

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

8800 Cal Center Drive
 Sacramento, California 95826



Jesse Huff, Chairman
Sam Egigian, Member
Paul Relis, Member

Wednesday, October 21, 1992
 10:00 a.m.
 meeting of the

PERMITTING AND ENFORCEMENT COMMITTEE

of the
CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

8800 Cal Center Drive
 Sacramento, CA 95826

AGENDA

- Note: o Agenda items may be taken out of order.
 o If written comments are submitted, please provide 20
 two-sided copies.

Important Notice: The Board intends that Committee Meetings will constitute the time and place where the major discussion and deliberation of a listed matter will be initiated. After consideration by the Committee, matters requiring Board action will be placed on an upcoming Board Meeting Agenda. Discussion of matters on Board Meeting Agendas may be limited if the matters are placed on the Board's Consent Agenda by the Committee. Persons interested in commenting on an item being considered by a Board Committee or the full Board are advised to make comments at the Committee meeting where the matter is considered.

1. CONSIDERATION OF CONTRACTS AND INTERAGENCY AGREEMENTS
2. DISCUSSION OF THE STATUS OF THE ASBESTOS-CONTAINING WASTE REGULATIONS
3. CONSIDERATION OF CERTIFICATION AND DESIGNATION FOR THE CITY OF LONG BEACH DEPARTMENT OF HEALTH AND HUMAN SERVICES, BUREAU OF ENVIRONMENTAL HEALTH AS THE LOCAL ENFORCEMENT AGENCY FOR THE CITY OF LONG BEACH
4. CONSIDERATION OF CERTIFICATION AND DESIGNATION OF MADERA COUNTY ENVIRONMENTAL HEALTH DEPARTMENT AS THE LOCAL ENFORCEMENT AGENCY (LEA) FOR THE COUNTY OF MADERA

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(Not available until closer to meeting)
16. CONSIDERATION OF AUTHORIZATION OF THE EXECUTIVE DIRECTOR TO EXECUTE A MEMORANDUM OF UNDERSTANDING (MOU) WITH THE STATE WATER RESOURCES CONTROL BOARD FOR REVIEW OF SOLID WASTE ASSESSMENT TEST REPORTS PURSUANT TO PUBLIC RESOURCES CODE SECTION 46805
(Not available until closer to meeting)

17. OPEN DISCUSSION

18. ADJOURNMENT

Notice: The Committee may hold a closed session to discuss the appointment or employment of public employees and litigation under authority of Government Code Sections 11126 (a) and (q), respectively.

For further information contact:
INTEGRATED WASTE MANAGEMENT BOARD
8800 Cal Center Drive
Sacramento, CA 95826

Cathy Foreman
(916) 255-2156

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

Permitting and Enforcement Committee Meeting

October 21, 1992

AGENDA ITEM 3

ITEM: Consideration of Certification and Designation for the City of Long Beach Department of Health and Human Services, Bureau of Environmental Health as the Local Enforcement Agency for the City of Long Beach.

BACKGROUND:

The Public Resources Code (PRC) requires local governing bodies to designate an enforcement agency to carry out solid waste permitting, inspection and enforcement duties in their jurisdiction. Regulations require a designated local agency to develop, submit for Board approval, and adopt an Enforcement Program Plan (EPP) pursuant to statute. The EPP shall embody the designation and certification requirements and demonstrate that the LEA meets all the requirements for the requested certifications. PRC Section 43204 states: "No enforcement agency may exercise the powers and duties of an enforcement agency until the designation is approved by the Board. After August 1, 1992, the Board shall not approve a designation unless it finds that the designated enforcement agency is capable of fulfilling its responsibilities under the enforcement program and meets the certification requirements adopted by the Board pursuant to PRC Section 43200."

For a local agency to have its designation as an enforcement agency approved by the Board, the enforcement agency must meet the following minimum requirements of statute and regulation:

1. Technical expertise.
2. Adequate staff resources.
3. Adequate budget resources.
4. Adequate training.
5. The existence of at least one permitted solid waste facility within the jurisdiction of the local agency.
6. No operational involvement in any of the types of facilities or sites it permits, inspects or enforces.
7. A sole enforcement agency per LEA jurisdiction.

The Board, after approval of the EPP, may issue certifications to the designated enforcement agency per Title 14 California Code of Regulations (CCR) Section 18071 for one or more of the following types of duties and responsibilities:

- "A": Permitting, inspection and enforcement of regulations at solid waste disposal sites
- "B": Permitting, inspection and enforcement of regulations at solid waste transformation facilities

"C": Permitting, inspection and enforcement of regulations at solid waste transfer and processing stations, materials recovery facilities, and composting facilities

"D": Inspections and enforcement of litter, odor, and nuisance regulations at solid waste landfills

Therefore, to establish a LEA, the Board is required by statutes and regulations to approve the enforcement agency's EPP, to issue certification(s), and approve the designation of the enforcement agency pursuant to PRC 43204.

ANALYSIS:

The City of Long Beach initially informed Board staff in the spring of 1992 that they would not pursue LEA certification. As of August 1, 1992, the Los Angeles County Department of Health Services has performed all LEA functions and duties within the city limits. The City of Long Beach was previously a Co-LEA with the County of Los Angeles.

The documentation provided in the DIP and EPP meet the general requirements of statute and regulation. Board staff finds that the DIP and EPP are complete and acceptable for the Board to consider the approval of EPP, issuance of the requested certifications, and approval of the designation of the City of Long Beach Department of Health and Human Services as the Local Enforcement Agency (LEA) for the City of Long Beach (see attached fact sheet for detailed information).

STAFF COMMENTS:

Board staff concur with the proposed EPP, the issuance of the requested certifications and approval of the designation.

The Board has the following options:

1. Approve the EPP, issue the requested certifications, and approve the designation for the jurisdiction.
2. Disapprove the EPP and/or not issue the requested certifications and therefore, disapprove the designation and appoint the Board as the enforcement agency for the jurisdictions.
3. Take no action. This option provides for no enforcement agency designation. The Board would need to perform the enforcement agency duties after January 1, 1993.

ATTACHMENTS:

1. A Designation and Certification Fact Sheet for the City of Long Beach Department of Health and Human Services.
2. A CIWMB resolution for full certification of the City of Long Beach Department of Health and Human Services for the jurisdiction of the City of Long Beach.

Prepared by: D.S. Vlach\ Mary T. Coyle *mc* Phone 255-2408

**DESIGNATION AND CERTIFICATION
FACT SHEET**

City of Long Beach

The following is an abstract of the designation and certification information compiled from the Designation Information Package (DIP) and the Enforcement Program Plan (EPP) from the local governing body(s) and the designated enforcement agency indicated below:

Designating Local Governing Body(s):

City of Long Beach

Designated Jurisdiction:

City of Long Beach

Designated Enforcement Agency:

City of Long Beach Department of Health and Human Services
Bureau of Environmental Health

Facilities and Sites: Total count ----- 22*

Vehicles: Total count ----- 47*

Facility Types:

Transfer Station(s) ----- 2*
Energy Transformation ----- 1*

Site Types:

"Inactive" site(s) ----- 1*
"Closed" site(s) ----- 18*

Types of Certification requested: "A", "B", "C", and "D"*

Budget Adequacy: (Total Annual Budget) ----- \$77,985*

Technical Expertise and Staff Adequacy:

- One Environmental Health Specialist III
- One Hazardous Waste Coordinator
- One Hazardous Waste Operations Officer
- One Manager-Environmental Health
- One Clerk Typist III

EPP work load analysis shows 1.01 PY-accounted for by One core staff and extra help.

* as indicated in the Enforcement Program Plan

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

RESOLUTION NO. 92-115

October 29, 1992

Resolution approving the Enforcement Program Plan, issuing the requested certifications and approving the designation of the City of Long Beach Department of Health and Human Services, Bureau of Environmental Health as the Local Enforcement Agency for the City of Long Beach.

WHEREAS, the California Integrated Waste Management Act of 1989 requires local governing bodies to designate an enforcement agency to carry out solid waste permitting, inspection and enforcement duties in their jurisdiction; and

WHEREAS, regulations require a designated local agency to develop, submit for Board approval, and adopt an Enforcement Program Plan (EPP) pursuant to statute; and

WHEREAS, the City of Long Beach City Council has designated the above local agency and has requested Board approval of their designation; and

WHEREAS, the California Integrated Waste Management Board has received on July 27, 1992 and reviewed the Designation Information Package for the City of Long Beach; and

WHEREAS, the California Integrated Waste Management Board has received on August 27, 1992 and reviewed the Enforcement Program Plan for the City of Long Beach; and

WHEREAS, the Board finds that the above designated enforcement agency has demonstrated, via its Enforcement Program Plan as of September 29, 1992 that it meets the requirements of Public Resources Code Section 43200, et seq; and Title 14 California Code of Regulations Section 18010 et seq; and

WHEREAS, the Board finds that the above designated enforcement agency has also demonstrated via its Enforcement Program Plan that it has adequate staff and budget, technical expertise, and training as of September 29, 1992; and

WHEREAS, the Enforcement Program Plan of the City of Long Beach Department of Health and Human Services requests the Board to approve the Enforcement Program Plan and issue certification types "A", "B", "C" and "D" to the designated local agency pursuant to Title 14 California Code of Regulations Section 18071; and

WHEREAS, the City of Long Beach Department of Health and Human Services has adopted its Enforcement Program Plan pursuant to Public Resources Code Section 43209;

NOW, THEREFORE, BE IT RESOLVED, based on the foregoing considerations, the California Integrated Waste Management Board pursuant to Public Resources Code Division 30 Part 4, Chapter 2, Article 1 approves the Enforcement Program Plan and designation and issues certification types "A", "B", "C" and "D" to the City of Long Beach Department of Health and Human Services as the Local Enforcement Agency for the City of Long Beach.

CERTIFICATION

The undersigned Executive Director of the California Integrated 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 Integrated Waste Management Board held on October 29, 1992.

Date:

Ralph E. Chandler
Executive Director

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

Permitting and Compliance Committee Meeting

October 21, 1992

AGENDA ITEM 4

ITEM: Consideration of Certification and Designation of Madera County Environmental Health Department as the Local Enforcement Agency for County of Madera

BACKGROUND:

The Public Resources Code (PRC) requires local governing bodies to designate an enforcement agency to carry out solid waste permitting, inspection and enforcement duties in their jurisdiction. Regulations require a designated local agency to develop, submit for Board approval, and adopt an Enforcement Program Plan (EPP) pursuant to statute. The EPP shall embody the designation and certification requirements and demonstrate that the LEA meets all the requirements for the requested certifications. PRC Section 43204 states: "No enforcement agency may exercise the powers and duties of an enforcement agency until the designation is approved by the Board. After August 1, 1992, the Board shall not approve a designation unless it finds that the designated enforcement agency is capable of fulfilling its responsibilities under the enforcement program and meets the certification requirements adopted by the Board pursuant to PRC Section 43200."

For a local agency to have its designation as an enforcement agency approved by the Board, the enforcement agency must meet the following minimum requirements of statute and regulation:

1. Technical expertise.
2. Adequate staff resources.
3. Adequate budget resources.
4. Adequate training.
5. The existence of at least one permitted solid waste facility within the jurisdiction of the local agency.
6. No operational involvement in any of the types of facilities or sites it permits, inspects or enforces.
7. A sole enforcement agency per LEA jurisdiction.

The Board, after approval of the EPP, may issue certifications to the designated enforcement agency per Title 14 California Code of Regulations (CCR) Section 18071 for one or more of the following types of duties and responsibilities:

- "A": Permitting, inspection and enforcement of regulations at solid waste disposal sites
- "B": Permitting, inspection and enforcement of regulations at solid waste transformation facilities

"C": Permitting, inspection and enforcement of regulations at solid waste transfer and processing stations, materials recovery facilities, and composting facilities

"D": Inspections and enforcement of litter, odor, and nuisance regulations at solid waste landfills

Therefore, to establish a LEA, the Board is required by statutes and regulations to approve the enforcement agency's EPP, to issue certification(s), and approve the designation of the enforcement agency pursuant to PRC 43204.

ANALYSIS:

At the July 16, 1992 meeting, the Board granted a conditional certification to Madera County Environmental Health Department as the LEA until January 1, 1993.

The conditional certification required:

1. The following EPP components need completion:
 - a. Budget Adequacy
 - b. Technical Expertise
 - c. Staff Adequacy

The documentation provided in the DIP and EPP meet the general requirements of statute and regulation. Board staff finds that the DIP and EPP are complete and acceptable for the Board to consider the approval of EPP, issuance of the requested certifications, and approval of the designation of Madera County Environmental Health Department as the LEA for Madera County (see attached fact sheet for detailed information).

STAFF COMMENTS:

Board staff concur with the proposed EPP, the issuance of the requested certifications and approval of the designation.

The Board has the following options:

1. Approve the EPP, issue the requested certifications, and approve the designation for the jurisdiction.
2. Disapprove the EPP and/or not issue the requested certifications and therefore, disapprove the designation and appoint the Board as the enforcement agency for the jurisdiction.

3. Take no action. This option provides for no enforcement agency designation. The Board would need to perform the enforcement agency duties after January 1, 1993.

ATTACHMENTS:

1. A Designation and Certification Fact Sheet for Madera County Environmental Health Department.
2. A CIWMB resolution for full certification of the Madera County Environmental Health Department for the jurisdiction of Madera County and its incorporated cities.

Prepared by: B. Baker\ Mary T. Coyle *MC* Phone 255-2408

DESIGNATION AND CERTIFICATION
FACT SHEET

Madera County

The following is an abstract of the designation and certification information compiled from the Designation Information Package (DIP) and the Enforcement Program Plan (EPP) from the local governing body(s) and the designated enforcement agency indicated below:

Designating Local Governing Body(s):

Madera County and all its cities

Designated Jurisdiction:

Madera County

Designated Enforcement Agency:

Madera County Environmental Health Department

Facilities and Sites: Total count ----- 21*

Vehicles: Total count ----- 36*

Facility Types:

Landfill(s) ----- 1*
Transfer Station(s) ----- 2*

Site Types:

"Illegal" site(s) ----- 1*
"Closed" site(s) ----- 14*
Archived site(s) ----- 3*

Types of Certification requested: "A", "B", "C", & "D"*

Budget Adequacy: (Total Annual Budget)-----\$ 56,693.00*

Technical Expertise and Staff Adequacy:

■ One Registered Environmental Health Specialist (REHS)

Time Task Analysis shows 1 PY for the Jurisdiction of Madera County

*as indicated in the Enforcement Program Plan

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

RESOLUTION NO. 92-112

October 29, 1992

Resolution approving the Enforcement Program Plan, issuing the requested certifications and approving the designation of the Madera County Environmental Health Department as the Local Enforcement Agency for the County of Madera.

WHEREAS, the California Integrated Waste Management Act of 1989 requires local governing bodies to designate an enforcement agency to carry out solid waste permitting, inspection and enforcement duties in their jurisdiction; and

WHEREAS, regulations require a designated local agency to develop, submit for Board approval, and adopt an Enforcement Program Plan (EPP) pursuant to statute; and

WHEREAS, the Madera County Board of Supervisors and the majority of the City Councils with the majority of the incorporated population of the designated jurisdiction have designated the above local agency and has requested Board approval of their designation; and

WHEREAS, the California Integrated Waste Management Board has received on April 15, 1992 and reviewed the Designation Information Package for the County of Madera; and

WHEREAS, the California Integrated Waste Management Board has received on May 20, 1992 and reviewed the Enforcement Program Plan for the County of Madera; and

WHEREAS, on July 16, 1992 the Board granted a conditional certification until January 1, 1993 for completion of the following EPP components: Budget Adequacy, Technical Expertise, and Staff Adequacy; and

WHEREAS, the Board finds that the above designated enforcement agency has demonstrated, via its Enforcement Program Plan as of September 22, 1992 that it meets the requirements of Public Resources Code Section 43200, et seq; and Title 14 California Code of Regulations Section 18010 et seq; and

WHEREAS, the Board finds that the above designated enforcement agency has also demonstrated via its Enforcement Program Plan that it has adequate staff and budget, technical expertise, and training as of September 22, 1992; and

WHEREAS, the Enforcement Program Plan of the Madera County Environmental Health Department requests the Board to approve the Enforcement Program Plan and issue certification types "A", "B", "C" and "D" to the designated local agency pursuant to Title 14 California Code of Regulations Section 18071; and

WHEREAS, the Madera County Environmental Health Department has adopted its Enforcement Program Plan pursuant to Public Resources Code Section 43209;

NOW, THEREFORE, BE IT RESOLVED, based on the foregoing considerations, the California Integrated Waste Management Board pursuant to Public Resources Code Division 30 Part 4, Chapter 2, Article 1 approves the Enforcement Program Plan and designation and issues certification types "A", "B", "C" and "D" to Madera County Environmental Health Department as the Local Enforcement Agency for the County of Madera.

CERTIFICATION

The undersigned Executive Director of the California Integrated 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 Integrated Waste Management Board held on October 29, 1992.

Date:

Ralph E. Chandler
Executive Director

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

Permitting and Enforcement Committee Meeting

October 21, 1992

AGENDA ITEM 5

ITEM: Consideration of Certification and Designation of San Mateo County Environmental Health Services Division, Department of Health Services as the Local Enforcement Agency (LEA) for the County of San Mateo.

BACKGROUND:

The Public Resources Code (PRC) requires local governing bodies to designate an enforcement agency to carry out solid waste permitting, inspection and enforcement duties in their jurisdiction. Regulations require a designated local agency to develop, submit for Board approval, and adopt an Enforcement Program Plan (EPP) pursuant to statute. The EPP shall embody the designation and certification requirements and demonstrate that the LEA meets all the requirements for the requested certifications. PRC Section 43204 states: "No enforcement agency may exercise the powers and duties of an enforcement agency until the designation is approved by the Board. After August 1, 1992, the Board shall not approve a designation unless it finds that the designated enforcement agency is capable of fulfilling its responsibilities under the enforcement program and meets the certification requirements adopted by the Board pursuant to PRC Section 43200."

For a local agency to have its designation as an enforcement agency approved by the Board, the enforcement agency must meet the following minimum requirements of statute and regulation:

1. Technical expertise.
2. Adequate staff resources.
3. Adequate budget resources.
4. Adequate training.
5. The existence of at least one permitted solid waste facility within the jurisdiction of the local agency.
6. No operational involvement in any of the types of facilities or sites it permits, inspects or enforces.
7. A sole enforcement agency per LEA jurisdiction.

The Board, after approval of the EPP, may issue certifications to the designated enforcement agency per Title 14 California Code of Regulations (CCR) Section 18071 for one or more of the following types of duties and responsibilities:

"A": Permitting, inspection and enforcement of regulations at solid waste disposal sites

- "B": Permitting, inspection and enforcement of regulations at solid waste transformation facilities
- "C": Permitting, inspection and enforcement of regulations at solid waste transfer and processing stations, materials recovery facilities, and composting facilities
- "D": Inspections and enforcement of litter, odor, and nuisance regulations at solid waste landfills

Therefore, to establish a LEA, the Board is required by statute and regulations to approve the enforcement agency's EPP, to issue certification(s), and approve the designation of the enforcement agency pursuant to PRC 43204.

ANALYSIS:

At the July 16, 1992 meeting, the Board granted a conditional certification to the San Mateo County Environmental Health Services Division, Department of Health Services as the LEA for the County of San Mateo until December 30, 1992.

The conditional certification was granted because the independent hearing panel was missing and the designated enforcement agency was scheduled to submit the hearing panel information to the Board by October 30, 1992.

The Board received the information concerning the appointment of the independent hearing panel on September 17, 1992.

The documentation provided in the Designation Information Package (DIP) and EPP meet the general requirements of statute and regulation. Board staff finds that the DIP and EPP are complete and acceptable for the Board to consider the approval of the EPP, issuance of the requested certifications, and approval of the designation of the San Mateo County Environmental Health Services Division, Department of Health Services as the LEA for the County of San Mateo (see attached fact sheet for detailed information).

STAFF COMMENTS:

Board staff concur with the proposed EPP, the issuance of the requested certifications and approval of the designation.

The Board has the following options:

1. Approve the EPP, issue the requested certification, and approve the designation for the jurisdiction.

2. Disapprove the EPP and/or not issue the requested certifications and therefore, disapprove the designation and appoint the Board as the enforcement agency for the jurisdiction.

3. Take no action. This option provides for no enforcement agency designation. The Board would need to perform the enforcement agency duties.

ATTACHMENTS:

1. A Designation and Certification Fact Sheet for the San Mateo County Environmental Health Services Division, Department of Health Services.
2. A CIWMB resolution for full certification of the San Mateo County Environmental Health Services Division, Department of Health Services for the jurisdiction of the County of San Mateo and its incorporated cities.

Prepared by: Boxing Cheng \ Mary T. Coyle *MC* Phone 255-2408

DESIGNATION AND CERTIFICATION
FACT SHEET

San Mateo County

The following is an abstract of the designation and certification information compiled from the Designation Information Package (DIP) and the Enforcement Program Plan (EPP) from the local governing body(s) and the designated enforcement agency indicated below:

Designating Local Governing Body(s):

San Mateo County and all its cities

Designated Jurisdiction:

San Mateo County

Designated Enforcement Agency:

San Mateo County Environmental Health Services
Division, Department of Health Services

Facilities and Sites: Total count----- 32*

Vehicles: Total count----- 210*

Facility Types:

Landfill(s)----- 27*
Transfer Station(s)----- 5*

Site Types:

"Active" site(s)----- 8*
"Closed" site(s)----- 14*
"Closure Pending"----- 1*
"Unknown" site(s)----- 9*

Types of Certification requested: "A", "B", "C", "D"*

Budget Adequacy: (Total Annual Budget)-----\$420,039.00*

Technical Expertise and Staff Adequacy:*

- One (1) Solid Waste Program Manager
- Two (2) Environmental Health Specialist IV
- One (1) Hazardous Materials Specialist III
- Two (2) Staff Aide (part time)

*as indicated in the Enforcement Program Plan

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

RESOLUTION NO. 92-113

October 29, 1992

Resolution approving the Enforcement Program Plan, issuing the requested certification and approving the designation of the San Mateo County Environmental Health Services Division, Department of Health Services as the Local Enforcement Agency for the County of San Mateo.

WHEREAS, the California Integrated Waste Management Act of 1989 requires local governing bodies to designate an enforcement agency to carry out solid waste permitting, inspection and enforcement duties in their jurisdiction; and

WHEREAS, regulations require a designated local agency to develop, submit for Board approval, and adopt an Enforcement Program Plan (EPP) pursuant to statute; and

WHEREAS, the San Mateo County Board of Supervisors have designated the above local agency and has requested Board approval of their designation; and

WHEREAS, the California Integrated Waste Management Board has received on May 27, 1992 and reviewed the Enforcement Program Plan for the County of San Mateo; and

WHEREAS, on July 16, 1992 the Board granted a conditional certification until December 30, 1992 to allow for the appointment of the independent hearing panel; and

WHEREAS, on August 18, 1992 the San Mateo County Board of Supervisors appointed the independent hearing panel; and

WHEREAS, the Board finds that the above designated enforcement agency has demonstrated, via its Enforcement Program Plan, as of September 17, 1992 that it meets the requirements of Public Resources Code Section 43200, et seq; and Title 14 California Code of Regulations Section 18010 et seq; and

WHEREAS, the Board finds that the above designated enforcement agency has also demonstrated via its Enforcement Program Plan that it has adequate staff and budget, technical expertise, and training; and

WHEREAS, the Enforcement Program Plan of the San Mateo County Environmental Health Services Division, Department of Health Services requests the Board to approve the Enforcement Program Plan and issue certification types "A", "B", "C" & "D" to the designated local agency pursuant to Title 14 California Code of Regulations Section 18071; and

WHEREAS, the San Mateo County Environmental Health Services Division, Department of Health Services has adopted its Enforcement Program Plan pursuant to Public Resources Code Section 43209;

NOW, THEREFORE, BE IT RESOLVED, based on the foregoing considerations, the California Integrated Waste Management Board pursuant to Public Resources Code Division 30 Part 4, Chapter 2, Article 1 approves the Enforcement Program Plan and designation and issues certification types "A", "B", "C" & "D" to San Mateo County Environmental Health Services Division, Department of Health Services as the Local Enforcement Agency for the County of San Mateo.

CERTIFICATION

The undersigned Executive Director of the California Integrated 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 Integrated Waste Management Board held on October 29, 1992.

Date:

Ralph E. Chandler
Executive Director

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

**Permitting and Enforcement Committee
October 21, 1992**

AGENDA ITEM 6

ITEM: Consideration of Concurrence in the Issuance of a Revised Solid Waste Facilities Permit for the Willits Solid Waste Disposal Site, Mendocino County.

BACKGROUND:

Facility Facts

Name: Willits Solid Waste Disposal Site
Facility No. 23-AA-0021

Facility Type: Class III Landfill

Location: 6199 Berry Canyon Road, Willits

Area: 355 acres total, with approximately 16.2 acres currently in use

Setting: Rural

Operational Status: Active, operating since 1974

Tonnage: Permitted to accept 19.2 tons per day
Currently receiving an average of 19 tons per day

Waste Types: Non-hazardous residential and commercial solid wastes consisting of paper products, food wastes, glass, metal, yard wastes, wood, plastics, cloth, rubber, leather, synthetics, and inerts.

Volumetric Capacity: 151,000 cubic yards remaining

Owner: City of Willits and County of Mendocino
Mr. Gordon Logan, Willits City Manager
Mr. Michael K. Scannell, County Administrator

Operator: City of Willits
Mr. Gordon Logan, Willits City Manager

LEA: Mendocino County Health Department,
Division of Environmental Health

Proposed Project

The proposed project includes an increase in the permitted tonnage from 19.2 to 200 tons per day, and a 3.1 acre expansion of the fill area from 16.2 acres to 19.3 acres. The projected annual tonnage will increase from 6,500 to 12,500 tons per year. These changes are necessitated by the scheduled closure of the Casper Landfill in late October. The proposed permit will also allow the Willits facility to receive wastes diverted from the Casper Landfill.

SUMMARY:

Site History The property for the Willits facility was acquired by the County of Mendocino and the City of Willits in January 1974. The original Solid Waste Facilities Permit for the facility was issued on June 30, 1979. The permit was updated in 1989 to incorporate ministerial changes and a revised Report of Disposal Site Information. During the time since the issuance of the 1989 permit, the facility has received close to its permitted tonnage. Acceptance of wastes diverted from the Casper landfill would put the facility well over its tonnage limit of 19.2 tons per day.

Compliance History During the last two years the Willits Solid Waste Disposal Site has been in substantial compliance with State Minimum Standards. The Local Enforcement Agency has found the facility in full compliance during the majority of their monthly inspections over the last year. State inspections of the facility have found no operational violations in the last two years. The 1991 State inspection of the site found the facility in full compliance with the State Minimum Standards. A leachate control violation was given by the State inspector in 1989 for leachate seeps. That problem was corrected by the subsequent installation of a leachate collection and removal system (LCRS). The expansion of the landfill includes a downgradient cut-off trench that will be connected to the LCRS. To date only minor mineralization of the ground water has been documented by the Water Board. No solvents or organics have been detected in the ground water. Installation of the cut-off trench is anticipated to reduce the mineral concentration in the ground water.

Project Description The proposed project seeks a 3.1 acre expansion of the existing site. The expansion will provide approximately 115,000 cubic yards of additional refuse disposal capacity. The projected refuse volumes from the current wasteshed plus those originating from the Casper wasteshed

indicate approximately 5 years of additional site life resulting from the proposed project.

The City of Willits will remain responsible for site management and operations oversight. Although the average daily tonnage at the site will only increase to approximately 40 tons per day, the operator has applied for a maximum of 200 tons per day to accommodate the intermittent nature of the Casper waste stream.

Typical site operations involve deposition of waste at the toe or crest of the active face. The waste is then spread over the active face slope in layers no more than 2 feet thick. The refuse is compacted onto the slope by repeatedly passing over it with the site's bulldozer until it is satisfactorily compacted, approximately 3 to 5 times. Individual waste cells will be 7 to 10 feet thick. The refuse will be covered with a minimum of 6 inches of compacted soil at least once every 48 hours. Daily cover will be provided if the daily tonnage exceeds 50 tons per day.

Environmental Controls Hazardous waste is not accepted at the landfill. A hazardous waste screening program has been implemented. The program includes regular and random inspections of incoming loads, signs identifying unacceptable wastes, distribution of informational leaflets, and an employee training program for the handling of hazardous waste identified during the screening program.

Litter is minimized by the use of portable litter fences. Litter collected by the fences will be removed on a regular basis. Dust will be minimized by the use of a water truck.

Vectors will be controlled by prompt and complete compaction of all waste materials and the use of soil cover. If pest activity is noted by site personnel, pest control specialists will be contacted to provide the necessary elimination services.

Noise is mitigated by maintaining the equipment in good mechanical condition. All equipment will also have adequate sound suppression mufflers. Noise will also be minimized by the distance of the landfill to adjacent neighbors.

Odors will be controlled by keeping the working face small and covering the waste daily. Fire will be controlled by preventing the deposition of burning material or by removing burning material from the landfill active face. During the fire season, a water truck, along with a site dozer will also be available for on-site fire control.

Leachate is controlled by a leachate collection and removal system. Due to the remote location of the site and the fact that landfill gas has never been detected at the site, neither a gas monitoring system nor a gas control system has been deemed necessary by the Local Enforcement Agency.

Resource Recovery Drop-off areas and bins are provided at the site entrance for several categories of recyclables. Currently, bins are provided for aluminum, cardboard, paper, newsprint, glass and plastics. Drop-off areas are also provided for miscellaneous metals, appliances, batteries, tires, and wood/yard wastes. During the year 1991, 8.6 percent of the waste tonnage arriving at the Willits was diverted from disposal. According to the Source Reduction Recycling Element, Mendocino County will achieve the 25% diversion goal by 1995.

ANALYSIS:

Requirements for Concurrence with the Solid Waste Facilities Permit Pursuant to Public Resources Code, Section 44009, the Board has 60 calendar days to concur in or object to the issuance of a Solid Waste Facilities Permit. Since the proposed permit for this facility was received on September 8, 1992, the last day the Board may act is November 7, 1992.

The LEA has submitted a proposed permit to the Board. Staff has reviewed the proposed permit and supporting documentation and has found that the permit is acceptable for the Board's consideration of concurrence. In making this determination the following items were considered:

1. Conformance with County Plan

The LEA has found that the Willits Solid Waste Disposal Site is in conformance with the most recent revision of the Mendocino County Solid Waste Management Plan. Board staff agrees with said finding.

2. Consistency with General Plan

The LEA has determined that the facility is consistent with, and is designated in, the applicable General Plan. Board staff agrees with said finding.

3. Consistency with Waste Diversion Requirements

The Board's Planning and Local Assistance Division staff make an assessment, pursuant to PRC 44009, to determine if the record contains substantial evidence that the proposed

project would impair or impede the achievement of waste diversion goals. Based on available information, staff have determined that the issuance of the proposed permit would neither impede nor significantly impair the County of Mendocino or the City of Willits from meeting its waste diversion goals. The analysis used in making this determination is included as Attachment 4.

4. California Environmental Quality Act (CEQA)

State law requires the preparation and certification of an environmental document. A Negative Declaration for the proposed project was prepared by Emcon in May 1992. It was received by the State Clearinghouse (#92053031) on May 18, 1992. A Notice of Determination was filed with the County Clerk and the Governor's Office of Planning and Research on June 23, 1992.

5. Conformance with State Minimum Standards

The LEA has made the determination that the facility's design and operation are in compliance with State Minimum Standards based on their review of the Report of Disposal Site Information and by physical inspection of the site on September 2, 1992.

A State inspection of the facility conducted on September 24, 1991 found the facility in full compliance with the State Minimum Standards.

Board Compliance staff conducted an inspection of the facility on October 14, 1992 and found no violations of the State Minimum Standards.

6. Financial Mechanism

The City of Willits and the County of Mendocino have established an acceptable financial mechanism to cover the estimated closure and post closure maintenance costs for this facility.

7. Compliance with Closure and Postclosure Maintenance Plan Requirements

Since the application for permit review for this facility was received before July 1, 1990, the preliminary closure plan is not due until the next permit review. If the expansion for this site is not approved, however, a final

plan for the facility will be required due to a lack of two years capacity.

STAFF RECOMMENDATIONS:

Because a revised Solid Waste Facilities Permit is proposed, the Board must either object or concur with the proposed permit as submitted by the LEA.

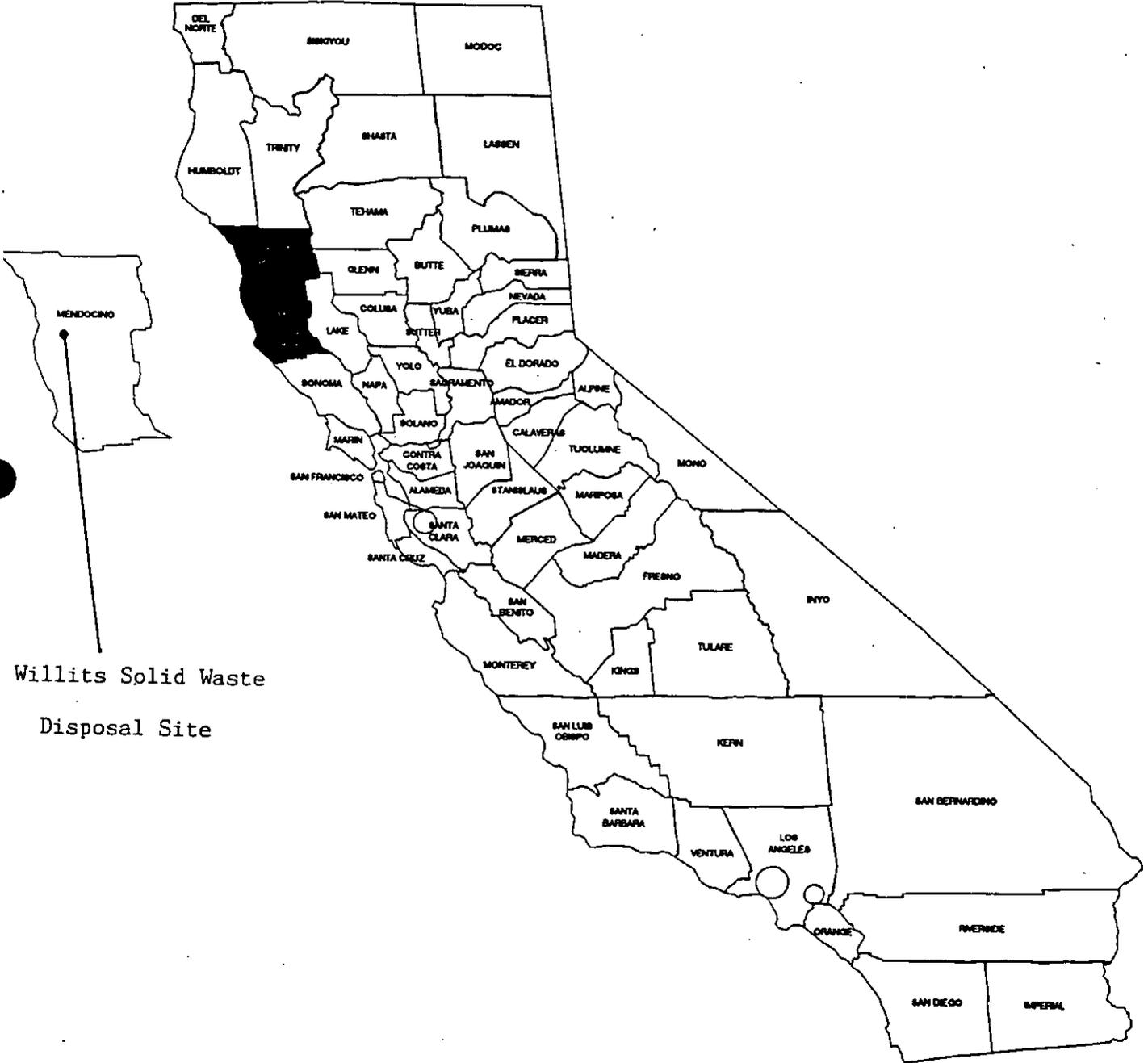
Staff recommends that the Board adopt Permit Decision No. 92-117 concurring in the issuance of Solid Waste Facilities Permit No. 23-AA-0021.

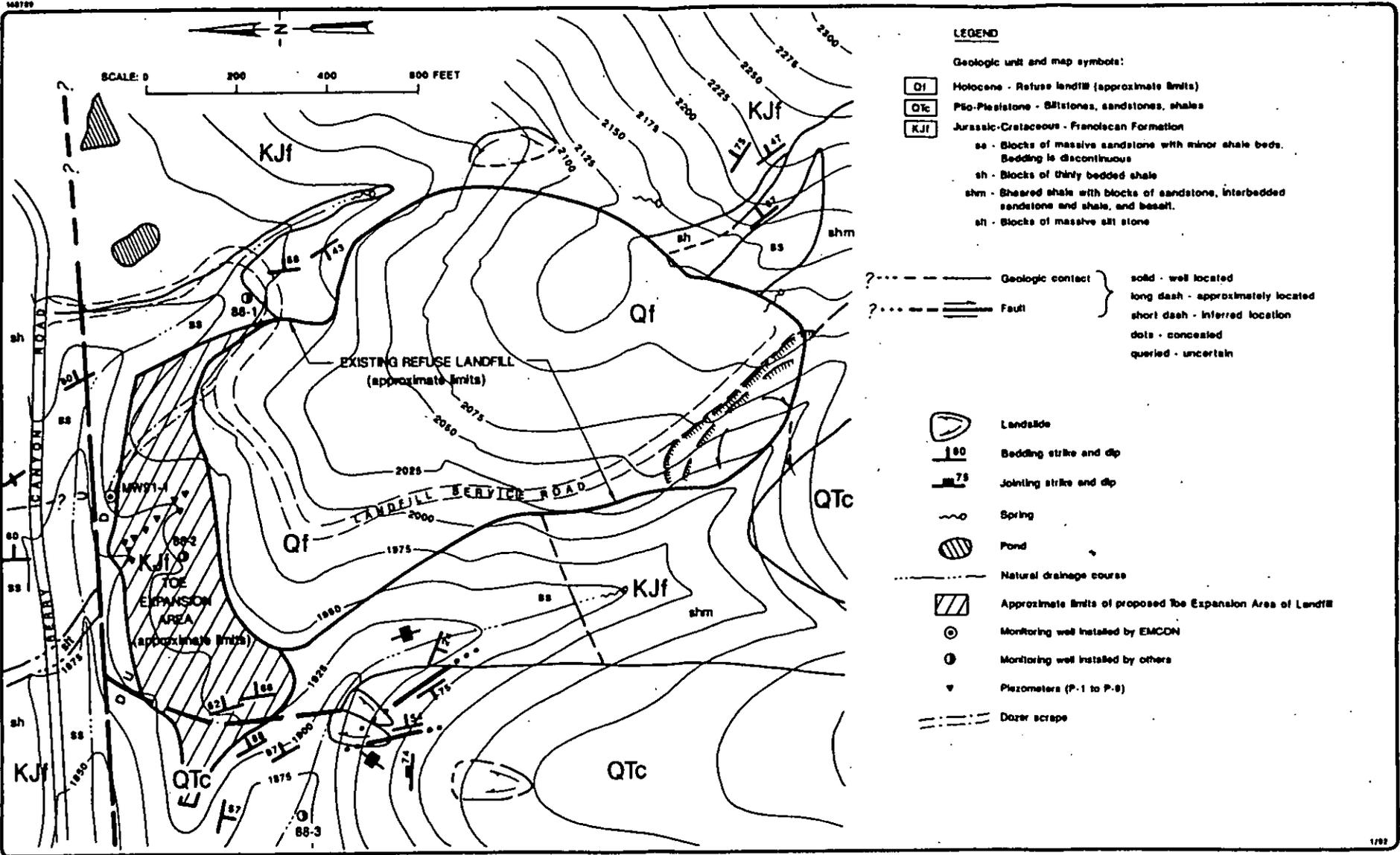
ATTACHMENTS:

1. Location Map
2. Site Map
3. Proposed Permit
4. Conformance with AB 2296 memo
5. Resolution No. 92-117

Prepared by: Michael Kuhn/Beatrice Cuenca Phone: 255-2432

Reviewed by: Phillip J. Morales Phone: 255-2453





LEGEND

Geologic unit and map symbols:

- Qf** Holocene - Refuse landfill (approximate limits)
- Qtc** Plio-Pleistocene - Siltstones, sandstones, shales
- KJf** Jurassic-Cretaceous - Franciscan Formation
 - ss - Blocks of massive sandstone with minor shale beds. Bedding is discontinuous
 - sh - Blocks of thirty bedded shale
 - shm - Sheared shale with blocks of sandstone, interbedded sandstone and shale, and basalt.
 - slt - Blocks of massive silt stone

- Geologic contact
 - solid - well located
 - long dash - approximately located
 - short dash - inferred location
- Fault
 - dots - concealed
 - query - uncertain

- Landslide
- Bedding strike and dip
- Jointing strike and dip
- Spring
- Pond
- Natural drainage course
- Approximate limits of proposed Toe Expansion Area of Landfill
- Monitoring well installed by EMCON
- Monitoring well installed by others
- Piezometers (P-1 to P-8)
- Dozer scrape



NOTE: The geology shown on this map was compiled from a geologic map prepared by Hallenbeck Associates, 1989, and from a site investigation conducted by EMCON Associates in May 1991.

CITY OF WILLITS
WILLITS SOLID WASTE DISPOSAL SITE
WILLITS, CALIFORNIA

SITE GEOLOGIC MAP

FIGURE
7
PROJECT NO.
893-02.02

OPERATING PERMIT FOR FACILITIES
RECEIVING SOLID WASTE

	TYPE OF FACILITY CLASS III	FACILITY/PERMIT NUMBER 23-AA-0021
NAME AND STREET ADDRESS OF FACILITY 6199 BERRY CANYON RD AKA CANYON RD WILLITS CA 95490	NAME AND MAILING ADDRESS OF OPERATOR CITY OF WILLITS 111 E COMMERCIAL STREET WILLITS CA 95490	
PERMITTING ENFORCEMENT AGENCY Mendocino County Health Department Division of Environmental Health	CITY/COUNTY UKIAH/MENDOCINO	

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: _____ APPROVING OFFICER Candi L. Zizek, REHS III _____ NAME/TITLE	AGENCY ADDRESS Mendocino County Health Department Division of Environmental Health 880 N BUSH ST UKIAH CA 95482	
SEAL	AGENCY USE/COMMENTS	
	PERMIT RECEIVED BY CWMB SEP 8 1992	CWMB CONCURRENCE DATE
	PERMIT REVIEW DUE DATE	PERMIT ISSUED DATE

SITE HISTORY

In January, 1974, the City of Willits (City) and the County of Mendocino (County) jointly acquired a 355 acre parcel, 16.2 acres of which are currently in use as a municipal solid waste site servicing city residents and the surrounding population. At the present volumes, final grades will be completed by about October, 1994.

The County has asked the City to consider accepting a portion of the Caspar wasteland for disposal at the Willits site. The Caspar landfill is currently under a cease and desist order by the Regional Water Quality Control Board, and is also rapidly reaching its permitted capacities. Caspar closure operations are also currently underway and the County seeks an interim solution for a portion of that waste stream. The Joint Powers Authority (JPA) is actively seeking a regional site as well as exploring the option of transporting waste out of the County.

The proposed expansion of 3.1 acres, together with the plan to accept Caspar waste requires a permit revision as the annual tonnage accepted changes significantly from 6,500 to 12,500 tons per year, and the final area proposed for solid waste disposal at this site changes to 19.3 acres.

FINDINGS

1. Description of facility design and operation:
 - 1A. Site is jointly owned by Mendocino County and the City of Willits. Operator and manager is the City of Willits, 111 E. Commercial Street, Willits, California 95490.
 - 1B. Site is located approximately 7 miles northeast of the City on the south side of Berry Canyon Road, in Sections 11 and 12 of Township 18 North and Range 13 West (Mount Diablo Base and Meridian) as shown on general location map (figure 1). Landfill currently occupies approximately 16.2 acres of a 355 acre parcel. The expansion proposal adds approximately 3.1 acres to the landfill footprint, with a resulting total acreage of approximately 19.3 acres. A detailed map (figure 2) shows all on site structures and entry roads. Also detailed are structures within 1000 feet of the perimeter of the property.

- 1C. Landfill site contains no physical plant, platforms, stationary equipment, permanent buildings, ramps or storage areas. Portable structures at this site include a small trailer for the attendant, a portable potty for employees and several metal bins for recyclable materials. Drop-off locations have been established for salvaging metals, yard waste, etc. Bins and collection areas are kept portable so they may not interfere with progress on the working face.

Equipment normally utilized at this site includes one 1978 International TD 25C Bulldozer and one 1987 John Deere Scraper. Purchase of a compactor to enhance operations and capacity/site life is under consideration.

As of January 1, 1992, the remaining design capacity of the combined active area at the top and the proposed toe expansion is estimated to be 151,000 compacted cubic yards, or 75,500 tons.

- 1D. The majority of waste entering the landfill is residential and commercial solid wastes consisting of paper products, food wastes, glass products, metal products, yard wastes, wood, plastic products, cloth, rubber, leather, synthetics, and inerts (dirt, rocks, etc).

Estimated percentages by general type of refuse received at the landfill are 48 percent commercial/residential (compacted), 32 percent commercial (loose) and 20 percent typical residential (loose).

Prohibited at this landfill are public scavenging, open burning and the disposal of the following wastes:

- *hazardous wastes
- *infectious wastes
- *dead animals
- *auto bodies
- *septic tank pumpings
- *drilling muds
- *other special liquids

- 1E. The facility presently receives an average of 6,500 tons of refuse per year or 18 tons per operating day. Given the present equipment and staff, this site could process 40 tons an hour, or a peak load of at least 200 tons in a working day (RDSI p.2).

WILLITS SWDS PERMIT/SEPTEMBER 4, 1992

With the addition of Caspar and Laytonville to the Willits waste stream, a projected service life to January 1998 is estimated. An estimated in-place density of 1,000 pounds per cubic yard was assumed to project site life from annual waste volumes from the three washed areas. Greater in-place density may be achieved by acquiring a new landfill compactor.

Five (5) year average load capacity

Fiscal year	Compacted Cubic Yards	Tons
01/01-06/30/92	6,500	3,250
92/93	25,900	12,950
93/94	25,390	12,695
94/95	24,250	12,125
95/96	23,170	11,585
96/97	22,140	11,070
97/98	21,164	10,582
98/99	<u>20,242</u>	<u>10,121</u>

Total waste received= 168,756 CCY or tons= 84,378

At this time, with an available 151,000 cubic yards from January 1, 1992, the shortest anticipated site life extends to early 1998.

151,000 Compact cubic yards X $\frac{1000 \text{ lbs/CCY}}{2000 \text{ lbs/ton}}$ = 75,500 tons remaining capacity

- 1F. Public site access is from Berry Canyon Road. Vehicles proceed on a two-lane, all-weather rock road toward the working face area. Drop-off areas and bins are available for disposing of recyclables and divertable materials before paying for and disposing of garbage.

Waste haulers and self haulers unload their solid waste at the toe or crest of the active face. Waste is then spread over the active face slope in layers no more than 2 feet thick. Refuse is compacted onto the slope by repeatedly passing over it with the bulldozer 3-5 times until it is satisfactorily compacted. When using a crawler tractor for pushing and compacting wastes, the equipment operator attempts to develop the working face to a 3:1 slope. Waste is spread against the slope; the machine works up and down, tearing and compacting the waste.

Individual waste cells will be approximately 7 to 10 feet thick. Refuse will be covered with a minimum 6-inch layer of compacted soils at least once every 48 hours, or daily if more than 50 tons/day are accepted.

WILLITS SWDS PERMIT/SEPTEMBER 4, 1992

A minimum thickness of 1 foot of compacted intermediate cover is placed on operating areas that will not be used again for more than 180 days. A minimum of 2 feet of compacted foundation cover layer is placed on any completed areas.

Waste haulers exit facility by the same route that they enter.

- 1G. Currently, metal bins are provided for aluminum, cardboard, paper, newsprint, glass and plastics. Drop-off location areas are provided for divertable materials such as miscellaneous metals, appliances, batteries, tire and wood/yard wastes.

Materials diverted and removed from the site are as follows:

<u>Material Category</u>	<u>Removed by</u>	<u>Removal Frequency</u>
aluminum, paper newsprint, glass cardboard, plastic	Solid Waste of Willits	2-3 weeks
metals & appliances	City of Willits	2-3 months
batteries	Economy Battery Service of Lakeport or Caveman Battery Service of Sebastopol	2 months
tires	Bill & Fred's Tire Service of Sebastopol	3-4 months
Wood/Yard Waste	Bio/Waste, Inc.	3-4 months

Yard and wood wastes are often processed (ground or chipped) by a contractor at the site prior to removal to the Willits Wastewater Treatment Facility or Bio/Waste Inc. for composting. No composting occurs at the Willits SWDS.

When fill operations are transferred to the toe expansion area, drop-off facilities will follow. Because of reduced area for recycling storage at the expansion, the City is evaluating alternative locations for recycling offsite.

A resale facility or area is planned at the landfill site, possibly in late 1992. Materials brought to the site that still may have value will be set aside for purchase and removal. If area near the working face is too limited, the location of the resale facility may be near the top of the landfill or at a relocated recycling center near the city.

WILLITS SWDS PERMIT/SEPTEMBER 4, 1992

Hazardous wastes such as batteries or oil, shall be handled in a manner approved by the enforcement agency and the Board.

- 1H. The key element in the hazardous waste exclusion program for the Willits SWDS is a periodic load-checking program focusing on wastes delivered from commercial and industrial sources. The City will train staff to examine loads at random to detect and discourage attempts to dispose of hazardous or unacceptable wastes at the site.

Upon selecting a random load for inspection, the following information will be recorded on a data form: (1) date, (2) time, (3) name of the hauling firm or vehicle owner, (4) name of the driver, (5) telephone number for contacting, (6) license plate number and truck number of the vehicle, and (7) the source (s) of the waste as stated by the vehicle driver. The driver will sign the form.

To check the load, the operator will designate the location for discharging the wastes and instruct the driver to pull forward while unloading. The long windrow formed will then be spread and torn using on-site equipment to separate and allow observation for hazardous or unacceptable wastes. The inspector will sample and test any freely draining liquids in the refuse. Noted on the data form will be pH, odor, color and any other observations.

Pictures and samples will be taken if appropriate. If any hazardous or other unacceptable wastes are identified, site personnel will immediately cordon off designated area. Operator is to immediately notify supervisor, and, if needed use 911 to contact Mendocino County Hazardous Material unit which will be responsible for assessment, directing and cleanup. Assessment process will determine "significant" versus "nonsignificant" discovery of hazardous wastes based on type and quantity of material discovered. Transport and disposal of the wastes will be done by utilizing hazardous waste haulers or safety specialist. The incident and response will be recorded in the site records.

If the producer of the waste is known, the producer will be immediately contacted and notified of the incident and the action taken. Producer will be billed for all additional costs incurred in the proper cleanup, transport, and disposal of the waste. If the producer of the waste is unknown, the hauler will be responsible for all costs.

Throughout the waste handling process the operator's site personnel will follow the proper safety procedures for worker protection from hazardous materials.

Significant unlawful hazardous disposal incidents will be reported to specific agencies:

- *California Regional Water Quality Control Board 707 576-2220
- *Department of Public Health 707 463-4466
- *California Integrated Waste Management Board 916-255-2200

Additional hazardous waste exclusion procedures include posted entrance signs, pre-notification of commercial and industrial customers, observation by site personnel, and a specific handling policy for known offenders.

Signs at landfill entrance clearly state types of wastes not accepted at the site. Examples given in nontechnical language include flammable liquids, explosives, pesticides, acids, caustics, poison, and waste chemicals.

City will notify by mail commercial and industrial customers of the following:

- *hazardous and other wastes not accepted at this site
- *load checking program in effect
- *producer will be billed for removal and proper disposal
- *federal and state penalties for improper disposal

In addition to observations in the load checking program, employees of Willits SWDS question drivers about load contents, do visual inspections of incoming loads, and are directed to identify potentially harmful wastes that may be delivered to the site.

Special caution procedures are established for accepting wastes from sources, vehicles and hauling firms that have previously attempted to deliver hazardous wastes. Known offenders will be banned from the landfill and reported to NCRWQCB and Mendocino County Environmental Health Department.

Additional measures may be required upon the request of the enforcement agency and/or the Board.

11. Anticipated changes in design or operation in the next five years include the expansion of the toe complete with liner and leachate collection system, recycling and salvaging operations, and the eventual replacement by the siting of a new regional solid waste disposal site. No further changes are sanctioned without a review.

WILLITS SWDS PERMIT/SEPTEMBER 4, 1992

- 1J. Site access is provided to commercial haulers Monday through Friday from dawn to dusk; they generally arrive and depart between 8a.m. and 4p.m. General public access is allowed Tuesday, Wednesday, Saturday, and Sunday between 9a.m. and 4p.m.

Estimated remaining site life with proposed revisions is 75,500 tons of compacted waste at 1000 lbs/CCY. Estimated closure year is early 1998.

2. Agencies and documents that condition the operation and use of the facility:

- A. Report of Disposal Site Information May, 1992
- B. Mendocino County Use Permit No. 025-69, expiration 2069.
- C. Regional Water Quality Control Board Waste Discharge Requirements 92-107 and Revised Monitoring and Reporting Program 92-107, accepted on August 27, 1992.
- D. California Department of Forestry (rubbish dump permit, SWFP no. 1-1057)
- E. Environmental document: A Notice of Determination was filed June 23, 1992. Monitoring and Reporting Program for WSWF site expansion, Negative Declaration, SCH # 92053031.

3. The following findings are required pursuant to PRC 50,000, 50,000.5 and 44009.

- A. Permit is consistent with the County Solid Waste Management Plan (CoSWMP March 1987 Revision) (verification letter).
- B. Permit is consistent with the standards adopted by the California Integrated Waste Management Board.
- C. For new or expanded facilities, the appropriate county agency has determined that this facility is consistent with and designated in the General Plan (verification letter).
- D. Documentation of the fraction of waste diverted at the facility in 1991 (8.6%) (RDSI p.9)

4. The design and operation of the facility are in compliance with the State Minimum Standards for Solid Waste Handling and Disposal as determined by the LEA on September 2, 1992.

WILLITS SWDS PERMIT/SEPTEMBER 4, 1992

5. Verification letter from the local fire protection district that the facility is in conformance with applicable fire standards as required in PRC44151.
6. A Negative Declaration was prepared by Emcon for the City of Willits in May 1992. It was received by the State Clearinghouse (#92053031) on May 18, 1992. The site plan review was posted at Willits SWDS and at City Hall. Upon local adoption, a Notice of Determination was filed with the County Clerk and the Governor's Office of Planning and Research on June 23, 1992.
7. Mitigating measures and implementation schedule are submitted to the Board and included in the CONDITIONS portion of the permit.

CONDITIONS

1. Facility must comply with the State Minimum Standards for Solid Waste Handling and Disposal.
2. Facility must comply with all federal, state and local requirements and enactments, including all mitigation measures given in any certified environmental document filed pursuant to Public Resources Code, Section 210816.
3. Additional information must be provided as required by the enforcement agency.
4. At the discretion of the enforcement agency, landfill gas monitoring probes shall be installed for detection of gas migration. If needed, a landfill gas control system shall be installed.
5. Upon the expansion construction, the riparian area will be flagged for identification and will be monitored by a third party Construction Quality Assurance monitor contracted by the City of Willits.
6. A change in operator would require a new permit to operate.

PROHIBITIONS

1. Accepting wastes for which the facility is not approved: hazardous wastes, liquids, infectious wastes, dead animals, waste water treatment sludge, auto bodies, septic tank pumpings, drilling muds, etc.
2. Conducting unacceptable activities at the facility such as burning or scavenging.
3. Standing water on covered fill areas.

SPECIFICATIONS

1. The local enforcement agency (LEA) through this permit may prohibit or condition the handling of solid wastes in order to protect the public health and safety, protect, rehabilitate, or enhance the environment, or to mitigate adverse environmental impacts.
2. The operator shall not make any change that would cause the design or operation of the facility not to conform with the terms or conditions of the permit; such a change shall be considered a significant change and require a permit revision.
3. The facility has a permitted capacity of 200 tons per operating day and shall not receive more than this amount without first obtaining a revision of the permit.

PROVISIONS

1. This permit is subject to review by the local enforcement agency (LEA), and may be modified, suspended or revoked for sufficient cause after a hearing.
2. The operator shall comply with the monitoring and reporting program established by the North Coast Regional Water Quality Control Board.
3. Any complaints pertaining to the facility received by its operator shall be forwarded to the Local Enforcement Agency within two working days. This includes receipt of a notice of violation or notification of complaints about the facility received by other agencies.

CLOSURE AND POSTCLOSURE MAINTENANCE

1. All the documentation relating to the closure and postclosure maintenance costs shall be retained by the operator and shall be available for inspection by the LEA or staff of the California Integrated Waste Management Board.
2. The operator shall submit to the LEA copies of the preliminary plan for closure of the landfill and a preliminary plan for the postclosure maintenance of the landfill for approval by the LEA, the North Coast Regional Water Quality Control Board, and the staff of the California Integrated Waste Management Board. These plans shall be submitted by January, 1996.

Application for the five year permit review is due to the LEA, 120 days prior to the date for completion of the review. The plan shall be included as part of the application for review.

Per Section 18255 of California Code of Regulations, Title 14, Chapter 5, closure plans will be submitted to the Board on the following schedule:

- A. Preliminary closure and postclosure maintenance plans for solid waste landfills operating after January 1, 1988, shall be submitted at the time of application for each solid waste facility permit review pursuant to Public Resources Code 4350.
- B. Pursuant to Government Code 18255(a) (3), the operator must submit final closure and postclosure plans for solid waste landfills to all reviewing agencies two years prior to the anticipated date of closure.

SELF-MONITORING

- 1. Environmental measurements of gas and/or water quality and leachate shall be reported to the LEA on a quarterly basis.
- 2. Area of site utilized shall be reported to the LEA on an annual basis (include the location and depth of all filled areas as built).
- 3. Quantities and types of wastes received shall be reported to the LEA on an annual basis.
- 4. Quantities and types of goods recycled and/or salvaged shall be reported to the LEA on an annual basis.
- 5. A log of special occurrences, i.e., fires, explosions, accidents, hazardous wastes, etc., shall be maintained and made available to the LEA at the time of the regular inspections.
- 6. Records shall be kept of all incidences of unlawful disposal of prohibited materials and hazardous materials, the operator's actions, and the final disposal of the materials.
- 7. The operator shall maintain a record of all complaints registered against the facility and any actions taken to resolve justified complaints.
- 8. Any other information concerning the landfill must be provided to the LEA upon request.

CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY

Memorandum

To: Mike Kuhn
Permits Branch

Date: September 1, 1992

From: Dianne Range
Dianne Range, Supervisor
Local Assistance Branch, North

Subject: Review of the proposed permit for facility No. 23-AA-0021
for consistency with the requirements of AB 2296.

General Information:

The Willits Landfill, located near the City of Willits, receives 6,600 tons of municipal waste per year from the City and the surrounding unincorporated area. The landfill offers drop-off areas and bins for aluminum cans, glass, newspaper, cardboard, wood, tires yard waste, appliances, miscellaneous metals, and vehicle batteries.

According to information provided by the County, in 1991, the landfill operator diverted 79 tons of aluminum, paper, glass, cardboard and plastic, 240 tons of miscellaneous metals and appliances, 110 cubic yards of tires, and 188 tons of wood and yard waste. This corresponds to 8.6% of the material brought to the landfill for disposal.

After reviewing the documents provided with the proposed permit and consulting with the Local Task Force Chair (Mike Phelan), Board staff have made the following findings:

- A) The proposed permit is consistent with the waste diversion requirements (PRC 44009);
- B) The facility is consistent with the CoSWMP (PRC 50000); and
- C) The facility is in conformance with the General Plan (PRC 50000.5).

PRC 44009: Waste Diversion Requirements

The Willits Landfill is a publicly owned landfill with no minimum throughput levels or profit requirements. The proposed expansion of the landfill was clearly identified in the Draft SRRE. Board staff find that concurring in the issuance of this permit will not impact these jurisdictions' ability to reach the diversion mandates of AB 939.

PRC 50000: Consistency With CoSWMP

The Willits Landfill is clearly identified in the most recent revision of the CoSWMP. The County also stated in the CoSWMP that they are continually looking at the possibility of expanding existing facilities. Board staff find that this proposed permit is consistent with the most recent CoSWMP.

PRC 50000.5: Conformance to the General Plan

In the May 8, 1992 letter from the Mendocino County Solid Waste Division, certified as correct by the Mendocino County Planning and Building Department, the County finds the landfill to be consistent with the County General Plan and surrounding land use. Board staff therefore find the landfill to be consistent with the County General Plan.

IN SUMMARY:

Based on the evidence on record Board staff has made the following findings:

- A) The proposed permit is consistent with the diversion requirements;
- B) The proposed permit is consistent with the City's most recent CoSWMP; and
- C) The proposed permit is in conformance with the City's General Plan.

**California Integrated Waste Management Board
Permit Decision No. 92-117
October 29, 1992**

WHEREAS, the Mendocino County Health Department, Environmental Health Division acting as Local Enforcement Agency, has submitted to the Board for its review and concurrence in, or objection to, a revised Solid Waste Facilities Permit for the Willits Solid Waste Disposal Site; and

WHEREAS, Board staff has evaluated the proposed permit submitted on September 8, 1992 for consistency with the standards adopted by the Board; and

WHEREAS, the leachate control violation cited in the 1989 State inspection has been corrected by the installation of a leachate collection and removal system; and

WHEREAS, Board staff has evaluated the Willits Solid Waste Disposal Site for compliance with the State Minimum Standards for Solid Waste Handling and Disposal and has found the facility in full compliance; and

WHEREAS, the Board finds that all state and local requirements for the proposed permit have been met, including consistency with Board standards, conformance with the County Solid Waste Management Plan, consistency with the General Plan, and compliance with the California Environmental Quality Act.

NOW, THEREFORE, BE IT RESOLVED that the California Integrated Waste Management Board concurs in the issuance of Solid Waste Facilities Permit No. 23-AA-0021.

CERTIFICATION

The undersigned Executive Director of the California Integrated 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 Integrated Waste Management Board held on October 29, 1992.

Dated:

Ralph E. Chandler
Executive Director

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

**Permitting and Enforcement Committee
October 21, 1992**

AGENDA ITEM 7

ITEM: Consideration of Concurrence in the Issuance of a New Solid Waste Facilities Permit for Gilton Resource Recovery Composting Facility, Stanislaus County.

BACKGROUND:

Facility Facts

Name: Gilton Resource Recovery Composting Facility
Facility No. 50-CI-0016

Facility Type: Composting Facility

Location: 800 South McClure Road, Modesto

Area: 19 acres

Setting: Facility is located in an industrial zone

Operational Status: New facility, not yet built

Waste Types: Source separated wood, saw dust, wood shavings, soil mixed with organic material, manures, straw, tree limbs, branches, tree and brush trimmings, unpainted scrap lumber, specified food processing residue recovered from can salvage, leaves, and grass

Capacity: 172,000 tons per year - average annual loading

Owner: Gilton Brothers Rentals, Inc.
Mr. Eugene Gilton, Partner

Operator: Gilton Resource Recovery/Transfer Facility Inc.
Mr. Richard Gilton, General Manager

EA: CIWMB, Compliance Branch
Mr. John Bell, Manager

Proposed Project

The proposed composting facility will have a maximum permitted tonnage of 471 tons per day. This facility will serve the Modesto area of Stanislaus County.

SUMMARY:

Site History: This facility is a proposed new composting facility that will be located on 19 acres of land immediately south of and adjacent to the Gilton Resource Recovery Transfer Facility on 800 South McClure Road in Modesto. The Central Valley Regional Water Quality Control Board issued a waiver of Waste Discharge Requirements for this facility on December 6, 1991.

As of August 2, 1992 the Board assumed the duties of the Enforcement Agency (EA) for Stanislaus County since the Stanislaus County Department of Environmental Resources did not seek Board certification as the Local Enforcement Agency.

There is a wood recycling activity operating under a recycling permit from Stanislaus County. This wood recycling activity also has an air quality permit. The wood recycling activity is located east of the proposed composting facility. Wood is ground and the material is shipped off site by tractor trailer rig to biomass transformation facility for energy production. It is anticipated that this operation will continue and will complement the composting facility. By establishing a composting facility at this site, fines from the grinding operation can be incorporated into the composting process. The fines would be separated by mechanical screening.

Facility Description: The area to be used for the composting operation is bordered by Tri-Valley Growers effluent discharge fields to the east, seasonal crops to the west, pasture and the Tuolumne River to the south. Access to the composting facility would be by the South McClure/Finch Road intersection, through the Gilton Resource Recovery Transfer facility on surfaced roads.

The facility will accept 471 tons per day of source separated wood, saw dust, grass clippings, leaves, manure and food processing residue (such as tomato paste). The hours of operation will be from 7:30 a.m. to 4:00 p.m. Monday through Friday and from 7:00 a.m. to 4:30 p.m. on Saturdays and Sundays.

Waste will enter through a gate house where it will be directed to the composting facility. Wood fines from the grinding operation next to the composting facility will also be accepted. Waste is inspected for contaminants by visual inspection as the waste is unloaded. If the material being received has a high moisture content, such as waste from food processing operations, a bed of dry material will be laid down, (e.g, leaves or wood fines) to absorb the bulk of the liquid.

The waste material will be mixed in the windrow area to develop the optimum conditions of aerobic composting which includes proper moisture, carbon to nitrogen ratios, bulking and oxygen levels. The windrows will measure 150 feet in length, 25 feet in width, and a height of between 12 to 14 feet, with an approximate capacity of 1800 cubic yards per windrow. The material would be moistened to 45-55 percent moisture by weight. A 40 to 50 percent volume reduction should result from the composting operation. Once the material is windrowed it will remain in the windrow area until it has cured. The windrows will be monitored on a daily basis for temperature and moisture content. No chemicals or other additives will be added to the windrows.

It is anticipated that a finished compost will be produced in approximately 12 weeks. The finished compost will then be sold directly out of the windrow area to end markets. The operation is expected to produce approximately 1,950 cubic yards of finished compost a week, or 1,625 tons per week at 1.2 cubic yards per ton.

Environmental Controls:

The windrow area will be lined with a minimum of 12 inches of compacted soil. Water from the windrow areas will drain to a concrete surface at the perimeter which then directs the water to a retention basin. Storm water runoff also drains into a retention basin. The waste water collection/drainage methods used conform to all Stanislaus County Department of Public Works and Regional Water Quality Control Board standards.

Hazardous waste is not accepted at the site. In the event that hazardous waste is inadvertently accepted and cannot be returned to the generator, it will be safely stored at the composting facility and the Integrated Waste Management Board will be contacted. The storage of hazardous waste at the facility is limited to less than 90 days.

The windrows will be turned frequently in order to prevent noxious odors from being detected off-site. To control noise at the facility, vehicles and equipment are properly muffled and do not exceed 85 decibels at 10 feet.

Windrows composed of shredded yard waste do not appear to be susceptible to spontaneous combustion. However, in case of a fire, water is available on site and the Stanislaus County Fire Department will be called if necessary.

Permanent cyclone fencing around the facility prevents the migration of litter off the premises. Litter cleanup onsite and on access roads to the facility shall occur three days per week.

All loads, incoming and outgoing, are completely covered. A litter pickup fee shall be assessed by the operator to any drivers of improperly covered private loads.

Vectors are not expected to be a problem since the windrows would be too hot to provide a suitable environment and will be turned often enough to prevent any insect larvae from becoming established. In addition, the operator has contracted a licensed pest control company which continually monitors the presence of rodents and other vectors. They maintain several bait stations, make monthly visits, and spray periodically around the site.

ANALYSIS:

Requirements for Concurrence with the Solid Waste Facilities Permit Pursuant to Public Resources Code (PRC) Section 44009, the Board has 60 calendar days to concur in or object to the issuance of a Solid Waste Facilities Permit (SWFP). Since the permit was filed by Board Permitting Staff on September 15, 1992, the last day the Board could act is November 13, 1992.

Board Permitting staff have prepared and submitted a proposed permit to the Board for consideration. Staff have determined the proposed permit and supporting documentation are acceptable for the Board's consideration of concurrence. In making this determination the following items were considered:

1. Conformance with County Plan

Board staff have determined that the facility is in conformance with PRC Section 50000. The facility was approved by resolution by the County and by a majority of the cities with a majority of the population of the incorporated area of the county.

2. Consistency with General Plan

Board staff have determined that the facility is in conformance with the Stanislaus County General Plan and is compatible with surrounding land uses.

3. Consistency with Waste Diversion Requirements

Board staff of the Planning and Assistance Division evaluated the proposed permit, pursuant to PRC Section 44009, to determine if the proposed project would impair or substantially prevent the achievement of waste diversion goals. Based on available information, staff have determined that the issuance of the proposed permit would neither prevent nor substantially impair

the County of Stanislaus from achieving its waste diversion goals. The analysis used in making this determination is included as Attachment 4.

4. California Environmental Quality Act (CEQA)

State law requires the preparation and certification of an environmental document. The Stanislaus County Department of Environmental Resources prepared a Negative Declaration for the proposed project (SCH # 92062104). The proposed project consists of the establishment of a composting facility. The document was certified as approved by the Lead Agency and a Notice of Determination was filed on August 17, 1992 (Attachment 5). A Mitigation Monitoring and Implementation Schedule has been submitted to the Board (Attachment 6). Potential environmental impacts and measures necessary to mitigate the effects of the impacts associated with the project are included in the monitoring program.

After reviewing the environmental documentation for the project, Board staff have determined that the Negative Declaration is adequate and appropriate for the Board's use in evaluating the proposed project.

STAFF RECOMMENDATION:

Because Board staff has prepared a proposed permit for the operation of the Gilton Resource Recovery Composting Facility, the Board must decide to issue or not issue the proposed permit.

Staff recommends that the Board adopt Permit Decision No. 92-114 concurring in the issuance of SWFP 50-CI-0016.

ATTACHMENTS:

1. Location Map
2. Site Map
3. Proposed Permit 50-CI-0016
4. Conformance with AB 2296 memo
5. Notice of Determination
6. MMIS (Mitigation Monitoring and Implementation Schedule).
7. Resolution No. 92-114

Prepared by: Paul Sweeney/Beatrice Cuenca ^{Sweeney} ⁹²⁻¹¹⁴ Phone: 255-2577

Reviewed by: Phillip J. Moralez ^{pjm} Phone: 255-2453



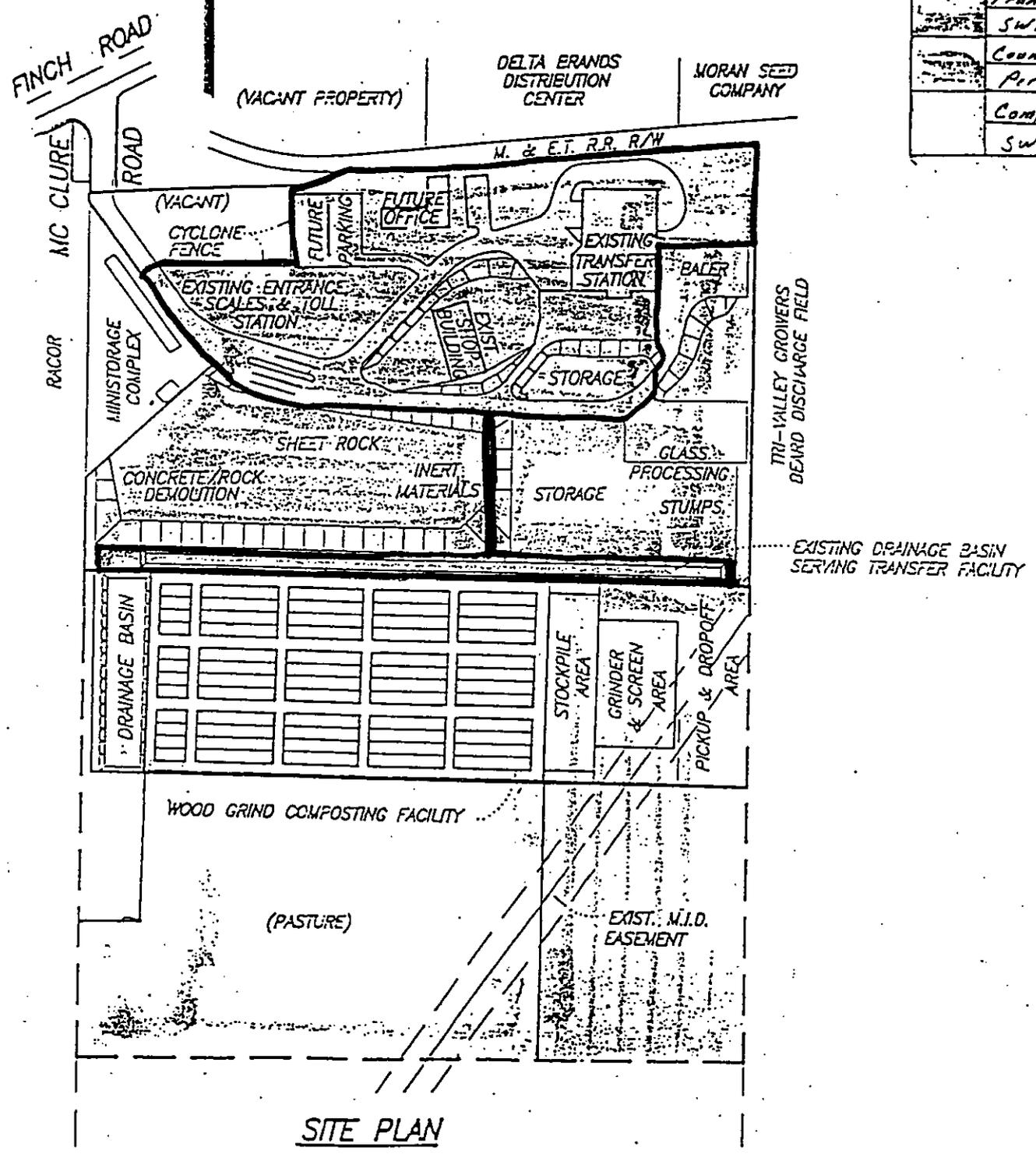
Attachment 2

LEGEND :

- TRANSFER STATION BOUNDARY
- WOOD GRIND COMPOSTING FACILITY BOUNDARY

SCALE 1" = 300'

Transfer	SWFP
County	Permit
Compost	SWFP



SITE PLAN

BY: CO
 DATE: 4/13/92
 SHEET: 1 OF 1

GILTON RESOURCE
 RECOVERY COMPOSTING
 OPERATION



**THOMPSON-HYSELL
 ENGINEERS**
 1016 12TH ST. - MODESTO, CA. 95354
 (209) 521-8986

SOLID WASTE FACILITY PERMIT		1. F 50-CI-0016																																																																																			
2. Name and Street Address of Facility: Gilton Resource Recovery Composting Facility 800 South McClure Road Modesto, CA 95354	3. Name and Mailing Address of Operator: Gilton Resource Recovery/ Transfer Facility, Inc. 1722 Mono Drive Modesto, CA 95354	4. Name and Mailing Address of Owner: Gilton Brothers Rentals 1722 Mono Drive Modesto, CA 95354																																																																																			
5. Specifications: <p>a. Permitted Operations:</p> <table style="width:100%;"> <tr> <td><input checked="" type="checkbox"/> Composting Facility (mixed wastes)</td> <td><input type="checkbox"/> Processing Facility</td> </tr> <tr> <td><input type="checkbox"/> Composting Facility (yard waste)</td> <td><input type="checkbox"/> Transfer Station</td> </tr> <tr> <td><input type="checkbox"/> Landfill Disposal Site</td> <td><input type="checkbox"/> Transformation Facility</td> </tr> <tr> <td><input type="checkbox"/> Material Recovery Facility</td> <td><input type="checkbox"/> Other: _____</td> </tr> </table> <p>b. Permitted Hours of Operation: 24 hours a day - 365 days a year - operational needs & maintenance Public Access: 7:30 a.m. - 4:00 p.m. Monday-Friday; 7:00 a.m. - 4:30 p.m. Saturday-Sunday</p> <p>c. Permitted Tons per Operating Day:</p> <table style="width:100%;"> <tr> <td style="text-align: right;">Total:</td> <td style="text-align: center;">471</td> <td style="text-align: right;">Tons/Day</td> </tr> <tr> <td>Non-Hazardous - General</td> <td style="text-align: center;">461</td> <td style="text-align: right;">Tons/Day</td> </tr> <tr> <td>Non-Hazardous - Sludge</td> <td style="text-align: center;">n/a</td> <td style="text-align: right;">Tons/Day</td> </tr> <tr> <td>Non-Hazardous - Separated or commingled recyclables</td> <td style="text-align: center;">n/a</td> <td style="text-align: right;">Tons/Day</td> </tr> <tr> <td>Non-Hazardous - Other (See Section 14 of Permit)</td> <td style="text-align: center;">10</td> <td style="text-align: right;">Tons/Day</td> </tr> <tr> <td>Designated (See Section 14 of Permit)</td> <td style="text-align: center;">n/a</td> <td style="text-align: right;">Tons/Day</td> </tr> <tr> <td>Hazardous (See Section 14 of Permit)</td> <td style="text-align: center;">n/a</td> <td style="text-align: right;">Tons/Day</td> </tr> </table> <p>d. 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Key Design Parameters (Detailed parameters are shown on site plans bearing EA and CIWMB validations):</p> <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th></th> <th>Total</th> <th>Disposal</th> <th>Transfer</th> <th>MRF</th> <th>Composting</th> <th>Transformation</th> </tr> </thead> <tbody> <tr> <td>Permitted Area (In acres)</td> <td style="text-align: center;">19</td> <td style="text-align: center;">a</td> <td style="text-align: center;">a</td> <td style="text-align: center;">a</td> <td style="text-align: center;">19</td> <td style="text-align: center;">a</td> </tr> <tr> <td>Design Capacity</td> <td></td> <td style="text-align: center;">cy</td> <td style="text-align: center;">tpd</td> <td style="text-align: center;">tpd</td> <td style="text-align: center;">471</td> <td style="text-align: center;">tpd</td> </tr> <tr> <td>Max. Elevation (Ft. 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The attached permit findings and conditions are integral parts of this permit and supercede the conditions of any previously issued solid waste facility permits.</p>			<input checked="" type="checkbox"/> Composting Facility (mixed wastes)	<input type="checkbox"/> Processing Facility	<input type="checkbox"/> Composting Facility (yard waste)	<input type="checkbox"/> Transfer Station	<input type="checkbox"/> Landfill Disposal Site	<input type="checkbox"/> Transformation Facility	<input type="checkbox"/> Material Recovery Facility	<input type="checkbox"/> Other: _____	Total:	471	Tons/Day	Non-Hazardous - General	461	Tons/Day	Non-Hazardous - Sludge	n/a	Tons/Day	Non-Hazardous - Separated or commingled recyclables	n/a	Tons/Day	Non-Hazardous - Other (See Section 14 of Permit)	10	Tons/Day	Designated (See Section 14 of Permit)	n/a	Tons/Day	Hazardous (See Section 14 of Permit)	n/a	Tons/Day	Total:	124	Vehicles/Day	Incoming waste materials	111	Vehicles/Day	Outgoing waste materials (for disposal)	1	Vehicles/Day	Outgoing materials from material recovery operations	12	Vehicles/Day		Total	Disposal	Transfer	MRF	Composting	Transformation	Permitted Area (In acres)	19	a	a	a	19	a	Design Capacity		cy	tpd	tpd	471	tpd	Max. 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6. Approval: _____ Approving Officer Signature _____ Name/Title	7. Enforcement Agency Name and Address: California Integrated Waste Management Board 8800 Cal Center Drive Sacramento, CA 95826																																																																																				
8. Received by CIWMB: <p style="text-align: center;">SEP 15 1992</p>	9. CIWMB Concurrence Date:																																																																																				
10. Permit Review Due Date:	11. Permit Issued Date:																																																																																				

SOLID WASTE FACILITY PERMIT

12. Legal Description of Facility (attach map with RFI):

APN 39-11-24, 39-11-25 portions of Section 1, T4S, R9E & Section 36, T3S, R9E MDBM

13. Findings:

- a. This permit is consistent with the County Solid Waste Management Plan or the County-wide Integrated Solid Waste Management Plan (CIWMP). Public Resources Code, Section 50001.
- b. This permit is consistent with standards adopted by the California Integrated Waste Management Board (CIWMB). Public Resources Code, Section 44010.
- c. The design and operation of the facility is in compliance with the State Minimum Standards for Solid Waste Handling and Disposal as determined by the EA.
- d. The following local fire protection district has determined that the facility is in conformance with applicable fire standards as required in Public Resources Code, Section 44151. The Empire Fire District - approval date 6-19-92
- e. An environmental determination (i.e., Notice of Determination) is filed with the State Clearinghouse for all facilities which are not exempt from CEQA and documents pursuant to Public Resources Code, Section 21081.6. SCH #92062104, Notice of Determination filed 8-14-92
- f. A County-wide Integrated Waste Management Plan has has not been approved by the California Integrated Waste Management Board.
- g. The following authorized agent has made a determination that the facility is consistent with, and designated in, the applicable general plan: Board of Supervisors of the County of Stanislaus in a resolution dated 6-30-92. Public Resources Code, Section 50000.5(e)
- h. The following local governing body has made a written finding that surrounding land use is compatible with the facility operation, as required in Public Resources Code, Section 50000.5(b). Board of Supervisors of the County of Stanislaus in a resolution dated 6-30-92

14. Prohibitions:

The permittee is prohibited from accepting any liquid waste sludge, non-hazardous waste requiring special handling, designated waste, or hazardous waste unless such waste is specifically listed below, and unless the acceptance of such waste is authorized by all applicable permits.
manure, specified food processing residue recovered from can salvage (such as tomato paste, tomatoes, peaches, fruit cocktail, sugar water and beans).

The permittee is additionally prohibited from the following items:
Tree trunks, palm fronds, plaster and lathe demolition, composition shingles, plumbing, wire fencing, any material with excessive amounts of metal attached, painted wood, treated wood, creosote timbers, sod, putrefied material, and material contaminated with grease, metal, or plastic.

15. The following documents also describe and/or restrict the operation of this facility (insert document date in spaces):

	Date:		Date:
<input checked="" type="checkbox"/> Report of Facility Information	<u>6-17-92</u>	<input type="checkbox"/> Contract Agreements - operator and contract	<u>n/a</u>
<input checked="" type="checkbox"/> Land Use Permits and Conditional Use Permits (waiver)	<u>7-15-91</u>	<input checked="" type="checkbox"/> Waste Discharge Requirements (waiver)	<u>12-6-91</u>
<input checked="" type="checkbox"/> Air Pollution Permits and Variances Permit #8-063-01	<u>2-28-92</u>	<input type="checkbox"/> Local & County Ordinances	<u>n/a</u>
<input checked="" type="checkbox"/> EIR or Negative Declaration	<u>8-14-92</u>	<input type="checkbox"/> Final Closure & Post Closure Maint. Plan	<u>n/a</u>
<input checked="" type="checkbox"/> Lease Agreements - owner and operator	<u>5-20-92</u>	<input type="checkbox"/> Amendment to RFI	<u>n/a</u>
<input type="checkbox"/> Preliminary Closure/Post Closure Plan	<u>n/a</u>	<input checked="" type="checkbox"/> Other(1st): <u>1) Injury and Illness Prevention Program</u>	
<input type="checkbox"/> Closure Financial Responsibility Document	<u>n/a</u>	<u>2) MMS.</u>	

SOLID WASTE FACILITY PERMIT

Facility/Permit Number:

50-CI-0016

18. Self-Monitoring:

a. Results of all self-monitoring programs as described in the Report of Facility Information, will be reported as follows:

Program	Reporting Frequency	Agency Reported To:
<p>The operator shall provide the EA with monthly reports, no later than 15 days after the close of the month, which include:</p>		
<p>1) Tons of material received for composting, per day & per month</p>	<p>Monthly</p>	<p>EA (CIWMB)</p>
<p>2) Tons of composted material removed from the facility</p>	<p>Monthly</p>	<p>EA (CIWMB)</p>
<p>3) The amount of material delivered to the facility for composting from each jurisdiction in Stanislaus County, in tons</p>	<p>Monthly</p>	<p>EA (CIWMB)</p>
<p>4) The amount of material delivered to the facility from out-of-county sources, in tons</p>	<p>Monthly</p>	<p>EA (CIWMB)</p>
<p>5) Operational shutdowns, duration of shutdown, cause of shutdown (fire, flood, maintenance, odors, etc)</p>	<p>Monthly</p>	<p>EA (CIWMB)</p>
<p>6) Special occurrences like unscheduled shutdowns: employee injuries, unacceptable deliveries, structural damage</p>	<p>Within 24 hours</p>	<p>EA (CIWMB)</p>
<p>7) Tons of fines recieved from the wood grinding operator per day</p>	<p>Monthly</p>	<p>EA (CIWMB)</p>

SOLID WASTE FACILITY PERMIT**17. EA Conditions:**

1. This facility shall comply with all federal, state, and local requirements and enactment, including all mitigation measures given in any certified environmental document filed pursuant to Public Resource Code, Section 21081.6.
2. The operator shall maintain a copy of the permit at the facility to be available at all times to facility personnel and enforcement agency personnel.
3. The facility operator shall supply the EA with copies of all correspondence and reports provided to other regulatory agencies which have jurisdiction over the Composting facility.
4. The facility is permitted to receive the following nonhazardous solid waste: source separated wood, saw dust, wood shaving, straw, small tree limbs, brush, grass clippings & leaves.

Prohibitions:

1. Scavenging
2. Hazardous waste
3. Dead animals
4. Burning of wastes
5. Septic tank pumpings
6. Sewage sludge
7. Medical waste
8. Unacceptable wastes/materials
9. Standing water in the windrow area
10. Grease trap pumpings

MEMORANDUM

ATTACHMENT 4

To: Paul Sweeney
Permit Branch

Date: September 13, 1992

From:

Dianne Range

Dianne Range
Local Assistance Branch, North
CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

Subject: REVIEW FOR CONFORMANCE WITH AB 2296 FOR THE GILTON
RESOURCE RECOVERY COMPOSTING FACILITY, NO. 50-CI-0016

The proposed permit for the Gilton Resource Recovery Composting Facility conforms with AB 2296 as discussed below:

1. PRC Section 44009 (Consistency with Waste Diversion Requirements)

The Gilton Resource Recovery Composting is a new facility located immediately adjacent to the existing Gilton Resource Recovery Transfer Facility. The facility is in the unincorporated area of Stanislaus County and will serve the entire Stanislaus County. The permitted tonnage will be 471 tons per day. According to the proposed permit, the facility will accept nonhazardous materials including source separated wood, saw dust, wood shavings, soil mixed with organic material, manures, straw, tree limbs, branches, tree and brush trimmings, unpainted scrap lumber, specified food processing residue recovered from can salvage (such as tomato paste, tomatoes, peaches, fruit cocktail, sugar water, and beans), leaves, grass and other similar compostable material from residential, municipal, and commercial sources. Materials will be collected through curbside pick-up and drop off.

The Gilton Resource Recovery Composting facility was not identified in the Stanislaus County Preliminary Draft Source Reduction and Recycling Element. According to Kevin Williams of the Stanislaus County staff, the facility will accept approximately 10% of the total county wastestream. In addition to composting, the jurisdictions will also achieve AB 939 diversion credit through existing and proposed curbside, drop-off, and buy-back recycling programs, and source reduction. According to Mr. Williams and the Stanislaus County Board of Supervisors, this facility will not impede or impair achievement of AB 939 goals.

2. PRC Section 50000 (CoSWMP)

The site was not identified in the most recent approved Stanislaus County CoSWMP. As certified by the LEA for Stanislaus County, the facility was approved by resolution by the county and by a majority of the cities with a majority of the population of the incorporated area of the county. These resolutions were submitted to the Board staff for verification of the PRC Section 50000 requirement.

3. PRC Section 50000.5 (General Plan)

The Stanislaus County Board of Supervisors resolved that the Gilton Resource Recovery Composting facility is consistent with the Stanislaus County General Plan and compatible with adjacent land uses.

Board staff concludes that based upon the information provided, this facility does not prevent or substantially impair the achievement of the PRC Section 41780 diversion requirements.

MITIGATION, MONITORING AND IMPLEMENTATION SCHEDULE GLUTON RESOURCE RECOVERY COMPOSTING FACILITY 800 S. VENTURE ROAD MODESTO, CA 95354 AUGUST 14, 1991			
IMPACT	MITIGATION	MONITORING RESPONSIBILITY	MONITORING AND TRACKING MECHANISM
Erosion	Proper compaction and grading, consistent with the site drainage plan, shall be maintained on the site.	Local Enforcement Agency or the California Integrated Waste Management Board.	Monthly facility inspections.
Air Quality -- Odors	Compost feedstock and windrows shall be kept in an aerobic state; the site shall be maintained in a manner consistent with the site drainage plan to prevent ponding of liquids on the site.	Local Enforcement Agency or the California Integrated Waste Management Board.	Monthly facility inspections.
Air Quality -- Dust	Dust from construction or on-going operations shall be controlled by watering. Roadways shall be surfaced or adequately watered to control dust.	Local Enforcement Agency or the California Integrated Waste Management Board or the San Joaquin Valley Unified Air Pollution Control District.	Monthly facility inspections.

**California Integrated Waste Management Board
Permit Decision No. 92-114
October 29, 1992**

WHEREAS, the California Integrated Waste Management Board's Compliance Branch staff acting as Enforcement Agency, has submitted to the Board for its review and concurrence in, or objection to, a new Solid Waste Facilities Permit for the Gilton Resource Recovery Composting Facility; and

WHEREAS, Board staff have evaluated the proposed permit submitted on September 15, 1992 for consistency with the standards adopted by the Board; and

WHEREAS, Board staff have evaluated the Gilton Resource Recovery Composting Facility for compliance with the State Minimum Standards for Solid Waste Handling and Disposal and has found the proposed facility design and operation to be consistent with state standards; and

WHEREAS, the Board finds that all state and local requirements for the proposed permit have been met, including consistency with Board standards, conformance with the County Solid Waste Management Plan, consistency with the General Plan and compliance with the California Environmental Quality Act.

NOW, THEREFORE, BE IT RESOLVED, that the California Integrated Waste Management Board concurs in the issuance of Solid Waste Facilities Permit No. 50-CI-0016.

NOW, THEREFORE BE IT RESOLVED, that the California Integrated Waste Management Board issues Solid Waste Facilities Permit No. 50-CI-0016.

CERTIFICATION

The undersigned Executive Director of the California Integrated 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 Integrated Waste Management Board held on October 29, 1992.

Dated:

Ralph E. Chandler
Executive Director

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

Permitting and Enforcement Committee
October 21, 1992

AGENDA ITEM 8

ITEM: Consideration of Concurrence in the Issuance of a Revised Solid Waste Facilities Permit for the Davis Waste Removal Transfer Station, Yolo County

BACKGROUND:

Facility Facts

Name: Davis Waste Removal Transfer Station
Facility No. 57-AA-0003

Facility Type: Recycling and Transfer Station

Location: 1818 Fifth Street, Davis

Area: 3.3 acres

Setting: light industrial zoned area

Operational Status: Active, currently receiving an average of 28 tons of waste per days and is permitted to receive 30 tons per day

Owner/Operator: Davis Waste Removal, Inc. Browning Ferris Industries of California, Inc.
Mr. Paul Hart and Mr. Paul Geisler, Managers

LEA: Yolo County Environmental Health Division

Proposed Project

The proposed permit revision is for increase in tonnage from 30 tons to 100 tons of waste per day. This increase will change the facility from a small volume transfer station to a large volume transfer station. The proposed permit will also allow an existing 1,600 square foot shed be replaced with a two story 8,500 square foot building.

SUMMARY:

Site History The facility is currently operating under the Solid Waste Facilities Permit issued in 1985. The existing facility is a small volume transfer station operated primarily as a recycling facility. Davis Waste Removal, Inc. has operated a curbside recycling program since 1972. It has operated a commercial and apartment recycling program since January 1990.

Project Description The facility will receive up to 100 tons of residential, commercial, municipal, yard and garden debris, and source separated recyclable material per day. The facility will be open six days a week, Monday through Friday from 6:30 a.m. to 5:00 p.m. and Saturday from 8:00 a.m. to 4:00 p.m.

Currently, approximately 93% of the incoming waste is recycled at the site. A total of 60 tons per month of waste that currently goes through the transfer station is from the impurities in the selected trucks containing a high quantity of recyclables and from waste generated from other recycling processes.

600 tons/month of recyclable material is separated by the household, picked up by Davis Waste Removal (DWR), transported to the transfer station, processed and baled for delivery to market.

Loads containing high quantities of recyclable material are deposited onto the tipping floor, located within an enclosed building. The recyclable materials are hand sorted and transported to market. The remaining residual is deposited in 50 cubic yard bins for transfer to the Yolo County Central Landfill.

Hazardous wastes are not accepted at this facility. A hazardous waste exclusion program discourages the illegal disposal of such wastes at the facility. Site personnel are trained in hazardous material recognition and response. If hazardous wastes are identified, they are isolated and removed by a licensed firm to an approved hazardous wastes disposal facility.

Environmental Controls As the majority of the waste is unloaded within an enclosed building, litter is not a problem. Employees pick up litter from waste disposed outside the building before it becomes a problem.

Since the entire area is paved, dust it is not a problem. Water can be sprayed to control dust, if needed. The ventilation system in the building will handle dust and odor inside the building. In addition, odor and vectors are kept under control through the timely removal of the waste.

Fire controls include sprinklers in the building. Each piece of equipments has a fire extinguisher, and the Davis Fire Department is available if needed.

Waste water and rain water drain to the sanitary sewer, and solids resulting from the rinsing of the trucks are pumped and removed for treatment and disposal.

Resource Recovery The DWR transfer station is primarily a recycling center. Recyclables include materials from drop-off and buy back operations at the facility; curbside collection which DWR picks up; and diversion at the facility. The materials include newspaper, corrugated cardboard, bi-metal containers, glass, plastics, paper, and aluminum cans. Currently the facility is diverting 8% of the 23.8 tons received each day, the expansion will allow the facility to divert an additional 7-10%. The DWR transfer station will enable the City of Davis to divert more recyclables than currently possible and achieve 53-58% by the year 2000. The City of Davis, which the facility serves, already is diverting 35.9%.

ANALYSIS:

Requirements for Concurrence with the Solid Waste Facilities Permit Pursuant to Public Resources Code (PRC), Section 44009, the Board has 60 calendar days to concur in or object to the issuance of a Solid Waste Facilities Permit. Since the proposed permit for this facility was received on September 17, 1992, the last day the Board may act is November 16, 1992.

The Local Enforcement Agency (LEA) has submitted a proposed permit to the Board. Staff have reviewed the proposed permit and supporting documentation and has determined that the permit is acceptable for the Board's consideration of concurrence. In making this determination the following item were considered:

1. Conformance with County Plan

The LEA has determined that the facility is identified in the November 1989 Yolo County Solid Waste Management Plan on page 61. Board staff agree with said determination.

2. Consistency with General Plan

The LEA has found that the proposed facility is consistent with, and is designated in, the City of Davis General Plan dated 1987 and amendment to the General Plan dated September 1988. Board staff agrees with said finding.

3. Consistency with Waste Diversion Requirements

The Board's Planning and Local Assistance Division staff make an assessment, pursuant to PRC 44009, to determine if the record contains substantial evidence that the proposed project would not impair or impede the achievement of waste diversion goals. Based on available information, staff have determined that the issuance of the proposed permit would neither impede nor significantly impair the County of Yolo from meeting its waste diversion goals. The analysis used in making this determination is included as Attachment 4.

4. California Environmental Quality Act (CEQA)

State law requires the preparation and certification of an environmental document whenever a project requires discretionary approval by a public agency. The City of Davis Community Development Department prepared a Negative Declaration (ND) (SCH#90030987) for the expansion of the recycling facility. The project was certified as approved by the lead agency on January 18, 1990 and a Notice of Determination was filed.

A Mitigation, Monitoring and Implementation Schedule (MMIS) has been submitted to the Board. Potential environmental impacts and mitigation measure associated with the project are identified and incorporated in the MMIS.

After reviewing the environmental documentation for the project, Board staff have determined that CEQA has been complied with, and that the ND is adequate for the Board's use in evaluating the proposed project.

5. Compliance with State Minimum Standards

The LEA has made the determination that the facility's design is in compliance with the State Minimum Standards for Solid Waste Handling and Disposal based on their review of the submitted Report of Station Information and supporting information.

On August 30, 1992 Board staff inspected the site and noted one violation of the State Minimum Standards. The violation included 14 CCR 17426 - Cleaning and waste removal frequency. A subsequent inspection conducted by the LEA, on September 16, 1992, found the facility in full compliance with the State Minimum Standards.

STAFF RECOMMENDATION:

Because a revised Solid Waste Facilities Permit is proposed, the Board must either concur or object with the proposed permit as submitted by the LEA.

Staff recommends that the Board adopt Permit Decision No. 92-116 concurring in the issuance of Solid Waste Facilities Permit No. 57-AA-0003.

ATTACHMENTS:

1. Location Map
2. Site Map
3. Permit No. 57-AA-0003
4. Planning and Local Assistance Division Analysis
5. Permit Decision No. 92-116

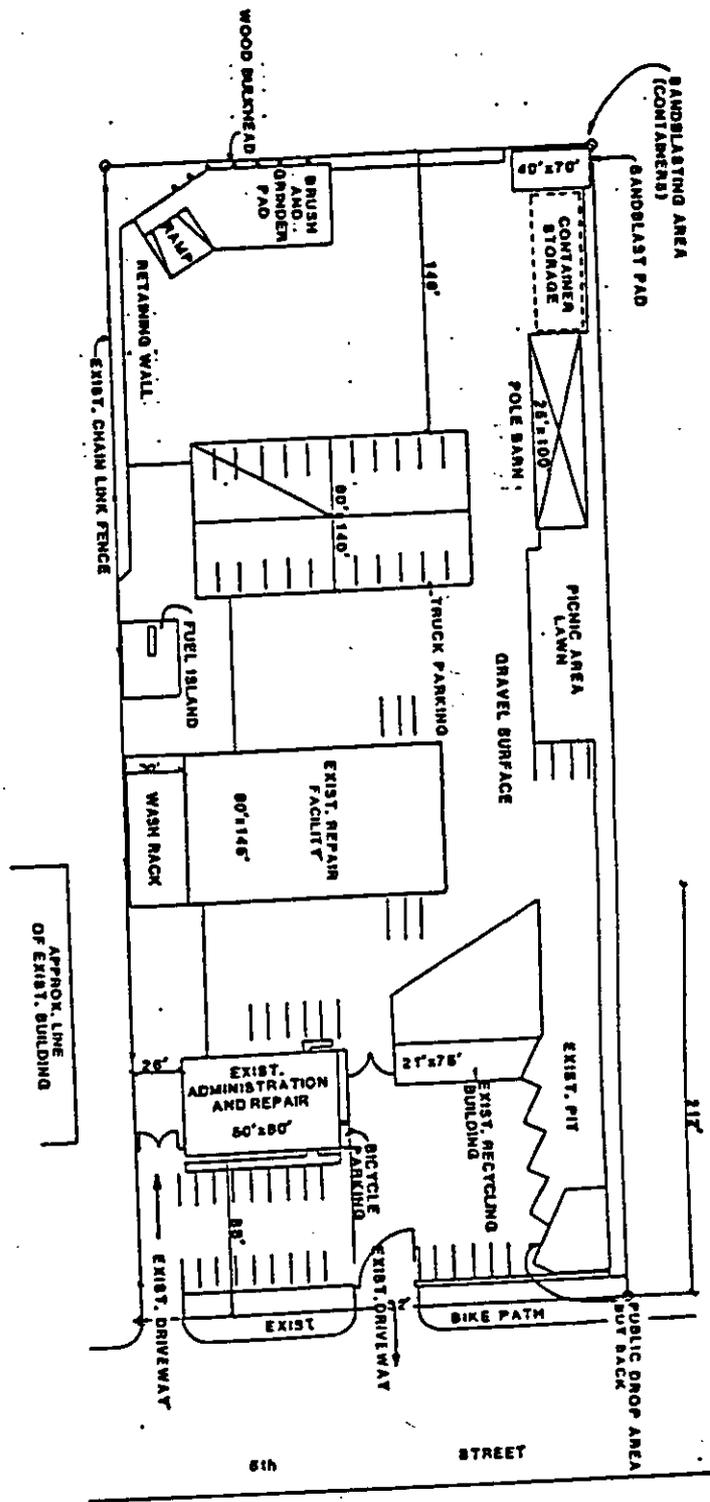
Prepared by: Beatrice Cuenca Phone: 255-2434

Reviewed by: Phillip J. Morales Phone: 255-2454

ATTACHMENT 1



Davis Waste Removal
Transfer Station



EBA

SITE PLAN

FIGURE
2

**OPERATING PERMIT FOR FACILITIES
RECEIVING SOLID WASTE**

TYPE OF FACILITY Large Volume Transfer Station	FACILITY/PERMIT NUMBER 57-AA-0003
--	--------------------------------------

NAME AND STREET ADDRESS OF FACILITY

Davis Waste Removal
1818 Fifth Street
Davis, CA 95616

NAME AND MAILING ADDRESS OF OPERATOR

Davis Waste Removal
1818 Fifth Street
Davis, CA 95616

PERMITTING ENFORCEMENT AGENCY

Yolo County Environmental Health

CITY/COUNTY

Yolo County

PERMIT

This permit is granted solely to the operator named above, and is not transferrable.

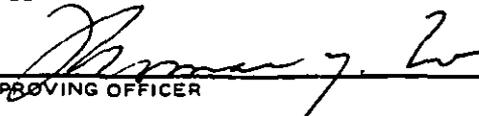
Upon a change of operator, this permit is subject to revocation.

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:


APPROVING OFFICER

Thomas Y. To, Director

NAME/TITLE Environmental Health Services

AGENCY ADDRESS

Yolo County Environmental Health Services
10 Cottonwood Street
Woodland, CA 95695

SEAL 

AGENCY USE/COMMENTS

PERMIT RECEIVED BY CWMB
SEP 17 1992

CWMB CONCURRENCE DATE

PERMIT REVIEW DUE DATE

PERMIT ISSUED DATE
64

September 16, 1992

FINDINGS

1. Facility Design and Operation

A. Ownership

This 3.3 acre large volume transfer station and recycling center is owned and operated by a corporate entity known as Davis Waste Removal, Inc. There are no contracted operators of the facility.

B. Property Boundaries

Beginning at the Northeastern corner of Parcel 1, as shown on Parcel Map No. 2404 filed July 30, 1975, in Book 2 of the Parcel Maps, page 84, Yolo County Records; running thence along the Eastern line thereof and its direct extension Southerly, South $00^{\circ} 38'00''$, West 604.92 feet; thence North $89^{\circ} 22'00''$ West 249.98 feet; thence North $00^{\circ} 38'00''$ East 37.51 feet to the Southeast corner of the parcel of land described in the deed to Pacific Gas and Electric Company recorded October 18, 1966 in Book 839 of Official Records, page 340; thence along the Eastern line thereof, North $00^{\circ} 38'00''$ East 570.72 feet to the Northwest corner of said parcel 1; thence along the Northern line of said Parcel 1, South $88^{\circ} 36'30''$ East 250.00 feet to the point of beginning. This real property is situated in the City of Davis, County of Yolo, State of California.

C. Facility Description

This facility is operated primarily as a recycling center where inert and non-hazardous municipal solid wastes are sorted with recyclables diverted from the wastes before disposal at Yolo County Central Landfill. The recycling building is an 8,500 square foot enclosed building with concrete tipping floor. A paper baler, feed conveyer, aluminum bins, and a glass crusher are located within the building. A pit ramp with spaces for four 50 cubic yard drop boxes is located on the west side of the building. An aluminum crusher/magnetic separator is also located on the west side of the building. The entire facility consists of the following other equipment: one 80' X 80' administration building, one 80' X 145' vehicular repair shop, a vehicular wash rack with 3 underground waste water separation and storage tanks, one refueling island, one 25' X 100' pole barn, one sand blaster with pad and adjacent container storage, one brush grinder on a pad with ramp, compactor and bin transfer, recycling route

trucks, one 1,000 gallon waste oil storage tank, various bins and containers, and a loader. Design capacity of the facility is 100 tons per operating day of all wastes based on transport capability of ten 50 cubic yard drop boxes to a landfill daily.

D. Method of Operation

Company owned refuse hauling trucks empty loads of municipal solid wastes onto the tipping floor of the enclosed recycling building where recyclable materials are hand sorted and recycled. Remaining non-hazardous wastes are emptied into drop boxes for transfer to Yolo County Central Landfill every seven days. Partial loads of light commercial and residential wastes are combined with other partial loads and hauled to the landfill. Company owned resources recovery trucks bring source separated recyclables in to the station on a daily basis. The refuse hauling trucks are rinsed out at the wash rack. The waste water is drained to the sanitary sewer and the solids are pumped into a bin. The solids will then be transported for treatment and disposal. The wash rack will be pumped and the solids transported and disposed at a minimum of every 60 days. Recyclable materials are stored on site for transfer to markets. Waste oil is received from the public and stored on site and removed when necessary by a licensed waste oil hauler. Waste oil is collected under EPA #982497737.

E. Wastes Received

Commercial, residential, municipal wastes, yard and garden debris, used motor oil, mixed paper, corrugated, glass, aluminum, steel, cans and plastic.

F. Recycling Operations

Recyclables are obtained through source separation, curbside collection and a buy back operation.

Loads of municipal solid wastes are emptied onto the tipping floor in the recycling building where recyclables are hand sorted and placed into containers, baled or crushed. Containers are emptied when they are full.

The majority of recyclables are received as source separated and are hauled to or dropped off at the facility processed and then shipped to markets from the facility. Remaining wastes are loaded into drop boxes for transfer to the landfill. The facility also serves as a buy back center open to the public which is paid current market prices for materials received. A waste oil storage tank is available on site and is open to

the public. Waste oil is accepted from the public at no charge. There are no salvaging operations conducted or planned other than recycling.

G. Hazardous Wastes

Hazardous wastes must be handled in a manner approved by Yolo County Environmental Health Department in accordance with Title 22 California Code of Regulations and any permits issued by the Department of Health Services. Waste oil is received for recycling and placed into a 1,000 gallon above ground storage tank and stored for a period not exceeding ninety (90) days.

A household hazardous waste screening program shall be implemented which includes, but is not limited to, the following minimum requirements: random load inspections, regular visual inspection of loads, personnel training in hazardous waste recognition, proper hazardous waste handling procedures, installation of a sign at the entrance of recycling area(s) with public access stating "No Hazardous Wastes Accepted" and a sign listing those wastes not accepted at the facility, and reporting of unlawful disposal incidents to:

City of Davis Fire Department

(916) 756-3743

OR

Yolo County Environmental Health Department

(916) 666-8646 8:00 AM to 5:00 PM

(916) 666-8920 5:00 PM to 8:00 AM

Additional measures may be required upon request of the Yolo County Environmental Health Department or the California Waste Management Board.

No other hazardous waste is normally received except household hazardous wastes which are received in conjunction with 10 monthly city/county sponsored household hazardous waste collection days for which a special temporary permit is issued by the California Department of Health Services, Toxic Substance Control Division to Yolo County Public Works Department who is the County sponsoring agency.

H. Changes in Design or Operation

There are no anticipated changes in design or operation at this facility within the next five years.

I. Other Information

Hours of operation are Monday through Friday from 6:30 A.M. to 5:00 P.M. and Saturday from 8:00 A.M to 4:00 P.M. The facility is closed Sunday and holidays.

2. Agencies and Documents

Agencies and documents which condition the operation or use of this facility.

A. R.S.I.

Report of Station Information dated October, 1988 and addendum dated September, 1992.

B. Local Agencies

Land Use Permit - March 13, 1990

C. Lead Agency

City of Davis EIR #2-87 and #8-74, Negative Declaration from City of Davis #27-81, June 22, 1982 and #7-89, January 9, 1990. State Clearinghouse #90030987. Notice of Determination - January 18, 1990.

3. The following findings and certification are required pursuant to PRC 50000, 44010 and 50000.5.

A. The permit is consistent with the County Solid Waste Management Plan (COSWMP) dated November 1989. This facility is identified on page 61.

B. This permit is consistent with the standards adopted by the California Integrated Waste Management Board for the Handling and disposal of solid wastes.

C. The City of Davis Planning Department has determined the facility is consistent with the City of Davis General Plan dated December 1987 and an Amendment to the General Plan dated September 1988.

4. The design and operation of the facility is in compliance with the State Minimum Standards for Solid Waste Handling and Disposal as determined by Yolo County Environmental Health Department by inspection dated September 16, 1992.

5. This facility is located within the incorporated area of the City of Davis. The local fire protection district found this facility in conformance with applicable fire standards as required pursuant to PRC 44151.

6. Surrounding land use is consistent with the existing solid waste facility as determined in the General Plan, of the City of Davis.

7. Negative Declaration - State Clearinghouse #90030987 and Notice of Determination dated January 18, 1991.

CONDITIONS

1. Requirements

- A. This facility must comply with all of the State Minimum Standards for Solid Waste handling and Disposal.
- B. This facility must comply with all federal, state and local requirements and enactments.
- C. The enforcement agency reserves the right to request additional information concerning the design and operation of this facility.

2. Prohibitions

- A. No sewage sludge, septic tank pumping, infectious waste, dead animals, or hazardous waste may be received except as noted in Section 1 H of this permit.
- B. Scavenging and burning of wastes is unacceptable at this facility.
- C. Wastes may not be stored on-site beyond 7 days. Sump waste will be removed on an as-needed basis but will not exceed storage beyond 60 days.

SPECIFICATIONS

- 1. The facility shall operate in conformance with any temporary permit for collection of household hazardous wastes operated at the facility issued by the Department of Health Services.
- 2. The facility shall operate in conformance with all current zoning standards for the property as interpreted by the City of Davis.
- 3. 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. Such a change would be considered a significant change and will require a permit revision.
- 4. The facility has a maximum permitted capacity of 100 tons per operating day and shall not receive more than this amount without first obtaining a revision of the permit.
- 5. Change in the operator of this facility would require a new Solid Waste Facilities Permit.

PROVISIONS

- 1. This permit is subject to review by the enforcement agency and may be suspended, revoked, or modified at any time for sufficient cause.

SELF MONITORING

1. The quantities and types of wastes and recycled materials shall be maintained daily and reported to the LEA annually.
2. Special occurrences such as fires, explosions, hazardous material spills, accidents, etc. shall be logged and reported to the LEA as soon as practically possible after the occurrence. In addition, a listing of special occurrences shall be reported to the LEA on an annual basis.
3. Results of household hazardous waste screening program shall be reported to the LEA on an annual basis.
4. Weights and volumes of wastes and recyclable materials handled during the previous year shall be reported to the LEA on an annual basis.

PM:mjh/DOC1/finding2

State of California

OFFICE OF ENVIRONMENTAL PROTECTION
CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD**Memorandum****To:** Beatrice Cuenca**Date:** April 20, 1992**From:****Catherine Donahue**
Local Assistance Branch, North**Subject:** Conformance Finding for Davis Waste Removal Co. Inc.
Transfer Station

The Davis Waste Removal (DWR) Transfer Station will not impair or prevent the achievement of the 25 and 50% diversion goals. The City of Davis, which the facility serves, already is diverting 35.9% and will be able to achieve an additional 7-10% diversion during the short and medium term planning periods.

The DWR Transfer station is primarily a recycling center and transfers those wastes to the Yolo Landfill which it cannot recycle. The transfer station is described in the Davis Source Reduction and Recycling Element (SRRE) as a central component of the City's diversion efforts. The SRRE describes how the expansion of the building will enable the City to divert more materials. Currently diverting 8% of the 23.8 tons received each day, the expansion will allow the facility to divert an additional 7-10%.

Recyclables include materials from drop-off and buy-back operations at the facility; curbside collection which DWR picks up; and diversion at the facility. The materials include newsprint, corrugated cardboard, bi-metal containers, glass, plastics, paper, and aluminum cans.

The increase of the building size will enable the facility to meet future needs for processing of the increasing quantity of waste from Davis and still be able to divert recyclables.

The DWR facility will enable the City of Davis to divert more recyclables than currently possible and achieve 53-58% diversion by the year 2000.

California Integrated Waste Management Board
Permit Decision No. 92-116
October 29, 1992

WHEREAS, the County of Yolo Department of Environmental Health, acting as the Local Enforcement Agency, has submitted to the Board for its review and concurrence in, or objection to a revised Solid Waste Facilities Permit for the Davis Waste Removal Transfer Station; and

WHEREAS, the proposed permit allows a permitted daily capacity of 100 tons of waste per day and replacement of the existing recycling building to a two-story, 8,500 square foot building; and

WHEREAS, the facility was inspected by Board staff on August 30, 1992, and noted one State Minimum Standard violation - cleaning and waste removal frequency; a subsequent inspection conducted by the LEA on September 16, 1992 found the facility in full compliance with the State Minimum Standards; and

WHEREAS, Board staff has evaluated the proposed permit for consistency with the standards adopted by the Board; and

WHEREAS, the City of Davis prepared a mitigated ND in compliance with California Environmental Quality Act; and

WHEREAS, the Board finds that all state and local requirements for the proposed permit have been met, including consistency with Board standards, conformance with the County Solid Waste Management Plan, consistency with the General Plan.

NOW, THEREFORE, BE IT RESOLVED that the California Integrated Waste Management Board concurs in the issuance of Solid Waste Facilities Permit No. 57-AA-0003.

CERTIFICATION

The undersigned Executive Director of the California Integrated 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 Integrated Waste Management Board held on October 29, 1992.

Dated:

Ralph E. Chandler
Executive Director

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

Permitting and Enforcement Committee
October 21, 1992

AGENDA ITEM 9

ITEM: Consideration of Concurrence in the Issuance of a Revised Solid Waste Facilities Permit for Double Butte Sanitary Landfill, Riverside County

BACKGROUND:

Facility Facts

Name: Double Butte Sanitary Landfill,
Facility No. 33-AA-0008

Facility Type: Class III Sanitary Landfill

Location: On County owned property near the community of Winchester

Area: 580 acres, 93 acres total to be landfilled, the balance is open space and former county park area

Setting: Surrounding land use is open space, ranch land and low density single family housing

Volumetric Capacity: Total capacity for 3,329,692 cubic yards of refuse of which approximately 2,850,000 yards were in place as of January 1, 1991

Operational Status: Permitted and active; currently operating under a Stipulated Order of Compliance which limits the facility to a maximum receipt of 466 tons per day.

Owner/Operator: Riverside County Waste Management Department
Robert A. Nelson, Director

LEA: Riverside County Department of Environmental Health

Proposed Project The proposed permit allows Double Butte Sanitary Landfill to accept up to 600 tons per day of solid waste, limits the site to four and one-half hours of operation per operating day, limits disposal operations to 93 acres of the site, and includes a revised estimated date of closure of December 1994.

SUMMARY:

Site History On June 22, 1972, the Santa Ana Regional Water Quality Control Board approved this facility as a Class II-2 disposal site. Double Butte commenced operations in December, 1973. A Solid Waste Facilities Permit was issued on May 29, 1979. The 1979 permit indicated that the facility was receiving 233 tons per day (tpd), was open Monday through Saturday 8:00 am to 4:30 pm, and had an estimated closure date of about the year 2000. The 1979 permit also did not place any limit on the site acreage available for disposal. A permit review was conducted in 1989 which identified changes, the most important significant being in tonnage accepted at the site.

Prior to its use as a landfill, the site contained a county park including equestrian facilities. The facilities, which include a small race track, are not in use currently and are in a state of disrepair. However, there is a residence within the permitted boundary in which a county park employee resides. There is no public access to the old park areas.

After the landfill area is closed, it is possible that the site may again be used as a county park. Of the 580 acre total area of the site, the landfill "footprint" will only be 93 acres, leaving a large area of non-filled land available. At one time, the County had plans to utilize more of the site for disposal area, however, that option has been dismissed and the site is projected to close in December 1994.

Facility Description Double Butte Sanitary Landfill is a Class III facility owned and operated by Riverside County. At the entrance of the facility are a gate, fee collection booth, and a scale. The site also contains the County's operations compound which is comprised of the facility's equipment storage and office. Also situated on-site are the park employee residence and old equestrian facilities described above. There is, in addition, another residence in which an employee of the County Department of Waste Management lives. Neither residence is close to the active disposal areas nor is either built on fill areas. The LEA and operator have determined that the presence of residences at the site acts to deter unauthorized entry.

Residential and commercial wastes are accepted routinely. Vehicles hauling waste are routed to the working face by traffic control signs and unloaded under supervision of a site employee. Public and commercial vehicles tip their loads at adjacent but separate areas. Equipment operators then blend the tipped wastes into the fill face.

With prior approval of the Santa Ana Regional Water Quality Control Board (RWQCB) and the LEA, loads of nonhazardous contaminated soil may also be accepted for disposal. Loads of contaminated soil are deposited away from active face to minimize contact with personnel and incorporated into the fill at the end of the day. This soil is not used as cover material. In addition, dead animals may also be disposed at the facility after proper notification by animal control personnel. Dead animals are covered immediately after deposition.

Environmental Controls As the site is located in an area with a low population density, it is not likely to cause impacts related to noise, dust, and odor. The presence of a water truck and the application of daily cover also serve to lessen the possibility of problems associated with dust or odor. Litter crews made up of County employees, as well as Weekend Work Release Program personnel, police the County's sites. Frequent compaction and the use of daily cover have resulted in the lack of any problems associated with vectors.

There is evidence that the quality of the groundwater under the landfill is being impacted. Results from testing of the site's monitoring wells show levels of nitrates and volatile organics above the Maximum Contaminant Levels (MCLs) established by the state. In addition to impacts on the groundwater, the RWQCB has found that severe ponding and erosion, resulting in excess water entering and exiting the landfill, has occurred at the site. Because of these issues, the RWQCB issued Cleanup and Abatement Order (C&A) 91-71 which prescribed actions to be taken by the operator (discharger) to alleviate these problems. These actions included the design and construction of improved drainage systems and enhanced grading to facilitate runoff. The operator is also working with the RWQCB to determine the extent of groundwater contamination. On September 11, 1992 staff of the Santa Ana RWQCB made a presentation to their board in which it was stated that this facility (as well as all other Class III landfills in Riverside County operating under C&As) was considered to be in full compliance with the C&A.

The site is also regulated by the South Coast Air Quality Management District (SCAQMD). The SCAQMD has determined that the site does not, as yet, require a landfill gas control or recovery system. The proposed Solid Waste Facilities Permit does require the operator to submit monthly reports regarding landfill gas migration.

Resource Recovery Programs No waste diversion activities occur on-site at this time nor are any planned in the near future.

ANALYSIS:

Requirements for Concurrence with the Solid Waste Facilities Permit Pursuant to the Public Resources Code (PRC), Section 44009, the Board has 60 calendar days to concur in or object to the issuance of a Solid Waste Facilities Permit. Since the permit was received on September 21, 1992, the last day the Board could act is November 20, 1992.

The LEA has submitted a proposed permit to the Board. Staff have reviewed the proposed permit and supporting documentation and have found that the permit is acceptable for the Board's consideration of concurrence. In making this determination the following items were considered:

1. Conformance with County Plan

The LEA has found that the Double Butte Sanitary Landfill is in conformance with the Riverside County Solid Waste Management Plan as found in the which was adopted in October, 1989. Board staff agree with said finding.

2. Consistency with General Plan

The LEA has determined that the facility is in conformance with the Riverside County General Plan and is compatible with surrounding land uses. Board staff agree with said finding.

3. Consistency with Waste Diversion Requirements

Staff of the Board's Planning and Local Assistance Division make an assessment, pursuant to PRC 44009, to determine if the record contains substantial evidence that the proposed project would impair the achievement of waste diversion goals. Based on available information, staff have determined that the issuance of the proposed permit should neither impair nor substantially prevent the County of Riverside from achieving its waste diversion goals. The analysis used in making this determination is included as Attachment 4.

4. California Environmental Quality Act (CEQA)

State law requires the preparation and certification of an environmental document. The County of Riverside has prepared a Negative Declaration (ND) for the proposed project. The ND (SCH #90021034) has indicated that there are no significant environmental impacts associated with this project. A Mitigation Monitoring and Implementation

Schedule (MMIS) was required and is included as Attachment 5. The Notice of Determination was approved on October 8, 1990.

After reviewing the environmental documentation for the project, Board staff have determined that CEQA has been complied with and that the ND is adequate and appropriate for the Board's use in evaluating the proposed permit.

5. Conformance with State Minimum Standards

Board Compliance Branch staff inspected the site on June 15, 1992 and noted that the site is in violation of PRC Section 44004, Significant Change, which is primarily due to the discrepancy in tonnage between what the site was permitted to receive in the 1979 permit and the amount which is currently being received. This violation would be corrected by the issuance of the proposed permit.

Board staff also determined on June 15, 1992 (annual inspection) that the facility is in compliance with the State Minimum Standards for Solid Waste Handling and Disposal with the exception of Title 14, California Code of Regulations (14CCR), Section 17704, Leachate Control. However, this is a problem that requires long term remediation and is being addressed by the operator. Details have been previously noted in the "Environmental Controls" section above.

Since the Board's last inspection, the LEA has inspected the site on a monthly basis. The LEA did note violations of 14CCR, Section 17682-Cover, Section 17708-Drainage and Erosion Control, Section 17708-Equipment and Section 17684-Intermediate Cover. The LEA has since determined in subsequent inspections that these violations have been corrected. A copy of the recent compliance history of the site is attached as Attachment 6. As indicated in the memorandum, there is some concern regarding the site's consistency in compliance. However, as of the most recent LEA inspection, the site is in compliance.

As an additional note, there was some concern that waste was deposited outside the eastern boundary of the facility. In March 1992, the LEA investigated the area in question and determined, through the use of exploratory holes, that no waste had been placed outside the permitted boundary of the site.

6. Closure/Postclosure Plan

A preliminary closure/postclosure maintenance plan is not due at this time. As the site is projected to close in December 1994, a final closure plan is due in December 1992.

7. Financial Mechanisms

a. Operating Liability

Board staff have determined that the operating liability mechanism is acceptable.

b. Closure/Postclosure Maintenance

On September 16, 1992, staff of the Board's Financial Assurances Section sent a letter to the director of the County's Department of Waste Management indicating that further information was required to complete review of the financial assurance mechanisms for closure and postclosure maintenance costs for 12 landfills operated by the County, including the Double Butte Sanitary Landfill. The letter requested that the information be submitted by October 1, 1992. As of the date that this item was prepared, the information had not been received or evaluated by Board staff. If deficiencies are identified, they will be noted at the Committee meeting.

8. Board staff have identified some sections of the Report of Disposal Site Information (RDSI) which require clarification and/or revision. Staff have been working with the LEA and operator to settle this concern. If deficiencies still exist at the time of the Committee meeting, they will be noted.

STAFF RECOMMENDATION:

Because a new Solid Waste Facilities Permit is being proposed, the Board must either object or concur with the proposed permit as submitted by the LEA.

Assuming that the above issues are resolved, staff recommends that the Board adopt Permit Decision No. 92-123 concurring in the issuance of Solid Waste Facilities Permit No. 33-AA-0008.

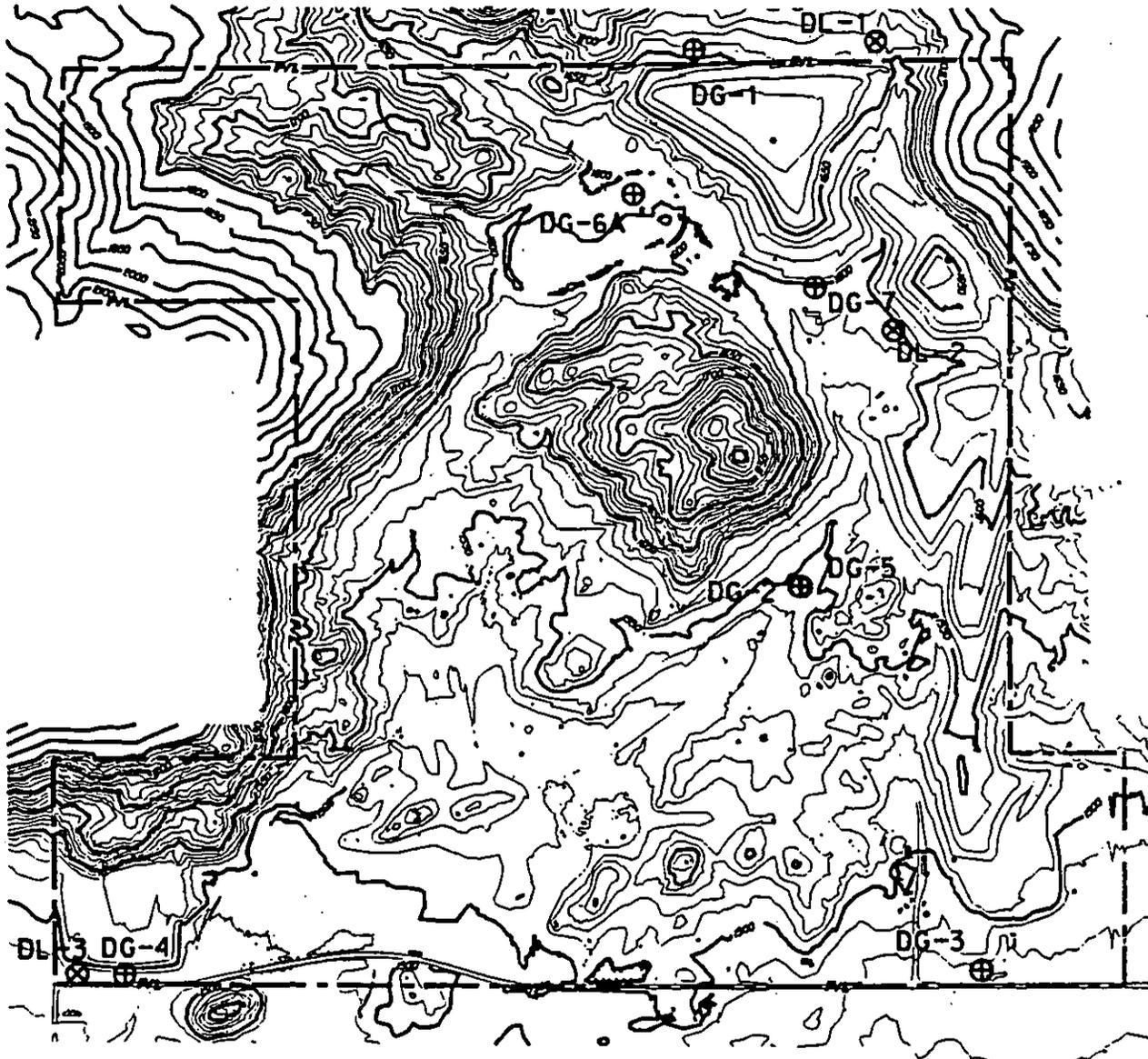
ATTACHMENTS:

1. Location Map
2. Facility Map
3. Permit No. 33-AA-0008
4. Planning and Local Assistance Division Analysis
5. Mitigation Monitoring and Implementation Schedule
6. Recent Compliance History
7. Permit Decision No. 92-123

Prepared By: David Otsubo ^{D.O.} _{10/14} Phone: 255-2433

Approved By: Phillip J. Morales ^{PJM} Phone: 255-2619

dko:\river\dbcai.908



Legend

- ⊗ Lysimeter
- ⊕ Groundwater Monitoring Well

**Waste Management
County of Riverside**

*Double Butte Sanitary Landfill
Groundwater Monitoring
Wells and Lysimeters*

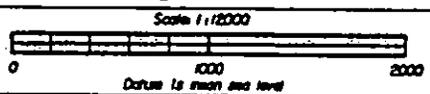


FIGURE 6

**OPERATING PERMIT FOR FACILITIES
RECEIVING SOLID WASTE**

TYPE OF FACILITY	FACILITY/PERMIT NUMBER
Sanitary Landfill	33-AA-0008

NAME AND STREET ADDRESS OF FACILITY
 Double Butte Sanitary Landfill
 31710 Grand Avenue
 Winchester, CA

NAME AND MAILING ADDRESS OF OPERATOR
 Robert A. Nelson, Director
 County of Riverside
 Department of Waste Management
 1995 Market Street
 Riverside, CA 92501

PERMITTING ENFORCEMENT AGENCY
 Local Solid Waste Management Enforcement
 Agency for Riverside County

CITY/COUNTY
 County of Riverside

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:

APPROVING OFFICER

John M. Fanning, Director
Department of Environmental Health
 NAME/TITLE

AGENCY ADDRESS

1737 Atlanta Avenue, Building H-5
 Riverside, CA 92507

AGENCY USE/COMMENTS

Property Owner: County of Riverside

SEAL

PERMIT RECEIVED BY CWMB

SEP 21 1992

CWMB CONCURRENCE DATE

PERMIT REVIEW DUE DATE

PERMIT ISSUED DATE



**Permit for Double Butte Sanitary Landfill
33-AA-0008**

SITE HISTORY

On June 22, 1972, The California Regional Water Quality Control Board - Santa Ana Region issued Order No. 72-29. The Double Butte Landfill was opened to the public in December 1973. The Local Solid Waste Management Enforcement Agency for Riverside County (LEA) issued a solid waste facilities permit on May 29, 1979. The Riverside County Department of Waste Management submitted an application for a permit review on July 24, 1989, which revealed that significant changes had taken place. The purpose of this permit revision is to address increases in tonnage, change in closure date and reduced hours of operation.

FINDINGS:

1. A. This facility is owned and operated by:

County of Riverside
Department of Waste Management
1995 Market Street
Riverside, California 92501

- B. The site encompasses 580.0 acres with 93 acres landfilled and no increase in footprint planned. Existing landfill areas will be brought to final grade (Report of Disposal Site Information Double Butte Sanitary Landfill-August 1992 (RDSI), page 11, Exhibit A & figure 8). The site is located in Section 20, Township 5 South, Range 2 West, except the southwest one-quarter of the northwest one-quarter, and the northwest one-quarter of the southwest one-quarter, and the west one-half of the southwest one-quarter of section 21, Township 5 South, Range 2 West, San Bernardino Base and Meridian. The site access road is located between Leon Road and Highway 74 on Grand Avenue (RDSI, page 11).

The RDSI contains a vicinity map of the facility in figure 3 and a detailed map of the landfill site is found in exhibit C of that document.

- C. The facility is provided with electricity, bottled water, two chemical toilets, telephone and radio transmitter/receiver and hand washing facility (RDSI, page 4).

At the entrance to the facility is the gate for site security, fee collection booth and scale. The operation compound provides the storage facility for the equipment and office. Other structures on the site not related to landfill operations are residential buildings occupied by park staff and currently unused structures relating to the parks equestrian activities (RDSI, page 12, Exhibit C).

- D. Non-hazardous solid wastes received at this facility consists of general residential waste, commercial waste and special wastes as indicated in Specifications, section 4. Neither hazardous waste nor non-hazardous liquid waste are accepted at this landfill (RDSI, page 8).

Special Wastes such as dead animals, if accepted, are buried immediately (RDSI, page 9). Soil that has been contaminated at a non-hazardous level is received after approval from the Regional Water Quality Control Board - Santa Ana Region and the Riverside County Department of Health (Hazardous Material Management Program and the LEA). Approved contaminated soils are not used for daily cover (RDSI, page 9).

- E. In 1990 this facility averaged 353 tons per day (RDSI, page 9). Recent weighed tonnage indicates an average of 297 tons per day. The site can handle an anticipated maximum daily sustained, ongoing load of 350-500 tons per day (RDSI, page 1). This facility has reduced its hours of operation from 8.5 to 4.5 hours per day. The receipt of construction waste is prohibited. The maximum allowable tonnage is 600 tons per day (Environmental Assessment No. 35526 [E.A.] Mitigation Measure IA; RDSI, pages 1, 2 & 9).

- F. Refuse enters the site and is weighed at the scale house. Signs then direct vehicles to the active face where the traffic controller directs unloading. Refuse is disposed of using the area method of landfilling. Solid waste is spread and compacted into thin layers with a working face 100-150 feet long. At the end of each working day compacted refuse is covered with at least six inches of compacted soil; this constitutes a waste cell (RDSI, page 1, 2).

- G. There is no salvaging of materials at the Double Butte site at this time. In response to the mandates of the California Integrated Waste Management Act of 1989, the County has adopted a plan to divert useful materials from county landfills by 1992. This will be achieved through promoting source reduction, recycling and composting (RDSI page 7).

- H. Incoming loads are inspected randomly. When unacceptable or hazardous wastes are discovered, the waste will be isolated from the public and the site operations. The proper authorities will be notified as per the "Protocol for Handling of Improperly Disposed of Hazardous Waste at Class III County Solid Waste Facilities" (RDSI, Appendix A).

Landfill employees are currently trained to recognize potentially hazardous wastes. There are signs at the entrance to the facility listing prohibited hazardous wastes.

Should unlawful disposal of hazardous waste occur the operator shall follow the "Protocol for Handling of Improperly Disposed of Hazardous Waste at Class III County Solid Waste Facilities" that includes immediately notifying (RDSI, pages 4 & 10):

Riverside County
Department of Environmental Health
Hazardous Materials Branch
4065 County Circle Drive
Riverside, CA 92503
(714) 358-5055

A hazardous waste load checking program is being developed for the Double Butte landfill. It will involve a Hazardous Materials Specialist from the Department of Environmental Health making periodic checks of incoming waste loads to determine if household or commercial hazardous wastes are present. Hazardous wastes discovered in this process will be isolated from other waste and temporarily stored on-site prior to being transported to a Class I disposal site. The Specialist will conduct an investigation to identify the hazardous material and determine the source of commercial hazardous wastes and assure proper disposal of the material. A site specific EPA generator number will be obtained prior to commencing the load checking program. Additionally, the load checking program must be approved by the LEA and be included as an amendment to the RDSI following the LEA's approval.

- I. The following are anticipated changes which may take place within the next five (5) years:
 - A. A change from afternoon operating hours to morning hours;
 - B. This facility may close sometime in 1994 (RDSI, page 2).
 - J. The hours of operation are from 12:00 p.m. until 4:30 p.m., Monday through Saturday excepting New Years Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day (RDSI, page 2). As of September 6, 1990, the site has a remaining capacity of 312,000 tons and is expected to close before the end of 1994 (RDSI, page 9). The operator shall notify the LEA and the California Integrated Waste Management Board (CIWMB) prior to changing the hours of operation.
2. The following agencies and documents condition the operation and use of this facility:
- A. Report of Disposal Site Information, Double Butte Sanitary Landfill, by Department of Waste Management, dated August 1992.
 - B. California Regional Water Quality Control Board-Santa Ana Region, Waste Discharge Requirements, Order 72-29, dated June 22, 1972 (RDSI, Appendix D).
 - C. California Regional Water Quality Control Board-Santa Ana Region, Monitoring and Reporting Program, Order 72- 29, dated August 3, 1981 (RDSI, Appendix D).
 - D. California Regional Water Quality Control Board-Santa Ana Region, Clean-up and Abatement Order No. 91-71, dated June 24, 1991.
 - E. Conditional Exemption from Rule 1150.1, South Coast Air Quality Management District, dated July 26, 1989 (RDSI, Appendix I).
 - F. Riverside County Planning Commission - Environmental Impact Report, EIR No. 2, accepted May 22, 1973. Riverside County Planning Department, Negative Declaration, Environmental Assessment No. 34033 -- Notice of Determination, filed September 19, 1989; Negative Declaration, Environmental Assessment No. 35526 -- Notice of Determination, filed January 17, 1991.

- G. Mitigation Monitoring and Implementation Schedule, E.A. # 35526, dated October 1990.
 - H. Stipulated Order of Compliance, dated October 4, 1991 - issued by the LEA.
 - I. County Ordinance 536, County Disposal and Transfer Site Regulations. This ordinance provides the Waste Disposal Engineer authority to refuse entry, have tested, and certify origin of questionable waste products.
 - J. Riverside County Land Use Ordinance No. 348, General Provisions Section 12.2.b(1), exempts public projects such as Sanitary Landfills from the Conditional Use Permit Process.
- 3. The following findings are required pursuant to Public Resources Code Sections 50000, 50000.5 and 44010:
 - A. This permit is consistent with the County Solid Waste Management Plan (CoSWMP), dated October 1989.
 - B. This permit is consistent with the standards adopted by the CIWMB.
 - C. The County of Riverside, Department of Planning, has determined that the Double Butte Landfill is consistent with the County General Plan, dated October 9, 1990.
 - 4. The design and operation of Double Butte Sanitary Landfill is in compliance with the State Minimum Standards for Solid Waste Handling and Disposal as determined by the LEA on June 15, 1992.
 - 5. Double Butte meets landfill perimeter clearance requirements and is annually inspected by the Riverside County Fire Authority (RDSI, Page 7, Appendix F).
 - 6. The Riverside County Planning Department has made a finding that surrounding land use is compatible with the facility operation.
 - 7. An Environmental Determination was filed with the State Clearinghouse (SCH No. 89062601) on July 27, 1989, for the waste diversion from Double Butte Landfill. An Environmental Determination was filed with the State Clearinghouse (SCH No. 90021034) on January 28, 1991.

CONDITIONS:

Requirements:

- 1. The Double Butte Sanitary Landfill must comply with State Minimum Standards for Solid Waste Handling and Disposal as stipulated in California Code of Regulations, Title 14, Chapter 3.
- 2. This facility must comply with all federal, state and local requirements and enactments, including all mitigation measures given in any certified environmental document filed pursuant to Public Resources Code, Section 21081.6.
- 3. Additional information must be provided as required by the LEA.

4. At the discretion of the LEA, landfill gas monitoring probes shall be installed for detection of gas migration. If needed, a gas control system shall be installed.
5. The operator shall maintain a copy of this Permit at the facility to be available at all times to facility personnel and to LEA personnel.

Prohibitions:

1. This facility shall not accept the following wastes for which it is not approved:
 - A. non-hazardous liquid wastes, containerized or not,
 - B. hazardous wastes,
 - C. construction and demolition wastes,
 - D. untreated medical wastes.
2. This facility shall not conduct any of the following activities:
 - A. burning of wastes,
 - B. scavenging,
 - C. salvaging,
 - D. allow standing water on filled surfaces.

Specifications:

1. Any change that would cause this facility not to conform to the terms or conditions of the permit is prohibited. Such a change would be considered a significant change and would require a permit revision.
2. This facility has a permitted daily capacity of 600 tons per operating day and shall not receive more than this amount without first obtaining a revision of the permit.
3. A change in the operator of this facility would require a new permit.
4. Special wastes are not received at this site on a routine basis (for instance, no non-hazardous contaminated soils were received in 1990). Any requests to discharge non-hazardous contaminated soils are reviewed by the Regional Water Quality Control Board, Hazardous Materials Branch and the LEA, prior to disposal. Special wastes, such as dead animals, are included in the permitted daily capacity of non-hazardous solid wastes mentioned in Specifications 2 above.

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. Any complaints pertaining to the facility received by its operator shall be forwarded to the LEA within one working day. This includes receipt of a notice of violation or notification of complaints about the facility received by other agencies.

Closure/Postclosure:

1. The operator shall submit a final closure and post-closure maintenance plan to the LEA two (2) years prior to the anticipated date of closure.
2. All documentation relating to the preparation of the closure and postclosure maintenance costs must be retained by the operator and shall be available for inspection by the CIWMB or the LEA at reasonable times.
3. Final Closure and postclosure plans for this landfill shall be submitted by December 31, 1992, which is two years prior to the anticipated date of closure.

Self-Monitoring:

The following items shall be monitored by the operator of this facility or his agent. Records including but not limited to these items shall be kept and made available to the LEA upon request:

1. Monthly monitoring of landfill gas migration at the perimeter and surface emissions shall be submitted to the LEA.
2. Quarterly groundwater quality monitoring shall be concurrently submitted to the LEA.
3. The operator shall maintain a record of total daily waste tonnage, also the number of vehicles entering the facility daily. The report shall be submitted to the LEA monthly.
4. The operator shall maintain a record of any cuts made to natural terrain where the fill has been placed and the depth to groundwater. This report shall be submitted to the LEA monthly.
5. The results of any programs created within the hazardous waste screening program shall be submitted to the LEA monthly.
6. Records of all incidents of unlawful disposal of prohibited materials and hazardous materials, the operator's actions and the final disposition of the materials shall be maintained and made available to the LEA.
7. The operator shall maintain a record of all complaints registered against the facility and any actions taken to resolve justified complaints.
8. The operator shall maintain a log of special occurrences. This log should include, but is not limited to, fires, injuries, property damage, accidents, explosions, discharge and disposition of hazardous or unpermitted wastes. The operator shall maintain this log at the facility so as to be available at all times to site personnel and to the LEA.

State of California

California Environmental
Protection Agency

M e m o r a n d u m

To : Paul Sweeney

Date: March 9, 1992

From : John S. Brooks
John S. Brooks
Local Assistance

Subject: Double Butte Landfill Proposed Solid Waste Facilities
Permit No. 33-AA-0008 Conformance Findings Required by
AB 2296

Finding of Consistency with Waste Diversion Goals (PRC Section
44009):

Approval of the proposed permit for the Double Butte Landfill would not prevent nor impair achievement of the waste diversion requirements. There are no flow control agreements between the operator (Riverside County) and the jurisdictions and they are actively trying to reduce the amount of waste being received at the site to extend its life.

Source Reduction and Recycling Element:

The facility was identified in the County unincorporated area SRRE. The SRRE indicates that the landfill will be replaced by a transfer station/material recovery facility with a compost option when it is closed. This facility will be located at this site or nearby and be in operation by 1994 and would be designed to accommodate up to 1,500 tons-per-day. The remaining waste would then be disposed of at the Lamb Canyon Landfill. The facility currently provides disposal for:

<u>Jurisdiction</u>	<u>Percent of Waste</u>
Hemet	26%
Temecula	27%
Unincorporated County	44%
Lake Elsinore	4%
San Jacinto	4%
Miscellaneous	12%

Local Task Force:

Board staff have contacted LTF staff (County Staff) to find out how this facility fits in with Riverside's overall Integrated Waste Management plans. The LTF has reviewed the proposed project and finds it necessary to provide adequate disposal in the region until the regional MRF can be sited. The remaining waste from the MRF will then be transferred to Lamb Canyon Landfill to be disposed.

Facility Information:

This landfill is scheduled to be closed in the first quarter of 1994. County staff state that regional MRFs will be sited and solid waste will be directed through the MRFs before it goes to the area landfills. They are reducing the site operating hours from 8.5 to 4.5 hours in an attempt to increase the length of time the facility will be open, so that the proposed MRF will be on-line when it closes. The Permit states that the landfill will not accept construction and demolition waste. There are no diversion programs planned or on-going at this site and the facility will be closing before the majority of the diversion programs in the area would substantially reduce the amount of waste received.

Summary:

Approval of the permit would not prevent nor impair the achievement of the waste diversion goals for those jurisdictions that use the Double Butte Landfill.

Conformance with CoSWMP:

The facility is identified and described in the most recently adopted Riverside County Solid Waste Management Plan (October, 1989)

Conformance with the General Plan:

According to the proposed permit the facility was "found to be consistent with, and shown to be designated in, the Riverside County Comprehensive General Plan by the Riverside County Planning Department in a letter dated July 23, 1990."

Riverside County Waste Management Department
Double Butte Landfill Mitigation Measure Monitoring Program
Negative Declaration/Environmental Assessment No. 35526
October 1990

Attachment 5

Mitigation Measure: Erosion control and maintaining slope stability

Agency or Individual
Responsible for
Implementation:

Riverside County Waste Management Department

Timing:

Before the period of heaviest seasonal rainfall, the Riverside County Waste Management Department will regrade all fill areas which show signs of inadequately maintained slopes or differential settlement. This must be completed by November 1 of each year, in order to comply with Regional Water Quality Control Board (RWQCB), Santa Ana Region standards. More frequent regrading will be implemented upon the recommendation of the Riverside County Local Solid Waste Enforcement Agency (LEA) and the RWQCB.

Monitoring Work
Program:

The Riverside County Waste Management Department provides monitoring reports to the Regional Water Quality Control Board, Santa Ana Region, on a quarterly basis including an erosion control and regrading program. One site visit at the time of final inspection should be conducted to ensure compliance. Annual monitoring should occur (or more frequently) upon specific LEA or RWQCB recommendation.

Funding:

Operations budget of the Riverside County Waste Management Department. Long-term maintenance will be performed by the said Department or successors in interest.

Standards for
Success:

Frequent monitoring of Riverside County landfill sites by the LEA and RWQCB will ensure that adequate slope stability, erosion control, and proper drainage are maintained. Failure to comply with either agency's standards can result in the revoking of the Solid Waste Facilities Permit or Waste Discharge Permit and the subsequent closure of the landfill. Site inspection should be made for as long as the approved land use or the site facility permit remains.

Mitigation Measure: Mitigating fire hazards

Agency or Individual
Responsible for
Implementation:

Riverside County Waste Management Department

Timing:

Adequate fire control will be provided on a daily basis by site crews equipped with a water-truck and heavy equipment, and by segregating hot loads. Fire prevention will be maintained by following public resources guidelines and through frequent site inspections by the LEA and Riverside County Fire Department. At these times the adequacy of fire prevention equipment will be determined. The LEA will determine if fire prevention measures and equipment are sufficient on-site before the issuance of a revised Solid Waste Facilities Permit. Implementation should occur before the issuance of the said permit.

Monitoring Work
Program:

The LEA and Facility Engineers should check fire codes and fire prevention measures and make a site inspection before the issuance of a revised permit. One site visit at the time of final inspection should be conducted to ensure compliance. Monthly monitoring should occur.

Funding:

Operations budget of the Riverside County Waste Management Department. Long-term maintenance will be performed by the said Department or successors in interest.

Standards for
Success:

Operational techniques used to prevent fires (such as proper compaction and the use of a water truck) should be performed on a daily basis and whenever necessary to mitigate the potential for fire hazards and should occur as long as the approved land use remains.

Mitigation Measure:

Monitoring for ground water quality
leachate occurrence

Agency or Individual
Responsible for
Implementation:

Riverside County Waste Management Department

Timing:

The Riverside County Waste Management Department will submit Solid Waste Water Quality groundwater test reports to the Regional Water Quality Control Board, Santa Ana Region, as mandated by its waste discharge requirements to determine if pollutants from the landfill are leaching into groundwater on or off-site. Implementation will initially occur on a quarterly basis but may

be modified to a different interval by the Water Quality Control Board during the life of the facility permit.

Monitoring Work Program:

Facility Engineers and the Regional Water Quality Control Board, Santa Ana Region, should closely evaluate the water quality monitoring reports based on samples taken from groundwater wells around and adjacent to the site weighed against the regional basins water quality objectives. One site visit at the time of final inspection should be conducted to ensure compliance. Quarterly monitoring should occur, or at a frequency to be determined by the RWQCB.

Funding:

Operations budget of the Riverside County Waste Management Department. Long-term maintenance will be performed by the said Department or successors in interest.

Standards for Success:

The Riverside County Waste Management Department operates in compliance with Regional Water Quality Control Board Waste Discharge Requirements, in accordance with regional basin water quality objectives. If significant amounts of contaminants from the landfill are found to be leaching into the groundwater at or near the site, the Waste Management Department will arrange for an appropriate remediation program.

Mitigation Measure:

Mitigating the occurrence of household hazardous and commercial hazardous (toxic) wastes at the landfill

Agency or Individual Responsible for Implementation:

Riverside County Waste Management Department

Timing:

Upon the issuance of the revised Solid Waste Facilities Permit for the landfill, the Hazardous Materials Branch-Environmental Health Services Division, of the Riverside County Health Department will proceed with plans to implement a waste load checking program at the landfill. Implementation should occur after California Integrated Waste Management Board adoption of the permit revision.

Monitoring Work Program:

A Specialist from the Environmental Health Services Division will make periodic checks of waste loads entering the landfill to determine if any household hazardous or commercial hazardous (toxic) wastes are entering the landfill.

One site visit at the time of final inspection should be conducted to ensure compliance.

Funding:

Operations budget of the Riverside County Waste Management Department. Long-term maintenance will be performed by the said Department or successors in interest.

Standards for Success:

If found, household hazardous waste will be isolated from other landfilling cells and will be collected and transported away from the site as part of the Environmental Health Services Division household hazardous waste collection program. If commercial hazardous waste is identified, the Environmental Health Services Specialist present will identify the hazardous waste type and conduct an investigation for the responsible party. If the situation is not an emergency, such as those that involve nonpoisonous and non flammable materials, the hazardous waste will be collected, cordoned off in a remote area, and treated. If an emergency situation does exist, a qualified hazardous waste disposal company will be called in immediately to collect the commercial hazardous waste and transport it safely to a hazardous waste treatment or disposal facility.

Mitigation Measure:

Mitigating the potential of environmental hazard associated with nuisance wastes

Agency or Individual Responsible for Implementation:

Riverside County Waste Management Department

Timing:

The Waste Management Department's procedures for the acceptance, refusal, and handling of nuisance wastes will be examined by the LEA before the issuance of a revised Solid Waste Facilities Permit. Implementation should occur before the issuance of the said permit and monthly thereafter.

Monitoring Work Program:

Facility Engineers will check operations reports and landfill cell areas to determine if the amount of nuisance wastes received is at an acceptable level, and if the mitigation measures being used are effective. Nuisance wastes will be segregated at the site and buried immediately. Facility Engineers will refuse entry, have tested, and certify the origin of questionable waste materials. The LEA will also determine the sufficiency of such procedures. One site visit at the time of final inspection should be conducted to ensure compliance. Monthly monitoring should occur

and more frequently as required.

Funding:

Operations budget of the Riverside County Waste Management Department. Long-term maintenance will be performed by the said Department or successors in interest.

Standards for Success:

The Waste Management Department operates under the requirements of State Water Resources Control Board Guidelines Title 23, Subchapter 15, and County Ordinance 536 which specify waste types to be received and procedures for their acceptance. Additional measures, such as refusing entry, pre-notifying the Operator, and separation from the waste stream-for nuisance wastes will continue to be employed by the Waste Management Department and should occur for as long as the approved land use remains.

Mitigation Measure:

Controlling fugitive dust

Agency or Individual Responsible for Implementation:

Riverside County Waste Management Department

Timing:

The LEA will review operational procedures and the spraying of fugitive dust via water truck, and will incorporate these procedures in the Solid Waste Facilities Permit conditions. Implementation should occur before the issuance of the said permit and monthly thereafter.

Monitoring Work Program:

The LEA and Facility Engineers should check operations procedures and make a site inspection before the issuance of a revised permit. One site visit at the time of final inspection should be conducted to ensure compliance. Monthly monitoring should occur.

Funding:

Operations budget of the Riverside County Waste Management Department. Long-term maintenance will be performed by the said Department or successors in interest.

Standards for Success:

Operational techniques used to mitigate dust (such as spraying by a water-truck) should be performed on a daily basis and whenever necessary to mitigate the potential for dust generation and should occur as long as the approved land use remains.

Mitigation Measure:

Noise attenuation devices

Agency or Individual Responsible for Implementation:

Riverside County Waste Management Department

Timing: Increases in the number of vehicles requiring the use of noise attenuation devices is concurrent with landfill operation procedures. Environmental equipment used should be in accordance with California Occupational Safety and Hazard Authority (OSHA) or Federal OSHA requirements prior to use by the Operator. Noise suppressors such as mufflers must be incorporated with landfill machinery. Implementation should occur at the time of need associated with the development of the landfill.

Monitoring Work Program: Sound or noise measurements in terms of decibels per second shall be done at least once a year at various distances from landfill machines in order to ensure noise levels to be within California OSHA standards. One site visit at the time of final inspection should be conducted to ensure compliance. Annual monitoring should occur.

Funding: Operations budget of the Riverside County Waste Management Department. Long-term maintenance will be performed by the said Department or successors in interest.

Standards for Success: Noise attenuation devices should be incorporated into all machinery, prior to operation, for use at the landfill site for as long as the approved land use remains.

Mitigation Measure: Operational set-backs

Agency or Individual Responsible for Implementation: Riverside County Waste Management Department

Timing: The LEA will review operational procedures and the use of set-backs to mitigate landfill noise and will determine if this procedure is sufficient before the issuance of a revised Solid Waste Facilities Permit and monthly thereafter. Implementation should occur, when required, and at the time of need associated with the development of the landfill.

Monitoring Work Program: The Operator will review development plans to ensure that sufficient buffers and set-backs exist between the landfill and noise sensitive or residential areas. The LEA and Facility Engineers should check field operations and make a site inspection before the issuance of a revised permit. One site visit at the time of final inspection should be conducted to ensure compliance. Monthly

monitoring should occur.

Funding: Operations budget of the Riverside County Waste Management Department. Long-term maintenance will be performed by the said Department or successors in interest.

Standards for Success: Frequent inspections by the LEA and supervision in design maintenance by Facility Engineers will ensure that adequate set-backs are provided in order to mitigate noise impacts from landfill operations. Operational set-backs or alternative terrain barriers should be used as long as the approved land use remains.

Mitigation Measure: Gas migration monitoring

Agency or Individual Responsible for Implementation: Riverside County Waste Management Department

Timing: The Waste Management Department will submit test results on samples obtained from probes located around the landfill to the South Coast Air Quality Management District (SCAQMD) to determine whether landfill gas (such as methane) is migrating beyond the site boundary. Implementation should occur quarterly or at a frequency required by the SCAQMD during the life of the permit.

Monitoring Work Program: Facility Engineers, the SCAQMD, and the LEA should review test results on air samples from probes and determine whether landfill gas is migrating beyond the site boundary or emitting through the landfill cover in a significant concentration that may pose a hazard to the surrounding community. Periodic reviews of design and monthly inspections should occur to determine the sufficiency of landfill gas monitoring probes.

Funding: Operations budget of the Riverside County Waste Management Department. Long-term maintenance will be performed by the said Department or successors in interest.

Standards for Success: Migrating methane gas should not exceed the State Standard of 25% of the lower explosive limit. Surface emissions of methane gas should not exceed 500 parts per million in accordance with SCAQMD Rule 1150.1. Laboratory test results of air samples, monthly LEA inspection, and SCAQMD required monitoring of landfill gas migration and surface emission by the Waste

Management Department should occur in order to ensure the immediate detection of any migrating gases at an unacceptable level of concentration which could impact public health and safety. Air quality monitoring should occur as long as the approved land use remains.

Mitigation Measure:

Stand-by equipment

Agency or Individual
Responsible for
Implementation:

Riverside County Waste Management Department

Timing:

Upon the break-down of equipment operating at the site, the Waste Management Department maintains additional equipment and funding that will enable the Department to immediately replace faulty equipment allowing operations to continue at the landfill, without interruption. Implementation should occur at the time of need associated with the development of the landfill, or as required.

Monitoring Work
Program:

The Waste Management Department will keep stand-by equipment sufficiently maintained and readily available (including a low-buoy and stand-by driver) in case of emergency. Waste Management staff will determine the sufficiency and operating ability of each piece of equipment. The Operator will review development plans to ensure that an increase in daily waste loads received at the landfill will require an increase in maintenance of on-site equipment. Monthly monitoring should occur.

Funding:

Operations budget of the Riverside County Waste Management Department. Long-term maintenance will be performed by the said Department or successors in interest.

Standards for
Success:

The Waste Management Department purchases new equipment upon the recommendation of the LEA, Facility Engineers, and Site Supervisors, ensuring that equipment on-site is of a high standard and in good working condition. This will ensure the longevity of stand-by equipment. Stand-by equipment should be an approved requirement for as long as the approved land-use remains.

Mitigation Measure:

Odor and Vector Control

Agency or Individual
Responsible for
Implementation:

Riverside County Waste Management Department

Timing:

Facility Engineers in conjunction with the Site Supervisor and the LEA will determine

if the present practice of compacting and covering refuse at the site is sufficient to control vectors and odors, before the issuance of a revised Solid Waste Facilities Permit. Implementation should occur before the issuance of the said permit and monthly thereafter.

Monitoring Work Program:

Facility Engineers and the LEA should check daily operations reports and make a site inspection before the issuance of a revised permit to ensure that the Waste Management Department is operating in compliance with Title 14 of the State Code of Regulations which regulates the compaction and cover frequency of waste materials. The LEA will determine, upon monthly inspections, if vectors or odors are causing any problems to public health and safety. Monthly monitoring should occur.

Funding:

Operations budget of the Riverside County Waste Management Department. Long-term maintenance will be performed by the said Department or successors in interest.

Standards for Success:

Operational techniques used to mitigate odor and vectors at the landfill site (such as frequent compaction and covering of waste materials) should be performed on a daily basis and whenever necessary to mitigate the potential for odor and vectors and should occur as long as the approved land use remains.

Mitigation Measure:

Litter Control ✓

Agency or Individual Responsible for Implementation:

Riverside County Waste Management Department

Timing:

The LEA will review litter control practices at the landfill, both on and off-site, to determine the effectiveness of litter pick-up and the sufficiency of labor for performing this task before the issuance of a revised Solid Waste Facilities Permit. Implementation should occur before the issuance of the said permit and monthly thereafter.

Monitoring Work Program:

The LEA and the Waste Management Department's Refuse Control Coordinator should check operations reports and make a site inspection to determine if there are any visual impacts at or near the landfill caused by wind-blown litter. These monitoring measures should be completed before the issuance of a revised permit. One site visit at the time of final inspection should be conducted to ensure

compliance. Monthly monitoring should occur.

Funding:

Operations budget of the Riverside County Waste Management Department. Long-term maintenance will be performed by the said Department or successors in interest.

Standards for Success:

Litter control will be performed by the Refuse Control Coordinator and his litter control crew on weekdays, and on weekends by participants of the weekend work release program (Sheriff's Department) supervised by the litter control crew. Litter control should be performed on a daily basis and whenever necessary to mitigate the potential for litter on and off-site and should occur as long as the approved land use remains.

Mitigation Measure:

Notifying the Regional Water Quality Control Board, Santa Ana Region, of changes in operation

Agency or Individual Responsible for Implementation:

Riverside County Waste Management Department

Timing:

The Regional Water Quality Control Board, Santa Ana Region, will review operational changes at the landfill and will determine if such changes (such as an increase in daily waste loads received) by the Operator are in compliance with Waste Discharge Orders for the site before the issuance of a revised Solid Waste Facilities Permit. Implementation should occur before the issuance of the said permit and thereafter upon operational changes at the site.

Monitoring Work Program:

The Regional Water Quality Control Board, Santa Ana Region, should periodically inspect the site to ensure that Waste Discharge Requirements are being met and that there are no unknown operational changes being implemented which require approval. One site visit at the time of final inspection should be conducted to ensure compliance. Annual monitoring should occur.

Funding:

Operations budget of the Riverside County Waste Management Department. Long-term maintenance will be performed by the said Department or successors in interest.

Standards for Success:

Reports containing operational changes will be submitted to the Regional Water Quality Control Board, Santa Ana Region, when required.

for as long as the approved land use remains.

Mitigation Measure:

On-site access and unloading mitigation

Agency or Individual
Responsible for
Implementation:

Riverside County Waste Management Department

Timing:

The LEA will determine if on-site traffic mitigation procedures are adequate in preventing either unsafe conditions or an impacted circulation flow before the issuance of a revised Solid Waste Facilities Permit. Implementation should occur before the issuance of the said permit and monthly thereafter.

Monitoring Work
Program:

Facility Engineers and the LEA should check dirt access roads (to the fill area) to see if they are designed properly and are safe for vehicle handling. The unloading area of the landfill should be big enough to provide easy access. Signage and operator direction shall provide for safe and efficient entrance to, unloading, and exit from the landfill. One site visit at the time of final inspection should be conducted to ensure compliance. Monthly monitoring should occur.

Funding:

Operations budget of the Riverside County Waste Management Department. Long-term maintenance will be performed by the said Department or successors in interest.

Standards for
Success:

Operational techniques used to mitigate access flow to the landfill unloading areas should be performed on a daily basis and whenever necessary to mitigate the potential for unsafe operating conditions and should occur as long as the approved land use remains.

Mitigation Measure:

Safety

Agency or Individual
Responsible for
Implementation:

Riverside County Waste Management Department

Timing:

The LEA will review operational procedures concerning landfill safety and will check daily operations reports to assure that there are no current safety hazards associated with the operation of the landfill before the issuance of a revised Solid Waste Facilities Permit. Implementation should occur before the issuance of the said permit and monthly thereafter.

Monitoring Work

Program:

The LEA, Facility Engineers, and the County Safety Officer should review operations reports, accident reports, and make a site visit before the issuance of a revised permit. One site visit at the time of final inspection should be conducted to ensure compliance. Monthly monitoring should occur.

Funding:

Operations budget of the Riverside County Waste Management Department. Long-term maintenance will be performed by the said Department or successors in interest.

Standards for Success:

The County Safety Officer reviews operational procedures and accidents at the landfill and recommends changes to promote safety. The Waste Management Department maintains safe and upgraded equipment and requires that equipment operators be periodically tested and attend monthly "tailgate" safety meetings.

Mitigation Measure:

Safety measures for above-ground fuel storage tanks

Agency or Individual Responsible for Implementation:

Riverside County Waste Management Department

Timing:

Facility Engineers and the LEA will determine the safety of above-ground fuel storage tanks before the issuance of a revised Solid Waste Facilities Permit. Implementation should occur before the issuance of the said permit and monthly thereafter.

Monitoring Work Program:

Above-ground fuel storage tanks will be frequently tested to ensure that there is no leakage. Tests are made before filling each tank with fuel. The LEA and Facility Engineers should check operations reports and make a site inspection before the issuance of a revised permit.

What type

Funding:

Operations budget of the Riverside County Waste Management Department. Long-term maintenance will be performed by the said Department or successors in interest.

Standards for Success:

Operational techniques used to mitigate the potential for above-ground fuel storage tank leakage (such as the use of a secondary containment liner) will be used to prevent spillage that could contaminate ground water or impact public health and safety, and should occur for as long as the approved land use remains.

Mitigation Measure:

Post-closure trust fund agreement and financial liability

Agency or Individual
Responsible for
Implementation:

Riverside County Waste Management
Department

Timing:

The Riverside County Waste Management Department will provide a financial mechanism for the arrangement of trust fund agreements for the closure and 15-year postclosure maintenance of Riverside County landfills. The Waste Management Department will also provide assurance that adequate financial resources will be available in times of emergency, such as responding to a personal injury or property damage claim against the said Department in its operation of solid waste disposal facilities. Legislation concerning solid waste disposal facilities should be implemented as required.

Monitoring Work
Program:

The California Integrated Waste Management Board will monitor the Waste Management's progress in meeting legislation affecting solid waste disposal facilities. This determination will be made when the Waste Management Department applies for a revised permit and more frequently as required.

Funding:

Operations budget of the Riverside County Waste Management Department. Long-term funding will be performed by the said Department or successors in interest.

Standards for
Success:

The Riverside County Waste Management Department will act in compliance with legislation regarding solid waste disposal facilities, whenever possible to ensure that beneficial improvements in operation can be implemented as soon as possible to assure public health and safety. This should occur for as long as the approved land use remains.

Attachment 6

State of California

California Environmental
Protection Agency

MEMORANDUM

To: David Otsubo,
Permitting Branch
Compliance and Permitting Division

Date: September 30, 1992

From: Georgianne Turner
Georgianne Turner
Compliance Branch
Compliance and Permitting Division
CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD



Subject: COMPLIANCE HISTORY OF DOUBLE BUTTE SANITARY LANDFILL

The Board's Compliance Branch staff conducted a state annual inspection (SAI) of Double Butte Sanitary Landfill on June 15, 1992, in conjunction with the County of Riverside LEA staff. The facility was assessed for compliance with applicable sections of Division 30, Public Resource Code (PRC) and California Code of Regulations (CCR), Title 14, Chapter 3, State Minimum Standards (SMS). Two violations were noted during the inspection:

- 30 PRC 44004 - Significant Change
- 14 CCR 17704 - Leachate Control

The LEA's subsequent monthly inspection reports documented the following: The August 4, 1992 monthly inspection noted violations 14 CCR 17682 - Cover, 14 CCR 17684 - Intermediate Cover, 14 CCR 17708 - Drainage and Erosion Control and 14 CCR 17727 - Equipment. The LEA conducted a follow up inspection on August 6, 1992 which documented all SMS violations had been corrected except 14 CCR 17708 - Drainage and Erosion Control. The September 29, 1992 monthly inspection report noted a violation of 14 CCR 17684 - Intermediate Cover.

The facility has had reoccurring operational violations. Although the operator promptly repairs violations noted in the LEA's inspection reports, they have difficulty consistently maintaining compliance at the facility. In addition, the Board's compliance staff still considers the facility in violation of 14 CCR 17704 - Leachate Control even though the LEA has not documented this as a violation or area of concern.

attachments

Attachment 7

California Integrated Waste Management Board

Permit Decision No. 92-123

October 29, 1992

WHEREAS, the County of Riverside Department of Health, acting as the Local Enforcement Agency, had determined in 1989 that the Double Butte Sanitary Landfill was being operated in violation of the terms of its Solid Waste Facilities Permit because it was exceeding its allowable tonnage; and

WHEREAS, the County of Riverside Department of Health and the operator agreed to a Stipulated Order of Compliance effective October 24, 1991; and

WHEREAS, the Stipulated Order of Compliance mandated the operator to obtain a revised Solid Waste Facilities Permit while allowing the facility to operate in the interim; and

WHEREAS, the operator submitted the necessary information to obtain a revised Solid Waste Facilities Permit to the Local Enforcement Agency; and

WHEREAS, the County of Riverside Department of Health has submitted to the Board for its review and concurrence in, or objection to a revised Solid Waste Facilities Permit for the Double Butte Sanitary Landfill; and

WHEREAS, Board staff has evaluated the proposed permit for consistency with the standards adopted by the Board; and

WHEREAS, the Board finds that all state and local requirements for this proposed permit have been met, including consistency with Board standards, conformance with the County Solid Waste Management Plan, consistency with the General Plan, and compliance with the California Environmental Quality Act.

NOW, THEREFORE, BE IT RESOLVED that the California Integrated Waste Management Board concurs in the issuance of Solid Waste Facilities Permit No. 33-AA-0008.

CERTIFICATION

The undersigned Executive Director of the California Integrated 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 Integrated Waste Management Board held October 29, 1992.

Dated:

Ralph E. Chandler
Executive Director

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

Permitting and Enforcement Committee
October 21, 1992

AGENDA ITEM 10

ITEM: Consideration of Concurrence in the Issuance of a Revised Solid Waste Facilities Permit for the Southeast Resource Recovery Facility, Los Angeles County

BACKGROUND:

Facility Facts

Name: Southeast Resource Recovery Facility (SERRF)
Facility No. 19-AK-0083

Facility Type: Resource Recovery (Waste-to-Energy) Facility

Location: 120 Henry Ford Avenue, Long Beach

Area: 17.2 acres

Setting: Surrounding land use is zoned "MP," port related industrial district

Operational Status: Permitted, operating with a maximum throughput not to exceed 471,000 tons per year. The daily limit for waste receipt is 2,240 tons and the weekly receipt and burn limit is 11,000 tons.

Owner: SERRF Joint Powers Authority

Operator: Mr. Charles R. Tripp, Operations Officer
City of Long Beach

LEA: City of Long Beach Department of Health and Human Services, Bureau of Environmental Health

Proposed Project

To incorporate into the facility's design and operation an ash treatment process, required by the Regional Water Quality Control Board and to establish in the permit clearly delineated daily, weekly, and yearly tonnage limits.

SUMMARY:

Site History The City of Long Beach (the City), collects solid waste from residential and small commercial sources. Private refuse collectors provide service to the larger commercial sources in the City. Prior to 1980, waste collected by the City was hauled to a privately owned transfer station for processing and disposal at two nearby landfills. Upon closure of the landfills in 1980, only the privately owned transfer station remained to handle the City's waste stream. As a result, the City created SERRF as part of its long term waste management strategy which included, as it is stated in the Report of Station Information, "recycling to provide for containment of disposal costs and achievement of community goals related to conservation of natural resources and diminished dependence on sanitary landfills." On May 30, 1985, the Local Enforcement Agency issued the initial Solid Waste Facilities Permit for the commencement of operations at SERRF.

Facility Description SERRF is located at 120 Henry Ford Avenue, in the City of Long Beach. It is located on a 17.2 acre parcel in the City's Terminal Island area. This facility is owned by a Joint Powers Authority (JPA) that was formed between the City of Long Beach and the County Sanitation District No. 2 of Los Angeles County. The City of Long Beach leases the facility from the JPA, and has hired the Montenay Pacific Power Corporation to operate the facility under the City's "reasonable charge."

The facility design consists of the following major components:

- o A scale-house and scales
- o A trucking and receiving floor with a refuse container pit
- o Two cranes and a refuse (fuel) feeding hopper
- o Three water-wall combustion chambers or boilers
- o A steam turbine
- o Anhydrous ammonia storage tank
- o Air emission control equipment consisting of flue gas recirculation, ammonia injection, combustion controls, and a dry scrubber-baghouse
- o A tri-flue exhaust stack
- o An ash loadout conveyor system and ash processing area
- o Water cooling towers
- o Maintenance and recovered materials storage areas
- o Administration buildings
- o A storage area for hazardous wastes that may be discovered as a result of the waste load checking program.

The waste supply commitment for SERRF is contained in the JPA, which requires the City of Long Beach to transport to SERRF all residential and commercial solid waste collected by the City.

The City collects an estimated 60% of the total refuse generated within its boundaries. This translates into the City of Long Beach having under its direct control an average of about 221,000 tons per year of solid waste and available for the operations at SERRF. The City also has a contract with the City of Lakewood to accept all of that city's residential and commercial refuse at SERRF. SERRF also has a contract with Los Angeles County Sanitation District No. 2 to receive refuse from the Southgate Transfer Station in the event that SERRF is lacking sufficient refuse to maintain the designed steam flow.

The amount of waste received at SERRF is limited to 471,000 tons per year, a condition imposed by the Prevention of Significant Deterioration permit from the United States Environmental Protection Agency. Of this total, about 400 tons is said to be recoverable ferrous material and another 400 tons is unprocessable waste. Thus, the annual tonnage available for fuel at the facility is about 470,200 tons and about 135,000 tons of ash residue is produced annually from the operation of the facility.

The composition of the waste received at SERRF has energy content that ranges between a low of 2,327 BTU/lb and a high of 5,376 BTU/lb, with a typical value of 4,654 BTU/lb. The facility design is such that the three boilers are on the average, available for combustion of the fuel at 85% of the time. The facility combusts an annual average of 1,380 tons per day, at the nominal capacity of 460 tons per day of each of the three boilers. The maximum throughput, accounting for the moisture content of the fuel, is 1,600 tons per day of waste (fuel) to continuously produce the 117,170 pounds per hour of steam flow required to generate the design average of 29.6 megawatts of electricity.

A typical operation at the facility proceeds as follows: Refuse is delivered in trucks, the trucks are weighed and then unload the waste onto the tipping floor. Employees visually inspect the unloaded waste for unprocessable and hazardous wastes. Front-end loaders push the waste into a storage pit. From the pit, the refuse (fuel) is dropped by two overhead cranes into the feed hopper of one of the three boilers. The waste is fed by gravity from the feed hopper into the boilers where it is burned under controlled conditions on the stoker grate. The heat generated by burning the waste converts water flowing through tubes in the boilers into steam. The steam is used to drive a turbine-generator to produce electricity. Following discharge from the turbine-generator, the steam is condensed back into water and is recycled to the boilers. Some of the electricity generated at

the facility is used to operate SERRF and the rest is sold to Southern California Edison Company for distribution to its customers.

The facility receives an average of 1,669 tons and a maximum peak loading of 2,240 tons of refuse per day. The facility is also permitted to burn narcotics confiscated by law enforcement from State-wide collections. The South Coast Air Quality Management District, in a letter dated June 5, 1992, approved a protocol for narcotics burning that was proposed by SERRF. SERRF is permitted to burn up to 11,000 tons of refuse per week, including the narcotics.

The daily, weekly, and yearly tonnage limits delineated in the proposed permit are consistent with the original Environmental Impact Report and subsequent Negative Declarations that were prepared in consideration of the operations of the project. This determination was made on September 24, 1992, by the Planning Department of the City of Long Beach.

SERRF has the capability of transferring waste directly to a landfill when the facility's receiving and storage capacity is full and/or there is a complete breakdown of the operating systems.

Environmental Controls Environmental controls for refuse storage pit management, dust, air, water, ash residue and narcotics burning procedures are presented in the proposed permit and Report of Station Information that have been submitted for this facility.

Refuse Storage Pit Management This facility operates 24-hours per day and therefore, there is a need to have available refuse (fuel) of about 5,000 tons, in two piles, in the storage pit at the end of each waste receipt day. Since this operational requirement may also lead to problems of odor and anaerobic gas generation inside the refuse storage pit, a pit management plan has been developed to mitigate any of these potential adverse impacts.

This pit management plan proposes to work by having the overhead crane feed the hoppers with refuse from one pile until it reaches the bottom and then switching to the other. This procedure is planned to ensure that one or the other side of the refuse storage pit will be completely cleaned on a weekly basis.

Dust Dust generated at the tipping floor area is controlled by locating the combustion air intakes, (approximately 57,000 air cubic feet per minute per operating boiler) over the refuse unloading and storage pit. This area is totally enclosed and

kept under negative pressure as mandated in the combustion air requirements. The roof vents in the tipping and storage pit areas are equipped with prefilters and activated carbon panels to remove more than 99% of the dust and odors.

Air SERRF is operated under air permits issued by the South Coast Air Quality Management District (SCAQMD). The facility is currently operating under a Permanent Permit to Operate issued March 6, 1992. This permit sets forth conditions for operations of the facility including limitations on the quantity of waste burned, steam production (117,170 pounds per hour at 660 pounds per square inch absolute and 752 degrees Fahrenheit), criteria pollutant emission rates for hourly and daily conditions, and the total supplemental natural gas usage per boiler (1,300,000 standard cubic feet per day).

Water SERRF operates under a National Pollution Discharge Elimination Systems (NPDES) permit from the Los Angeles Regional Water Quality Control Board (LARWQCB) for discharge of storm water runoff and boiler and cooling tower blowdown to the near-by Cerritos Channel.

Ash Residue The operations of this resource recovery facility generate ash residues in the range of between 94,800 to 141,000 (typically about 135,000) tons per year. This non-hazardous ash residue is transported to the Puente Hills Landfill in tightly sealed trucks for disposal on a daily basis.

Although this ash residue has been characterized as non-hazardous, in order to ensure the long-term protection of the environment, the LARWQCB by Order No. 91-035 required that SERRF propose an ash treatment system to render the ash non-leachable prior to disposal at the landfill. To comply with his mandate, the City of Long Beach has proposed a treatment system called the "Wes-PHix" system to treat the ash. The Wes-PHix system is a chemical fixation process for the treatment and immobilization of heavy metals commonly found in ash residues. SERRF proposes to treat the bottom ash and flyash separately.

The existing flyash system will be modified to allow the addition of 10% to 15% by weight Portland cement, and 0.5% to 3.0% phosphate treatment. The bottom ash treatment system is to be modified to allow the addition of 0.5 - 1.0 phosphate treatment and 10 - 12% Portland cement. By adding cement and phosphate, the ash treatment requirement is expected to be met. This treatment system is required to be in place and functional by September 30, 1992.

Resource Recovery Programs Resource recovery, in the larger sense, is said to be the concept that led the City of Long Beach to create SERRF in the first place. In addition to this, there is also a recovery program for ferrous metals at this facility. Employees remove these materials from the tipping floor and place them in roll-off scrap metal bins for transport off-site by a licensed scrap metal dealer. An average of 8.5 tons of scrap metals are recovered and removed weekly. This is estimated to amount to about 400 tons per year. After the completion and start up of the ash treatment system, studies will be conducted to see if more metals can be retrieved from the ash for recycling.

ANALYSIS:

Requirements for Concurrence with the Solid Waste Facilities Permit Pursuant to PRC Section 44009, the Board has 60 calendar days to concur in or object to the issuance of a solid waste facilities permit. Since the permit was received on October 2, 1992, the last day the Board could act is December 1, 1992.

The LEA has submitted a proposed permit to the Board. Staff have reviewed the proposed permit and supporting documentation and have found that the permit is acceptable for the Board's consideration of concurrence. In making this determination the following items were considered:

1. Consistency with General Plan

The LEA has determined that the facility is in conformance with the City of Long Beach General Plan. The Long Beach Planning Department, by Resolution No. R - 1033, determined that SERRF is (1) a part related use under the Long Beach Zoning Regulations and is compatible with land uses authorized adjacent to and near the site; (2) fully conforms to the adopted General Plan and all parts and elements thereof, of the City of Long Beach in the sense of Section 65402 of the California Government Code; and (3) is consistent with the General Plan of the City of Long Beach in the sense of 66784.1 (a). Board staff agree with said finding.

2. Conformance with County Plan

The LEA has found that the facility is in conformance with the Los Angeles County Solid Waste Management Plan as determined by Finding of Conformance, dated August 20, 1981, extended on August 18, 1983, and extended again on April 19, 1984 and December 31, 1985, verified by letter, dated May

29, 1984 from Stephen J. Koonce, Chairman, Los Angeles County Solid Waste Management Committee. Board staff agree with said finding.

3. California Environmental Quality Act (CEQA)

State law requires the preparation and certification of an environmental document. The City of Long Beach Planning Department prepared a negative declaration for the proposed project. The proposed project involves the addition of an ash treatment system to its existing system. The document was not circulated through the State Clearinghouse, however, the statute of limitation has expired. The document was certified as approved by the Lead Agency in December of 1991 and a Notice of Determination was filed with the County Clerk on January 6, 1992.

A Mitigation Monitoring and Implementation Schedule (Monitoring Program) has been submitted to the Board. Potential environmental impacts and mitigation measures associated with the project are included in the monitoring program (Attachment 4).

After review of the environmental documentation for the project, staff find that the negative declaration is adequate for the Board's use in evaluating the proposed permit.

4. Consistency with Waste Diversion Requirements

Staff of the Board's Planning and Assistance Division make an assessment, pursuant to PRC 44009, to determine if the record contains substantial evidence that the proposed project would impair the achievement of waste diversion goals. Based on available information, staff have determined that the issuance of the proposed permit should neither impair nor substantially prevent the Cities of Long Beach and Lakewood and other participating jurisdictions from achieving their waste diversion goals if the language contained in the staffs' finding of consistency with waste diversion goals were inserted into the permit. The proposed permit contains the desired language. The staffs' finding and analysis used in making this determination is included as Attachment 5.

5. Conformance with State Minimum Standards

The LEA has determined that the facility's proposed design and operation are in compliance with the State Minimum Standards for Solid Waste Handling and Disposal based on a

review of the Report of Station Information and supporting documentation and upon facility inspection, the latest one on August 7, 1992.

Board staff in conjunction with both the Los Angeles County and City of Long Beach LEAs conducted an inspection at the facility on September 11, 1992 and found it in substantial compliance with the State Minimum Standards.

STAFF RECOMMENDATION:

Because a new Solid Waste Facilities Permit is being proposed, the Board must either object or concur with the proposed permit as submitted by the LEA.

Staff recommends that the Board adopt Permit Decision No. 92-108 concurring in the issuance of Solid Waste Facilities Permit No. 19-AK-0083. This staff recommendation is contingent on the approval of the Permitting and Enforcement Committee and the Board, at their respective October 21 and October 29, 1992 meetings, of the Certification and Designation of the Long Beach City Department of Health and Human Services, Bureau of Environmental Health, as the Local Enforcement Agency for the City of Long Beach.

ATTACHMENTS:

1. Location Map
2. Facility Map
3. Permit No. 19-AK-0083
4. Mitigation Monitoring and Implementation Schedule
5. Planning and Local Assistance Division Analysis
6. Permit Decision No. 92-108

T.H. *P.O. 10/14*
Prepared By: Tadese Gebre-Hawariat/David Otsubo Phone: 255-2438

Approved By: Phillip J. Moralez *PJM* Phone: 255-2619



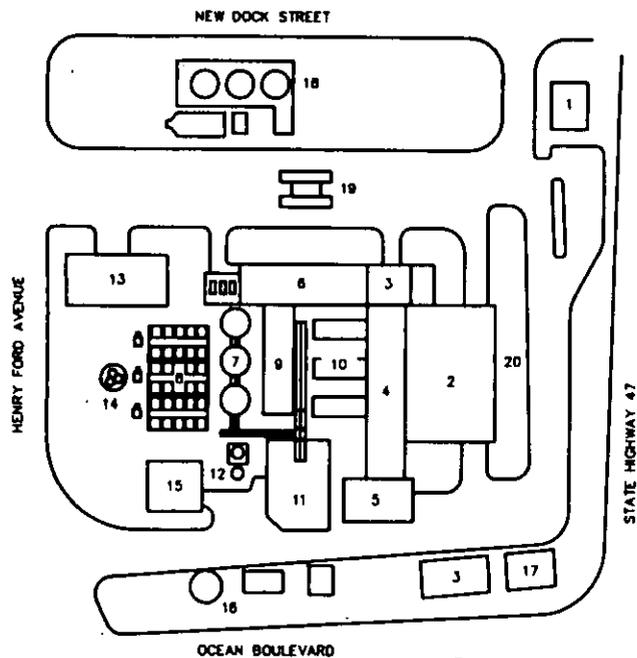
For Detail Page Locations
SEE PAGE Q

For Detail Page Locations
SEE PAGE S

Southeast Resource Recovery Facility

HIGHWAYS

115



LEGEND

1. CITY ADMIN. BLDG.
2. TIPPING HALL
3. MAINTENANCE SHOPS
4. SOLID WASTE STORAGE PIT
5. SOLID WASTE LOADOUT AREA
6. TURBINE GENERATOR BLDG.
7. DRY SCRUBBERS
8. BAGHOUSE
9. OFFICES & CONTROL ROOMS
10. BOILERS
11. ASH STORAGE & LOADOUT BLDG.
12. LIME STORAGE AREA
13. SWITCHYARD
14. TRI-FLUE STACK
15. AMMONIA STORAGE AREA
16. FIRE PUMPS & WATER TANK
17. PLANT OPERATIONS ADMIN. BLDG.
18. COOLING TOWER & PUMPS
19. SCALES
20. FUTURE SOLID WASTE PROCESSING

■ HOW DOES SERRF WORK?

Solid waste is delivered to SERRF in trucks. Each truck is weighed and drives into the enclosed Tipping Hall. The trucks dump the waste on the floor of the Tipping Hall where it is visually inspected for unprocessable and hazardous waste. Front end loaders push the waste into a shallow Solid Waste Storage Pit. The waste is then lifted by two overhead cranes and dropped into the Feed Hopper of one of the three boilers.

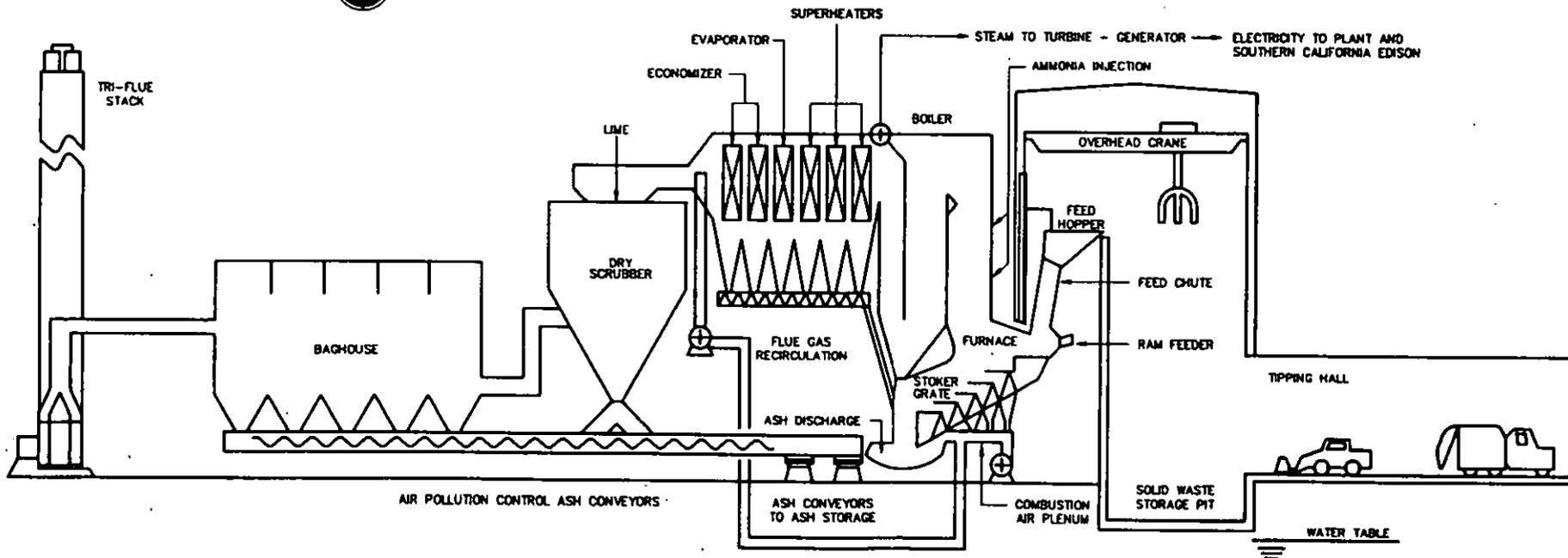
The waste is fed by gravity from the Feed Hoppers into the boilers where it is burned under controlled conditions on the stoker grate. The heat generated by burning the garbage converts water flowing through tubes in the boilers into steam. The steam is used to drive the turbine-generator to produce electricity. Following the turbine-generator, the steam is condensed back into water and recycled to the boilers.

Some of the electricity produced by the turbine generator is used to operate SERRF and the rest is sold to Southern California Edison Company for distribution to its customers.

Air emissions resulting from the burning of the waste are controlled by injecting ammonia into the boilers to control nitrogen oxides. Additionally, a portion of the flue gas is recirculated under the grates in the boilers to assist in the control of nitrogen oxides. After leaving the boilers, the flue gas enters the dry scrubbers. Here, lime and water are mixed with the flue gas to control sulfur oxides and acid gases. After the dry scrubbers, the flue gas is filtered through a multi-chamber baghouse to remove particulate matter and the cleaned flue gas is discharged through the 265 foot tri-flue stack. Stack emissions are monitored by a combination of continuous monitors and periodic stack sampling.

Ash is collected from the boilers, combined with the ash and lime residues generated in the dry scrubbers and baghouse then conveyed to an enclosed building. Within the building, the combined ash residues are loaded on trucks, which are covered before leaving the building, for disposal in a landfill. Plans are being developed to process and recycle the ash residues and to comply with State Water Quality Control Board requirements for landfill disposal.

SERRF SITE LAYOUT



SCHEMATIC FACILITY CROSS SECTION THROUGH ONE BOILER TRAIN

SERRF SOUTHEAST RESOURCE RECOVERY FACILITY LONG BEACH, CALIFORNIA



PROJECT PARTICIPANTS

OWNER

JOINT POWERS AUTHORITY FORMED BY
CITY OF LONG BEACH AND COUNTY SANITATION
DISTRICT NO. 2 OF LOS ANGELES COUNTY

FACILITY LESSEE

CITY OF LONG BEACH, CALIFORNIA

OWNER'S AGENT

Engineer for Owner
Construction Administrator
Financial Advisor
General Counsel
Bond Counsel

CITY OF LONG BEACH
Department of Public Works, Solid Waste Bureau
Rigo & Rigo Associates, Inc.
Metcalf & Eddy, Inc.
Bartle-Wells Associates
City Attorney, City of Long Beach
O'Melveny & Myers

DESIGN/CONSTRUCT/DEMONSTRATE CONTRACTOR

DRAVO CORPORATION

OPERATIONS CONTRACTOR

MONTENAY PACIFIC POWER CORPORATION

GENERAL DESCRIPTION

SERRF is a publicly-owned solid waste management facility which uses mass burn technology to reduce the volume of solid waste by about 80% while recovering electrical energy to operate the facility and for sale to the Southern California Edison Company. Residential and commercial solid waste is combusted in high temperature boilers to produce steam which is used in a turbine-generator to produce electricity; enough to supply about 35,000 homes.

Although mass burn technology is used, space has been reserved at SERRF for future addition of solid waste processing prior to combustion (as needed) based upon results obtained by the City's Source Reduction and Recycling Program.

SERRF is located in the City of Long Beach, on Terminal Island, at the northwest corner of the intersection of Ocean Boulevard and State Highway 47.

WHY DID THE CITY UNDERTAKE SERRF?

Citizens and businesses in Long Beach generate about 358,000 tons per year of residential, commercial and industrial solid waste. This waste must be managed to avoid human health, nuisance and aesthetic problems and to maintain the economic base of the community.

Long Beach, like other Southern California communities, has historically trucked its solid waste to other neighborhoods outside the City for burial in landfills. Closure of nearby landfills in 1980 led to the realization that Long Beach could not continue to export its solid waste to other neighborhoods.

A Feasibility Report, which included an evaluation of alternatives, was published in 1981 and recommended the implementation of SERRF. A draft Environmental Impact Report (EIR) was prepared and circulated for comment in May 1981 and a public hearing was held on June 19, 1981. The Final EIR was completed in October 1981 and certified in November 1981. Based upon the results of these analyses, it was concluded that, because of its ability to reduce the volume of solid waste, SERRF should play a major role in (1) moving away from dependence on landfills located in other neighborhoods at ever increasing distance from Long Beach and (2) providing for stabilization of solid waste disposal costs.

The City has also recognized the need to diversify its solid waste management system in order to provide long-term reliable, safe, environmentally sound, socially acceptable and cost effective solid waste management. Consequently, a source reduction and recycling program is being developed to reduce the amount of waste to be managed, and to reduce the consumption of natural resources and the environmental damage resulting from such use.

SERRF will receive and process the remaining unrecycled waste and is, therefore, one component of an integrated program to manage the solid waste generated by the citizens and businesses in Long Beach.

SERRF is a state-of-the-art facility that is part of a farsighted response to our solid waste management problem.



OST	\$108,000,000
FINANCING	\$170,200,000 in lease revenue bonds sold by SERRF Authority. The City has leased the Facility and will make rental payments totalling \$18,600,000 per year.
CAPACITY	427,000 tons per year of solid waste which is equivalent to an average of 1,170 tons per day. Gross electrical generating capacity of 36 megawatts.
AIR EMISSIONS	SERRF is equipped with the best available air emissions control technology. Additionally, the boilers were designed to minimize the formation of trace toxic air contaminants. Excluding equipment breakdowns, the daily air emissions from SERRF are comparable to the air emissions generated by the automobiles on approximately 1/2 mile of the Santa Monica Freeway each day.
ASH RESIDUES	Combined ash is nonhazardous under Federal test procedures. Plans are under development to process and recycle ash residues.
RECYCLING	Source reduction and recycling will reduce the amount of waste to be managed, reduce consumption of natural resources and the environmental damage associated with such use. Recycling will benefit SERRF by removing non-combustible materials, materials that have minimum fuel value and materials that can cause operating problems.
MORE INFORMATION	More information regarding SERRF can be obtained by contacting the Solid Waste Bureau at (213)495-2666, 120 Henry Ford Avenue, Long Beach, California 90802. More information on the City's Source Reduction and Recycling Program can be obtained by contacting the City's Waste Management Officer/Recycling Coordinator at (213)590-6001, 333 W. Ocean Boulevard, Long Beach, California 90802.



CITY OF LONG BEACH

DEPARTMENT OF PUBLIC WORKS

333 W OCEAN BLVD. • LONG BEACH, CA 90802 • (310) 590-6383

SERRF FACT SHEET FROM START-UP THRU JUNE 1992

1. SERRF has generated 861,852,000 kilowatt-hours of electricity.
2. SERRF has sold 733,560,000 kilowatt-hours of electricity to Southern California Edison.
3. SERRF has earned from energy sales \$72,378,350.
4. SERRF has earned from tipping fees \$24,558,979.
5. SERRF has received 1,548,636 tons of refuse.
6. SERRF has processed 1,542,081 tons of refuse.
7. SERRF has shipped 504,039 tons of ash to a landfill.
8. SERRF has shipped 148 tons of recyclable white goods to local recycling facilities.
9. SERRF has saved the equivalent of 1,850,497 barrels (77,720,882 gallons) of oil by substituting solid waste as fuel for electrical generation. That is the equivalent of 7,773 big rig trucks, each carrying two 5000 gallon tanker
10. Since plant start-up thru June 30, 1992, SERRF has reduced the volume of waste entering a landfill by 1,838,975 cubic yards. That is the equivalent of trash the length and width of a football field piled 1,379 feet high.

AIRPORT BUREAU
4100 DONALD DOUGLAS DR.
90808 (310) 421-8293
FAX (310) 496-4981

ENGINEERING BUREAU
333 W. OCEAN BLVD.
90802 (310) 590-6383
FAX (310) 436-2260

PUBLIC SERVICE BUREAU
1601 SAN FRANCISCO AVE.
90813 (310) 432-8904
FAX (310) 436-1042

SOLID WASTE BUREAU
120 HENRY FORD AVE.
90802 (310) 495-2666
FAX (310) 436-6940

Printed on Recycled Paper

**OPERATING PERMIT FOR FACILITIES
RECEIVING SOLID WASTE**

TYPE OF FACILITY Resource Recovery Facility	FACILITY/PERMIT NUMBER 19-AK-0083
NAME AND MAILING ADDRESS OF OPERATOR City of Long Beach Department of Public Works Solid Waste Management SERRF Project 120 Henry Ford Avenue, L.B. CA 90802	
CITY/COUNTY Long Beach, Los Angeles	

NAME AND STREET ADDRESS OF FACILITY

Southeast Resource Recovery Facility
 120 Henry Ford Avenue
 Long Beach, CA 90802

PERMITTING ENFORCEMENT AGENCY

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: _____ APPROVING OFFICER Donald D. Cillay, Health Officer _____ NAME/TITLE	AGENCY ADDRESS City of Long Beach Department of Health and Human Services Bureau of Environmental health 2655 Pine Avenue Long Beach, CA 90806				
SEAL	AGENCY USE/COMMENTS				
	<table border="1"> <tr> <td> PERMIT RECEIVED BY CWMB OCT 2 1992 </td> <td> CWMB CONCURRENCE DATE </td> </tr> <tr> <td> PERMIT REVIEW DUE DATE </td> <td> PERMIT ISSUED DATE </td> </tr> </table>	PERMIT RECEIVED BY CWMB OCT 2 1992	CWMB CONCURRENCE DATE	PERMIT REVIEW DUE DATE	PERMIT ISSUED DATE
	PERMIT RECEIVED BY CWMB OCT 2 1992	CWMB CONCURRENCE DATE			
PERMIT REVIEW DUE DATE	PERMIT ISSUED DATE				

FINDINGS:

1. **DESCRIPTION OF THE FACILITY'S DESIGN AND OPERATION:**

This is a Revision of the existing Solid Waste Facility Permit (SWFP) issued May 30, 1985, for the Southeast Resource Recovery Facility (SERRF). The SWFP is required by the California Public Resources Code (CPRC), Division 30, Part 4, Chapter 3, Sections 44001 et seq. and the California Code of Regulations (CCR), Title 14, Division 7, Chapter 5, Article 3, Sections 18200 et. seq.

This permit revision addresses a request by the operator to incorporate into the facility operations an ash processing system, a significant change to the design and operation of the facility. This permit also addresses the "Permit Review" pursuant to CCR, Title 14, Section 18213. The "Permit Review" is required of all solid waste facilities and is to be conducted at least once every five years.

- A. SERRF is owned by a Joint Powers Authority (JPA) formed by the City of Long Beach and the County Sanitation District No. 2 of Los Angeles County. The City of Long Beach leases the facility from the JPA, and has hired Montenay Pacific Power Corporation to operate SERRF under the City's reasonable charge.
- B. SERRF is located on a 17.2 acre parcel in the City of Long Beach on Terminal Island at the northwest corner of the intersection of the Terminal Island Freeway and Seaside Boulevard. The SERRF address is 120 Henry Ford Avenue, Long Beach, CA 90802.

The facility consists of scale-house; scales; trucking floor; receiving floor; fuel storage bin; resource recovery system consisting of refuse receiving hopper, combustor/boiler, water tube boiler, steam turbine, and anhydrous ammonia storage tank; air emission control equipment consisting of flue gas recirculation, ammonia injection, combustion controls and dry scrubber-baghouse; ash loadout; maintenance areas; exhaust stack; settling basin; sanitary facilities; water cooling towers; administration buildings; recovered materials storage areas; ash processing area; and storage area for temporary (less than 90 days) accumulation of hazardous waste generated on site. (Refer to map).

- C. The waste supply commitment for SERRF is contained in the SERRF Joint Powers Agreement which requires that the City of Long Beach transport to SERRF all residential and commercial solid waste collected by the City. An average of about 221,000 tons per year of solid waste is under the direct control of the City. The City of Long Beach has a contract with the City of Lakewood to accept all residential and commercial refuse. SERRF also has a contract with Los Angeles County Sanitation District No. 2 to receive refuse from the South Gate Transfer Station in case of SERRF lacking sufficient refuse to maintain the designed steam flow. (Refer to economic analysis in Appendix G and pg. C-1 of the RSI.)

FINDINGS: (continued)

1. DESCRIPTION OF THE FACILITY'S DESIGN AND OPERATION: (continued)

- D. The South Coast Air Quality Management District (SCAQMD) in 1984 issued to SERRF a Permit to Construct but SERRF presently is operating under a Permanent Permit to Operate issued March 6, 1992 (a copy of the permit is included in Appendix I of the RSI). This permit sets forth conditions for operation of the facility including limitations on the quantity of waste burned, steam production (117,170 pounds per hour at 660 PSIA and 752 degrees Fahrenheit), criteria pollutant emission rates for hourly and daily conditions, and the total supplemental natural gas usage per boiler (1,300,00 standard cubic feet per day).

The SCAQMD, by letter dated June 5, 1992 and signed by Mohsen Nazemi, Senior Manager, approved a narcotics burn protocol developed by SERRF. The narcotics are narcotics confiscated by law enforcement, brought to SERRF by law enforcement and disposed directly in the boiler hoppers by law enforcement. The narcotics burning protocol includes the ratio of narcotics to trash in a single burn, and the quantity and type of narcotics to be burned per hour. The narcotics burning conditions are as follows: altered narcotics -- 250 pounds per grapple load of refuse, which is equivalent to 3,500 pounds of altered narcotics burned per hour; non-altered narcotics -- 500 pounds per grapple of refuse, which is equivalent to 7,000 pounds of non-altered narcotics per hour.

- E. SERRF accepts and processes mixed municipal solid waste (MSW), commercial waste, and non-hazardous industrial solid waste. No liquid or slurries waters; no hazardous or medical wastes; no dead large animals or identifiable human parts; and no radioactive wastes are accepted at SERRF. The quantity of waste burned at SERRF is directly dependent on the energy content of the waste.
- F. The composition of the waste stream received by SERRF has an energy content that ranges between of a low 2,327 BTU/lb, and a high of 5,376 BTU/lb, with a typical value of 4,654 BTU/lb (refer to the RSI, pg. C-8.) The overall boiler capacity factor for the system is 85 percent; thus on the average, the maximum boiler capacity is available 85 percent of the time for combustion of refuse. The facility annual average combustion is 1,173 TPD, and the maximum combustion is 1,600 TPD (refer to the RSI pg. D-10.).

Based on past performance, SERRF can use a maximum input of 1,600 TPD of waste to continuously produce the 117,170 pounds per hour of steam flow required to generate the design quantity of 29.6 megawatts (MW) of electricity. (Refer to the revised RSI dated July 15, 1992, pg B-10 and Table 2.)

FINDINGS: (continued)

1. DESCRIPTION OF THE FACILITY'S DESIGN AND OPERATION: (continued)

- G. SERRF operates within a normal "window" of energy content of the waste and the waste composition variability translates to another "window" of quantity of waste combusted. The upper boundary of the latter "window" is defined by the permit constraints on the maximum quantity of waste that can be charged to the furnace. The lower boundary is the minimum quantity of waste required to be combusted to achieve the heating requirements of the boiler. An average of 1,380 TPD of waste is combusted in order to achieve the heating requirements of the boiler and produce the design steam flow rate of 117,170 pounds per hour (lb/hr). The SCAQMD Air Permit specifies the Throughput Factor (boiler capacity factor) to be 85 percent.

With 460 TPD nominal capacity boilers, and Throughput equal to the annual average daily waste input divided by 460 times the number of boilers, the annual average daily tonnage that can be combusted is 1,380 TPD. Due to seasonal variations, evaporation and fluctuations in BTU values of refuse, a 10 percent variation in the tonnage can be expected. An annual average bypass rate of about one percent can be expected. (Refer to RSI dated July 15, 1992 pg. B-4)

- H. SERRF is equipped with three nominal 460 TPD mass burning water-wall incinerator-boilers (combustion units) designed to produce and deliver no more than 117,170 lb/hr of 660 PSIA and 752 degrees Fahrenheit (F°) steam to the turbine throttle when supplied with 336 F° feed water. A five percent accuracy level is recognized by SCAQMD. Combustion of additional quantities of refuse will not increase the steam production rate. The average annual throughput capability of the facility with its three 460 TPD nominal capacity boilers is 1,380 TPD, and its maximum capacity is 1,600 TPD due to seasonal variations. (Refer to RSI, pg. 27).

I. DESCRIPTION OF THE METHOD OF OPERATION:

A typical operation cycle for SERRF can be described as follows:

SERRF receives residential and commercial solid waste collected by the City of Long Beach workers and by private waste haulers. Starting on June 10, 1992, SERRF also will receive narcotics confiscated, delivered and put into the boiler's hopper by law enforcement.

Refuse vehicles first stop by the scale-house (which is also equipped with radiation monitoring equipment) at one scale designated for the vehicle entering the facility, then proceed to a covered tipping floor through a rolled-up door, backup to the receiving floor, and discharge their loads. After discharge the vehicles exit through a door beside the one they entered.

FINDINGS: (continued)

1. DESCRIPTION OF THE FACILITY'S DESIGN AND OPERATION: (continued)

I. (continued)

Once on the receiving floor the refuse is pushed into an above ground concrete bin with front-end loaders. Selected refuse loads may also be directed to a tipping floor area where spot checking of refuse loads for hazardous waste can be performed. Once in the bin, the waste is mixed and fed by a grapple equipped overhead bridge crane to the three nominal 117,170 lb/hr boilers.

The ash load-out building receives combined bottom ash, grate siftings and boiler hopper ash extracted from the boiler ash quench tank and dewatered using ash extractors, vibratory conveyors, and belt conveyors. This ash is treated with Portland cement and phosphate treatment on the belt conveyors. Dry scrubber residue and baghouse filter cake is delivered to the flyash treatment facility located in the refuse transfer building where phosphate treatment, and Portland cement is added for immobilization of heavy metals commonly found in flyash materials.

SERRF also has a quick lime receiving storage and slaking system to use with the dry scrubber. An ammonia receiving and storage system to use with the Selective Noncatalytic Reduction (SNCR) system (used for combustion control) also is provided. (Refer to RSI).

- J. SERRF currently accepts wastes Monday through Friday 6 a.m. to 5 p.m. (with the exception of holidays) and Saturdays by invitation. The facility operates on a 24 hour basis which requires three shifts of employees. The night shift is also utilized for maintenance. SERRF remains open until 6 p.m. when insufficient refuse has been delivered.
- K. SERRF has sanitary facilities for employees and customers. Showers, toilets, potable water, and office facilities are available for employees at specific locations. Potable water is supplied by the City of Long Beach.
- L. The refuse receiving area, storage, storage bin and loadout; and the ash storage area and landout areas are within an enclosed structure, thus not exposed to any external climatic conditions. The exhaust stack height (265 feet) has been designed based on location of adjacent structures and wind velocities in accordance with requirements of the SCAQMD and EPA. (Refer to RSI).
- M. Salvaging is not permitted by customers, but SERRF employees are permitted to salvage white goods and metal for scrap value.

FINDINGS: (continued)

1. DESCRIPTION OF THE FACILITY'S DESIGN AND OPERATION: (continued)

- N. Ferrous metals which are visually identified are extracted from the incoming trash loads and then transported by front end loader from the tipping hall and placed in a roll-off scrap bin provided by a licensed scrap dealer. The scrap metal dealer picks up the metal drop box weekly and a average of 8 1/2 tons is disposed of weekly.
- O. SERRF does not accept hazardous waste or medical waste. Measures taken to counteract the accidental or illicit disposal of these wastes at SERRF include the load checking program to monitor for hazardous waste, medical waste and for general refuse characteristics (types of waste). A program of this nature has been utilized successfully at the Puente Hills Landfill. If any hazardous waste are found, all responsible agencies are notified (refer to Conditions, Provisions No. F. b - Waste Load Checking Program), and the wastes are sent to an appropriate disposal site. (Refer to RSI.)
- P. There is no significant change in the design of SERRF during the next five years. SERRF is required by law (RWQCB Order No. 91-035) to treat ash residues which are a by-product of municipal waste combustion. An ash treatment system has been designed and is presently under construction. CEQA filings have been completed and a permit for this system has been granted by the Long Beach Harbor Department. SERRF's operator also has filed for Air Permits and Air Permit Modifications with SCAQMD for the ash treatment system. SERRF also has submitted to the Local Enforcement Agency (LEA) an Amendment (dated March 4, 1992) to the RSI regarding the ash treatment.
- Q. Solid waste collection activities are conducted in accordance with the requirements of the City's Refuse Ordinance (Chapter 8.60, Title 8, Municipal Code of the City of Long Beach). City forces collect refuse from residential and small commercial units while private refuse collectors collect waste from large volume residential and commercial sources. "Refuse not Collected by the City" is defined in the City Ordinance as construction refuse, refuse from manufacturing plants, food processing wastes, explosives, contaminated food or biochemical waste, liquids, grease, toxic and hazardous wastes, radioactive materials and automobiles.
- R. The waste supply commitment for SERRF is contained in the SERRF Joint Powers Agreement which requires that the City of Long Beach transport to SERRF all residential and commercial solid waste collected by the City. (Refer to RSI pg. C-1).

FINDINGS: (continued)

2. THE FOLLOWING DOCUMENTS AND/OR PERMITS CONDITION THE DESIGN AND OPERATION OF THE FACILITY AND ARE HEREBY MADE A PART OF THIS PERMIT:
- A. The Report of Station Information (RSI) and the Engineering Report dated January 23, 1985; revised March 5, 1990; and revised February 27, 1992; and amendments and dated February 7, 1992, March 4, 1992 and June 5, 1992.
 - B. Prevention of Significant Deterioration (PSD) Permit:
Analysis reported (when applying for the PSD Permit) shows air quality impacts were below levels established by EPA. The PSD Permit was issued by EPA on October 23, 1985.
 - C. The City of Long Beach Resolutions Nos:
 - (a) R - 1033
 - (b) C - 23642
 - (c) C - 25251
 - D. The South Coast Air Quality Management District (SCAQMD) has issued the following Permits:
 - (a) D 47898 Waste Receiving System
 - (b) R - D 47899 Resource Recovery System No. 1
 - (c) R - D 47900 Resource Recovery System No. 2
 - (d) R - D 47901 Resource Recovery System No. 3
 - (e) R - D 47902 Ash Handling and Storage System
 - (f) D 47903 Lime Receiving and Storage System
 - (g) D 47904 Stand By Air Pollution Control System
 - (h) R - D 47905 Air Pollution Control System No. 1
 - (i) R - D 47906 Air Pollution Control System No. 2
 - (j) R - D 47907 Air Pollution Control System No. 3
 - E. SERRF is currently operating under a Permanent Permit to Operate issued by the SCAQMD.
 - F. As per letter signed by Peter A. Rogers and dated November 17, 1982, the State Department of Health Services, Toxic Substances Control Division (currently Department of Toxic Substances Control - DTSC), under the provisions of Title 22, Section 66305(b) of the California Administration Code, classified the ash residue generated at SERRF as "non-hazardous".
 - G. On March 4, 1991, the California Regional Water Quality Control Board - Los Angeles Region (RWQCB) issued amended Waste Discharge Requirements (WDR) for the Puente Hills Landfill. The amended requirements (Order No. 91-035) state in part that the continued disposal of the incinerator ash in an untreated form is not in conformance with the applicable water quality objectives.

FINDINGS: (continued)

2. THE FOLLOWING DOCUMENTS AND/OR PERMITS CONDITION THE DESIGN AND OPERATION OF THE FACILITY AND ARE HEREBY MADE A PART OF THIS PERMIT: (continued)

The RWQCB allowed interim disposal of untreated ash to allow time for the planning and implementation of a new ash treatment system which to render the ash suitable for water quality objectives. The ash treatment plans, separate for fly ash and bottom ash, were proposed by SERRF and upon laboratory analysis were found to be acceptable on September 16, 1992 by the RWQCB; therefore, SERRF can continue to dispose of the treated ash at the Puente Hills Landfill. The Description of the Facility's Design and Operation, paragraph 1.P above, refers to the construction activities for ash treatment.

On February 22 and 23, 1992, the SCAQMD conducted a test a SERRF of the ash produced by the burning of narcotics. Copies of the test results were submitted to the RWQCB. During testing of the bottom ash, the cocaine content range was 208 to 238 parts per billion (ppb) or about 0.24 grams per ton of refuse.

The SWRCB, by letter dated June 8, 1992 signed by Robert P. Ghirelli, Executive Officer of the RWQCB, stated that based on the review of these results, the RWQCB determined that the ash from narcotics burning does not pose a threat to water quality if disposed at Puente Hills Landfill in a manner consistent with the Board's Order 91-035 as modified by State Water Resources Control Board Order WQ 92-02, and provided the analyses are representative of the entire waste stream.

- H. **Water Quality Permit:**
Issued by the Los Angeles Regional Water Quality Control Board in July 1985. This Permit is for discharge of storm water runoff, boiler and cooling tower blowdown to the Cerritos Channel.
- I. **Harbor Development Permit:**
Issued by the Port of Long Beach on June 24, 1985. This Permit was issued with conditions dealing with chemical processes and containment. The Port Master Plan was updated in August 1983, and specifically includes the SERRF Project.
- J. **The final Environmental Impact Review (EIR) for SERRF was completed and certified in October 1981. The Long Beach Planning Commission certified a Negative Declaration and submitted a Notice of Determination to the Los Angeles County Clerk in October 1984. (Refer to RSI page B 7).**

A Negative Declaration with mitigation monitoring and implementation schedule was prepared for the ash treatment project and was certified as approved by the Long Beach City Planning Department in December 1991, and the Notice of Determination was filed with the County Clerk on January 6, 1992.

FINDINGS: (continued)

2. THE FOLLOWING DOCUMENTS AND/OR PERMITS CONDITION THE DESIGN AND OPERATION OF THE FACILITY AND ARE HEREBY MADE A PART OF THIS PERMIT: (continued)

J. Continued

California Environmental Quality Assessment (CEQA) filings for the new (currently under construction) ash treatment activities at SERRF have been completed and a Permit to construct the ash system has been granted by the Long Beach Harbor Department. Applications for an Air Permit and Air Permit Modification, have been submitted to SCAQMD.

3. THE FOLLOWING FINDINGS ARE REQUIRED PURSUANT TO THE PUBLIC RESOURCES CODE (PRC):

A. **PRC 44010**

This Permit is consistent with the criteria, guidelines and standards adopted by the California Integrated Waste Management Board.

B. **PRC 50000(a)(1)**

SERRF is consistent with the Los Angeles County Solid Waste Management Plan as determined by Finding of Conformance dated August 20, 1981, extended on August 18, 1983, and extended again on April 19, 1984, to June 20, 1985 and August 20, 1987 verify by a letter dated November 16, 1987 from T.A. Tidemanson to George Eowan, Executive Officer of CWMB.

C. **PRC 50000.5**

The SERRF site is zoned "MP" (port related industrial district) under the Long Beach Zoning Ordinance (Title 21 Municipal Code). The Long Beach Planning Department, By Resolution No. R - 1033, determined that SERRF (1) is a part related use under the Long Beach Zoning Regulations and is compatible with land uses authorized adjacent to and near the site; (2) fully conforms to the adopted General Plan and all parts and elements thereof, of the City of Long Beach in the sense of Section 65402 of the California Government Code; and (3) is consistent with the General Plan of the City of Long Beach in the sense of 66784.1 (a). (Refer to RSI page A-5.)

D. **PRC 44017**

The LEA has determined that SERRF complies with all the conditions set forth within Section 44017. Included in the SWFP PROVISIONS section is a description of operational control procedures required to ensure facility compliance with Section 44017 of the PRC.

E. **PRC 44150**

The LEA has determined that SERRF complies with all the conditions set forth within Section 44150 of the PRC.

FINDINGS: (continued)

3. **THE FOLLOWING FINDINGS ARE REQUIRED PURSUANT TO THE PUBLIC RESOURCES CODE (PRC): (continued)**

F. **PRC 44151**

SERRF is located within Long Beach city limits. The local fire protection authority, the Long Beach Fire Department, has determined that SERRF is in conformance with the applicable fire standards.

G. **PRC 44152**

On March 1, 1985, the LEA, in concurrence with the California Waste Management Board, issued the SWFP for SERRF. On June of 1992 SERRF's SWFP was modified with the concurrence of the CIWMB. SERRF was found to be in substantial compliance with the State Minimum Standards for solid waste handling and disposal as determined by a physical inspection conducted by the CIWMB Enforcement and Compliance Unit on September 10, 1992. Any SWFP modification(s) or revision(s) hereafter must have CIWMB concurrence to proceed.

4. **DESIGN AND OPERATION COMPLIANCE**

The design and operation of SERRF were in substantial compliance with the State Minimum Standards for solid waste handling and disposal as determined by a physical inspection conducted by the CIWMB Enforcement and Compliance Unit on September 10, 1992.

5. **FIRE STANDARDS CONFORMANCE**

The local fire protection authority, the Long Beach Fire Department, has determined that SERRF is in conformance with the applicable fire standards.

6. **RESOURCE RECOVERY**

1. **Energy Transformation**

SERRF has the capacity to produce 29.6 megawatts (MW) of electrical energy per month. The City of Long Beach and Southern California Edison Company (SCE) have a long term contract for the sale of electrical energy produced by SERRF.

2. **Metal Recovery**

SERRF's contract operator with the concurrence of the permitted operator (Long Beach Department of Public Works) conducts salvage of oversize white goods and metals (about one percent). The scrap metal is sold for its scrap value. Recovery of metal from the ash for sale on a secondary metal market may be feasible in the future.

FINDINGS: (continued)

7. LAND USE WITHIN 1,000 FEET OF THE FACILITY

- A. Long Beach Planning Department staff have concluded that SERRF does not appear to be in conflict with any adjacent land uses in the Port of Los Angeles.
- B. Industrial
Heavy industrial
- C. Commercial
Non-hazardous liquid and dry bulk cargo
Commercial fishing.
- D. Residential
The U.S.A. Navy installations
Los Angeles Port Planning District has plans for industrial and institutional uses for the area immediately west of the SERRF site.
- E. Recreation and oil recovery uses are planned for the district north of SERRF across the Cerritos Channel.

CONDITIONS:

1. REQUIREMENTS:

- A. SERRF must comply with all the State Minimum Standards for Solid Waste Handling and Disposal.
- B. SERRF must comply with all federal, state and local requirements and enactments.
- C. SERRF's operator shall maintain a copy of this Permit at the facility so as to be available at all times to facility personnel, to the LEA's personnel, and to the CIWMB's personnel.
- D. SERRF's operator shall install and maintain signs at the entrance indicating that no hazardous or liquid waste are accepted. These signs shall be in both English and Spanish.
- E. SERRF's operator shall establish a pit management plan to ensure that the refuse pit is cleared on a weekly basis.

2. PROHIBITIONS:

- A. No hazardous waste, liquid wastes, medical wastes, designated wastes, special wastes, oils, waxes, tars, soaps, solvents, lye, or caustics, shall be accepted.

CONDITIONS: (continued)

2. **PROHIBITIONS:** (continued)

- B. No materials which are of a toxic nature, such as insecticides, poisons or radioactive materials, shall be accepted.
- C. No asbestos or asbestos products shall be accepted.
- D. No scavenging is permitted. But salvaging is permitted if conducted by SERRF's employees as described in the RSI Amendment dated February 7, 1992.
- E. Receipt of large dead animals is not permitted.

3. **SPECIFICATIONS:**

- A. No significant change in design or operation from that described in the Findings section of this Permit is allowed.
- B. The operator will notify the LEA of any proposed changes in the routine facility operation or changes in facility design during the planning stages. In no case shall the operator undertake any changes unless the operator first submits to the LEA a notice of said changes at least 120 days before said changes are undertaken in order to permit the LEA to determine the significance of the 3. **SPECIFICATIONS:** (continued)

changes and make any necessary permit changes.

- C. SERRF shall not receive more than 471,000 tons per year, shall not receive more than 11,000 tons per week, and shall not receive more than 2,240 tons during any operating day without a revision of this Permit. SERRF's average daily throughput is 1,380 tons per day (TPD), and the maximum throughput is 1,600 TPD. SERRF shall not combust more than 11,000 TPD of refuse (including narcotics confiscated by law enforcement) during any period of seven (7) days without a revision of this Permit.

4. **PROVISIONS:**

- A. In the event that the waste ash generated at SERRF is determined by the State Department of Toxic Substances Control (DTSC) to be "hazardous", SERRF shall manage and dispose of the "hazardous" waste ash in an approved manner.
- B. The maximum weight of refuse that can remain in the enclosed receiving bin is 5,000 tons.
- C. SERRF's operator shall follow the procedures for storage bin maintenance as described in the RSI pages D-1 and D-2.

CONDITIONS: (continued)

4. **PROVISIONS:** (Continued)

- D. SERRF's operator shall not allow wastes to remain in the facility such that said wastes create an odor, vector control, health, safety, or nuisance problem.
- E. The LEA reserves the right to suspend waste receiving operations when deemed necessary due to any emergency, the creation of a potential health hazard or public nuisance.
- F. Operational controls shall be established to preclude the receipt and disposal of volatile organic chemicals or other types of prohibited wastes.
 - a. During the hours of operation for all transfer activities, an attendant(s) shall be present at all times to supervise the loading and unloading of the waste materials.

- b. **WASTE LOAD CHECKING PROGRAM:**

SERRF's operator shall conduct a daily waste load checking program, approved by the LEA, to prevent and discourage disposal of hazardous waste and significant amounts of recyclable materials. The daily waste load checking program shall consist of the following activities.

- (1) The minimum number of random waste load(s) to be inspected daily at SERRF is one (1). The random incoming loads to be inspected each day is determined by the LEA and is related to the permitted daily tonnage of refuse received by the facility. The LEA reserves the right to increase the required number of incoming waste load inspections.

The load(s) selected for inspection shall be unloaded in an area apart from the active working floor. The refuse shall be spread out and visually inspected for evidence of prohibited wastes and detectable quantities of recyclable materials. Any hazardous materials thus found shall be set aside in a secure area to await proper disposition following notification of the producer (if known) and the appropriate governmental agencies. Any recyclable materials found shall be set aside on an area to await for proper disposition in accordance with SERRF's salvaging procedures.

- (2) The working floor shall be under continual visual inspection by facility personnel such as spotters, equipment operators, and supervisors for evidence of hazardous materials. Any hazardous or prohibited or recyclable materials found shall be managed as described above.

CONDITIONS: (continued)

4. **PROVISIONS:** (continued)

- (3) Facility personnel conducting the waste load checking program shall be trained for said activities. The training must include how to recognize suspicious containers of hazardous waste, the proper method of containment, and the reporting requirements of the program. Facility personnel are to be trained on an annual basis and updated as needed. New employees are to be trained prior to assignment to the load checking activity. The training program must be approved by the LEA.
- (4) Incidents of unlawful disposal of prohibited materials shall be reported to the LEA monthly. In addition, the following agencies shall be notified at once of any incidents of illegal hazardous material disposal:
 - * Long Beach Department of Health and Human Services Bureau of Environmental Health Hazardous Materials Division at (310) 427-7421 (at once of every incident)
 - * Duty officer, County of Los Angeles Forester and Fire Warden, Hazardous Materials Control Program at (213) 744-3223 (if necessary)
 - * Bureau of Fire Prevention at (310) 590-2560
 - * Long Beach Deputy Prosecutor at (310) 437-0711 (if necessary)
 - * Environmental Crimes Division, Los Angeles County District Attorney at (213) 974-6824 (if necessary)
 - * California Highway Patrol at (213) 736-2971 (if necessary)
- G. Hazardous waste found in incoming loads of solid wastes shall not be stored on facility premises for longer than 90 days. All hazardous waste shall be removed from the premises by a State registered hazardous waste hauler.
- H. The maximum storage period for recyclable is two weeks. All stored materials must be contained in the building or in enclosed containers in a manner approved by the LEA. The LEA reserves the right to reduce the time if storage presents a health hazardous or become a public nuisance.
- I. The operator shall maintain, at the facility, accurate daily records of weight and/or volume of refuse received. These records shall be made available to the LEA's personnel and to the CIWMB's personnel and shall be maintained for a period of at least one year.

CONDITIONS: (continued)

4. **PROVISIONS:** (continued)

- J. The operator shall maintain a log of special/unusual occurrences. This log should include but is not limited to: fires, injuries, property damage, accidents, explosions, discharge and disposition of hazardous or unpermitted waste. The operator shall maintain this log at the facility so as to be available at all times to the SERRF personnel and to the personnel of any regulatory agency which has jurisdiction at SERRF.

Any entries in this log shall be made no later than 24 hours after precipitation of the subject occurrence. The operator is to notify the LEA immediately of precipitation of said occurrence.

**Long Beach Department of Health and Human Services
Bureau of Environmental Health
Hazardous Materials Division at (310) 427-7421**

- K. Any complaints about SERRF received by its operator shall be forwarded to the LEA within one working day.
- L. The LEA may order the operator to remove, at its own expense, any materials received in violation of this Permit.
- M. The operator shall comply with the requirements of all applicable laws pertaining to employee health and safety; the operator is to have a written Safety Plan available for review by the LEA at SERRF.
- N. This Permit is subject to review by the LEA and may be suspended, revoked or modified at any time for sufficient cause.
- O. All contracts and commitments entered into shall contain provisions requiring front-end-recycling before the waste is transported to SERRF [as required by the PRC Section 44150(d) (5)]

5. **MONITORING PROGRAM:**

Upon receipt of the approved Solid Waste Facility Permit (SWFP), the operator shall submit monitoring reports to the LEA at the frequencies indicated below. The monitoring reports are due 30 days after the end of the reporting period.

A. **MONTHLY:**

- a. The quantities and types of hazardous wastes or prohibited wastes found in waste loads and the disposition of these materials (results of the Waste Load Checking Program).

CONDITIONS: (continued)

5. MONITORING PROGRAM: (continued)

- b. All incidents of unlawful disposal of prohibited and hazardous materials, the operator's actions taken and the final disposal of the materials.
- c. All complaints regarding SERRF and the operator's actions taken to resolve any justified complaints. LEA one-day notification is also required.
- d. All entries in the log of special/unusual occurrences and the operator's actions taken to correct these problems.
- e. Weights and types of wastes received per day and per week.
- f. The number of vehicles using SERRF per day and per week.
- g. Quantity of ash processes and the quantity of processed ash transported to the disposal site per day and per week and the name of the disposal facility. For ash not disposed of, the quantity of ash and name and location of the facilities using the ash and end use of the ash.
- h. Copies of the monitoring reports required to be furnished to the SCAQMD shall be furnished monthly to the LEA and to the CIWMB.

B. ANNUALLY:

- a. The operator shall perform a basic composition analysis of the incoming wastes, at least annually. The analysis shall include commonly accepted waste categories and percent of waste, by type, in each category. Reports concerning this analysis shall be furnished to the LEA and the CIWMB.
- b. The sampling and analysis of bottom ash, fly ash, and flue gas emission control residues will be conducted pursuant to criteria adopted by the State of California, Department of Health Services. The analyses shall be made at least annually. Reports concerning these analyses shall be furnished to the LEA and the CIWMB.

<END OF DOCUMENT>

**MITIGATION MONITORING AND
IMPLEMENTATION SCHEDULE:**

A. AIR**1. Mitigation Measures:**

- a. Bottom ash will be mixed at the exit of the belt conveyor. A hood and vent system will be placed over the mixing area (located in the existing ash building).

Fly ash will be conveyed to the existing transfer station enclosed in the refuse receiving building. Flyash will be stored in a three-day storage silo. Flyash will be mixed in a 150 cubic foot Dustmaster mixer. The system will operate in a batch mode for about 8 hours per day. Treated ash will be loaded onto trucks for transport to the Puente Hills Landfill.

- b. Exhaust vapors from the bottom ash treatment system will exhaust into the boilers.
- c. Air emission control equipment consists of flue gas recirculation, and a selective noncatalytic reduction system with ammonia injection used for control of nitrogen oxides. Acid gases, sulfur dioxide, trace organics and particulate emissions will be controlled by passing the flue gas through a lime-based dry scrubber and bag-house before discharge to the atmosphere through a 265 foot high stack.

Fugitive emissions from the waste receiving and storage areas is controlled by taking furnace combustion air from these areas when the incinerators are operating and by exhausting all other ventilation air flows through activated carbon filters when the incinerators are not operating.

2. Monitoring Action:

Field inspections by the LEA and SCAQMD and the monthly SERRF's self monitoring report the LEA and other appropriate agencies.

3. Timing:

During the course of routine inspections.

B. WATER**1. Mitigation Measures:**

Existing drainage facilities, if necessary, will be modified to handle a minor increase in runoff. SERRF is designed as a zero discharge facility.

2. Monitoring Action:

Field inspectors by the LEA.

MITIGATION MONITORING AND IMPLEMENTATION SCHEDULE: (continued)

B. WATER (continued)

3. **Monitoring Party:**
Field inspectors of the LEA.
4. **Timing:**
During the course of routine inspections.

C. NOISE

1. **Mitigation Measures:**
Equipment associated with ferrous recovery and ash treatment systems will be enclosed or covered to dissipate noise.
2. **Monitoring Action:**
Field inspection by the LEA.
3. **Monitoring Party:**
Field inspections of the LEA.
4. **Timing:**
During the course of routine inspections.

State of California

ENVIRONMENTAL AFFAIRS AGENCY

M e m o r a n d u m

To: Tadese Gebre-Hawariat
Permitting and Compliance
Division

Date: October 7, 1992

From:  Tracey M. Harper
Planning and Assistance Division
Local Assistance Branch
South Section

Subject: AB 2296 Review of Southeast Resource Recovery Facility

FINDING OF CONSISTENCY WITH WASTE DIVERSION GOALS (PRC SECTION 44009)

Based upon conversations with the Local Enforcement Agency (LEA), the original permit application language has been modified. Staff is now able to make the finding that issuance of the proposed permit revision for the Southeast Resource Recovery Facility would not prevent nor impair the achievement of waste diversion requirements of participating jurisdictions.

It was necessary to insert language concerning recyclable materials recovery due to PRC Section 44150 (c)(5) which specifically requires front-end recycling for all waste received by transformation projects. This additional language fulfills this requirement and may aid jurisdictions in meeting the diversion mandates of AB 939.

M e m o r a n d u m

To: Tadese Gebre-Hawariat
Permitting and Compliance
Division

Date: September 29, 1992

From:  Tracey M. Harper
Planning and Assistance Division
Local Assistance Branch
South Section

Subject: AB 2296 Review of Southeast Resource Recovery Facility
FINDING OF CONSISTENCY WITH WASTE DIVERSION GOALS (PRC SECTION 44009)

Based upon conversations with the Local Enforcement Agency (LEA), language modifying the original permit application has been agreed upon. Issuance of the proposed permit revision for the Southeast Resource Recovery Facility would not prevent nor impair the achievement of waste diversion requirements of participating jurisdictions if the following language were inserted into the permit:

(p.13) CONDITIONS:

4. PROVISIONS:

F. b. **WASTE LOAD CHECKING PROGRAM:**

SERRF's operator shall conduct a daily waste load checking program, approved by the LEA, to prevent and discourage disposal of hazardous waste and significant amounts of recyclable materials. The daily waste load checking program shall consist of the following activities:

- (1) The minimum number of random waste load(s) to be inspected daily at SERRF is one (1). The random incoming loads to be inspected each day is determined by the LEA and is related to the permitted daily tonnage of refuse received by the facility. The LEA reserves the right to increase the required number of incoming waste load inspections.

The load(s) selected for inspection shall be unloaded in an area apart from the active working floor. The refuse shall be spread

out and visually inspected for evidence of prohibited wastes or detectable quantities of recyclable materials. Any hazardous or recyclable materials thus found shall be set aside in a secure area to await proper disposition following notification of the producer (if known) and the appropriate governmental agencies.

- (2) The working floor shall be under continual visual inspection by facility personnel such as spotters, equipment operators, and supervisors for evidence of hazardous or recyclable materials. Any hazardous or prohibited or recyclable materials found shall be managed as described above.

(p.13)

- J. All contracts and commitments entered into shall contain provisions requiring front-end recycling before the waste is transported to the facility [as required by PRC Section 44150 (c) (5)].

5. MONITORING PROGRAM (p. 16)

A. MONTHLY:

- g. Quantity of ash processed and the quantity of processed ash transported to the disposal site per day and per week and the name of the disposal facility. For ash not disposed of, the quantity of ash and name and location of the facilities using the ash and end use of the ash.

CONCLUSION:

At this time it is necessary to insert the language concerning recyclable materials due to PRC Section 44150 (c)(5) which specifically requires front-end recycling for all waste received by transformation projects. This additional language would not only fulfill the requirement specified as specified in code, it would also substantially aid jurisdictions in meeting the diversion mandates of AB 939.

California Integrated Waste Management Board
Permit Decision No. 92-108
October 29, 1992

WHEREAS, The City of Long Beach Department of Health and Human Services, Bureau of Environmental Health acting as Local Enforcement Agency, has submitted to the Board for its review and concurrence in, or objection to a revised Solid Waste Facilities Permit for the Southeast Resource Recovery Facility; and

WHEREAS, the proposed permit is to incorporate into the facility's design and operation an ash treatment system as required by Regional Water Quality Control Board; and

WHEREAS, the City of Long Beach Planning Department prepared a negative declaration for the proposed project and a Notice of Determination was filed with the County Clerk on January 6, 1992; and

WHEREAS, the facility was inspected on September 11, 1992 and found to be in substantial compliance with the State Minimum Standards for Solid Waste Handling and Disposal; and

WHEREAS, Board staff have evaluated the proposed permit for consistency with the standards adopted by the Board; and

WHEREAS, the Board finds that all state and local requirements for this proposed permit have been met, including consistency with Board Standards, conformance with the County Solid Waste Management Plan, consistency with the General Plan, and compliance with the California Environmental Quality Act.

NOW, THEREFORE, BE IT RESOLVED that the California Integrated Waste Management Board concurs in the issuance of Solid Waste Facilities Permit No. 19-AK-0083.

CERTIFICATION

The undersigned Executive Director of the California Integrated 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 Integrated Waste Management Board held October 29, 1992.

Dated:

Ralph E. Chandler
Executive Director

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

Permitting and Enforcement Committee

October 21, 1992

AGENDA ITEM 11

ITEM: Consideration of Adoption of Regulations for Title 14, California Code of Regulations, Division 7, Chapter 5, Article 3.5 (Amending sections 18281 and 18283, and adding section 18292), for the Addition of the Federal Certification Financial Assurance Mechanism for Closure/Postclosure Maintenance

BACKGROUND:

PRC 40502 gives the Board authority to adopt rules and regulations as necessary, to carry out its mandate.

On June 10, 1992, the Permitting and Enforcement Committee voted to "notice" the proposed regulations.

On July 31, 1992, the proposed regulations were officially "noticed" for public comment by the Office of Administrative Law.

On September 14, 1992, the public comment period closed on the regulation package. No public comments were received and there were no requests for a public hearing.

ANALYSIS:

N/A

STAFF COMMENTS:

Based on the above background information, Board staff requests the Committee recommend adoption of the proposed regulations at the October 29th Board meeting.

ATTACHMENTS:

1. Proposed regulations as noticed to public on July 31, 1992.
2. Board Resolution No. 92-121

Prepared By: ^{det} Diana Thomas / ^{for} Garth C. Adams Phone 255-2445

Reviewed By: Phil Moralez ^{PM} Phone 255-2454

PROPOSED AMENDMENTS TO
TITLE 14, CALIFORNIA CODE OF REGULATIONS,
DIVISION 7, CHAPTER 5, ARTICLE 3.5
FINANCIAL RESPONSIBILITY FOR CLOSURE
AND POSTCLOSURE MAINTENANCE
OF A SOLID WASTE LANDFILL

Existing sections affected:

<u>Section Title</u>	<u>Section Number</u>
Definitions	18281
Acceptable Mechanisms and Combinations of Mechanisms	18283

New section:

Federal Certification	18292
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NOTE: New text shown in underline.

Section 18281. Definitions.

When used in this article, the following terms shall have the meanings given below:

(a) "Assets" means all existing and all probable future economic benefits obtained or controlled by a particular entity as a result of past transactions.

(b) "Current assets" means cash or other assets or resources commonly identified as those that are reasonably expected to be realized in cash or sold or consumed during the normal operating cycle of the business.

(c) "Current closure cost estimate" means the most recent of the estimates prepared in accordance with Chapter 5, Article 3.4, Section 18263.

(d) "Current liabilities" means obligations whose liquidation is reasonably expected to require the use of existing resources properly classifiable as current assets or the creation of other current liabilities.

(e) "Current postclosure cost estimate" means the most recent of the estimates prepared in accordance with Chapter 5, Article 3.4, Section 18266.

(f) "Enterprise fund" means a fund meeting the requirements of Section 18285, of this Article, that is established to account for the financing of self-supporting activities of a government unit that renders services on a user-fee basis.

(g) "Federal entity" means the United States Government, or any department, agency, or instrumentality thereof.

(g) "Financial means test" means the financial assurance mechanism specified in Section 18289, of this Article, by which an operator demonstrates its ability to pay future postclosure maintenance costs by satisfying a prescribed set of financial criteria.

(h) "Financial reporting year" means the twelve-month period for which financial statements that are used to support the financial means test are prepared.

(i) "Government securities" means financial obligations meeting the requirements of Section 18286, of this Article, that are issued by a federal, state, or local government, including general obligation bonds, revenue bonds, and certificates of participation.

(j) "Guarantee" means a contract meeting the requirements of Section 18291, of this Article, by which a guarantor promises that, if the operator fails to perform postclosure maintenance, the guarantor will perform postclosure maintenance or will establish and fund a trust fund in the name of the operator to pay for such activities.

(k) "Letter of credit" means a contract meeting the requirements of Section 18287, of this Article, 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.

(l) "Liabilities" means probable future sacrifices of economic benefits arising from present obligations to transfer assets or provide services to other entities in the future, as a result of past

transactions or events.

- (m) "Net working capital" means current assets minus current liabilities.
- (n) "Net worth" means total assets minus total liabilities and is equivalent to owner's equity.
- (o) "Operating" means currently active or the period of site activity from the first receipt of waste until the final receipt of waste consistent with the normal pattern of operation in the solid waste facilities permit.
- (p) "Parent corporation" means a corporation that owns directly or through its subsidiaries at least 50 percent of the voting stock of a corporation that operates a solid waste landfill.
- (q) "Pledge of revenue" means a financial assurance mechanism meeting the requirements of Section 18290, of this Article, by which a government unit promises to make specific, identified future revenue available to pay future postclosure maintenance costs.
- (r) "Permitted capacity filled during the past year" means the portion of a solid waste landfill's total permitted capacity that was filled during the following period:
 - (1) From the effective date of this Article until 60 days prior to any anniversary date of the establishment of a trust fund or an enterprise fund that occurs within one year after the effective date; and
 - (2) From 60 days before any other anniversary date of the establishment of a trust fund or an enterprise fund to 60 days before the subsequent anniversary date.
- (s) "Provider of financial assurance" means an entity, other than an operator, that provides financial assurance to an operator of a solid waste landfill, including a trustee, an institution issuing a letter of credit, a surety company, a guarantor, or an institution providing a financial assurance mechanism used in conjunction with an enterprise fund, government securities, or pledge of revenue.
- (t) "Substantial business relationship" means a business relationship that arises from a pattern of recent or ongoing business transactions, in addition to the issuance of a guarantee under Section 18291 of this Article.
- (u) "Surety bond" means a contract meeting the requirements of Section 18288, of this Article, by which a surety company promises that, if the operator fails to perform required closure and/or postclosure maintenance, the surety company will be liable for the operator's responsibilities as specified by the bond.
- (v) "Tangible net worth" means the tangible assets that remain after deducting liabilities; such assets do not include intangibles such as goodwill and rights to patents or royalties.
- (w) "Total permitted capacity" means the capacity approved by the landfill's permit, including any changes in capacity approved by a new permit or a permit modification; but excluding any capacity filled prior to August 18, 1989.
- (x) "Trust fund" means a contract meeting the requirements of Section 18284, of this Article, by which the operator transfers assets to a trustee to hold on behalf of the Board or its designee to pay closure and/or postclosure maintenance costs.

NOTE: Authority Cited: Section 40502, Public Resources Code, and ~~66796.22(d), Government Code.~~ Reference: Section ~~66796.22(f), Government Code.~~ Sections 43500 through 43610, Public Resources Code.

Section 18283. Acceptable Mechanisms and Combinations of Mechanisms.

(a) Subject to the limitations of subsections (b) through (f), an operator shall use any one or any combination of the mechanisms specified in sections 18284 through 18291, of this Article, to demonstrate financial responsibility for one or more solid waste landfills.

(b) Any mechanism used to demonstrate financial responsibility shall be updated within 60 days after changes are made in the amount of any current closure or postclosure cost estimate covered by the mechanism.

(c) If an operator combines a trust fund and/or an enterprise fund with any other mechanism to cover closure costs and/or to cover postclosure maintenance costs, the operator may only use the fund buildup authorized by Section 18282(b), of this Article, for the portion of closure and/or postclosure maintenance costs covered by the trust fund and/or enterprise fund.

(d) The enterprise fund and government securities mechanisms are acceptable only for solid waste landfills that are operated by a government agency. A pledge of revenue may be used by an operator or provider of financial assurances that is a government agency for a solid waste landfill to demonstrate financial responsibility for postclosure maintenance only.

(e) An operator shall not combine a performance bond with any other mechanism(s) for closure or for postclosure maintenance.

(f) The financial means test and guarantee are acceptable mechanisms only for solid waste landfills that are operated by private firms.

(g) The Federal Certification mechanism provided in section 18292 of this Article shall only be used by federal entities.

(g) A government agency may act as a provider of financial assurance for a solid waste landfill by using a pledge of revenue to demonstrate financial responsibility for postclosure maintenance on behalf of the operator, if either:

(1) the agency owns the solid waste landfill; or

(2) the agency is the rate setting authority and has control of the waste stream in the jurisdiction where the solid waste landfill is located.

NOTE: Authority Cited: Section 40502, Public Resources Code, and ~~66796.22(d), Government Code.~~ Reference: Section ~~66796.22(f), Government Code.~~ Sections 43500 through 43610, Public Resources Code.

Section 18292. Federal Certification.

(a) A federal entity which is responsible for closure or postclosure maintenance of one or more solid waste landfills located in California may, in lieu of using the other financial mechanisms provided in this Article, provide a Federal Certification for each landfill, in accordance with this section.

(b) Each Federal Certification shall include the following:

(1) A commitment by the federal entity to make a timely request for the funds needed to complete the closure and postclosure maintenance activities described in the most recently approved final closure and postclosure maintenance plans in accordance with Executive Order 12088 and OMB Circular A-106, which are incorporated herein by reference, or any pertinent amendments to those requirements;

(2) Copies of the initial closure and postclosure maintenance cost estimates and any amendments thereto, prepared pursuant to sections 18263 and 18266, respectively of this Chapter; and

(3) A commitment by the federal entity not to restructure the closure and postclosure funding in a manner that would interfere with timely completion of closure or postclosure maintenance activities.

(c) Should Congress fail to appropriate the necessary funding for closure and postclosure maintenance of a site, the federal entity shall advise the Board and the local enforcement agency within 90 days of such failure, and shall provide to the Board, documentation of all measures it will undertake to ensure that closure and postclosure activities are completed in accordance with the most recently approved closure and postclosure maintenance plans.

(d) Nothing in this section shall be deemed to require any federal entity, or employees, agents, or representatives thereof, to violate the federal Anti-Deficiency Act, 31 U.S.C. § 1341.

(e) Each federal entity owning or operating a solid waste landfill in California on or after January 1, 1989, and choosing to provide financial assurance by using the Federal Certification, shall file the necessary documents with the Board and the local enforcement agency not later than 120 days after the effective date of these amendments or, for new facilities, at the time of application for a solid waste facilities permit.

(f) A federal entity may choose to act as a provider of financial assurance for closure or postclosure maintenance on behalf of private or other entities operating solid waste landfills, if either:

(1) The landfill is located on federal land; or

(2) The operator operates or manages the landfill pursuant to a contract with the federal entity or an applicable subcontract.

NOTE: Authority Cited: Section 40502, Public Resources Code. Reference: Sections 43500 through 43610, Public Resources Code.

presidential documents

[3195-01-M]

Title 3—The President

Executive Order 12088

October 13, 1978

Federal Compliance With Pollution Control Standards

By the authority vested in me as President by the Constitution and statutes of the United States of America, including Section 22 of the Toxic Substances Control Act (15 U.S.C. 2621), Section 313 of the Federal Water Pollution Control Act, as amended (33 U.S.C. 1323), Section 1447 of the Public Health Service Act, as amended by the Safe Drinking Water Act (42 U.S.C. 300j-6), Section 118 of the Clean Air Act, as amended (42 U.S.C. 7418(b)), Section 4 of the Noise Control Act of 1972 (42 U.S.C. 4903), Section 6001 of the Solid Waste Disposal Act, as amended (42 U.S.C. 6961), and Section 301 of Title 3 of the United States Code, and to ensure Federal compliance with applicable pollution control standards, it is hereby ordered as follows:

1-1. *Applicability of Pollution Control Standards.*

1-101. The head of each Executive agency is responsible for ensuring that all necessary actions are taken for the prevention, control, and abatement of environmental pollution with respect to Federal facilities and activities under the control of the agency.

1-102. The head of each Executive agency is responsible for compliance with applicable pollution control standards, including those established pursuant to, but not limited to, the following:

- (a) Toxic Substances Control Act (15 U.S.C. 2601 *et seq.*).
- (b) Federal Water Pollution Control Act, as amended (33 U.S.C. 1251 *et seq.*).
- (c) Public Health Service Act, as amended by the Safe Drinking Water Act (42 U.S.C. 300f *et seq.*).
- (d) Clean Air Act, as amended (42 U.S.C. 7401 *et seq.*).
- (e) Noise Control Act of 1972 (42 U.S.C. 4901 *et seq.*).
- (f) Solid Waste Disposal Act, as amended (42 U.S.C. 6901 *et seq.*).
- (g) Radiation guidance pursuant to Section 274(h) of the Atomic Energy Act of 1954, as amended (42 U.S.C. 2021(h); see also, the Radiation Protection Guidance to Federal Agencies for Diagnostic X Rays approved by the President on January 26, 1978 and published at page 4377 of the FEDERAL REGISTER on February 1, 1978).
- (h) Marine Protection, Research, and Sanctuaries Act of 1972, as amended (33 U.S.C. 1401, 1402, 1411-1421, 1441-1444 and 16 U.S.C. 1451-1454).
- (i) Federal Insecticide, Fungicide, and Rodenticide Act, as amended (7 U.S.C. 136 *et seq.*).

1-103. "Applicable pollution control standards" means the same substantive, procedural, and other requirements that would apply to a private person.

1-2. *Agency Coordination.*

1-201. Each Executive agency shall cooperate with the Administrator of the Environmental Protection Agency, hereinafter referred to as the Adminis-

trator, and State, interstate, and local agencies in the prevention, control, and abatement of environmental pollution.

1-202. Each Executive agency shall consult with the Administrator and with State, interstate, and local agencies concerning the best techniques and methods available for the prevention, control, and abatement of environmental pollution.

1-3. *Technical Advice and Oversight.*

1-301. The Administrator shall provide technical advice and assistance to Executive agencies in order to ensure their cost effective and timely compliance with applicable pollution control standards.

1-302. The administrator shall conduct such reviews and inspections as may be necessary to monitor compliance with applicable pollution control standards by Federal facilities and activities.

1-4. *Pollution Control Plan.*

1-401. Each Executive agency shall submit to the Director of the Office of Management and Budget, through the Administrator, an annual plan for the control of environmental pollution. The plan shall provide for any necessary improvement in the design, construction, management, operation, and maintenance of Federal facilities and activities, and shall include annual cost estimates. The Administrator shall establish guidelines for developing such plans.

1-402. In preparing its plan, each Executive agency shall ensure that the plan provides for compliance with all applicable pollution control standards.

1-403. The plan shall be submitted in accordance with any other instructions that the Director of the Office of Management and Budget may issue.

1-5. *Funding.*

1-501. The head of each Executive agency shall ensure that sufficient funds for compliance with applicable pollution control standards are requested in the agency budget.

1-502. The head of each Executive agency shall ensure that funds appropriated and apportioned for the prevention, control and abatement of environmental pollution are not used for any other purpose unless permitted by law and specifically approved by the Office of Management and Budget.

1-6. *Compliance With Pollution Controls.*

1-601. Whenever the Administrator or the appropriate State, interstate, or local agency notifies an Executive agency that it is in violation of an applicable pollution control standard (see Section 1-102 of this Order), the Executive agency shall promptly consult with the notifying agency and provide for its approval a plan to achieve and maintain compliance with the applicable pollution control standard. This plan shall include an implementation schedule for coming into compliance as soon as practicable.

1-602. The Administrator shall make every effort to resolve conflicts regarding such violation between Executive agencies and, on request of any party, such conflicts between an Executive agency and a State, interstate, or a local agency. If the Administrator cannot resolve a conflict, the Administrator shall request the Director of the Office of Management and Budget to resolve the conflict.

1-603. The Director of the Office of Management and Budget shall consider unresolved conflicts at the request of the Administrator. The Director shall seek the Administrator's technological judgment and determination with regard to the applicability of statutes and regulations.

1-604. These conflict resolution procedures are in addition to, not in lieu of, other procedures, including sanctions, for the enforcement of applicable pollution control standards.

1-605. Except as expressly provided by a Presidential exemption under this Order, nothing in this Order, nor any action or inaction under this Order, shall be construed to revise or modify any applicable pollution control standard.

1-7. *Limitation on Exemptions.*

1-701. Exemptions from applicable pollution control standards may only be granted under statutes cited in Section 1-102(a) through 1-102(f) if the President makes the required appropriate statutory determination: that such exemption is necessary (a) in the interest of national security, or (b) in the paramount interest of the United States.

1-702. The head of an Executive agency may, from time to time, recommend to the President through the Director of the Office of Management and Budget, that an activity or facility, or uses thereof, be exempt from an applicable pollution control standard.

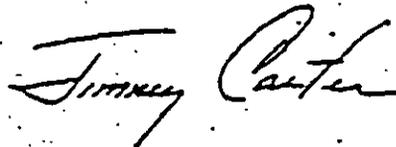
1-703. The Administrator shall advise the President, through the Director of the Office of Management and Budget, whether he agrees or disagrees with a recommendation for exemption and his reasons therefor.

1-704. The Director of the Office of Management and Budget must advise the President within sixty days of receipt of the Administrator's views.

1-8. *General Provisions.*

1-801. The head of each Executive agency that is responsible for the construction or operation of Federal facilities outside the United States shall ensure that such construction or operation complies with the environmental pollution control standards of general applicability in the host country or jurisdiction.

1-802. Executive Order No. 11752 of December 17, 1973, is revoked.



THE WHITE HOUSE,
October 13, 1978.

[FR-Doc. 78-29406 Filed 10-13-78; 2:40 pm]

EDITORIAL NOTE: The President's statement of Oct. 13, 1978, on signing Executive Order 12088 and his memorandum for the heads of departments and agencies, dated Oct. 13, 1978, on Federal compliance with pollution control standards are printed in the Weekly Compilation of Presidential Documents (vol. 14, no. 41).

EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

December 31, 1974

CIRCULAR NO. A-106

TO THE HEADS OF EXECUTIVE DEPARTMENTS AND ESTABLISHMENTS

SUBJECT: Reporting Requirements in Connection With the
Prevention, Control, and Abatement of
Environmental Pollution at Existing Federal
Facilities

1. Purpose. This Circular provides procedures to be followed by Federal agencies in carrying out the provision of Section 3(a)(3) of Executive Order No. 11752 of December 17, 1973, pertaining to the control of environmental pollution from existing Federal facilities.

2. Rescission. This Circular, supercedes and rescinds Office of Management and Budget (OMB) Circulars No. A-78 and A-81 dated May 18, 1970.

3. Definitions.

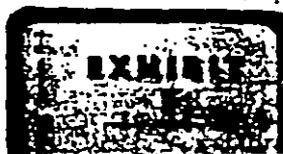
a. The term "Federal agencies" means the departments, agencies, establishments, and instrumentalities of the executive branch.

b. The term "facilities" means the buildings, installations, structures, land, public works, equipment, aircraft, vessels, and other vehicles and property, owned by, or constructed or manufactured for the purpose of leasing to, the Federal Government.

c. The term "project" means an action to achieve needed corrective measures relative to identified environmental pollution sources within a Federal facility.

d. The term "cost" means the amount of funds required for putting in place the necessary environmental protection measures. These costs include the capital costs of structure and equipment, irrespective of the appropriation chargeable, but not the annual maintenance and operating costs.

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e. The term "lease-construction" means construction of a facility by a private entrepreneur to meet requirements of a Federal agency in consideration of a commitment by the agency to lease the facility at a specified price for a specified time period.

f. The term "Director" means the Director of the Office of Management and Budget.

g. The term "Administrator" means the Administrator of the Environmental Protection Agency.

4. Standards. All facilities are to conform to the requirements specified in Section 4 of the Order. Those requirements are as follows:

a. Federal, State, interstate, and local air quality standards and emission limitations adopted in accordance with or effective under the provisions of the Clean Air Act, as amended.

b. Federal, State, interstate, and local water quality standards and effluent limitations respecting the discharge or runoff of pollutants adopted in accordance with or effective under the provisions of the Federal Water Pollution Control Act, as amended.

c. Federal regulations and guidelines respecting dumping of material into ocean waters adopted in accordance with the Marine Protection, Research, and Sanctuaries Act of 1972, and the Federal Water Pollution Control Act, as amended.

d. Guidelines for solid waste recovery, collection, storage, separation, and disposal systems issued by the Administrator pursuant to the Solid Waste Disposal Act, as amended.

e. Federal noise emission standards for products adopted in accordance with provisions of the Noise Control Act of 1972 and State, interstate, and local standards for control and abatement of environmental noise.

f. Federal guidance on radiation and generally applicable environmental radiation standards promulgated or recommended by the Administrator and adopted in accordance with the Atomic Energy Act, as amended (42 U.S.C. 2011), and

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rules, regulations, requirements, and guidelines on discharges of radioactivity as prescribed by the Atomic Energy Commission.

g. Federal regulations and guidelines respecting manufacture, transportation, purchase, use, storage, and disposal of pesticides promulgated pursuant to the provisions of the Federal Insecticide, Fungicide, and Rodenticide Act, as amended by the Federal Environmental Pesticide Control Act of 1972.

5. Agency Responsibilities. Pursuant to their responsibilities under the Order, Federal agencies:

a. Should cooperate with State, interstate, and local pollution control agencies and with other Federal agencies in the evaluation of their pollution control needs.

b. May seek the assistance of the Administrator to determine the standards and the appropriate implementation schedules applicable to particular facilities.

6. Pollution Control Plans.

a. Federal agencies must develop plans to assure that their facilities meet the standards listed in paragraph 4 of this Circular.

b. Such plans are to cover existing facilities as defined in paragraph 3b of this Circular. "Lease-construction" is an example of a type of facility covered under this provision, but facilities used under ordinary leases are not covered. Remedial measures required for buildings and equipment owned by non-Federal lessees on Federal land are not to be reported under this Circular unless the responsible Federal agency attests that they are constructed and operated for a Federal purpose. In cases where lease agreements with non-Federal lessees obligate the Federal Government to provide pollution control measures, remedial measures are to be reported under this Circular.

c. The agency plan should include all projects involving "costs," as defined in paragraph 3d of this Circular, which are necessary to bring existing facilities into compliance with applicable standards. Funds required for studies, management and monitoring associated with the definition and development of corrective measures and

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necessary equipment to assure compliance with standards should also be included in the plan.

d. In determining the most cost-effective remedial measures necessary for a particular facility to meet the standards, agencies should take into account such factors as: the future use of the facility; the best practicable technology available; the need for control system reserve capacity; the various alternative methods of control including process change; and the use of joint or regional pollution control facilities.

e. Agency plans should include the milestones for the design, construction, and completion of projects which, when submitted to the Director, will represent an agency commitment to comply with applicable standards considering the Federal budgetary process and assuming that the requested funds will be appropriated by the Congress and allocated to the agency as planned.

f. Facilities may be exempted from applicable standards in the interest of national security or in extraordinary cases in which it is in the paramount interest of the United States. Such exemptions must be made in accordance with the provisions of Section 5 of the Order.

7. Reports.

a. Agency plans are to be reported in accordance with procedures prescribed by the Administrator. Such procedures will provide for submission of pertinent details of each individual project and a summary status report of the overall plan.

b. The reports will be submitted semiannually on December 31 and June 30 to the Director thru the Administrator. After review of the reports, the Administrator will forward the agency's reports to the Director.

c. By September 30 of each year the Administrator will also forward to the Director an evaluation of each agency's report.

8. Communications with the Administrator. Communications with the Administrator should be directed to the Environmental Protection Agency, attention: Office of

(No. A-106)

5
Federal Activities, 401 M Street, S.W., Washington, D.C.
20460, phone 755-0790 (code 138).

9. Communications with the Director. Questions regarding
the implementation of this Circular should be addressed to
the Office of Management and Budget, Washington, D.C.
20503, phone 395-6827 (code 103).

ROY L. ASH
DIRECTOR

(No. A-106)

California Integrated Waste Management Board
Resolution 92-121
October 29, 1992

Adoption of Regulations for
the Addition of the Federal Certification
Financial Assurance Mechanism for Closure/Postclosure

WHEREAS, Public Resources Code Section 40502 gives the Board authority to adopt rules and regulations, as necessary, to carry out its mandates; and

WHEREAS, the Board has consulted with representatives of the federal government, members of the affected industry and the public at large while developing the federal certification financial assurance mechanism; and

WHEREAS, since the Board has fulfilled all of the requirements of Government Code Sections 11343, 11346.1, 11346.14, 11346.4, 11346.5, 11346.53, 11346.7, 11346.8, and 11347.3; and Title 1 of the California Code of Regulations, Section 20.

NOW, THEREFORE, BE IT RESOLVED that the Board hereby adopts the proposed changes to regulations for Title 14, Division 7, Chapter 5, Article 3.5 of the California Code of Regulations; and

BE IT FURTHER RESOLVED that the Board directs staff to submit the regulations to the Office of Administrative Law.

Certification

The undersigned Executive Director of the California Integrated 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 Integrated Waste Management Board held on October 29, 1992.

Dated:

Ralph E. Chandler
Executive Director

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

Permitting and Enforcement Committee
October 21, 1992

AGENDA ITEM 12

ITEM: Consideration of Adoption of Amendments to Title 14, California Code of Regulations, Division 7, Chapter 5, Article 3.3, sections 18232 and 18240 (Financial Responsibility for Operating Liability Claims)

BACKGROUND:

On April 29, 1992, the Board adopted an emergency regulation package to amend the "Financial Responsibility for Operating Liability Claims" regulations. The amendments are limited to Title 14, California Code of Regulations, Division 7, Chapter 5, Article 3.3, sections 18232 and 18240 (attachment 1).

On May 19, 1992, the emergency regulations were filed with the Secretary of State.

On July 31, 1992, the 45-day public notice period for formal adoption of the amendments to the regulations began. The public comment period closed on September 14, 1992.

ANALYSIS:

The 45-day public comment period yielded only two comments. The first comment was in support of the amendments. The second comment dealt with areas of the regulations which were not open for comment, and as such, was outside the rulemaking process. Briefly, this second commentor stated that the regulations should require coverage for pollution exposures, which the regulations do require. However, this requirement is not specifically in the sections open for comment.

STAFF COMMENTS:

At the Committee's direction, staff will bring this regulation package to the Board at the October 29, 1992 Board meeting for formal adoption.

ATTACHMENTS:

1. Amendments to Title 14, California Code of Regulations, Division 7, Chapter 5, Article 3.3, sections 18232 and 18240.
2. Board Resolution No. 92-118

Prepared by: Richard Castle / Garth C. Adams Phone 255-2446
Reviewed by: Phil Moralez Phone 255-2453

Attachment 1

PROPOSED AMENDMENTS TO:

Title 14: Natural Resources
Division 7: California Integrated Waste Management Board
Chapter 5: Enforcement of Solid Waste Minimum Standards and
Administration of Solid Waste Facilities Program
Article 3.3: Financial Responsibility for Operating Liability
Claims

Additions are identified with redline
Deletions are identified with ~~strikeout~~ "-"

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 bodily injury and property damage caused by accidental occurrences in at least the amount of:

(1) One million dollars (\$1,000,000) per occurrence; and

~~(2) One million dollars (\$1,000,000) annual aggregate for 1 facility.~~

~~(3) Two million dollars (\$2,000,000) annual aggregate for up to 2 facilities.~~

~~(4) Three million dollars (\$3,000,000) annual aggregate for 3 facilities.~~

~~(5) Four million dollars (\$4,000,000) annual aggregate for 4 facilities.~~

~~(6) Five million dollars (\$5,000,000) annual aggregate for 5 or more facilities, which is the maximum coverage required.~~

(b) The required amounts of coverage shall be exclusive of legal defense costs, deductibles and self-insured retentions.

(c) The required amounts of coverage shall apply exclusively to an operator's facility or facilities located in the State of California.

(d) An operator may use one or more mechanisms to provide proof of financial assurance.

(e) If a trust fund or government securities is depleted to compensate third parties for bodily injuries and/or property

Attachment 1

damages caused by accidental occurrences, the operator shall, within one year of the depletion, demonstrate financial responsibility for the full amount of coverage required by section (a) by replenishing the depleted mechanism(s) and/or acquiring additional financial assurance mechanism(s).

(f) If an environmental liability fund is depleted to compensate third parties for bodily injuries and/or property damages 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 section 18240(d) of this Article, as if no depletion had occurred.

NOTE: Authority cited: Section 40502 and 43040, Public Resources Code. Reference: Section 43040, Public Resources Code.

Section 18240. Insurance and Environmental Fund.

(a) To be eligible to use this mechanism to demonstrate financial responsibility for compensating third parties for bodily injury and property damage, the operator shall fulfill the requirements of sections (a) through (e) of this section no later than one day after the effective date of this Article.

(b) The operator shall submit a signed certification to the Board on form CIWMB 137 (11/91), which is incorporated by reference; and

(c) The operator shall submit certification of coverage to demonstrate the establishment and maintenance of comprehensive general liability insurance coverage with limits in at least the amounts specified in section 18232 of this Article. This insurance must conform to the requirements of sections 18236(a) through (d) and/or 18237(a) of this Article; and

(d) The operator shall demonstrate the establishment of an environmental liability fund, which shall be fully funded, as described, within 5 years of the effective date of this Article. This means that the operator shall make the initial payment as described in section 18240(d)(3) by July 2, 1992 and subsequent payments as described in section 18240(d)(4) on July 1st of the following years: 1993, 1994, 1995, 1996, and 1997.

(1) The environmental liability 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.

Attachment 1

(2) The environmental liability fund shall be established by using form CIWMB 138 (11/91), which is incorporated by reference.

(3) The funding of the environmental liability fund shall be initiated with a payment of ~~\$400,000~~ \$200,000 or a payment that is at least equal to the applicable aggregate liability coverage amount specified in section 18232 of this Article divided by 5, which is the maximum number of years in the pay-in period.

(4) On each anniversary date of the effective date of this Article, the minimum payment shall be determined by this formula:

$$\text{Minimum Payment} = \frac{AC - CV}{Y + 1}$$

where AC is the aggregate coverage required, CV is the current value of the trust fund and Y is the number of years remaining in the pay-in period.

(5) The operator may accelerate payments into the environmental liability fund. However, the value of the environmental liability fund shall be maintained at no less than the value that the environmental fund would have, if payments were made as specified in sections (3) and (4) of this section.

(6) If the value of the environmental liability fund becomes greater than the total amount of the applicable aggregate liability coverage, the operator may request in writing that the Board authorize the release of the excess funds. The Board shall review the request within 90 days of receipt of the request. If any excess funds are verified, the Board shall instruct the trustee to release the funds.

(e) The operator may substitute any alternate financial assurance mechanism(s), as identified in section 18241 of this Article, for the Insurance and Environmental Fund mechanism.

NOTE: Authority cited: Section 40502 and 43040, Public Resources Code.
Reference: Section 43040, Public Resources Code.

**California Integrated Waste Management Board
Resolution No. 92-118
October 29, 1992**

Adoption of Amendments to Title 14, California Code
of Regulations, Division 7, Chapter 5,
Article 3.3, Sections 18232 and 18240

WHEREAS, the Board is required, by Public Resources Code Section 43040, to adopt standards and regulations which require that as a condition for the issuance, modification, revision, or review of a solid waste facilities permit for a disposal facility, the operator of the disposal facility shall provide assurance of adequate financial ability to respond to bodily injury claims and public or private property damage claims resulting from the operations of the disposal facility which occur before closure; and

WHEREAS, the Board adopted regulations on December 11, 1991 by order of Resolution 91-72; and

WHEREAS, the Office of Administrative Law approved the rulemaking file for the subject regulations and filed the regulations with the Secretary of State on April 2, 1992; and

WHEREAS, the Board adopted emergency regulations on April 29, 1992 amending the regulations as filed on April 2, 1992 with the Secretary of State by order of Resolution 92-62; and

WHEREAS, the Board has taken all public comments under consideration; and

WHEREAS, the Board has fulfilled all of the requirements of Government Code Sections 11343, 11346.1, 11346.14, 11346.4, 11346.5, 11346.53, 11346.7, 11346.8, and 11347.3; and Title 1 of the California Code of Regulations, Section 20.

NOW, THEREFORE, BE IT RESOLVED that the Board hereby adopts the proposed amendments to the regulations for Title 14, California Code of Regulations, Division 7, Chapter 5, Article 3.3, sections 18232 and 18240; and

BE IT FURTHER RESOLVED that the Board directs staff to submit the regulations to the Office of Administrative Law.

Certification

The undersigned Executive Director of the California Integrated Waste Management Board does hereby certify that the forgoing is a full, true and correct copy of a resolution duly and regularly adopted at a meeting of the California Integrated Waste Management Board held on October 29, 1992.

Dated:

Ralph E. Chandler
Executive Director

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

**Permitting and Enforcement Committee
October 21, 1992**

AGENDA ITEM 13

ITEM: Staff report on Waste Tire Facility Fire in Santa Rosa on September 27-28, 1992.

BACKGROUND:

On Sunday evening, September 27, staff became aware of the fire in the Round-To-It tire stockpile in Santa Rosa from local television news. The fire apparently began around noon on Sunday the 27th in the site offices adjacent to the stacked tires. The fire department was on the scene within 4 minutes of receiving the alarm.

At the high point of the fire there were about 25 fire units on scene. Over 1.2 million gallons of water were pumped onto the fire and about 120 gallons of fire suppressant foam were utilized. The pile which burned contained approximately 15,000 waste tires which were being stored for resale shipment. Another waste tire pile at the site, which is separated from the burned pile by a distance of about 75 yards, contains approximately 780,000 waste tires.

The fire was knocked down by early Monday morning and clean-up operations were underway when Board staff arrived at the site to meet with the on-scene fire commander, Sonoma County (County) hazardous materials response personnel, engineers from the Regional Water Quality Control Board (RWQCB), engineers from the site clean-up contractor, and the site operator.

Since laboratory results on the fire debris showed hazardous levels of zinc of over 11,000 ppm (with 5,000 ppm being the Total Threshold Limit Concentration), the fire services hazardous materials officer directed the trucks loaded with the fire debris to transport their loads to a Class I disposal facility in Beatty, Nevada. At the time of this report 105 truckloads of debris have been shipped. The water recovered from the firefighting efforts will be discharged into the City of Santa Rosa's wastewater treatment plant.

The cause of the fire is still under investigation. It is anticipated that the official fire report will be available by the end of the month. At the time this item was written the costs of the fire response and clean-up are approaching \$1 million. Staff was told that the County's emergency response fund contained a budgeted \$300,000 for the fiscal year.

The County hazardous materials office has also indicated to Board staff that the RWQCB has issued a Cleanup and Abatement order to the property owner for the burn area.

ANALYSIS:

Staff is continuing to collect data on the fire. Although the facility is not required to have a Waste Tire Facility permit at this time under the Emergency Waste Tire Facility Regulations, the technical standards do apply.

The storage requirements in the technical standards specify a maximum pile area of 5000 square feet and maximum pile volume of 50,000 cubic feet, representing a pile size of approximately 20,000 passenger car tires stacked in an orderly fashion. Waste tire piles are required to have 40 foot fire lanes between them and they must be 10 feet from property lines and structures. It is unlikely that the technical standards would have had an effect on the outcome of this fire due to the size (15,000 tires as noted above) and configuration of the pile which burned.

On the other hand, if the large contiguous pile which contains over 780,000 tires had caught fire, it would reasonably spread through the entire pile and burn for days or even weeks. When compared to the burned pile, the impact from a fire in the larger pile would include a very significant increase in the amount of pollutants released, the potential danger to the public and to firefighters, and the costs of cleanup. In this scenario, if the technical standards were in place the impact of a fire in the large pile would likely be significantly different.

STAFF COMMENTS:

This is an informational item only.

ATTACHMENTS:

Prepared By: Jesse Adams/Garth Adams ^{N/A} ^{NG for} Phone 255-2442

Reviewed By: Phil Moralez ^{sym} Phone 255-2431

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

**Permitting and Enforcement Committee
October 21, 1992**

AGENDA ITEM 14

ITEM: Consideration of Amendments to the Proposed Regulations for Permitting Waste Tire Facilities

BACKGROUND:

- ◆ Assembly Bill 1843 (Brown, Statutes of 1989) established the waste tire program and required the Board to adopt emergency regulations for permitting waste tire facilities.
- ◆ On June 26, 1991, the Board adopted emergency regulations setting forth procedures and requirements necessary to obtain waste tire facility permits.
- ◆ The emergency regulations were filed with the Secretary of State on February 10, 1992 and became effective that date.
- ◆ A workshop was held on May 5, 1992 to receive input from the public in the development of the final regulations.
- ◆ On May 13, 1992, the Permitting and Enforcement Committee authorized staff to notice the proposed non-emergency regulations. The notice was published in the June 19, 1992 California Regulatory Notice Register. Notice of the regulations initiated the 45-day public comment period.
- ◆ Written comments concerning the adoption of the proposed regulations were received during the public comment period which culminated with the receipt of oral testimony at a public hearing held on August 19, 1992.

ANALYSIS:

Board staff will summarize comments received during the public comment period and will propose changes to the draft regulations (redline/strikeout) in response to these comments and clarification determined to be necessary by staff.

STAFF COMMENT:

There are three actions that the Committee may take:

1. The committee may direct staff to notice the proposed changes to the draft regulations, as presented, for a 15-day comment period.

2. The committee may direct staff to make additional changes to the draft regulations prior to noticing them for the 15 day comment period.

3. The committee may direct staff to make additional changes to the draft regulations to be discussed at the December Permitting and Enforcement Committee Meeting (too late for November P&E Committee Agenda Notice).

Staff suggests either Option 1. or 2. Option 3. will delay Board consideration of the regulations by one month, thus increasing the likelihood of the need for another extension of the emergency regulations.

ATTACHMENTS

None

see NJ for
Prepared By: Tom Micka/Garth Adams

Phone 255-2443

Reviewed By: Phil Moralez *Pym*

Phone 255-2431

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

Permitting and Enforcement Committee
October 21, 1992

AGENDA ITEM 15

ITEM: Consideration of Authorization of the Executive Director to Execute an Interagency Agreement with the State Water Resource Control Board to Provide Permitting and Compliance Activities at Solid Waste Landfills during Fiscal Year 92/93 Pursuant to Public Resources Code, Section 46500 et. seq.

BACKGROUND:

The Public Resources Code (PRC), Sections 46500 et. seq., provides for the funding of permit, inspection and enforcement programs related to solid waste landfills carried out by the regional water quality control boards. Funds for that purpose are to be made available to the state water board as an allocation from the Solid Waste Disposal Site Cleanup and Maintenance Account (account) by the California Integrated Waste Management Board.

The PRC prescribes the amount of the allocation as 5% of the total revenues deposited, or anticipated to be deposited, in a year. The amount deposited for Fiscal Year 1991/1992 is virtually \$20,000,000, the maximum amount; it follows that the 5% allocation to the state water board would be approximately \$1,000,000 for work to be completed in FY 1992/1993.

The draft interagency agreement (attached) defines the tasks to be performed and provides for reimbursement to the state and the regional boards. Integrated Waste Management Board and water board staff have negotiated the interagency agreement and anticipate no substantive changes prior to final execution.

The scope to the interagency agreement specifies that the water board and the regional boards will enforce Waste Discharge Requirements (WDR) for solid waste landfills. The specific tasks include funding of (1) formal enforcement, (2) informal enforcement, (3) complaint investigations, (4) closure, and (5) program administration, including submittal of quarterly reports and billing invoices. The allocation will support approximately 11.8 regional board staff.

STAFF COMMENTS:

That the Board authorize the Executive Director or his designee to negotiate and execute an interagency agreement with the water

board for enforcement activities at solid waste landfills from July 1, 1992 through June 30, 1993.

ATTACHMENTS:

1. Draft Interagency Agreement with the water board.
2. Resolution No. 92-122

Prepared By: 
Bernie Vlach

Phone: 255-2460

State of California

Memorandum

To : Mr. Bernard Vlach
Integrated Waste Management Board
8800 Cal Center Drive
Sacramento, CA 95814

Date : JUL 08 1992



Elizabeth M. Babcock, Program Manager
Chapter 15 Program
Division of Clean Water Programs
From : STATE WATER RESOURCES CONTROL BOARD

Subject: FY 1992-1993 INTERAGENCY AGREEMENT (I/A) BETWEEN THE INTEGRATED WASTE MANAGEMENT BOARD (IWMB) AND THE STATE WATER RESOURCES CONTROL BOARD (SWRCB)

Attached is a copy of the FY 1992-1993 Interagency Agreement between the Integrated Waste Management Board and the State Water Resources Control Board. The I/A was officially adopted at our Board Meeting held Thursday, June 18, 1992. A copy of the resolution is also attached.

Our Contracts Office has processed the Agreement. It was transmitted to your agency for signature on June 3, 1992. Could you please let me know what the status of the Agreement is with your Board?

If I can be of any assistance in expediting this process, please contact me at (916) 739-4316. Thank you for your cooperation.

Attachment

**STATE WATER RESOURCES CONTROL BOARD MEETING
SACRAMENTO, CALIFORNIA
JUNE 18, 1992**

ITEM: 6

SUBJECT: PROPOSED RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR OR HIS DESIGNEE TO NEGOTIATE AND EXECUTE AN INTERAGENCY AGREEMENT (AGREEMENT) WITH THE INTEGRATED WASTE MANAGEMENT BOARD (WASTE BOARD) FOR WORK PERFORMED PURSUANT TO THE CALIFORNIA INTEGRATED WASTE MANAGEMENT ACT OF 1989 DURING FISCAL YEAR (FY) 1992-93

**DIS-
CUSSION:** The California Integrated Waste Management Act (AB 939, Sher, Killea, Eastin, 1989) provides that the Waste Board annually allocate up to \$1,000,000 to the State Water Board for inspection of solid waste landfills and enforcement of Waste Discharge Requirements (WDRs) for solid waste landfills. A State Water Board legal opinion has interpreted that enforcement of WDRs at landfills means basic regulation of landfills with WDRs. Agreements were successfully completed during FYs 1990-91 and 1991-92. The draft Agreement (attached) defines that tasks to be performed and provides for reimbursement to the State and Regional Water Boards. State Water Board and Waste Board staffs have negotiated the draft Agreement and contemplated no substantive changes prior to final execution. The specific tasks include funding routine activities at solid waste landfills for (1) permitting, (2) compliance inspections, (3) monitoring report reviews, (4) formal enforcement, (5) informal enforcement, (6) closure, (7) complaint investigations, (8) waste characterization, and (9) program administration, including submittal of Quarterly Progress Reports.

The Agreement funding will support a portion of the solid waste landfill activities of the Chapter 15 program. That portion of the workload has increased because of two items of legislation, the Solid Waste Assessment Test (SWAT) and the California Integrated Waste Management Act. The SWAT program identified problem sites which require necessary follow-up regulatory activities. The California Integrated Waste Management Act increases the number of closure plans which must be reviewed, imposes a shorter deadline for their approval, and requires coordination among approving agencies.

**POLICY
ISSUE:** Should the State Water Board adopt the proposed resolution authorizing the Executive Director or his designee to negotiate and execute an Agreement with the Waste Board?

**FISCAL
IMPACT:**

The California Integrated Waste Management Act and the Agreement provide up to \$1,000,000 payable by the Waste Board for oversight of activities at solid waste landfills. This is expected to support approximately 12.3 Personnel years during FY 1992-93.

**REGIONAL
BOARD
IMPACT:**

Yes, all Regional Water Boards.

**STAFF
RECOMMEN-
DATION:**

That the State Water Board authorize the Executive Director or his designee to negotiate and execute an Agreement with the Waste Board for the period July 1, 1992 through June 30, 1993.

Policy Review
Legal Review
Fiscal Review

WA
[Signature]
[Signature] 6/2/92

INTERAGENCY AGREEMENT

2.13 (REV. 9-89)

NUMBER

2-901-550-0

THIS AGREEMENT is entered into this 1st day of July, 1992.

and between the undersigned State Agencies:

Set forth services, materials, or equipment to be furnished, or work to be performed, and by whom, and the date for performance including the terms, date of commencement and date of completion, and provision for payment per (1225 and 8752-8752.1 SAM.)

Distribution:

- Agency providing services
- Agency receiving services
- Department of General Services (unless exempt from CGS approval)
- Controller

I. SCOPE OF AGREEMENT

The State Water Resources Control Board (State Water Board) agrees to perform and assures, as applicable, Regional Water Quality Control Board (Regional Water Board) performance of the tasks described in this Agreement. The State Water Board will coordinate and will assure coordination by the Regional Water Boards with the California Integrated Waste Management Board (CIWMB) in regulating Solid Waste Landfills.

Continued on _____ sheets which are hereby attached and made a part hereof

NAME OF STATE AGENCY RECEIVING SERVICES <u>California Integrated Waste Management Board</u> CALLED ABOVE (SHORT NAME) <u>CIWMB</u>	NAME OF STATE AGENCY PROVIDING SERVICES <u>State Water Resources Control Board</u> CALLED ABOVE (SHORT NAME) <u>State Water Board</u>
AUTHORIZED SIGNATURE >	AUTHORIZED SIGNATURE ▷
PRINTED NAME AND TITLE OF PERSON SIGNING <u>Ralph E. Chandler</u> <u>Executive Director</u>	PRINTED NAME AND TITLE OF PERSON SIGNING <u>James B. Stafford, Chief</u> <u>Division of Administrative Services</u>
FUND NUMBER AND NAME	FUND NUMBER AND NAME

AMOUNT ENCUMBERED BY THIS DOCUMENT <u>\$ 1,000,000</u>	PROGRAM/CATEGORY (CODE AND TITLE) (OPTIONAL USE) <u>Enforcement, Solid Waste Disposal Account</u>	FUND TITLE <u>Solid Waste Disposal Site Cleanup</u>	<u>Department of General Services</u> <u>Use Only</u>
PRIOR AMOUNT ENCUMBERED FOR THIS CONTRACT <u>\$</u>	ITEM <u>3910-001-435</u>	CHAPTER <u>1992</u>	STATUTE <u>1992</u>
TOTAL AMOUNT ENCUMBERED TO DATE <u>\$ 1,000,000</u>	OBJECT OF EXPENDITURE (CODE AND TITLE) <u>4400-15000-398</u>	FISCAL YEAR <u>1992-93</u>	
I hereby certify upon my own personal knowledge that budgeted funds are available for the period and purpose of the expenditure stated above.	T.B.A. NO.	B.F. NO.	
SIGNATURE OF ACCOUNTING OFFICER <u>K</u>	DATE		

II. Term of Agreement

The term of this Agreement is July 1, 1992 through June 30, 1993. This Agreement may be amended upon written mutual agreement.

III. Cost and Payment

The total amount of this Agreement shall not exceed "ONE MILLION DOLLARS" (\$1,000,000).

In consideration of the performance of the work required herein in a reasonable and workmanlike manner, the CIWMB agrees to pay to the State Water Board the sum of five (5) percent of the total revenues deposited in the Solid Waste Disposal Site Cleanup and Maintenance Account, up to "ONE MILLION DOLLARS" (\$1,000,000), payable three times per year. One-third of the maximum collections, up to \$333,333.33 will be paid upon receipt of our invoice on November 1, 1992, February 1, 1993, and May 1, 1993.

For services provided under this Agreement, charges will be computed in accordance with State Administrative Manual (SAM) Sections 8752 and 8752.1 (per SAM 8758.1).

The contracting parties shall be subject to the examination and audit of the Auditor General for a period of three years after final payment under the contract (per Government Code Section 10532 and SAM Section 1225).

The invoice must identify this Agreement by number. Mail invoices in duplicate to:

California Integrated Waste Management Board
8800 Cal Center Drive
Sacramento, CA 95826

IV. Contract Managers

DIRECT ALL AGREEMENT INQUIRIES TO:

California Integrated Waste
Management Board
Attn: Don Wallace
Deputy Executive Director
8800 Cal Center Drive
Sacramento, CA 95826
(916) 255-2200

State Water Resources Control
Board
Attn: Elizabeth Babcock
Chapter 15 Program Manager
2014 T Street, Suite 130
Sacramento, CA 94244-2120
(916) 739-4316

OR THEIR DESIGNEES

V. Description of Tasks

All tasks shall be performed at solid waste landfills with emphasis where CIWMB requests Regional Water Board actions in order to meet CIWMB deadlines and priorities.

Task 1: PERMITTING ACTIVITIES

Regional Water Board staff shall perform permitting activities at solid waste landfills where the CIWMB requests Regional Water Board action in order to meet CIWMB deadlines.

Permitting activities include any actions necessary to (1) evaluate Reports of Waste Discharge (ROWD), (2) prepare, develop, and interpret Waste Discharge Requirements (Requirements) by the Regional Water Boards, and (3) review of proposed Requirements by the State Water Board staff. Permitting activities include the following actions:

- . All activities relative to processing and reviewing applications and ROWDs.
- . Actual preparation of Requirements, with the exception of Requirements required for site closure, which are performed under Task 7: Site Closure.
- . Preparation of Regional Water Board agenda items and participation in Regional Water Board meetings related to Requirements.
- . Preparation for, or participation in, staff meetings as they apply to proposed Requirements.
- . Inspections, including travel or meetings, necessary to gather information for the preparation of Requirements.
- . Any of the above activities pertaining to the evaluation of a ROWD or other discharge proposal and subsequent granting of a waiver.
- . All activities relative to the review for the purpose of certification.

Task 2: COMPLIANCE INSPECTIONS

Regional Water Board staff shall inspect solid waste landfills for compliance with Regional Water Board Requirements and coordinate scheduling with the CIWMB.

Compliance inspections include all activities necessary to ensure that dischargers are in compliance with Requirements, or other Requirements by a Regional Water Board Executive Officer, including the following:

- . All activities necessary to prepare for scheduled compliance inspections.
- . Compliance inspections, including travel.
- . Documenting results from inspections, including completion of inspection forms.
- . Preparing correspondence to the discharger regarding inspection results, if the correspondence does not require a response addressing correction of violations detected during the inspection. (Correspondence requesting a response addressing violations detected during the inspection is an activity under Task 4: Formal Enforcement or Task 5: Informal Enforcement.)

Task 3: MONITORING/REPORT REVIEWS

Regional Water Board staff will review monitoring reports and other technical reports submitted regarding solid waste landfills.

Monitoring and report reviews include all activities necessary to obtain and evaluate self-monitoring and technical reports in order to determine compliance with Requirement conditions, or other Requirements by a Regional Water Board Executive Officer. These other Requirements include time schedules, compliance schedules, and prohibitions.

Task 4: FORMAL ENFORCEMENT

Regional Water Board staff shall take appropriate formal enforcement action at solid waste landfills after notification, pursuant to Public Resources Code Section 45300, et seq., and after discussions with the the CIWMB and the local enforcement agency (LEA).

Enforcement activities will include any action necessary to prepare and enforce any of the following Regional Water Board actions as described in California Water Code Sections 13300-13361:

- . Time Schedule Orders.
- . Cleanup and Abatement Orders.
- . Cease and Desist Orders.
- . Civil Monetary Penalty Assessment by Regional Water Boards.
- . Referral to State Attorney General for Injunctive Relief or Assessment of Civil Monetary Penalties by the Superior Court.
- . Referral to the County District Attorney for Criminal Prosecution.
- . Appeals to the State Water Board on Enforcement Actions.

The following are the general activities which Regional Water Boards will perform to implement enforcement:

- . Written notification of (1) violation of law, regulation, or Requirements which is likely to result in enforcement action or (2) planned enforcement action, to the enforcement agency, Air Pollution Control District, or Air Quality Management District, and Department of Health Services, within timeframes required by Public Resources Code, Section 45301.
- . Meetings directly related to the enforcement action.
- . Actual preparation of documentation of enforcement actions including necessary research activities.
- . Gathering data, once the enforcement action has been initiated.
- . Preparation for, or participation in, State or Regional Water Board meetings or judicial proceedings.

- . Any followup necessary to determine compliance with an enforcement action.
- . Regional Water Board activities pertaining to petitions submitted to the State Water Board on enforcement actions.

Task 5: INFORMAL ENFORCEMENT ACTIVITIES (NONCOMPLIANCE)

Regional Water Board staff shall perform appropriate informal enforcement activities at solid waste landfills. The Regional Water Board shall inform the CIWMB and LEA of violations and notify the CIWMB and LEA of planned informal enforcement actions pursuant to Public Resources Code Section 45300, et seq.

The noncompliance activity includes any activity, except inspection or formal enforcement actions, undertaken to obtain compliance with Chapter 15 Requirements, or a Basin Plan, once a noncompliance has been identified.

The following are general activities which Regional Water Boards will perform to implement informal enforcement:

- . Discussions, both telephone and at meetings, with the discharger regarding noncompliance.
- . Developing a plan/schedule to correct noncompliance.
- . Drafting any correspondence, including "Letters of Noncompliance".
- . Any necessary followup to verify correction of a noncompliance, except for inspection or review and revision of Discharge Monitoring Requirements.
- . Review of technical/monitoring reports submitted specifically in response to a case of noncompliance.

Task 6: COMPLAINT INVESTIGATIONS

Regional Water Board staff shall perform complaint investigations at solid waste landfills and refer complaints to other agencies as required by Public Resources Code Section 45303.

Investigations include all activities necessary to respond to a complaint or incident or notification of enforcement by another agency, including the following:

- . Receiving and documenting complaints/incidents.
- . Any followup activities to gather additional information.
- . Preparation for field inspections.
- . Field inspections necessary to investigate a complaint/incident or a notification of enforcement as required by Public Resources Code, Section 45302.
- . Documentation of findings and response to complaints, including those required by Public Resources Code, Section 45304.

Task 7: CLOSURE

Regional Water Board staff shall take appropriate action regarding review and approval of closure plans and oversight of closure activities at solid waste landfills; and shall send copies of correspondence regarding plan review and approval to the CIWMB and LEA.

Closure activities include all actions necessary to assure proper closure, including the following:

- . All activities necessary to process and review applications and ROWDs for closure (including Preliminary and Final closure and postclosure maintenance plans described in California Code of Regulations, Title 14).
- . Actual preparation of Requirements for closure.
- . Meetings as they apply to proposed Requirements for closure. This includes any activities relative to appeals to the State Water Board.
- . Inspections necessary to gather information for the preparation of Requirements for closure.

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- . All oversight activities necessary to implement proper closure.

Task 8: WASTE CHARACTERIZATION

The Regional Water Board staff will respond to public inquiries about waste discharges to solid waste landfills.

Waste characterization includes all activities necessary to determine characteristics of a waste stream in order to choose the appropriate method and location of treatment, storage, or disposal. This activity includes meetings, telephone conversations, report and data review, and field work related to determining characteristics of waste.

Task 9: PROGRAM ADMINISTRATION

- A. Management of the Agreement shall include coordination with and all reporting to the CIWMB.
- B. The State Water Board, using Regional Water Board data, shall provide the CIWMB quarterly reports, by site, for all actions taken during the contract year.

VI. DISPUTE RESOLUTION

Any dispute arising out of the terms and conditions of this Agreement shall be resolved in the following manner:

- A. The Contract Managers for the CIWMB and the State Water Board shall meet within ten (10) days of a request by either party. The party calling the meeting shall provide, in writing, at least five (5) days in advance of the meeting, a clear description of the disputed terms and conditions and a proposed solution. The CIWMB Contract Manager shall make a determination on the dispute, in writing, including reasons for the determination. The determination shall be sent to the State Water Board Contract Manager within ten (10) days of the meeting.
- B. If the State Water Board does not agree with the determination, the State Water Board may make a written request for a meeting between Don Wallace, Deputy Executive Director of the CIWMB, and Harry Schueller, Chief, Division of Clean Water Programs for the State Water Board. Such a meeting should occur within ten (10) days of the receipt of such a request. The request must be accompanied by a statement of the

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disputed issues and a proposed solution. The CIWMB shall make a determination, in writing, and shall send this to the Chief, Division of Clean Water Programs, State Water Board, within fifteen (15) days of the meeting.

- C. Unresolved issues may be elevated to the Deputy Director, State Water Board, and to the Deputy Executive Director, CIWMB.
- D. The Executive Director of the CIWMB will resolve issues in a final and binding decision.

VII. TERMINATION

This Agreement may be terminated by either party upon thirty (30) days advance written notice. In the event of termination, the State Water Board shall be entitled to costs incurred prior to the effective date of termination.

STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 92-47

AUTHORIZING THE EXECUTIVE DIRECTOR OR HIS DESIGNEE TO NEGOTIATE AND EXECUTE AN INTERAGENCY AGREEMENT (IA) WITH THE INTEGRATED WASTE MANAGEMENT BOARD (IWMB) FOR WORK PERFORMED PURSUANT TO THE CALIFORNIA INTEGRATED WASTE MANAGEMENT ACT OF 1989 DURING FISCAL YEAR 1992-93

WHEREAS:

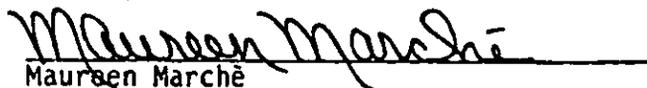
1. The California Integrated Waste Management Act of 1989 provides that the IWMB annually allocate up to \$1,000,000 to the State Water Board for inspection of solid waste landfills and enforcement of Waste Discharge Requirements for solid waste landfills.
2. The State Fiscal Year 1992-93 budget reflects the intent to negotiate and execute an Interagency Agreement annually.
3. A draft Interagency Agreement has been developed.

THEREFORE BE IT RESOLVED:

That the State Water Board authorizes the Executive Director or his designee to negotiate and execute an Interagency Agreement with the IWMB for enforcement of Waste Discharge Requirements at solid waste landfills from July 1, 1992 through June 30, 1993. The maximum dollar limit for this Interagency Agreement is \$1,000,000. Board Members will be consulted on amendments to the Interagency Agreement.

CERTIFICATION

The undersigned, Administrative Assistant to the 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 State Water Resources Control Board held on June 18, 1992.


Maurcen Marché
Administrative Assistant to the Board

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

Resolution No. 92-122

October 29, 1992

WHEREAS, the Public Resources Code (PRC), Section 46500 et. seq., provides for the funding of permit, inspection and enforcement programs at solid waste landfills by the regional water quality control boards, and

WHEREAS, funds for that purpose are to be made available to the state water board as an allocation from the Solid Waste Disposal Site Cleanup and Maintenance Account (account) by the California Integrated Waste Management Board, and

WHEREAS, the PRC prescribes the amount of the allocation as 5% of the total revenues deposited, or anticipated to be deposited, in a year, but no more than \$1,000,000, and

WHEREAS, Integrated Waste Management Board and water board staff have proposed an interagency agreement that specifies that the water board and the regional boards will enforce Water Discharge Requirements (WDR) for solid waste landfills.

NOW THEREFORE BE IT RESOLVED, that the Integrated Waste Management Board authorizes the Executive Director or his designee to negotiate and execute an interagency agreement with the water board for enforcement activities at solid waste landfills from July 1, 1992 through June 30, 1993, for a sum not to exceed \$1,000,000.

CERTIFICATION

The undersigned Executive Director of the California Integrated 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 Integrated Waste Management Board held October 29, 1992.

Dated:

Ralph E. Chandler
Executive Director

