989

Item:

Consideration of the Waste to Energy Update Report--1988/1989.

Key Issues:

- The Board is required under Government Code Section 66786.3 to prepare for the Legislature a report on the status of the six waste-to-energy projects that the Board selected pursuant to SB 1395 of 1976.

- California has four operational waste-to-energy projects. The SERRF project, which completed construction in fall 1988, is still in the shakedown process.

- There are three projects that are seeking permits. Additionally, there are seven projects that have support, but are presently "on-hold" or have not progressed to the point of applying for construction permits.

- The appropriate classification and management of the ash residues is the major environmental issue confronting waste-to-energy projects.

Background:

In 1976, the California Legislature passed SB 1395 which directed the Waste Management Board to select at least one site suitable for the construction and operation of a waste-to-energy plant. The Board selected six projects. These projects were located in the Counties of Humboldt, Contra Costa County, San Francisco, and San Diego as well as the cities of Alameda and Long Beach.

The Board sponsored SB 1855 (1978) to provide financial assistance to those projects. Part of the legislation was that the Board submit an annual report on the status of the six projects. Because a number of other projects emerged and in some cases actually progressed faster than the original six, the Board has included their status in this report.

This year report lists fourteen active waste-to-energy projects in California. This includes the four operational facilities and three projects that are actively seeking permits.

Recommendation:

The staff recommends that the Board approve the report. The staff will incorporate any and all comments into the report prior to printing the report.

CALIFORNIA WASTE MANAGEMENT BOARD

WASTE-to-ENERGY UPDATE

OCTOBER 1989

CALIFORNIA WASTE MANAGEMENT BOARD

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George Duekmejian, Governor

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FOREWORD

This annual Report on the conversion of solid waste-to-energy is prepared in response to California Government Code Section 66786.3 (SB 1855, Greene, 1978).

While the statutory requirement only applies to those six projects that were selected by the California Waste Management Board in 1977, pursuant to Government Code Section 66786 (added by SB 1395, 1976), the Board has for a number of years chosen to include all municipal waste-to-energy projects in this Report. The primary reason being that the same regulations and policies apply to all such projects in California. Also, several of the newer projects have actually progressed well beyond the point of the original six projects.

With the beginning of operation of the SERRF Project in Long Beach the Board has satisfied its statutory mandate of implementing a waste-to-energy plant in California. Also, the other five projects covered under Government Code Section 66786.3 are no longer active solid waste projects.

For these reasons the Board intends to introduce legislation to repeal Section 66786.3. However, because the Waste Management Board believes that waste-to-energy projects are and will continue to be an important part of California's waste management policy, the Board intends to prepare periodic reports on the status of waste-to-energy in California.

Note:

The information shown in the Tables was provided by project sponsors and does not necessarily reflect the views of the California Waste Management Board.

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INTRODUCTION

The past three years since the last Report have seen the completion and start-up of four full scale waste-to-energy plants. However, this period was also marked with suspension of activities on approximately one dozen other projects. Most of these "failures" were due to shifts in political support and uncertainties about the environmental impacts associated with the burning of municipal refuse.

BACKGROUND

California's 28 million residents generated approximately 40,000,000 tons of municipal solid waste during 1988. This volume of waste materials is growing at least as fast as the state's population. While about 10 percent of this waste is annually recycled, the vast majority is buried in California's nearly 500 landfills. This growing volume of waste demands a sound waste management policy that encourages the recovery and reuse of resources and energy to the greatest extent feasible while preserving public health and safety.

Nationally, the question of how to properly manage the ever-growing amounts of solid waste has lead more than one hundred communities to construct and operate waste-to-energy plants ranging in size from a few tons per day to 4,000 tons per day.

The combustion of solid waste in properly designed and operated plants is a part of any future waste management system. Waste-to-energy plants offer a method of reducing the volume of waste requiring disposal in landfills by as much as 80 percent, while providing valuable energy. The primary disadvantages are the air emissions and the disposal of the ash residues. The Waste Management Board is currently conducting research to improve existing state-of-the-art pollution control equipment.

History

In 1976, the California State Legislature passed SB 1395 adding Section 66786 to the Government Code. This Section directed the Waste Management Board to select at least one site suitable for the construction and operation of a waste-to-energy plant. The Board selected six sites and, through SB 1855, the Legislature re-directed two million dollars of Board grant moneys to fund pre-construction activities--primarily feasibility and environmental analysis--for these projects. The six projects were to be located in Humboldt County, Contra Costa County, the City and County of San

Francisco, the County of San Diego and the cities of Alameda and Long Beach.

By 1988, only the Long Beach project was progressing as a municipal solid waste facility. This project, known as SERRF (Southeast Resource Recovery Facility), completed construction in the fall of 1988. The Humboldt County project was transformed into a wood waste power plant that began operation in September 1984. The original San Diego and San Francisco projects have undergone several changes in the proposed size and structure during the past decade. The most recent versions of these projects were known as the SANDER (San Diego Energy Recovery) and BARRF (Bay Area Resource Recovery Facility). Both of these projects withdrew their respective Applications For Certification (AFC) with the California Energy Commission during 1987. The final two projects (City of Alameda, Bureau of Electricity and the Central Contra Costa Sanitary District) have been put on hold indefinitely.

During the past five years several other projects have been developed and have progressed beyond the six projects. There are now three operating municipal waste-to-energy plants--in the Cities of Commerce, Long Beach, and Stanislaus County (Crows Landing)--which have the capacity to dispose of more than 2,500 tons per day of refuse (the disposal needs of 200,000 homes). In addition, a plant at Westley (Stanislaus County) has the capacity to burn nearly 150 tons per day of used tires. Also, there are three plants with a total disposal capacity of nearly 3,000 tons per day of municipal solid waste (including tires and infectious materials) that are actively seeking permits.

In this Update the Board has listed, in addition to SERRF, these projects and projects in the cities of Rialto, Susanville, and San Marcos, that are actively seeking permits. There are seven other projects that have support by the project sponsor, but have demonstrated very little progress toward implementation.

WASTE-TO-ENERGY PROJECT SURVEY

Survey Results

In preparing this Report the Board conducted a survey of the waste-to-energy projects in California. The survey, which was conducted during the spring of 1989, indicates that there are more than one dozen projects that are presently active. These projects are divided into three categories according to the progress of their development. The first category, Group A, comprises those projects which have been constructed. Group B projects are defined as projects that are currently seeking permits. The last category, Group C, are those which are presently "on-hold," but whose sponsor intends to pursue construction and operation within the next decade.

The four Group A projects are summarized in Table 1 with more complete descriptions provided in the following Tables and narratives. The three Group B projects are, also, presented in Table 1. Since these projects are not as well defined as are the Group A projects, individual Tables are not included. Similarly, Table 2 lists the seven projects in Group C.

TABLE 1

GROUP A and B PROJECTS

Project Name	Location (County)	Capacity (Tpd)	Combustion System	Owner	Energy (mw)	Cap Cost (million $)
Group A						
Commerce	Los Angeles County	350	Mass Burn	Commerce Refuse-Auth	10	50.0
Modesto Energy	Stanislaus County	145 (tires)	Mass Burn	Modesto Energy Co	12	39.0
SERRF	Los Angeles County	1,350	Mass Burn	SERRF Auth	29.7	170.2
Stanislaus	Stanislaus County	800	Mass Burn	Ogden Martin Corp	18	128.0
Group B						
North County	San Diego County	2,500	Prepared Fuel	NCRRA	35	200
Rialto Power Co.	San Bernardino County	375 (tires)	Fluidized Bed	Rialto Power Co.	35*	80
Susanville Resources	Lassen County	100	Mass Burn	Susanville Resources Co.	1.5	3**
Total		5,620			141.2	

**=cost to modify original ($7.1 million) plant

TABLE 2

GROUP C PROJECTS

Project Name	Location (County)	Capacity (Tpd)	Combustion System	Owner	Energy (mw)
Alameda	Alameda County	1,500	Mass Burn	City of Alameda	40
Azusa/ Compton Energy	Los Angeles County	2,000	Prepared Fuel	Azusa/ Compton Energy Sys	45*
Central Contra Costa	Contra Costa County	1,000	Mass Burn	County of Contra Costa	
Oxnard	Ventura County	300	N.A.	City of Oxnard	
Pacific Waste Management	Los Angeles County	1,000	Mass Burn	Pacific Waste Management	100*
Salinas	Monterey County	300	N.A.	City of Salinas	
Santa Clara	Santa Clara County	500	Mass Burn	City of Santa Clara	
Total		6,600			185

*=Signed contract with utility

TABLE 3

COMBUSTION PROCESS BY PROJECT STATUS

Combustion Process	Project Status Group A	B	C	All Plants
Mass Burn	4	1	4	9
(tons per day)	(2,645)	(100)	(4,000)	(6,745)
RDF		1	1	2
(tons per day)		(2,500)	(2,000)	(4,500)
Other		1		1
(tons per day)		(375)		(375)
Undecided			2	2
(tons per day)			(600)	(600)
Totals	4	3	7	14
(tons per day)	(2,645)	(2,975)	(6,600)	(11,720)

TABLE 4

PLANT OWNERSHIP BY PROJECT STATUS

Plant Owner	Project Status Group A	B	C	All Plants
Public Sector	2		5	7
(tons per day)	(1,700)		(3,600)	(5,300)
Private Sector	2	3	2	7
(tons per day)	(945)	(2,975)	(3,000)	(6,920)
Totals	4	3	7	14
(tons per day)	(2,645)	(2,975)	(6,600)	(12,220)

Note: The numbers in the parenthesis are the number of tons per day of wastes (including tires) processed by all projects within a given category.

TABLE 5

UTILITY CONTRACTS BY PROJECT STATUS

Contract Type	Project Status Group A	B	C	All Plants
Negotiated (megawatts)	2 (39.7)	1 (35)		3 (74.7)
Standard Offer (megawatts)	2 (30)	2 (36.5)	2 (145)	6 (211.5)
Totals (megawatts)	4 (69.7)	3 (71.5)	2 (145)	9 (286.2)

Note: The numbers in parenthesis are the number of megawatts generated by all projects within a given category.

PROJECT SUMMARIES

COMMERCE REFUSE-to-ENERGY FACILITY

The Commerce Refuse-to-Energy plant started commercial operation on January 1, 1987. During two full years of operation the plant has processed about 185,000 tons of municipal solid waste, primarily from commercial sources. The facility also sold approximately 100 million kilowatt-hours of electricity to the Southern California Edison Company.

The project experienced several periods of outage during its first two years for repair and replacement of various equipment items. These problems have been resolved and the facility is expected to provide reliable long-term waste disposal.

The Commerce facility is a joint venture of the City of Commerce and the Los Angeles County Sanitation Districts with the Districts providing for operation and management of the plant. The City and the Sanitation Districts each contributed $2,000,000 for construction financing. In addition, the California Waste Management Board provided a $1,000,000 grant. The major funding for construction was from a $44,170,000 revenue bond issue in the fall of 1984.

One of the major environmental concerns of refuse combustion is the amount of air emissions. Because of the very strict standards that are imposed by the South Coast Air Quality Management District (SCAQMD) the Commerce plant has as advanced an air pollution control and monitoring system as any waste-to-energy plant in the world. The plant has not been able to demonstrate continuous compliance with the hourly emission levels specified in the Authority to Construct. As a result the project has not been issued the Authority to Operate and is presently operating under a variance from the South Coast district.

MODESTO ENERGY PROJECT

Located at Westley in western Stanislaus County, the Modesto Energy Project is the only plant in the United States that burns whole tires. The plant, which began operation in early 1988, is designed to process as many as 5 million automobile tires annually.

Another unique feature of this plant is that all of the residues from the combustion (ferrous and zinc) and air pollution control equipment (gypsum) are being recycled. The zinc oxide residue is classified as a hazardous waste, but is not regulated as such due to the method of recycling.

Construction financing was obtained from a combination of bonds issued by the California Alternative Energy Source Financing Authority and moneys provided by Modesto Energy Company.

SOUTHEAST RESOURCE RECOVERY FACILITY

Construction of the Southeast Resource Recovery Facility (SERRF) with its three-450 ton per day (tpd) furnaces was completed in the fall of 1988. The project may, at a later date, add equipment to process the waste prior to combustion. This addition would occur if the City of Long Beach's curbside recycling program does not divert a sufficient amount of materials.

While the plant is presently burning some 1,350 tons per day and generating nearly 30 megawatts of electricity it has not been able to demonstrate compliance with all of the environmental requirements. Due to this problem the facility is still in the start-up and testing (Performance Demonstration) phase.

When the plant passes the Performance Demonstration test, actual operation of the plant will be performed by Montenay Corporation which has acquired Dravo Corporation--the plant designer and builder. The ownership of the plant lies with the SERRF Authority--a joint powers agency of the City of Long Beach and the Los Angeles County Sanitation Districts.

Plant development took several years before construction financing was secured in December 1985 with the sale of $125,000,000 in project revenue bonds. Actual construction commenced in February 1986. In December 1986 an additional $25,700,000 in bonds were sold to provide funds for the installation of the third furnace/boiler unit.

STANISLAUS WASTE ENERGY PROJECT

The Stanislaus project is the second waste-to-energy project in California's Central Valley. Located at the Fink Road Landfill, 20 miles southeast of Modesto, this project represents the combined efforts of the County of Stanislaus, the City of Modesto and the Stanislaus Waste Energy Company, a subsidiary of Ogden Martin Corporation. The Company built, owns and operates the plant which disposes of at least 243,000 tons annually. The County and its nine incorporated cities have guaranteed the delivery of sufficient wastes to operate the plant.

Construction financing was obtained through Industrial Development Bonds issued by the California Pollution Control Financing Authority in December 1985. The nearly $102,000,000 in bonds and about $20,000,000 in equity contributions from the Company provided enough funds for construction.

Plant construction began on August 23, 1986 and was completed by September of 1988. Following a brief shakedown period the facility went into commercial operation on January 10, 1989.

TABLE 6

COMMERCE REFUSE-to-ENERGY FACILITY

Status: Operational
Location: City of Commerce, County of Los Angeles

Start Date: January 1, 1987

TECHNICAL SPECIFICATIONS

COMBUSTION PROCESS
Type of Process: Mass Burn, Waterwall
Design Capacity: 350 tons per day
Design Operating Through-put: 255 tons per day
Ash Residues: Design: 70 tons per day
Ash Residues: Operation: 82 tons per day
Waste Processed: 1987: 78,000 tons; 1988: 107,000 tons

No. of Boilers: 1
Grate Manufacturer: Foster Wheeler
Lbs/Hr Steam Produced: 115,000
PSIG: 650 Temp(F): 750

AIR POLLUTION CONTROL EQUIPMENT
Baghouse: American Air Filter
Ammonia Injection System: Exxon (Thermal DeNox)

Dry Scrubber: Teller Environmental Systems
Continuous Emission Monitors: Lear Siegler

ENERGY AND MATERIALS RECOVERY
Primary Energy: Electricity
Buyer: Southern California Edison Company

Power Output: Design Capacity: 10.05 mw
Contract: Negotiated Interim Standard Offer Number 4

Electricity Sold: 100,000,000 kw-hr
Materials Recovered: none

FINANCIAL ARRANGEMENT

Owner: Commerce Refuse-to-Energy Authority
Operator: County Sanitation Districts of Los Angeles County
Type of Procurement: Architect/Engineer

Authority Members: City of Commerce, County Sanitation Districts of Los Angeles County

Principal Parties: HDR Tech-Serv, Foster Wheeler Corp.; Sumatomo Corp

Waste Supply Area: City of Commerce
Sources of Waste: Commerical (95%); Residential (5%)

Arrangement: Ordinance, licensed haulers

CAPITAL COSTS (millions)
Construction: $35 Bond Issue: $44.18 (1984)
Equity: $5.00
Operational Costs w/o Debt Service: $32.76/ton
Ash Disposal Fee: $18.00

Source: Lease-Revenue Bonds
State Grant, Public Agency revenues
Tip Fee: $18.00

PERMIT STATUS

Environmental Assessment: Negative Dec., 1982
Land Use Approval: Use Permit, 1983
Air Permit: Authority to Construct, 1984
Air Permit: Authority to Operate, pending
Health Risk Assessment: pending

Solid Waste Facilities Permit: 1984; Review Pend.
Ash Classification: Non-hazardous, 1984
Ash Treatment: Under study
Ash Disposal Method: Disposal at Puente Hills in a monofill area.

TABLE 7

MODESTO ENERGY PROJECT

Status: Operational
Location: Westley, County of Stanislaus

Start Date: March 1, 1988

TECHNICAL SPECIFICATIONS

COMBUSTION PROCESS
Type of Process: Mass Burn (Whole Tires)
Design Capacity: 145 tons per day
Design Operating Through-put: 127 tons per day
Ash Residues: Design: 20% of incoming wastes
Ash Residues: Operation: 20% of incoming wastes.
The residues (ferrous and zinc oxide) are recovered for resale.
Tires Processed 1988 (Partial Year): 3,400,000

Number of Boilers: 2
Grate Manufacturer: Lambion
Lbs/Hr Steam Produced: 120,000
PSIG: 900 Temp(F): 928

AIR POLLUTION CONTROL EQUIPMENT
Boiler Design: 3 sec residence time>1800 F
Baghouse: General Electric
Continuous Emission Monitors: Hirbia

Wet Scrubber: General Electric
Ammonia Injection System: Exxon (Thermal DeNox)

ENERGY AND MATERIALS RECOVERY
Primary Energy: Electricity
Buyer: Pacific Gas & Electric Company

Power Output: Design Capacity: 14.4 mw
Contract: Interim Standard Offer Number 4 (12.0 mw firm capacity)

Electricity Sold: N.A.
Materials Recovered: Ferrous(18%), Zinc(3%),Gypsum(8%) (by weight) of incoming waste. The Gypsum residues are from the air pollution control equipment.

FINANCIAL ARRANGEMENT

Owner: Modesto Energy Limited Partnership
Operator: Modesto Energy Company

Prinicipal Parties: Oxford Energy Co.
General Electric Company

Waste Supply Area: 150 mile radius of plant

Arrangement: Contracts, purchases

CAPITAL COSTS (millions)
Construction: $39.0
Bond Issue and Senior Debt: $31.0

Source: Industrial Development Bonds; Calif. Alternative Energy Source Financing Authority

Equity: $8.0

Source: Joint venture partners

Tip Fee: N.A.
Operational Costs and Junior Debt: $3.5/yr;

PERMIT STATUS

Environmental Assessment: Neg Dec, 1984, 1985
Land Use Approval: 1985
Air Permit: Authority to Construct, 1985
Air Permit: Authority to Operate, 1988
Health Risk Assessment: 1985-86, (a series)

Solid Waste Facilities Permit: N.A.
Ash Classification: Bottom Ash, non-hazardous; Zinc Oxide residue classified as hazardous, but is exempt from regulation due to method of recycling

TABLE 8

SOUTHEAST RESOURCE RECOVERY FACILITY (SERRF)

Status: Performance Demonstration Test
Location: City of Long Beach, County of Los Angeles

Start Date: September 2, 1988

TECHNICAL SPECIFICATIONS

COMBUSTION PROCESS
Type of Process: Mass Burn, Waterwall
Design Capacity: 1,350 tons per day

Number of Boilers: 3
Grate Manaufacturer: Dravo Corp/ L. C. Steinmuller

Design Operating Through-put: 1170 tons per day
1988 Through-put: N. A.
Ash Residues: Design: 400 tons per day
Ash Residues: Operation: N. A.

Lbs/Hr Steam Produced: 350,000
PSIG: 650; Temp(F): 750

AIR POLLUTION CONTROL EQUIPMENT
Flue Gas Recirculation: L & C Steinmuller
Baghouse: Flakt/Peabody Process Systems
Continuous Emission Monitors: KVB

Dry Scrubber: Flakt/Peabody Process Systems
Ammonia Injection System: Exxon (Thermal DeNox)

ENERGY AND MATERIALS RECOVERY
Primary Energy: Electricity
Buyer: Southern California Edison Company

Power Output: Design Capacity: 29.7 mw
Contract: Negotiated Interim Standard Offer Number 4 (19.7 mw firm capacity)

Material Recovered: None presently at plant, maybe added in future if the City's curbside recycling program fails to divert sufficient amounts and types of wastes.

FINANCIAL ARRANGEMENT

Owner: SERRF Authority (JPA)
Operator: City of Long Beach and Dravo/Montenay Corporation; first five years
Type of Procurement: Turn-key
Waste Supply Area: City of Long Beach, Cities of Signal Hill, Lakewood; commercial waste haulers
Sources of Waste: city service (67%); haulers: (33%)

Authority Members: City of Long Beach, County Sanitation Districts of Los Angeles County
Principal Parties: Dravo/Montenay, Gibbs & Hill, Rigo & Rigo Associates
Arrangement: City service, contracts

CAPITAL COSTS (millions)
Construction: Phase I $84.4; Phase II $20.0
Total: $104.

Bond Issue: Phase I $145.0; Phase II $25.2; Total: $170.2
Source: Bond Issue: SERRF Authority

Operational Costs w/o Debt Service: N.A.
Ash Disposal Fee: $20.00

Tip Fee: $16.00

PERMIT STATUS

Environmental Assessment: EIR, 1981; Neg Dec, 1984
Land Use Approval: Use Permit; 1983
Air Permit: Authority to Construct; 1984
Air Permit: Authority to Operate; pending
Air Permit: PSD, 1985
Health Risk Assessment: 1981, 1984 and Pending

Solid Waste Facilities Permit: 1985
Ash Classification: Non-hazardous; 1982 & 1984
Ash Treatment: Under study
Ash Disposal Method: Puente Hills Landfill
Harbor Development: 1985

TABLE 9

STANISLAUS WASTE ENERGY PROJECT

Status: Operational
Location: Crows Landing, County of Stanislaus

Start Date: January 10, 1989

TECHNICAL SPECIFICATIONS

COMBUSTION PROCESS
Type of Process: Mass Burn,
Design Capacity: 800 tons per day
Design Operation Through-put: 643 tons per day
1988 Operating Through-put: N. A.
Ash Residues: Design: 150 tons per day
Ash Residues: Operating: N.A.

Number of Boilers: 2
Grate Manufacturer: Ogden Martin Corporation
Lbs/HR Steam Produced: 201,000
PSIG: 880; Temp(F): 830

AIR POLLUTION CONTROL EQUIPMENT
Baghouse: Flakt, Inc
Ammonia Injection System: Exxon (Thermal DeNox)

Dry Scrubber: Flakt, Inc
Continuous Emission
Monitors: Lear Siegler

ENERGY AND MATERIAL RECOVERY
Primary Energy: Electricity
Buyer: Pacific Gas & Electric Comapny
Electricity Sold: N. A.

Power Output: Design Capacity: 18.0 mw
Contract: Interim Standard Offer No. 4

Materials Recovery: Ferrous metals

FINANCIAL ARRANGEMENT

Owner: Ogden Martin Corporation
Operator: Ogden Martin Corporation

Type of Procurement: Full Service Contract with County

Waste Supply Area: County of Stanislaus
Sources of Waste: Residential and Commercial sources

Arrangement: Contracts with all incorporated cities

CAPITAL COSTS: (millions)
Construction: $82.2
Bond Issue: $101.8

Source: Ind. Development Bonds,
Issuer: Calif. Pollution Control Financing Authority, 1986

Equity: $26.6
Operational Costs w/o Debt Service: N.A.
Ash Disposal Cost: $35.00

Source: Ogden Martin Corporation

Tip Fee: varies; $22.00-31.25

PERMIT PROCESS

Environmental Assessment: EIR, 1986
Land Use Approval: 1986
Air Permit: Authority to Construct: 1986
Air Permit: Authority to Operate, 1989
Health Risk Assessment: 1986

Solid Waste Facilities Permit: 1986
Ash Classification: Non-hazardous, 1984
Ash Treatment: Under study
Ash Disposal Site: Fink Road Landfill (in a monofill)

ENVIRONMENTAL AND ECONOMIC ISSUES

Recently the economic and environmental regulatory policies regarding the construction and operation of waste-to-energy plants in California have changed significantly. There is a perception by many people that the combustion of wastes will preclude the recycling and re-use of many materials. Additionally, there is concern that the air emissions may impose a threat to the p ublic health and that the ash residues may be a hazardous waste.

The financial and economic attractiveness of waste-to-energy plants has also declined over the past few years. For example, the price paid for electricity has been nearly cut in half. Prior to the Tax Reform Act of 1986 private ownership was rewarded with several income tax advantages; now, with the deletion of these exemptions, private sector ownership and control are less financially advantageous.

In this section, we will summarize the evolution of environmental regulation of waste-to-energy projects in the area of air pollution control and ash residue management. While there are more regulatory requirements on the construction of waste-to-energy plants today than existed in the last decade, there is a better understanding of this technology's ability to satisfy all current environmental regulations.

Additionally, this section covers the current economic climate of waste-to-energy in California.

ENVIRONMENTAL REGULATION

Air Quality

The issue of air quality impacts from waste-to-energy plants has been a matter of public debate and regulatory interest for the past ten years. As understanding of the issue increased, the focus of regulation has changed significantly.

Ten years ago the air quality concerns over waste-to-energy projects were focused on controlling the criteria pollutants (i.e., nitrogen oxides, hydrocarbons, particulate matter, etc). Project proponents were concerned that there was no consistent standard for Best Available Control Technology (BACT) and that the emissions offsets required under the New Source Review rules were not available at "reasonable" prices.

In 1979, with the passage of Assembly Bill 524 and in 1981 with AB 1862, California provided cogeneration and waste-to-energy projects

with an easier method of satisfying the air pollution permit requirements. These Bills exempted eligible projects from the requirement of obtaining emission offsets. It became the responsibility of local air pollution control districts and the California Air Resources Board to provide the requisite mitigation from the air quality impacts created by the offset exemption. A few waste-to-energy projects and many cogeneration plants were issued air permits under the provisions of AB 524 and AB 1862. This cohort of cogeneration facilities (some of which are extremely large) triggered concern on the part of the Environmental Protection Agency who determined that the California laws were violative of the federal Clean Air Act.

In response to EPA's objections to California's air pollution laws, the Legislature passed SB 166 (Rosenthal) in 1985 to resolve the state-federal conflict by limiting the offset assistance program to only those pollutants already found to be in attainment. It also changed the utility offset credit calculation such that several waste-to-energy plants were no longer eligible for offset credits.

In 1986, waste-to-energy projects were subjected to a unique regulatory requirement through AB 3989 (Sher). Under this Bill waste-to-energy plants are required to conduct an assessment of potential health risks imposed by toxic air contaminants (TACs). Additionally, a plant is required to establish a monitoring program for TACs. Further, projects must comply with established TAC control measures including those TACs whose standards are adopted after the issuance of the air permit.

At the federal level, EPA is scheduled by December 1990 to determine if there is a need for specific air emissions standards for waste-to-energy plants. The main thrust of such standards would be in the area of toxic air contaminants, particularly dioxins.

During the last two sessions of Congress, bills have been introduced which would establish specific air emissions regulations for waste-to-energy projects through the amendments to the Clean Air Act.

Ash Residue Classification and Management

The appropriate classification and management of the ash residues generated through the combustion of municipal solid waste has been a subject of California regulatory agency debate for the past decade with little if any resolution. Within the last year this issue has become the subject of legislative action at both the state and federal levels.

The classification issue revolves around the question of whether or not the ash is a hazardous waste. California's administrative law (22 CCR 66680(e)) lists "ashes" as a potentially hazardous

waste due to its toxic and corrosive nature. Unfortunately, the law does not specify which types of ashes may be regulated as hazardous. Presumably, all ash (fireplace, cigarette, wood waste power plant, etc) is hazardous, unless actual testing proves that the ash is not a hazardous waste.

The ash residues of a waste-to-energy plant are comprised of two types--bottom ash and fly ash--that have different chemical and physical characteristics. The problem of regulating the ash is compounded by the fact that almost all plants mix the ashes as a part of normal design and operation. The primary area of environmental concern is the concentration of heavy metals, most notably cadmium and lead, and the ability of these metals to leach out of the ash when placed in a landfill. The leaching may contaminate local groundwater.

In 1984, the Legislature passed SB 2292 (Campbell) in an attempt to clarify the state regulatory policies on ash from waste-to-energy plants. The bill directed the Department of Health Services to classify the bottom and fly ash as nonhazardous, unless testing showed otherwise, if the waste did not contain significant quantities of hazardous or industrial wastes, and if the plant controlled the incoming wastes to ensure that no prohibited wastes were combusted. Further, the bill specified that once the classification of nonhazardous was made it could not be revoked unless there was a significant change in the waste composition and that the ash tested as hazardous upon subjecting it to the California Waste Extraction Test.

Consistent with this Legislative mandate, the ash residues of the Commerce and SERRF plants are presently considered to be nonhazardous. These facilities bury their ash in special cells at the Puente Hills Landfill in Whittier. However, the Los Angeles Regional Water Quality Control Board has issued an order which would prohibit, after March 1990, the disposal of untreated ash at the landfill. The Stanislaus plant, which was permitted after passage of the statue, disposes of its ash in a monofill area at the Fink Road Landfill adjacent to the plant. This monofill with liner and leachate control system was designed specifically to handle ash from the plant.

All three projects are analyzing processes that appear to have the potential to treat the ashes in such a manner as to ensure that the ash can be disposed of as a nonhazardous waste. It should be noted that there are no waste-to-energy plants in the United States that are currently treating the ash. The reason being that plant operators do not view the treatment processes as commercially available.

During the 1988 session the State Legislature, with the passage of AB 4636 (Quackenbush), reaffirmed its position that the ash residues from the combustion of municipal solid waste are to be classified as a non-hazardous waste. However, the Bill states that if the United States Congress determines that ash residues are to

be regulated as a hazardous waste, that determination will be controlling within California.

Under the federal Resource Conservation and Recovery Act (RCRA) facilities that burn only municipal solid waste are exempted from hazardous waste regulation. This definition has commonly been interpreted to mean that the ash is also non-hazardous. Such a designation allows the disposal of the ash residues in ordinary landfills.

In 1987 the Environmental Defense Fund filed lawsuits against the Westchester, New York and Chicago Northeast plants contending that the ashes from those plants are hazardous wastes and should be regulated appropriately. No decision has been rendered in either case. However, the lawsuits have spurred action at the federal level.

During the 1988 session of Congress, two bills were introduced that would classify the ash as a non-hazardous waste and require that landfills accepting ash be equipped with liners and leachate monitoring and control systems. Landfills that dispose of ash in a separate area (monofill) from general solid waste would be subjected to less stringent requirements than those landfills which commingle the ash and solid waste. Neither of these bills passed during that session.

Undaunted by last year's failure, Housemember Luken (Ohio) has introduced H.R. 2162 which would regulate the ash as a special non-hazardous waste under subtitle D (non-hazardous solid waste) of the Resource Conservation and Recovery Act. The bill would require EPA to develop a test that would determine the toxicity of the ash. Ash residues that pass the test could be disposed of in municipal waste landfills that have composite liners. If the ash fails the test it would have to be disposed of in landfills that have double composite liners as well as groundwater protection systems.

The changes in federal law may have little impact upon the operation of Caliornia's operating waste-to-energy plants. As stated above, the Commerce and SERRF plants are under an enforcement order that requires either proper treatment of the ash or disposal at a designated monofill with liners and leachate control systems. The Stanislaus ash monofill already meets the proposed federal standards.

ECONOMIC AND FINANCIAL ISSUES

Electricity Prices

The major source of revenues to amortize project construction debt and pay current operating costs comes from the sale of energy (generally electric power to a major utility). Fees for the disposal of solid waste account for less than 50 percent of the total income produced by the plant.

Under the 1978 Public Utility Regulatory Policies Act (PURPA), investor-owned utilities are required to purchase electricity from qualifying small power producers at the utility's "avoided cost." This cost is defined as the incremental cost to the utility of generating the power from it own sources. The statute, also, directed the various state public utility commissions to implement PURPA within each state.

The California Public Utilities Commission's (CPUC) implementation of PURPA has been based upon standardized--known as Standard Offers--contracts that guarantee "avoided cost" payments. For waste-to-energy projects the most popular and beneficial of these Standard Offers was the Interim Standard Offer No. 4, which was available from 1983-1985. With the exception of the Susanville Resources/Lassen College plant, all projects in Groups A and B have signed some variation of this contract. The Offer's central feature was the payment of fixed prices for the first ten years of plant operation. These fixed prices provided sufficient revenues to finance construction of waste-to-energy plants.

The CPUC has conducted many hearings over the last five years attempting to develop a final Standard Offer No. 4. This Offer will calculate avoided costs based upon the costs of an avoided power plant or purchases from other utilities. To minimize the problem of over-subscription of the Offer a "second price" bidding process will be used to allocate the excess capacity. Given the present "excess" electrical generation capacity the final Standard Offer No. 4 is only available in the San Diego Gas & Electric service area.

With the present lack of a long-run Standard Offer and with present short-run avoided cost payments of about three cents per kilowatt-hour it would be extremely difficult to finance the construction of any new waste-to-energy plants in California. If electrical generation costs increase, as expected, during the 1990s waste-to-energy may become financially viable once again.

Income Tax Reform and Project Financing

Traditionally, public works projects have been financed through the sale of long-term government bonds. Because of the tax-exempt status of such bonds, the interest costs of acquiring the construction funds is reduced. During the 1970's the federal income tax law was expanded to allow tax-exempt financing for privately-owned solid waste projects. This change allowed government agencies such as the California Pollution Control Financing Authority to issue tax-exempt (Private Activity) bonds on behalf of private parties. The majority of waste-to-energy plants in the United States have been financed in a similar method.

The Tax Reform Acts of 1984 and 1986 have significantly changed the method in which waste-to-energy projects will be financed as well as owned and operated. First, the annual issuance of Private Activity Bonds is limited. Secondly, the tax benefits, that flowed to private parties as plant owners (such as accelerated depreciation and investment tax credits) have been eliminated. These changes make public sector ownership and operation very attractive from a financial standpoint.

WASTE-TO-ENERGY DEMONSTRATION PROJECT

In an effort to better understand the environmental impacts of waste-to-energy plants, and to develop the appropriate regulatory posture, the Waste Management Board has convened a technical advisory committee comprised of state and local environmental protection agencies. The committee, under the leadership of the Board, conducted a series of tests at the Commerce facility in July/August 1988 and March/April 1989. As of the writing of this Update, the results are under analysis.

The testing program is funded by the United States Department of Energy through the Petroleum Violation Escrow Account. This money was made available to demonstrate the ability of waste-to-energy systems to operate in an environmentally acceptable fashion.

The testing program addressed air pollution control, ash residue classification and management, and composition of the incoming waste. Specifically, the air testing will attempt to answer the question of what are the types and amount of various air pollutants, including many toxic air contaminants, that are generated by the combustion of solid waste and how well those pollutants are controlled. The ash tests will determine what contaminants are found in the ash along with an assessment of the relative toxicity of those residues. The waste composition analysis will provide valuable data on the chemical composition of wastes from both residential and commercial sources. Additionally, the analysis will attempt to correlate the various pollutants with incoming waste and furnace operating conditions.

The technical advisory committee expects to issue a series of reports that discuss the results and analyses of the actual testing. These reports will be available in the spring of 1990. Hopefully, this will permit California to implement a well-reasoned regulatory program that will ensure that waste-to-energy plants will be constructed and operated in a environmentally acceptable manner.

CONCLUSION

The commencement of operation of the SERRF and Stanislaus projects in early 1989 provides an opportunity to demonstrate that waste-to-energy projects can be constructed and operated in an environmentally acceptable manner in California.

The testing at the Commerce plant should provide valuable data on the environmental impacts associated with the combustion of solid waste and the efficiencies of current pollution control equipment. The testing will allow for the development of appropriate regulations for the operation of waste-to-energy plants in California.

The Waste Management Board believes that waste-to-energy has an important place in the integrated management of California's solid wastes, especially when combined with other waste reduction technologies such as recycling. The technology offers the potential to significantly reduce the amount of waste that needs to be disposed of in landfills. Existing regulations for waste-to-energy plants require the use of the most advanced air pollution control, thorough health risk assessments, the continuous monitoring of air emissions and regular testing and monitoring of the ash residues. Facilities built and operated to satisfy these requirements may pose little threat to human health and the environment.

CALIFORNIA WASTE MANAGEMENT BOARD

AGENDA ITEM # 24

OCTOBER 11 - 12, 1989

ITEM:

Status report and consideration of operator certifications pursuant to AB 2448.

KEY ISSUES:

- Solid waste landfill operators were required to submit certifications to the Board and their LEA by January 1, 1989, or upon application for a permit.
- Changes in the information received since the last Board meeting will be highlighted.
- An update on the enforcement activities will be presented.

BACKGROUND:

Assembly Bill (AB) 2448 (Eastin, 1987) establishes a program to ensure the long-term protection of the environment by requiring financial assurances for closure and postclosure maintenance of solid waste landfills. Operators of solid waste landfills that have operated on or after January 1, 1988, are subject to these requirements. This program is structured to be implemented in two phases.

The first phase mandates operators to make an initial certification by January 1, 1989, to the California Waste

Management Board (Board) and their local enforcement agency (LEA). This required date for the certification is in advance of the statutory deadline of July 1, 1989, for adoption of emergency regulations for this program by the Board. The operator is required to certify the following three things:

- An initial cost estimate has been prepared,
- A financial mechanism has been established, and
- The funding of the selected mechanism will ensure adequate resources for closure and postclosure maintenance.

The Board adopted guidelines to assist the operators in the preparation of the initial cost estimate, selection of a financial mechanism, and funding of the selected mechanism, at their August 1988, meeting. Certification statements were included to ensure that the operator complies with all three elements, as required by the law, and that a qualified professional prepared the initial cost estimate. Financial mechanisms received after August 17, 1989, must comply with the Board's emergency regulations.

The operators that have been notified of the requirements includes a list of 418 operators generated from the Solid Waste Information System (SWIS) database. A total of 82 ~~80~~ alternative certifications have been received reducing the number of subject operators to 336 ~~338~~. The submittals that have been received have been logged in by Board staff.

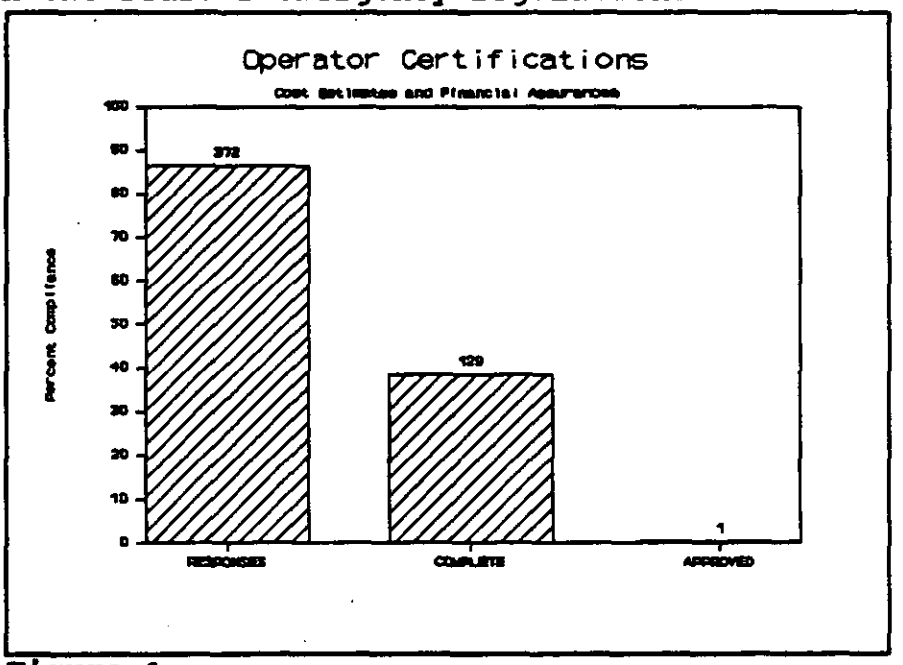

Figure 1

A summary of the status of the certification information received from operators is shown on Figure 1. Responses include full and incomplete submittals, requests for extension of time, and a request for aid. Complete certifications are those that certify all three required elements and have submitted all of the requested documentation. A copy of the most recent complete tabulation of information received is attached to this item. Shaded areas highlight changes in the information received since the September, 1989, Board meeting.

A summary of the mechanisms selected by the operators is presented in the pie graph in Figure 2. The percentages are based on a total of 219 financial mechanisms designated by the operators in the certification information.

Board staff has initiated limited review of the complete certifications. The review consists of verifying the reasonableness of the initial cost estimate and evaluation of the

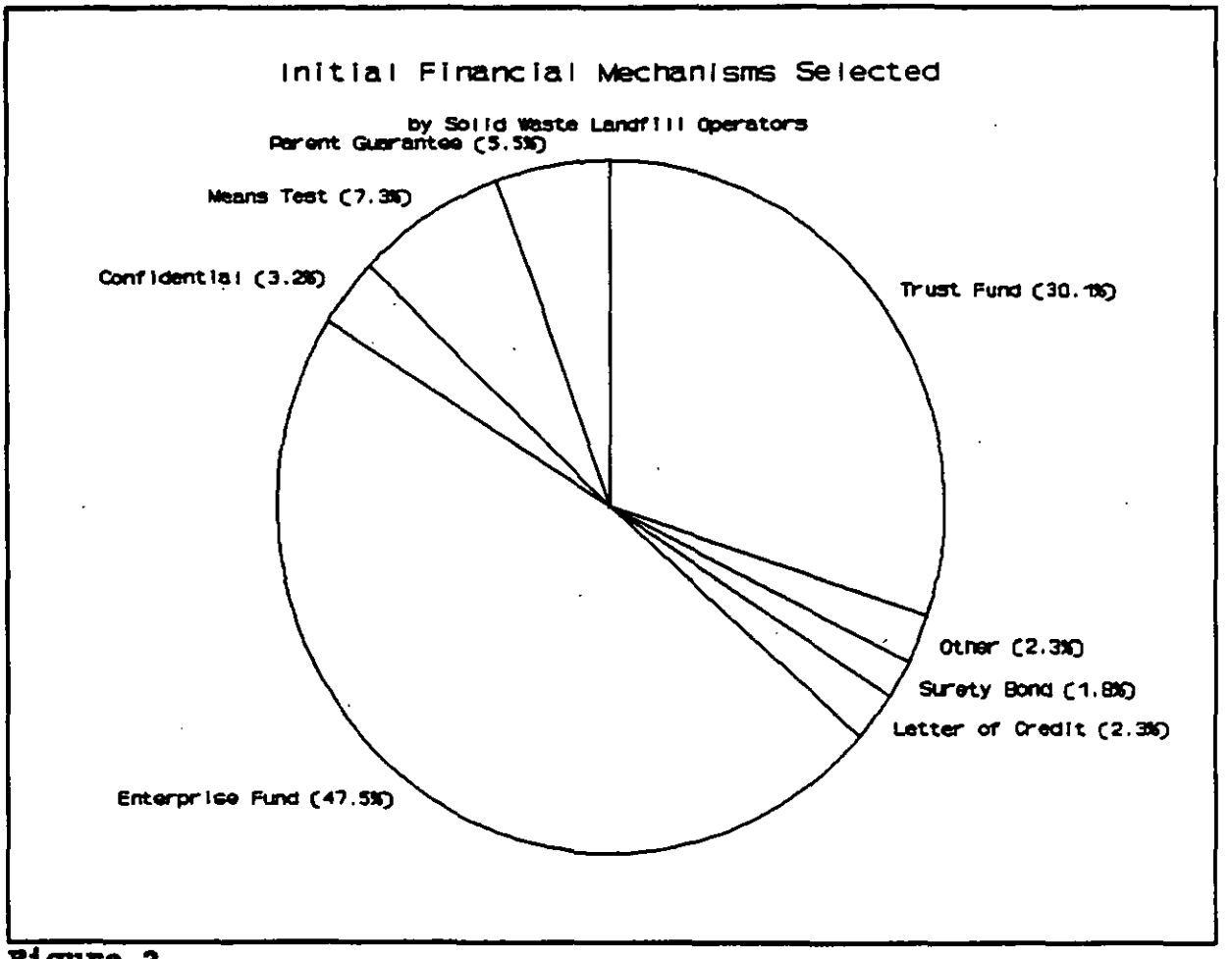

Figure 2

establishment and funding of the selected financial mechanism in accordance with the Certification Guidelines or the Emergency Regulations, as appropriate. Certifications that pass this review will be brought to the Board for consideration of approval.

Operator certifications reviewed in the last month include:

Rock Creek, Bee Canyon, Charter Evaporation, and Simi Valley.

The Attorney General (AG) mailed letters to the operators of approximately 100 facilities on August 15, 1989. A meeting was

held with the AG to review the additional materials received in response to this letter. Staff is undertaking appropriate follow-up actions to achieve additional compliance.

Financial Assurance Mechanisms

The Finance Unit has been given the responsibility to evaluate the financial assurance mechanisms submitted with certifications. Staff has developed a methodology to evaluate the financial assurance mechanisms chosen by operators. This methodology is contained in a manual prepared by the Finance Unit entitled: Financial Assurance Mechanism Evaluation. A copy of the cover and table of contents for this manual is attached to this item for the Board's information. The development of the methodology and this manual included training by ICF Incorporated on the technical issues of evaluating the financial assurances offered by the various mechanisms allowed under the Emergency Regulations. This methodology has been used to evaluate a limited number of mechanisms in conjunction with landfill facility permit reviews performed by the Board, including Scholl Canyon Landfill (Los Angeles County), Aerojet Liquid Rocket Co. Landfill (Sacramento County), and Bee Canyon Landfill (Orange County). The results of these evaluations have been included in the Board presentations for each permit action. The Finance Unit will continue to perform evaluations in response to permit activities. Additionally, the Unit is beginning to evaluate all of the mechanisms received with other certifications as time permits.

BOARD ACTION:

Consideration of Approval for Operator Certification. The operator certification for the Rock Creek Landfill has been submitted to satisfy the condition of concurrence in Solid Waste Facilities Permit Decision No. 89-54. Board staff has reviewed the operator certification statement, verified initial cost estimate, and documented the establishment and funding of the financial assurance mechanism for closure and postclosure as follows:

Facility Name/SWFS #	Operator	Initial Cost Estimate Closure	Initial Cost Estimate Postclosure	Prof Cert	Financial Mechanism Closure	Financial Mechanism Postclosure
Rock Creek 1P05-AA-0023	Calaveras Co Public Works	$4.24 M	$2.72 M	yes	EF	EF

OPERATOR CERTIFICATION SUMMARY

All other operator certifications reviewed this month will be presented individually, in conjunction with permit actions.

Initial Cost Estimate

The initial cost estimate for the Rock Creek Landfill has been reviewed by the Board's Standards and Regulations Division. The general site information including specific characteristics concerning the landfill classification and waste description, as well as, site geology and groundwater features has been compared with other supporting site documentation. These supporting documents include the Solid Waste Facility Permit Application, Report of Facility Information (RDSI), and the Waste Discharge Requirements (WDR).

The itemized costs calculations for materials, labor, monitoring and maintenance, and replacement costs of materials have been checked. A summary of the Initial Cost Estimates is attached. The initial cost estimate was prepared by a registered civil engineer.

The Rock Creek Landfill is to be developed in four phases. Each phase has delineated capacity amounts, final cover material amounts, and end-of-phase closure dates. The initial cost estimate includes the costs for all four phases, but may be revised in conjunction with the development of the required closure and postclosure maintenance plans.

Board staff has verified that initial cost estimates have been prepared that satisfy the requirement of Government Code § 66796.22 (b)(1).

Financial Assurance Mechanism

The County of Calaveras, Department of Public Works has submitted a draft statement for an enterprise fund for the purpose of closure and postclosure maintenance of the Rock Creek Landfill. The Board's Finance Unit reviewed the draft statement in relation to the requirements for enterprise funds as financial assurance mechanisms for closure and postclosure maintenance costs based on the Emergency Regulations. The following items were covered in the draft statement:

1. Payment of $230,000 has been appropriated for deposit to the fund and may be revised as needed.

2. On an annual basis, the minimum fund balance shall meet the prescribed formulas stated in Section 18282(b), subsections 1 (i) and (ii).

3. Adjustments shall be made to account for inflation as outlined in Section 18272.

4. The revenue for the fund comes from the Solid Waste User Fee.

5. The enterprise fund is to be used exclusively to finance closure and postclosure maintenance and will remain inviolate against all other claims.

6. A subsidiary mechanism, an "interest bearing" trust fund, has been set up for depository purposes.

7. The Trustee is the Calaveras County Treasurer/Tax Collector.

8. For investments in the trust fund, the only securities allowed are federal and state securities.

9. The Board is designated as the Cosigner for any transfers or disbursements from the fund.

These items are in compliance with the Board's Emergency Regulations.

BOARD OPTIONS:

1. Take no action. The Board is not required under the law to approve the operator certifications.

2. Deny the operator certifications. This action would be appropriate if the operators/applicants have not complied with the certification requirements of Government Code (GC) 66796.22(b)(1).

3. Approve the operator certifications. This action would be appropriate if the operators/applicants have complied with the certification requirements of GC 66796.22(b)(1) and the submittals are consistent with the Certification Guidelines or the Emergency Regulations, as appropriate.

RECOMMENDATION:

Select Option #3, approving the operator certification (copy attached) for the Rock Creek Landfill.

ATTACHMENT:

INTERNAL DOCUMENT
FINAL DRAFT

Financial Assurance Mechanism Evaluation

F.A.M.E.

Finance Unit

California Waste Management Board

August 1989

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*** Do not Copy or Quote ***

CERTIFICATION RECEIPT LOG

(Revised 9/26/89)

Facility File No.	Facility Name	Date* Received	DOCUMENTS RECEIVED: Operator Certification 1	2	3	Initial Cost Est. Worksheet	Prof. Cert.	Financial Mechanism Type	Doc.	Alternative Certification A	B	C	STATUS
01-AA-0008	DURHAM ROAD SANITARY LANDFILL	01/03/89*	Y	Y	Y	SUMMARY	Y	CN	Y				
01-AA-0009	ALTAMONT SANITARY LANDFILL	01/03/89*	Y	Y	Y	SUMMARY	Y	CN	Y				
01-AA-0010	EASTERN ALAMEDA COUNTY DISPOSAL SITE	12/30/88	Y	Y	Y	Y	Y	GT	Y				
03-AA-0001	AMADOR COUNTY SANITARY LANDFILL	06/06/89	Y	Y	Y	Y		TF	Y				
03-AA-0002	AMERICAN FOREST PRODUCTS CORP LANDFILL	04/03/89	Y	Y	Y	Y	Y	MT	Y				
04-AA-0002	NEAL ROAD LANDFILL	01/09/89	Y	Y	Y	Y	Y	EF	Y				
04-AA-0009	LOUISIANA-PACIFIC LANDFILL	01/24/89				Y	Y						
04-AC-0020	CITY OF CHICO LEAF COMPOSTING OPERATION	11/14/88								X			
05-AA-0014	RED HILL SANITARY LANDFILL	03/22/89	Y	Y	Y	Y	Y	TF	Y				
05-AA-0015	CALAVERAS CEMENT - DIV OF FLINTKOTE CO	12/30/88								X			
05-AA-0023	ROCK CREEK LANDFILL	08/16/89	Y	Y	Y	Y	Y	EF	Y				8/3/89 Complete
06	CHARTER EVAPORATION (P R O P O S E D)	09/12/89	Y	Y	Y	Disk	Y	TF	Y				
06-AA-0001	EVANS ROAD LANDFILL AP #18-160-46	12/30/88	Have retained consultant										8/15/89 AG letter
06-AA-0002	STONYFORD DISPOSAL SITE	12/30/88	Have retained consultant										8/15/89 AG letter
06-AA-0005	COLUSA STATE PARK	03/20/89								X			
07-AA-0001	WEST CONTRA COSTA LANDFILL	05/01/89				Y	Y						8/15/89 AG letter
07-AA-0002	ACME LANDFILL	12/29/88	Y	Y	Y	D/Confid.	Y	LC	Y				
07-AA-0003	CONTRA COSTA SOLID WASTE INC & GBF DS	04/14/89	Y	Y	Y	Y	Y						
07-AA-0004	PITTSBURG DISPOSAL SITE	04/14/89				Y	Y						8/15/89 AG letter
07-AA-0005	US STEEL-PITTSBURG DISPOSAL SITE												8/15/89 AG letter
07-AA-0025	C AND H SUGAR DISPOSAL SITE												
08-AA-0004	KLAMATH FOREST PRODUCTS DISPOSAL SITE	01/03/89*	Y	Y	Y	Y	Y	GT	Y				

* Postmarked by January 1, 1989
1 Initial Cost Estimate
2 Establish Financial Mechanism
3 Ensure Adequate Resources

TF Trust Fund
EF Enterprise Fund
GS Government Securities

PR Pledge of Revenue
CN Confidential
LC Letter of Credit

SB Surety Bond
RR Risk Retention Group
GT Guarantee

IN Insurance
MT Financial Means Test
OT Other

A - not a solid waste landfill
B - not operated on or after 01/01/88
C - hazardous waste facility

000210

Facility File No.	Facility Name	Date* Received	DOCUMENTS RECEIVED: Operator Certification 1	2	3	Initial Cost Est. Worksheet	Prof. Cert.	Financial Mechanism Type	Doc.	Alternative Certification A	B	C	STATUS
08-AA-0006	CRESCENT CITY LANDFILL	01/03/89*	Y	letter		Y	Y						
08-AA-0017	ARCATA LUMBER COMPANY	12/27/88									X		
09-AA-0003	UNION MINE DISPOSAL SITE	03/29/89	Y	Y	Y	Y							
10-AA-0002	CHATEAU FRESNO LANDFILL	12/30/88	Y	Y	Y	Y	Y	GT/MT	Y				
10-AA-0004	CITY OF CLOVIS LANDFILL	01/03/89*				Disk	Y						
10-AA-0005	CITY OF FRESNO LANDFILL	01/17/89	Exten			Disk	Y						
10-AA-0006	COALINGA DISPOSAL SITE	02/14/89	Y	Y	Y	Disk	Y	TF	N				
10-AA-0008	MENDOTA-FIREBAUGH DISPOSAL SITE	04/12/89									X		
10-AA-0009	AMERICAN AVENUE DISPOSAL SITE	02/14/89	Y	Y	Y	Disk	Y	TF	N				
10-AA-0011	SOUTHEAST REGIONAL SOLID WASTE DISPOAL S	02/14/89	Y	Y	Y	Disk	Y	TF	N				
10-AA-0013	ORANGE AVENUE DISPOSAL INC	03/23/89	Y	Y	Y	Summary		TF	Y				
10-AA-0025	CHESNUT AVE DISPOSAL SITE	04/04/89	Y	Y	Y	Y	Y	GT	Y				Approved 4/20/89
10-AA-0156	INDUSTRIAL AGRICO INC	03/24/89								X			
11-AA-0001	GLENN COUNTY LANDFILL SITE	02/08/89				Y		TF	Y				
11-AA-0017	REHSE BROS NON-HAZARDOUS DRILLING MUD DS	03/17/89									X		
11-AA-0018	VALLEY ROCK PRODUCTS INC MUD DUMP SITE	04/24/89								X			
12-AA-0005	CITY GARBAGE COMPANY LANDFILL	01/03/89*	Y	Y	Y		Y	TF	Y				
12-AA-0013	THE PACIFIC LUMBER CO WOOD WASTE DS	01/03/89*				Y	Y						
12-AA-0017	SAMOA LANDFILL SITE	01/24/89				Y	Y						
12-AA-0029	SIMPSON WOOD WASTE DISPOSAL SITE	01/03/89*	Y	Y	Y	Y	Y	GT/MT	Y				
12-AA-0056	RENNER WOOD WASTE SITE	01/04/89*									Y		
12-AA-0076	CARLOTTA LANDFILL	01/03/89*				Y	Y						
12-AA-0085	FAIRHAVEN SOLID WASTE LANDFILL	01/03/89*	Y	Y	Y	Y	Y	GT/MT	Y				
12-AA-0086	EEL RIVER SAWMILL LANDFILL #2	01/03/89*	Y	Y	Y	Y	Y	MT	Y				
13-AA-0001	WORTHINGTON CUT AND FILL SITE												8/15/89 AG letter
13-AA-0004	CALEXICO SOLID WASTE DISPOSAL SITE												8/15/89 AG letter
13-AA-0005	OCOTILLO CUT AND FILL												" " "
13-AA-0006	HOLTVILLE DISPOSAL SITE												" " "
13-AA-0007	PALO VERDE CUT AND FILL SITE												" " "
13-AA-0008	BRAWLEY DISPOSAL SITE												" " "

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13-AA-0009	NILAND CUT AND FILL SITE												8/15/89 AG letter
13-AA-0010	HOT SPA CUT AND FILL SITE												" " "
13-AA-0011	SALTON CITY CUT AND FILL SITE												" " "
13-AA-0012	PICACHO CUT AND FILL SITE												" " "
13-AA-0014	NILAND MARINA SITE												
13-AA-0015	RED HILL MARINA SITE		Will be closing dig out & re-dispose roll-off bin instead										03/08/89 letter
13-AA-0019	MALS PROPERTIES DBA IMPERIAL CO SANITATI	08/08/89				Y		TF	Y				8/15/89 AG letter
13-AA-0021	ANDRE ROAD ILLEGAL DISPOSAL SITE		Inactive per Fred Singh 5/03/89								X		
14-AA-0002	KEELER DISPOSAL SITE	08/24/89	Y	Y	Y	SUMMARY		OT	Y				" " "
14-AA-0003	LONE PINE DISPOSAL SITE	08/24/89	Y	Y	Y	Y	Y	TF	Y				" " "
14-AA-0004	INDEPENDENCE DISPOSAL SITE	08/24/89	Y	Y	Y	Y	Y	TF	Y				" " "
14-AA-0005	BISHOP SUNLAND	08/24/89	Y	Y	Y	Y	Y	TF	Y				" " "
14-AA-0006	SHOSHONE DISPOSAL SITE	08/24/89	Y	Y	Y	Y	Y	TF	Y				" " "
14-AA-0007	TECOPA DISPOSAL SITE	08/24/89	Y	Y	Y	Y	Y	TF	Y				" " "
14-AA-0008	UNION CARBIDE CORP												" " "
14-AA-0009	UNION CARBIDE CORP (TAILINGS POND)	03/23/89								X			
14-AA-0016	FURNACE CREEK	03/27/89	Highest priority is to comply										" " "
14-AA-0017	HOMEWOOD CANYON DISPOSAL SITE	08/24/89	Y	Y	Y	SUMMARY		OT	Y				" " "
14-AA-0018	LOUISIANA PACIFIC DISPOSAL SITE (Sawmill)	04/24/89									X		
14-AA-0021	DEEP SPRINGS COLLEGE DISPOSAL SITE												" " "
15-AA-0045	BORON SANITARY LANDFILL	12/30/88	Y	Y	Y	Disk	Y	EF	Y				
15-AA-0047	BUTTONWILLOW SANITARY LANDFILL	12/30/88	Y	Y	Y	Disk	Y	EF	Y				
15-AA-0048	CHINA GRADE SANITARY LANDFILL	12/30/88	Y	Y	Y	Disk	Y	EF	Y				
15-AA-0050	ARVIN SANITARY LANDFILL	12/30/88	Y	Y	Y	Disk	Y	EF	Y				
15-AA-0051	GLENNVILLE LANDFILL	12/30/88	Y	Y	Y	Disk	Y	EF	Y				
15-AA-0052	LOST HILLS SANITARY LANDFILL	12/30/88	Y	Y	Y	Disk	Y	EF	Y				
15-AA-0055	KERN VALLEY LANDFILL	12/30/88	Y	Y	Y	Disk	Y	EF	Y				
15-AA-0056	LEBEC SANITARY LANDFILL	12/30/88	Y	Y	Y	Disk	Y	EF	Y				
15-AA-0057	SHAFTER-WASCO SANITARY LANDFILL	12/30/88	Y	Y	Y	Disk	Y	EF	Y				
15-AA-0058	MOJAVE-ROSAMOND SANITARY LANDFILL	12/30/88	Y	Y	Y	Disk	Y	EF	Y				

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15-AA-0059	RIDGECREST-INYOKERN SANITARY LANDFILL	12/30/88	Y	Y	Y	Disk	Y	EF	Y				
15-AA-0061	TAFT SANITARY LANDFILL	12/30/88	Y	Y	Y	Disk	Y	EF	Y				
15-AA-0062	TEHACHAPI SANITARY LANDFILL	12/30/88	Y	Y	Y	Disk	Y	EF	Y				
15-AA-0063	MCFARLAND-DELANO SANITARY LANDFILL	12/30/88	Y	Y	Y	Disk	Y	EF	Y				
15-AA-0067	NORTH BELRIDGE SOLID WASTE DISPOSAL SITE	01/03/89*	Y	Y	Y	Disk	Y	SB	Y				
15-AA-0068	SOUTH BELRIDGE SOLID WASTE DISPOSAL SITE	01/03/89*									X		
15-AA-0102	CA-PORTLAND CEMENT CO DISPOSAL SITE	03/15/89								X			
15-AA-0150	EDWARDS AFB-MAIN BASE LANDFILL	08/28/89				Y							8/15/89 AG letter
15-AA-0151	EDWARDS AFB-ROCKET PROPULSION LANDFILL	08/28/89				Y							" " "
15-AA-0153	VALLEY TREE & CONSTRUCTION DISPOSL SITE	01/03/89*	Y	Y*	Y*	Y	Y	TF					
15-AA-0154	MONOLITH PORTLAND CEMENT CO LANDFILL	03/20/89								X			
15-AA-0251	ARCO DISPOSAL FACILITY (N E W)	09/05/89						LC	Y				
15-AA-0286	EOD #2												" " "
16-AA-0001	HAROLD JAMES INC TIRE DISPOSAL SITE	03/15/89								X			
16-AA-0004	AVENAL LANDFILL	04/17/89	Y	Y	Y	Y		EF	Y				
16-AA-0005	NAS LEMOORE SANITARY LANDFILL	04/12/89	Legal Opinion Within 30 Days										" " "
16-AA-0009	HANFORD SANITARY LANDFILL	01/03/89*	Y	Y	Y	Y	Y	EF	Y				
16-AA-0011	CORCORAN SANITARY LANDFILL	01/03/89*	Y	Y	Y	Y	Y	EF	Y				
16-AA-0012	ARNOLD PRIVATE DISPOSAL SITE												" " "
17-AA-0001	EASTLAKE SANITARY LANDFILL	12/27/88	Y	Y	Y	Y	Y	EF	Y				
18-AA-0003	BIEBER DISPOSAL FACILITY	01/03/89*				Summary							
18-AA-0004	MADELINE DISPOSAL FACILITY	01/03/89*				Summary							
18-AA-0005	RAVENDALE DISPOSAL	01/03/89*				Summary							
18-AA-0009	LASSEN COUNTY LANDFILL	01/03/89*				Summary							" " "
18-AA-0010	WESTWOOD DISPOSAL FACILITY	01/03/89*				Summary							
18-AA-0011	HERLONG DISPOSAL FACILITY	01/03/89*				Summary							
18-AA-0013	SIERRA ARMY DEPOT	03/24/89	Intend to comply										" " "
19-AA-0004	CITY OF SAN GABRIEL DISPOSAL SITE	12/12/88								X			
19-AA-0006	BRAND PARK LANDFILL	12/30/88	Y	Y	Y	Y	Y	MT	Y				
19-AA-0009	ANTELOPE VALLEY PUBLIC DUMP	01/03/89*				Y	Y						
19-AA-0012	SCHOLL CANYON SANITARY LANDFILL	01/03/89*				Disk	Y						

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19-AA-0013	AZUSA LAND RECLAMATION CO INC	12/30/88	Y	Y	Y	Y	Y	GT/MT	Y				
19-AA-0015	SPADRA SANITARY LANDFILL #2	01/03/89*				Disk	Y						
19-AA-0027	SAN MARINO DISPOSAL SITE	05/04/89	Y	Y	Y	Y	Y	MT	Y				
19-AA-0040	BURBANK LANDFILL SITE NO. 3	12/27/88	Y	Y	Y	Y	Y	EF	Y				
19-AA-0043	NU-WAY INDUSTRIES INC	01/03/89*								X			
19-AA-0044	LIVINGSTON - GRAHAM	01/13/89								X			
19-AA-0050	WASTE MANAGEMENT OF LANCASTER S LF	01/03/89*	Y	Y	Y	Y	Y	CN	Y				
19-AA-0052	CHIQUITA CANYON SANITARY LANDFILL	04/19/89	Y	Y	Y	Disk	Y	LC	Y				4/19 Complete
19-AA-0053	PUENTE HILLS LANDFILL #6	01/03/89*				Disk	Y						
19-AA-0056	CALABASAS LANDFILL #5	01/03/89*				Disk	Y						
19-AA-0057	WAYSIDE HONOR RANCHO LANDFILL	01/30/89				Y	Y						
19-AA-0061	PEBBLY BEACH (AVALON) DISPOSAL SITE	09/20/89				Y	Y	TF	Y				8/15/89 AG letter
19-AA-0062	TWO HARBORS LANDFILL SITE	09/18/89	Y	Y	Y	Y	Y						" " "
19-AA-0063	US NAVY LANDFILL	07/27/89				Y	Y						" " "
19-AA-0064	NU-WAY INDUSTRIES, INC.	03/20/89								X			
19-AA-0068	155TH STREET DISPOSAL SITE	04/18/89								X			
19-AA-0069	THREE POINTS DISPOSAL SITE	04/18/89								X			
19-AA-0070	75TH ST EAST & LITTLE ROCK DISPOSAL SITE	04/18/89								X			
19-AA-0071	GORMAN DUMP	03/21/89									X		
19-AA-0820	LOPEZ CANYON SANITARY LANDFILL	12/29/88	Y	Y	Y	Y	Y	EF	Y				
19-AA-0836	OPERATING INDUSTRIES INC												
19-AE-0004	CHANDLER'S LANDFILL	01/13/89								X			
19-AF-0001	BKK WEST COVINA DISPOSAL SITE	12/30/88	Exten:										
19-AH-0001	CITY OF WHITTIER-SAVAGE CANYON LANDFILL	01/03/89*	Y	Y	Y	Y	Y	EF/MT	Y				
19-AJ-0001	CLAREMONT CLASS III DISPOSAL SITE	01/03/89*								X			
19-AR-0002	SUNSHINE CANYON/NORTH VALLEY LANDFILL	12/30/88	Y	Y	Y	Y	Y	GT/MT	Y				
19-AR-0004	BRADLEY EAST LANDFILL	01/03/89*	Y	Y	Y	SUMMARY	Y	CN	Y				
19-AR-0006	PENROSE PIT	12/08/88									X		
19-AR-0008	BRADLEY AVENUE WEST SANITARY LANDFILL		Inactive since 1981 per P. Weiand										
19-AR-1016	STRATHERN SANITARY LANDFILL	03/20/89								X			

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19-AR-1160	CALMAT CLASS III DISPOSAL SITE	03/20/89								X			
20-AA-0002	FAIRMEAD SOLID WASTE DISPOSAL SITE	01/05/89	Y	Y	Y	Y		OT					
20-AA-0008	STRAWBERRY MINE MUNICIPAL WASTE DS	04/10/89								X			
21-AA-0001	REDWOOD SANITARY LANDFILL	01/04/89	Y	Y	Y	Disk	Y	TF	Y*				
21-AA-0002	WEST MARIN SANITARY LANDFILL	04/04/89				Y							8/15/89 AG letter
21-AA-0004	GHILOTTI BROTHERS DUMP SITE	03/27/89								X			
22-AA-0001	MARIPOSA COUNTY SANITARY LANDFILL	12/30/88	Y	Y	Y	Y	Y	TF	Y				
23-AA-0003	CASPAR REFUSE DISPOSAL SITE	02/08/88	Y	Y	Y	Y	Y	TF	Y				
23-AA-0005	GEORGIA PACIFIC WOOD WASTE DISPOSAL SITE	01/03/89*	Y	Y	Y	Y	Y	MT	Y				
23-AA-0007	HARWOOD PRODUCTS WOOD WASTE DISPOSAL SIT	09/22/89	Y	Y	Y	Y	Y	TF	Y				8/15/89 AG letter
23-AA-0008	LAYTONVILLE REFUSE DISPOSAL SITE	02/08/88	Y	Y	Y	Y	Y	TF	Y				
23-AA-0010	BIG RIVER FILL SITE	04/13/89									X		
23-AA-0011	CASPAR LANDFILL	01/24/89				Y	Y						
23-AA-0012	COVELO FILL SITE B	01/24/89				Y	Y						
23-AA-0013	YORK RANCH FILL SITE #3	01/24/89				Y	Y						
23-AA-0014	WILLITS FILL SITE #4												
23-AA-0018	SOUTH COAST REFUSE DISPOSAL	02/08/88	Y	Y	Y	Y	Y	TF	Y				
23-AA-0019	CITY OF UKIAH SOLID WASTE DISPOSAL SITE	01/03/89*	Y	Y	Y	Y	Y	MT	Y				
23-AA-0021	CITY OF WILLITS DISPOSAL SITE	04/07/89				Y	Y						
23-AA-0024	YORK RANCH FILL SITE #4	09/07/89									X		8/15/89 AG letter
24-AA-0001	HIGHWAY 59 DISPOSAL SITE	01/05/89	Y	Y	Y	Y	Y	TF	Y				
24-AA-0002	BILLY WRIGHT DUMP SITE	01/05/89	Y	Y	Y	Y	Y	TF	Y				
24-AA-0007	CITY OF LOS BANOS CLASS III DISPOSAL SIT	01/05/89				Y	Y						
24-AA-0008	FLINTKOTE CO DISPOSAL SITE												8/15/89 AG letter
25-AA-0001	ALTURAS SANITARY LANDFILL	09/18/89				Disk	Y	EF	Y				" " "
25-AA-0002	EAGLEVILLE DISPOSAL SITE	09/18/89				Disk	Y	EF	Y				" " "
25-AA-0003	FORT BIDWELL LANDFILL	09/18/89				Disk	Y	EF	Y				" " "
25-AA-0004	LAKE CITY LANDFILL	09/18/89				Disk	Y	EF	Y				" " "
25-AA-0021	CEDARVILLE LANDFILL - EAST	09/18/89				Disk	Y	EF	Y				" " "
26-AA-0001	WALKER SANITARY LANDFILL	09/22/89	Y			Y	Y	TF	N				" " "

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26-AA-0002	BRIDGEPORT SANITARY LANDFILL	09/22/89	Y			Y	Y	TF	N				8/15/89 AG letter
26-AA-0003	PUMICE VALLEY SANITARY LANDFILL	09/22/89	Y			Y	Y	TF	N				" " "
26-AA-0004	BENTON CROSSING SANITARY LANDFILL	09/22/89	Y			Y	Y	TF	N				" " "
26-AA-0005	CHALFANT SANITARY LANDFILL	09/22/89	Y			Y	Y	TF	N				" " "
26-AA-0006	BENTON SANITARY LANDFILL	09/22/89	Y			Y	Y	TF	N				" " "
27-AA-0003	LEWIS ROAD SANITARY LANDFILL	12/29/88	Y	Y	Y	Disk	Y	TF	N				
27-AA-0005	JOHNSON CANYON SANITARY LANDFILL	12/29/88	Y	Y	Y	Disk	Y	TF	N				
27-AA-0006	JOLON ROAD SANITARY LANDFILL	12/29/88	Y	Y	Y	Disk	Y	TF	N				
27-AA-0007	CRAZY HORSE SANITARY LANDFILL	03/27/89										D	8/15/89 AG letter
27-AA-0010	MONTEREY PENINSULA SANITARY LANDFILL	01/03/89*	Y	Y	Y	Disk	Y	EF	Y				
27-AA-0012	SAN ANTONIO SOUTH SHORE DISPOSAL SITE	12/29/88	Y	Y	Y	Disk	Y	TF	N				
28-AA-0001	AMERICAN CANYON SANITARY LANDFILL	01/03/89*	Y	Y	Y		Y	TF	Y				
28-AA-0002	UPPER VALLEY DISPOSAL SERVICE LANDFILL	01/03/89*				Disk	Y						
28-AA-0003	BERRYESSA GARBAGE SERVICE DISPOSAL SITE	01/03/89*	Y	Y	Y	Y	Y	TF	Y				
28-AA-0008	NAPA STATE HOSPITAL DISPOSAL SITE	01/04/89	Claim Exempt										
28-AA-0019	LAKE BERRYESSA ESTATES DISPOSAL SITE												8/15/89 AG letter
29-AA-0001	MCCOURTNEY LANDFILL	12/30/88	Y	Exten		Y	Y						
30-AB-0016	OLINDA SANITARY LANDFILL	01/03/89*				Disk	Y	EF	Y				
30-AB-0017	COYOTE CANYON SANITARY LANDFILL	01/03/89*				Disk	Y	EF	Y				
30-AB-0018	SANTIAGO CANYON SANITARY LANDFILL	01/03/89*				Disk	Y	EF	Y				
30-AB-0019	PRIMA DESHECHA SANITARY LANDFILL	01/03/89*				Disk	Y	EF	Y				
30-AB-0026	CITY OF HUNTINGTON BEACH LANDFILL	04/07/89								X			
30-AB-0029	ARMED FORCES RESERVE CENTER LANDFILL	01/04/89	Y			Y	Y						
30-AB-0035	OLINDA ALPHA SANITARY LANDFILL	01/03/89*				Disk	Y	EF	Y				
30-AB-0360	BEE CANYON	08/25/89	Y	Y	Y	Y	Y	EF	Y				
31-AA-0120	BERRY STREET MALL - FINGERS LANDFILL	01/03/89*									X		
31-AA-0140	LOOMIS SANITARY LANDFILL	01/05/89									X		
31-AA-0210	WESTERN REGIONAL LANDFILL	12/27/88	Y	Y	Y	Disk	Y	TF	Y				
31-AA-0520	MEADOW VISTA SANITARY LANDFILL	01/05/89									X		
31-AA-0530	CLIPPER CREEK	04/05/89	Determining what alternatives available for closure										8/15/89 AG letter

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31-AA-0540	FORESTHILL SANITARY LANDFILL	01/05/89									X		
31-AA-0550	CITY OF COLFAX LANDFILL	09/19/89				Y	N	OT	Y				8/15/89 AG letter
31-AA-0560	NORTH TAHOE SANITARY LANDFILL	01/03/89*				Disk	Y	TF	Y				
32-AA-0007	PORTOLA LANDFILL	09/18/89	Y	Y	Y	Disk	Y	EF	Y				" " "
32-AA-0008	GOPHER HILL SANITARY LANDFILL												" " "
32-AA-0009	CHESTER SANITARY LANDFILL												" " "
32-AA-0020	LOUISIANA-PACIFIC CRESCENT MILLS D S	04/13/89								X			
33-AA-0003	HIGHGROVE SANITARY LANDFILL	12/28/88	Y	Y	Y	Y	Y	TF	Y				
33-AA-0006	BADLANDS DISPOSAL SITE	12/28/88	Y	Y	Y	Y	Y	TF	Y				
33-AA-0007	LAMB CANYON DISPOSAL SITE	12/28/88	Y	Y	Y	Y	Y	TF	Y				
33-AA-0008	DOUBLE BUTTE DISPOSAL SITE	12/28/88	Y	Y	Y	Y	Y	TF	Y				
33-AA-0009	MEAD VALLEY DISPOSAL SITE	12/28/88	Y	Y	Y	Y	Y	TF	Y				
33-AA-0011	EDOM HILL DISPOSAL SITE	12/28/88	Y	Y	Y	Y	Y	TF	Y				
33-AA-0012	COACHELLA VALLEY DISPOSAL SITE	12/28/88	Y	Y	Y	Y	Y	TF	Y				
33-AA-0013	ANZA DISPOSAL SITE	12/28/88	Y	Y	Y	Y	Y	TF	Y				
33-AA-0015	OASIS DISPOSAL SITE	12/28/88	Y	Y	Y	Y	Y	TF	Y				
33-AA-0016	EAGLE MOUNTAIN LANDFILL	12/28/88	Y	Y	Y	Y	Y	TF	Y				
33-AA-0017	BLYTHE DISPOSAL SITE	12/28/88	Y	Y	Y	Y	Y	TF	Y				
33-AA-0067	TWIN PINES RANCH DISPOSAL SITE	04/03/89									X		
33-AA-0068	CORONA CLAY COMPANY												
33-AA-0069	METROPOLITAN WATER DISTRICT	12/21/88								X			
33-AA-0071	MECCA LANDFILL II	12/28/88	Y	Y	Y	Y	Y	TF	Y				
33-AA-0217	EL SOBRANTE SANITARY LANDFILL	12/28/88	Y	Y	Y	Y	Y	TF	Y				
33-AA-0223	SKY RANCH	12/16/88								X			
34-AA-0001	SACRAMENTO COUNTY LANDFILL (KIEFER)	06/06/89	Y	Y	Y	Y	Y	EF	Y				
34-AA-0004	ELK GROVE DISPOSAL SITE	12/27/88									X		
34-AA-0005	GRAND ISLAND DISPOSAL SITE	12/27/88									X		
34-AA-0006	AEROJET LIQUID ROCKET COMPANY LANDFILL	08/14/89				Y	Y	LC	Y				
34-AA-0007	DIXON PIT LANDFILL												8/15/89 AG letter
34-AA-0017	B AND C DISPOSAL SITE	01/06/89								X			

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34-AA-0018	SACRAMENTO CITY LANDFILL	01/03/89	Y	Y	Y	Y	Y	EF	Y				
34-AA-0020	L & D LANDFILL CO	12/30/88	Y	Y	Y	Summary	Y	TF	Y				
34-AC-0001	CITY OF FOLSOM CORPORATION YARD	03/24/89									X		
35-AA-0001	JOHN SMITH ROAD SOLID WASTE DISPOSAL SIT	09/13/89				Summary	N						8/15/89 AG letter
35-AA-0003	INDUSTRIAL WASTE TREATMENT FACILITY	03/27/89								X			
35-AA-0004	COSTA BROS DAIRY	03/07/89								X			
35-AA-0005	SILVA & SANCHEZ CANNERY DUMP SITE	05/15/89									X		
35-AA-0006	ALMADEN WINERY	03/24/89								X			
35-AA-0011	CIRCLE A RANCH	04/04/89								X			
35-AA-0012	YAMANO FARMS	11/21/88								X			
36-AA-0001	USMC - YERMO DISPOSAL SITE	01/11/89						MT					
36-AA-0003	METRO WATER DIST - IRON MOUNTAIN	04/13/89	Y	Y	Y	Y	Y	MT	Y				
36-AA-0008	E.O.D. #1 DISPOSAL SITE												8/15/89 AG letter
36-AA-0010	T-RANGE DISPOSAL SITE												8/15/89 AG letter
36-AA-0017	CALIFORNIA STREET LANDFILL	12/14/88				Y	Y						
36-AA-0018	KAISER STEEL CORPORATION	03/22/89									X	X	
36-AA-0019	AGUA MANSA LANDFILL	12/07/88								X			
36-AA-0026	ORO GRANDE LANDFILL	01/03/89*	Y	Y	Y		Y	SB	Y				
36-AA-0028	ORO GRANDE KILN WASTE DUST DUMP	01/03/89*	Y	Y	Y		Y	SB	Y				
36-AA-0039	NEWBERRY DISPOSAL SITE	12/30/88				Disk	Y	EF	Y				
36-AA-0041	TRONA-ARGUS REFUSE DISPOSAL SITE	12/30/88				Disk	Y	EF	Y				
36-AA-0044	PHELAN REFUSE DISPOSAL SITE	12/30/88				Disk	Y	EF	Y				
36-AA-0045	VICTORVILLE REFUSE DISPOSAL SITE	12/30/88				Disk	Y	EF	Y				
36-AA-0046	BARSTOW REFUSE DISPOSAL SITE	12/30/88				Disk	Y	EF	Y				
36-AA-0047	YERMO DISPOSAL SITE	12/30/88				Disk	Y	EF	Y				
36-AA-0048	APPLE VALLEY DISPOSAL SITE	12/30/88				Disk	Y	EF	Y				
36-AA-0049	BAKER REFUSE DISPOSAL SITE	12/30/88				Disk	Y	EF	Y				
36-AA-0050	HESPERIA REFUSE DISPOSAL SITE	12/30/88				Disk	Y	EF	Y				
36-AA-0051	COLTON REFUSE DISPOSAL SITE	12/30/88				Disk	Y	EF	Y				
36-AA-0054	MILLIKEN SANITARY LANDFILL	12/30/88				Disk	Y	EF	Y				

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36-AA-0055	FONTANA REFUSE DISPOSAL SITE	12/30/88				Disk	Y	EF	Y				
	FONTANA LANDFILL	01/03/89*								X			
36-AA-0056	BIG BEAR REFUSE DISPOSAL SITE	12/30/88				Disk	Y	EF	Y				
36-AA-0057	LANDERS DISPOSAL SITE	12/30/88				Disk	Y	EF	Y				
36-AA-0058	MORONGO DISPOSAL SITE	12/30/88				Disk	Y	EF	Y				
36-AA-0059	NEEDLES SOLID WASTE DISPOSAL SITE												
36-AA-0060	TWENTYNINE PALMS DISPOSAL SITE	12/30/88				Disk	Y	EF	Y				
36-AA-0061	LENWOOD-HINKLEY REFUSE DISPOSAL SITE	12/30/88				Disk	Y	EF	Y				
36-AA-0062	LUCERNE VALLEY DISPOSAL SITE	12/30/88				Disk	Y	EF	Y				
36-AA-0064	HOLLIDAY SANITARY LANDFILL	11/28/88								X			
36-AA-0067	USMC - 29 PALMS DISPOSAL SITE												8/15/89 AG letter
36-AA-0068	RESERVE COMP TRAINING CENTER	03/27/89				letter form							" " "
36-AA-0069	PFIZER INC DISPOSAL SITE	10/11/88								X			
36-AA-0074	KAISER CEMENT & GYPSUM-CUSHENBURY PLANT	05/15/89				Y							" " "
36-AA-0075	LUDLOW DISPOSAL SITE		(Staff review of Alt. Cert. determined this facility is not exempt)										" " "
36-AA-0078	MONTECITO MEMORIAL PARK												" " "
36-AA-0080	WEST SEVENTH STREET DISPOSAL SITE												" " "
36-AA-0084	GOLDSTONE DEEP SPACE COMM COMPLEX	07/05/89				Disk							" " "
36-AA-0086	HAVASU PALMS DISPOSAL SITE												" " "
36-AA-0087	SAN TIMOTEO SOLID WASTE DISPOSAL SITE	12/30/88				Disk	Y	EF	Y				
36-AA-0127	HAVASU LANDING #2 DISPOSAL SITE												
36-AA-0250	CITY OF RIALTO DISPOSAL SITE	04/10/89				Y	Y						" " "
36-AA-0302	KERR MCGEE CHEMICAL CORP DISPOSAL SITE	03/20/89								X			
37-AA-0001	JAMACHA SANITARY LANDFILL	01/03/89*									X		
37-AA-0002	VALLEY CENTER LANDFILL	01/03/89*									X		
37-AA-0003	VIEJAS SANITARY LANDFILL	01/03/89*									X		
37-AA-0004	BONSALL LANDFILL	01/03/89*									X		
37-AA-0005	RAMONA LANDFILL	01/03/89*	Y	Y	Y	Disk	Y	EF	Y				
37-AA-0006	BORREGO SPRINGS LANDFILL	01/03/89*	Y	Y	Y	Disk	Y	EF	Y				

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37-AA-0008	SAN MARCOS LANDFILL	01/03/89*	Y	Y	Y	Disk	Y	EF	Y				
37-AA-0009	OTAY SANITARY LANDFILL	01/03/89*	Y	Y	Y	Disk	Y	EF	Y				
37-AA-0010	OTAY ANNEX LANDFILL	01/03/89*	Y	Y	Y	Disk	Y	EF	Y				
37-AA-0016	ENCINITAS LANDFILL	01/03/89*									X		
37-AA-0020	MIRAMAR SANITARY LANDFILL	01/03/89*	Y	Y	Y	Y	Y	OT	Y				
37-AA-0023	SYCAMORE SANITARY LANDFILL	01/03/89*	Y	Y	Y	Disk	Y	EF	Y				
37-AA-0205	OCOTILLO WELLS RURAL CONTAINER STATION	01/03/89*									X		
37-AA-0206	PALOMAR MTN RURAL CONTAINER STATION	01/03/89*									X		
	GILLESPIE LANDFILL	01/03/89*									X		
	LAKESIDE BURN SITE	01/03/89*									X		
	POWAY LANDFILL	01/03/89*									X		
37-AA-0902	SAN ONOFRE LANDFILL												8/15/89 AG letter
37-AA-0903	LAS PULGAS LANDFILL	03/23/89	Intends to comply										" " "
39-AA-0001	AUSTIN ROAD LANDFILL	02/17/89				Y	Y	EF	Y				
39-AA-0002	FRENCH CAMP LANDFILL SITE	02/17/89				Y	Y	EF	Y				
39-AA-0003	HARNEY LANE SANITARY LANDFILL	01/03/89*	Y	Y	Y	Y	Y	EF	Y				
39-AA-0004	FOOTHILL SANITARY LANDFILL	01/03/89*	Y	Y	Y	Y	Y	EF	Y				
39-AA-0005	CITY OF TRACY - SAN JOAQUIN LANDFILL	12/29/88	Y	Y	Y	Y	Y	EF	Y				
39-AA-0015	FORWARD INC	02/17/89				Disk							
40-AA-0001	CITY OF PASO ROBLES LANDFILL	09/18/89	Y	Y	Y	Y	Y	EF	Y				8/15/89 AG letter
40-AA-0002	CAMP ROBERTS SOLID WASTE DISPOSAL SITE	11/30/88				Disk	Y						
40-AA-0003	CHANSLOR-WESTERN OIL & DEV CO DS	01/03/89*	Y	Y	Y	Y		MT	Y				
40-AA-0004	COLD CANYON LANDFILL SOLID WASTE DS	12/29/88	Y	Y	Y	Disk	Y	TF	Y				
40-AA-0007	LOS OSOS LANDFILL												8/15/89 AG lette
40-AA-0008	CHICAGO GRADE LANDFILL	08/30/89				Y	Y						" " "
40-AA-0009	CAMP SAN LUIS OBISPO LANDFILL	01/04/89	Y			Y	Y						
40-AA-0014	CALIF VALLEY COMMUNITY SERV DIST SW DS	04/04/89	Extension Request										" " "
41-AA-0002	OX MOUNTAIN SANITARY LANDFILL	01/03/89*	Y	Y	Y	Y	Y	GT/MT	Y				
41-AA-0008	HILLSIDE SOLID WASTE DISPOSAL SITE	12/29/88	Y	Y	Y	Y	Y	TF	Y				
41-AA-0010	SAN MATEO COMPOSTING SITE	01/03/89*									X		

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42-AA-0010	NEW CUYAMA SANITARY LANDFILL	03/22/89	Y	Y	Y	Y	Y	EF	Y				
42-AA-0011	FOXEN CANYON SANITARY LANDFILL	03/22/89	Y	Y	Y	Y	Y	EF	Y				
42-AA-0012	VANDENBERG AFB LANDFILL	06/09/89				Y	Y						8/15/89 AG letter
42-AA-0013	VENTUCOPA SANITARY LANDFILL	03/22/89	Y	Y	Y	Y	Y	EF	Y				
42-AA-0015	TAJIGUAS SANITARY LANDFILL	03/22/89	Y	Y	Y	Y	Y	EF	Y				
42-AA-0016	CITY OF SANTA MARIA REFUSE DISPOSAL SITE	01/05/89				Y							
42-AA-0017	CITY OF LOMPOC SANITARY LANDFILL	01/24/89	Y	Y	Y	Y	Y	EF					
42-AA-0050	LOS ALAMOS FEE WASTE DISPOSAL SITE	03/29/89								X			
43-AA-0001	GUADALUPE DISPOSAL SITE	12/27/88				Disk	Y	TF	Y				
43-AA-0002	STIERLIN RD DS & WASTE REDUCTION PLANT	03/22/89	Y	Y	Y	Y	Y	MT	Y				
43-AA-0004	PACHECO PASS SANITARY LANDFILL	01/03/89*	Y	Y	Y		Y	TF	Y				
43-AA-0005	NAS MOFFETT FIELD SANITARY LANDFILL	05/05/89									X		
43-AL-0001	SHORELINE REGIONAL PARK SANITARY LANDFIL	12/30/88	Y	Y	Y	Y	Y	MT	Y				
43-AN-0001	CITY OF PALO ALTO REFUSE DISPOSAL SITE	12/29/88	Y	Y	Y	Disk	Y	MT	Y				
43-AN-0001	OWENS FIBERGLAS CO	01/05/89				Disk	Y						
43-AN-0003	NEWBY ISLAND SANITARY LANDFILL	12/30/88	Y	Y	Y	Y	Y	GT/MT	Y				
43-AN-0005	NINE PAR SOLID WASTE DISPOSAL SITE		Same as Zanker Road Sanitary Landfill										
43-AN-0007	ZANKER ROAD SANITARY LANDFILL	12/30/88	Y	Y	Y	Disk	Y	TF	Y				
43-AN-0008	KIRBY CANYON SANITARY LANDFILL	01/03/89*	Y	Y	Y	SUMMARY	Y	CN	Y				
43-AO-0001	ALL PURPOSE LANDFILL	07/07/89	Y	Y	Y	Y	Y	SB/PR	Y	Postclosure mechanism not by operator			
43-AQ-0001	CITY OF SUNNYVALE LANDFILL	12/30/88	Y	Y	Y	Disk	Y	MT	Y				
44-AA-0001	SANTA CRUZ CITY SANITARY LANDFILL	12/23/88	Y	Y	Y	Y	Y	EF	N				
44-AA-0002	WATSONVILLE CITY SOLID WASTE DISPOSAL SI	02/23/89	Y	Y	Y	Disk	Y	EF	Y				
44-AA-0003	BEN LOMOND SOLID WASTE DISPOSAL SITE	01/03/89*	Y	Y	Y	Y	Y	EF	Y				
44-AA-0004	BUENA VISTA DISPOSAL SITE	01/03/89*	Y	Y	Y	Y	Y	EF	Y				
45-AA	TWIN BRIDGES LANDFILL (P R O P O S E D)	08/08/89	Y	Y	Y	Y	Y	GT	Y				
45-AA-0019	CITY OF REDDING SANITARY LANDFILL	01/03/89*	Y	Y	Y	Y	Y	EF	Y				
45-AA-0020	ANDERSON DISPOSAL SITE	01/03/89*	Y	Y	Y	Y	Y	TF	Y				
45-AA-0021	SIMPSON PAPER COMPANY	01/03/89*	Y	Y	Y	Y	Y	GT/MT	Y				
45-AA-0022	PACKWAY MATERIALS LANDFILL	12/27/88	Y	Y	Y	Y	Y	TF	Y				
45-AA-0043	WEST CENTRAL LANDFILL	01/03/89*	Y	Y	Y	Y	Y	TF	Y				

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46-AA-0001	LOYALTON LANDFILL	04/10/89	Expect to comply by May 8										8/15/89 AG letter
47-AA-0001	MCCLOUD COMMUNITY SERVICES DISTRICT LF	01/03/89*	Y	Y	Y	Summary	Y	EF	Y				
47-AA-0002	YREKA SOLID WASTE LANDFILL	01/03/89*	Y	Y	Y	Y	Y	EF	Y				
47-AA-0003	BLACK BUTTE SOLID WASTE DISPOSAL SITE	01/03/89*	Y	Y	Y	Summary	Y	EF	Y				
47-AA-0019	WEED SOLID WASTE DISPOSAL SITE	01/03/89*	Y	Y	Y	Summary	Y	EF	Y				
47-AA-0026	HAPPY CAMP SOLID WASTE DISPOSAL SITE	01/03/89*	Y	Y	Y	Summary	Y	EF	Y				
47-AA-0027	TULELAKE SOLID WASTE LANDFILL	01/03/89*	Y	Y	Y	Summary	Y	EF	Y				
47-AA-0029	KELLY GULCH SOLID WASTE DISPOSAL SITE	01/03/89*	Y	Y	Y	Summary	Y	EF	Y				
47-AA-0030	CECILVILLE DISPOSAL SITE	01/03/89*	Y	Y	Y	Summary	Y	EF	Y				
47-AA-0031	LAVA BEDS DISPOSAL SITE												8/15/89 AG letter
47-AA-0033	NEW TENNANT SOLID WASTE DISPOSAL SITE	01/03/89*	Y	Y	Y	Summary	Y	EF	Y				
47-AA-0038	FORKS OF SALMON SOLID WASTE DISPOSAL SIT	03/15/89									X		
47-AA-0044	ROGERS CREEK	01/03/89*	Y	Y	Y	Summary	Y	EF	Y				
47-AA-0045	HOTELLING GULCH DISPOSAL SITE	01/03/89*	Y	Y	Y	Summary	Y	EF	Y				
48-AA-0001	SOLANO GARBAGE COMPANY	04/10/89				Y	Y				X		
48-AA-0002	B & J LANDFILL	01/03/89*	Y	Y	Y		Y	TF	Y				
48-AA-0004	RIO VISTA SANITARY LANDFILL	12/30/88	AID Requested			Y							
48-AA-0008	MARE ISLAND NAVAL SHIPYARD SANITARY LF	03/27/89										X	
48-AA-0075	POTRERO HILLS SANITARY LANDFILL	03/27/89				Y	Y						8/15/89 AG letter
49-AA-0001	CENTRAL LANDFILL	12/30/88	Y	Y	Y	Disk	Y	MT	Y				
49-AA-0002	ANNAPOLIS LANDFILL	12/30/88	Y	Y	Y	Disk	Y	MT	Y				
49-AA-0004	HEALDSBURG DISPOSAL SITE	12/30/88	Y	Y	Y	Disk	Y	MT	Y				
49-AA-0008	TUBBS ISLAND SLUDGE DISPOSAL SITE	09/07/89								X			8/15/89 AG letter
49-AA-0009	CASA GRANDE SITE	09/13/89				Summary		GT	N				" " "
49-AA-0010	LUNDEBERG MARYLAND SEAMANSHIP SCHOOL INC	01/03/89*	New Owner										
49-AA-0011	CLOVERDALE WOOD WASTE LANDFILL #2	01/24/89				Y	Y						
49-AA-0137	ANGELO GIUSTI DISPOSAL SITE												8/15/89 AG letter
49-AA-0148	FMRP SOLIDS DISPOSAL FACILITY	01/30/89	Y	Y	Y	Y	Y	CN	Y				
50-AA-0001	FINK ROAD LANDFILL	04/13/89	Y	Y	Y	Summary	Y	EF	Y				
50-AA-0002	GEER ROAD SANITARY LANDFILL	04/13/89	Y	Y	Y	Summary	Y	EF	Y				

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50-AA-0003	BONZI SANITARY LANDFILL	12/30/88	Y	Y	Y		Y	TF	Y				
51-AA-0001	SUTTER DUMP												8/15/89 AG letter
52-AA-0001	RED BLUFF SANITARY LANDFILL	12/29/88				Y	Y	TF	Y				
52-AA-0002	LOUISIANA-PACIFIC DISPOSAL SITE	01/24/89				Y	Y						
52-AA-0009	DIAMOND LANDFILL	03/27/89	Intend to comply after stike										" " "
53-AA-0004	DENNY LANDFILL DISPOSAL SITE												" " "
53-AA-0013	WEAVERVILLE LANDFILL DISPOSAL SITE	01/27/89	Y	Y	Y	Y	Y	EF	Y				
54-AA-0001	EARLIMART DISPOSAL SITE	08/14/89	Y	Y	Y	Y	Y	EF	Y				" " "
54-AA-0002	EXETER DISPOSAL SITE	08/14/89	Y	Y	Y	Y	Y	EF	Y				" " "
54-AA-0004	TEAPOT DOME DISPOSAL SITE	08/14/89	Y	Y	Y	Y	Y	EF	Y				" " "
54-AA-0008	WOODVILLE DISPOSAL SITE	08/14/89	Y	Y	Y	Y	Y	EF	Y				" " "
54-AA-0009	VISALIA DISPOSAL SITE	08/14/89	Y	Y	Y	Y	Y	EF	Y				" " "
54-AA-0010	BALANCE ROCK DISPOSAL SITE	08/14/89	Y	Y	Y	Y	Y	EF	Y				" " "
54-AA-0011	KENNEDY MEADOWS DISPOSAL SITE	08/14/89	Y	Y	Y	Y	Y	EF	Y				" " "
54-AA-0012	OROSI DISPOSAL SITE	08/14/89								X			" " "
55-AA-0001	BIG OAK FLAT LANDFILL	02/27/89				Y	Y	TF					
55-AA-0002	TUOLUMNE COUNTY CENTRAL SANITARY LF	02/27/89				Y	Y	TF					
55-AA-0005	SIERRA CONSERVATION CENTER	04/13/89	Institution working through Dept. of Corrections										04/07/89 letter
56-AA-0004	SANTA CLARA SANITARY LANDFILL	01/03/89*	Y	Y	Y	Y	Y	EF	Y				06/22/89 complete
56-AA-0005	TOLAND ROAD SANITARY LANDFILL	01/03/89*	Y	Y	Y	Y	Y	EF*	Y				06/22/89 complete
56-AA-0007	SIMI VALLEY LANDFILL	01/03/89*	Y	Y	Y	Y	Y	CN	Y				
56-AA-0008	PACIFIC MISSLE TEST CENTER LANDFILL	04/26/89				Y	Y						8/15/89 AG letter
56-AA-0009	TEXACO OIL DISPOSAL SITE C	01/03/89*	Y	Y	Y	Y	Y	LC	Y				
56-AA-0010	BEARDSLEY DISPOSAL SITE	03/31/89								X			
56-AA-0011	BAILARD LANDFILL	01/03/89*	Y	Y	Y	Y	Y	EF	Y				06/22/89 complete
56-AA-0119	TEXACO OIL VENTURA AVE OILFIELD WASTE DS	03/31/89								X			
57-AA-0001	YOLO COUNTY CENTRAL LANDFILL	12/23/88	Y	Y	Y	Disk	Y	TF	Y				
57-AA-0004	UNIV OF CALIF DAVIS SANITARY LANDFILL	01/13/89	Y	Y	Y	Disk	Y	EF	Y				
57-AA-0005	DELTA SUGAR CORP LANDFILL	02/14/89									Y		
58-AA-0001	BEALE AFB SANITARY LANDFILL	09/18/89	Intend to submit initial cost estimates by 2/90										8/15/89 AG letter

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58-AA-0002	PONDEROSA SANITARY LANDFILL												8/15/89 AG letter
58-AA-0004	QUINCO CORP DISPOSAL SITE	03/23/89								X			
58-AA-0005	YUBA-SUTTER DISPOSAL INC	01/03/89*	Y	Y	Y		Y	TF	Y				
58-AA-0006	YUBA-SUTTER DISPOSAL AREA												8/15/89 AG letter
58-AA-0007	SPECKERTT DISPOSAL AREA	03/20/89								X			
	CITY OF CARSON	01/20/89	Exten:req										

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OPERATOR CERTIFICATION FOR THE

PREPARATION OF INITIAL COST ESTIMATES,

ESTABLISHMENT OF A FINANCIAL MECHANISM, AND

ANNUAL DEPOSITS INTO THE FINANCIAL MECHANISM

The undersigned, Calaveras County Public Works (name of operator), a:

/_/ corporation, incorporated in the State of _____ (name of state), and licensed to do business in the State of California; OR

/xx/ partnership, individual, municipality, or _____ (other entity),

with its principal executive address located at Government Center 891 Mountain Ranch Road in San Andreas (city), California (state) and whose California address is located at same, in same (city), California, do hereby certify that I have accomplished all of the following requirements pursuant to Government Code Section 66796.22(b):

A. Prepared an initial estimate of closure and postclosure maintenance costs;

B. Established a trust fund or equivalent financial arrangement which is described below; and

C. Determined that the amounts to be deposited annually into the trust fund or equivalent financial arrangement will ensure adequate resources for closure and postclosure maintenance.

The financial mechanism(s) which has/have been established for the purpose of meeting the obligations under requirement A, above, and the accompanying documentation is as follows. Please check each mechanism that applies.

[ ] **Trust Fund**

Provide representation of an authorized bank officer from a qualified banking or financial institution, as identified in the guidelines, maintaining the fund. The representation shall include at least the following: "_____ (name of company) has established a fund with _____ (name of banking institution), in the amount of $_____ (total end quantity of fund) and has thus far deposited $_____ (current dollar amount of fund) into said fund."

[XX] **Enterprise Fund**

Provide a copy of all official resolutions, forms, letters or other pertinent documents generated to establish the enterprise fund. The documents shall specify that the funds are dedicated and cannot be utilized for any other purpose. A letter from an authorized officer of the institution maintaining the fund shall accompany the certification, identifying the total amount of the fund,

the amounts to be deposited annually, and the current balance of the fund.

☐ **Municipal Financing Bonds** (See Guidelines for information.)

☐ **Certificate of Participation**

Provide a copy of all official resolutions, forms, letters or other pertinent documents generated to establish this mechanism.

☐ **Letter of Credit**

Provide a copy of the letter of credit from a qualified institution, as identified in the guidelines. The letter must identify the length and terms of coverage. Documentation of the institution's qualifications, as identified in the guidelines, must be included as well.

☐ **Surety Bond**

Provide a copy of the bond issued by a qualified institution, as identified in the guidelines. Documentation of the institution's qualifications, as identified in the guidelines, must be included as well.

☐ **Risk Retention Group** (See Guidelines for information.)

☐ **Corporate Parent Guarantee**

Provide evidence of the guarantee with a certificate from an authorized corporate officer of a parent company. The certificate shall state what the guarantee is for, how much the guarantee is for, and the duration of the guarantee. A

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financial means test or proof of rating for the guarantor must accompany the certificate. This documentation shall meet the requirements identified in the guidelines.

☐ **Insurance**

Provide a copy of the original policy showing the amounts insured for closure and postclosure maintenance activities.

☐ **Financial Means Test**

Provide a copy of the financial statements and the special report required under Subsection (3) of the "Financial Means Test" on page 38, and certification that the operator has met the criteria under either Subsection 1 or 2 of the "Financial Means Test" on page 38.

☐ **Other**

Submit copies of any and all documents establishing an alternate mechanism. The mechanism must satisfy the intent of these guidelines to provide an inviolate source of funding for closure and postclosure maintenance which can be drawn upon by a third party.

I, County of Calaveras (name of operator), do hereby certify that the above mechanism(s) has/have been established for use exclusively as funding for the Rock Creek Landfill (name of solid waste landfill) landfill, for the closure and postclosure maintenance period required pursuant to Government Code Section 66796.22(e);

I certify (or declare) under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that I am authorized to make this certification on behalf of County of Calaveras (name of entity).

9/15/89 San Andreas, Calif.
DATE AND PLACE

Bernard T. Peckham
SIGNATURE

SUMMARY OF INITIAL COST ESTIMATES

Facility Name: ROCK CREEK SWIS No. 05-AA-23

Closure	
Final Cover (Line 23)	$ 2,779,278
Revegetation (Line 29)	$ 414,450
Landfill Gas Monitoring and Control (Line 32)	$
Groundwater Monitoring Installations (Line 34)	$ 120,000
Drainage Installation (Line 35c)	$ 157,000
Security Installation (Line 36d)	$ 60,000
Other (Line 37)	$
I. Subtotal	$ 3,530,728
Monitoring and Postclosure Maintenance	
Revegetation (Line 40)	$ 31,350
Leachate Management (Line 46)	$ 13,200
Monitoring (Line 50)	$ 100,600
Drainage (Line 51a)	$ 2,000
Security (Line 52)	$ 2,000
Inspection (Line 53b)	$ 2,200
Other (Line 54)	$
II. Subtotal	$ 151,350
III. Subtotal II x 15 years	$ 2,270,250
IV. Subtotals (I + III) x 20% Contingency Costs	$ 1,160,196
TOTAL COSTS (Item I + Item III + Item IV)	$ 6,961,174