

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD8800 Cal Center Drive
Sacramento, California 95826

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

Wednesday, December 8, 1993
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 CONCURRENCE IN THE ISSUANCE OF A REVISED SOLID WASTE FACILITIES PERMIT FOR THE AMADOR COUNTY SANITARY LANDFILL, AMADOR COUNTY (not available until closer to meeting date.)
2. CONSIDERATION OF CONCURRENCE IN THE ISSUANCE OF A NEW SOLID WASTE FACILITIES PERMIT FOR THE BIEBER SMALL VOLUME TRANSFER STATION, LASSEN COUNTY
3. CONSIDERATION OF CONCURRENCE IN THE ISSUANCE OF A NEW SOLID WASTE FACILITIES PERMIT FOR THE OSTROM ROAD SANITARY LANDFILL, YUBA COUNTY

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- 4. CONSIDERATION OF CONCURRENCE IN THE ISSUANCE OF A NEW SOLID WASTE FACILITIES PERMIT FOR THE ORGANIC RECYCLING WEST - GREEN COMPOSTING FACILITY, SAN DIEGO COUNTY 40
- 5. CONSIDERATION OF CONCURRENCE IN THE ISSUANCE OF A REVISED SOLID WASTE FACILITIES PERMIT FOR THE FINK ROAD LANDFILL, STANISLAUS COUNTY 58
- 6. CONSIDERATION OF THE CERTIFICATION AND DESIGNATION OF THE CITY OF PITTSBURG'S SOLID WASTE MANAGEMENT DIVISION AS THE LOCAL ENFORCEMENT AGENCY FOR THE CITY OF PITTSBURG 73
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- 8. DISCUSSION OF LOCAL ENFORCEMENT AGENCY PERFORMANCE EVALUATION PROCEDURES. 80
- 9. DISCUSSION OF STAFF PROGRESS REPORT ON THE CONTINUING STUDY OF HEALTH EFFECTS OF SOLID WASTE HANDLING FACILITIES 142
- 10. STATUS REPORT ON THE APPROPRIATE LEVEL OF REGULATORY CONTROL FOR NON-TRADITIONAL SOLID WASTE FACILITIES 148
- 11. PRESENTATION OF WASTE TIRE TRAINING VIDEO AND MANUAL PREPARED UNDER INTERAGENCY AGREEMENT (IWM-C2064) WITH STATE FIRE MARSHAL'S OFFICE 156
- 11A. CONSIDERATION OF CONCURRENCE IN THE ISSUANCE OF A REVISED SOLID WASTE FACILITIES PERMIT FOR THE WEST RIVERSIDE DISPOSAL SITE, RIVERSIDE COUNTY 158
- 12. OPEN DISCUSSION
- 13. 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

Catherine Foreman
(916) 255-2156

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ADDENDUM

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THE FOLLOWING ITEM HAS BEEN ADDED TO THE AGENDA AS ITEM 11A:

- 11A. CONSIDERATION OF CONCURRENCE IN THE ISSUANCE OF A REVISED SOLID WASTE FACILITIES PERMIT FOR THE WEST RIVERSIDE DISPOSAL SITE, RIVERSIDE COUNTY

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CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

Permitting and Enforcement Committee
December 8, 1993

AGENDA ITEM 2

ITEM: Consideration of Concurrence in the Issuance of a New Solid Waste Facilities Permit for the Bieber Small Volume Transfer Station, Lassen County

BACKGROUND:

Facility Facts

Name: Bieber Small Volume Transfer Station
Facility No. 18-AA-0021

Facility Type: Small Volume Transfer Station

Location: On County Road 415, one half mile north of
the highway 299 intersection, in Bieber

Area: 5 acres

Setting: Rural

Operational Status: Construction complete, not operating

Tonnage: 4.8 tons per day

Volumetric Capacity: Approximately 17.5 cubic yards per day

Operator: Lassen County Public Works Department
John D. Mitchell, Director

Owner: Lassen County

LEA: Lassen County Public Health Department
Ernest S. Genter, Local Enforcement Agent

Proposed Project

The Lassen County Public Works Department is proposing to operate a small volume transfer station at the Bieber Landfill. The transfer station will accept the waste that is currently being placed in the Bieber Landfill.

SUMMARY:

Site History

The Bieber Small Volume Transfer station is to be within the boundaries of the Bieber Landfill. The transfer station has been separated from the landfill by a fence. A small part of the 5 acre section that has been separated for the transfer station was once used as an open burning pit. The transfer station itself was not built on waste or the burn pit. This section of the landfill has not been used since 1970. A Stipulated Order of Compliance and Agreement was issued in February 1991 for the landfill. At that time it was agreed that the only solution to correcting the violations at the facility was to build and permit a transfer station and close the landfill. On July 21, 1993, the California Regional Water Quality Control Board (CRWQCB), Central Valley Region, issued a Violation of Waste Discharge Requirements. The CRWQCB stated that they intend to draft revised requirements which will prohibit the discharge of municipal waste to the landfill and require use of the transfer station and closure of the landfill.

Project Description

The proposed transfer station is located on a 5 acre site located within the boundaries of the Bieber Landfill. The site is located on County Road 415, about one half mile north of the City of Bieber. The facility is owned by Lassen County and operated by the Lassen County Public Works Department. The hours of operation will be Wednesday, Friday, and Sunday from 9:00 a.m. to 5:00 p.m.. Only municipal and commercial waste will be accepted at the transfer station. The facility will be permitted to receive a maximum of 4.8 tons per day. Using a conversion factor of 550 pounds per cubic yard of waste, this results in a maximum volume of 17.5 cubic yards per day.

After payment of gate fees, traffic will be directed to the upper level unloading area to dispose of refuse in one of the three 50 cubic yard bins placed below the block support wall. Waste will be deposited directly into the transfer bins. Wastes will be removed from the site at least weekly. After loading, transfer trucks will take the waste 75 miles to the Bass Hill Landfill.

Vehicles using the facility will predominantly be private cars and trucks. Currently, there are no commercial haulers in the area that will deliver waste to this facility.

Environmental Controls

A list of common household hazardous materials is available at the gatehouse for the public. The operator conducts annual training sessions for gate attendants that include; handling of complaints, hazardous waste screening programs, emergency procedures, and current solid waste legislation. There will be a load checking program at the facility which will consist of random load inspection and periodic inspection of deposited wastes. Signs will be posted at the entrance of the site indicating that no hazardous, special or designated waste will be accepted.

Litter will be controlled by a 12 foot high litter fence located directly to the east of the bins. The staff at the site will pick up litter weekly. Vectors will be controlled by weekly cleaning and removal of wastes. Due to the remote location of the site, noise should not pose a problem.

Resource Recovery

There will be five, 4 cubic yard recycling bins for the deposit of California Redemption Value glass, aluminum, and plastic. The bins are taken to the nearest recycling center for redemption. Additional bins for paper/cardboard may be added later as dictated by market conditions. Tires will also be accepted at the facility where they will be stored until a sufficient quantity exists (i.e. 50 cubic yards) for removed. The operator is also proposing to locate a 550 gallon waste oil tank at the facility. The waste oil tank will be placed in a walled concrete containment to contain leaks and spills. A building will be built to store lead acid batteries. A gravel surfaced scrap metal area will also be available for disposal of large metal items such as car bodies and appliances. These items will be salvaged once a year by an authorized scrap metal salvage company.

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 October 18, 1993, the last day the Board may act is December 17, 1993.

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 determined that the facility is identified in the Lassen County Solid Waste Management Plan dated March 1986. Board staff agree with said determination.

2. Consistency with General Plan

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

3. Consistency with Waste Diversion Requirements

Staff of the Board's Governmental and Regulatory Affairs Division make an assessment, pursuant to PRC 44009, to determine if the record contains substantial evidence that the proposed project would prevent or impair the achievement of waste diversion goals. Based on available information, staff have determined that the issuance of the proposed permit would neither prevent nor significantly impair Lassen County 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 Lassen County Board of Supervisors prepared a Negative Declaration (SCH# 90020286) for the proposed project. The document was certified as approved by the lead agency on February 19, 1991, and a Notice of Determination was filed on November 20, 1991.

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

5. Compliance with State Minimum Standards

The LEA has made the determination that the facility's proposed design and operation is in compliance with the State Minimum Standards for Solid Waste Handling and Disposal based on their review of the submitted Report of Facility Information and supporting documentation. Board staff agree with said determination.

STAFF RECOMMENDATION:

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

Staff recommend that the Board adopt Permit Decision No. 93-118 concurring in the issuance of Solid Waste Facilities Permit No. 18-AA-0021.

ATTACHMENTS:

1. Location Map
2. Site Map
3. Permit No. 18-AA-0021
4. AB2296 Finding of Conformance
5. Permit Decision No. 93-118

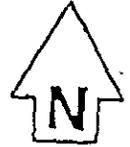
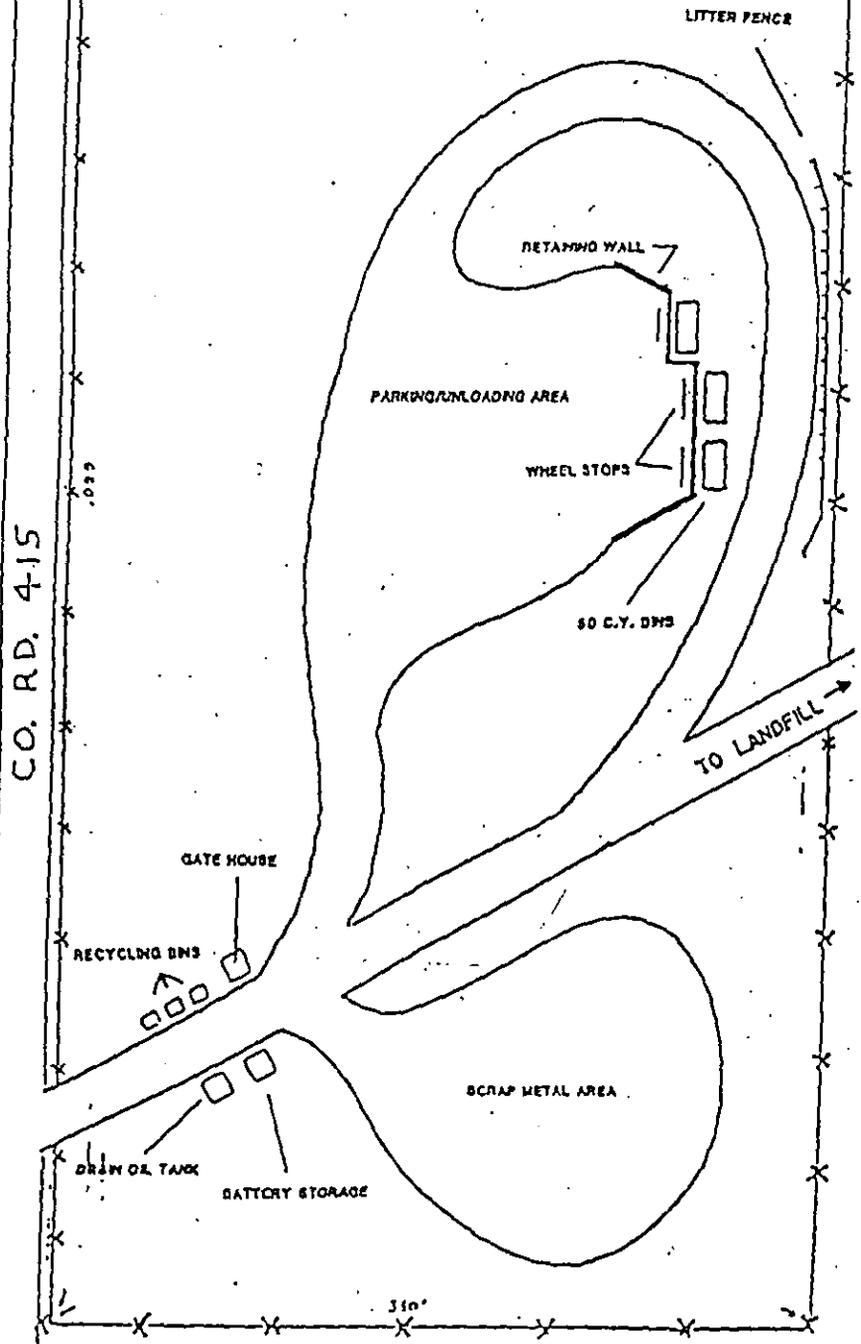
Prepared by: Russ J. Kanz / Cody Begley Phone: 255-2468

Reviewed by: Don Dier Jr. *DD* 11/23 Phone: 255-2453

Approved by: Douglas Y. Okumura *DD* for *DO* Phone: 255-2431



BIEBER TRANSFER STATION SITE



SOLID WASTE FACILITY PERMIT

1. Facility/Permit Number:

18-AA-0021

2. Name and Street Address of Facility:

BIEBER SMALL VOLUME
TRANSFER STATION
COUNTY ROAD 415
BIEBER, CA

3. Name and Mailing Address of Operator:

LASSEN COUNTY PUBLIC
WORKS DEPARTMENT
707 NEVADA STREET
SUSANVILLE, CA 96130

4. Name and Mailing Address of Owner:

LASSEN COUNTY
707 NEVADA STREET
SUSANVILLE, CA 96130

5. Specifications:

a. Permitted Operations:

Composting Facility
(mixed wastes)

Composting Facility
(yard waste)

Landfill Disposal Site

Material Recovery Facility

Processing Facility

Transfer Station

Transformation Facility

Other:

b. Permitted Hours of Operation:

9:00 A.M. TO 5:00 P.M., WEDNESDAY, FRIDAY, SUNDAY

c. Permitted Tons per Operating Day:

Non-Hazardous - General

Non-Hazardous - Sludge

Non-Hazardous - Separated or comingled recyclables

Non-Hazardous - Other (See Section 14 of Permit)

Designated (See Section 14 of Permit)

Hazardous (See Section 14 of Permit)

Total: 4.8 Tons/Day

(See endnote #1)

4.0 Tons/Day

n/a Tons/Day

.6 Tons/Day

.2 Tons/Day

n/a Tons/Day

n/a Tons/Day

d. Permitted Traffic Volume:

Incoming waste materials

Outgoing waste materials (for disposal)

Outgoing materials from material recovery operations

Total: (See endnote #2) Vehicles/Day

Vehicles/Day

Vehicles/Day

Vehicles/Day

e. Key Design Parameters (Detailed parameters are shown on site plans bearing LEA and CIWMB validations):

	Total	Disposal	Transfer	MRF	Composting	Transformation
Permitted Area (in acres)	5.3	5.3	0	0	0	0
Design Capacity	21 tpd	21 tpd	0 tpd	0 tpd	0 tpd	0 tpd
Max. Elevation (Ft. MSL)	ft	ft	ft	ft	ft	ft
Max. Depth (Ft. BGS)	ft	ft	ft	ft	ft	ft
Estimated Closure Date						

The permit is granted solely to the operator named above, and is not transferable. Upon a change of operator, this permit is no longer valid. Further, upon a significant change in design or operation from the described herein, this permit is subject to revocation or suspension. The attached permit findings and conditions are integral parts of this permit and supercede the conditions of any previous issued solid waste facility permits.

6. Approval:

Approving Officer Signature

B. DOUGLAS AMES, DIRECTOR ENVIRONMENTAL HEALTH
Name/Title

7. Enforcement Agency Name and Address:

LASSEN COUNTY PUBLIC HEALTH DEPT
555 HOSPITAL LANE
SUSANVILLE, CA 96130

8. Received by CIWMB:

NOV 12 1993

9. CIWMB Concurrence Date:

10. Permit Review Due Date:

11. Permit Issued Date:

SOLID WASTE FACILITY PERMIT

Facility/Permit Number:

18-AA-0021

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

NW 1/4 OF SW 1/4 SECTION 14, TOWNSHIP 38N, RANGE 7E, MDM

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 LEA.
- 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. Big Valley Fire Protection District.
- 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. State Clearinghouse #90020286
- f. A County-wide Integrated Waste Management Plan has/has not been approved by the CIWMB.
- g. The following authorized agent has made a determination that the facility is consistent with, and designated in, the applicable general plan: Public Resources Code, Section 50000.5(a). Lassen County Planning Commission
- 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). Lassen County Planning Commission

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. This facility may accept waste oil, lead acid batteries, other household hazardous wastes, waste tires, appliances and auto bodies containing restricted materials, and other wastes that may be prohibited from disposal, providing they are stored and handled in accordance with all applicable laws, regulations and approvals by the LEA and other agencies with regulatory or permitting authority; small domestic dead animals.

The permittee is additionally prohibited from the following items:

Unauthorized burning of waste (as determined by the Air Board and/or the local fire protection district); allowing water in contact with waste; discharge of waste outside of bins or other designated areas; accepting liquid waste, large, dead animals, and hot ashes; scavaging.

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

	Date		Date
<input checked="" type="checkbox"/> Report of Facility Information	1990	<input type="checkbox"/> Contract Agreements - operator and contract	
BE-E-4 (a) 90-94		<input type="checkbox"/> Waste Discharge Requirements	
<input type="checkbox"/> Land Use Permits and Conditional Use Permits		<input type="checkbox"/> Local & County Ordinances	
<input type="checkbox"/> Air Pollution Permits and Variances		<input type="checkbox"/> Final Closure & Post Closure Maintenance Plan	
<input checked="" type="checkbox"/> EIR or Negative Declaration	5/4/90	<input type="checkbox"/> Amendments to RFI	
<input type="checkbox"/> Lease Agreements - owner and operator		<input type="checkbox"/> Other (list):	
<input type="checkbox"/> Preliminary Closure/Post Closure Plan			
<input type="checkbox"/> Closure Financial Responsibility Document			

SOLID WASTE FACILITY PERMIT

Facility/Permit Number:

18-AA-0021

16. Self Monitoring:

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

Program	Reporting Facility	Agency Reported To
Weight/Volume Records	Annually	Local Enforcement Agency
Special Occurances	Annually	Local Enforcement Agency

SOLID WASTE FACILITY PERMIT

Facility/Permit Number:

18-AA-0021

17. LEA Conditions:

- a. Any changes that would cause the design or operation of the facility not to conform to the terms and conditions of the permit are prohibited. any such changes would require a permit modification or revision prior to implementation of the change.
- b. This permit is subject to review by the Local Enforcement Agency and may be modified, suspended or revoked for sufficient cause after a hearing.
- c. Any additional information, as may be required by the Local Enforcement Agency, must be provided.
- d. The facility shall 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.
- e. The facility must comply with the State Minimum Standards for Solid Waste Handling and Disposal.
- f. The facility is permitted to receive the following non-hazardous solid wastes; residential, commercial, industrial, agricultural, construction/demolition, small animals, tires and wood mill wastes.
- g. Salvaging and recycling are permitted so long as the activity is consistent with CCR 17687 through 17692.
- h. This permit reflects operations of a new small volume transfer station on an unused portion of the existing Bieber Landfill.

ENDNOTES:

1. The anticipated and permitted maximum tonnage to be accepted at the facility is 4.8 tons per day. The design of the facility includes three 50 cubic yard bins with a capacity of approximately 7 tons each for a total design capacity of 150 cubic yards or 21 tons. However, the facility will not receive more than 100 cubic yards per operating day and waste will be removed at least weekly.

Due to the size of the facility, the low population of the area serviced by the facility, and the lack of any other restrictions placed on the traffic volume at the facility, no "permitted traffic volume" is deemed necessary or appropriate for this facility at this time. The average vehicle count (based on 1989 quarterly trash counts and assuming one vehicle per trash can, drum, and flat bed/trailer cubic yard) would be approximately 43 vehicles per day. Doubling this would give a maximum anticipated, but unlikely, traffic volume of 86 vehicles per day. A traffic volume of that amount would pose no significant traffic or operation problems at this facility.

State of California

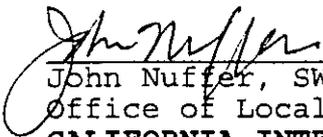
California Environmental
Protection Agency

MEMORANDUM

To: Russ Kranz
Permits Branch

Date: November 17, 1993

From:


John Nuffer, SWMS
Office of Local Assistance, Northern Section
CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARDSubject: AB 2296 FINDINGS FOR BIEBER TRANSFER STATION, LASSEN
COUNTY, FACILITY NO. 18-AA-0021

The proposed new, small volume transfer station would be located at the existing Bieber Landfill near Highway 299, more than 100 miles from Susanville, in the rural northwestern corner of Lassen County. This transfer station will replace the existing landfill. It serves a population of 1,100. It will include three 50 cubic yard bins and will not be allowed to accept more than 4.8 tons of non-hazardous and household hazardous-type waste per operating day. The waste would be removed and transported weekly to the County's Bass Hill Landfill 75 miles away near Susanville.

PRC Section 44009: WASTE DIVERSION REQUIREMENTS

The Board granted Lassen County a reduction in the 1995 diversion requirement to 12% and is allowing the County to prepare a simplified Source Reduction and Recycling Element (SRRE). Solution Resources, Inc. is currently preparing the County's SRRE.

A California Redemption Value drop-off collection site is now operated at the Bieber Landfill. This operation would continue in conjunction with the new transfer station. Scrap metal is also currently collected and diverted from the landfill. In addition, changing the facility from a landfill to a transfer station will allow the facility personnel to focus more on the separation and collection of recyclables than has been previously the case.

Based upon this information and discussions with the County's solid waste management consultant, Solution Resources, Inc., the proposed permit will neither prevent nor impair the achievement of the County's waste diversion requirements.

AB 2296 Finding--Bieber Transfer Station
Page Two

PRC Section 50000.1: CONFORMANCE WITH CoSWMP

The Lassen County Health Department, the Local Enforcement Agency (LEA), has found that the proposed transfer station is consistent with the County's Solid Waste Management Plan (CoSWMP).

PRC Section 50000.5: CONSISTENCY WITH THE GENERAL PLAN

The Lassen County Planning Commission has determined that the proposed transfer station is consistent with the County's General Plan and that it is compatible with surrounding land uses:

California Integrated Waste Management Board
Permit Decision No. 93-118
December 15, 1993

WHEREAS, Lassen County Public Health Department, acting as the Local Enforcement Agency, has submitted to the Board on October 18, 1993, for its review and concurrence in, or objection to a new Solid Waste Facilities Permit for the Bieber Small Volume Transfer Station; and

WHEREAS, The Lassen County Board of Supervisors, the lead agency for CEQA review, prepared a Negative Declaration for the proposed project and Board staff reviewed the Negative Declaration and provided comments to the Lassen County Board of Supervisors on April 21, 1990; and the proposed project will not have a significant effect on the environment; and mitigation measures were made a condition of the approval of the proposed project; and the Lassen County Board of Supervisors filed a Notice of Determination with the County Clerk on November 20, 1991; and

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

WHEREAS, Board staff evaluated the Plan of Operation and have determined the proposed design of the project is consistent with State Minimum Standards for Solid Waste Handling and Disposal; and

WHEREAS, the project description in the CEQA document is consistent with the proposed permit; 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 Lassen County Solid Waste Management Plan, consistency with the Lassen County General Plan, and compliance with CEQA.

NOW, THEREFORE, BE IT RESOLVED that the California Integrated Waste Management Board concurs in the issuance of Solid Waste Facilities Permit No. 18-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 December 15, 1993.

Dated:

Ralph E. Chandler
Executive Director

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

Permitting and Enforcement Committee
December 8, 1993

AGENDA ITEM 3

ITEM: Consideration of Concurrence in the Issuance of a New Solid Waste Facilities Permit for Ostrom Road Landfill, Yuba County.

BACKGROUND:

Facility Facts

Name: Ostrom Road Landfill,
Facility No. 58-AA-0011

Facility Type: Class III Landfill

Location: Ostrom Road, 5 miles east of Hwy. 65,
adjacent to south perimeter of Beale Air
Force Base, Yuba County

Area: 261 acres, 221 acres to be landfilled

Setting: Rural; Agricultural

Operational Status: Construction has not yet commenced

Permitted Tonnage: 400 tons per day average, 1000 TPD peak

Waste Types: Mixed municipal; construction and
demolition; industrial; agricultural;
treated sewage sludge

Capacity: 13,764,000 cubic yards (6,880,000 tons)

Closure Date: 2040

Owner/Operator: Yuba-Sutter Disposal, Incorporated, a
subsidiary of Nor-Cal Waste Systems,
Inc., Mr. Remo Scocci, Manager

LEA: Yuba County Environmental Health Department
Patrick J. Gavigan, Director

Proposed Project

Construction and operation of a new Class III landfill to serve the Counties of Sutter and Yuba and surrounding communities.

SUMMARY:

Site History

In 1981, Yuba-Sutter Disposal, Incorporated (YSDI) applied to the Yuba County Planning Commission for a Conditional Use Permit (CUP) for the Ostrom Road Landfill. An Environmental Impact Report (EIR) was prepared, reviewed, amended, and certified in 1985. In order to continue the permitting process, the Yuba-Sutter Bi-County Solid Waste Management Plan (SWMP) needed to be amended by a vote of the existing Bi-County Solid Waste Authority.

Because a unanimous vote was needed at that time, the CUP was never considered when one member of the authority voted against the amendment which would have included the proposed landfill in the SWMP. In 1989, legislation changed the law to allow amendments to the SWMP by majority vote. The site identification element of the SWMP has since been approved and the CUP was issued on July 7, 1992. Waste Discharge Requirements (WDRs) were issued by the Regional Water Quality Control Board (RWQCB) on June 25, 1993.

Project Description The Ostrom Road Landfill site is located approximately 5 miles east of Highway 65 adjacent to the south boundary of Beale Air Force Base. The south boundary of the landfill site is adjacent to Best Slough but is not located within the 100 year flood plain of the slough. Waste will not be deposited within 100 feet of this water course.

Nearby population centers include the City of Wheatland, four miles to the south, and the City of Marysville, about 11 miles to the northwest. The western half of the property was graded and terraced by the original owner in preparation for rice production. All surrounding properties are zoned AE-80, agricultural.

The operator proposes to begin construction by April 15, 1994. Proposed on-site structures and improvements include an office, maintenance shop, storage building, fuel tank, and hazardous materials storage container. The proposed hours of operation are Monday through Saturday 6:00 a.m. to 7:00 p.m..

The proposed Ostrom Road Landfill will accept the waste currently disposed at YSDI's active landfill in Marysville which is expected to reach capacity by February of 1997. The Solid Waste Facility Permit (SWFP) for YSDI's Marysville landfill (Facility File No. 58-AA-0005) was revised on July 29, 1993, to allow disposal of up to 1000 tons per operating day.

The Ostrom Road Landfill will also be permitted to accept peak loads of up to 1000 tons per day provided that the facility does not exceed a yearly average of 400 tons per day. YSDI currently disposes of approximately 118,000 tons per year of waste at its Marysville landfill, or an average of 377 tons per day.

The facility will operate six days per week and will not be open to the general public. Most loads of waste will first be processed at YSDI's Integrated Waste Recovery Facility (IWRP) in Marysville (Facility File No. 58-AA-0008). Incoming loads will be checked for hazardous materials, sorted for recyclables, and weighed at the IWRP before being transferred to the Ostrom Road Landfill. Currently waste is transferred to the adjacent YSDI landfill. Loads not processed at the IWRP will be screened for hazardous materials at the Ostrom Road Landfill.

YSDI's landfill in Marysville currently accepts dewatered sewage sludge from the City of Marysville and Yuba City, and sludge from the Yuba City water treatment plant. YSDI proposes to continue this practice at the Ostrom Road Landfill. YSDI will implement essentially the same, approved procedures for sampling and analysis prior to accepting sludge at the Ostrom Road Landfill. It is expected that disposal of sludge will be infrequent.

Once sludge has been determined to be acceptable, a time agreeable to both the operator and the treatment plant will be arranged for disposal of the material at the site. The site operations plan for sludge disposal states that sludge will be deposited at a point during the day which will allow it to be adequately mixed with the routine daily municipal solid waste (MSW). The RWQCB requires that the sludge be mixed five parts MSW to one part sludge (5:1 ratio by weight). This will be accomplished by keeping track of the tons of municipal solid waste that have come into the site during a particular day and accepting sludge in an amount that is equal to one-fifth of the total refuse accepted by weight. The equipment operator will mix the sludge with the refuse upon its arrival and cover will be placed over the waste at the end of each operating day.

Environmental Controls Hazardous waste will not be accepted at the landfill. The facility will implement a hazardous waste screening and load checking program. Employees are currently trained, and will continue to be trained, in the detection and handling of hazardous wastes. Signs will be posted indicating no hazardous wastes are accepted. If hazardous waste is inadvertently received, it will be stored on-site for a maximum of 90 days and transported to an appropriate disposal site by a registered hauler. Incidents of unlawful disposal of prohibited material will be reported to: the Department of Toxic Substances

Control; the Yuba County Office of Emergency Services; the Yuba County Environmental Health Department; and the Central Valley Regional Water Quality Control Board.

Dust will be controlled by: grading and watering the haul roads; applying a fine water spray on daily cover when conditions might create dust; timely placement of intermediate and daily cover material over refuse fill; applying water or planting temporary vegetation on intermediate cover; and planting and maintaining a vegetative cover on completed fill slopes and modules at final grade.

Odor will be controlled by prompt placement of daily and intermediate cover. Noise levels of on-site equipment will be controlled by proper muffler maintenance. Adequate hearing protection devices are provided to personnel operating or working around equipment. Noise and odor complaints are not expected due to the landfill's rural location. The nearest residence is approximately 1/2 mile to the west of the site.

The facility site is located approximately 17,000 feet from the Beale AFB runway. Beale AFB has been adequately notified of the proposed project pursuant to 14 CCR 17258.10. Birds will be controlled by daily placement of cover material. If necessary, high strength monofilament line will be stretched between tall poles placed around the active disposal area. The proposed SWFP states that the operator shall establish and implement a bird control program acceptable to both the LEA and Beale AFB. In addition, the CUP states that the operation shall be inspected by representatives of Beale AFB to insure that measures are being taken to prevent the attraction of large numbers of birds. Since Beale AFB is not open to the public, YSDI is not required to notify the Federal Aviation Administration (FAA).

Litter will be controlled by daily cover and by placing temporary fencing in the immediate vicinity of the working face. The fencing, operational area, and site will be inspected regularly by site personnel to pick up accumulated litter.

Frequent removal of dust, debris, oil, and grease buildup from undercarriages and engine compartments will protect landfill equipment and vehicles from fires. In addition, landfill equipment and vehicles will be provided with portable fire extinguishers. The office, maintenance building, and landfill equipment will also be equipped with suitable fire extinguishers. Any fires occurring accidentally on the landfill will be extinguished primarily by landfill personnel using soil cover stockpiles and, when necessary, a water truck. Site personnel are trained periodically by Nor-Cal corporate staff in the proper use of fire control equipment.

YSDI will install a Leachate Collection and Removal System (LCRS) and a high density polyethylene (HDPE) composite liner beneath all fill areas. The design and operation of the LCRS will meet all State and Federal requirements. The City of Marysville has approved the discharge of leachate into the municipal waste water treatment plant.

Resource Recovery Loads with high recyclable content are sorted at the YSDI IWRF adjacent to the operator's active landfill in Marysville. This recycling center separates and processes various recyclable materials such as cardboard, paper, glass, plastic, and metals from the waste stream. White goods and other large appliances are also diverted at the IWRF. The Bi-County region expects to achieve a 1995 diversion rate of 25% by 1995 through a combination of local and regional source reduction, recycling and composting programs.

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 October 21, 1993, the last day the Board may act is December 20, 1993.

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 Board's consideration of concurrence. In making this determination the following items were considered:

1. Conformance with County Solid Waste Management Plan

Although the Ostram Road Landfill was not described in the 1984 Yuba-Sutter Bi-County Solid Waste Management Plan, the site identification and description of the proposed landfill was submitted to, and approved by, the cities of Wheatland, Marysville, and Yuba County, and therefore, meets the requirements of PRC Section 50000.

2. Consistency with General Plan

On June 3, 1992, the Yuba County Planning Commission found that the proposed facility is designated in, and consistent with, the Yuba County General Plan. Board staff agree with said finding.

3. Consistency with Waste Diversion Requirements

The Board's Governmental and Regulatory Affairs Division staff make an assessment, pursuant to PRC 44009, to

determine if the record contains substantial evidence that the proposed project would prevent or substantially impair 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 jurisdiction's achievement of AB 939 waste diversion goals. The analysis used in making this determination is included as Attachment 5.

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. In 1983, the Yuba County Community Services Department prepared an EIR (SCH #82072811) for the proposed project. The document was certified and approved by the lead agency on May 28, 1985. The Notice of Determination was approved on July 7, 1992.

The EIR states that "the proposed project will receive the solid waste presently handled at the YSDI Landfill." The EIR estimated a disposal rate of 70,000 tons per year and assumed a three percent growth in waste disposal per year.

Although the wastestream has grown at a rate greater than that predicted by the EIR, subsequent CEQA documents (IWRP CUP, 1989; YSDI SWFP revision, 1991) and public hearings (Ostrom Rd. CUP and General Plan Amendment, 1992) demonstrate adequate public review and comment on the impacts of the Ostrom Road Landfill accepting the entire tonnage currently deposited at the YSDI landfill. The actual 1993 tonnage is only 8% greater than that predicted by the 1983 EIR. This will result in only two additional truck trips per day. Staff found this to be insignificant. All other conditions of the proposed permit are consistent with the CEQA document.

5. Conformance 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 Disposal Site Information and supporting information. This facility is not currently active and no site improvements have yet been implemented. LEA and Board staff visited the site and walked the permitted boundary on May 5, 1993. LEA and Board staff will inspect this facility when operations commence.

6. Financial Mechanism

Yuba-Sutter Disposal, Incorporated has established a Trust Agreement to cover the estimated closure and postclosure maintenance costs for this facility. Based on documentation submitted by the operator, the Board's Financial Assurances Section determined on October 28, 1993, that the financial mechanism and certificate of liability insurance meet the requirements of Title 14, California Code of Regulations (CCR), Division 7, Chapter 5, Articles 3.5 and 3.3, Section 18284 and 18236 respectively. Since this is a new facility, the adequacy of the trust fund has not yet been evaluated.

7. Compliance with Closure and Postclosure Requirements

The Board's Closure and Remediation Branch deemed the Preliminary Closure and Postclosure Maintenance Plans complete on August 31, 1993. Board staff have since completed a detailed review of the plans. Approval of the closure plans is not necessary for Board action at this time.

STAFF RECOMMENDATIONS:

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

Staff recommends that the Board adopt Permit Decision No. 93-116 concurring in the issuance of Solid Waste Facilities Permit No. 58-AA-0011.

ATTACHMENTS:

1. Location Map
2. Site Map
3. Proposed Permit
4. Mitigation Measures
5. AB 2296 Conformance
6. Resolution No. 93-116

Prepared by: Jon Whitehill / Cody Begley Phone: 255-2455

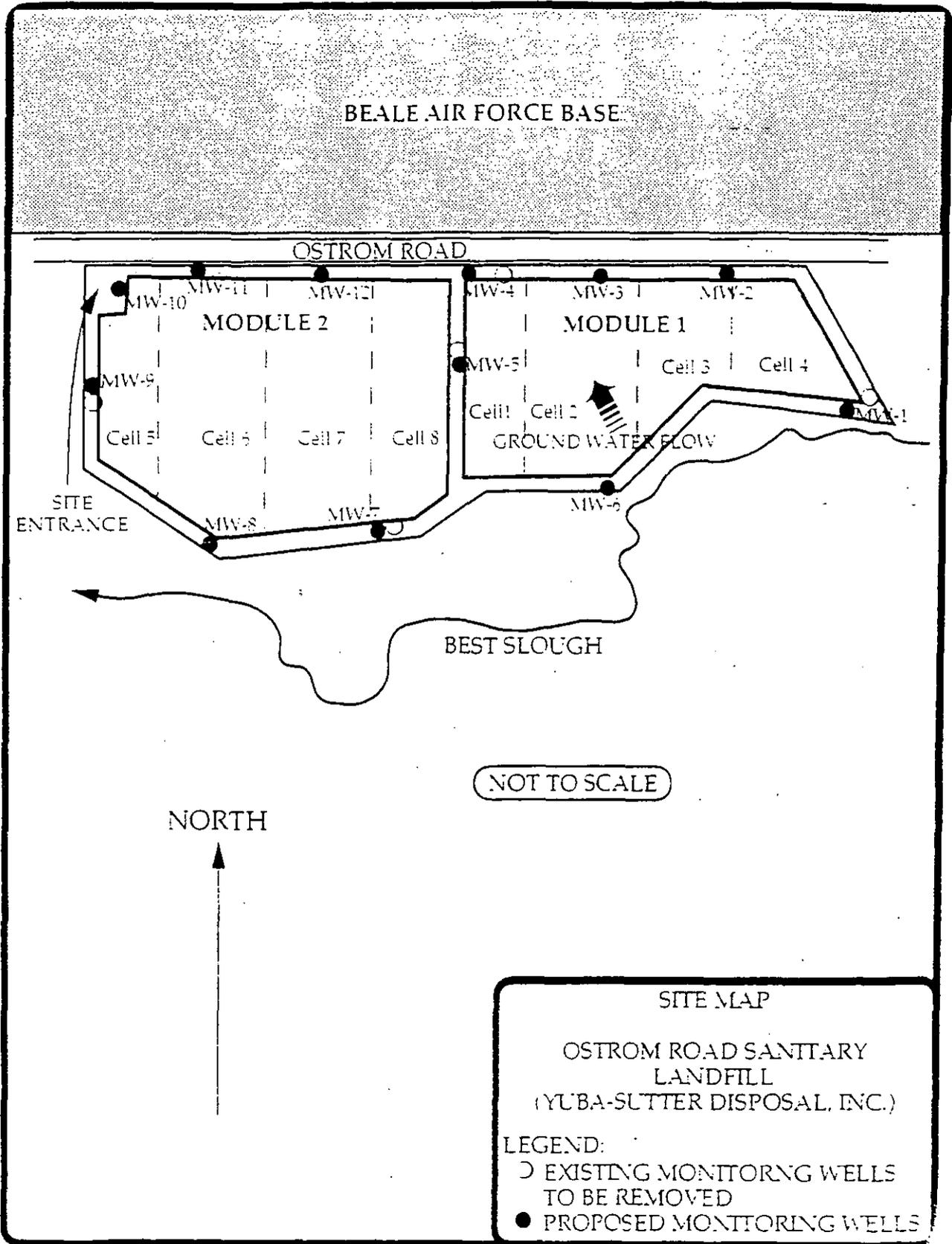
Reviewed by: Don Dier Phone: 255-2319

Approved by: Doug Okumura Phone: 255-2431

ATTACHMENT 1



OSTRAM ROAD LANDFILL,
YUBA COUNTY



SOLID WASTE FACILITY PERMIT

1. ATTACHMENT 3

2. Name and Street Address of Facility: Ostrom Road Sanitary Landfill Ostrom Road, one mile east of Jasper Lane, Yuba County, CA	3. Name and Mailing Address of Operator: Yuba-Sutter Disposal, Inc. 3001 N. Levee Road Marysville, CA 95901	4. Name & Mailing Address of Owner: Yuba-Sutter Disposal, Inc. 3001 N. Levee Road Marysville, CA 95901
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5. Specifications:

6. Permitted Operations
- | | |
|---|--|
| <input type="checkbox"/> Composting Facility (mixed wastes) | <input type="checkbox"/> Processing Facility |
| <input type="checkbox"/> Composting Facility (yard waste) | <input type="checkbox"/> Transfer Station |
| <input checked="" type="checkbox"/> Landfill Disposal Site | <input type="checkbox"/> Transformation Facility |
| <input type="checkbox"/> Material Recovery Facility | <input type="checkbox"/> Other: _____ |

7. Permitted Hours of Operation: 6:00 a.m. to 7:00 p.m.
 Monday through Saturday
 *Occasional deliveries outside of normal operating hours with LEA notification

8. Average Permitted Tons per Operating Day	Total: 400	Tons/Day
Non-Hazardous - General	399	Tons/Day
Non-Hazardous - Water and Waste Water Treatment Sludge	16.5% Maximum	Tons/Day
Non-Hazardous - Separated or comingled recyclables	0	Tons/Day
Non-Hazardous - Other (See Section 14 of Permit)	1	Tons/Day
Designated (See Section 14 of Permit)	0	Tons/Day
Hazardous (See Section 14 of Permit)	0	Tons/Day

* 1000 tons per operating day is the peak maximum acceptable.

9. Permitted Traffic Volume:	Total: 20 round trips	Vehicles/Day
Incoming waste materials	20	Vehicles/Day
Outgoing waste materials (for disposal)	0	Vehicles/Day
Outgoing materials from material recovery operations	0	Vehicles/Day

e. Key Design Parameters (Detailed parameters are shown on site plans bearing LEA and CIWMB validations):

	Total	Disposal	Transfer	MRF	Composting	Transformation
Permitted Area (in acres)	261 a	221 a	N/A a	N/A a	N/A a	N/A a
Design Capacity		13,764,000 cy	N/A tpd	N/A tpd	N/A tpd	N/A tpd
Max. Elevation (Ft. MSL)		185 ft				
Max. Depth (Ft. BGS)		30 ft				
Estimated Closure Date		2040				

This permit is granted solely to the operator named above, and is not transferable. Upon a change of operator, this permit is no longer valid. Further, upon a significant change in design or operation from that described herein, this permit is subject to revocation or suspension. The attached permit findings and conditions are integral parts of this permit and supercede the conditions of any previously issued solid waste facility permits.

6. Approval: _____ Approving Officer Signature Patrick J. Gavigan, Director Name/Title	7. Local Enforcement Agency Name and address: Yuba County Environmental Health Department 938 14th Street Marysville, CA 95901
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8. Received by CIWMB: OCT 21 1993	9. CIWMB Concurrence Date:
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10. Permit Review Due Date:	11. Permit Issued Date:
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SOLID WASTE FACILITY PERMIT

Facility/Permit Number:

SWIS NO. 58-AA-0011

12. Legal description of Facility: The facility is 6 miles east of State Route 65 and borders Beale Air Force Base South boundary, in Section 10, 11, 14, 15 Township 14N, Range 5E, MDB & M.

13. Findings:

- This permit is consistent with the Bi County Integrated Waste Management Plan, Public Resources Code, Section 50001. See Resolution No. 1992-47 from the Yuba County board of Supervisors.
- b. This permit is consistent with the 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 Local Enforcement Agency (LEA) upon review of the RDSI, dated May 1993, for this initial permit.
- d. This facility is in conformance with applicable fire standards as determined by the Plumas Brophy Fire Protection District.
- e. A Notice of Determination was filed with the State Clearinghouse Pursuant to PRC, Section 21081.
- f. A county integrated waste management plan has not been approved by the California Integrated Waste Management Board for Yuba and Sutter counties to date.
- g. The Yuba County Planning and Building Services Department has made the determination that the facility is consistent with, and designated in, the applicable general plan as demonstrated by Yuba County General Plan Amendment 92-02.
- h. The Yuba County Planning and Building Services Department has made the determination that surrounding land use is compatible with the facility operation, as required in PRC, Section 50000.5(b) by the issuance of Yuba County Conditional Use Permit 92-06 and Exhibit "C" mitigation monitoring plan.

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.

- a. Dewatered sewage treatment sludge, containing at least 20% solids and applied at a 5:1 ratio (solid waste to sludge).
- b. Detwatered water treatment sludge, containing at least 20% solids and applied at a 5:1 ratio (solid waste to sludge).
- c. Prune pulp, containing at least 90% solids.
- d. Triple rinsed containers in accordance with Title 22, CCR, Section 66261.7.
- e. Manure
- f. Dead animals or portions thereof, as approved by the LEA.
- g. Ashes from household burning.
- h. Treated medical waste which is rendered solid waste.

The permittee is prohibited from the following items:

- i. Medical waste as defined in Chapter 6.1, division 20 of the Health and Safety Code.
- j. Cogeneration plant ash
- k. Contaminated soil.

15. The following documents also describe and/or restrict the operation of this facility:

	Date:		Date:
[X] Report of Disposal Site Information Amendment	May 1993 August 1993	[X] Yuba-Sutter Solid Waste Management Agreement	July 1, 1990 amended Nov. 17, 92
[X] Yuba County Conditional Use Permit #92-06	July 1992	[X] Waste Discharge Requirements Order No. 93-080	July 1993
[N/A] Feather River Air Quality Management District Permit	See Letter October 19, 1992	Yuba County Ordinance Code Chapter 7.05	May 1993
[X] Environmental impact Report SCH #82072811	CERTIFIED	Chapter 6.39	August 1971
[X] Preliminary Closure/Post Closure Maintenance Plan	June 1993	[X] Certificate of Self-Insurance and Risk Management	October 4, 93
[X] Closure Financial Responsibility Document Trust Form 100 Account #04247-00	July 1993	[X] Notice of Intent for General Permit to Discharge Storm Water Associated with Industrial Activity	August 4, 1993

SOLID WASTE FACILITY PERMIT

Facility/Permit Number:

SWIS NO. 58-AA-0011

16. Self-Monitoring:

a. Results of all self-monitoring programs will be reported as follows:

(the monitoring reports are delinquent if not received 30 days after the end of the reporting period.)

Program	Reporting Frequency	Agency Reported To
Record of receipt of a Notice of Violation from any regulatory agency. In addition, the operator shall notify the LEA at once following receipt of a Notice of Violation or upon receipt of notification of complaints regarding the facility which have been received by other agencies.	As noted	LEA
Copies of all written complaints regarding this facility and the operator's actions taken to resolve these complaints. (Notification to the LEA within one day following the complaint is still required).	As noted	LEA
The quantities and types of hazardous wastes, medical wastes, or otherwise prohibited wastes found in the waste stream and the disposition of these materials.	Monthly (Due two weeks after the end of each month)	LEA
All incidents of unlawful disposal of prohibited materials and the operator's actions taken. Indicate those incidents which occurred as a result of the random load checking program. Incident, as used here, means that the hauler or producer of the prohibited waste is known.		
The types and quantities of decomposable and inert wastes, including separated or commingled recyclables, received each day. The operator shall maintain these records on the facility's premises for a minimum of one year and made available to any Enforcement agencies' personnel request.		
The results of the landfill gas monitoring program for on-site structures and landfill boundary.		
The results of the leachate monitoring, collection, treatment and disposal program. The operator shall monitor for potential leachate generation as required by the Waste Discharge requirements. If leachate is found, the operator will collect, treat and effectively dispose the leachate in a manner approved by the LEA and the California Regional Water Quality Control Board.	Quarterly (Due 30 days after the 1st of January, April, July, and October)	LEA RWQCB
Wells within 1/2 mile radius of the landfill site shall be tested for water quality. The properties tested shall also include Assessor's Parcel Numbers 15-070-016 and 15-470-003.	Annually (Due January 1st)	LEA
Topographic Map* showing all current fill locations.		
Topographic map* which indicates all cuts into native material from the previous year to the present date.		
The above two maps shall be drawn to a scale no smaller than one inch = 200 feet unless otherwise approved by the Local Enforcement Agency.		

SOLID WASTE FACILITY PERMIT**17. LEA Conditions:****A. Requirements:**

1. This facility shall comply with all the State Standards for Solid Waste Handling and Disposal.
2. This facility shall comply with all federal, state, and local requirements and enactments including all mitigation measures given in any certified environmental document filed pursuant to the Public Resources Code Section 21031.6
3. The operator shall comply with all notices and orders issued by any responsible agency designated by the Lead Agency to monitor the mitigation measures contained in any of the documents referenced within this permit pursuant to the Public Resources Code section 21081.6.
4. Additional information concerning the design and operation of this facility shall be furnished on request of the Enforcement Agencies' personnel.
5. The operator shall monitor all on-site structures at the landfill to ensure that methane gas concentrations do not exceed 25 percent of the lower explosive limit (LEL). The property boundary will be monitored to ensure that 100 percent of the (LEL) for methane gas is not exceeded.
6. The operator shall maintain a copy of this permit at the facility so as to be available at all times to facility personnel and to Enforcement Agencies' personnel.
7. The operator shall install and maintain signs at the entrance indicating that "no hazardous or liquid wastes are accepted".
8. The operator shall comply with the hazardous waste screening program on page 45 of the Report of Disposal Site Information, dated May 1993. Results of the hazardous waste screening program shall be submitted monthly to the LEA.
9. The operator shall comply with all conditions and requirements contained in the WDRs (Order No. 93-080).
10. The average of 400 tons/day of waste accepted at the landfill shall be enforced by averaging the tonnage of the 12 prior months.

B. Provisions:

1. Operational controls shall be established to preclude the receipt and disposal of volatile organic chemicals or other types of prohibited wastes. The operator shall comply with the approved Hazardous Waste Screening Program as described in the RDSI dated May, 1993. Any changes in this program must be approved by the LEA prior to implementation. The following SWFP conditions supplement those conditions:
 - a. The minimum number of random waste loads to be inspected weekly at this landfill is five (5).
 - b. The number of random incoming loads to be inspected each day is determined by the LEA and shall be related to the permitted daily volume of refuse received by the facility. The LEA reserves the right to increase the required number of incoming waste load inspections.
 - c. Incidents of unlawful disposal of prohibited materials shall be reported to the LEA as described in the monitoring section of this permit. In addition, the following agencies shall be notified at once of any incidents of illegal hazardous materials disposal: California Department of Toxic Substance Control, California Regional Water Quality Control Board and Yuba County Office of Emergency Services.
 - No loadchecking program will be required if 100% of incoming waste (except sludge and treated medical waste) is processed and loadchecked at the YSDI Integrated Waste Recovery Facility in Marysville.
2. This facility must comply with all monitoring requirements established in the Regional Water Quality Control Board Order No. 93-080, "Waste Discharge Requirements". Should it be determined, in accordance with the provisions of 23 CCR, Chapter 15 of the California Code of Regulations, that the facility has caused groundwater contamination which cannot be immediately mitigated, then the operations may be required to cease until the appropriate mitigation measures are implemented. Should it be determined that the contamination cannot be mitigated then the facility may be required to permanently close.

SOLID WASTE FACILITY PERMIT

Facility/Permit Number:

SWIS NO. 58-AA-0011

7. LEA Conditions:

B. Provisions (continued):

3. This permit is subject to review by the LEA and may be suspended, revoked or modified at any time for sufficient cause.
4. The LEA reserves the right to suspend or modify waste receiving operations when deemed necessary due to any emergency, a potential health hazard or the creation of a public nuisance.
5. The operator shall maintain a log of special/unusual occurrences. This log shall include, but are not necessarily limited to: Surface fires, underground fires, explosions, earthquakes, discharge of hazardous liquids or gases to the ground or the atmosphere, or significant injuries, accidents or property damage (including slope damage), and vehicle/equipment related accidents. Each of these log entries shall be accompanied by a summary of any actions taken by the operator to mitigate the occurrence. The operator shall maintain this log at the facility so as to be available at all times to site personnel and to the Enforcement Agencies' personnel. Any of these specified entries made in this log must be immediately reported to the LEA.
6. The operator shall maintain adequate records regarding length and depth of cuts made in natural terrain where fill is placed, together with depth to groundwater table. Also maintained at the facility, shall be all accurate daily records of the weight and/or volume of refuse received. These records shall be available to the LEA's personnel and to the CIWMB's personnel and shall be maintained for a period of at least one year.
7. The operator shall establish and implement a bird control program acceptable to both the LEA and Beale Air Force Base.
8. Analysis of water treatment and waste water treatment sludge shall be provided to the LEA prior to acceptance of the sludge at the landfill. The site specific constituent levels as per designated level methodology for waste classification and cleanup level determination. (CVRWQCB, 1986) shall also be provided.
9. At no time shall waste be placed within 100 feet of best slough.

C. Specifications:

1. The operator shall notify the LEA, in writing, of any proposed significant 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. Any significant change as determined by the LEA would require a revision of this permit.
2. This permit is not transferable: a change in the operator would require a new permit.

<End of Document>

CONDITIONS OF APPROVAL

YUBA COUNTY

Owner: Yuba Sutter Disposal, Inc. Case: CUP 92-06

Applicant: Same - Ostrom Landfill Approved: July 7, 1992

PC-9

- 1. Unless specifically provided otherwise herein or by law, each condition of these Conditions of Approval shall be completed to the satisfaction of County.

PUBLIC WORKS CONDITIONS

- 2. The owner shall dedicate to the County of Yuba, in fee simple a 30.00 foot strip of right-of-way adjoining the centerline of that portion of Ostrom Road within the boundary of this property.
- 3. The owner shall by encroachment permit construct a public road approach by the Department of Public Works into the site entrance from Ostrom Road.
- 4. The owner shall develop a site drainage plan for the entire development site and construct required drainage facilities in accordance with the plans and/or calculations submitted and approved by the Public Works Department prior to any construction. Run off is to be controlled so existing run off from the property remains equivalent.
- 5. Reconstruct Ostrom Road from a point 100 feet easterly of the entrance access westerly to South Beale Road to the following full-street standard:
 - (a) 40 foot graded section consisting of two 12 foot lanes with 8 foot shoulders. Fill slopes to be 1-1/2 to 1 or flatter; cut slopes to be 1 to 1 or flatter.
 - (b) 10 inches Class 2 Aggregate Base, as required by engineering studies, 24 feet in width.
 - (c) 3 inches of asphalt concrete, or as determined by engineering studies, 24 feet in width.
 - (e) Meet the grade and alignment as approved by Public Works Department.
 - (f) 8 inches Class 2 Aggregate Base, or as required by engineering studies, gravel shoulder.
 - (g) Improvement plans shall be submitted for approval by the Public Works Department prior to any construction.

CONDITIONS OF APPROVAL

YUBA COUNTY

Owner: Yuba Sutter Disposal, Inc.

Case: CUP 92-06

Applicant: Same - Ostrom Landfill

Approved: July 7, 1992

PC-9

6. Any construction work within the County right-of-ways shall be accomplished under an encroachment permit issued by the Public Works Department.

DEPARTMENT OF HEALTH SERVICES - ENVIRONMENTAL HEALTH CONDITIONS

7. Owner shall submit for Environmental Health review and approval the results of soils studies for parcel 1, conducted in accordance with the Yuba County Sewage Disposal Ordinance, Sections 7.07.440 through 7.07.530.

8. Environmental Health shall be notified at least two (2) days before soils testing so that an environmental health specialist may witness the testing.

9. Owner shall submit a file map to Environmental Health showing that parcel 1 contains the minimum usable sewage disposal area as established by the Yuba County Sewage Disposal Ordinance Section 7.07.500 and shall clearly identify the location of all soil mantles and percolation tests. This file map shall also show contour, slope, all bodies of water (seasonal and year-round), water wells and all existing structures. Furthermore, owner shall delineate on this file map, the 100-year flood hazard zone for the leach field exclusion area for parcel 1.

10. The design and location of wells and sewage disposal systems shall be in conformance with the standards established by Yuba County Department of Health Services.

11. All abandoned or inactive wells shall be destroyed or maintained in accordance with the "Water Well Standards: State of California, Bulletin 74-81" for parcel.

12. A solid waste facilities permit shall be issued prior to operation or construction of this landfill.

PLANNING DIVISION'S CONDITIONS

13. The applicant shall comply with all applicable state and local laws, ordinances and regulations.

14. On-site signs shall be in conformance with Chapter 12.90.

CONDITIONS OF APPROVAL

YUBA COUNTY

Owner: Yuba Sutter Disposal, Inc.

Case: CUP 92-06

Applicant: Same - Ostrom Landfill

Planning Commission Approved: June 3, 1992**

Approved: July 7, 1992

PC-9

15. "In the event that the approval of this Conditional Use Permit is legally challenged, the County will promptly notify the applicant of any claim, action, or proceeding, and the County will cooperate fully in the defense of the matter. Once notified that a claim, action, or proceeding has been filed to attack, set aside, void, or annul an approval by the Planning Commission or the Board of Supervisors concerning the Conditional Use Permit, the applicant agrees to defend, indemnify, and hold harmless the County and its agents, officers and employees."

16. Prior to construction of the proposed facility, the applicant must secure from the Yuba County Air Pollution Control Officer an "Authority to Construct" Certificate.

17. The property shall be developed in general conformance with Exhibits "A", "B", and "C" as filed with the Planning Commission.

18. The developer shall provide customer parking for a minimum of 25 spaces. Said parking shall be surfaced with two (2) inches of asphaltic concrete over six (6) inches of Class #2 aggregate base and said parking shall be striped. Said parking shall be constructed at the time of building permits for the office, shop and storage buildings in accordance with Chapter 12.85 of the Yuba County Ordinance Code.

19. The use permit shall be effective the end of the ten (10) day appeal period which begins on the day following the date of approval. The expiration date of the appeal period is June 15, 1992 at 5 p.m. **

20. A landscape plan shall be submitted for review and approval by the Director of Planning and Building Services prior to issuance of building permits in accordance with Chapter 12.87 of the Yuba County Ordinance Code.

21. All landscape areas shall be continuously maintained.

22. Any and all physical improvements associated with this Conditional Use Permit shall be maintained to the standards specified in the Conditions of Approval set forth in this use permit. Failure to maintain said physical improvement(s) in said manner may be used as grounds for revocation of this use permit.

23. The access to the parking facility from Ostrom Road shall be paved as well as the area accessing the shop and storage facilities as shown on the site plan.

CONDITIONS OF APPROVAL

YUBA COUNTY

Owner: Yuba Sutter Disposal, Inc.

Case: CUP 92-06;

Applicant: Same -- Ostrom Landfill

Approved: July 7, 1992

PC-9

The following Mitigating Measures of the Negative Declaration shall be incorporated into and made a part of the Conditions of Approval:

24. The landfill facility shall be constructed in accordance with the criteria set forth by the Regional Water Quality Control Board which shall include drainage and construction features that minimize leachate generation within the landfill, and the containment of any leachate that may be generated.
25. The applicant shall construct the necessary facilities to allow monitoring of ground water to insure the landfill is not adversely affecting existing water quality. Said facilities shall be constructed to meet the approval of Environmental Health and the State Regional Water Quality Control Board prior to the operation of the facility.
26. The project shall be designed to protect the landfill site from the 100 year flood plain along the southern boundary adjacent to Best Slough and certified by a licensed civil engineer.
27. The applicant shall control dust generated by the use of access roads and work areas associated with the landfill throughout the life of the operation by watering, paving or other methods approved by the Feather River Air Quality Management District (FRAQMD) and the Department of Planning and Building Services. Operations shall be monitored for dust generation, the frequency of which shall be determined by FRAQMD or the Department of Planning and Building Services.
28. The closure plan shall provide for the revegetation of the site with native plant species. A revegetation plan prepared by a qualified botanist shall be submitted to the Department of Environmental Health for review and approval prior to commencing operations. Additionally, upon completion of each module, the site shall be revegetated to avoid erosion, siltation of adjacent water courses, visual impacts and dust generation.
29. Operations shall be limited to the hours between 6:00 a.m. and 7:00 p.m., Monday through Saturday to reduce noise impacts to surrounding residents.
30. All areas with exposed refuse shall be covered on a daily basis with approved cover material. The depth of cover material shall be determined by the environmental Health Department and be in accordance with the minimum standards for handling solid waste.

CONDITIONS OF APPROVAL

YUBA COUNTY

Owner: Yuba Sutter Disposal, Inc.

Case: CUP 92-06

Applicant: Same - Ostrom Landfill

Approved: July 7, 1992

PC-9

31. The design, construction and operation of the facility shall include measures to control the production, and off-site migration of methane gas. Said measures shall be approved by Environmental Health and shall be monitored on a regular basis.
32. In the event that during the course of landfill activities artifacts or site manifestation indicative of early historic or native American activities are discovered, all activities shall cease until the items are examined by a qualified archaeologist and their level of significance is determined.
33. Perimeter slopes shall be inspected for the presence of highly permeable areas. Said inspections shall be made by Environmental Health at a frequency to be determined by Environmental Health.
34. The operation shall be inspected by representatives of Beale Air Force Base to insure that measures are being taken to prevent the operation from attracting a large number of birds. Should said representatives find that the attraction of birds is interfering with aircraft operations, a report shall be submitted to Environmental Health and the Department of Planning and Building Services. Requests for said inspections shall be made to the Environmental Health Department.
35. Debris fences shall be installed on the perimeter of the site. The site and the surrounding area shall be kept free of loose debris.
36. The operator shall be responsible for mosquito abatement on the project site in accordance with the requirements of the Yuba-Sutter Mosquito Abatement District.
37. The applicant shall vegetate the flood protection levee to reduce erosion.
38. An adequate stockpile of cover soil, as determined by the Environmental Health Department, shall be available at all times for use in wet-weather conditions.
39. The working face of the landfill shall not exceed 40 feet in width. Environmental Health shall make regular inspections to insure compliance.
40. Perimeter slopes shall be vegetated immediately following construction and shall be inspected and approved by the Environmental Health Department.

CONDITIONS OF APPROVAL

YUBA COUNTY

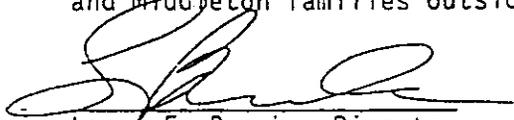
Owner: Yuba Sutter Disposal, Inc.

Case: CUP 92-06

Applicant: Same - Ostrom Landfill

Approved: July 7, 1992

41. Prior to commencement of the landfill operations, the applicant shall enter into an agreement with the County of Yuba to pay an annual per ton tipping fee subject to approval by the Board of Supervisors.
42. The Conditional Use Permit shall not be effective until approval of General Plan Amendment 92-02 is granted by the Board of Supervisors.
43. The applicant shall cause the testing of wells for water contamination within one-half mile radius of the landfill on an annual basis.
44. The applicant shall operate the landfill in conformance with the mitigation measures contained in the Certified Final EIR.
45. Transfer trucks will not use City of Wheatland streets.
46. Annual mitigation monitoring report to be sent to the City of Wheatland.
47. The applicant shall prepare and implement a detailed bird control program approved by the County and reviewed by Beale Air Force Base to ensure that bird populations remain at a reasonable level and that hazardous bird movements are not attracted into approach/departure patterns of aircraft.
48. Monitoring of all wells within one-half mile radius of the landfill site and include the wells belonging to the Robinson and Middleton families outside the one-half mile radius.



Larry F. Brooks, Director
Planning and Building Services Department

ATTACHMENT 5

MEMORANDUM

To: Jon Whitehill
Permits Branch
Permitting and Enforcement Division

Date: November 22, 1993

From:

Alan White
Alan White
Office of Local Assistance
Governmental & Regulatory Affairs Division
CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

Subject: REVIEW OF THE PROPOSED PERMIT FOR FACILITY NO. 58-AA-0011 FOR CONFORMANCE WITH AB 2296

The proposed project involves a permit for the new Ostrom Road Sanitary Landfill located in Yuba County, approximately 11 miles southeast of the City of Marysville. The 261 acre site is in a buffer zone under the approach pattern for Beale Air Force Base and therefore has remained undeveloped except for agricultural uses in the past.

The proposed project will include a 221 acre landfill disposal site with drainage and flood control facilities, landfill gas monitoring and control facilities if needed, perimeter access roads, and a natural vegetation zone around the landfill. The Landfill will receive the solid waste presently handled by the Yuba-Sutter Disposal, Inc. Sanitary Landfill in Marysville which is the primary landfill in Yuba and Sutter Counties. The project will have a refuse capacity of approximately 6,500,000 tons, and a estimated landfill life of 45 years.

Based upon the review of the submitted documents, the proposed permit revision conforms with the provisions of AB 2296 as follows:

1. The permit is consistent with the State's waste diversion requirements (PRC 44009).
2. The facility is in conformance with the County's Solid Waste Management Plan (CoSWMP) (PRC 50000).
3. The facility is consistent with the County's General Plan (PRC 50000.5).

PRC 44009: WASTE DIVERSION REQUIREMENTS

The County's draft Source Reduction and Recycling Element (SRRE) describes the programs which the County will use to achieve the diversion goals established by AB 939. The County expects to meet a 1995 diversion rate of 25% through a combination of local and regional source reduction, recycling and composting programs.

Board staff have reviewed the proposed permit and the draft Source Reduction and Recycling Element for the Bi-County Region including Yuba and Sutter Counties and the Cities of Live Oak, Marysville, Wheatland and Yuba City. Based on this review and in consultation with the Bi-County Local Task force, Board staff finds that the proposed permit for the Ostrom Road Sanitary Landfill will not prevent or impair the jurisdiction's achievement of AB 939 diversion goals.

PRC 50000: CONFORMANCE WITH THE CoSWMP

The Ostrom Road Sanitary Landfill was not described in the 1984 version of the Yuba and Sutter Bi-County Solid Waste Management Plan. The proposed facility was included on page X-17 of the draft Source Reduction and Recycling Element for the Bi-County Region. The site identification and description of the proposed Ostrom Road Sanitary Landfill was submitted to, and approved by, the cities of Wheatland, Marysville, and Yuba County, and therefore, meets the requirements of PRC Section 50000.

PRC 50000.5: CONSISTENCY WITH THE GENERAL PLAN

On June 3, 1992 the Yuba County Planning Commission found that the proposed landfill was consistent with the Yuba County General Plan.

California Integrated Waste Management Board
Permit Decision No. 93-116
December 15, 1993

WHEREAS, Yuba-Sutter Disposal, Inc. proposes to construct and operate a Class III landfill at the Ostrom Road site between Beale AFB and Best slough; and

WHEREAS, the Yuba County Community Services Department, the lead agency for CEQA review, prepared an Environmental Impact Report (EIR) for the proposed project; and Board staff provided comments to the County on September 7, 1982; and the proposed project will have a significant effect on the environment; and mitigation measures were incorporated into the approval of the proposed project; and the Yuba County Board of Supervisors adopted the final environmental document (SCH# 82072811) on May 28, 1985 and approved the Notice of Determination for the project on July 7, 1992; and

WHEREAS, the Yuba County Planning Commission approved Conditional Use Permit 92-06 on June 3, 1992, allowing Yuba-Sutter Disposal, Inc. to operate a Class III landfill subject to the provisions of the Mitigation Monitoring Plan and Conditions of Approval; and

WHEREAS, the Sacramento Valley Regional Water Quality Control Board issued Waste Discharge Requirement Order No. 93-080 on June 25, 1993, which conditions the discharge of approved wastes, including treated sewage sludge, at the Ostrom Road site; and

WHEREAS, the Yuba County Environmental Health Department, acting as the Local Enforcement Agency, has submitted to the Board for its review and concurrence in, or objection to a new Solid Waste Facilities Permit for the Ostrom Road Landfill; and

WHEREAS, Board staff have evaluated the proposed permit for consistency with the standards adopted by the Board and found the facility in compliance with State Minimum Standards; and

WHEREAS, the project descriptions in the EIR, and in additional CEQA documents prepared for related projects, are consistent with the proposed permit; 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, and 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. 58-AA-0011.

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 December 15, 1993.

Dated:

Ralph E. Chandler
Executive Director

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

Permitting and Enforcement Committee
December 8, 1993

AGENDA ITEM 4

ITEM: Consideration of Concurrence in the Issuance of a new Solid Waste Facilities Permit for the Organic Recycling West - Green Composting Facility, San Diego County.

BACKGROUND:

Facility Facts

Name: Organic Recycling West - Green Composting Facility, Facility No. 37-AA-0905

Facility Type: Composting Facility (Green Materials only)

Location: 1202 La Media Road, South San Diego

Area: 26 acres

Setting: The surrounding land use is zoned industrial

Permitted Daily Capacity: 240 tons per day of green waste

Operational Status: New, not yet constructed

Land Owner: City of San Diego
David Estey, Associate Property Agent

Operator: Organic Recycling West
Daniel Schoen, Operator

LEA: San Diego County
Department of Health Services
Gary Stephany, Director

Proposed Project

The proposed facility is a composting operation which will be permitted to accept up to 240 tons per day of green materials for aerobic windrow style composting. Site hours of operation will be from 7:00 a.m. to 6:00 p.m., Monday through Saturday.

SUMMARY:

The site, not yet constructed, will be situated on property owned by the City of San Diego. The entire facility will be developed at one time, and all development should be completed within a period of one month.

Facility Description Organic Recycling West is proposed as a composting operation where greenwaste will be received, processed, consolidated, and composted to produce soil amendments.

The facility is approximately 20 miles south east of downtown San Diego. Main access to the facility will be via Otay Mesa Road (a four lane primary artery road) and then using a signalized intersection onto La Media Road. The facility entrance is located on La Media Road. The facility will have two 30 foot wide gates at La Media Road, one serving as the main gate for entrance and exit and which will lead directly to the truck scale and office; and the other serving as an emergency or alternate gate. Trucks entering the facility will be able to turn around in the open 'Feedstock Receiving Area' and 'Finished Goods Loading Area.'

Materials accepted at the facility will only be green materials i.e. materials which are separated at their source of generation and which are derived from plant material, including leaves, grass clippings, weeds, tree trimmings, and untreated wood or shrubbery. Green material accepted at the facility will mainly be generated by county residents and other public and commercial properties in the county. Green materials will be delivered by commercial haulers and landscapers.

Accepted material will be processed by grinding and placed into windrows in the designated composting area. The windrows of composting materials will be regularly aerated using windrow turning equipment or a front-end loader. The temperature, pH, oxygen content, and moisture content will be monitored to ensure that conditions are optimal for the aerobic compost process. During the initial stages of composting the temperatures will be monitored daily in order to document pathogen reduction in accordance with Title 14, California Code of Regulations. Once the pathogen reduction has been documented in accordance with regulations, temperature monitoring will be conducted on a weekly basis. Windrows will be watered when conditions warrant. The composting process will be achieved in a 3-4 month period.

The end-products (soil amendments, horticultural mulch) will be sold in bulk to professional landscapers, topsoil blenders and to local municipalities for public works projects. The bagging of end-products for sale in the general consumer market will also be considered as a subsequent phase.

Environmental Controls Signs will be posted at the main gate to the facility stating the schedule of charges; hours of operation; materials accepted and not accepted, and instructions to trucks, customers and visitors. The facility will implement a load checking program to prevent the unauthorized or accidental disposal of materials not covered by the Solid Waste Facilities Permit. Unsuitable materials (plastic containers, paper, cans, etc.) that may inadvertently be found in green materials will be placed in waste storage containers and transported to the Otay Landfill. No chemical additives are permitted to be used in the composting process.

Dust at the facility will be controlled through the following measures: the windrows will be maintained at approximately 50% moisture content, hence, very little dust is anticipated when windrows are aerated with the windrow turner; windrows will be watered; the aisle space between the windrows will be sprayed; the water used for dust control in other areas of the facility will be treated with a surfactant to improve dust suppression, and equipment (tub-grinder and trommel screen) used in the composting process will be equipped with a water misting system for dust suppression.

Due to the nature of materials accepted, it is not expected to represent a problem of birds and vectors. Maintenance at the facility will discourage the harborage and propagation of rodents, scavenging birds and other vectors. The green material will be sorted and removed to the composting windrows where temperatures will be kept between 120° to 160°F. The windrows will also be aerated between 24 to 48 times over a 3 month period. The high temperature and regular turning of the materials will render them unattractive to vector and birds.

The facility's standard operating procedure provides for weekly cleaning to remove loose materials and litter. Litter collected will be removed together with solid waste by a hauling contractor every week or every two weeks.

Noise generation will be mainly from the equipment used at the facility i.e. front end loader, grinder, screen, and windrow turner. Equipment utilized will be self-propelled equipment which will have noise control devices installed to reduce

operating noise impact. Equipment will also be maintained to reduce operating noise impacts. The nearest residential areas are approximately 2.5 miles away.

Proper composting procedures should preclude any odor problems. Because of the industrial setting and the facility's design, odor impacts will be minimized.

Fire danger is minimized by the high moisture content of the green waste. The facility will have fire fighting equipment (i.e. water tank, fire hoses, extinguishers) installed. The San Diego City Fire Department has reviewed and approved the facility's fire fighting program. In addition, the facility is in the service area of three fire stations.

The facility is not located on flood plains or tidelands. The groundwater level is approximately 300 to 400 feet. A specially constructed composting pad with liner and leachate collection and removal system is not required since the facility will not use additives or amendments in the composting process.

Resource Recovery Other than composting, no materials recovery operations such as scavenging or salvaging will be permitted at the site.

Permit Background The following is a chronology that indicates when the permit package was received by the LEA and Board staff:

- September 20, 1993 - the LEA received an application for a new Solid Waste Facilities Permit (SWFP), and the Report of Composting Site Information (RCSI);
- 9/28 - Permits Branch received the Application for a new SWFP and a copy of the RCSI;
- October 12, 1993 - Permits Branch received a copy of the draft SWFP;
- 10/18 - the LEA sent the operator a letter of completeness, requesting additional information;
- 10/25 - the LEA received from the operator the information requested;
- 10/26 - Board staff provided comments to the draft SWFP;
- 10/27 - Permits Branch received the proposed SWFP, therefore, starting the 60-day clock as required by the PRC, Section 44009; and
- November 1, 1993 - Permits Branch received the hard copy of the proposed new SWFP, and a copy of the revised RCSI.

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 27, 1993, the last day the Board could act is December 27, 1993.

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

1. Conformance with the General Plan

On July 2, 1993, the City of San Diego Planning Department determined that the proposed Organic Recycling West - Green Composting Facility is consistent with the City of San Diego General Plan and Progress Guide which designates the project site for industrial development.

2. Consistency with County Plan

On August 3, 1993, the San Diego County Board of Supervisors adopted Resolution Number 93-311 approving the Organic Recycling West - Green Composting Facility site and project description and amending the 1986 Revised San Diego County Regional Solid Waste Management Plan to include the Organic Recycling West - Green Composting Facility. Based on this information staff concludes that the facility meets the requirements of PRC 50000.

3. Consistency with Waste Diversion Requirements

Staff of the Board's Office of Local Assistance make an assessment, pursuant to PRC 44009, to determine if the record contains evidence that the proposed project would prevent or substantially impair the achievement of waste diversion goals. Based on available information, staff have determined that the issuance of the proposed permit should neither prevent or substantially impair the City of San Diego from achieving its waste diversion goals. The analysis used in making this determination is included as Attachment 4.

4. California Environmental Quality Act (CEQA)

The City of San Diego (City) prepared a Negative Declaration (ND), SCH #93051048, for the proposed project. As required by the California Environmental Quality Act (CEQA), the ND identified the project's potential significant environmental impacts. Board staff reviewed the ND and provided comments to the City on June 22, 1993. The City prepared and submitted an adequate response to comments. The ND was adopted and the proposed project was approved by the City Manager on September 14, 1993. A Notice of Determination (NOD) was filed on September 14, 1993.

Mitigation measures were not made a condition of the approval of the Organic Recycling West Composting Facility by the City of San Diego, Planning Department.

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

5. Conformance with State Minimum Standards

As noted above, the construction of the facility has not yet begun. The LEA has determined that the facility's proposed design and operation are in compliance with State Minimum Standards for Solid Waste Handling and Disposal based on a review of the Report of Composting Site Information and supporting documentation. Board staff agree with said determination.

STAFF RECOMMENDATIONS:

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

Staff recommend that the Board adopt Permit Decision No. 93-120 concurring in the issuance of Solid Waste Facilities Permit No. 37-AA-0905.

ATTACHMENTS:

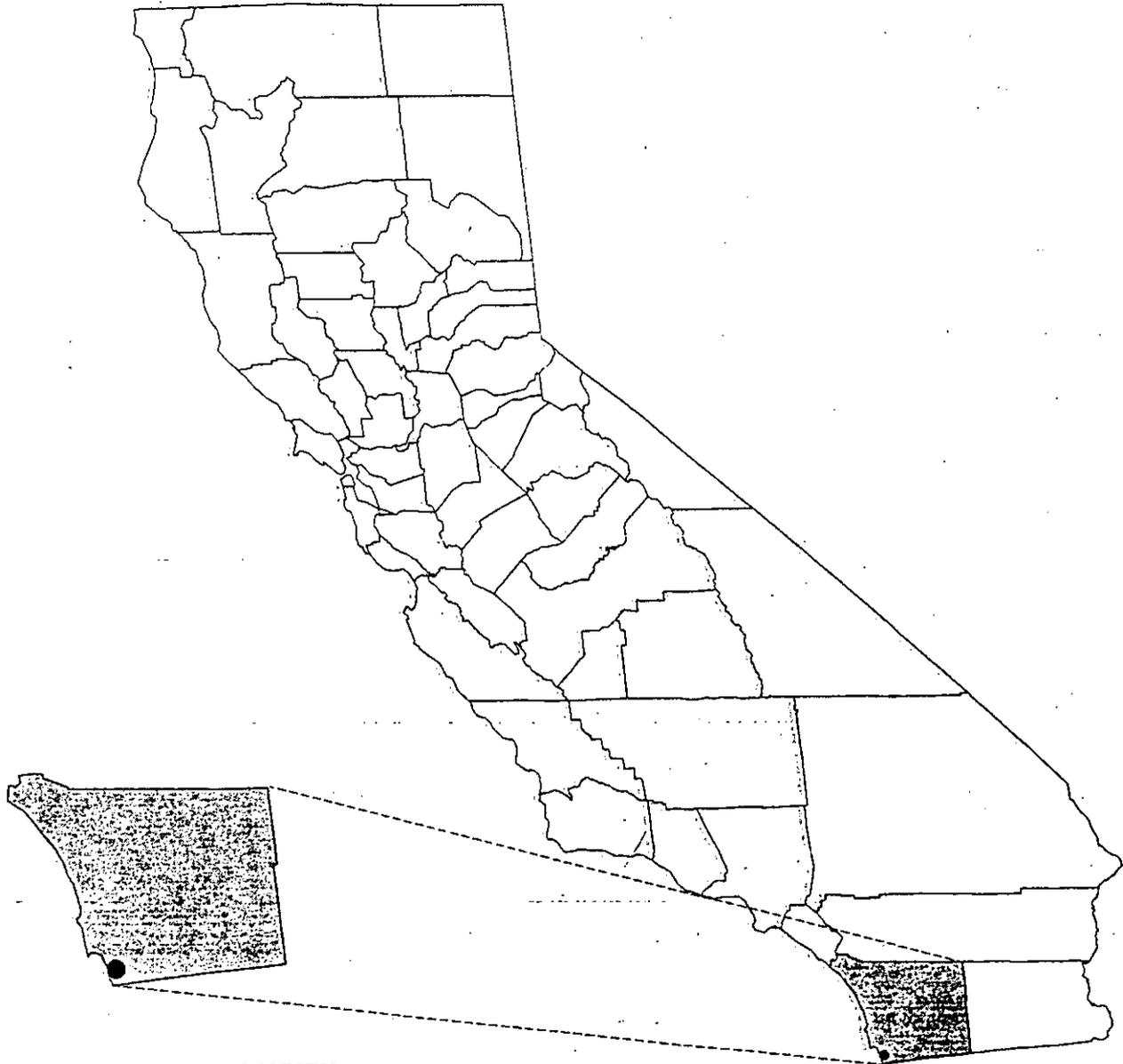
1. Location Map
2. Site Map
3. Proposed Permit No. 37-AA-0905
4. AB2296 Finding of Conformance
5. Permit Decision No. 93-120

Prepared by: Amalia ~~Fernandez~~/Suzanne Talams ^{At 11/23/93} Phone: 255-2589

Reviewed by: Don Dier, Jr. ^{DD 11/23} Phone: 255-2719

Approved by: Douglas Y. Okumura ^{DD 11/23} Phone: 255-2431

ATTACHMENT 1

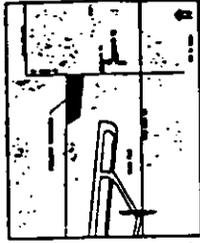


SAN DIEGO COUNTY

ORGANIC RECYCLING WEST —

GREEN COMPOSTING FACILITY

ATTACHMENT 2



OPEN FIELD
UNDEVELOPED
PROPERTY



LEGEND

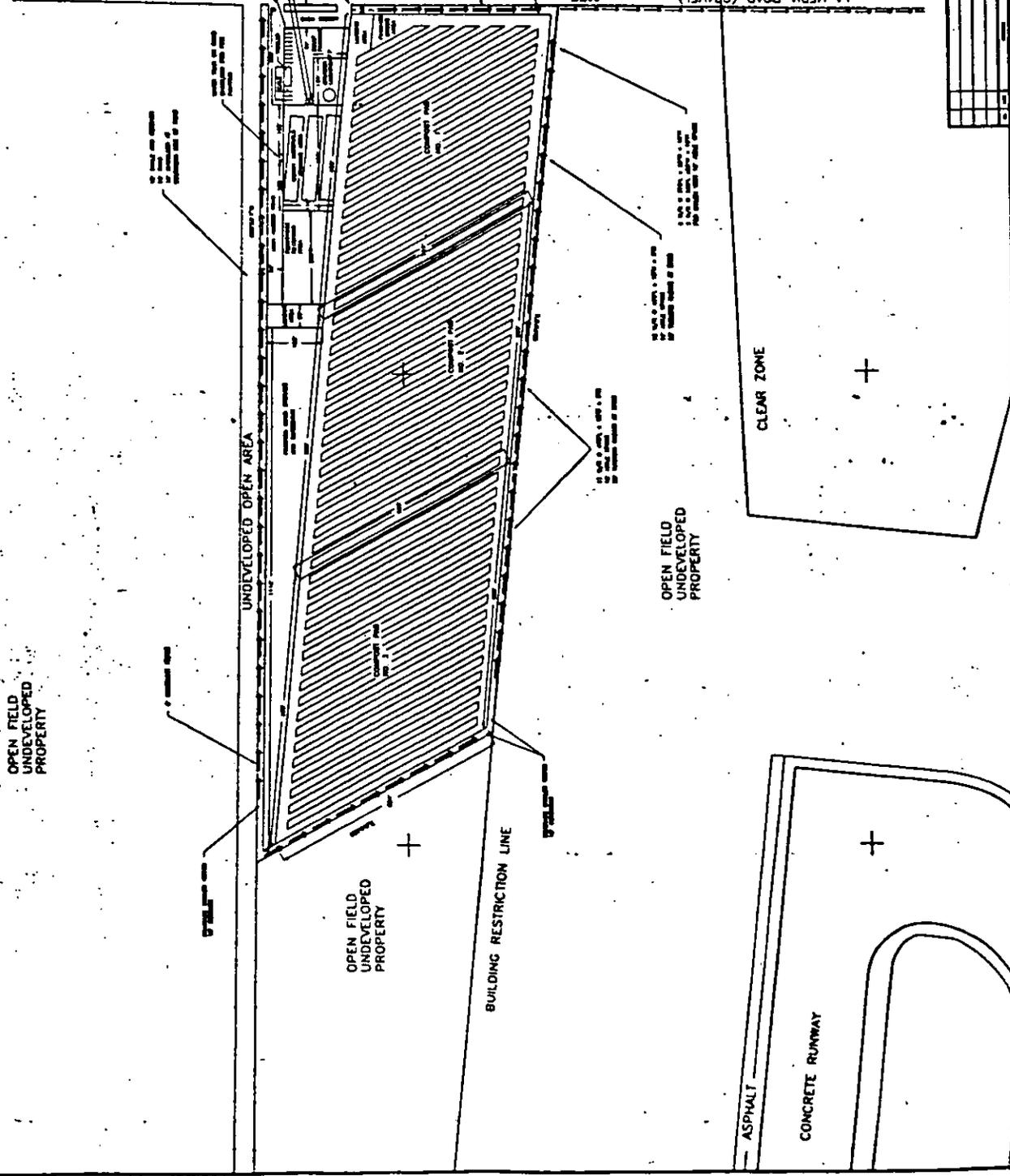
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ORGANIC RECYCLING WEST, INC.
BROWN FIELD, SAN DIEGO, CALIFORNIA

LAND WASTE COMPOSTING FACILITY

DETAILED SITE PLAN

WESTERN ENGINEERING
10000 SAN DIEGO AVENUE, SUITE 100
SAN DIEGO, CALIFORNIA 92131
TEL: (619) 594-1100
FAX: (619) 594-1101
WWW.WESTERNENGINEERING.COM



ATTACHMENT 3

SOLID WASTE FACILITY PERMIT		1. Facility/Permit Number: 37-AA-0905				
2. Name and Street Address of Facility: Organic Recycling West - Green Composting Facility (South San Diego) 1202 La Media Road San Diego, CA 92173		3. Name and Mailing Address of Operator: Organic Recycling West 4751 Wilshire Blvd. Suite 209 Los Angeles, CA 90010	4. Name and Mailing Address of Owner: City of San Diego, Airports Division 1426 Continental Street San Diego, California 92173-1708			
5. Specifications:						
a. Permitted Operations:		<input type="checkbox"/> Composting Facility (mixed wastes) <input checked="" type="checkbox"/> Composting Facility (yard waste) <input type="checkbox"/> Landfill Disposal Site <input type="checkbox"/> Material Recovery Facility				
		<input type="checkbox"/> Processing Facility <input type="checkbox"/> Transfer Station <input type="checkbox"/> Transformation Facility <input type="checkbox"/> Other: _____				
b. Permitted Hours of Operation:		7:00 am to 5:00 pm Monday through Saturday				
c. Permitted Tons per Operating Day:		Totals: <u>260</u> Tons/Day				
Non-Hazardous - General		<u>0</u> Tons/Day				
Non-Hazardous - Sludge		<u>0</u> Tons/Day				
Non-Hazardous - Separated or commingled recyclables		<u>0</u> Tons/Day				
Non-Hazardous - Other (See Section 14 of Permit)		<u>0</u> Tons/Day				
Designated (See Section 14 of Permit)		<u>0</u> Tons/Day				
Hazardous (See Section 14 of Permit)		<u>0</u> Tons/Day				
d. Permitted Traffic Volume:		Totals: <u>200</u> Vehicles/Day				
Incoming waste materials		<u>150</u> Vehicles/Day				
Outgoing waste materials (for disposal)		<u>0</u> Vehicles/Day				
Outgoing materials from material recovery operations:		<u>50</u> Vehicles/Day				
e. Key Design Parameters (Detailed parameters are shown on site plans bearing LEA and CDMB validations):						
	Total	Disposal	Transfer	MRF	Composting	Transformation
Permitted Area (in acres)	26 a	N/A a	N/A a	N/A a	25.5 a	N/A a
Design Capacity		N/A cy	N/A tod	N/A tpd	240 tpd	N/A tpd
Max. elevation (Ft. MSL)		N/A ft				
Max. Depth (Ft. BGS)		N/A ft				
Estimated Closure Date		N/A				
This permit is granted solely to the operator named above, and is not transferable. Upon a change of operator, this permit is no longer valid. Further, upon a significant change in design or operation from that described herein, this permit is subject to revocation or suspension. The attached permit findings and conditions are integral parts of this permit and supersede the conditions of any previously issued solid waste facility permits.						
6. Approval:			7. Local Enforcement Agency Name and Address:			
_____ Approving Officer Signature Gary Stegany, Deputy Director Name/Title Environmental Health Services			San Diego County Department of Health Services P.O. Box 85261 San Diego, CA 92186-5261			
8. Received by CDMB:			9. CDMB Concurrence Date:			
OCT 27 1993						
10. Permit Review Due Date:			11. Permit Issued Date:			

SOLID WASTE FACILITY PERMIT

Facility/Permit Number:
37-AA-0905

12. Legal Description of Facility (attach map with RFI):
Section 27 of T12S, R1W of S682M
Assessor Parcel Number 646-060-03

13. Findings:

- a. This permit is consistent with the County Solid Waste Management Plan ~~on the County-wide Integrated Solid Waste Management Plan (CIWMP)~~. Public Resources Code, Section 50001, dated 1986, amended per Board of Supervisors Resolution #93-311. (Appendix 15 of RCS1)
- 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 LEA.
- 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.
San Diego City Fire Department (Appendix 8 of RCS1)
- 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. (Appendix 7 of RCS1)
- 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: City of San Diego. Public Resources Code, Section 50000.5(a).
- 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). City of San Diego

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.

No other materials, except green materials, can be accepted at this facility.

The permittee is additionally prohibited from the following items:

No additives or amendments can be utilized in the composting process at this site.

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

<input checked="" type="checkbox"/> Report of Facility Information - RCS1	Date: <u>9/20/93</u>	<input type="checkbox"/> Contract Agreements - operator and contract	Date: <u>N/A</u>
<input type="checkbox"/> Land Use Permits and Conditional Use Permits	<u>N/A</u>	<input checked="" type="checkbox"/> Waste Discharge Requirements - Waiver	<u>8-5-93</u>
<input checked="" type="checkbox"/> Air Pollution Permits and Variances (Appendix 13 of RCS1)	<u>9/10/93</u>	<input type="checkbox"/> Local & County Ordinances	<u>N/A</u>
<input checked="" type="checkbox"/> Final Negative Declaration SCH93051048 (Appendix 7 of RCS1)	<u>7/14/93</u>	<input type="checkbox"/> Final Closure & Post Closure Maint. Plan	<u>N/A</u>
<input checked="" type="checkbox"/> Lease Agreements - owner and operator (Appendix 6 of RCS1)	<u>9/13/93</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 (list): NPOES Pending (Appendix 10 RCS1)	<u>6/28/93</u>
<input type="checkbox"/> Closure Financial Responsibility Document	<u>N/A</u>		

SOLID WASTE FACILITY PERMIT

Facility/Permit Number:
37-AA-0905

16. 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:
1. Testing of all end products per 14 CCR Section 17885 (b) and 17887.	45 days after results are available.	LEA
2. compost leachate analyzed per 14 CCR Section 17876 (a)(3)(A)(1).	45 days after results are available.	LEA & RUCCS
3. Temperature testing per 14 CCR Section 17876 (a)(5).	As requested.	LEA
4. Composite samples analyzed per 14 CCR Section 17887.	45 days after results are available.	LEA
5. Record of Activities per 14 CCR Section 17877.	30 days after each calendar quarter.	LEA
<p>All reports submitted to the LEA must be prepared per Section 17895 of Chapter 3.1, Division 7, Title 14, California Code of Regulations.</p>		

SOLID WASTE FACILITY PERMIT

Facility/Permit Number:

37-AA-0905

17. LEA Conditions:

1. The design and operation of this facility shall comply with the State Minimum Standards for Solid Waste Handling and Disposal.
2. The design and operation of this facility must comply with all Federal, State, and Local requirements and enactments including all mitigation measures given in any certified environmental documents files pursuant to PRC 21081.6.
3. Additional information regarding the design and operation of this facility must be provided to the LEA upon request.
4. The operator shall maintain a copy of this permit at the facility so as to be available at all times to facility and enforcement agency personnel.
5. Any change which would cause the design or operation of the facility to not conform to the terms or conditions of the permit would require a permit modification or revision. If the operator proposes a change, an application for permit revision modification shall be submitted to the LEA 120 days prior to the change.
6. This permit is subject to review by the LEA and may be modified, suspended, or revoked, for sufficient cause after a hearing.
7. Nothing in this permit shall be construed as relieving any owner, operator or designer from the obligation of obtaining all required permits, licenses, or other clearances, and complying with all orders, laws, regulations, or other requirements of other approval, regulatory or enforcement agencies, including but not limited to local health entities, water and air quality boards, local land use authorities, and fire authorities.
8. The operator shall notify the LEA at least 30 days prior to the closure of the facility pursuant to 14 CCR Section 17879.
9. The operator shall notify the LEA of any noncompliance pursuant to 14 CCR Section 17891.
10. The operator shall notify the LEA if vehicle trips exceed 100 trips per day so as to modify permit. (CEQA document supports 500 vehicles per day with no significant impact).
11. This permit shall be reviewed at a minimum of every five years. Additionally, the operator must submit an application for permit review concurrently with the request for a lease extension to the City of San Diego.
12. All operations areas shall be set back a minimum of 12 feet from facility boundaries per 14CCR Section 17869 (d)(1)

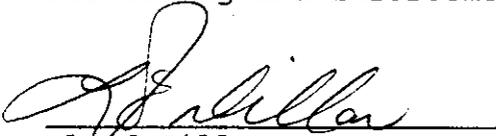
MEMORANDUM

ATTACHMENT 4

To: Amalia Fernandez
Permits Branch
Permitting and Enforcement Division

Date: October 21, 1993

From:


Lloyd Dillon
Office of Local Assistance
Governmental & Regulatory Affairs Division
CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

Subject: Conformance Findings for Organic Recycling West-Green
Composting Facility, Facility Number 37-AA-0905

The proposed project involves a new Solid Waste Facilities Permit (Permit) for the Organic Recycling West-Green Composting Facility (ORWGCF) located in the City of San Diego, San Diego County. The facility is located on a 26 acre parcel on the North-East corner of Brown Field on the Otay Mesa within the San Diego Recycling Market Development Zone. It is anticipated that the facility will receive green and woody wastes from the incorporated cities of Chula Vista, Coronado, Imperial Beach, La Mesa, Lemon Grove, National City, San Diego City, and the surrounding unincorporated area.

The Permit will allow the facility to receive up to 240 tons per day of source separated green wastes (i.e., leaves, tree trimmings, grass, untreated wood, and shrubbery) from municipal and commercial sources. The facility will employ open windrow composting technology to transfer these materials into useful horticultural mulch and soil amendments.

PRC 44009: Waste Diversion Requirements

Board staff have reviewed the proposed ORWGCF Permit, the ORWGCF Report of Composting Site Information, and the Source Reduction and Recycling Elements for the County of San Diego and the following cities: Chula Vista, Coronado, Imperial Beach, La Mesa, Lemon Grove, National City, and San Diego City. The following chart shows the percent green waste of the total waste stream and the short-term (1995) and medium-term (2000) green waste diversion goals for each jurisdiction.

	Total Percent Green Waste in Disposal Stream	Percent Green Waste Diverted by 1995	Percent Green Waste Diverted by 2000
San Diego County	19	2	4
Chula Vista	27	9	21
Coronado	18	7	14
Imperial Beach	27	13	21
La Mesa	22	8	17
Lemon Grove	23	11	17
National City	29	11	21
San Diego City	11	.5	.7

The facility operator, Organic Recycling West, Inc., estimates that the facility will receive approximately 10 percent of the diverted green wastes from these jurisdictions.

Based on this review staff have determined that the proposed Permit for the ORWGCF will not prevent or substantially impair the jurisdiction's achievement of the waste diversion requirements of AB 939.

PRC 50000: Conformance with the CoSWMP

On August 3, 1993 the San Diego County Board of Supervisors adopted Resolution Number 93-311 approving the ORWGCF site and project description and amending the 1986 Revised San Diego County Regional Solid Waste Management Plan to include the ORWGCF. Therefore, the ORWGCF meets the requirements of PRC 50000.

PRC 50000.5: Consistency with the General Plan

According to a letter from the City of San Diego Planning Department, dated July 2, 1993, the Planning Department determined that the proposed ORWGCF is consistent with the City of San Diego General Plan and Progress Guide which designates the project site for industrial development.

Summary of Conclusions

Based upon the review of the submitted documents, the proposed permit revision conforms with the provisions of AB 2296 as follows:

1. The permit is consistent with the State's waste diversion requirements [Public Resource Code (PRC) 44009].
2. The facility is in conformance with the County's Solid Waste Management Plan (CoSWMP) (PRC 50000).
3. The facility is consistent with the County's General Plan (PRC 50000.5)

If you have any questions or comments, please call Chris Deidrick at (916) 255-2308.

California Integrated Waste Management Board
Permit Decision No. 93-120
December 15, 1993

WHEREAS, Organic Recycling West - Green Composting Facility, is operated by Organic Recycling West; and

WHEREAS, the City of San Diego, the lead agency for CEQA review, prepared a Negative Declaration for the proposed project and Board staff reviewed the Negative Declaration and provided comments to the City of San Diego; the proposed project will not have a significant effect on the environment; mitigation measures were not made a condition of approval of the proposed project; and the City of San Diego filed a Notice of Determination on September 14, 1993; and

WHEREAS, On September 20, San Diego County, Department of Health Services, acting as the Solid Waste Local Enforcement Agency (LEA) received an application for a New SWFP, and a copy of the RCSI; on 9/28, Permits Branch received a copy of the application for a new SWFP, and a copy of the RCSI; on 10/12, Permits Branch received a copy of a draft SWFP; on 10/18, the LEA sent the operator a letter of completeness, requesting additional information; on 10/25, the LEA received from the operator the information requested; on 10/26, Board staff provided comments to the draft SWFP; on 10/27, Permits Branch received the proposed SWFP; on 11/1, Permits Branch received the hard copy of the SWFP, and a copy of the revised RCSI; and

WHEREAS, San Diego County, Department of Health Services, acting as the Solid Waste Local Enforcement Agency (LEA) has submitted to the Board for its review and concurrence in, or objection to, a new Solid Waste Facilities Permit; 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 the proposed permit have been met, including consistency with Board standards, conformance with the County Solid Waste Management Plan, consistency with the City of San Diego 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. 37-AA-0905

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 the resolution duly and regularly adopted at a meeting of the California Integrated Waste Management Board held on December 15, 1993.

Dated:

Ralph E. Chandler
Executive Director

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

Permitting and Enforcement Committee
December 8, 1993

AGENDA ITEM 5

ITEM: Consideration of Concurrence in the Issuance of a Revised Solid Waste Facilities Permit for the Fink Road Landfill, Stanislaus County

BACKGROUND:

Facility Facts

Name: Fink Road Landfill

Facility No. 50-AA-0001

Facility Type: Class II and III Landfill

Location: 4000 Fink Road, Crows Landing, CA

Area: Class II - 38.5 acres
Class III - 164 acres

Setting: Rural

Operational Status: Active, Permitted

Tonnage: Class II - Currently permitted for 300 tpd. Currently accepting an annual average of approximately 286 tpd with daily peaks to 640 tpd.
Class III - Currently permitted for 1400 tpd. Currently accepting an annual average of approximately 200 tpd with daily peaks to 815 tpd.

Volumetric Capacity: Class II - 3,128,896 yd³
Class III - 12,003,626 yd³

Operator: County of Stanislaus, Dept. of Public Works
Mr. Harold R. Callahan, Director

Owner: County of Stanislaus, Dept. of Public Works
Mr. Harold R. Callahan, Director

EA: California Integrated Waste Management Board

Proposed Project

This Solid Waste Facilities Permit (SWFP) revision adds a maximum daily tonnage limit for municipal solid waste combustion ash received from the Ogden Martin Systems of Stanislaus, Inc., waste-to-energy facility. The current SWFP for the facility contains an average tonnage limit for ash. This limit was established using an estimate of the average daily tonnage of ash produced by the waste-to-energy facility. This permit allows ash to be stored at the waste-to-energy facility and hauled intermittently to the adjacent landfill provided the daily tonnage does not exceed 900 tpd. This revision also includes an adjustment in the non-hazardous, non-designated solid waste permitted tonnage from 1,400 tpd to 1,500 tpd, to allow for potential increases over the next five years.

SUMMARY:

Site History

The Fink Road Landfill was developed in 1973 as a Class III landfill. In 1988 a 16.5 acre parcel was leased to Ogden Marten, Inc. for the construction of a waste-to-energy facility. In conjunction with the construction of the waste-to-energy facility, the SWFP for this facility was also revised to include a 38.5 acre Class II ash monofill, and an increase in the permitted area of the Class III landfill from 40 to 164 acres.

The Central Valley Regional Water Quality Control Board adopted updated Waste Discharge Requirements in September 1990.

Compliance History

This facility has a good compliance history. Monthly inspections by CIWMB staff have revealed no recurring violations aside from a permit violation for receiving ash beyond the permitted tonnage which this permit revision will correct.

Project Description

The Fink Road Landfill is in southwestern Stanislaus County, approximately 20 miles southwest of the City of Modesto. It is located on Fink Road, just west of Interstate 5, near the community of Crows Landing. The surrounding land use is agriculture including, grazing, row crops, and orchards. The immediate vicinity of the site is relatively unpopulated. Current operations consist of area filling of waste in both Class II and Class III units. The Class II unit is dedicated to receiving ash from the adjacent waste-to-energy facility. This ash has been classified as a non-hazardous, designated waste. The majority of the waste received at the Class III unit is waste not accepted at the waste-to-energy facility due to its special

handling requirements (e.g., bulky, wet, etc.), low energy value, or its means of transportation (the waste-to-energy facility does not allow self-hauled vehicles).

Environmental Controls

There are leachate collection and removal systems (LCRS) in both the Class II and Class III operating units of the Fink Road Landfill. The ash monofill has generated very little leachate during the last two years.

Stray litter is removed from areas where it is known to accumulate. Vectors are controlled by prompt compaction of the waste as it is delivered. Vectors have not been a problem at this facility. If vectors were to become a problem, they would be controlled by a professional pest control service. Dust will be minimized through the use of water truck. Noise is controlled by mufflers, proper maintenance of all facility equipment, and the remote location of the site.

Resource Recovery

Recycling and resource recovery are accomplished in Stanislaus County through curbside and drop-off programs. Tires are diverted from disposal at the Fink Road Landfill. The Stanislaus County Department of Environmental Resources reports that Stanislaus County is currently diverting 22.5% of the wastestream.

ANALYSIS:

Requirements for Concurrence with the SWFP

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 formulated on November 22, 1993, the last day the Board may act is January 22, 1994.

The Board's Enforcement Agency Section, acting as the Enforcement Agency, has prepared a proposed permit, reviewed the supporting documentation, and determined that the 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 Enforcement Agency staff have determined that the facility is identified and described in the Stanislaus County Solid Waste Management Plan dated April 1986, pursuant to PRC § 50000.

2. Consistency with General Plan

Board Enforcement Agency staff have found that the proposed facility is consistent with, and is designated in, the applicable General Plan, pursuant to PRC § 50000.5.

3. Consistency with Waste Diversion Requirements

Staff of the Board's Governmental and Regulatory Affairs Division, Office of Local Assistance, made an assessment, pursuant to PRC § 44009, to determine if the record contains substantial evidence that the proposed project would prevent or substantially impair the achievement of waste diversion goals. Based on available information, staff have determined that the permit is consistent with the State's waste diversion requirements. 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. In April 1985 a final environmental impact report (FEIR) was approved for the proposed project.

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

5. Compliance with State Minimum Standards

The Board's Enforcement Agency Section staff have made the determination that the facility's design and operation are in compliance with the State Minimum Standards for Solid Waste Handling and Disposal based on their review of the submitted Report of Facility Information and supporting documentation.

A pre-permit inspection was conducted on August 12, 1993. No violations of State Minimum Standards were documented at that time or during subsequent monthly inspections.

6. Financial Assurance

Stanislaus County has established an acceptable financial mechanism, in the form of an Enterprise Fund to cover the estimated closure and postclosure maintenance costs of this

facility. This mechanism meets the financial assurance requirements of Title 14 of the California Code of Regulation. In addition, based on the data provided by the County, the mechanism is adequately funded.

The requirement for operating liability insurance has also been satisfied for this facility.

7. Closure and Postclosure Maintenance Plans

The preliminary closure and postclosure maintenance plans for this facility, dated March 25, 1993, have been deemed complete and accepted for filing.

STAFF RECOMMENDATION:

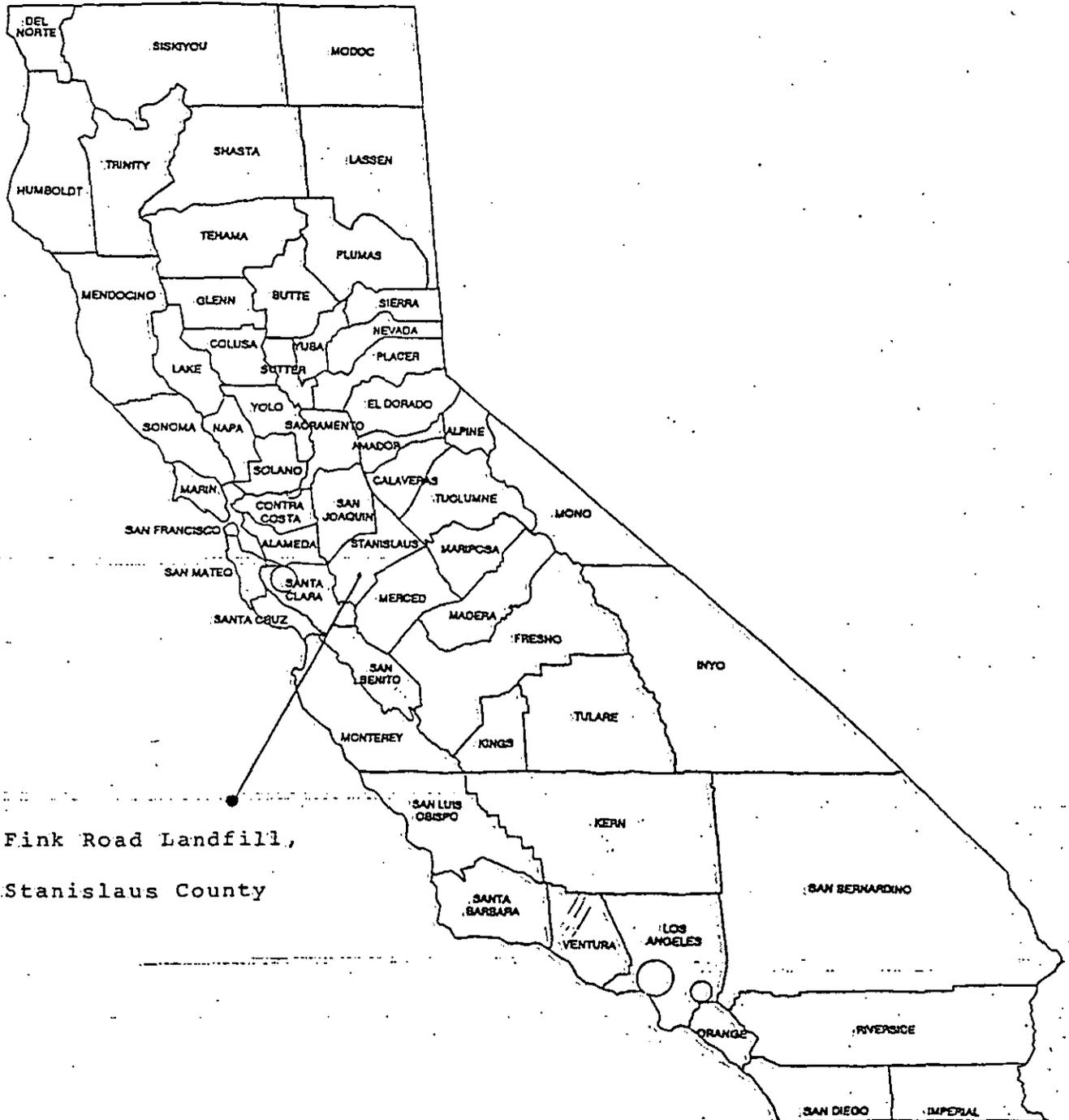
Because a Revised Solid Waste Facilities Permit is proposed, the Board must either concur or object to the proposed permit as submitted by the Enforcement Agency.

Staff recommend that the Board adopt Permit Decision No. 93-117 concurring in the issuance of Solid Waste Facilities Permit No. 50-AA-0001.

ATTACHMENTS:

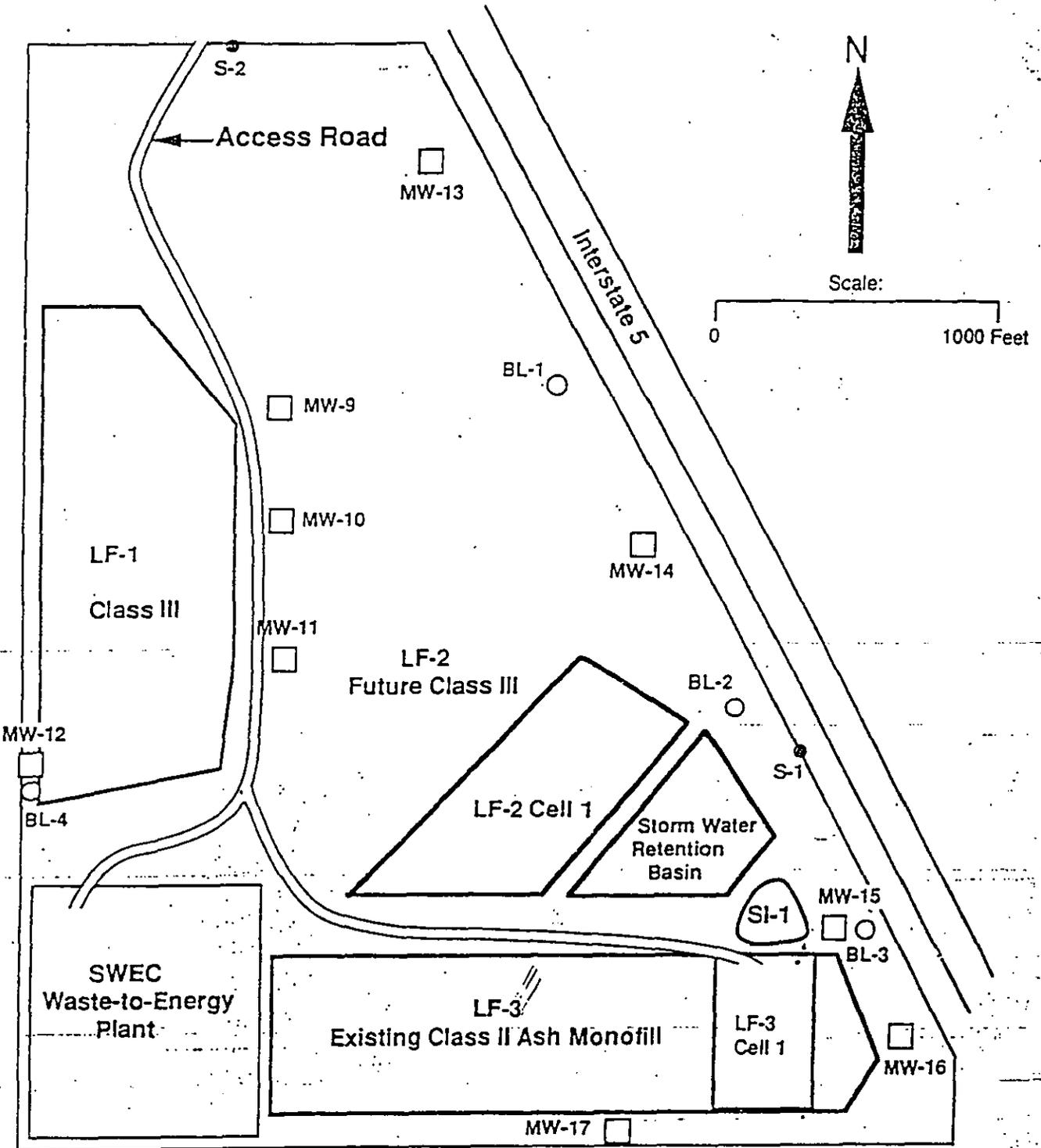
1. Location Map
2. Site Map
3. Permit No. 50-AA-0001
4. AB 2296 Finding of Conformance
5. Permit Decision No. 93-117

Prepared by: Michael Kuhn/Robert Holmes Phone: 2641/2399
Reviewed by: Michael Wöchnick/H. Thomas Unsell Phone: 2398/2298
Approved by: Douglas Okumura Phone: 2431



Fink Road Landfill,
Stanislaus County

ATTACHMENT 2



SOLID WASTE FACILITY PERMIT

ATTACHMENT 3

2. Name and Street Address of Facility:

Fink Road Landfill
4000 Fink Road
Crows Landing
Stanislaus County, CA 95313

3. Name and Mailing Address of Operator:

Stanislaus County
1100 "H" Street, 2nd Floor
Modesto, CA 95354

4. Name and Mailing Address of Owner:

Stanislaus County
1100 "H" Street, 2nd Floor
Modesto, CA 95354

5. Specifications:

a. Permitted Operations:

- | | |
|---|--|
| <input type="checkbox"/> Composting Facility (mixed wastes) | <input type="checkbox"/> Processing Facility |
| <input type="checkbox"/> Composting Facility (green material) | <input type="checkbox"/> Transfer Station |
| <input checked="" type="checkbox"/> Landfill/Disposal Site | <input type="checkbox"/> Transformation Facility |
| <input type="checkbox"/> Material Recovery Facility | <input type="checkbox"/> Other: |

b. Permitted Hours of Operation: 6:00 a.m. to 6:00 p.m., 7 days a week.

c. Permitted Tons per Operating Day:

Total:	1,800 annual avg./2,400 daily peak	Tons/Day
Non-Hazardous/Non-Designated - Total	.....1,500 daily peak.....	Tons/Day
Non-Hazardous/Non-Designated - General	.....not specified (ns).....	Tons/Day
Non-Hazardous/Non-Designated - Sludge	.....ns.....	Tons/Day
Non-Hazardous/Non-Designated - Separated or commingled recyclables	.....ns.....	Tons/Day
Non-Hazardous/Non-Designated - Other (See Section 14 of Permit)	.....ns.....	Tons/Day

Designated - Total	.....ns.....	Tons/Day
Municipal Solid Waste Combustion Ash	300 annual avg./900 daily peak	Tons/Day

Hazardous - Totalnot applicable (n/a).....	Tons/Day
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d. Permitted Traffic Volume:

Total:n/a.....	Vehicles/Day
Incoming waste materialsn/a.....	Vehicles/Day
Outgoing waste materials (for disposal)	.....n/a.....	Vehicles/Day
Outgoing materials from material recovery operations	.....n/a.....	Vehicles/Day

e. Key Design Parameters (Detailed parameters are shown on site plans bearing LEA and CIWMB validations):

	Total	Disposal	MRF	Composting	Transfer
Permitted Area (in acres)	164 Class III / 38.5 Class II a	164 Class III / 38.5 Class II a			
Design Capacity	12,003,626 Class III/3,128,896 Class II cv	12,003,626 Class III/3,128,896 Class II cv			
Max. Elevation (Ft. MSL)	385 ft.	385 ft.			
Max. Depth	10 feet above highest groundwater	10 feet above highest groundwater			
Estimated Closure Date	2011 Class III / 2023 Class II	2011 Class III / 2023 Class II			

The permit is granted solely to the operator named above, and is not transferable. Upon a change of operator, this permit is no longer valid. Further, upon a significant change in design or operation from that described herein, this permit is subject to revocation or suspension. The attached permit findings and conditions are integral parts of this permit and supersede the conditions of any previous issued solid waste facility permits.

6. Approval:

Approving Officer Signature

Ralph E. Chandler
Executive Director
California Integrated Waste Management Board

7. Enforcement Agency Name and Address:

California Integrated Waste Management Board
8800 Cal-Center Drive
Sacramento, CA 95826

8. Received by CIWMB:

November 22, 1993

9. CIWMB Concurrence Date:

10. Permit Review Due Date:

11. Permit Issued Date:

SOLID WASTE FACILITY PERMIT

Facility/Permit Number: 50-AA-0001

Legal Description of Facility (attach map with RFI): APN 27-17-40 being a portion of Section 30, T6S, R7E, MDBM

13. Findings:

- a. This facility is identified and described in the Stanislaus County Solid Waste Management Plan revised April, 1986.
- 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 Enforcement Agency on August 12, 1993.
- d. The West Stanislaus Fire Protection District has determined that the facility is in conformance with applicable fire standards as required in Public Resources Code, Section 44151.
- e. This project is in compliance with the California Environmental Quality Act.
- f. A County-wide Integrated Waste Management Plan has not been approved by the CIWMB.
- g. The site is discussed in the Land Use Element of the Stanislaus County General Plan as adopted June 23, 1987. The facility is, therefore, consistent with the County General Plan.
- h. Stanislaus County zoning regulations allow landfills only in the A-2 (Exclusive Agriculture) and the M (Industrial) zones. The landfill site is in an A-2 zone and is, therefore, compatible with the land use designated for the area.

14. Prohibitions:

The permittee is prohibited from accepting any liquid waste, sludge, non-hazardous waste requiring special handling, designated waste, medical waste, radioactive waste or hazardous waste unless such waste is specifically listed below, and unless the acceptance of such waste is authorized by all applicable permits. Ash from Ogden Martin Systems of Stanislaus, Inc. if discharged to a Class II disposal unit; non-friable asbestos containing waste; leachate from a leachate collection and recovery system (LCRS) if discharged to a surface impoundment designed and approved for that purpose; leachate from surface impoundment if approved by the Regional Water Quality Control Board and returned to a unit designed with a composite liner and LCRS; tires; street refuse (e.g., sweepings, dirt, leaves, catch basin cleanings, litter, yard clippings; glass, paper, wood, metal, etc.); small dead animals; construction debris; demolition debris; commercial waste; industrial waste; wastewater and water treatment plant solids (e.g., solids from screen and grit chambers and dewatered sludge); ashes from household fireplaces and stoves; agricultural wastes (e.g., plant residues, animal manure, Stanislaus County Agricultural Commissioner certified triple rinsed pesticide containers).

The permittee is additionally prohibited from the following items: Solid waste containing free liquid or moisture in excess of the wastes' moisture holding capacity; ash having more than 4% (dry weight) combustible matter and more than 0.3% (dry weight) putrescible matter, unless otherwise approved by the EA; large dead animals; cannery (food processing plant) wastes containing free liquid or moisture in excess of the waste's moisture holding capacity or containing less than 50% solids.

SOLID WASTE FACILITY PERMIT

Facility/Permit Number: 50-AA-0001

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

	Date		Date
<input checked="" type="checkbox"/> Report of Facility Information	04/92	<input type="checkbox"/> Contract Agreements - operator and contract	n/a
<input type="checkbox"/> Land Use Permits and Conditional Use Permit	n/a	<input checked="" type="checkbox"/> Waste Discharge Requirements (Order No. 90-269)	09/90
<input type="checkbox"/> Air Pollution Permits and Variances	n/a	<input type="checkbox"/> Local & County Ordinances	n/a
<input checked="" type="checkbox"/> EIR or Negative Declaration EIR "Findings of Fact"	04/85 06/04/85	<input type="checkbox"/> Final Closure & Post Closure Maintenance Plan	n/a
<input type="checkbox"/> Lease Agreements -owner and operator	n/a	<input type="checkbox"/> Amendments to RFI	n/a
<input type="checkbox"/> Preliminary Closure/Post Closure Plan	n/a	<input checked="" type="checkbox"/> Operating Liability Document	08/08/92
<input checked="" type="checkbox"/> Closure/Postclosure Assurance Document	08/11/92		

Other:

- Stipulated Settlement Agreement, No. CV-F-85-384 REC, between the United States of America and the County of Stanislaus, July 7, 1986
- Stipulation For Entry of Judgment and Judgment, No. 208399, among the City of Patterson, City of Newman and the County of Stanislaus, January 30, 1986.

16. Self Monitoring:

a. Results of all self-monitoring programs will be reported as follows:

Program	Reporting Frequency	Agency Reported To
The operator shall provide the EA with monthly reports, no later than 15 days after the close of the month, which include:		
1) Tons of MSW received for disposal, per day & per month	Monthly	EA (CIWMB)
2) Tons of non-friable asbestos received for disposal, per day and per month	Monthly	EA (CIWMB)
3) Tons of ash received from Ogden Martin Systems of Stanislaus, Inc., per day and per month	Monthly	EA (CIWMB)
4) Total number of self-hauled vehicles utilizing the facility, per day and per month	Monthly	EA (CIWMB)
5) Operational shutdowns, duration of shutdown, cause of shutdown, per month	Monthly	EA (CIWMB)
6) Types and quantities of salvaged materials recovered, per month	Monthly	EA (CIWMB)
7) Approximate volume of litter picked-up, per day and per month	Monthly	EA (CIWMB)
8) Total amounts and types of hazardous materials removed from the landfill, per month	Quarterly	EA (CIWMB)
9) Results of bird counts required by stipulated agreements cited in Section 15	Quarterly	EA (CIWMB)

SOLID WASTE FACILITY PERMIT

Facility/Permit Number: 50-AA-0001

17. EA Conditions:

a. Requirements

1. This facility shall 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
2. The operator shall maintain a copy of the permit at the facility to be available at all times to the facility personnel and enforcement agency (EA) 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 facility.
4. The operator shall maintain a log of special/unusual occurrences. This log shall include, but is not limited to, fires, explosions, the discharge and disposition of hazardous or unpermitted wastes, and significant injuries, accidents or property damage. Each log entry shall be accompanied by a summary of any actions taken by the operator to mitigate the occurrence. The log shall be available to site personnel and the EA at all times.
5. A water supply for fire suppression and a fire break with adequate access, all as approved by the Stanislaus County Fire Warden's Office and/or the West Stanislaus County Fire Protection District, shall be provided for fire protection around the working area of the landfill.
6. The facility shall comply with all of the Minimum Standards for the Solid Waste Handling and Disposal, (California Code of Regulations, Title 14, Division 7, Chapter 3).
7. Additional information concerning the design and operation of the facility shall be furnished upon request and within the time frame indicated by the EA.
8. The design, construction and operation of the facility shall comply with applicable sections of 23 CCR Division 3, Chapter 15, Discharge of Waste to Land.
9. At the discretion of the EA, probes shall be installed for detection of landfill gas migration. If needed, a landfill gas control system shall be installed.
10. The Hazardous Materials Division of the Stanislaus County Department of Environmental Resources shall be notified of any incidents of disposal of hazardous materials within twenty-four hours.
11. The operator shall notify the EA immediately should the mitigation measures required by the stipulated agreements cited in Section 15 be implemented.

b. Prohibitions:

1. Scavenging. Salvaging may be permitted upon prior approval of the EA.
2. Burning of wastes

c. Specifications:

1. No significant change in design or operation is anticipated within the next five years. Any significant change which may be proposed for the facility shall require a revised, "stand alone" Report of Disposal Site Information and an application for a revised Solid Waste Facilities Permit.
2. The operator shall properly supervise all landfill employees and require all employees to utilize appropriate safety equipment such as hard hats, protective clothing, safety vests, ear protection, respiratory protection or other safety gear as necessary.
3. At a minimum, daily cover shall be applied to the Class III landfill year-round. All loads of waste deposited at the Class II landfill during inclement weather shall be immediately covered. At a minimum, daily cover shall be applied to the Class II landfill during winter period dry and fair weather. At a minimum, monthly cover shall be applied to the Class II landfill during summer months unless dust or other nuisances occur which necessitate the EA to require more frequent cover. Cover shall consist of not less than six inches of compacted soil.
4. The facility shall have an approved water supply for use by employees and an approved sewage disposal system for the landfill's entrance station and administration building.

SOLID WASTE FACILITY PERMIT

Facility/Permit Number: 50-AA-0001

17. LEA Conditions (cont.):

5. Household hazardous wastes, such as batteries and used oil, shall be handled in a manner approved by the Enforcement Agency and the Board, (if the Board is not the EA).
6. This facility has a permitted annual average capacity of 1,800 tons (1,500 General MSW - 300 MSW Combustion Ash) and a daily peak of 2,400 tons (1,500 General MSW - 900 MSW Combustion Ash) per operating day and shall not receive more than this amount without a revision of this permit.
7. This permit is subject to review by the EA and may be suspended, revoked, or modified at any time for sufficient cause.
8. The EA reserves the right to suspend or modify waste receiving and handling operations when deemed necessary due to an emergency, a potential health hazard, or the creation of a public nuisance.

State of California

California Environmental
Protection Agency

MEMORANDUM

To: Michael Wochnick Date: November 17, 1993
Enforcement Agency Section
Permitting and Enforcement Division

From: Toni Galloway
Toni Galloway
Office of Local Assistance, Central Section
California Integrated Waste Management Board

Subject: REVIEW OF THE PROPOSED PERMIT REVISION FOR FACILITY NO.
50-AA-0001 FOR CONFORMANCE WITH AB 2296, FINK ROAD LANDFILL,
STANISLAUS COUNTY

The purpose of the proposal is to revise the existing permit for the Fink Road Landfill disposal facility to increase the maximum allowable peak daily tonnage of ash to 900 tons. Under the provisions of the current facility permit, it may receive up to 300 tons of ash per day. The proposed revision would raise the daily peak to 900 tons per day, but maintain a yearly average of 300 tons of ash per day.

Based upon the review of the submitted documents, the proposed permit revision conforms with the provisions of AB 2296 as follows:

1. The permit is consistent with the State's waste diversion requirements (PRC 44009).
2. The facility is in conformance with the Stanislaus County's Solid Waste Management Plan (CoSWMP) (PRC 50000).
3. The facility is consistent with the County's General Plan (PRC 50000.5).

PRC 44009: WASTE DIVERSION REQUIREMENTS

Stanislaus County's draft Source Reduction and Recycling Element (SRRE) describes the programs which the County will use to achieve the diversion goals established by AB 939. The County expects to achieve a 1995 diversion rate of 25% primarily by source reduction, recycling and composting. At this time, the 9

Fink Road Landfill
November 17, 1993
Page 2

incorporated cities and unincorporated county have achieved a diversion rate of greater than 22.5%.

The Fink Road Landfill is included in the Stanislaus County Preliminary Draft SRRE. This landfill serves the County of Stanislaus. The applicant has stated to Permits Branch staff that greater than half of the waste disposed at the facility is from ash produced by the Ogden-Martin Waste-to-Energy Plant nearby. Other waste going to the landfill is material deemed unburnable by the plant, municipal solid waste from self-haul and unburnable waste from transfer stations. Because of curbside recycling programs and transfer stations which recover other recyclables, only tires are recovered at the Fink Road facility.

Board staff has reviewed the County's draft Source Reduction and Recycling Element (SRRE), the CoSWMP, and the Report of Station Information (RSI). Based on this review and in consultation with the County's Local Task Force, the Board staff find that the proposed permit revision will not prevent or impair the County's achievement of the AB 939 diversion goals.

PRC SECTION 50000: CONSISTENCY WITH COSWMP

The Fink Road Landfill Facility was described in the County's 1986 Solid Waste Management Plan on page VIII-11.

PRC SECTION 50000.5: CONSISTENCY WITH GENERAL PLAN:

On March 9, 1992, Ron Freitas, Director of Stanislaus County Department of Planning and Community Development, certified that the activities at the Fink Road landfill were consistent with the Stanislaus County General Plan. On November 18, 1993, Stanislaus County Department of Environmental Resources staff stated that the surrounding land uses are consistent with the Stanislaus County General Plan.

If you have any questions, please contact Kevin Taylor at 255-2310, or myself at 255-2653.

California Integrated Waste Management Board
Permit Decision No. 93-117
December 15, 1993

WHEREAS, the California Integrated Waste Management Board, Enforcement Agency Section, acting as Enforcement Agency, has submitted to the Board for its concurrence in, or objection to, a Revised Solid Waste Facilities Permit for the Fink Road Landfill, Stanislaus County; and

WHEREAS, Board staff have prepared a proposed permit consistent with standards adopted by the Board; and

WHEREAS, Board staff have evaluated the Fink Road Landfill for compliance with the State Minimum Standards for Solid Waste Handling and Disposal and have found the 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 County 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 Facility Permit No. 50-AA-0001.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the California Integrated Waste Management Board directs its Executive Director to issue Solid Waste Facility Permit No. 50-AA-0001.

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 permit decision duly and regularly adopted at a meeting of the California Integrated Waste Management Board held on December 15, 1993.

Dated:

Ralph E. Chandler
Executive Director

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

PERMITTING AND ENFORCEMENT COMMITTEE MEETING

December 8, 1993

AGENDA ITEM 6

ITEM: Consideration of the Certification and Designation of the City of Pittsburg's Solid Waste Management Division as the Local Enforcement Agency for the City of Pittsburg.

BACKGROUND:

The Public Resources Code (PRC) allows 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 Local Enforcement Agency (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 at least 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 (14 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 an 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 Pittsburg informed Board staff in the spring of 1993 that they were pursuing LEA certification.

The documentation provided in the Designation Information Package (DIP) and EPP meet the general requirements of statute and regulation. Board staff find that the DIP and EPP are complete and acceptable for the Board to consider the approval of EPP, issuance of the requested certifications (Types A,C,&D), and approval of the designation of the City of Pittsburg Solid Waste Management Division as the Local Enforcement Agency for the City of Pittsburg (see attached fact sheet for detailed information).

In reviewing this agency's EPP, Board staff found that the City of Pittsburg has no prior experience demonstrating capability and experience in the enforcement of public health and environmental regulations. Due to this condition, Board staff have employed the option of issuing temporary certification and/or designation approval for specific time periods [14 CCR 18054 (b)(3)]. Board staff and the designated enforcement agency have agreed to a temporary certification period from the date of the attached Board resolution to a date six months after the issuance of the first solid waste facility permit by the designated enforcement agency. Prior to expiration of the temporary certification period, Board staff will conduct a performance review to assess the LEA's implementation and effectiveness in their permitting, inspection, and enforcement programs.

STAFF COMMENTS:

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

The following options are identified for consideration:

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 continue to perform the enforcement agency duties.

ATTACHMENTS:

1. A Designation and Certification Fact Sheet for the City of Pittsburg Solid Waste Management Division.
2. A CIWMB resolution for full certification of the City of Pittsburg Solid Waste Management Division for the jurisdiction of the City of Pittsburg.

Prepared by: D.S. Vlach DS VLACH Phone 255-2404

Reviewed by: H. Thomas Unsell H. Unsell Phone 255-2298

Approved by: Douglas Okumura D. Okumura for DO. Phone 255-2285

**DESIGNATION AND CERTIFICATION
FACT SHEET**

City of Pittsburgh

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 Pittsburgh City Council

Designated Jurisdiction:

City of Pittsburgh

Designated Enforcement Agency:

City of Pittsburgh Solid Waste Management Division

Facilities and Sites: Total count ----- 3*

Vehicles: Total count ----- 22*

Facility Types:

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

Site Types:

"Closed" site(s) ----- 3*

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

Budget Adequacy: (Total Annual Budget) ----- \$121,851*

Technical Expertise and Staff Adequacy:

- One Division Manager
- One Registered Environmental Health Specialist
- One Solid Waste Specialist
- Engineering Support
- Clerical Support

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. 93-119

December 15, 1993

Resolution approving the Enforcement Program Plan, issuing the requested certifications and approving the designation of the City of Pittsburg Solid Waste Management Division as the Local Enforcement Agency for the City of Pittsburg.

WHEREAS, the California Integrated Waste Management Act of 1989 allows 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 Pittsburg 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 May 27, 1993 and reviewed the Designation Information Package for the City of Pittsburg; and

WHEREAS, the California Integrated Waste Management Board has received on May 27, 1993 and reviewed the Enforcement Program Plan for the City of Pittsburg; and

WHEREAS, the Board finds that the above designated enforcement agency has demonstrated, via its Enforcement Program Plan as of November 16, 1993 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 November 16, 1993; and

WHEREAS, the Enforcement Program Plan of the City of Pittsburg Solid Waste Management Division requests the Board to approve the Enforcement Program Plan and issue certification types "A", "C" and "D" to the designated local agency pursuant to Title 14 California Code of Regulations Section 18071; and

WHEREAS, the City of Pittsburg Solid Waste Management Division has adopted its Enforcement Program Plan pursuant to Public Resources Code Section 43209; and

WHEREAS, in reviewing the City of Pittsburg Solid Waste Management Division's Enforcement Program Plan, Board staff find that the City has no prior experience demonstrating capability and experience in the enforcement of public health and environmental regulations;

WHEREAS, the City of Pittsburg Solid Waste Management Division needs to demonstrate their capability and experience in implementing their permitting, inspection, and enforcement programs;

NOW, THEREFORE, BE IT RESOLVED, 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 temporary certification for types "A", "C" and "D" to the City of Pittsburg Solid Waste Management Division as the Local Enforcement Agency for the City of Pittsburg.

BE IT FURTHER RESOLVED, that the City of Pittsburg Solid Waste Management Division shall be issued full certification in approximately six months upon confirmation of compliance with Title 14 California Code of Regulations, Chapter 5, Article 2.2.

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 December 15, 1993.

Date:

Ralph E. Chandler
Executive Director

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

Permitting and Enforcement Committee
December 8, 1993

AGENDA ITEM 1

ITEM: Consideration of Amendments to the Funding Formula Identified in Title 14, California Code of Regulations, Division 7, Chapter 5, Article 3.5, Section 18282 - Amount of Required Coverage, and Related Sections

BACKGROUND: At the November 10, 1993 Permitting and Enforcement Committee, the Financial Assurances Section presented an item for consideration to change the current formula for funding closure and postclosure maintenance. Since September 28, 1993, the Board's current funding formula has required operators to fund for the closure and postclosure maintenance cost estimates at twice the rate of the annual capacity filled at the facility. Operators have expressed their concern that this requirement will be a tremendous financial hardship, especially with the current fiscal crisis facing many of them.

At the November 10, 1993 P&E Committee meeting, the Committee directed staff to be prepared to present an alternative "straight line" funding formula, for adoption, as soon as Region IX of the U.S. EPA declares what the process for regulatory change will be.

At the November 17, 1993 Board meeting, Member Relis commented on his meeting with U.S. EPA Region IX, and his confidence that a written response will be received before the end of November.

ANALYSIS: Staff are bringing the funding formula issue back to the P&E Committee for discussion and consideration of adoption. At the time this item was prepared, the written response from U.S. EPA had not been received. Staff will present the item to the Committee based on the written response from Region IX.

STAFF COMMENTS: The Committee may direct staff to do one, or a combination of the following:

- 1) Prepare regulatory amendments to adopt a formula and, if necessary, negotiate with Region IX of the U.S. EPA for acceptance of the amendments.
- 2) Explore additional alternate funding formulas and report back to the Committee for consideration.

ATTACHMENTS: N/A

Prepared by: Richard Castle ^{DT for} Garth C. Adams Phone 255-2366
Reviewed by: Don Dier, Jr. ^{11/23} Phone 255-2453
Approved by: Doug Okumura ^{DD} Phone 255-2431

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

Permitting and Enforcement Committee Meeting
December 8, 1993

AGENDA ITEM 8

ITEM: Discussion of Local Enforcement Agency Performance
Evaluation Procedures

BACKGROUND:

The Public Resources Code (PRC) allows local governing bodies to designate an enforcement agency to carry out solid waste permitting, inspection, and enforcement duties in their jurisdictions. Statute further requires that all designated enforcement agencies be certified by the Board pursuant to its adopted certification regulations. Additionally, statute requires the Board conduct enforcement agency reviews and performance evaluations.

PRC Section 43214 requires the Board to develop performance standards for evaluating local enforcement agencies (LEAs) and review each enforcement agency and its implementation of the permit, inspection, and enforcement program every 18 months or more frequently as determined by the Board. LEA performance standards have been developed by the Board and are codified in Title 14 of the California Code of Regulations (14 CCR), Division 7, Chapter 5, Article 2.2.

LEA Evaluation Process

The purpose of the Board review and subsequent LEA performance evaluation is to ascertain that the LEA:

- Continues compliance with its certification requirements;
- Provides consistent enforcement of statute and regulations pertaining to the handling and disposal of solid waste; and
- Implements its Board approved Enforcement Program Plan (EPP).

All LEA performance will be assessed beginning from the LEA's certification. An LEA will be identified for evaluation based on its certification date, or a referral for review. Subsequently, the LEA is informed of the upcoming evaluation and a meeting with Board staff is scheduled. As part of this process, the Board's Permits, Enforcement, and Closure and Remediation Branches will

each be provided with an LEA evaluation survey tailored to their activities. This input is sought to assess the LEA's ability as it relates to permitting, inspection, and enforcement, and is done to ensure that concerns which may otherwise remain branch specific are appropriately considered in the LEA evaluation. The Permitting and Enforcement Division branches will consider site specific issues, respond to questions, supply data, and provide written comments as outlined in the Board's Internal Processing Flowcharts (Attachment-page 31). The Board's LEA Section will receive, review, and consider completed branch surveys, and will review the LEA's EPP to verify and/or assess the following:

- A properly designated agency, including all the designation supporting documents pursuant to 14 CCR Section 18051;
- A current enumeration of the jurisdiction's solid waste facilities and disposal sites;
- Organizational, jurisdictional, or hearing panel membership changes;
- Correct certification for the type(s) of facilities within the jurisdiction;
- Adequacy of staff resources pursuant to 14 CCR Section 18073;
- Adequacy of technical expertise pursuant to 14 CCR Section 18072;
- Adequacy of budget resources pursuant to 14 CCR Section 18074;
- Adequacy of staff training pursuant to 14 CCR Section 18075; and
- Annual updates of EPP components pursuant to 14 CCR Section 18081(d)(4). The update review assesses whether all EPP components (14 CCR Section 18077) reflect current statutory and regulatory requirements. Additionally, it is to verify that all locally adopted procedures for permitting, inspection, enforcement, site assessments for corrective actions, and training incorporate new regulations, Board policies, and the latest versions of any referenced Board documents.

LEA Section staff will travel to the LEA's jurisdiction, meet with the LEA, and conduct an in-office program evaluation. This task will include LEA staff and management interviews, an

LEA file maintenance review, discussions of issues of concern, and an observation of the LEA office operation. Staff will compile meeting results, evaluation surveys, and EPP assessment results into a draft LEA Evaluation Report. This report will include recommendations to ensure that the minimum statutory and regulatory requirements are being fulfilled by the LEA.

After internal review, the draft LEA Evaluation Report will be discussed with the LEA. Relevant LEA comments and follow up information will be included in the final LEA Evaluation Report. This report will identify either minor or significant implementation issues. Each of these findings will follow a sequence of activities as outlined in the "LEA Evaluation Flowchart" (Attachment-page 3) and the "LEA Evaluation Procedure" (Attachment-page 4 & 5, items 11-15).

When the Board finds that an LEA is not fulfilling its responsibilities and that this lack of compliance has contributed to significant noncompliance with state minimum standards at solid waste facilities within the jurisdiction of the LEA, the Board shall withdraw its approval of designation pursuant to PRC Sections 43215 and 43216. Additionally, when the Board finds that conditions at solid waste facilities within the LEA's jurisdiction threaten public health and safety or the environment, the Board shall, within 10 days of notifying the LEA, become the enforcement agency for the jurisdiction.

PRC Section 43214 further requires the Board to find that an LEA is not fulfilling its responsibilities, when the Board, in conducting its performance review, makes one or more of the following findings:

- The LEA has failed to inspect solid waste facilities and disposal sites.
- The LEA has intentionally misrepresented the results of inspections.
- The LEA has failed to prepare, or cause to be prepared, permits, permit revisions, or closure and postclosure maintenance plans.
- The LEA has approved permits, permit revisions, or closure and postclosure maintenance plans which are not consistent with statute and regulations.
- The LEA has failed to take appropriate enforcement actions.

PRC Sections 43215 and 43216 outline Board actions when it finds the LEA is not fulfilling its responsibilities. These include the Board's intention to:

- Withdraw its approval of the designation if the enforcement agency does take the corrective action specified by the Board.
- Conduct more frequent inspections and evaluations within an LEA's jurisdiction.
- Establish a schedule and probationary period for improved LEA performance.
- Assume partial responsibility for LEA duties.
- Implement **any** other measures which may be determined to be necessary to improve LEA compliance with its duty requirements.

ANALYSIS:

The Board's LEA Section reviewed and assessed statutory LEA evaluation requirements and regulations relating to LEA performance standards, evaluation criteria, and duties and responsibilities (Attachment-pages 24-30).

The assessment resulted in the development of an LEA Evaluation Procedure (Attachment). The procedure was designed to include input from all branches of the Board's Permitting and Enforcement Division. The Division's common goals were emphasized and they are 1) to ensure that LEAs are implementing effective programs, 2) to identify LEA program implementation issues, and 3) to recommend LEA actions to enhance their programs and/or identify program implementation issues which must be addressed in order to meet at least their minimum LEA duties, responsibilities, and performance requirements.

LEA Evaluation Results

The LEA evaluation can result in one or more of the following.

- LEA commendation for a **job well done**.
- Specific identification of program implementation issues which must be addressed in order to meet at least the minimum LEA duties, responsibilities, and performance requirements.

- The LEA is not fulfilling its responsibilities and will be notified of the particular significant issues, and of the Board's intention to withdraw its approval of the designation if the LEA does not implement the recommendation for development of a **corrective workplan** for submittal within 30 days for approval. Board staff will provide guidance as necessary. LEA compliance with its approved corrective workplan may be monitored for progress at 6, 9, and 12 months. At this point, a determination regarding satisfactory implementation of the corrective workplan will be made. Remaining outstanding issues, not resolved during the monitoring of the corrective workplan, may be cause for de-certification.
- **Withholding approval and disbursement of the jurisdiction's enforcement assistance grant.**
- **Partial de-certification**, including the Board becoming the enforcement agency for related duty(ies).
- **Full de-certification and withdrawal of designation approval** resulting in the Board becoming the enforcement agency for the jurisdiction.

STAFF COMMENTS:

This item was presented as an informational update at the November Permitting and Enforcement Committee meeting. Staff is proposing to implement the LEA Evaluation Procedure in accordance with the following:

- A. Incorporate any specific re-direction that the Committee and Board identifies.
- B. Finalize the Conceptual Draft as the "LEA Evaluation Procedure - December 1993" (Attachment)
 - 1. Forward the LEA Evaluation Procedure - December 1993 to:
 - a. Each LEA for presentation at the next LEA Roundtable (Jan.)
 - b. Enforcement Advisory Council members - present at next meeting (Jan.)
 - c. AB 1220 Workgroup for review and comment
- C. Implement the LEA Evaluation Process beginning in February

ATTACHMENT:

LEA Evaluation Procedure

Prepared by: *GA* Gabe Aboushanab/^{*JC*}Jo Clement Phone 255-2396/2392

Reviewed by: ^{*mtw/len 11/29/93*} H. Thomas Unsell Phone 255-2298

Approved by: ^{*Darius P. son Dony Okunura*} Phone _____

LEA EVALUATION PROCEDURE

STATE OF CALIFORNIA

Pete Wilson
Governor

James M. Strock
Secretary for
Environmental Protection
California Environmental
Protection Agency

CALIFORNIA
INTEGRATED WASTE
MANAGEMENT BOARD

Michael R. Frost
Chairman

Wesley Chesbro
Vice Chairman

Sam A. Egigian

Jesse R. Huff

Kathy Neal

Paul Relis



Ralph E. Chandler
Executive Director

Douglas Okumura
Deputy Director
Permitting & Enforcement
Division

WORKING DRAFT

DECEMBER 1993

LEA EVALUATION PROCEDURE

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LEA EVALUATION BACKGROUND

The Public Resources Code (PRC) allows local governing bodies to designate an enforcement agency to carry out solid waste permitting, inspection, and enforcement duties in their jurisdictions. Statute further requires that all designated enforcement agencies be certified by the Board pursuant to its adopted certification regulations. Additionally, statute requires the Board conduct enforcement agency reviews and performance evaluations.

PRC Section 43214 requires the Board to develop performance standards for evaluating local enforcement agencies (LEAs) and review each enforcement agency and its implementation of the permit, inspection, and enforcement program every 18 months or more frequently as determined by the Board. LEA performance standards have been developed by the Board and are codified in Title 14 of the California Code of Regulations (14 CCR), Division 7, Chapter 5, Article 2.2.

The purpose of the Board review and subsequent LEA performance evaluation is to ascertain that the LEA:

- Continues compliance with its certification requirements;
- Provides consistent enforcement of statute and regulations pertaining to the handling and disposal of solid waste; and
- Implements its Board approved Enforcement Program Plan (EPP).

If the Board finds that an LEA is not fulfilling its responsibilities and that this lack of compliance has contributed to significant noncompliance with state minimum standards at solid waste facilities within the jurisdiction of the LEA, the Board shall withdraw its approval of designation pursuant to PRC Sections 43215 and 43216. Additionally, if the Board finds that conditions at solid waste facilities within the LEA's jurisdiction threaten public health and safety or the environment, the Board shall, within 10 days of notifying the LEA, become the enforcement agency for the jurisdiction.

PRC Section 43214 further requires the Board to find that an LEA is not fulfilling its responsibilities, if the Board, in conducting its performance review, makes one or more of the following findings:

- The LEA has failed to inspect solid waste facilities and disposal sites.
- The LEA has intentionally misrepresented the results of

inspections.

- The LEA has failed to prepare, or cause to be prepared, permits, permit revisions, or closure and postclosure maintenance plans.
- The LEA has approved permits, permit revisions, or closure and postclosure maintenance plans which are not consistent with statute and regulations.
- The LEA has failed to take appropriate enforcement actions.

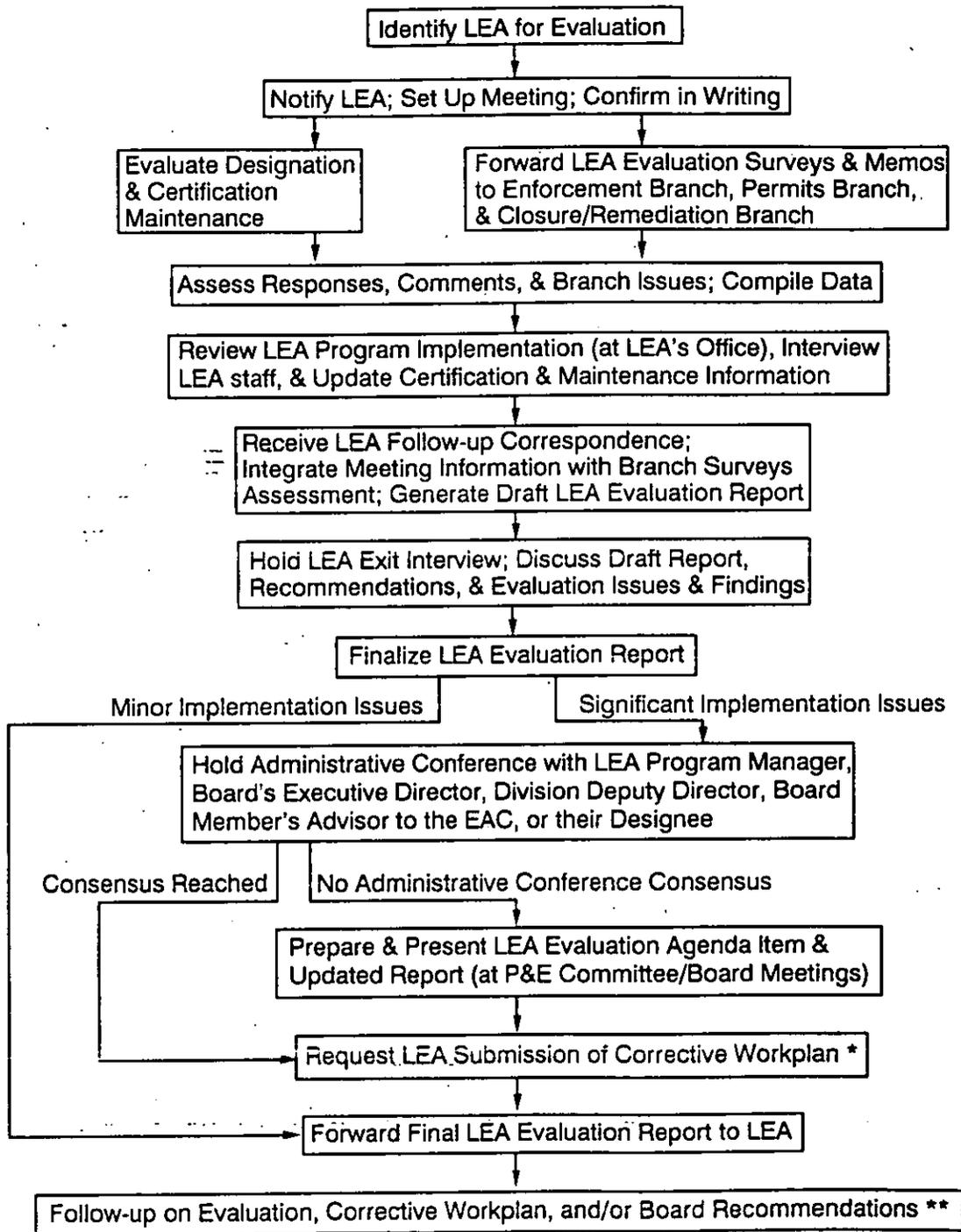
PRC Section 43219 requires the Board to take appropriate action as authorized by PRC Sections 43215 and 43216.5 should the Board identify any significant violations of state minimum standards that were not identified and resolved through previous inspections by the LEA. Furthermore, the Board is required, within 10 days of notifying the LEA, to become the enforcement agency should conditions at a solid waste facility within the LEA's jurisdiction threaten public health and safety or the environment.

PRC Sections 43215 and 43216 outline Board actions when it finds the LEA is not fulfilling its responsibilities. These include the Board's intention to:

- Withdraw its approval of the designation if the enforcement agency does take the corrective action specified by the Board.
- Conduct more frequent inspections and evaluations within an LEA's jurisdiction.
- Establish a schedule and probationary period for improved LEA performance.
- Assume partial responsibility for LEA duties.
- Implement any other measures which may be determined to be necessary to improve LEA compliance with its duty requirements.



LEA EVALUATION FLOWCHART



* If no workplan is submitted, LEA Section staff must initiate De-Certification.

** Evaluation follow-up activities may include a first monitoring of workplan progress after 6 months, a second monitoring after 9 months, a third monitoring after 12 months with outstanding implementation issues resulting in the initiation of De-Certification with an agenda item for P&E Committee/Board.

LEA EVALUATION PROCEDURE

The LEA Section staff will do the following:

1. Identify LEA to be reviewed.
2. Notify LEA of upcoming evaluation by telephone and set up meeting. Follow up with confirmation letter.
3. Forward LEA evaluation surveys and cover memos to appropriate Board branches for their review, response, and comments.
4. Assess LEA designation and certification maintenance and document findings.
5. Receive and assess responses from Permits, Enforcement, and Closure and Remediation Branches and carry out any necessary discussion.
6. Meet with LEA on pre-arranged date for in-office program evaluation, and complete designation and certification maintenance evaluation.
7. Compile information based on items 4, 5, and 6 above and any LEA follow up correspondence, and generate draft LEA evaluation report with appropriate recommendation(s).
8. Meet with LEA for an Exit Interview to discuss the findings, recommendations, and other relevant evaluation issues contained within the draft LEA evaluation report.
9. Modify draft LEA evaluation report as necessary resulting in a finalized version to be reviewed by the Deputy Director.
10. Forward final LEA evaluation report to LEA. This would conclude the LEA evaluation unless there were significant implementation issues to be addressed.

Note: The following procedures will apply when significant implementation issues exist regarding LEA performance.

11. The Deputy Director schedules LEA Administrative Conference to discuss significant implementation issues, and notifies LEA. This conference is to be conducted at the Board's headquarters in Sacramento. In attendance will be the LEA Program Manager, Board Executive Director, Division Deputy Director, and Board Member Advisor for Enforcement Advisory Council issues, or their designees.

12. Ensure LEA submittal of the corrective workplan stipulated at the Administrative Conference. Forward final LEA evaluation report to LEA and possibly the LEA's local governing body(ies). Follow up on LEA compliance with its corrective workplan. This action is contingent upon an Administrative Conference consensus and would conclude the LEA evaluation, unless a Committee/Board agenda item is required.

Note: The following procedures will apply when there is no Administrative Conference consensus.

13. Prepare an LEA evaluation agenda item and report, and present at the Committee/Board meeting.
14. Ensure LEA submittal of its corrective workplan, follow up on workplan progress, and any other Board requirements.
15. Forward final LEA evaluation report to the LEA and possibly the LEA's local governing body(ies).

Note: If no workplan is submitted, LEA Section staff must initiate de-certification. Evaluation follow up activities may include a first monitoring of workplan progress after 6 months, a second monitoring after 9 months, a third monitoring after 12 months with outstanding implementation issues resulting in the initiation of de-certification through an agenda item for the Permitting and Enforcement Committee and the full Board.

#

LEA EVALUATION RESULTS

The goals of the LEA evaluation, pursuant to Title 14, California Code of Regulations, Division 7, Chapter 5, Article 2.2, are:

1. To verify continued LEA compliance with certification requirements.
2. To ensure that LEAs are implementing effective programs in accordance with their Board approved Enforcement Program Plans (EPPs).
3. To identify LEA program implementation issues which must be addressed.
4. To recommend LEA actions to enhance their program and/or bring them into compliance with at least their minimum LEA duties, responsibilities, and performance requirements.

The evaluation is equally weighted on the LEA's continued certification maintenance, permitting, inspection, and enforcement performance.

The evaluation findings will be summarized, including appropriate recommendations, as identified and discussed during the Exit Interview with the LEA. These findings/recommendations may include one or more of the following.

- LEA commendation for a job well done.
- Specific identification of program implementation issues which must be addressed in order to meet at least the minimum LEA duties, responsibilities, and performance requirements.
- The LEA is not fulfilling its responsibilities and will be notified of the particular significant issues, and of the Board's intention to withdraw its approval of the designation if the LEA does not implement the recommendation for development of a **corrective workplan** for submittal within 30 days for approval. Board staff will provide guidance as necessary. LEA compliance with its approved corrective workplan may be monitored for progress at 6, 9, and 12 months. At this point, a determination regarding satisfactory implementation of the corrective workplan will be made. Remaining outstanding issues, not resolved during the monitoring of the corrective workplan, may be cause for de-certification.
- **Withholding approval and disbursement of the jurisdiction's enforcement assistance grant.**

- Partial de-certification, including the Board becoming the enforcement agency for related duty(ies).
- Full de-certification and withdrawal of designation approval resulting in the Board becoming the enforcement agency for the jurisdiction.
- Implement any other measures which may be determined to be necessary to improve LEA compliance with its duty requirements.

The following pages contain questions that an LEA may use to "self evaluate" their program relating to **Designation Maintenance, Certification Maintenance, Permits, Inspection and Enforcement, and Closure and Remediation**. These documents will be utilized by Board staff as part of the LEA Evaluations. LEAs are encouraged to use these documents.

LEA EVALUATION
DESIGNATION MAINTENANCE

Baker County Health Department
59-AA

Y=Yes N=No

		<u>Y</u>	<u>N</u>
1.	Has the designated agency name or address changed? 14 CCR 18051(b) _____ _____	<input type="checkbox"/>	<input type="checkbox"/>
2.	Are there any jurisdictional changes? 14 CCR 18051(b)(2) _____ _____	<input type="checkbox"/>	<input type="checkbox"/>
3.	Has the local governing body (LGB) address or telephone number changed? 14 CCR 18051(b)(5) _____ _____	<input type="checkbox"/>	<input type="checkbox"/>
4.	Are there any Hearing Panel changes? 14 CCR 18051(c)(4) & 18060 _____ _____	<input type="checkbox"/>	<input type="checkbox"/>
5.	Are there any changes to the program manager or contact person information? Form 1000 _____ _____	<input type="checkbox"/>	<input type="checkbox"/>
6.	Is there any new information, additions, or deletions to the facility/site enumeration? 14 CCR 18051(b)(7) _____ _____	<input type="checkbox"/>	<input type="checkbox"/>

- | | <u>Y</u> | <u>N</u> |
|---|--------------------------|--------------------------|
| 7. Are there any newly incorporated cities within the LEA's jurisdiction?
14 CCR 18051(c) (5) | <input type="checkbox"/> | <input type="checkbox"/> |
| 8. Are there any county organizational chart changes?
14 CCR 18051(c) (2) | <input type="checkbox"/> | <input type="checkbox"/> |
| 9. Are there any LEA agency organizational chart changes?
14 CCR 18051(c) (3) | <input type="checkbox"/> | <input type="checkbox"/> |
| 10. Are there any city tabulation changes?
14 CCR 18051(c) (5) | <input type="checkbox"/> | <input type="checkbox"/> |
| 11. Is the designation in accordance with the county integrated waste management plan (CIWMP)?
Form 1000 | <input type="checkbox"/> | <input type="checkbox"/> |
| 12. Is the LEA maintaining non-conflict of interest (operating unit)?
14 CCR 18051(b) (6) | <input type="checkbox"/> | <input type="checkbox"/> |

RESPONSE BY: _____

REVIEWED BY: _____

DATE: _____



LEA EVALUATION
CERTIFICATION MAINTENANCE

Baker County Health Department
59-AA

Y=Yes N=No

		<u>Y</u>	<u>N</u>
1.	Are there any certification type changes? 14 CCR 18071 & 18081(d) (4) <hr/> <hr/> <hr/>	<input type="checkbox"/>	<input type="checkbox"/>
2.	Are there any technical staff changes? If so, is technical expertise met? 14 CCR 18072 & 18081(d) (4) <hr/> <hr/> <hr/>	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>
3.	Are there any changes in the number and types of facilities/sites and collection and handling vehicles? If so, has the time task analysis been revised? Have staff been revised to reflect new time task analysis? 14 CCR 18073 & 18081(d) (4) <hr/> <hr/> <hr/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
4.	Has budget been submitted annually and/or revised for changes in staffing, and their requirements? 14 CCR 18074 & 18081(d) (4) <hr/> <hr/> <hr/>	<input type="checkbox"/>	<input type="checkbox"/>
5.	Have training procedures been revised to reflect new statutory or regulatory requirements? 14 CCR 18075 & 18081(d) (4) <hr/> <hr/> <hr/>	<input type="checkbox"/>	<input type="checkbox"/>

- | | <u>Y</u> | <u>N</u> |
|---|--|--|
| 6. Have any EPP goals and objectives changed?
Has the EPP been revised?
14 CCR 18077(a)(3) & 18081(d)(4) | <input type="checkbox"/>
<input type="checkbox"/> | <input type="checkbox"/>
<input type="checkbox"/> |
| <hr/> <hr/> <hr/> | | |
| 7. Does the LEA have a written schedule or plan encompassing permit, closure/postclosure, and site identification and assessment issues?
PRC 43209(c), 43215, & 43219(c)&(d) | <input type="checkbox"/> | <input type="checkbox"/> |
| <hr/> <hr/> <hr/> | | |
| 8. Are there any newly formed city solid waste enactments?
14 CCR 18077(a)(6) & 18081(d)(4) | <input type="checkbox"/> | <input type="checkbox"/> |
| <hr/> <hr/> <hr/> | | |
| 9. Are there any revisions or modifications to previously submitted city/county solid waste enactments?
14 CCR 18077(a)(6) & 18081(d)(4) | <input type="checkbox"/> | <input type="checkbox"/> |
| <hr/> <hr/> <hr/> | | |
| 10. Are there any solid waste facility/disposal site or handling and collection vehicle changes for facility/vehicle tally?
14 CCR 18077(a)(7) & 18081(d)(4) | <input type="checkbox"/> | <input type="checkbox"/> |
| <hr/> <hr/> <hr/> | | |
| 11. Is the permitting and closure/postclosure procedure manual current?
14 CCR 18077(a)(8) & 18081(d)(4) | <input type="checkbox"/> | <input type="checkbox"/> |
| <hr/> <hr/> <hr/> | | |

- | | <u>Y</u> | <u>N</u> |
|---|--------------------------|--------------------------|
| 12. Is the enforcement and inspection procedure manual current?
14 CCR 18077 (a) (9) & 18081 (d) (4) | <input type="checkbox"/> | <input type="checkbox"/> |
| <hr/> <hr/> <hr/> | | |
| 13. Is the corrective action and site assessment procedure manual current?
14 CCR 18077 (a) (10) & 18081 (d) (4) | <input type="checkbox"/> | <input type="checkbox"/> |
| <hr/> <hr/> <hr/> | | |
| 14. Is the staff training procedure manual current?
14 CCR 18077 (a) (11) & 18081 (d) (4) | <input type="checkbox"/> | <input type="checkbox"/> |
| <hr/> <hr/> <hr/> | | |
| 15. Does the LEA have a copy of: | | |
| ■ Title 14 California Code of Regulations - version _____; | <input type="checkbox"/> | <input type="checkbox"/> |
| ■ Division 30 Public Resources Code - version _____; | <input type="checkbox"/> | <input type="checkbox"/> |
| ■ Current local enactments? | <input type="checkbox"/> | <input type="checkbox"/> |
| 14 CCR 18077 (a) (5)&(6) & 18081 (d) (4) | | |
| <hr/> <hr/> <hr/> | | |
| 16. Does the LEA have an effective enforcement program based on: | | |
| ■ Compliance; | <input type="checkbox"/> | <input type="checkbox"/> |
| ■ Permitting; | <input type="checkbox"/> | <input type="checkbox"/> |
| ■ Closure and Remediation? | <input type="checkbox"/> | <input type="checkbox"/> |
| 14 CCR Article 2.2 | | |
| <hr/> <hr/> <hr/> | | |

- | | <u>Y</u> | <u>N</u> |
|--|--------------------------|--------------------------|
| 17.. Has the LEA staff attended training seminars sponsored by the Board or other agencies? If so, how is it documented?
14 CCR 18075 (a) (6) | <input type="checkbox"/> | <input type="checkbox"/> |
| <hr/> <hr/> <hr/> | | |
| 18. Does the LEA have a safety plan including appropriate safety and monitoring equipment to conduct field investigations?
14 CCR 18075 (a) (7) | <input type="checkbox"/> | <input type="checkbox"/> |
| <hr/> <hr/> <hr/> | | |
| 19. Does the LEA coordinate solid waste activities with local, state, and federal regulatory agencies (including Health Departments, if appropriate)?
PRC 43209 (b) & (g) | <input type="checkbox"/> | <input type="checkbox"/> |
| <hr/> <hr/> <hr/> | | |
| 20. Does the LEA bring forth issues, when appropriate, to their EAC representative? | <input type="checkbox"/> | <input type="checkbox"/> |
| <hr/> <hr/> <hr/> | | |
| 21. Are complaints handled as specified in the EPP? How are complaints filed or documented?
14 CCR 18077 (a) (9), EPP | <input type="checkbox"/> | <input type="checkbox"/> |
| <hr/> <hr/> <hr/> | | |
| 22.. Are LEA facility/site files maintained pursuant to 14 CCR 18020? | <input type="checkbox"/> | <input type="checkbox"/> |
| <hr/> <hr/> <hr/> | | |

- | | <u>Y</u> | <u>N</u> |
|---|--------------------------|--------------------------|
| 23. Is the chronological log of enforcement and legal actions maintained pursuant to 14 CCR 18020(e)? | <input type="checkbox"/> | <input type="checkbox"/> |
| _____ | | |
| _____ | | |
| _____ | | |
| 24. Has the hearing panel been utilized?
PRC 44800 | <input type="checkbox"/> | <input type="checkbox"/> |
| _____ | | |
| _____ | | |
| _____ | | |
| 25. Is the Enforcement Assistance Grant usage consistent with the statement of use?
PRC 46504 | <input type="checkbox"/> | <input type="checkbox"/> |
| _____ | | |
| _____ | | |
| _____ | | |
| 26. Has the LEA had to seek warrants for facility inspections when denied admittance by owner/operator?
PRC 43209(e) & 44101 | <input type="checkbox"/> | <input type="checkbox"/> |
| _____ | | |
| _____ | | |
| _____ | | |
| 27. Have all the requirements for vehicle inspections in the LEA's jurisdiction, including frequency of inspection and criteria of inspection, been met by the LEA?
14 CCR 17332 & 17341-45, EPP | <input type="checkbox"/> | <input type="checkbox"/> |
| _____ | | |
| _____ | | |
| _____ | | |

RESPONSE BY: _____

REVIEWED BY: _____

DATE: _____

III

LEA EVALUATION
PERMITS BRANCH

Baker County Health Department
59-AA

Insert changes or comments following each question.

1. Are landfill periodic site reviews generated in a timely manner and performed by an engineer? If not, what is the number of outstanding reviews and what is the ratio to the total number of sites requiring this review?
PRC 44100
14 CCR 17607 & 18082
2. Is the LEA up to date on five-year permit reviews, revisions or modifications? If not, document how many, identify (name and SWIS #), and provide status.
14 CCR 18213
3. How many exempt sites are there, were these exemptions carried out pursuant to 14 CCR 18215, and are they maintained through quarterly inspections?
14 CCR 18083(a)(6) & 18215
4. Does the LEA prepare Permit Review Reports as required?
14 CCR 18213
5. Does the LEA submit copies of permit applications to the Board within seven days of receipt?
14 CCR 18203(e)
6. Does the LEA prepare and submit proposed permits to the Board and operators within 60 days?
PRC 44007
7. Have sites within the LEA's jurisdiction met applicable operating liability claims requirements?
14 CCR Div. 7, Chap. 5, Art. 3.3
8. Does the LEA have a written schedule or plan encompassing permit issues?
9. Provide any additional objective comments regarding this LEA and issues not covered by this evaluation.

-
10. Based on your answers and comments on the above questions, how does your branch evaluate this LEA's overall permitting performance?

RESPONSE BY:
REVIEWED BY:
DATE:



LEA EVALUATION
ENFORCEMENT BRANCH

Baker County Health Department
59-AA

Insert changes or comments following each question.

1. Are all permitted, closed, illegal, inactive, abandoned, and exempt sites within the LEA's jurisdiction inspected pursuant to regulations and the Enforcement Program Plan (EPP)?
PRC 43218
14 CCR 18083, EPP
2. Are there any performance standard sites within the LEA's jurisdiction?
If so, are they inspected weekly?
14 CCR 17683 & 18083, EPP
3. Are sites within the LEA's jurisdiction substantially out of compliance with the minimum standards as documented in both LEA and CIWMB SWIS inspection reports? If so, document.
PRC 43209(c) & 43219
14 CCR 18081 & 18083
4. Does the LEA accompany Board staff on state inspection of sites and conduct a joint inspection?
PRC 43219(b)
5. For these joint inspections, do violation and compliance statuses reported in LEA inspection of sites correspond with the violation and compliance statuses reported in CIWMB inspections? If not, document.
PRC 43219
6. For all facilities and disposal sites, does the LEA submit SWIS inspection forms to the Board within the thirty day time limit required by the Public Resources Code?
PRC 43218 & 43209(c)
7. Are complaints handled properly? If not, document.
14 CCR 18302, EPP
8. Are any sites within the LEA's jurisdiction on the State Inventory of Solid Waste Facilities Which Violate State Minimum Standards? If so, what is their status?
PRC 44104 & 44106
9. Are any sites within the LEA's jurisdiction on the Federal RCRA Open Dump Inventory? If so, what is their status?
RCRA Subtitle D

10. Are landfill periodic site reviews generated in a timely manner and performed by an engineer? If not, what is the number of outstanding reviews and what is the ratio to the total number of sites requiring this review?

PRC 44100

14 CCR 17607 & 18082

11. How many exempt sites are there, were these exemptions carried out pursuant to 14 CCR 18215, and are they maintained through quarterly inspections?

14 CCR 18083(a) (6) & 18215

12. Are any facilities within the LEA's jurisdiction operating under a notice and order or stipulated order of compliance agreement? If so, document how many and indicate progress for each?

14 CCR 18081(c) (3)

13. Has the LEA issued and enforced notice and orders and stipulated order of compliance agreements for sites on the State Inventory of Solid Waste Facilities Which Violate State Minimum Standards? If so, document how many and the status for each?

PRC 44106

14 CCR 18084 & 18305

14. Does the LEA consult with the local health agency when pursuing enforcement actions for sites in violation of health standards when applicable?

PRC 43209(b)&(g)

15. Has the LEA issued notice and orders under emergency conditions? If so, document how many and the status for each?

14 CCR 18084, 18304 & 18306

16. Does the LEA send copies of notice and orders to the Board, RWQCB, DTSC, and APCD, as required by PRC Section 45301?

17. Does the LEA pursue enforcement actions against sites that have not closed according to the regulations? If so, document how many and the status for each?

PRC 43500-43510

14 CCR 18081(c) & 18305

14 CCR Div. 7, Chap. 3, Art. 7.8

14 CCR Div. 7, Chap. 5, Art. 3.4 & 3.5

18. Does the LEA send appropriate notices to the Board when enforcement actions are taken against owners/operators who

- violate permit conditions or minimum standards? If not, explain and document.
PRC 43209(e) & 45300
14 CCR 18084, 18303(d) & 18304(f)
19. Has the LEA failed to issue a notice and order for known permit violations as required? If so, document how many and the status for each.
PRC 43209(e)
14 CCR 18081(c), 18084 & 18304, EPP
20. Have sites within the LEA's jurisdiction met applicable closure, postclosure, and financial assurance requirements? If not, document how many and the status for each.
14 CCR 18081 & 18082(3)(A)
14 CCR Div. 7, Chap. 3, Art. 7.8
14 CCR Div. 7, Chap. 5, Art. 3.4 & 3.5
21. Have sites within the LEA's jurisdiction met applicable postclosure land use requirements pursuant to 14 CCR 17796? If not, document.
22. Should the LEA include any additional CIA sites/facilities on their enumeration of sites/facilities? If so, list them.
14 CCR 18051(b)(7)
23. Provide any additional objective comments regarding this LEA and issues not covered by this evaluation.
24. Based on your answers and comments on the above questions, how does your branch evaluate this LEA's overall enforcement performance?

RESPONSE BY:

REVIEWED BY:

DATE:

LEA EVALUATION
CLOSURE AND REMEDIATION BRANCH

Baker County Health Department
59-AA

Insert changes or comments following each question.

1. Does the LEA pursue enforcement actions against sites that have not closed according to the regulations? If so, document how many and the status for each?
PRC 43500-43510
14 CCR 18081(c) & 18305
14 CCR Div. 7, Chap. 3, Art. 7.8
14 CCR Div. 7, Chap. 5, Art. 3.4 & 3.5
2. Have sites within the LEA's jurisdiction met applicable closure, postclosure, and financial assurance requirements? If not, document how many and the status for each.
14 CCR 18081 & 18082(3)(A)
14 CCR Div. 7, Chap. 3, Art. 7.8
14 CCR Div. 7, Chap. 5, Art. 3.4 & 3.5
3. Have sites within the LEA's jurisdiction met applicable postclosure land use requirements pursuant to 14 CCR 17796? If not, document how many and the status for each.
4. Does the LEA have a written plan or schedule encompassing closure/postclosure and site identification and assessment issues?
PRC 43209(c), 43215, & 43219(c)&(d)
5. Provide any additional objective comments regarding this LEA and issues not covered by this evaluation.
6. Based on your answers and comments on the above questions, how does your branch evaluate this LEA's overall closure and remediation performance?

RESPONSE BY:
REVIEWED BY:
DATE:

LEA EVALUATION SURVEY SUMMARY

Baker County Health Department
59-AA

S=Satisfactory U=Unsatisfactory

	<u>S</u>	<u>U</u>
LEA Designation Maintenance Evaluation	<input type="checkbox"/>	<input type="checkbox"/>

LEA Certification Maintenance Evaluation	<input type="checkbox"/>	<input type="checkbox"/>
--	--------------------------	--------------------------

LEA Permits Branch Evaluation	<input type="checkbox"/>	<input type="checkbox"/>
-------------------------------	--------------------------	--------------------------

LEA Enforcement Branch Evaluation	<input type="checkbox"/>	<input type="checkbox"/>
-----------------------------------	--------------------------	--------------------------

LEA Closure and Remediation Branch Evaluation	<input type="checkbox"/>	<input type="checkbox"/>
---	--------------------------	--------------------------

RESPONSE BY: _____

REVIEWED BY: _____

DATE: _____

STATUTORY LANGUAGE

CHAPTER 656

SEC. 14. Section 43214 of the Public Resources Code is amended to read:

43214. (a) The board shall, on or before October 1, 1993, develop performance standards for evaluating certified local enforcement agencies and shall periodically review each certified local enforcement agency and its implementation of the permit, inspection, and enforcement program. The board's review shall include periodic inspections of solid waste facilities within the jurisdiction of each local enforcement agency for the purpose of evaluating whether the local enforcement agency is appropriately applying and enforcing state minimum standards at solid waste sites within its jurisdiction.

(b) Following initial certification of a local enforcement agency by the board, the board shall conduct a performance review of the local enforcement agency every 18 months, or more frequently as determined by the board.

(c) In conducting performance reviews of local enforcement agencies, the board shall, based on the performance standards developed pursuant to subdivision (a), determine whether each local enforcement agency is in compliance with the requirements of this article and the regulations adopted to implement this article. If the board finds that a local enforcement agency is not fulfilling its responsibilities pursuant to this article and if the board also finds that this lack of compliance has contributed to significant noncompliance with state minimum standards at solid waste facilities within the jurisdiction of the local enforcement agency, the board shall withdraw its approval of designation pursuant to Sections 43215 and 43216. Notwithstanding Sections 43215 and 43216, if the board finds that conditions at solid waste facilities within the jurisdiction of the local enforcement agency threaten public health and safety or the environment, the board shall, within 10 days of notifying the local enforcement agency, become the enforcement agency until another local enforcement agency is designated locally and certified by the board.

(d) The board shall find that a local enforcement agency is not fulfilling its responsibilities pursuant to this article, and may take action as prescribed by subdivision (c), if the board, in conducting its performance review, makes one or more of the following findings with regard to compliance with this part and Part 5 (commencing with Section 45000):

(1) The local enforcement agency has failed to inspect solid waste facilities and disposal sites.

(2) The local enforcement agency has intentionally misrepresented the results of inspections.

(3) The local enforcement agency has failed to prepare, or cause to be prepared, permits, permit revisions, or closure and postclosure maintenance plans.

(4) The local enforcement agency has approved permits, permit revisions, or closure and postclosure maintenance plans which are not consistent with this part and Part 5 (commencing with Section 45000).

(5) The local enforcement agency has failed to take appropriate enforcement actions.

SEC. 15. Section 43216.5 is added to the Public Resources Code, to read:

43216.5. In addition to the procedures for board withdrawal of its approval of a local enforcement agency's designation pursuant to Sections 43214, 43215, and 43216, the board may take any actions which are determined by the board to be necessary to ensure that local enforcement agencies fulfill their obligations under this chapter. To ensure that a local enforcement agency is appropriately fulfilling its obligations under this chapter and implementing regulations, the board may conduct more frequent inspections and evaluations within a local enforcement agency's jurisdiction, establish a schedule and probationary period for improved performance by a local enforcement agency, assume partial responsibility for specified local enforcement agency duties, and implement any other measures which may be determined by the board to be necessary to improve local enforcement agency compliance.

SEC. 16. Section 43217 of the Public Resources Code is amended to read:

43217. The board shall provide ongoing training, technical assistance, and guidance to local enforcement agencies to assist in their decisionmaking processes. This assistance shall include, but is not limited to, providing all of the following:

- (a) Technical studies and reports.
- (b) Copies of innovative solid waste facility operation plans.
- (c) Investigative findings and analyses of new solid waste management practices and procedures.
- (d) A program for loaning technical and scientific equipment, to the extent that funds are available to the board to purchase that equipment.

SEC. 17. Section 43219 of the Public Resources Code is amended to read:

43219. (a) The board may, at its discretion, conduct inspections and investigations of solid waste facilities in order to evaluate the local enforcement agency and to ensure that state minimum standards are met.

(b) Except as otherwise provided by Section 43220, the board, in conjunction with an inspection conducted by the local enforcement agency, shall conduct inspections of solid waste facilities within the jurisdiction of each local enforcement agency. The board shall inspect the types and number of solid waste facilities which are determined by the board to be necessary to adequately evaluate whether the local enforcement agency is ensuring compliance by solid waste facilities with state minimum standards. A written inspection report shall be prepared and submitted within 30 days of the inspection to the local enforcement agency.

(c) If the board identifies any significant violation of state minimum standards that were not identified and resolved through previous inspections by the local enforcement agency, the board shall take appropriate action as authorized by Sections 43215 and 43216.5.

(d) Notwithstanding any other provision of this section and Sections 43215 and 43216, if, as a result of a facility inspection conducted pursuant to subdivision (b), the board finds that conditions at a solid waste facility within the jurisdiction of a local enforcement agency threaten public health and safety or the environment, the board shall, within 10 days of notifying the local enforcement agency, become the enforcement agency until another local enforcement agency is designated locally and certified by the

SEC. 18. Section 43220 is added to the Public Resources Code, to read:

43220. The board, in conjunction with an inspection conducted by the local enforcement agency, shall conduct at least one inspection every 18 months of each solid waste landfill and transformation facility in the state. A written inspection report shall be prepared and submitted within 30 days of the inspection to the local enforcement agency. If the board identifies any significant violation of state minimum standards that was not resolved through previous inspections by the local enforcement agency, the board shall take appropriate action as authorized by Sections 43215 and 43216.5 and subdivision (d) of Section 43219.

SEC. 19. Section 43221 is added to the Public Resources Code, to read:

43221. In conjunction with the annual report required by Section 40507, the board shall report to the Legislature annually on the status of the certification and evaluation of local enforcement agencies pursuant to this chapter.

PUBLIC RESOURCES CODE

DIVISION 30. WASTE MANAGEMENT

INTEGRATED WASTE MANAGEMENT

43215. If the board finds that an enforcement agency is not fulfilling its responsibilities, the board shall notify the enforcement agency of the particular reasons for finding that the enforcement agency is not fulfilling its responsibilities and of the board's intention to withdraw its approval of the designation if, within a time to be specified in that notification, but in no event less than 30 days, the enforcement agency does not take the corrective action specified by the board.

(Added by Stats. 1989, Ch. 1095, Sec. 22.)

43216. If the board withdraws its approval of the designation of an enforcement agency, another enforcement agency shall be designated pursuant to Section 43203 within 90 days, and approved by the board. If no designation is made within 90 days, the board shall become the enforcement agency within the jurisdiction of the former enforcement agency.

REGULATORY LANGUAGE

(5) the date, terms and conditions of the appointment.

(c) Certified notices of appointments to vacant positions on the hearing panel shall be given in the same manner.

(d) When the board serves as the enforcement agency, hearing panels shall be as set forth in 14 CCR Sections 18031(d)(2), and 18353.

NOTE: Authority cited: Sections 40502, 43020 and 43200, Public Resources Code. Reference: Sections 43200, 43209, 44800 and 44801, Public Resources Code.

HISTORY

1. Amendment filed 12-17-91; operative 12-17-91 pursuant to Government Code section 11346.2(d) (Register 92, No. 13).

Article 2.1. LEA Certification Requirements

§ 18070. Scope.

(a) This article sets forth the LEA certification types, the requirements for certification including, but not limited to: technical expertise, adequacy of staff resources, adequacy of budget resources, training, and the LEA's Enforcement Program Plan (EPP), which the designated local agency shall develop, submit for board approval, and adopt pursuant to Public Resources Code Section 43209(c) and Section 18077 of this Chapter, and the periodic review of the LEA certification(s) pursuant to Article 2.2 of this Chapter.

(b) After certification(s) are issued and upon board approval, the designated local agency shall become the sole LEA in its jurisdiction, and shall maintain and comply with its board approved EPP to exercise its statutory power and authority pursuant to Division 30 of the Public Resources Code and 14 CCR Division 7. The LEA shall enforce the state and local minimum standards for solid waste collection, handling, storage, and disposal for the protection of the air, water, and land from pollution and nuisance, and for the protection of the public health, safety, and the environment. This Article also addresses board directories of hearing panels and enforcement agencies.

NOTE: Authority cited: Sections 40502, 43020 and 43200, Public Resources Code. Reference: Sections 43200-43601, Public Resources Code.

HISTORY

1. Repealer and adoption of new section, article heading and NOTE filed 12-17-91; operative 12-17-91 pursuant to Government Code section 11346.2(d) (Register 92, No. 13).

§ 18071. Types of Certification.

(a) The Board may approve a designated local agency and issue certification(s) to the local agency in one or more of the following types of certification:

(1) Type "A": permitting, inspection, and enforcement of regulations at solid waste disposal sites;

(2) Type "B": permitting, inspection, and enforcement of regulations at solid waste transformation facilities;

(3) Type "C": permitting, inspection, and enforcement of regulations at transfer and processing stations, materials recovery facilities, and composting facilities; and

(4) Type "D": inspection and enforcement of litter, odor, and nuisance regulations at solid waste landfills.

(b) In jurisdictions where LEAs lack a certification to permit a new type of facility, the permit applications, for that type of facility, shall be filed with the board. The LEA shall, within 120 days of the permit application, obtain certification for this facility type, or the board shall review the performance of the LEA pursuant to Section 18051 and Article 2.2 of this Chapter and compliance with Public Resources Code Section 43201.

(c) An LEA lacking a specific certification type pursuant to 18071(a) may submit a new complete EPP for board review and request issuance of an additional certification to perform permitting, inspection, and enforcement duties in another jurisdiction, or inspection and enforcement duties in its jurisdiction, both pursuant to Article 2.1 of this Chapter, and subsequent to board approval.

(d) When in the LEA's jurisdiction only one permitted solid waste disposal facility exists and its permit is surrendered, the LEA shall retain its type "A" certification, unless the LEA certification is withdrawn by the board.

(1) For LEAs to be issued type "D" certification they shall be required to have type "A" certification.

(e) A designated local agency shall demonstrate that it meets the certification requirements for each certification type requested, the LEA shall maintain compliance with the requirements of this Chapter.

(f) Sections 18071 through 18075 of this Article set forth the LEA certification requirements pursuant to Public Resources Code Section 43200.

NOTE: Authority cited: Sections 40502, 43020 and 43200, Public Resources Code. Reference: Sections 43200-43204 and 43209, Public Resources Code.

HISTORY

1. New section filed 12-17-91; operative 12-17-91 pursuant to Government Code section 11346.2(d) (Register 92, No. 13).

§ 18072. Technical Expertise.

(a) Performance of enforcement, inspection, and permitting duties and responsibilities of comprehensive solid waste management issues shall reside solely within an LEA. The LEA shall have one or more full time staff members dedicated solely for solid waste issues. For all certification types the dedicated staff shall be composed of at least one registered environmental health specialist, pursuant to Sections 514 through 534 of the Health and Safety Code, or person(s) meeting the requirements of Section 520 of the Health and Safety Code, as certified by the LEA program director or manager.

(1) For type "A" certification, pursuant to 14 CCR 18071(a)(1), LEA review of documents or reports generated pursuant to engineering requirements of Public Resources Code Division 30 and 14 CCR Division 7 beyond the technical abilities of the LEA's staff, shall be performed by public and private entities as specified in the LEA's EPP, whose staff meet the definitions contained in 14 CCR 17761(a)(6), (40), and (51), and may be contracted for by the LEA.

(2) For type "B" and "C" certifications, pursuant to 14 CCR 18071(a)(2 and 3), LEA review of documents or reports generated pursuant to engineering requirements of Public Resources Code Division 30 and 14 CCR Division 7, may be performed by public and private entities, as specified in the LEA's EPP, under contract to the LEA, which meet the definitions contained in 14 CCR 17761(a)(6), (40), and (51).

(b) Counties or cities may have contracts or joint powers agreements with another county, city, or a joint powers jurisdiction LEA to provide enforcement, inspection, and permitting duties and responsibilities in the designated jurisdiction of the local governing body(s), with approval of the board. The above contracts or joint powers agreements shall preclude conflict of interest between the cities or counties, their designated LEA, or the LEA's consultants and facility operators in the jurisdiction. The consulted professionals defined in 14 CCR Section 17761(a)(6), (39), (40), (41), and (51), shall not be facility operators or consultants for solid waste facilities or disposal sites within the LEA's jurisdiction.

(c) Any opinion, report, analysis, or other deliverable provided to an LEA through contract or joint powers agreement shall be endorsed, affirmed or denied by the contracting LEA.

NOTE: Authority cited: Sections 40502, 43020 and 43200, Public Resources Code. Reference: Sections 43200-43204, 43207 and 43209, Public Resources Code.

HISTORY

1. New section filed 12-17-91; operative 12-17-91 pursuant to Government Code section 11346.2(d) (Register 92, No. 13).

§ 18073. Adequacy of Staff Resources.

(a) The LEA shall demonstrate the adequacy of its staff resources by submitting results of the following analyses:

(1) the number and type of operating and non-operating solid waste facilities, disposal sites, and collection and handling equipment;

(2) the number of annual compliance and projected complaint inspections based on the previous years records and anticipated additions or deletions;

- (3) the time allocation requirements of local agency staff for:
- (A) inspections, travel, research, analysis of findings, and documentation;
 - (B) enforcement activities including warnings, notices, meetings, hearings, legal proceedings, and documentation;
 - (C) permit activities including reviews, modifications and revisions, and closure or postclosure activities, including applications and plan reviews, site evaluations and investigations, and documentation;
 - (D) corrective actions including: review and approval of site investigations, assessments, characterizations, remediation alternatives, and corrective measures;
 - (E) training including field, meetings, seminars, workshops, courses, and literature reviews;
 - (F) management including day to day operation scheduling, and supervision; and
 - (G) support staff both technical and non-technical.

(4) The staff resources shall be computed based on a Full Time Equivalence (FTE) not to exceed 230 eight hour work days per year per person. The FTE baseline hours shall be identified in the EPP.

NOTE: Authority cited: Sections 40502, 43020 and 43200, Public Resources Code. Reference: Sections 43200-43204 and 43209, Public Resources Code.

HISTORY

1. New section filed 12-17-91; operative 12-17-91 pursuant to Government Code section 11346.2(d) (Register 92, No. 13).

§ 18074. Adequacy of Budget Resources.

(a) The LEA shall maintain a budget accounting process capable of identifying expenditures and revenues which are adequate to fulfill their LEA duties and responsibilities pursuant to its board approved EPP, this chapter, and Part 4 and 5 of Division 30 of the Public Resources Code. Additionally, LEAs shall, at the beginning of each fiscal year upon adoption by the local governing body, submit to the board supporting information demonstrating budget adequacy.

(1) The LEA shall use methods that demonstrate adequate budget resources for implementing the provisions of this Article. The LEA shall account for all anticipated expenditures, including but not limited to the following:

- (A) staffing pursuant to 14 CCR 18073;
- (B) monitoring and testing materials and equipment;
- (C) health and safety protection equipment and materials for staff;
- (D) travel and per diem for training seminars, conferences, etc.;
- (E) enforcement actions including staff time and independent legal counsel costs to preclude conflict of interest and lack of timely initiation of legal actions pursuant to 14 CCR 18051(b)(6) and 14 CCR 18084;
- (F) consultant and technical support;
- (G) transportation; and
- (H) agency overhead.

(2) LEAs shall identify their revenue by sources and amounts. Sources may include, but are not limited to:

- (A) Funds from LEA Grant(s) Account;
- (B) Permitting Fees;
- (C) Inspection or Service Fee(s);
- (D) Post Closure Fees;
- (E) Tipping and Tonnage Fees;
- (F) 5 Year Permit Review Fees;
- (G) General Fund; and
- (H) Other (specify).

NOTE: Authority cited: Sections 40502, 43020 and 43200, Public Resources Code. Reference: Sections 43200-43204, 43207 and 43209, Public Resources Code.

HISTORY

1. New section filed 12-17-91; operative 12-17-91 pursuant to Government Code section 11346.2(d) (Register 92, No. 13).

§ 18075. Training Requirements.

(a) LEA personnel shall be trained in solid waste management. The LEA's training program shall be coordinated with the Board as well as other state and local agencies, be part of the LEA's Enforcement Program

Plan pursuant to 14 CCR 18077, and provide specific training in the following areas:

- (1) permitting, inspection, and enforcement duties and responsibilities pursuant to Public Resources Code Division 30, Parts 4 and 5, 14 CCR Division 7, and local ordinances and resolutions relating to solid waste collection, handling, processing, storage, and disposal;
- (2) inspection techniques and scheduling;
- (3) preparation for hearing panel and court proceedings;
- (4) administration practices within a solid waste enforcement program;
- (5) monitoring equipment, data evaluation, and interpretation of the results as related to solid waste management;
- (6) attendance of board approved seminars and workshops; and
- (7) field staff health and safety training in the categories of: planning of field inspections, safety equipment, on-site procedures, decontamination and hazard recognition and avoidance.

(8) for type "A" certification, specific training in performance standards pursuant to 14 CCR Section 17683, when applicable.

NOTE: Authority cited: Sections 40502, 43020, 43200 and 43214, Public Resources Code. Reference: Sections 43200-43204 and 43209, Public Resources Code.

HISTORY

1. New section filed 12-17-91; operative 12-17-91 pursuant to Government Code section 11346.2(d) (Register 92, No. 13).

§ 18076. Request for and Review of Certification.

(a) Within 30 days of receipt of a request for certification(s), the board shall notify the requesting local agency in writing as to whether the request in the form of an Enforcement Program Plan (EPP) pursuant to Section 18077 of this Chapter is:

- (1) complete and accepted and shall be reviewed; or
- (2) the EPP is incomplete and what specific information is missing, and needs to be submitted to the board to provide for a complete EPP. The board will require the agency to provide the specific missing information, thereby starting a new 30 day process from the date of resubmittal.

(b) When an EPP is complete and accepted, the board shall have 60 days from the date of the acceptance, to conduct a review of the designation and certification information in the EPP.

(1) The board shall issue a certification(s) decision stating which types of certification are to be issued or denied, and that the designation and EPP are approved or disapproved. A copy of the board decision shall be sent to the requesting agency, its local governing body, and all appropriate State agencies.

(2) If during the review process the board finds any specific deficiencies, it shall notify the requesting agency within 30 days from the date of acceptance for review. A new 60 day review period shall begin on the date of resubmittal.

(c) After approval of the EPP, the board shall periodically review the LEAs enforcement program plan (EPP) and its implementation of the permitting, inspection, and enforcement programs pursuant to Public Resources Code Sections 43209 and 43214.

NOTE: Authority cited: Sections 40502, 43020 and 43200, Public Resources Code. Reference: Section 43200-43209, Public Resources Code.

HISTORY

1. New section filed 12-17-91; operative 12-17-91 pursuant to Government Code section 11346.2(d) (Register 92, No. 13).

§ 18077. Enforcement Program Plan (EPP).

(a) The LEA shall develop, adopt, and submit for board approval an EPP pursuant to Public Resources Code Section 43209(c). The EPP shall embody the designation and certification requirements and demonstrate that the LEA meets all the requirements pursuant to Public Resources Code Sections 43200, 43203, 43207, and 43209, and 14 CCR Division 7, Chapters 3 and 5. At a minimum, the EPP shall include the following written components:

- (1) a certification request letter;
- (2) an accepted designation information package pursuant to 14 CCR 18051;

- (3) a statement of EPP goals and objectives;
- (4) a demonstration of staff technical expertise;
- (5) a copy of the enabling ordinance(s) or resolution(s) for the LEA jurisdictional authority;
- (6) a copy of all local solid waste collection, handling, storage, and disposal statutes or ordinances;
- (7) a comprehensive list of all types of solid waste facilities and disposal sites, and solid waste handling and collection vehicles within the jurisdiction;
- (8) a procedure manual for solid waste facility permitting and closure or postclosure;
- (9) a procedure manual for inspection, investigation, compliance assurance, enforcement, and hearing panel utilization;
- (10) a procedure manual for disposal site identification, assessment, and corrective actions;
- (11) a detailed staff training procedure pursuant to 14 CCR 18075;
- (12) a time task analysis demonstrating the adequacy of staff resources pursuant to 14 CCR 18073; and
- (13) an operating budget demonstrating adequacy of budget resources pursuant to 14 CCR 18074.

NOTE: Authority cited: Sections 40502, 43020, 43200 and 43214, Public Resources Code. Reference: Sections 43200-43209, Public Resources Code.

HISTORY

- 1. New section filed 12-17-91; operative 12-17-91 pursuant to Government Code section 11346.2(d) (Register 92, No. 13).

§ 18078. Directory of Enforcement Agencies and Hearing Panels.

The board shall maintain a statewide directory of hearing panels and local enforcement agencies as approved and issued certification(s) by the board. The directory shall include a description of the jurisdiction and mailing address of each and shall be open to the public inspection pursuant to Article 4 of Chapter 1 of this division. The board shall promptly respond to inquiries by the public regarding the identity or location of an enforcement agency or hearing panel.

NOTE: Authority cited: Sections 40502, 43020 and 43200, Public Resources Code. Reference: Sections 43200, 43201, 43204, 44800 and 44801, Public Resources Code.

HISTORY

- 1. Renumbering and amendment of former section 18070 to section 18078 filed 12-17-91; operative 12-17-91 pursuant to Government Code section 11346.2(d) (Register 92, No. 13).

Article 2.2. LEA Performance Standards, Evaluation Criteria, and Duties and Responsibilities

§ 18080. Scope.

(a) This Article, pursuant to Public Resources Code Section 43214, sets forth the LEA's duties and responsibilities, performance standards, certification maintenance requirements, and board evaluation of LEAs.

NOTE: Authority cited: Sections 40502, 43020, 43200 and 43214, Public Resources Code. Reference: Sections 43209, 43214, 43215, 43216 and 43219, Public Resources Code.

HISTORY

- 1. New section filed 12-17-91; operative 12-17-91 pursuant to Government Code section 11346.2(d) (Register 92, No. 13).

§ 18081. LEA Performance Standards and Evaluation Criteria.

(a) In performing its permitting, closure and postclosure, inspection, and enforcement functions, the LEA shall meet its duty requirements and comply with the standards pursuant to Public Resources Code Division 30, Parts 4, 5, and 6; 14 CCR Division 7 and its EPP. Deviation from these standards may result in a performance review by the board pursuant to Public Resources Code Sections 43214, 43215 and 43219, including establishment of LEA compliance schedules or withdrawal of designation and certification(s). The board's evaluation and decisions will consider

the severity of the deviation(s) as related to the potential negative impacts on public health, safety or the environment.

(b) The LEA shall be assessed for compliance with the certification requirements pursuant to Article 2.1 and 2.2 of this Chapter, Public Resources Code Section 43209, and its board approved EPP.

(c) All facilities and disposal sites within the LEA's jurisdiction shall:

- (1) be in compliance with the State minimum standards and the terms and conditions of the solid waste facility permits; and
- (2) be permitted or exempted; or
- (3) be under appropriate enforcement action(s) pursuant to 14 CCR Section 18084 to remedy any violations.

(d) All LEA's shall retain their certification(s) and designation by maintaining compliance with their board approved EPP and this Chapter.

(1) The LEA shall provide for, obtain, and maintain the necessary technical, safety and regulatory equipment, clothing and vehicles for field inspectors. The LEA shall identify in its board approved EPP what constitutes "necessary" for staff safety and field monitoring, measurement, inspection, and enforcement requirements for all its solid waste management duties and responsibilities and its certification(s).

(2) The local governing body of the LEA shall maintain an independent hearing panel for permit, enforcement and appeal purposes, when in the jurisdiction of the LEA there exists a publicly operated solid waste facility or disposal site, as per Section 18060 of this Chapter and Sections 44800 through 44817 of the Public Resources Code.

(3) The LEA shall provide for technical review of corrective actions and post closure land use pursuant to Section 45300 of the Public Resources Code.

(4) The components of the EPP shall be reviewed and amended annually, by the LEA, to reflect any changes. The amended components shall be submitted to the board for approval.

(e) The LEA shall perform all applicable duties related to the California Environmental Quality Act.

NOTE: Authority cited: Sections 40502, 43020, 43200, 43203 and 43214, Public Resources Code. Reference: Sections 43200-43204, 43207 and 43209, Public Resources Code.

HISTORY

- 1. New section filed 12-17-91; operative 12-17-91 pursuant to Government Code section 11346.2(d) (Register 92, No. 13).

§ 18082. LEA Duties and Responsibilities for Permitting and Closure or Postclosure.

(a) The LEA shall implement the solid waste facility permitting regulations pursuant to Public Resources Code Division 30, Parts 4 and 5 and 14 CCR Division 7, Chapter 5, and its EPP as follows:

- (1) applications:
 - (A) verify the submission of required documents, site and personal information, and fees;
 - (B) evaluate the application documents for accuracy and conformity to the EPP and the appropriate state standards cited in subsection (a) c this Section;
 - (C) review for short and long term environmental impacts, damage and proposed mitigation measures;
 - (D) decide whether or not to accept the application and proceed with a proposed permit for board approval;
 - (E) initiate appropriate public notice and comment period; and
 - (F) submit copies of the above documents, notices, comments, and responses to the board.
- (2) proposed permit:
 - (A) prepare permits with specific conditions for design, operation, an adverse environmental effect, monitoring and mitigation;
 - (B) submit proposed permits to the board and the applicant;
 - (C) allow a waiting period for review, concurrence, or objection by the board, and modification by the LEA as required;
 - (D) allow permit review, concurrence, or objection by the applicant and hearing panel process if necessary;
 - (E) issue or deny the issuance of the solid waste facilities permit, upon satisfactory conclusion of the above process; and

(F) the LEA shall act upon applications and plans to generate a proposed solid waste facilities permit within the required regulatory or statutory time frames.

(3) closure and postclosure:

(A) pursuant to Public Resources Code Division 30 Part 4 and 5 and 14 CCR Division 7, Chapter 3, Article 7.8, and Chapter 5, Articles 3.4 and 3.5, and the EPP, the LEA shall require any person owning or operating a solid waste landfill to submit for LEA and board approval the following:

1. plans for the landfill closure and postclosure maintenance;
2. estimates of closure and postclosure maintenance costs; and
3. financial mechanisms to insure adequate availability of funds.

NOTE: Authority cited: Sections 40502, 43020, 43200 and 43214, Public Resources Code. Reference: Sections 43200, 43209, 43500-43600, 44001-44017, 44300 and 44301, Public Resources Code.

HISTORY

1. New section filed 12-17-91; operative 12-17-91 pursuant to Government Code section 11346.2(d) (Register 92, No. 13).

§ 18083. LEA Duties and Responsibilities for Inspections.

(a) Pursuant to Public Resources Code Division 30, Parts 4 and 5, and 14 CCR Division 7, Chapters 3 and 5, and its EPP, the LEA shall inspect and investigate solid waste collection, handling, storage, solid waste facilities and disposal sites and equipment to verify compliance with the state and local minimum standards for the protection of the environment and the public health. The LEA shall perform these inspections and investigations and forward the required documents to the operator, or owner and the board within the statutory time frame for the following inspections types:

- (1) monthly, for all active and inactive sites;
- (2) weekly, for sites operating on performance standards pursuant to 14 CCR 17683;
- (3) as necessary pursuant to the EPP upon receipt of a permit application, revision, modification, review, or closure application;
- (4) upon receipt of a complaint or emergency notification which cannot be resolved off-site;
- (5) quarterly, for closed sites for the duration of the postclosure maintenance period pursuant to 14 CCR 17788;
- (6) quarterly, for abandoned sites, and sites exempted pursuant to 14 CCR 18215; and
- (7) monthly, for illegal sites and facilities pending abatement by enforcement action(s).

NOTE: Authority cited: Sections 40502, 43020, 43200 and 43214, Public Resources Code. Reference: Sections 43200, 43204, 43218, 44100 and 44101, Public Resources Code.

HISTORY

1. New section filed 12-17-91; operative 12-17-91 pursuant to Government Code section 11346.2(d) (Register 92, No. 13).

§ 18084. LEA Duties and Responsibilities for Enforcement.

(a) If during an inspection, investigation, or at any other time, the LEA finds a solid waste facility or disposal site is in violation of state or local standards, or the terms and conditions of the permit, the LEA shall enforce the applicable provisions as required by PRC Division 30, 14 CCR Division 7, Chapter 5, Article 4, and its EPP. The LEA enforcement actions shall address the following categories of violations:

- (1) operational violations pursuant to 14 CCR Division 7, Chapter 3 and Division 30 of the Public Resources Code;
- (2) emergency violations, these are violations pursuant to subsection (1) above which present an imminent threat to public health, safety, or the environment and require immediate action pursuant to Part 5, Division 30 of the Public Resources Code;

(3) permit violations, these are violations pursuant to Public Resources Code Division 30 Part 4, Chapter 3 and 14 CCR Division 7, Chapter 5;

(4) closure and postclosure violations, these are violations pursuant to Public Resources Code Division 30, Part 4, Chapter 2, Articles 3 and 4, Part 5, and 14 CCR Division 7, Chapter 3, Article 7.8, and Chapter 5, Articles 3.4 and 3.5;

(b) LEA enforcement action options include, but are not limited to 14 CCR Division 7 Chapter 5, Article 4 and Public Resources Code Division 30 Parts 4 and 5.

(c) If in the course of an enforcement action, the LEA deems legal counsel to be necessary to achieve enforcement, compliance, relief, or the assessment of monetary penalties through the courts, the LEA shall utilize legal counsel which will be prepared to initiate legal proceedings within 30 days of notification.

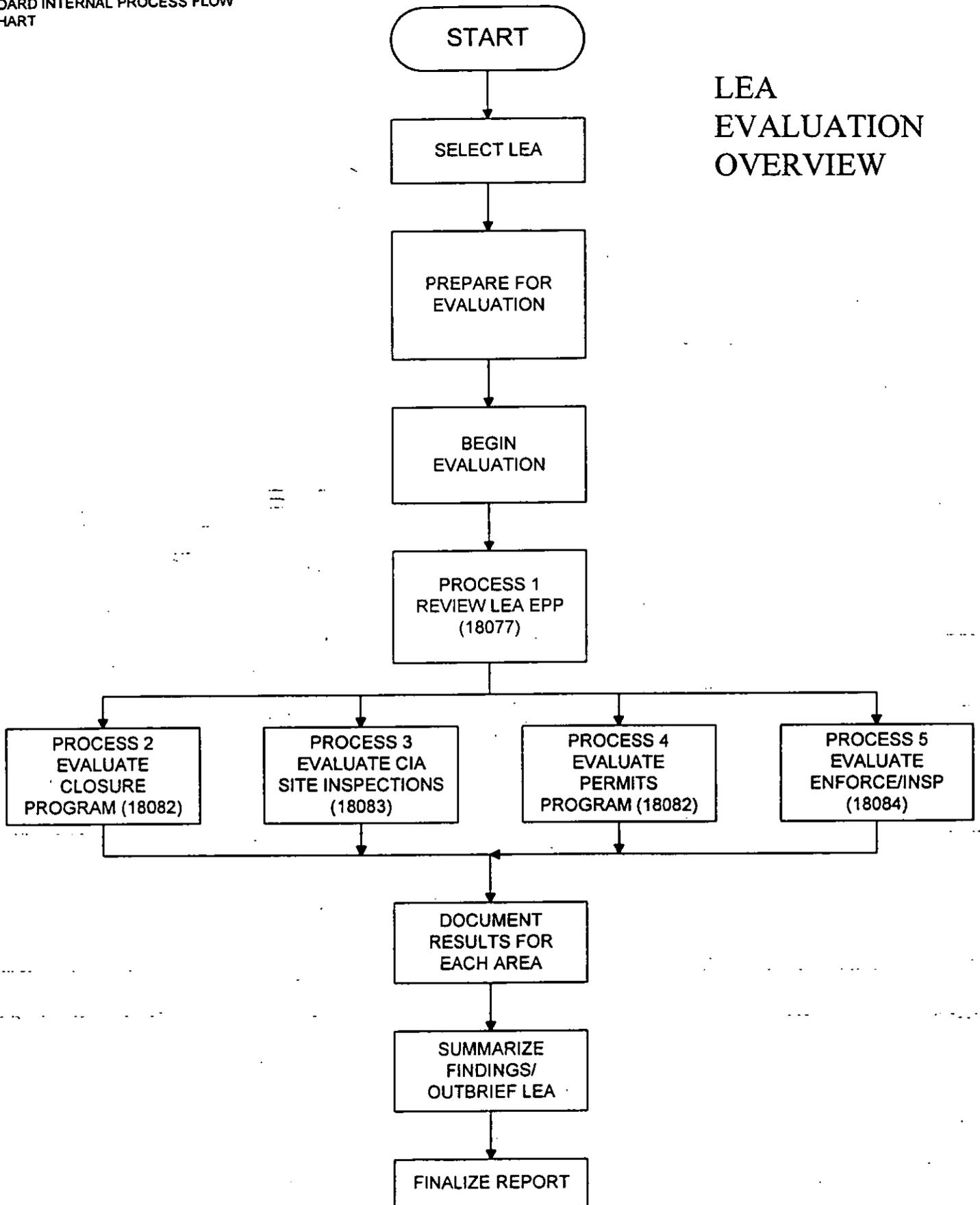
(d) If an LEA has knowledge of a permit violation, but fails to issue a Notice and Order as required by 14 CCR 18304, the board may assume that responsibility and investigate the LEA's designation and/or certification.

NOTE: Authority cited: Sections 40502, 43020, 43200 and 43214, Public Resources Code. Reference: Sections 43209, 43504, 44013, 44016 and 44500-45601, Public Resources Code.

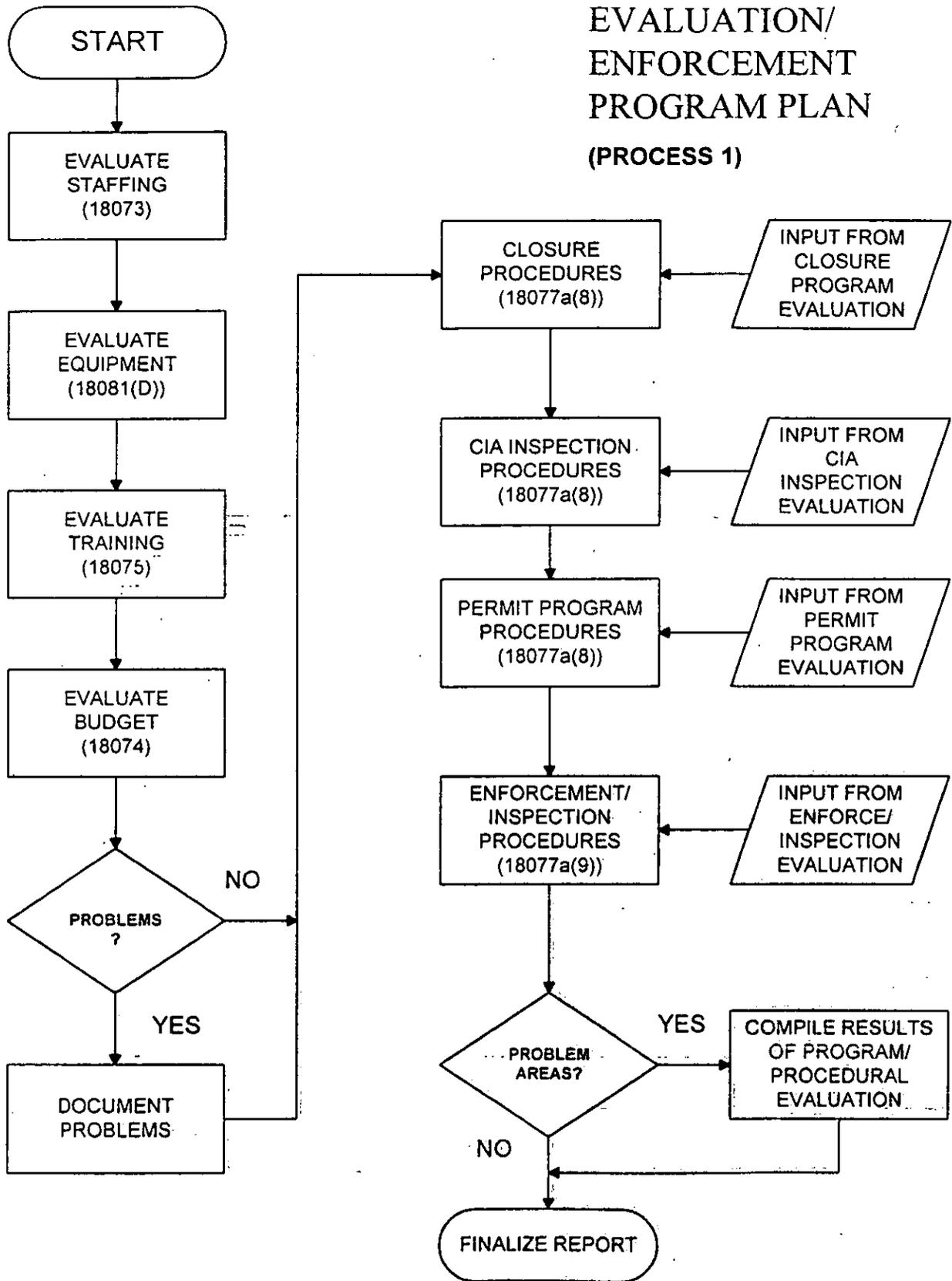
HISTORY

1. New section and Appendix filed 12-27-91; operative 12-17-91 pursuant to Government Code section 11346.2(d) (Register 92, No. 13).

LEA EVALUATION OVERVIEW

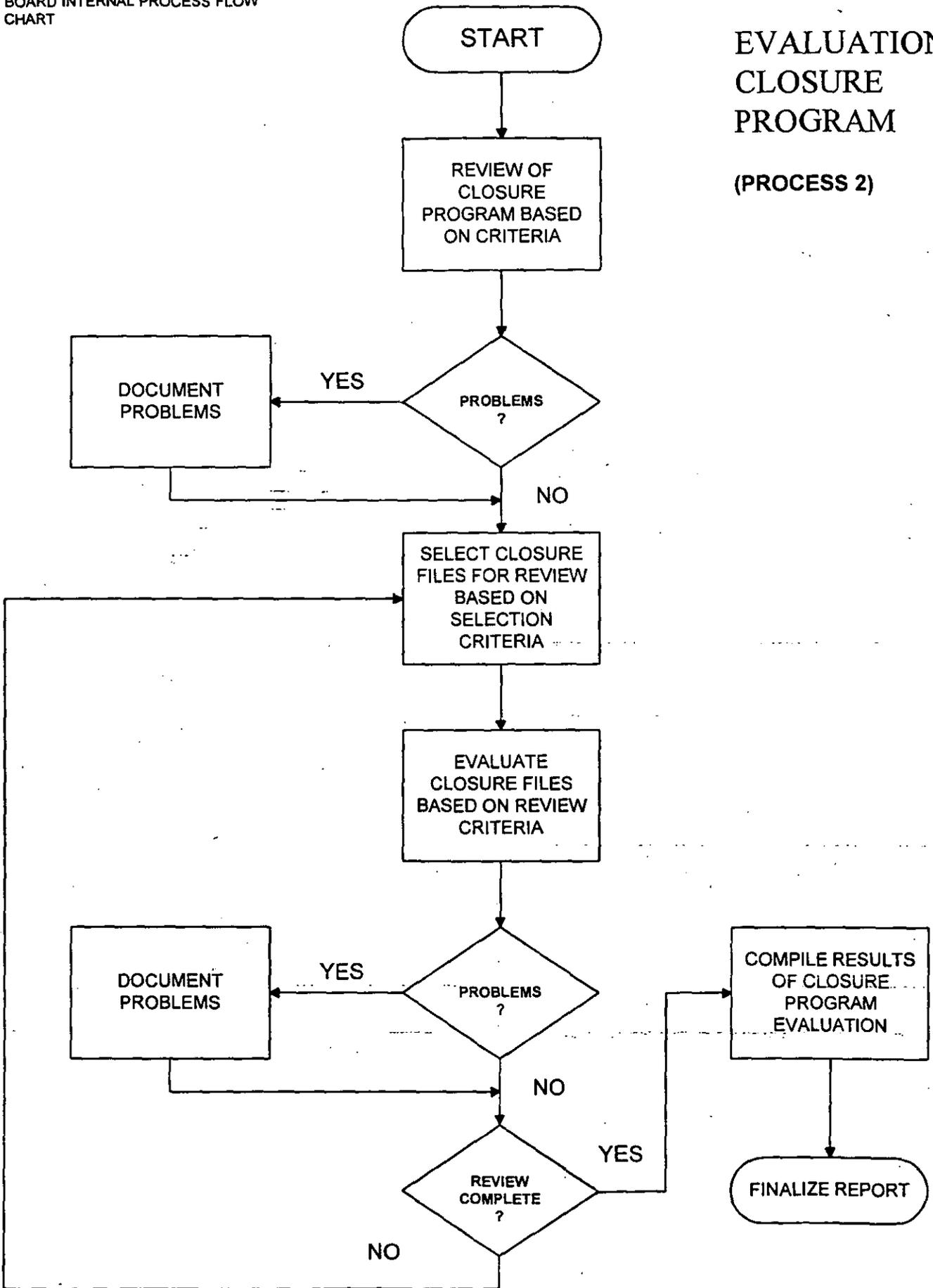


EVALUATION/ ENFORCEMENT PROGRAM PLAN (PROCESS 1)



EVALUATION/ CLOSURE PROGRAM

(PROCESS 2)



**LEA EVALUATION PROGRAM/
CLOSURE PROGRAM
(PROCESS 2)**

A. REVIEW CRITERIA FOR CLOSURE PROGRAM

1. Are LEA Closure/Post-Closure Plan Procedures workable?
2. Is the LEA tracking due Closure Plans?
3. Is LEA requesting Closure Plans for applicable facilities?
4. Do files contain necessary pertinent information?
(CIWMB guidance letters, Closure Plan requests, etc.)
5. Are appropriate enforcement actions taken for facilities not complying with Closure regulations?
6. Is LEA distributing and coordinating Closure Plans with local Water Board, Air Board, CIWMB, etc.?

B. SELECTION CRITERIA FOR FILES TO BE REVIEWED FOR ASSESSING LEA PERFORMANCE IN THE AREA OF CLOSURE PLANS:

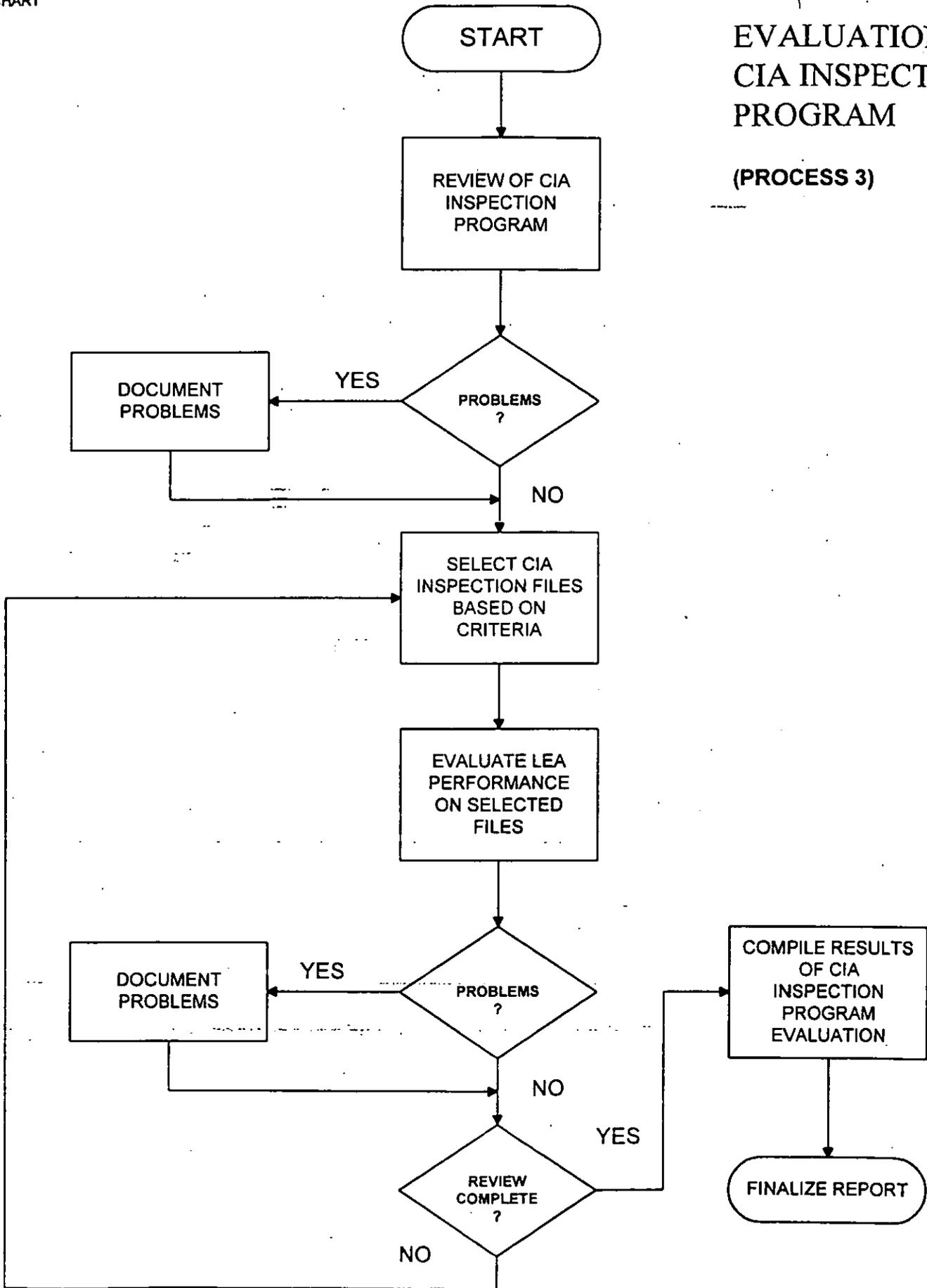
1. Facilities or sites with the following problems affecting public health, safety and the environment:
 - a. Ground water contamination
 - b. Subsurface gas migration with nearby structures
 - c. Severe drainage/erosion problems
 - d. Surface water contamination
 - e. Slope stability problems
 - f. Facilities with adjacent land encroachment
(high density commercial, residential, etc.)
2. Co-disposal Sites where DTSC has deferred lead agency to Board
3. Sites with SWAT I (Air & Water) rankings
4. Incomplete, unworkable Closure Plans
5. Significant Financial Assurance Discrepancies
6. Referrals by Air Quality Management District, Regional Water Quality Control Board, CIWMB, etc.
7. Sites with outstanding Notice and Orders or Stipulated Agreements for Environmental Contamination problems

C. REVIEW CRITERIA FOR FILES USED TO EVALUATE LEA PERFORMANCE IN THE AREA OF CLOSURE PLANS:

1. Did LEA request/distribute/coordinate Closure Plan?
2. Was Closure Plan coordinated with appropriate agencies (Air Board, Water Board, CIWMB, etc.)
3. Did LEA perform adequate review of Closure Plan?
4. Does LEA have/use engineer/geology firm for review?
5. Does LEA demonstrate knowledge of Closure regulations and closure process?
6. If applicable, is LEA taking appropriate enforcement action on closure issues?

EVALUATION/ CIA INSPECTION PROGRAM

(PROCESS 3)



**LEA EVALUATION PROGRAM/
CLOSED, ILLEGAL AND ABANDONED SITE INSPECTION PROGRAM
(PROCESS 3)**

A. REVIEW CRITERIA FOR CIA SITE INSPECTION PROGRAM

1. Are CIA site inspection procedures covered in the EPP's Inspection Procedural Manual?
2. Are the Board's Site Investigation Process forms and guidance used and available?
3. Does the LEA conduct quarterly inspections for identified CIA sites?
4. Is the LEA tracking CIA site inspections?
5. Does the LEA have a procedure/mechanism for identifying CIA sites other than referral?
6. Is the LEA taking appropriate enforcement action for CIA sites where public health safety and the environment are threatened (complaints)?

**B. SELECTION CRITERIA FOR FILES TO BE REVIEWED FOR ASSESSING
LEA PERFORMANCE IN THE AREA OF CIA SITE INSPECTIONS:**

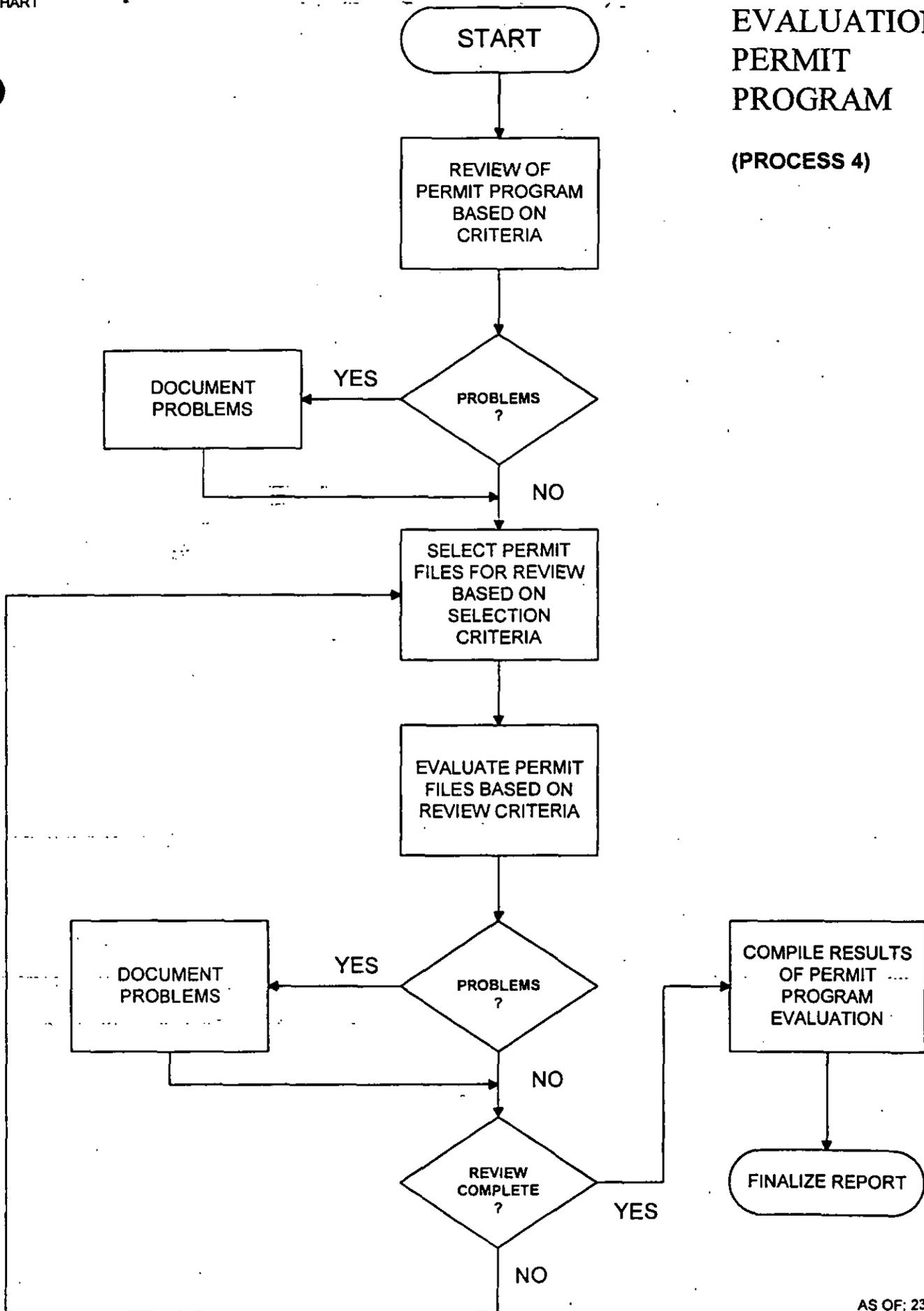
1. Sites where there is post-closure land use.
2. Referral sites from the local Air Quality Management District, Toxics, Regional Water Quality Control Board, Public Works, Caltrans, etc.
3. Sites which threaten public health, safety and the environment:
 - a. suspected ground water contamination
 - b. suspected or confirmed subsurface gas migration with near-by structures
 - c. cap erosion or uncovered waste piles with significant volumes (25,000 cubic yards)
 - d. sites with encroaching adjacent land use (high-density commercial and residential)
 - e. sites with "A" or "B" category SIP rankings

**C. REVIEW CRITERIA FOR FILES USED TO EVALUATE LEA PERFORMANCE
IN THE AREA OF CIA SITE INSPECTIONS:**

1. Did LEA perform site investigation?
2. Did LEA perform proper coordination and referrals of site with local Water Quality Control Board, Air Quality Management District and CIWMB, etc.
3. Did LEA take appropriate enforcement action if necessary?
4. Has LEA pursued responsible party?
5. Was site prioritized with respect to others within jurisdiction for actions?
6. Does LEA contract for appropriate engineer/geology services to perform site assessment, characterization where necessary?

EVALUATION/ PERMIT PROGRAM

(PROCESS 4)



**LEA EVALUATION/
PERMIT PROGRAM
(PROCESS 4)**

A. REVIEW CRITERIA FOR PERMIT PROGRAM

1. Is the LEA identifying and pursuing permits for any applicable unpermitted facilities within the jurisdiction?
2. Are request for Periodic Site Reviews on file for sites that are due (five year cycle)?
3. Were PSR's performed by Registered Engineer or Geologist?
4. How many facilities within jurisdiction have Permit Violations?
5. Is LEA effectively tracking due permits, PSRs, RDSIs, etc.

**B. SELECTION CRITERIA FOR FILES TO BE REVIEWED FOR ASSESSING
LEA PERFORMANCE IN AREA OF PERMITS:**

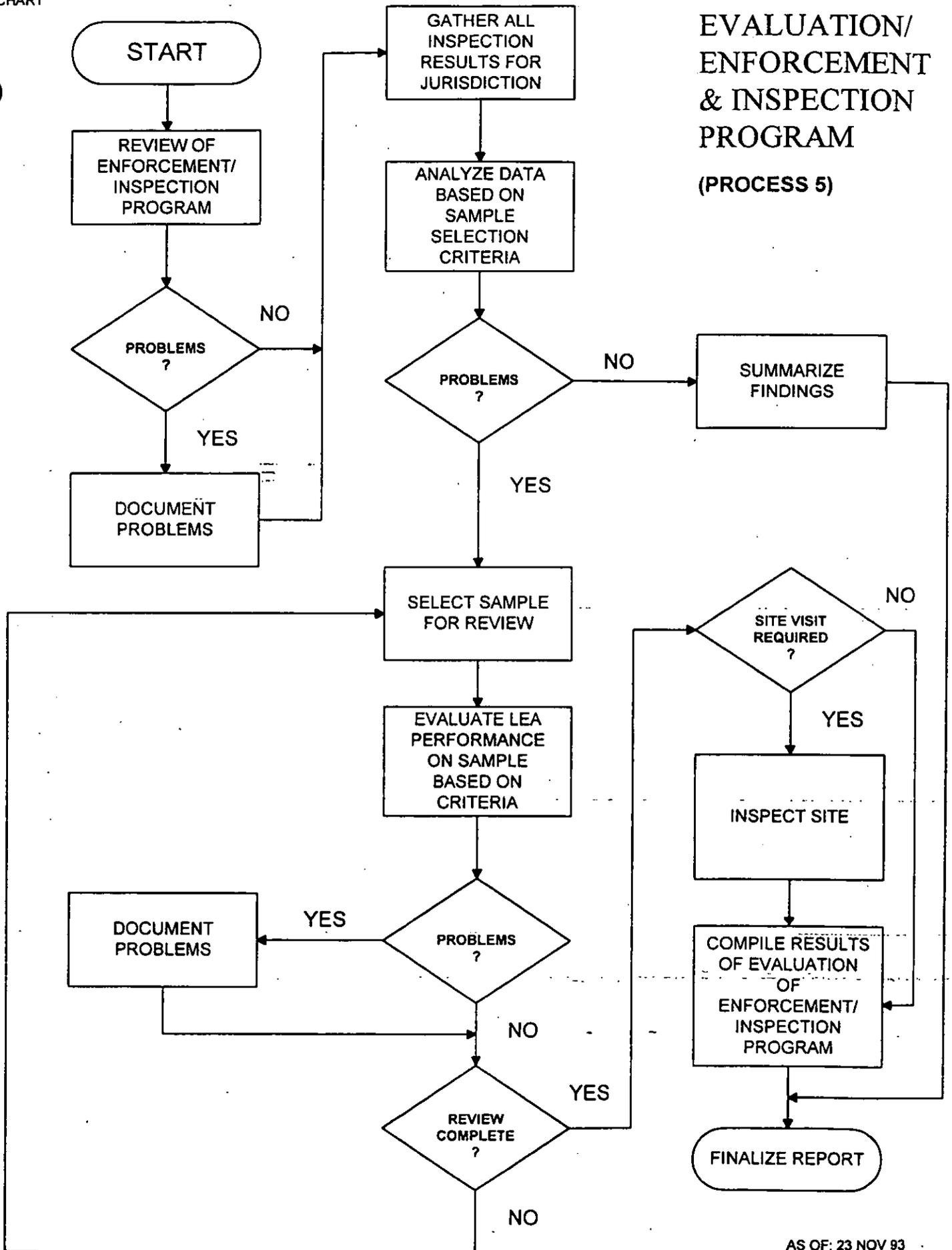
1. Sites with an outstanding Permit Violation
2. Site with overdue Periodic Site Review
3. Overdue permit requiring revision
4. Sites with Permits that have significant administrative problems (missing required documents, reports, etc.)
5. Permits with recurring problems
6. Referrals from Air Quality Management District, Regional Water Quality Control Board, CIWMB, etc.
7. Sites with significant operational changes that have not submitted permit revision.

**C. REVIEW CRITERIA FOR FILES USED TO EVALUATE LEA PERFORMANCE
IN THE AREA OF ENFORCEMENT & INSPECTION:**

1. Is LEA pursuing permitting, even though Notice & Order or other violations exist for facility?
2. Does the LEA demonstrate competence in administering the permit process for the subject facility?
3. Is documentation evident showing LEA coordination of permit with appropriate agencies, i.e. local Water Board Air Board, CIWMB staff, for this site?
4. Are permit review comments appropriate?
5. Does LEA provide adequate QA/QC of permit documents (PSRs, RDSIs performed by qualified individuals and firms)?

EVALUATION/ ENFORCEMENT & INSPECTION PROGRAM

(PROCESS 5)



**LEA EVALUATION PROGRAM/
ENFORCEMENT AND INSPECTION PROGRAM
(PROCESS 5)**

A. REVIEW CRITERIA FOR ENFORCEMENT/INSPECTION PROGRAM

1. Enforcement and Inspection Procedural Manual
2. Is enforcement log accurate and complete?
3. Are all applicable sites in jurisdiction inspected at frequency dictated by regulations?
4. Are facility files accurate and complete?
5. Is LEA performing joint inspections?
6. Are majority of facilities maintaining minimum standards based on inspection report?
7. Is LEA tracking inspection due dates?

**B. SELECTION CRITERIA FOR FILES TO BE REVIEWED FOR ASSESSING
LEA PERFORMANCE IN THE AREA OF ENFORCEMENT & INSPECTION:**

1. Sites with the following threats to public health safety & the environment:
 - a. subsurface gas migration problem
 - b. ground water contamination problem
 - c. surface water contamination problem
 - d. leachate run-off problem
 - e. slope stability problem
 - f. severe drainage and erosion problems
 - g. post-closure land use with significant gas
 - h. sites with dense residential or commercial development within .5 miles
2. Sites which have recurring and multiple violations
(have standing Notice and Order or Stipulated Agreement)
 - a. emergency violations
 - b. operational violations
 - c. permit violations
 - d. closure plan violations
3. Sites where significant discrepancies exist between CIWMB and LEA inspection reports
4. Sites which have been referred by the Air Quality Management District, Regional Water Quality Control Board, CIWMB, County Public Works, the public etc.

**C. REVIEW CRITERIA FOR FILES USED TO EVALUATE LEA PERFORMANCE
IN THE AREA OF ENFORCEMENT & INSPECTION:**

1. For violations, was appropriate level of action taken?
2. Did the operator correct violation?
3. If operator did not correct violation, was follow-up performed by LEA, i.e. to court-order/litigation?
4. Did LEA inform and coordinate with appropriate regulatory agencies with respect to releases to water, air or soil?

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

PERMITTING AND ENFORCEMENT COMMITTEE

DECEMBER 8, 1993

AGENDA ITEM 9

ITEM: "Discussion of Staff Progress Report on the Continuing Study of Health Effects of Solid Waste Handling Facilities"

ISSUE:

Local Enforcement Agencies (LEAs) and various industry groups have asked the Board to clarify its role and policies in regulating certain kinds of waste handling facilities, including recycling facilities. The Board has asked staff to develop a rational approach to answering these types of questions, based on the risk that such facilities may pose to the public health.

BACKGROUND:

The Board's Policy Committee held several public hearings over the past two years to identify and clarify the public health and environmental health issues associated with recycling activities. At a meeting of that committee on September 14, 1993, the issue was discharged to the Permitting and Enforcement Committee. At that committee's meeting in October staff was charged with developing a protocol and procedure for evaluating public health risks for solid waste handling facilities. Staff was asked to initially apply that protocol and procedure to materials recovery facilities (MRFs).

Subsequently, Board staff has met with representatives from various state agencies and the University of California to define the scope of work and the time frame for performing such a health risk assessment. This is a progress report on the staff's efforts to carry out the charge of the committee.

DISCUSSION:

Classical Risk Assessment

Risk assessment is the methodology currently used by many government agencies to set appropriate regulatory standards for the protection of public health. It uses the tools of science, engineering, and statistics to analyze risk-related information and to estimate and evaluate the probability and magnitude of health or environmental risk. The process involves four steps:

- 1) Hazard Identification. Identification of the risks associated with the targeted facility types. An attempt is made to answer the twofold question: Is there a hazard, and if so, what is it?

- 2) Exposure Assessment. For each hazard or risk identified determining the nature and size of the population exposed to a substance and the magnitude and duration of their exposure.
- 3) Dose-Response Evaluation. Determining the quantitative relationship between the amount of exposure to the substance and the extent of toxic injury or disease.
- 4) Risk Characterization. The integration of the previous steps into a risk statement that includes one or more quantitative estimates of risk.

Risks typically evaluated are chemical hazards (i.e., dust, methane, vinyl chloride), physical hazards (i.e., noise, heat/cold stress, ergonomic), and biological hazards (i.e., insects, molds, fungi, bacterial contamination).

Risk assessment allows a regulatory agency to prioritize the expenditure of its resources. This rational approach targets the types of risks that have the greatest impact on public health and safety.

The process of risk assessment can be both time consuming and costly. Required data to validate the assessment is often unavailable. This is particularly true for solid waste facilities. The development and validation of such a health risk assessment would probably require several years and consume hundreds of thousands of dollars.

State Minimum Standards as a Gauge of Public Health Risk

The State Minimum Standards for Solid Waste Handling and Disposal (Title 14, California Code of Regulations) are intended to mitigate public health risk associated with the operation of solid waste facilities. Currently the Board's regulations for waste transfer and processing facilities include rules governing the following areas:

- | | |
|-----------------------------|---------------------|
| o General Nuisance Problems | o Dust Problems |
| o Vector & Bird Problems | o Drainage Problems |
| o Litter Problems | o Noise Problems |
| o Odor Problems | o Traffic Problems |
| o Fire Problems | o Safety Problems |
| o Land Use Impact Problems | |

Because these regulations were developed two decades ago, documentation as to the specific risks that they were intended to

mitigated does not exist. Reasonable people, however, can agree that these rules, if followed, will mitigate certain public health risks associated with waste transfer and processing facilities.

For example, it can be surmised that, by controlling populations of vectors and birds at these types of facilities, the effects of a variety of communicable diseases of both workers and the surrounding community can be avoided. Which diseases, and the exact effects on human health that would be avoided, are not documented now (although such documentation may have been available during regulation development). Not documented, as well, are the criteria that promote or diminish the risk of diseases communicated through vectors at solid waste transfer and processing facilities. These might include the types of wastes that a specific facility may process (putrescible versus inert), the throughput of the facility (tons-per-day) etc.

Without that missing information, compliance with or violation of the existing state minimum standards is not a rigorous, quantitative method for evaluating the effects on the public health and safety of specific solid waste facilities. Neither can they be used, in a quantitative way, to measure the public health risk of a whole class of waste handling facilities. (It can be used, however, to show comparative risk between and among whole classes of solid waste facilities.)

Another problem with the use of existing state standards as a tool for measuring public health risk is that compliance with the standards may not ensure that all of the risks will be mitigated. This is because, as previously mentioned, the standards were developed two decades ago and some risk may not have been identified then.

The use of the state standards does have the following benefits:

- 1) Compliance with the standards can be used to estimate comparative or relative risk, i.e., landfills pose a greater risk than MRFs.
- 2) A comparative risk study for MRFs, composting facilities and other "non-traditional waste handling facilities" could be initiated quickly as most LEAs and certain Board staff are trained to evaluate compliance with the standards.

Quantitative Risk Assessment Using the State Minimum Standards

Based upon many conclusions stated earlier it can be assumed that the State Minimum Standards for Solid Waste Handling and Disposal attempts to mitigate public health risks. Using the problem areas identified by existing regulations (i.e., noise, dust, vectors & birds), where possible, application of risk assessment principles to determine health risk can be used. Additionally through risk assessment new problem areas will be identified and evaluated.

It is recognized that some problem areas identified by the regulations are subjective in nature. An attempt will be made to quantify health risk in those areas where it is feasible. An example would be the measurement of noise levels within and surrounding a MRF facility. By quantifying risk this data can be compared to existing information and standards. This information will support the prioritization of current or new regulation.

This approach will identify the following:

- 1) Identify and prioritized health risks for solid waste handling facilities.
- 2) Provides a scientifically based foundation for existing or new regulation.

This method can provide relevant and useful information. The projected completion of such a project would be approximately one year. Available resources could come from existing Board contracts, use of Board staff and LEAs.

SUMMARY:

Three methods are identified by staff to address regulatory authority based upon health risks of solid waste handling facilities. In summary these methods are:

I. Classical Risk Assessment

Use of classical risk assessment methodology to evaluate health risk. The risk assessment method includes hazard identification, dose-response assessment, exposure assessment and risk characterization. The results of the risk assessment are used to make risk management decisions. This is a time consuming expensive process.

II. State Minimum Standards as a Gauge of Public Health Risk

This assumes that existing regulation (Title 14) measure health risk. By use of existing regulation subjective evaluation to determine health risk can be performed. This could be initiated quickly by using LEAs and Board staff currently trained to evaluate compliance with standards.

III. Quantitative Risk Assessment Using State Minimum Standards

This method would combine the use of the existing standards and risk assessment tools to evaluate health risk. Those problem areas identified by current regulation will be quantified, where possible. This method would also identify those problem areas not covered by existing regulation. This method would use existing Board contracts, Board staff and LEAs. The projected completion is approximately one year.

Staff recommends that all methodologies evaluate for all areas of health risk. This includes evaluation of all populations (i.e., community and worker) and environmental fate (i.e, transport and effect through air, soil, and water).

ATTACHMENTS:

- 1) Letter from California Conference of Directors of Environmental Health dated November 9, 1993

Prepared By: Bernard Vlach ^{BV.} Phone 255-2460

Approved By: Douglas Okumura ^{guk} Phone 255-2431

ATTACHMENT 1



**California Conference of
Directors of Environmental Health**

Post-It™ brand fax transmittal memo 7671		# of pages > 1
To: Bernie Vlach	From: Don Koepp	
Co. CIWMB	Co. Ventura Co. &	
Dept.	Phone # CCDEH SW Comm.	
Fax # 916 255 2574	Fax # 654 2480	
O/c 654 2818		

November 9, 1993

Bernie Vlach
California Integrated Waste
Management Board
8800 Cal Center Drive
Sacramento, CA 95826

CCDEH SOLID WASTE POLICY COMMITTEE MEETING, NOVEMBER 3, 1993

Thank you for attending the CCDEH Solid Waste Policy Committee meeting and updating the Committee on the status of the tiered permitting study.

At that meeting, you requested input from the Committee concerning alternatives which may be considered by the CIWMB Permit and Enforcement Committee. The Committee wishes to express support for further study on this potential health hazard associated with the facilities addressed in the staff report on tiered permitting, presented to the CIWMB Policy, Research, and Technical Assistance Committee, dated September 14, 1993.

Additionally, the CCDEH Solid Waste Policy Committee also would recommend that the CIWMB consider conducting a field study in cooperation with industry and LEAs to observe actual operating conditions at the various facilities for a period of one year.

Once again, thank you for bringing this matter to the Committee for consideration.

Donald W. Koepp
DONALD W. KOEPP, CHAIR
CCDEH SOLID WASTE POLICY COMMITTEE

DWK/sam>ccdeh-sw/vlach

- c: Jeff Palsgaard, CCDEH President
- Justin Malan, CCDEH Executive Director
- CCDEH Solid Waste Policy Committee Members

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

Permitting and Enforcement Committee
December 8, 1993

AGENDA ITEM 10

ITEM: Status Report on the Appropriate Level of Regulatory Control for Non-traditional Solid Waste Facilities

BACKGROUND:

In 1972, the California State Legislature passed the Nejedly-Z'berg-Dills Solid Waste Management and Resource Recovery Act, creating the State Solid Waste Management Board. This Board evolved into the California Waste Management Board and then, with the passage of AB 939 in 1989, into the California Integrated Waste Management Board. In the 70's, solid waste was handled at two primary types of facilities -- landfills and transfer stations. As a result, Board regulation focused on these types of facilities. However, in 1989, the Legislature passed the Integrated Waste Management Act of 1989, charging jurisdictions with the requirement to divert 25% and 50% of landfilled waste from disposal by the years 1995 and 2000, respectively. In order to comply with this mandate, local governments and industry, working in concert, have sought waste handling methods other than landfilling and have modified traditional solid waste facilities to meet these new needs.

In September 1993, staff proposed a workplan to evaluate non-traditional waste facilities. The workplan proposed to take a broad approach to analyze the appropriate level of regulatory control for non-traditional solid waste facilities. Non-traditional solid waste facilities are those facilities, other than landfills, transfer stations, and composting facilities which handle or process solid waste. Examples of these facilities include sewage sludge landspreading operations, drilling mud sumps, cement kilns incorporating solid waste, and the incorporation of waste materials as a soil amendment. Because of the unusual nature of these facilities, as well as the focus of existing regulations on landfills and transfer stations, confusion in the regulated community and among Local Enforcement Agencies (LEA) as to the requirements for these non-traditional facilities has arisen. This confusion results in inconsistent application of State requirements.

A staff workgroup has been appointed to take a systematic approach to evaluating these subsets of solid waste and the facilities developed to handle them with the objective of providing clarity to the LEAs and regulated community foremost in mind. Staff is proposing to return with a final report and some recommendations on further action to the Committee in January/February 1994.

DISCUSSION:

Staff of the Planning and Analysis Office determined that an approach to this topic that examines broad categories of material types for current regulatory requirements, environmental effects, handling processes, and potential for reuse would provide the necessary balance between timeliness and thoroughness in completing a study on the appropriate level of regulatory control. Staff proposed a workplan which included the following steps:

1. Convene a Staff Workgroup September 1993
2. Categorize Materials October 1993

Materials will be categorized based on similar properties. For example, non-hazardous contaminated soil, drilling muds, and sewage sludge solids may be appropriately handled as a single category. Similarly, agriculturally derived materials could be categorized together for purposes of this project.

3. Review of Literature October/November 1993

The purpose of this step is to examine the environmental, public health, welfare, and safety aspect of the material types. Literature reviews are a necessary step in understanding the handling processes used for these materials. The scientific literature review will provide the basis for understanding the materials, while a review of the industrial literature will provide insight into current industry initiatives in this area.

4. Survey LEAs November/December 1993

Staff propose to solicit input from local enforcement agencies (LEA) to allow staff to hear first hand about the regulated community's concerns regarding the level of regulation of given materials. Discussions with LEAs will allow staff to prioritize materials to be evaluated based on needs expressed by the regulatory community.

5. Categorize Handling Methods December 1993

Staff will identify the spectrum of non-traditional waste management facilities in operation in the state. This spectrum will be the starting point from which staff will proceed in evaluating the level of regulatory control needs.

6. Conduct Workshops with Interested Parties January 1994

Staff propose to conduct workshops with industry representatives and other concerned parties to allow staff to hear first hand about the regulated community's concerns regarding the level of regulation of given materials. The workshops will also provide staff the opportunity to learn additional details about how materials are handled.

7. Summary of Findings and Report to the Committee January/February 1994

This step will include findings on the categorization of materials, results of the evaluation of these categories, a discussion of existing level of regulation, and provide comments on the appropriate level of regulation.

The primary goal of the "Summary Of Findings and Report to Committee" is to focus on those recommendations which will lead to a predictable, efficient, and reliable regulatory structure, in keeping with the Board's Strategic Plan.

Staff of the Planning and Analysis Office will return to the Committee each month with an update on activities undertaken by the workgroup. We propose to focus our Committee discussion on how our efforts are progressing and any significant issues identified through these efforts.

ATTACHMENTS:

1. Workgroup Members
2. Materials Categories
3. Survey of Local Enforcement Agencies

Prepared By: Rosslyn Stevens Otsubo; 255-2580 *Revised 4/29/93*

Approved By: Caren Trgovcich; 255-2207 *Pat L. ... CT 4/29/93*

Attachment 1

Members of the Appropriate Level of Regulatory Control Workgroup

CIWMB; Board: Office of Jesse R. Huff	Sue Sims
CIWMB; Government and Regulatory Affairs: Office of Local Assistance	Chris Deidrick
CIWMB; Legal Office	Elliot Block
CIWMB; Markets, Research and Technology Grants and Research Branch	Roger Formanek
CIWMB; Permitting and Enforcement Permits Branch	Suzanne Talams
CIWMB; Permitting and Enforcement Closure and Remediation Branch	David Melendrez
CIWMB; Permitting and Enforcement Enforcement Branch	Reinhard Hohlwein
CIWMB; Permitting and Enforcement LEA and EA Branch	Robert Holmes
CIWMB; Permitting and Enforcement Facilities Management Branch	Brad Williams
CIWMB; Waste Prevention and Education Waste Prevention and Diversion	Steve Austrheim-Smith
CIWMB; Waste Prevention and Education Waste Prevention and Diversion	Scott McFarland
Cal/EPA	Paul Blais
Enforcement Advisory Council (LEA)	Terry Gilday, Ventura County Charles Nicholson, Contra Costa County
State Water Resources Control Board	Lisa Babcock Peter Fuller

Materials categories

Liquid

HC contaminated water
ponds
car wash grits
manufacturing effluent

Reinhard Hohlwein

Sludge

waste water
clean water
grease trap pumpings
tank bottoms

Scott McFarland

Industrial Solids

geothermal wastes
dredgings
drilling mud sumps
contaminated soils

Dave Melendrez

Agricultural Wastes

manure
grape pomace
rice straw hulls
fruit pits

Suzanne Talams

Woody Wastes

mulch
green waste
wood waste

Rosslyn Otsubo

Inert Wastes

construction & demolition

Roger Formanek

Ash

Bob Holmes

Mining Wastes

Rosslyn Otsubo

Hazardous Wastes Managed as Solid Waste

auto shredder fluff
treated lumber
lighting tubes
Sodium Azide capsules

Steve Austrheim-Smith

Enforcement Advisory Council
Office of the Chairman

November 15, 1993

To All Local Enforcement Agencies

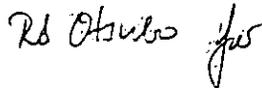
At the October 21, 1993 Enforcement Advisory Council (EAC) meeting, California Integrated Waste Management Board (Board) staff presented a project being undertaken by the Planning and Analysis Office. The project is entitled the "Appropriate Level of Regulatory Control for Non-traditional Waste Management Facilities" and is a direct outgrowth of questions from Local Enforcement Agencies (LEA) and the regulated community about regulatory requirements for facilities handling non-traditional materials.

The EAC has appointed two LEA representatives to participate in the working group examining non-traditional wastes. These representatives are Charles Nicholson of Contra Costa County and Terry Gilday of Ventura County. To help facilitate LEA communication with the working group on priority materials of concern to LEA program managers, Board staff have prepared a survey matrix. This survey is designed to be used as a direct mail response survey. Both the survey matrix and directions for its use are enclosed.

Please respond to this survey as soon as possible. The working group would like to have your responses by November 23, 1993. The working group will be using your input to prioritize their materials research, so a quick response is necessary to avoid delays in completion of the project. The working group plans to return to the Board's Permitting and Enforcement Committee in February, 1994 with a report of findings on the first set of materials investigated.

If you have questions regarding this project, please contact either Charles Nicholson at (510) 646-2521 or Terry Gilday at (805) 654-2815.

Sincerely,



Donald W. Koepp
Chairman, Enforcement Advisory Council

Enclosure

cc: Enforcement Advisory Council Members

Directions for non-traditional wastes survey matrix

COLUMN 1--Suggested Categories

The workgroup has divided non-traditional wastes into categories. These categories were created purely for the purposes of managing this topic and are not based on any specific standard. If you are aware of additional materials in any given category, please add these to the list.

COLUMN 2--Current Regulation

For most of these materials there will be more than one regulatory agency with authority. Each of these agencies may have its own definition (found either in statute or regulation or both) and some type of permit. Due to space constraints, we recommend citing definitions by citing the code or regulation section and placing any other details that won't fit in the Comments Column.

COLUMN 3--Problem Statement

This column represents the place to discuss problems with the materials. Please rank materials generating the most concern in this column. Again, space is limited, so use the Comments Column for overflow.

COLUMN 4--Handling Methods

Please use this column to expand on Column 3. A particular handling method used for a material may be the prime contribution to the problem statement.

The survey is, unfortunately, limited due to size constraints. The survey is designed to be used as a direct mailer and should be returned to the Board's offices by November 23, 1993. If you have additional comments, please place these on a separate sheet which can be enclosed in the mailer, provided the entire document is stapled in the upper left-hand corner and, once folded, stapled closed with a single staple under the address (center, bottom). Regardless of whether any additions are made to the mailer, the folded document should be stapled closed under the Board's address. Additional comments and concerns not addressed in the survey's response should be forwarded through your EAC contacts.

If you have questions or difficulties in completing this survey, please call either Terry Gilday (805/654-2815), Charles Nicholson (510/646-2521), or me at (916) 255-2205 for guidance.

R. Stevens Otsubo

Roslyn Stevens Otsubo
Planning and Analysis Office

SUGGESTED CATEGORIES	CURRENT REGULATION			PROBLEM STATEMENT	HANDLING METHODS	COMMENTS
	AGENCY	DEFINITION STATUTE, REG. OR ORDINANCE	PERMIT	HEALTH/SAFETY/ENVIR/OTHER	DISPOSAL/TREATMENT/ PROCESSING/OTHER	
LIQUID						
HC Contaminated Water						
Ponds						
Car Wash Grits						
Manufacturing Effluent						
Other						
SLUDGE						
Waste Water						
Clean Water						
Grease Trap Pumpings						
Tank Bottoms						
Other						
INDUSTRIAL SOLIDS						
Geothermal Wastes						
Dredgings						
Drilling Mud Sumps						
Contaminated Soils						
Other						
AG WASTES						
Manure						
Grape Pomace						
Rice Straw Hulls						
Fruit Pits						
Other						
WOODY WASTES						
Mulch						
Green Waste						
Wood Waste						
Other						
INERT WASTES						
Construction & Demolition						
Other						
ASH						
MINING WASTES						

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

Permitting and Enforcement Committee
December 8, 1993

AGENDA ITEM 11

ITEM: Presentation of Waste Tire Training Video and Manual Prepared Under Interagency Agreement (IWM-C2064) with State Fire Marshal's Office.

BACKGROUND:

There are an estimated 28 million tires discarded each year in the State of California. Many of these waste tires end up in potentially dangerous stockpiles. Waste tire stockpiles pose a serious threat to the public health, safety and the environment due to the potential for devastating fires and the spread of vector borne disease.

To address these issues and to promote the recycling of waste tires, Assembly Bill 1843 (Brown, Statutes of 1989) was passed in 1989. The passage of AB 1843 enacted, in part, a major environmental regulatory program to control the storage and disposal of waste tires.

To help reduce the statewide threat of waste tire fires under AB 1843, the Board approved in March of this year an interagency agreement with the Office of the State Fire Marshal (CSFM) to provide training and consultation to local fire authorities for fire prevention and suppression at waste tire facilities. CSFM has spent the first eight months developing an eight-hour classroom curriculum addressing appropriate fire laws, fire prevention measures, fire suppression methods, and environmental issues relating to waste tire piles. In developing the curriculum CSFM has prepared a student manual and a training video for class instruction.

CSFM subcontracted with California State University, Chico (CSUC) to produce the tire fire training video. The training video, entitled "Rings of Fire", is approximately 40 minutes in length and addresses the following topics:

- I. Tires and the Environment
- II. Fire Prevention
- III. Fire Suppression
- IV. Fire Fighter Safety

With the completion of the curriculum and training material, CSFM will spend the next twelve months teaching approximately 164 eight-hour classes throughout the state. The number and location of classes will be determined based on the location of waste tire.

piles in the Board's Waste Tire Registration data base and survey currently being conducted by CSFM of local fire authorities, statewide. At the conclusion of this twelve-month period of instruction, the curriculum will be made available to junior colleges throughout the state that provide continuing education for fire fighters.

ANALYSIS:

None.

STAFF COMMENT:

Mr. Rodney Slaughter will be available to discuss the curriculum development and to present a portion of the tire fire training video.

ATTACHMENTS

None..

Prepared By: Tom Micka/Garth Adams ^{BT for} Phone 255-2361

Reviewed By: Don Dier Jr. ^{DJ 11/23} Phone 255-2431

Approved By: Doug Okumura ^{Don Dier Jr. 11/23} Phone 255-2431

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

Permitting and Enforcement Committee
December 8, 1993

AGENDA ITEM IIA

ITEM: Consideration of Concurrence in the Issuance of a Revised Solid Waste Facilities Permit for the West Riverside Disposal Site, Riverside County

BACKGROUND:

Facility Facts

Name: West Riverside Disposal Site, Facility No. 33-AA-0002

Facility Type: Sanitary Landfill

Location: Hall Avenue, between 26th Street and 28th Street, Rubidoux, California

Area: 74 acres, 72 used for disposal

Setting: The site is located west of the Santa Ana River, north of Highway 60, east of Hall Avenue and residential development, and south of a go-cart track.

Operational Status: The site is inactive and has not received waste since 1983.

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

LEA: Riverside County Health Services Agency
Department of Environmental Health
John Fanning, Director

Proposed Project

This facility ceased accepting waste in 1983. The LEA has submitted a revised permit to reflect the *closed* status of the site and incorporate the approved closure plan as the primary conditioning document. The site will be maintained as an open space area. No other postclosure use is addressed in this permit/closure plan.

SUMMARY:

Site History The West Riverside Disposal Site, also known as the West Riverside Landfill, is located within the community of Rubidoux. It was operated by the County Department of Waste Management as a Class II-2 facility from January 1964 (also then known as the Belltown #2 Sanitary Landfill) until it ceased waste acceptance in November 1983. During its active life the landfill served the unincorporated communities of Rubidoux, Mira Loma, Pedley, Glen Avon, and portions of the City of Riverside. An estimated 2.1 million cubic yards of waste is deposited at the site.

The permitted area of the facility is 74 acres of which 72 acres was used for disposal. Received waste, mostly of municipal and commercial origin, was spread and compacted by bulldozers and compactors to an average density of 1,000 - 1,200 pounds per cubic yard. In 1982, the last full year of operation, the site received 83,000 tons, or approximately 270 tons per operating day. Six inches of cover was placed daily.

Disposal was conducted in three successive phases. The first disposal location, Area 1, was located in the northwest part of the site in a former quarry area. As required by the Regional Water Quality Control Board (RWQCB), the excavated area was filled to the 790 foot MSL elevation with inert material prior to disposal of refuse. Operations in Area 1 were concluded "by about 1970," according to the Closure Plan.

Area 2 was located in the southwest area of the site. The operator was allowed to excavate below 790 feet MSL to obtain soil for cover and then again backfill with inert material prior to beginning landfill operations. Area 2 was filled in 1975.

Area 3 operations were conducted in the eastern section of the site, adjacent to the Santa Ana River. One unique characteristic of this area was the mixture of sand dredged from the center of the river with native soil for use as daily cover material. Area 3 was completed in November 1983. Since then, interim cover of various depths has covered the refuse. Much of the site has reportedly been regraded every fall to enhance surface drainage.

Project Description The technical details of the site's closure design may be found in the closure plan prepared by The Earth Technology Corporation. A summary of the facility's design and closure activities follows.

The standards used in designing the final cover are found in Chapter 15 of Title 23 of the California Code of Regulations (23

CCR). The objective of final cover design is to minimize the amount of water that infiltrates the disposed waste.

Chapter 15 mandates that the final cover consist of, at a minimum, the following:

<i>Foundation Layer</i>	Minimum two feet, compacted
<i>Low permeability Layer</i>	Minimum one foot, compacted. Permeability shall be no greater than 1.0×10^{-6} cm/s.
<i>Topsoil/Vegetative Layer</i>	Thickness necessary to contain root systems of vegetation to a minimum of one foot. Vegetative growth vital to minimize erosion.

From November 1982 to January 1983, the operator stockpiled a large amount of surplus soil purchased by the County. Although most was used for the interim cover, about 45,000 cubic yards remained at the site for use in closure activities. However, tests conducted by Earth Technology have determined that this soil is not suitable for use in the low permeability layer of the final cover. (Nevertheless, it may be used in either the foundation or topsoil layer.)

The operator obtained the services of Pioneer Consultants who in 1985 studied the interim cover at the site and determined that most of the site is covered by two feet or more of cover material. Near the perimeter, cover thickness fell to between one and two feet.

The existing interim cover will have the top three inches removed, be regraded, and have material added where necessary to construct the two foot foundation layer. Imported material, probably from a borrow site at Pacific Clay Products, will be used to then build the one foot low permeability layer. Both the foundation and low permeability layers will be placed under the supervision of a registered civil engineer or certified engineering geologist. Field testing will be done to ensure that the low permeability layer meets the necessary hydraulic conductivity requirements. Then, a two foot topsoil layer will be placed. Following soil placement, several varieties of grass seed will be planted at the site. Although drought resistant varieties have been chosen, some initial irrigation will be necessary. In addition, the consultant recommends the use of mulch and fertilizer. In time, native vegetation will become established.

The Closure Plan estimates a construction schedule of eight months.

Environmental Controls Permanent monuments will be established to monitor landfill settlement. County surveyors have already placed permanent benchmarks at the site. Differential settlement will be monitored and any sunken areas filled as required to facilitate drainage.

In addition to repairing differential settlement, drainage will also be promoted by grading the site so that slopes will be at least 3 percent. Lined and unlined drainage channels serve the facility. All stormwater runoff from the site vicinity eventually reaches the Santa Ana River through manmade drainage structures.

West Riverside Landfill does not have a leachate collection and removal system. In 1986 the County retained Converse Environmental Consultants to prepare a Solid Waste Assessment Test (SWAT) report for submittal to the Santa Ana RWQCB. The SWAT concluded that contaminants were found at "very low concentrations" below regulatory action levels. The County maintains five monitoring wells at the site which are monitored quarterly. The frequency of monitoring may change with approval of the RWQCB.

Landfill gas has historically been a concern at this facility. As early as 1981, gas concentrations that exceeded the lower explosive limit were found at the perimeter. Gas monitoring probes were installed in 1984. Concentrations noted at the probes located within the facility's boundaries ranged from 0 to 44 percent.

A landfill gas collection system and flare station is now in operation at the facility. Gas concentrations are now at acceptable levels and are monitored by the operator on a regular basis. Gas condensate from the system is discharged to sewer with the approval of a waste discharge permit from the Rubidoux Community Services District.

Extensive slope stability and seismic studies have been conducted for the site, especially since some final slopes will be at a steeper than 3:1 (horizontal to vertical) ratio. Factors of safety exceed regulatory requirements.

The site is surrounded by a six foot high chain link fence and a gate off of Hall Avenue. Required maintenance of the vegetation and fencing will be the responsibility of the County Waste Management Department. As indicated above, the site will be maintained as an open space area.

Resource Recovery Programs No resource recovery activities are in place or currently planned for this site.

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 November 22, 1993, the last day the Board could act is January 21, 1994.

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 West Riverside Disposal Site is neither a new nor expanding facility; therefore, a finding of conformance with the County's Solid Waste Management Plan is not required.

2. Consistency with General Plan

Similarly, since this facility is neither new nor expanding, a finding of conformance with the County's (or any city's) General Plan is not required.

3. Consistency with Waste Diversion Requirements

Staff of the Board's Governmental and Regulatory Affairs 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 prevent nor substantially impair 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 #92062056) has indicated that there are no significant environmental impacts associated with this project. A *Discussion of Environmental Impacts and Mitigation Measures* is found as Attachment 5. The Notice of Determination was approved on July 27, 1993.

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 Closure Requirements

The LEA has determined that the facility's design and closure activities are in compliance with the state's requirements regarding landfill closure as found in 14 CCR, Article 7.8, based on a review of the closure plan and supporting documentation. Board staff agrees with said determination.

6. Financial Assurances

As the site ceased accepting waste prior to 1988, no documentation of adequate financial assurances for closure/postclosure maintenance is required.

STAFF RECOMMENDATION:

Because a revised 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. 93-121 concurring in the issuance of Solid Waste Facilities Permit No. 33-AA-0002.

ATTACHMENTS:

1. Location Map
2. Facility Map
3. Permit No. 33-AA-0002
4. Governmental and Regulatory Affairs Division Analysis
5. Discussion of Environmental Impacts and Mitigation Measures
6. Permit Decision No. 93-121

Prepared By: David Otsubo *OR.A. 11/23/93* Phone: 255-2374

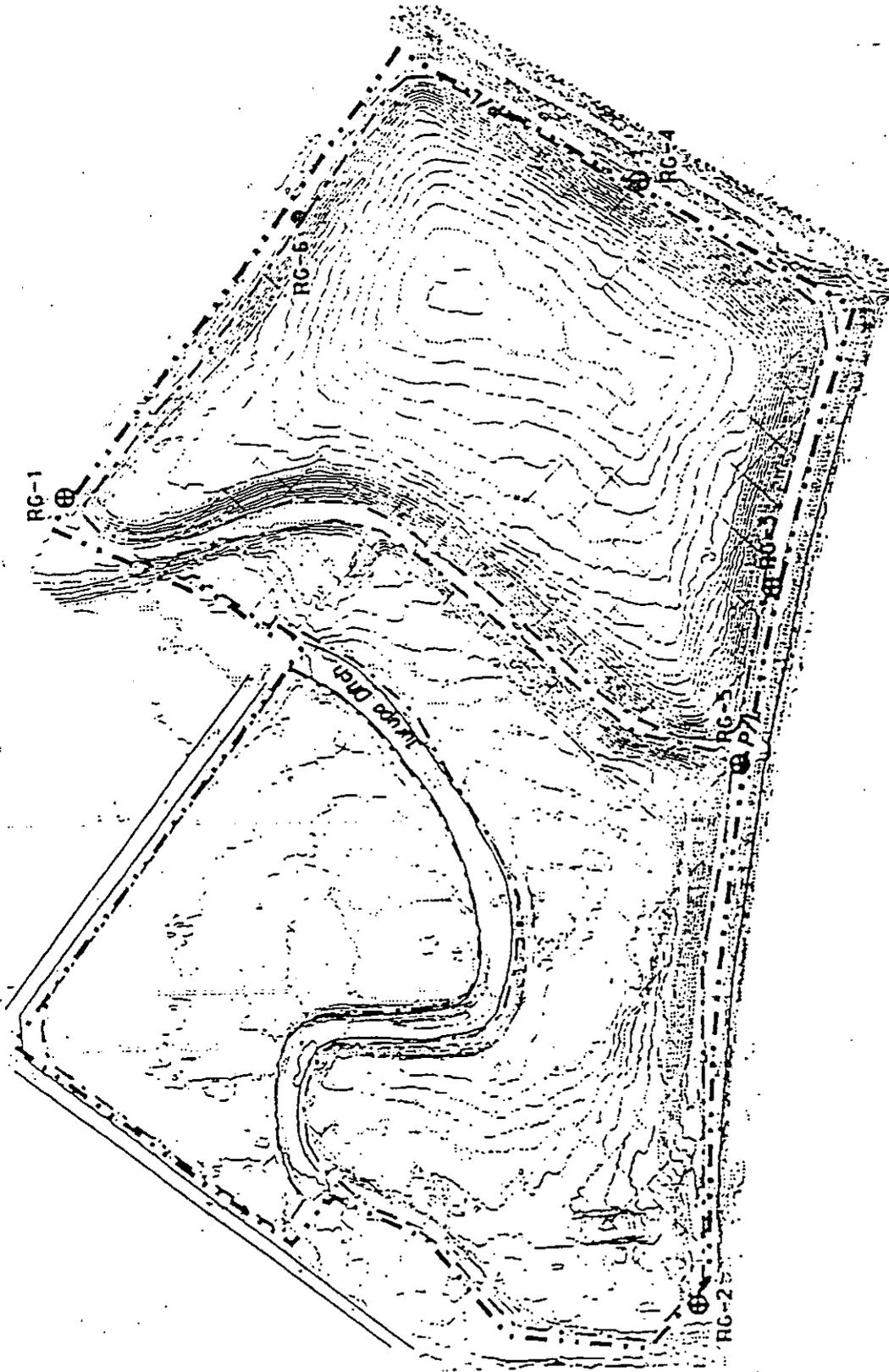
Approved By: Suzanne Talams/Don Dier, Jr. *AT 11/23/93* *DD 11/23* Phone: 255-2453

Approved By: Douglas Okumura *DD* *for DD* Phone: 255-2431

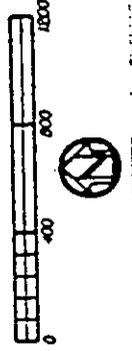
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WEST RIVERSIDE DISPOSAL SITE



West Riverside Sanitary Landfill
Monitoring Wells



Waste Management
County of Riverside

SOLID WASTE FACILITY PERMIT	1. Facility/Permit Number 33-AA-0002/93-04
------------------------------------	--

12. Legal Description of Facility (attach map with RFI): The West Riverside Landfill is located to the west of the levee of the Santa Ana River along the north side of State Highway 60 in the southeast quarter of Section 10, Township 2S, Range 5W, San Bernardino Base and Meridian.

13. Findings :
- a. This permit is consistent with the County Solid Waste Management Plan (July 1989). Pursuant to Public Resources Code, Section 50001, August 3, 1993.
 - 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 Disposal Site Closure and Post-Closure as determined by the LEA.
 - d. The Riverside County Fire Department has determined that the facility is in conformance with applicable fire standards as required in Public Resources Code, Section 44151, October 20, 1993.
 - e. Notice of Determination was filed with the State Clearinghouse for all facilities which are not exempt from CEQA and documents pursuant to Public Resources Code, Section 21081.6, August 13, 1993.
 - f. A County-wide Integrated Waste Management Plan has not been approved by the California Integrated Waste Management Board.
 - g. The Department of Waste Management, Planning and Recycling Division, has made a written determination that the facility is consistent with, and designated in, the applicable general plan: (Lesley B. Likins, Senior Planner) Public Resources Code, Section 50000.5 (a), August 03, 1993.
 - h. The Department of Waste Management, Planning and Recycling Division, 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), August 03, 1993.

14. Prohibitions :
- The permittee is prohibited from accepting any liquid waste sludge, non-hazardous waste requiring special handling, designated waste, or hazardous waste.
 - This facility has ceased to accept waste as of November 1983.
 - The permittee shall not allow water ponding on the covered fill areas.

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

	Date		Date
<input type="checkbox"/> Report of Facility Information	N/A	<input type="checkbox"/> Contract Agreements - operator and contract	N/A
<input type="checkbox"/> Land Use Permits and Conditional Use Permits	N/A	<input checked="" type="checkbox"/> Waste Discharge Requirements	06/12/81
<input checked="" type="checkbox"/> Air Pollution Permits and Variances	02/28/90	<input type="checkbox"/> Local & County Ordinances	N/A
<input checked="" type="checkbox"/> EIR or Negative Declaration	05/28/93	<input checked="" type="checkbox"/> Final Closure & Post Closure Maintenance Plan	04/26/93
<input type="checkbox"/> Lease Agreements - owner and operator	N/A	<input type="checkbox"/> Amendments to RFI	N/A
<input type="checkbox"/> Preliminary Closure/Post Closure Plan	N/A	<input type="checkbox"/> Operating Liability	N/A
<input type="checkbox"/> Closure Financial Responsibility Document	N/A	<input type="checkbox"/> Other (list):	N/A

16. Self-Monitoring :

a. Results of all self-monitoring programs as described in the Final Closure and Post-Closure Plan will be reported as follows:

Program:	Reporting Frequency:	Agency Reported To:
Gas Monitoring	Monthly	South Coast AQMD & LEA
Ground Water Monitoring	Quarterly	CRWQCD - Santa Ana Region & LEA

A responsible officer or representative of the permittee shall attest to the accuracy of the report, and sign to that effect. The report shall be submitted to the LEA in accordance with the following schedule:

<u>REPORTING PERIOD</u>	<u>REPORT DUE</u>
January through March	May 1
April through June	August 1
July through September	November 1
October through December	February 1

17. LEA Conditions
- a. This facility shall 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.
 - b. The operator shall make copies of all inspection reports and permits issued by this and other regulatory agencies available for review by site personnel and authorized representatives of all responsible agencies during normal office hours. In addition, a copy of this permit, and the Final Closure & Post-Closure Plan shall be made available.

SOLID WASTE FACILITY PERMIT	1. Facility/Permit Number
	33-AA-0002/93-04

17. LEA Conditions (continued):	
c.	The facility is not permitted to receive any solid wastes.
d.	Any additional information the LEA deems necessary to permit and inspect this facility shall be provided by the operator.
e.	This permit supersedes previous permit issued on March 30, 1979. This permit reflects a change in status from an inactive solid waste facility to a closed solid waste facility. (The operator must strictly adhere to the final closure / post closure plans).
f.	To comply with Title 14, Section 17497 (Personnel Health and Safety), the operator shall ensure that all personnel assigned to waste handling/processing duties have and utilize (when and where appropriate) the following equipment: dust masks, hearing protection devices, safety glasses/goggles, safety vests, heavy work gloves, heavy work boots (steel shanks and toes recommended), and hard hats. Where applicable, this equipment shall meet all State and Federal safety standards. A copy of the site's Health and Safety Plan shall be maintained on-site.
g.	<p>The Special occurrences log shall be maintained on site, and at a minimum, the following items shall be recorded there in :</p> <ul style="list-style-type: none"> • weather conditions that adversely impact site operations • fires • explosions • accidents and/or injuries • any incidents involving hazardous waste • visits by regulatory agencies (name, agency, mailing address and phone number)

MEMORANDUM

To: David Otsubo
Permits Branch

Date: November 22, 1993

From: 
Traci R. Perry
Office of Local Assistance
CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

Subject: REVIEW OF THE PROPOSED PERMIT FOR THE CLOSED WEST
RIVERSIDE SANITARY LANDFILL #33-AA-0002

After reviewing the documents provided for facility number 33-AA-0002, planning staff have made the following findings.

- A) Concurrence in the issuance of this permit will not prevent or substantially impair achievement of the waste diversion requirements (PRC 44009).
- B) Because this is a closed facility not a new or expanded facility, a finding of conformance with the CoSWMP (PRC 50000) or consistency with the General Plan (PRC 50000.5) is not required.

PRC 4409: WASTE DIVERSION REQUIREMENTS

This facility has not accepted waste since 1983. Planning staff concluded that formal closure of this facility would not impair the achievement of waste diversion goals.

This facility was not identified in the County's Preliminary Draft Source Reduction and Recycling Element.

E.A. No. 36247
West Riverside Landfill Closure
Exhibit "B"

DISCUSSION OF ENVIRONMENTAL IMPACTS
AND MITIGATION MEASURES

SECTION/
ISSUE NO.

III-2h CIRCULATION:

Impact Analysis:

It is anticipated that during the eight-month duration required to complete the project, there will be an average of 200 and a maximum of 240 vehicles visiting the landfill per day. This is translated to a maximum of 23 to 30 vehicles per hour, given operations will occur eight hours a day. The transport of cover materials from off-site locations to the landfill will be the major traffic generated by the project. It is anticipated that the majority of the transport trucks will come to the West Riverside Landfill from westbound on the 60 Freeway. They will exit at Rubidoux Boulevard, a four-lane arterial, and head north, then turn east to 28th Street and then north to Hall Avenue, which provides access to the landfill. The small percentage of transport trucks traveling from Highway 60 eastbound may also exit at Rubidoux Boulevard and follow the same route to access to the landfill. An alternative route to reach the landfill is through Market Street off Highway 60, which connects to Hall Avenue. There is light passenger car traffic generated by the residences located on 28th Street and Hall Avenue enroute to the site. The aforementioned truck traffic volume generated by the project may impact the circulation on local streets to some degree. However, this traffic volume induced by the closure plan of the landfill is only temporary in nature and considered not significant in terms of overloading the local circulation system.

Mitigation:

Transport truck traffic should be scheduled to avoid the morning and afternoon peak hours traffic of the area. Trucks going through residential areas along 28th Street and Hall Avenue must be restricted to a safe speed limit. Appropriate traffic signs, lights, barricades, and temporary traffic control devices may be used, when necessary, to ensure safety to nearby residents. Trucks hauling dirt, rocks, or any loose materials must have

County Waste Management Department has submitted an application for a new waste water discharge permit to replace the current one which expired on May 1, 1992. The department expects the issuance of a new permit soon. In conclusion, the project produces an insignificant impact to the sewer system of the Rubidoux Community Services District. No mitigation measures are deemed necessary.

III-9 SOLID WASTE

Impact Analysis:

The West Riverside Landfill ceased to receive solid waste in 1983. The unincorporated communities and City of Riverside originally serviced by this landfill are now receiving adequate waste disposal services from the Highgrove Landfill of Riverside County. Therefore, the project, which is intended to permanently close the facility, will not result in the need for new systems, nor in a substantial alteration of solid waste generation patterns and disposal services. The project, designed to properly close the West Riverside Landfill, is consistent with Riverside County Solid Waste Management Plan (CoSWMP) policy for landfill site closure requirements, and in compliance with AB 2448, AB 3071, AB 939, and new amendments to California Code of Regulations, Title 23, Article 5--Water Quality Monitoring and Response Programs for Waste Management Units. The project will not have a significant impact on solid waste management in Riverside County. No special mitigation measures are necessary.

III-12 PARKS & RECREATION

Impact Analysis:

Although the site is located within the Jurupa Parks and Recreation District, it is exempted from the Ordinance 460 requirement for Quimby fees, because the landfill closure project will not create a demand for parks and recreational facilities. On the contrary, the proposal will contribute to the District an open space for parks and recreational uses. No mitigation measures are necessary.

III-18, GROUNDSHAKING ZONE
19,20

Impact Analysis:

The West Riverside Landfill is partially located within a Groundshaking Zone III(E) and partially within a Groundshaking Zone III(D). A landfill would be considered a "Normal-High Risk" land use as defined by the Riverside County Comprehensive General Plan because of its relations to public health and safety issues. "Normal-High Risk" land uses are generally unsuitable in these groundshaking zones per the General Plan, because the expected levels of groundshaking exceed Uniform Building Code design levels by a factor ranging approximately from 2 to 5. In accordance with California Division of Mines and Geology (Note 43, Geology of Elsinore and Chino Fault Zones) and State of California Special Studies Zones (Fontana Quadrangle), there are no holocene faults underlying the West Riverside landfill. Nor is the site located within an Alquist-Priolo Special Studies Zone. Since the site will have no permanent structures and human inhabitation, seismic hazards to human safety at the site is insignificant.

This site has map symbols for liquefaction of E_L and E_{LL} which are equivalent to a moderate liquefaction potential in a Groundshaking Zone III. Designation E_L includes soils made up of recent alluvium with ground water located between ten and thirty feet. Designation E_{LL} has soils made up of pleistocene alluvium with ground water shallower than ten feet. As normal-high risk land uses are considered provisionally suitable in a Moderate Liquefaction Potential Zone per the General Plan, it is necessary to examine the liquefaction hazard at the site more closely.

Engineering staff of the Waste Management Department discussed the issue of effects of potential liquefaction on the West Riverside Landfill in a conference call on April 9, 1992, with Earth Technology (the West Riverside Closure Plan consultant), and County Geologist. It was determined that the site and surrounding areas in general have a moderately high potential for liquefaction. If liquefaction of foundation soil were to occur, surficial manifestation, such as lateral spreading and cracking of landfill embankments and slopes could take place, particularly at the northeast corner of the site where groundwater is relatively shallow.

Mitigation:

No mitigation measures are necessary for a landfill located in IIIC & IIID Groundshaking Zones.

The Waste Management Department should closely examine the landfill slopes and final cover for signs of movement or cracking, following major earthquakes (greater than magnitude 4.0) in a 30-mile-radius area that includes the San Andrea Fault; San Jacinto Fault, Chino Hill Fault, Cucamonga Fault, and Whittier-Elsinore Fault. If liquefaction were to occur, mitigation measures, such as filling cracks and depression, regrading final cover, etc., will be performed by the Waste Management Department as part of the post-closure maintenance activities.

III-21b SLOPES

Impact Analysis:

The closure project will not change the overall existing topography or ground surface relief features. However, the project will regrade existing refuse face slopes of the landfill which show signs of erosion and differential settlements.

There will be some final refuse face slopes steeper than 3:1, such as those planned along either side of the Jurupa Ditch separating Areas 1 & 2. As per the requirements of Section 17777 of Title 14, slope stability analyses were carried out on the most critical final refuse fill slope steeper than 3:1. The results of the analyses indicate a factor of safety of 3.0 under static conditions; and a factor of safety of 1.5 under pseudostatic conditions with an effective horizontal acceleration coefficient of 0.26g (See West Riverside Landfill Closure Plan, Section 9.5.4). These factors of safety exceed or equal the minimum requirement of 1.5 specified in Section 17777 of Title 14.

Mitigation:

No mitigation measures for slope stability are necessary.

III-23a SOILS

According to the United States Soil Conservation Service report, the surface soil series beneath and around the landfill site are the Tujunga Series, Dello Series, and Delhi Series. Cover material for the landfill is classified as Riverwash.

The Tujunga Series consists of easily drained soils present on alluvial fans and flood plains. Tujunga loamy sand (TuB) is the specific type of the Tujunga Series found at the site.

The Delhi Series are easily drained soils present on dunes and alluvial fans. The Delhi Series fine sand (DA D2) present at the site before the construction of the landfill contained a surface layer of light brownish-gray fine sand, light olive-brown loamy fine sand, light olive-brown fine sandy loam, with very thin discontinuous lenses of silt.

The Dello Series are poorly drained soils present on alluvial fans and flood plains. The soil type present near the landfill is a surface layer of grayish-brown loamy fine sand (Dm A) about 8 inches thick overlying several feet of light brownish-gray loamy fine sand and light-gray sand.

The cover material imported from the river bottom is classified as Riverwash, typically found in valley fills on alluvial fans, and in the beds of major streams and larger creeks.

Impact Analysis:

The project will excavate soils along the perimeter of each fill area for the construction of a "Key Way", which is a trench filled with low-permeability material for controlling lateral percolation of water into the refuse. Besides this limited soil displacement work, no other major disruption, displacement, or compaction of natural surface or underlying soils outside of the fill areas will be performed by the project. No permanent structures will be built on the site such that exposure of such structures to shrink/swell soil conditions would occur.

Mitigation:

No mitigation measures are necessary.

III-24b EROSION

The proposed project is intended to minimize surface soil erosions and percolation of precipitation into the refuse and, thus, is itself a long-term mitigation measure for soil erosion potential of the landfill. It will consist of regrading of some existing refuse fill slopes for controlling surface drainage and eliminating differential settlements, and consist of the construction of an erosion-resistant final cover, as per the closure plan prepared by The Earth Technology Corp. The following is a description of the final cover construction plan:

a. Site Preparation:

In order to prepare the site for final grading operations, several measures must be taken. The site must first be cleared and grubbed, and existing structures must be demolished and removed. In light of these requirements, the Riverside County Waste Management Department has already removed two above ground storage tanks in compliance with the Riverside County Health Agency Hazardous Materials Division. (Note: There was no underground fuel storage tank at this site.) The upper 3 inches of the existing cover material and vegetation will be removed and stockpiled on site for later use as topsoil layer.

b. Final Cover:

Foundation material will then be placed and compacted at locations where the existing cover material is less than 2 feet thick after stripping, or at locations where regrading is necessary. Once a minimum 2-foot-thick foundation layer has been placed and the site has been graded to specifications, a minimum 1-foot-thick low-permeability layer will be placed on top and compacted, followed by a placement of at least 1.5 feet topsoil, which will be vegetated for erosion control.

According to CAC, Title 23, Chapter 15, Article 8, for Class III Landfill Closure, the foundation layer shall be at a minimum of 2 feet thick and have a 90% relative compaction; the low-permeability layer shall consist of fine grained soils with a significant clay content and compacted to a minimum of 1 foot thick with a permeability of 1.0×10^{-6} cm/s or less; and the topsoil layer shall be thick enough to contain root systems of

the vegetation to be planted on the cover.

Sources of final cover components:

(1) Existing on-site stockpiled material will be used as the foundation material. It was a surplus material from the excavation of the Jurupa Flood Control Basin purchased by the County before 1983. It may be necessary to import foundation material to supplement the stockpile material.

(2) The County has identified Pacific Clay Products' borrow area as a potential source of low-permeability soil layer. US Tile Company is another potential supplier of low-permeability material.

(3) The present topsoil material of the landfill surface will be scraped and stockpiled on-site during site preparation. The same material will be reused as topsoil in the last stage of final cover construction.

c. Surface Water Drainage Control

The proposed grading and on-site drainage improvements for the landfill will be designed to provide positive drainage while minimizing the potential for erosion. The final contours should be developed such that slopes of at least 3 percent for the landfill cover will be maintained, and future maintenance of the site necessitated by settlement will be minimal. There are three fill areas at this site. Runoff from these areas will be conveyed and controlled in drainage channels as described below.

Area 1 is the northwest portion of this site which was the first fill area of the landfill. The finished grade of the vegetative layer in this area has been designed mainly to drain northerly to 26th Street and westerly to Hall Avenue. 26th Street is a 30 foot wide paved street with 15 foot wide shoulders on each side that drain easterly and westerly from a high point. This high point corresponds with the highpoint of the landfill contours at the property line. An approximated 600 foot long, asphalt concrete-lined V-Ditch will be provided to convey the runoff at the easterly end of 26th Street to a north-south storm drain along Hall Avenue. Storm sewer inlets along Hall Avenue collect the water and convey it to the drainage ditch adjacent to the southwest portion of the site. An unlined easterly V-Ditch will be provided to convey the runoff in the westerly portion of Area 1.

Area 2 is the southwest portion of the site which was the second fill area of the landfill. The finished grade in this area was also designed to drain mostly to southern, western and eastern boundaries, minimizing the runoff into Jurupa Ditch (to be addressed in Water Quality Section). In addition, the runoff from a watershed northwest of the landfill also enters the site through two catch basins at Hall Avenue and a 36 inch diameter RCP pipe. An asphalt concrete-lined trapezoidal shaped channel will be provided along the western and southern boundaries to drain this runoff to a box culvert under State Highway 60. The channel is designed to have gradients conforming to the topography and have capacity of conveying the peak runoff of a 100 year return, 24 hour storm. The north to south drainage ditch that separates the western (Area 2) and eastern (Area 3) portions of the site will be regraded. The grade of this ditch was designed to convey runoff from a watershed north of the landfill as well as the runoff from portions

of the landfill adjacent to the channel. This drainage also flows south through the box culvert under State Highway 60.

Area 3, defined as the eastern portion of the site, is the final filling area of the landfill. This portion of the landfill is served on three sides by a drainage channel that also drains to the box culvert under Highway 60. This channel starts at the northwest corner of Area 3 and flows easterly towards the Santa Ann River levee, then southerly to the State Highway 60, then westerly to the box culvert. The initial section of the channel along the northern edge, which is designed for a gradient of 1.0 percent, is left unlined due to relatively small quantity of flow in that portion. The subsequent sections along eastern and southern boundaries of Area 3 will be provided with an asphalt concrete lined channel with a gradient of 0.3 percent.

Impact Analysis:

The project may result in limited soil erosion during its construction phase where soil displacements, disruptions and replacements, and regrading of some fill slopes will occur. Despite its temporary nature, if unchecked, on-site soil erosion may result in exposure of refuse on eroded slopes and siltation and pollution of off-site water drains, channels, and bodies of water.

Mitigation:

If feasible, construction should be completed before the start of the heaviest seasonal rainfall of the year. Further, construction of erosion improvements may begin at an earlier stage than the major construction works.

The contractor of the construction operations should be required to take all necessary preventive measures to avoid or minimize damage resulting from erosion or impounding caused by storm runoff water within the construction area. Erosion control measures should consist of constructing sandbag berms, desilting basins, drains, other such facilities necessary to prevent and control erosion.

III-35a
35b

NOISE

Impact Analysis:

Noise is generated mainly from the operation of heavy equipment on-site. Noise is also generated by arriving dirt hauling trucks. Peak measurement of noise level may be as high as 94 decibels during full operation of all equipment. Due to the site's close proximity to residential areas, noise impact of the project may be significant. Further, noise impact to the equipment operators may also be significant.

Mitigation:

Construction work and dirt-hauling activities should not be allowed to occur on legal holidays. Nor should construction and dirt-hauling before 7 am and after sunset be allowed on a regular working day. For operations located close to the residence, noise attenuation devices should be used on the operating equipment.

The contractor should provide a Site Safety Plan which includes provisions to ensure that workers and equipment operators on the site will be protected from noise hazards during the project. Workers and equipment operators should be provided with ear plugs, ear defenders (muffs) or Air-boy breathing units in accordance with his/her preference, when noise level exceeds the standard for safe operations. All equipment used must meet all Office of Safety & Hazards Assessment,

or OSHA, requirements with respect to noise generation.

III-36a AIR QUALITY

Impact Analysis:

(1) Short-Term Air Quality Impacts

(a) Construction Equipment Emissions

During construction, 3 scrapers, 3 dozers, 2 water trucks, 1 disk, 1 sheep's foot (manual compactor), and 1 motor grader will be used. According to the SCAQMD's 1987 Air Quality Handbook for Preparing Environmental Impact reports, page K-1, the above mentioned on-site heavy equipment has the following total emission pollutants generation factors:

3 scrapers	67.95 Kg/day
3 dozers	72.61 Kg/day
2 water trucks	25.72 Kg/day ¹
<u>1 motor grader</u>	<u>1.42 Kg/day</u>

Day total: 167.70 Kg/day

The disk and sheep's foot do not have significant associated emissions. It should be noted that during closure, major heavy equipment is assumed to be operated six days a week, eight hours per day, for the duration of the project. Consequently, it is estimated that a daily maximum total of 167.70 Kg of emission pollutants would be generated by on-site equipment for the entire anticipated construction period. Despite its temporary nature, equipment emission impact to ambient air quality may be significant.

(b) Hauling Truck Emissions

Vehicle emissions generated by final cover materials hauling trucks may be substantial given that a total of approximately 3,600 cubic yards of materials will be hauled to the site in an average

¹ Since the 2 water trucks will not be used for 8 hours a day as the other equipment will, it is assumed that the maximum operating hours for each of them is 4 hours a day.

of 200 truck loads², thus resulting in an estimated average of 18,000 vehicle miles³ on the roads each working day for the entire duration of the construction phase of the project. This level of hauling truck traffic is equivalent to approximately 0.7 ton/day of vehicle emission pollutants, based on emission factors for diesel trucks used in Appendix L of the 1987 Air Quality Handbook. However, this is only a short-term impact which is not considered to be significant to the ambient air quality in the long run.

(c) Fugitive Dust

According to the 1987 Air Quality Handbook, Appendix K, it is estimated that construction activities would generate an average of 1.2 tons of fugitive dust per acre per month. The project is estimated to generate an approximate of 1.2 x 36, or 43 tons of fugitive dust per month, assuming that construction work would cover half of the entire site simultaneously. This is equivalent to approximately 4000 pounds of fugitive dust per working day. This is considered a significant impact to the ambient air quality during the project.

(2) Long-Term Air Quality Impacts

(a) Landfill Gases Migration

The generation of landfill gases (mainly methane gas) from the decomposition of buried organic matters is one of the perpetual environmental concerns of a closed landfill. Landfill gases generated from within a landfill can migrate both upward to the surface and laterally to the surrounding areas of the landfill, which eventually escape into the atmosphere. Migrating methane gas exceeding the State standard of 5% of the Lower Explosive Limit or the surface emission limit of 500 parts per million may adversely impact the

² Assuming an average of 18 cubic yards per truck load.

³ Average daily vehicle miles were calculated based on an approximate 90-mile round trip between the borrow site and landfill.

health and safety of the landfill's nearby residents.

(3) Cumulative Impacts

No cumulative air quality impacts of this project are identified given the following reasons:

1. The project itself is a mitigation measure for the long-term cumulative air quality impacts caused by the generation of landfill gases. The project consists of the construction of an impermeable landfill cover layer to prevent the infiltration of rain water into the landfill, thus preventing a moist/wet environment conducive to the decomposition of organic matter to form gases. It also consists of continuous efforts of monitoring, collecting and flaring the formed landfill gases, such that their escape into the atmosphere can be minimized.

2. The closure project is mandated on a required schedule by the California Integrated Waste Management Board for the protection of public health and safety, as per California Code of Regulation (CCR), Title 23, Chapter 15. The Riverside County Waste Management Department and the Riverside County Planning Department consider that an environmentally safe closed landfill will provide the long-term protection to the public, which should override the closure project's potential negative short-term impacts.

3. The bulk of the air pollutants (dust and vehicular emissions) generating activities, i.e. the construction phase, of the closure plan will end in 8 months. Further, most of the short-term air quality impacts can be mitigated to a level of insignificance through compliance with State and local regulations and project design.

4. Although the site is located within an Industrial/Manufacturing land use zone, its future use is very likely to be an open space. Consequently, the site is not likely to become a new source of development-induced air pollution.

Mitigation:

(1) Construction Equipment And Vehicle Emissions

While this is an unavoidable impact, some mitigation measures can be employed to reduce its adverse effect on the ambient air quality. These measures include: (a) Proper maintenance of the equipment/vehicles, such as regular tune-ups and oil changes, in order to maintain a high fuel efficiency of the engines; (b) prohibition of engine idling when equipment/vehicle is not in use; (c) a traffic control plan to ensure that hauling truck traffic will not add to peak hours traffic or create queuing situations on-site and on the access routes in the local roadway system, such that unnecessary vehicle emissions can be avoided; and, if feasible, (d) encouraging the use of alternative clean fuels and installation of emission control devices to the equipment/vehicles.

(2) Fugitive Dust

On-site fugitive dust impacts will be mitigated through regular water-spraying of the dust-producing areas of the site, the equipment, and the hauling trucks, performed by two 4,000 gallon water trucks, equipped with spray discharge nozzles. If necessary, soil binders may be used on the site and unpaved roads. Off-site fugitive dust impacts can be mitigated by hosing down trucks leaving the site, and covering the truck loads of dirt, soil, clay, or other loose material. The vendor selected to haul the final cover materials from off-site locations to the West Riverside Landfill should transport the materials in compliance with all State regulations regarding environmental health and safety. In addition, project-related dust problems can also be reduced by complying with the South Coast Air Quality Management District's restriction of earth work when the average wind speed of the day has been exceeding 15 mph for 15 minutes. Finally, the Waste Management Department will implement other SCAQMD mitigation measures for controlling dust generation whenever necessary. A combination of these measures can reduce the fugitive dust impacts to an insignificant level.

(3) Landfill Gases Migration

In compliance with South Coast Air Quality Management District (SCAQMD) Rule 1150.1, the Riverside County Waste Management Department installed a gas migration monitoring system in May 1986. The monitoring system consists of 65 probes, including 38 on-site perimeter probes in addition to 27 off-site probes, forming corridors along the two residential streets adjacent to the landfill property boundaries. In addition, the Department installed a landfill gas collection and flaring system along the northern and western property boundaries of the West Riverside landfill. The landfill gas collection and flaring system was approved by the SCAQMD, the Local Enforcement Agency (LEA) and the California Integrated Waste Management Board (CIWMB). The system has been operational since March 1989. The facility currently being operated under permits D16667 and D20370, issued by the SCAQMD. The collection system consists of 39 perimeter wells and 3 wells in the site interior. Gas is delivered by a 6-inch collector line to the flare station at the southwestern perimeter for disposal. This system is the required mitigation measure for landfill gas impacts.

Landfill gas condensate waste water, after tested to be non-hazardous, is discharged into local sewer system in accordance with Waste Discharge Permit No. 89-2, issued by the Rubidoux Community Services District.

All gas monitoring probes outside the boundaries are sampled once per month and interior probes are sampled once per month for methane gas (CH_4) and other air contaminants. The Riverside County Waste Management Department will continue to monitor these probes as previously specified, or at a frequency deemed necessary by the SCAQMD.

III-37 WATER QUALITY

Surface Water

The predominant surface water feature at the project site

area is the Santa Ana River. A 12- to 16-foot high embankment along the easterly boundary of the site separates the river's man-made flood channel from the site. Ultimately, all storm waters in the site vicinity discharge to the river through man-made drainage structures. Runoff from the site either ponds on the generally flat surface of the western half of the site or enters one of the two main unlined swales. The swales carry water to the graded, unpaved road on the southern margin of the landfill. From there, it is discharged into a covered concrete box channel under State Highway 60 near the center of the southern boundary of the site.

Ground Water

The site is in the Arlington-Riverside Groundwater Basin and is underlain by recent alluvium consisting of unsorted and unconsolidated clays, sands, and gravel. The recent alluvium is underlain by the basement complex, which comprises crystalline igneous and metamorphic rocks. The recent alluvium is a major source of ground water in this area. Ground water level in the vicinity of the site are strongly influenced by water levels in the adjacent Santa Ana River and its channels. Ground water levels rise as a direct result of increased runoff carried by the river and decline during periods when surface flows are small.

Impact Analysis:

Surface Water

- (1) One of the objectives of this project is to prevent contact of surface water with the content of the landfill, thereby, protecting surface water from being contaminated on the site in the long run. However, during the excavation work for the construction of a "Key Way" along the perimeter of each fill area, it is possible that refuse will be exposed and, consequently, come into contact with surface water generated from runoffs of rain storms. If this scenario occurs, it may result in an impact to surface water quality. Likewise, surface water may be polluted in terms of the muddying and silting of channels and drains by the runoffs from the site during construction.
- (2) Another possibility of surface water contamination by the landfill is related to the Jurupa Ditch pipe

on the site. As mentioned earlier, the Jurupa Ditch traverses the site, separating Areas 1 and 2. Two un-reinforced concrete irrigation pipes (owned by Jurupa Ditch Company) were buried beneath the ditch. Due to the old age of the concrete pipes, it was of the concern to the Regional Water Quality Control Board that leakage of irrigation water from the pipes into the landfill would contribute to leachate formation.

- (3) In compliance with the Calderon legislation (AB 3525, 1984), the Riverside County Waste Management Department prepared a Solid Waste Water Quality Assessment Test (SWAT) Report in 1988, which consists of an evaluation of the potential impact of the landfill to the major surface water near the site, the Santa Ana River. Regarding surface water quality, the report concludes that, on the basis of the one sample period, there was no known apparent effect on water quality of the Santa Ana River from the landfill, and that the effect of the Santa Ana River on the landfill was unknown.

Ground Water

The possibility of the contamination of ground water by a landfill always exists. This possibility for the West Riverside Landfill is much greater since it is located in an area known for a shallow ground water table and in close proximity to a major source of ground water recharge, the Santa Ana River. Historically, depth to ground water was a concern when initial application was made for establishing the West Riverside Landfill in 1964. At that time, it was determined that all materials except Class III materials should be placed above an elevation of 790 feet in order to maintain a satisfactory freeboard between the landfill cells and the water table. This was based on known water table levels that, during 1941, reached the 787-foot elevation beneath the easterly portion of the site. Later historic water level data indicate that during the years 1978 and 1980, ground water levels in the landfill vicinity were near or above the 790-foot elevation.

In the preparation of the 1988 SWAT Report on water quality, five water monitoring wells were strategically located on the perimeter of the site in 1987, and ground water quality analyses and elevation monitoring were performed. In accordance with the SWAT Report, both the

Historic record and water level records generated during the SWAT study indicate that the water table has periodically risen to a point at or above elevation 790 feet; therefore, Class III inert fill may have been subject to ground water inundation. Data from the subsequent quarterly monitoring of ground water indicate that water levels have occasionally risen above the 790-foot elevation. This could mean that ground water inundation of certain portions of Class III inert fill may have occurred, if there is inert fill placed close to the 790-foot elevation. A more alarming implication would be such that ground water inundation of the landfill may become more pervasive when the present drought ends.

The 1988 Final SWAT report states that ground water, at that time, appeared to be of acceptable water quality with the exceptions of the detection of the higher-than-action-limits concentrations of nitrate, benzene, and antimony, in some monitoring wells. It also states that no evidence was available to pinpoint the source of those contaminants, without further analytical work performed off-site and on a regional basis. The report suggests the following work be done prior to the determination of any necessary remedial efforts:

a. To conduct an expanded site assessment which would include re-sampling all the monitoring wells, especially for benzene, and the constructing and sampling of an additional upgradient well in the northeast corner of the site. This new well would assist in delineating the source of the benzene and provide useful water level information in the most upgradient portion of the site.

b. To assess and sample selected off-site wells to the north and to the northwest of the landfill. This would be useful to determine if nitrate detection in the water sample from well RG-1 is derived from an off-site source.

The Riverside County Waste Management Department has been monitoring ground water on a regular basis since the construction of the monitoring wells. Also, the Department built the sixth well, as proposed in the Final SWAT report, in December 1990, and has since been monitoring ground water in the wells. According to the latest ground water monitoring report (first quarter of 1992), neither benzene nor antimony were detected in any monitoring wells; and nitrate concentration was found

well below the Maximum Contaminant Level (CCR Title 22, Sections 64435 & 64444.5)

There is no existing leachate collection and removal system for the West Riverside Landfill. At present, there seems to be no indication of ground water contamination from landfill leachate.

Mitigation:

Surface Water

- (1) The contractor of the construction work should be required to exercise every reasonable precaution to protect channels, storm drains and bodies of water from pollution, and to conduct and schedule operations so as to minimize or avoid such pollution. Water pollution control work shall consist of constructing those facilities which may be required to provide retention, control and abatement of water pollution.
- (2) The Riverside County Waste Management Department was required by the Regional Water Quality Control Board to replace the portion of the Jurupa Ditch pipes located within the landfill boundaries. In compliance with this special requirement, the Waste Management Department replaced the said portion (2605' long) of the pipes with a 1" thick PVC pipe with an inside diameter of 24". The new pipe line is exceptionally thick given its gradient-flow characteristics and is placed underground to provide additional protection from damages. Its design was approved by the Water Board, and the construction completed on March 12, 1992. Therefore, the potential impact to the Jurupa Ditch has already been completely mitigated.

Ground Water

Mitigation for the impacts on ground water quality is a threefold process. The three aspects of the mitigation process are as follows: 1. prevention of leachate formation, 2. monitoring of ground water quality, and 3. corrective actions to mitigate landfill-related ground water contamination. The actions taken in each aspect of the mitigation process constitute a functional part of such process.

- a. Since ground water contamination is closely related to leachate (liquid) formation, to prevent or reduce the capacity of leachate formation is the single most crucial step for ground water quality protection. The mitigating actions in the first step of the process consists of drainage control and prevention of infiltration of rain water into the landfill by an impermeable final cover.
- b. Construction of monitoring wells at strategic locations around the landfill and monitoring testing constitute the actions in the second step of the mitigation process. These actions produce information on changes in ground water quality over time, based on which preliminary assessment of ground water contamination in relation to the landfill can be performed. An unusual high concentrations of chemical constituents in the ground water near a landfill will trigger a program of in-depth assessment of the source(s) of contamination in relation to the landfill operation.
- c. Only after the determination that ground water contamination has occurred and is related to a landfill operation is made will the design and implementation of an impact-specific mitigation program be warranted.

The Waste Management Department has been conducting a detection monitoring program in compliance with the conditions of Monitoring and Reporting Program No. 81-125, issued by the California Regional Water Quality Control Board, Santa Ana Region, on August 16, 1990. This program requires that: (1) Diversion and drainage facilities be inspected monthly and the condition recorded; (2) the site be inspected for seepage in December and March of every year; (3) if seepage is discovered, it be mapped and a mitigation plan submitted to the RWQCB; (4) landfill surfaces be inspected quarterly during which evidence of needed maintenance and repair should be recorded and reported; and (5) water samples be collected and analyzed quarterly following QA/QC procedures such as chain-of-custody records and sample preservation.

As mentioned earlier, based on the monitoring testing performed since the 1988 SWAT Report, it appears that no ground water contamination has occurred. If future

samples collected from ground water monitoring wells indicate contamination, the Waste Management Department will have to conduct an investigation following procedures specified in Title 23, Chapter 15. These procedures provide for the establishment of a verification monitoring program to verify the presence or absence of leakage from the landfill, for the establishment of a corrective action program if it is found that the level of contamination has exceeded water quality protection standards, and for the continuance and/or amendment of the corrective action program to ensure that water quality protection standards are achieved.

III-38, HAZARDOUS MATERIALS & CONDITIONS
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Impact Analysis:

During the construction of a "Key Way" along the perimeter of each fill area, exposure of refuse may occur. If this occurs, it may involve a risk of exposure of people to, or, at worst, a risk of a release of, hazardous materials which may have been inadvertently accepted at the site.

Mitigation:

The contractor should take every precautionary measure to protect the workers who perform the excavation of soils along the perimeter of a fill area. Such measures should include the provision of special work suits to workers, which can protect them from exposure to encounter hazardous materials during excavation, the availability of decontamination facilities on-site during excavation, and segregation of the excavation areas from the public with barricades during excavation. Also, excavation work should be performed in the presence of hazardous material specialists from the County Health Agency and/or the Fire Department to ensure proper handling of hazardous materials if encountered.

Attachment 6

California Integrated Waste Management Board
Permit Decision No. 93-121
December 15, 1993

WHEREAS, the West Riverside Disposal Site had operated before and after the issuance of a Solid Waste Facilities Permit dated December 1, 1978; and

WHEREAS, the facility ceased accepting waste in 1983 and the site has since remained in an inactive state; and

WHEREAS, closure of the facility under State standards would facilitate protection of the public health and environment; and

WHEREAS, the operator, the County of Riverside Department of Waste Management, prepared a Closure and Post-Closure Maintenance Plan, and submitted it to the Board, the Santa Ana Regional Water Quality Control Board, and the Local Enforcement Agency; and

WHEREAS, all three regulatory agencies have reviewed the Plan and found it acceptable; and

WHEREAS, the operator has submitted an application to revise the Solid Waste Facilities Permit to address the closure of the West Riverside Disposal Site; and

WHEREAS, the Riverside County Planning Department, the lead agency for CEQA review, prepared a Negative Declaration for the proposed project and Board staff reviewed the Negative Declaration and provided comments to the Planning Department on May 5, 1993; and the proposed project will not have a significant effect on the environment; and mitigation measures were made a condition of approval of the proposed project; and the Planning Department filed a Notice of Determination with the County Clerk on July 27, 1993; and

WHEREAS, the project description in the CEQA document is consistent with the proposed permit; and

WHEREAS, the Riverside County Department of Environmental Health Services, 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 West Riverside Disposal Site; and

WHEREAS, Board staff have evaluated the proposed permit for consistency with the standards adopted by the Board and found the Closure and Post-Closure Maintenance Plan in compliance with the State's closure standards; and

WHEREAS, the Board finds that all state and local requirements for the proposed permit have been met, including consistency with Board standards 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-0002.

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 December 15, 1993.

Dated:

Ralph E. Chandler
Executive Director

