



COMMUNITY MONITOR COMMITTEE

Altamont Landfill Settlement Agreement

*** The Public is Welcome to Attend***

VOTING MEMBERS

Chair
Jeff Williams
City of Livermore

Cindy McGovern
City of Pleasanton

Donna Cabanne
Sierra Club

David Tam
Northern California
Recycling Association

NON-VOTING MEMBERS

Tianna Nourot
Waste Management
Altamont Landfill and
Resource Recovery
Facility

Wing Suen
Alameda County

Robert Cooper
Altamont Landowners
Against Rural
Mismanagement (ALARMA)

STAFF

Judy Erlandson
City of Livermore
Public Works Manager

AGENDA

DATE: **Wednesday, September 8, 2010**
TIME: **4:00 p.m.**
PLACE: City of Livermore
Maintenance Services Division
3500 Robertson Park Road

1. Call to Order
2. Introductions
3. Roll Call
4. Approval of Minutes (July 14, 2010)
5. Open Forum This is an opportunity for members of the audience to comment on a subject not listed on the agenda. No action may be taken on these items.
6. Matters for Consideration
 - 6.1 **Status of Five-Year Compliance Review (ESA)**
 - 6.2 **Responses to Committee Members' Questions (ESA)**
 - 6.3 **Proposed Modification, CUP Conditions 66 and 67 (ESA)**
 - 6.4 **Community Monitor Updates: Reports Received: Joint Technical Document; Groundwater and Storm Water Monitoring; Title V Report; Monthly Tonnage & Traffic (ESA)**
 - 6.5 **Review of Reports from Community Monitor (ESA)**
 - 6.6 **Extension of Term for Community Monitor Services (City of Livermore)**
7. Agenda Building

This is an opportunity for the Community Monitor Committee Members to place items on future agendas.
8. Adjournment

The next regular Community Monitoring Committee meeting will take place on November 10, 2010 at 3500 Robertson Park Road, Livermore.

Informational Materials:

- Community Monitor Roles and Responsibilities
- List of Acronyms
- July 14, 2010 Draft Minutes
- Reports from ESA
- City of Livermore Staff Report

City of Livermore
TDD (Telecommunications for the Deaf)
(925) 960-4104

PURSUANT TO TITLE II OF THE AMERICANS WITH DISABILITIES ACT (CODIFIED AT 42 UNITED STATES CODE SECTION 12101 AND 28 CODE OF FEDERAL REGULATIONS PART 35), AND SECTION 504 OF THE REHABILITATION ACT OF 1973, THE CITY OF LIVERMORE DOES NOT DISCRIMINATE ON THE BASIS OF RACE, COLOR, RELIGION, NATIONAL ORIGIN, ANCESTRY, SEX, DISABILITY, AGE OR SEXUAL ORIENTATION IN THE PROVISION OF ANY SERVICES, PROGRAMS, OR ACTIVITIES. TO ARRANGE AN ACCOMMODATION IN ORDER TO PARTICIPATE IN THIS PUBLIC MEETING, PLEASE CALL (925) 960-4586/4582 (VOICE) OR (925) 960-4104 (TDD) AT LEAST 72 HOURS IN ADVANCE OF THE MEETING.

The Community Monitor Committee Agenda and Agenda Reports are prepared by City staff and are available for public review on the Thursday prior to the Community Monitor Committee meeting at the Maintenance Service Center, located at 3500 Robertson Park Road, Livermore. The Community Monitor Committee Agenda is available for public review at the Civic Center Library, located at 1188 S. Livermore Avenue, Livermore, and on the bulletin boards located outside City Hall, located at 1052 S. Livermore Avenue, Livermore, and the Maintenance Service Center.

Under Government Code §54957.5, any supplemental material distributed to the members of the Community Monitor Committee after the posting of this Agenda will be available for public review upon request at 3500 Robertson Park Road., Livermore or by contacting us at 925-960-8000.

If supplemental materials are made available to the members of the Community Monitor Committee at the meeting, a copy will be available for public review at the Maintenance Service Center, at 3500 Robertson Park Road, Livermore

Community Monitor Committee Roles and Responsibilities

Below is a summary of the duties and responsibilities of the Community Monitor Committee and related parties as defined by the Settlement Agreement between the County of Alameda, the City of Livermore, the City of Pleasanton, Sierra Club, Northern California Recycling Association, Altamont Landowners Against Rural Mismanagement, and Waste Management of Alameda County, Inc. The purpose of this document is to aid in determining if discussion items are within the scope of the Community Monitor Committee.

Community Monitor Committee's Responsibilities

Under Settlement Agreement section 5.1.2, the CMC is responsible for supervising and evaluating the performance of the Community Monitor as follows:

- A. Interviewing, retaining, supervising, overseeing the payment of, and terminating the contract with the Community Monitor;
- B. Reviewing all reports and written information prepared by the Community Monitor; and
- C. Conferring with the Community Monitor and participating in the Five Year Compliance Reviews (next due 8/22/2010) and the Mid-Capacity Compliance Review (due when the new cell is constructed and capacity is close to 50%, unlikely to occur before 2028) (Condition number 6 of Exhibit A of the Agreement).

Community Monitor's Responsibilities

The Community Monitor supplements and confirms the enforcement efforts of the County Local Enforcement Agency. The Community Monitor is primarily responsible for:

- A. Reviewing any relevant reports and environmental compliance documents submitted to any regulatory agency (sections 5.7.1, 5.7.2, and 5.7.3);
- B. Advising the public and the Cities of Livermore and Pleasanton about environmental and technical issues relating to the operation of the Altamont Landfill via the CMC (section 5.7.4);
- C. Presenting an annual written report summarizing the Altamont Landfill's compliance record for the year to the CMC and submitting the report to Alameda County and the Cities of Livermore and Pleasanton (section 5.7.5);
- D. Notifying the County Local Enforcement Agency and Waste Management of Alameda County of any substantial noncompliance findings or environmental risk (section 5.7.6);
- E. Monitoring and accessing the Altamont Landfill site and conducting inspections (section 5.7.7);
- F. Counting trucks arriving at the Altamont Landfill (section 5.7.8); and
- G. Reviewing waste testing data and source information (section 5.7.9).

Waste Management of Alameda County's Responsibilities

Per the settlement agreement, Waste Management is responsible for:

- A. Paying for the services of the Community Monitor, based on an annual cost estimate (section 5.3.3).
- B. Paying an additional 20% over the annual cost estimate if warranted based on "credible evidence" (section 5.3.3).

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List of Acronyms

Below is a list of acronyms that may be used in discussion of waste disposal facilities. These have been posted on the CMC web site, together with a link to the CIWMB acronyms page:
<http://www.ciwmb.ca.gov/LEACentral/Acronyms/default.htm>.

Updates will be provided as needed. This list was last revised on February 27, 2009.

Agencies

ACWMA – Alameda County Waste Management Authority
ANSI – American National Standards Institute
ARB or CARB – California Air Resources Board
ASTM – American Society for Testing and Materials
BAAQMD – Bay Area Air Quality Management District
CDFG or DFG – California Department of Fish and Game
CDRRR – California Department of Resources Recycling and Recovery, or CalRecycle
CIWMB – California Integrated Waste Management Board (predecessor to CDRRR – see above)
CMC – Community Monitor Committee
DWR – Department of Water Resources
LEA – Local Enforcement Agency (i.e., County Environmental Health)
RWQCB – Regional Water Quality Control Board
SWRCB – State Water Resources Control Board

Waste Categories

C&D – construction and demolition
CDI – Construction, demolition and inert debris
GSET – Green waste and other fine materials originating at the Davis Street Transfer Station, for solidification, externally processed.
GWRGCT – Green waste that is ground on site and used for solidification or cover (discontinued January 2010)
GWSA – Green waste slope amendment (used on outside slopes of the facility)
MSW – Municipal solid waste
RDW – Redirected wastes (received at ALRRF, then sent to another facility)
RGC – Revenue generating cover

Substances or Pollutants

ACM – asbestos-containing material
ACW – asbestos-containing waste
ADC – Alternative Daily Cover. For more information: <http://www.ciwmb.ca.gov/lqcentral/basics/adcbasic.htm>
BTEX – benzene, toluene, ethylbenzene, and xylene (used in reference to testing for contamination)
CH₄ – methane
CO₂ – carbon dioxide
DO – dissolved oxygen
HHW – household hazardous waste
LFG – landfill gas
LNG – liquefied natural gas
MTBE – methyl tertiary butyl ether, a gasoline additive
NMOC – Non-methane organic compounds
NTU – nephelometric turbidity units, a measure of the cloudiness of water
RL – reporting limit: in groundwater analysis, for a given substance and laboratory, the concentration above which there is a less than 1% likelihood of a false-negative measurement.
TCE - Trichloroethylene
TDS – total dissolved solids
TKN – total Kjeldahl nitrogen
VOC – volatile organic compounds

Documents

CCR – California Code of Regulations (includes Title 14 and Title 27)
CoIWMP – County Integrated Waste Management Plan
JTD – Joint Technical Document (contains detailed descriptions of permitted landfill operations)
MMRP – Mitigation Monitoring and Reporting Program
RDSI – Report of Disposal Site Information
RWD – Report of Waste Discharge
SRRE – Source Reduction and Recycling Element (part of CoIWMP)
SWPPP – Stormwater Pollution Prevention Plan
WDR – Waste Discharge Requirements (Water Board permit)

General Terms

ALRRF – Altamont Landfill and Resource Recovery Facility
BGS – below ground surface
CEQA – California Environmental Quality Act
CQA – Construction Quality Assurance (relates to initial construction, and closure, of landfill Units)
CY – cubic yards
GCL – geosynthetic clay liner
GPS – Global Positioning System
IC engine – Internal combustion engine
LCRS – leachate collection and removal system
LEL – lower explosive limit
mg/L – milligrams per liter, or (approximately) parts per million
µg/L – micrograms per liter, or parts per billion
PPE – personal protective equipment
ppm, ppb, ppt – parts per million, parts per billion, parts per trillion
SCF – Standard cubic foot, a quantity of gas that would occupy one cubic foot if at a temperature of 60°F and a pressure of one atmosphere
SCFM – standard cubic feet per minute, the rate at which gas flows past a designated point or surface
STLC – Soluble Threshold Limit Concentration, a regulatory limit for the concentrations of certain pollutants in groundwater
TTLC – Total Threshold Limit Concentration, similar to STLC but determined using a different method of analysis
TPD, TPM, TPY – Tons per day, month, year
WMAC – Waste Management of Alameda County



*COMMUNITY MONITOR
COMMITTEE
Altamont Landfill Settlement Agreement
Minutes of July 14, 2010*

DRAFT

1. Call to Order
Mr. Williams called the meeting to order at 4:03 p.m.
2. Introductions
Kathleen Minser of Waste Management was present in addition to Ms. Nourot.
3. Roll Call
Members Present: Jeff Williams; Donna Cabanne; Cindy McGovern; Wing Suen, Alameda County Environmental Health; and Tianna Nourot, Waste Management Altamont Landfill and Resource Recovery Facility (ALRRF)
Absent: David Tam, Northern California Recycling Association; Robert Cooper, Altamont Landowners Against Rural Mismanagement
Staff: Judy Erlandson, City of Livermore Public Works Department; Kelly Runyon, ESA, Community Monitor;
4. Approval of Minutes
Approval of the minutes of the May 12, 2010 meeting was moved by Ms. McGovern, and seconded by Ms. Cabanne. The motion passed 3-0.
5. Open Forum
No comments were made.
6. Matters for Consideration
 - 6.1 Responses to Committee Members' Questions
Mr. Runyon presented information regarding the effective date of new regulations regarding landfill surface emissions. In addition to the written report, Ms. Nourot pointed out that the emissions testing would involve a spot pattern rather than a continuous path; and Mr. Runyon noted that the spacing of the emissions sampling would be closer together than previously. In discussion, Ms. Nourot also advised that the concentration of landfill gas at probe GP-9 now appears to have been reduced to zero at all three depths monitored by that probe. Mr. Williams asked if there was anything in the new regulations that could be problematic for the landfill after they go into effect on January 1, 2011. Mr. Runyon stated that he

would review the regulations from that perspective and provide the Committee with a response.

Regarding a previous question from Mr. Tam on the boundaries of the entire ALRRF property and the landfill footprint, Mr. Runyon stated that he had provided a response via a map posted on the Committee web site, and Ms. Erlandson stated that she had emailed this information to Committee members, and Mr. Tam had acknowledged receiving it.

6.2 Five-Year Review

Mr. Runyon indicated that the Joint Technical Document (JTD) had been received by the L.E.A., who had deemed the application for review complete, and was now conducting the review. Mr. Williams asked for a brief description of the contents of the JTD. Mr. Runyon explained that it should contain the technical information that demonstrates compliance with all pertinent sections of California Code of Regulations Title 14 and Title 27.

At Ms. McGovern's request, Ms. Suen summarized the status of the review as follows:

On July 8, the LEA received revised versions of Sections 4 and 7 of the JTD; the review will use these updated sections. The LEA is working with CalRecycle to determine the level of review that is required and whether a hearing is needed.

Mr. Williams asked if there was a due date for this determination. Ms. Suen indicated that that is uncertain, but that she would have a better understanding of that by the end of July. Ms. Cabanne asked Ms. Erlandson to email Committee members if there was news regarding this process. Ms. Erlandson agreed to do so.

6.3 Community Monitor Updates: Reports Received

Mr. Runyon reported the following:

- Due to reduced tonnage, there will likely be two further reviews of Class 2 soil files, rather than the three reviews initially planned.
- The 2009-2010 storm water report is being reviewed. Several exceedances of benchmark levels were noted, but these had also occurred previously, and there is no apparent trend of increasing concentrations of storm water pollutants. Ms. Nourot noted that to address these exceedances, additional Best Management Practice (BMP) measures are being installed to control erosion. Mr. Runyon stated that he would provide a further explanation of the storm water requirements and measures at the next meeting.
- The revised JTD was received on June 16 and is being reviewed. Several topics within the revised JTD appear to differ from the current JTD, as described in the memorandum for this topic. Ms. Cabanne stated concern about the proposed modifications to CUP conditions 66 and 67 regarding excluding loads of feedstock

to a future Material Recovery Facility (MRF) or compost operation from the limits on “refuse truck” traffic. Her concerns focused on the potential for increased truck traffic if a MRF and/or composting facility are sited at the ALRRF and trucks bringing materials to those operations are counted as refuse trucks under CUP Condition 66. Concern was also expressed about the possibility of trucks backing up at the scales to the point that they interfered with other traffic. During discussion of this issue, Ms. McGovern asked for the definition of refuse, and Mr. Runyon said that he would provide a formal definition of this term for the next meeting. She also asked: what materials, other than refuse, come to the ALRRF now? Ms. Nourot noted that the ALRRF interprets “refuse truck” to mean a transfer truck (i.e. a truck bringing a load of refuse from a transfer station). Ms. Suen noted that the Solid Waste Facility Permit also uses the term “refuse truck” but does not define it. Several other aspects of the new JTD were also discussed:

- (1) Ms. Cabanne asked if the conservation easement would be on the west side of the ALRRF property, close to Dyer Road. Ms. Nourot responded that due to the reservoir being constructed near Dyer Road, it appears that the easement cannot be on the Dyer Road side of the property. She will check and advise if a portion of the easement could be located near Dyer Road.
- (2) Ms. McGovern asked if the conservation easement would be open to the public, and Ms. Nourot responded that it would not.
- (3) Ms. Nourot stated that the new Waste Discharge Requirements define the wet season as October to April; Mr. Runyon stated that he would re-check this, because his information indicates October to May.
- (4) In discussion of the new design of the final contour of Fill Area 1, Ms. Nourot said that this design adds approximately a year to the “life” of Fill Area 1.
- (5) In this discussion, Ms. McGovern asked if there is a way for the Committee to know if the Regional Water Board (RWQCB) has accepted this design change. Mr. Runyon pointed out that the RWQCB has received a copy of the revised JTD for review.
- (6) Also, Mr. Williams asked if the final contour shown is pre or post settlement. Ms. Nourot stated that it is post settlement.
- (7) Ms. McGovern expressed general concern about the presence of landslide areas within Fill Area 2.
- (8) Ms. Cabanne asked for clarification of the proposed general location of a future MRF, and Mr. Runyon provided an explanation.
- (9) Committee members asked if the zoning for the landfill would require further CUP conditions to accommodate a MRF, and Mr. Runyon said that he would check the zoning and report back.
- (10) Ms. Suen stated that the permit review directive might not address the future MRF and compost operations discussed in the JTD, because the discussion in the JTD is so general.

- The review of the Second Semiannual / Annual Groundwater Monitoring Report, received in February, is now complete. Concentrations in monitoring and corrective-action wells do not appear to warrant any new or special concern. They will continue to be tracked. Ms. Cabanne asked what action would be taken if the concentrations in well E-20B became very high. Mr. Runyon said that he would look into this and report back.

6.4 Review of Reports from Community Monitor (ESA)

Mr. Runyon reported the following:

- The continuing use of treated auto shredder fluff to cover the working area of the landfill more frequently, to reduce windblown litter, appears to be quite effective.
- Other aspects of landfill operations appear to be proceeding normally with no cause for concern.

In discussion of this item, Ms. McGovern asked if there is a daily or monthly limit on the tonnage delivered by San Francisco. Mr. Runyon replied that he would check, but the only San-Francisco-specific limit that he is aware of is the total tonnage to be delivered during the current disposal agreement.

6.5 Final Annual Report

Ms. Erlandson requested any final comments from Committee members' organizations regarding the content of the report. None were made.

6.6 Extension of Term for Community Monitor Services

Mr. Runyon provided two copies of the Extension, signed by ESA. Because the Extension needs to be unanimously approved and signed by all voting Committee members, and one was absent, completion of this item was continued until the next meeting.

7. Agenda Building

Ms. Minser indicated that the Committee is welcome to meet at the landfill at any time, if desired. Committee members discussed setting a time for a tour of the LNG facility at the September meeting.

8. Adjournment

The meeting was adjourned at 5:17 PM. The next meeting will be held on **Wednesday, September 8 at 4:00 p.m.** at the Livermore Maintenance Services Division at 3500 Robertson Park Road.



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San Francisco, CA 94104
415.896.5900 phone
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CMC Agenda Item 6.1
www.esassoc.com

memorandum

date August 18, 2010
to ALRRF Community Monitor Committee
from Kelly Runyon
subject CMC Meeting of 9/8/10 - Agenda Item 6.1 - Status of Five-Year Review

As noted previously, the LEA received the Joint Technical Document (JTD) from the ALRRF on June 7 and deemed the permit review application package complete, in a letter to the ALRRF dated June 18. Since that time, ALRRF has submitted updates to two sections of the JTD, providing further description of a proposed area for the sale of landscaping materials (such as compost and mulch), temporary changes in public operating hours, and refuse placement in the asbestos waste area. We are in the process of reviewing these sections.

If the LEA determines that the permit review application involves major changes that will require a revised permit, a public hearing will be held. In early August we were told by ALRRF staff that this determination had not yet been made. We have no further information at this time.

The existing Solid Waste Facility permit remains in effect while the Five-Year review is taking place.

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memorandum

date August 18, 2010
to ALRRF Community Monitor Committee
from Kelly Runyon
subject CMC Meeting of 9/8/10 - Agenda Item 6.2 - Responses to Committee Members' Questions

1. In the Committee meeting of July 14, Committee Member Williams asked if the new State Air Resources Board landfill emissions regulations might create a problem for ALRRF after they take effect.

In brief, the answer is no. The regulations¹ appear to require some reports and calculations that were not required previously, to estimate gas generation and possible emissions; and the physical evaluation of landfill surface emissions will probably require more time than in the past, due to more stringent procedures. These added efforts will probably increase monitoring and consulting costs, but they do not appear to create a compliance problem *per se*.

2. In the discussion of stormwater sampling results, I offered to provide a more complete description of “benchmarking values” and their use in stormwater monitoring. The attached 2-page flyer from the Sacramento County Business Environmental Resource Center provides a good discussion in plain English. It states, in part:

The US Environmental Protection Agency (US EPA) devised benchmark limits that serve as “levels of concern” for stormwater sampling. The benchmarks are intended to provide comparison values for sampling that allow operators to gauge the effectiveness of their Best Management Practices (BMPs).

Samples with pollutant concentrations above benchmark values signal the operator to evaluate on-site BMPs and stormwater pollution measures already in place to prevent contaminant discharges to stormwater.

ALRRF is taking the approach described above, by improving their BMP’s in response to the over-benchmark readings found in the most recent stormwater tests. It should also be noted that exceedances of benchmarks are not a violation of regulatory standards.

3. In the discussion of ALRRF’s revisions to their Joint Technical Document (JTD), Ms. McGovern asked for a definition of the term “refuse.” The relevant regulations² define refuse in the following way:

¹ California Code of Regulations Title 17, sections 95461 – 95476.

² California Code of Regulations Title 14

Section 17225.53. Refuse.

"Refuse" includes garbage and rubbish. [This is the entire definition.]

Section 17225.30. Garbage.

"Garbage" includes all kitchen and table food waste, and animal or vegetable waste that attends or results from the storage, preparation, cooking or handling of food stuffs.

Section 17225.59. Rubbish.

"Rubbish" includes non-putrescible solid wastes such as ashes, paper, cardboard, tin cans, yard clippings, wood, glass, bedding, crockery, plastics, rubber by-products or litter.

Ms. McGovern also asked what materials other than refuse come to the ALRRF now. When a load is received, the material is classified into one of five distinct categories, and further into one of several material types. The categories and the most common types are:

Category	Type	Usual Disposition
MSW – Municipal Solid Waste	MST – MSW from within Alameda County	Landfilled
	MSTOC – MSW from outside Alameda County	Landfilled
C&D – Construction and Demolition Material	CDDT – C&D material from within Alameda County	Transferred to Davis Street MRF, or sorted on site for salvage
	CDDTOC – C&D material from outside Alameda County	Transferred to Davis Street MRF, or sorted on site for salvage
RDW – Redirected Wastes	GWCT - Green material from within Alameda County	Transferred elsewhere for processing
	GWO - Green material from outside Alameda County	Transferred elsewhere for processing
RGC – Revenue-Generating Cover	C2 Cover RGC – Class 2 cover soil	Used on site as cover material
	C2 Sol Cover RGC – Liquids, as permitted, to be blended for solidification and used as Class 2 cover	Used on site as cover material
	TST – Shredded tires	Used on site as cover material and for other beneficial uses
	Auto Fluff RCG – Treated auto shredder fluff	Used on site as cover material
	GSET – MRF fines for use in solidification	Blended with C2 Sol Cover RGC for solidification, then used as cover
	Bio Solids RGC – Wastewater sludge	Used on site as cover material
SP. Waste – Special Waste	C2 Disp SPW – Special wastes suitable for Class 2 disposal	Landfilled in Class 2 area
	Asb Friable – Friable asbestos	Landfilled in asbestos area
	Asb Non Fri – Nonfriable asbestos	Landfilled in Class 2 area
	Treated Wood	Landfilled in Class 2 area

4. In discussion of the operations described in the ALRRF's revisions to the JTD, Committee members asked if the zoning of the landfill would enable these operations to be added without further changes to the CUP. We could not find this zoning information on publicly accessible web sites, so we contacted ALRRF staff to discuss directly communicating with County Planning staff, to obtain this information. ALRRF's response was that this inquiry is outside of the Community Monitor's defined scope of work. We have not pursued the inquiry further.

5. In discussion of the most recent groundwater monitoring report, Ms. Cabanne asked for an explanation of the actions that would take place if one of the monitoring wells were to exhibit increasing concentrations of a pollutant, over time. This is discussed in some detail in a recent memo from Treadwell and Rollo, included elsewhere in this agenda packet. We did not communicate with the Water Board. This memo and the discussion below is based on our experience with these issues.

In general, the Water Board can be expected to evaluate the ALRRF's semiannual reports and require actions by ALRRF if they observe (a) high levels of contaminants that indicate a potential threat to drinking water quality, (b) a trend of increasing concentrations of contaminants, or (c) indications that contaminants are spreading to additional monitoring wells. The goal of those actions would be to determine the cause of the problem, in order to guide preventive or remediating action. The choice of actions is not predetermined; it involves an evaluation of the situation by Water Board staff, and their professional judgment. The required actions would typically begin with more intensive monitoring, by taking more samples, performing more detailed analyses, and possibly widening the investigation to other existing or new wells. In practice, the monitoring and remediation effort typically involves Water Board staff and staff or consultants for the site determining a cost-effective method to address the problem. The last paragraph of the August 18 memorandum from Treadwell and Rollo that is attached to agenda item 6.4 provides T&R's perspective on this issue.

US EPA Benchmarks for Stormwater Sampling

About benchmarks

The US Environmental Protection Agency (US EPA) devised benchmark limits that serve as “levels of concern” for stormwater sampling. The benchmarks are intended to provide comparison values for sampling that allow operators to gauge the effectiveness of their Best Management Practices (BMPs).

Samples with pollutant concentrations above benchmark values signal the operator to evaluate on-site BMPs and stormwater pollution measures already in place to prevent contaminant discharges to stormwater.

If your sampling results exceed benchmarks

If any of your sampling results exceed benchmarks, it is an indication that your stormwater run-off may contain pollutants in concentrations that could violate water quality standards for stormwater discharges to receiving waters.

Therefore, benchmark exceedances are indicators for you to:

- assess your BMPs (the measures that you have implemented to control your pollutant sources) to determine why the exceedance occurred.
- implement corrective actions to address the source of the problem and monitor subsequent sample results to confirm that the corrections that you made actually solved the problem. If not, further corrective measures may be necessary.

Caution

It is important to understand that benchmark values serve as indicators only. Sampling results below benchmarks should not be interpreted as definitive measures of compliance.

It is possible that sampling results could have no benchmark exceedances, yet still contain other pollutants whose discharge would result in violations of water quality standards for stormwater discharges.

Basic sampling requirements

The basic parameters that all General Permit facility operators must sample for are:

- total suspended solids
- oil and grease **or** total organic carbon
- specific conductance
- pH

Some facilities are required to sample for additional parameters due to their on-site materials or activities.

Units

Please be aware that if the units on the parameter lists on the back of this page are not the same as those on the lab report, the necessary conversions need to be made so that you know whether or not your results actually exceed the benchmark values in any areas. BERC or your lab representative can help you with this.

Parameter List

On the back of this document, you will find a summary of US EPA benchmarks for constituents of concern for stormwater sampling.

Remember that this list includes both basic sampling parameters for all facilities and additional sampling parameters that may or may not be applicable to your facility.



www.sacberc.org

Business Environmental Resource Center

10425 Norden Avenue
Mather, CA 95655-4130
(916)364-4110 main
(916)364-4115 fax

M. Robert White, R.G.
Manager
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BERC is a joint service
provider and partner with:

Sacramento Metropolitan
Air Quality Management
District

City of Sacramento
Department of Utilities

Sacramento Regional County
Sanitation District

Sacramento Regional Solid
Waste Authority

Sacramento County
Municipal Services Agency

- Department of Water Resources
- Planning and Community Development Department
- Construction Management and Inspection Division

Sacramento County
Environmental Management
Department

Sacramento County
Department of Economic
Development and
Intergovernmental Affairs

Sacramento Municipal
Utility District

Advisement: *This parameter list is not all-inclusive.* Other benchmark values are available. For more information, please refer to the:

- [State Water Resources Control Board Current General Industrial Permit](#), and/or
- Federal Register containing EPA's [Table 3—Parameter Benchmark Values](#) (from the October 30, 2000 Final Reissuance of National Pollutant Discharge Elimination System (NPDES) Storm Water Multi-Sector General Permit for Industrial Activities).

Common Stormwater Sampling Parameters		
Parameter	Units	Benchmark Value
pH	pH units	6.0 – 9.0
Total suspended solids	mg/L	<100
Specific Conductance	µmhos/cm	<200
Total Organic Carbon <i>Note: A Hexane Extractable Material (HEM) test may be used to identify Total Organic Content or Oils/Grease</i>	mg/L	<110
Oil & Grease <i>Note: A Hexane Extractable Material (HEM) test may be used to identify Total Organic Content or Oils/Grease</i>	mg/L	<15
Biochemical Oxygen Demand	mg/L	<30
Chemical Oxygen Demand	mg/L	<120
Aluminum	mg/L	<0.75
Ammonia	mg/L	<19
Arsenic	mg/L	<0.16854
Cadmium	mg/L	<0.0159
Chloride	mg/L	<860
Copper	mg/L	<0.0636
Fluoride	mg/L	<1.8
Iron	mg/L	<1
Lead	mg/L	<0.0816
Nickel	mg/L	<1.417
Zinc	mg/L	<0.117

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memorandum

date August 18, 2010
to ALRRF Community Monitor Committee
from Kelly Runyon
subject CMC Meeting of 9/8/10 - Agenda Item 6.3 - Proposed Modification, CUP Conditions 66 and 67

The 1999 Settlement Agreement states that the Community Monitor Committee (CMC) “shall be responsible for... participating in the Five Year Compliance Reviews”¹ and that the Community Monitor (CM) shall review “all materials submitted to the County in connection with the Five Year Compliance Reviews.”² These materials include the proposed revised Joint Technical Document (JTD) submitted to the County by ALRRF in June and July 2010.

At the July 14 CMC meeting, our explanation of proposed changes to two Conditional Use Permit conditions in the revised JTD led to some concern with regard to potential truck traffic impacts. This memorandum provides additional detail about the changes described in the revised JTD. It is provided to the Committee for members’ information when considering the Committee’s participation in the Five Year Compliance Review. That participation may include providing comments to the Planning Commission or the Board of Supervisors¹. This memo does not recommend any particular action by the CMC or its members.

The following pages are taken directly from the revised JTD; they describe proposed changes to CUP Conditions 66 and 67. In the revised JTD, they are preceded by descriptions of three potential future Ancillary Facilities at ALRRF: a Material Recovery Facility capable of handling 400 to 500 tons per day (TPD) of incoming waste to recover recyclables, a composting facility for green material and class B or better biosolids, and a Reclaimable Anaerobic Composter System that would use source-separated material, including up to 500 tons per day of food waste and green waste, to produce biogas and compost.

¹ Settlement Agreement Section 5.1.2 (c)

² Settlement Agreement Section 5.7.1

weeks, at the end of which the compost will be ready use as a soil amendment and for commercial grade compost; approximately 30% of the volume of compost generated in a "batch" from each cell will be used as "seed" for the next batch of food waste and green waste placed in the cell - this "seeding" is necessary to efficiently start the anaerobic process each time the RAC cell refilled (note: the first time each cell is filled [in both the demonstration phase and full scale operational phase] the "seed" will be horse and/or cow manure);

- at 500 tpd of incoming materials (food waste and green waste), it is the 2 week fill time and the approximately 6 month in-cell processing time that determines the 18 to 20 RAC cells that will be required for full scale operations. (Note: the 18 to 20 RAC cells for full scale operations will include the 4 to 5 cells of the demonstration phase);and
- the 18 to 20 RAC cells, gas collection facilities, leachate storage and recirculation tanks, bio-filters for odor control and the curing pad make up a full-scale RAC system and will require about 10 to 15 acres.

CUP C-5512 - Conditions Requiring Only Minor, Administrative Revision

As discussed above, the 400 to 500 tpd MRF and the 500 to 750 tpd RAC system are complementary to and expand the recovery of recyclables, wood waste and green waste materials at the ALRRF. These two ancillary facilities are in keeping with the overall resource recovery mission of WMAC through such facilities as the Davis Street Transfer Station and the Landfill. MRFs and food waste/green waste composting systems are important components of the integrated waste management system in the Bay Area supported by StopWaste.Org and by environmental and community groups, and government agencies. As such, they are part of the integrated waste management system and compliment the existing operations at the landfill to assist in achieving public policy goals of material recycling and recovery. The RAC system will not only produce commercial grade compost, but the biogas generated is in keeping with the long-term collection and use of landfill gas at ALRRF through GTE and LFG-to-LNG systems at the existing systems at the landfill. As such, both of these facilities are consistent with CUP C-5512 and do not alter the following basic parameters for the ALRRF:

- average permitted daily tonnage received at the ALRRF will remain at 11,150 tpd;
- the landfill expansion shall not exceed 40 million tons of disposal capacity; and
- the waste footprint of the landfill shall be limited to approximately 250 acres.

As both of these facilities are consistent with CUP C-5512 and require only the following proposed minor administrative revision to the following conditions of the CUP [Alameda County, 2000] (proposed revisions are shown underlined):

- Condition 66** – During the a.m. peak commute period (6:45 a.m. to 8:45 a.m.) there will be no more than fifty total refuse truck trips per hour arriving at the landfill, and during the p.m. peak commute hours (4:40 p.m. to 5:30 p.m.) there will be no more than ten total refuse truck trips arriving at the landfill. For this condition, a refuse truck trip is defined as a truck trip that is hauling refuse that will be disposed of at or near the landfill's working face(s) without additional processing. Trucks hauling materials that will be routed to an onsite MRF or to an onsite composting facility are not defined as a "refuse truck," and such trucks will not be included in the count of refuse trucks during peak a.m. or peak p.m. commute periods for the purpose of this condition. In addition, truck trips to transport recovered materials from an onsite MRF offsite and truck trips to transport compost from an onsite compost facility offsite will not be included in the count of refuse trucks during peak a.m. or p.m. commute periods for the purpose of this Condition.
- Condition 67** – The average weight of waste delivery by trucks for disposal will not be less than twenty tons per truck, exclusive of refuse trucks originating from the San Ramon Unit. Beginning in 2002, as trucks in the Davis Street Transfer Station Fleet are replaced, clean air vehicles will be used for hauling waste to the ALRRF from the Davis Street Transfer Station. For this condition, a truck delivering materials to an onsite MRF or to an onsite composting facility will not be classified as a "waste delivery truck" and, as such, will not be subject to the average weight of twenty tons per truck and will not be included in the calculation of the average weight of "waste delivery by trucks for disposal."

Meteorological (MET) Station

A MET station existed at the ALRRF in the 1990s but was dismantled in 1998 when it reached end of its functional life. A MET station was also installed at the site as part of the EPA-sponsored ACAP but, once the program was terminated, the station was removed. WMAC plans on installing a new MET station in 2010 to generate site-specific climatological data, including precipitation, wind direction, evaporation and temperature data. Prior to installation, WMAC will seek approval of the station design by the BAAQMD so collected weather data can be used in site health risk assessment.

The CMC's discussion on July 14 raised questions about the definition of the term refuse truck. This term is not explicitly defined in the Settlement Agreement or the current Conditional Use Permit. In that discussion, the CM was asked to provide a definition of "refuse" in this context.

State regulations³ define "refuse" as follows:

Section 17225.53. Refuse.

"Refuse" includes garbage and rubbish.

Section 17225.30. Garbage.

"Garbage" includes all kitchen and table food waste, and animal or vegetable waste that attends or results from the storage, preparation, cooking or handling of food stuffs.

Section 17225.59. Rubbish.

"Rubbish" includes non-putrescible solid wastes such as ashes, paper, cardboard, tin cans, yard clippings, wood, glass, bedding, crockery, plastics, rubber by-products or litter.

These definitions appear to include materials that would be received by each of the three Ancillary Facilities mentioned above.

However, ALRRF staff has stated that when the Use Permit conditions were developed, "refuse truck" was intended to simply mean transfer trucks bringing materials from refuse transfer stations to ALRRF for disposal. The monthly truck counts provided to the County are consistent with this definition; only refuse transfer trucks are counted. Also, the current wording of CUP Condition 67 is consistent with this interpretation.

Moreover, the ALRRF has been receiving truckload quantities of materials not intended for disposal, but for beneficial reuse or transfer to other facilities; and in its reports to the County these are not being counted as loads of refuse. To the best of our knowledge the County has not taken issue with this practice.

The question of whether trucks bringing feedstock materials to the Ancillary Facilities are "refuse trucks" as meant by the 1999 CUP Conditions is difficult to answer, because MRF, composting and anaerobic processes were not being considered when the 1999 CUP Conditions were developed. The common definition of the noun "refuse" is "something rejected or discarded as worthless." This is consistent with its usage in the 1999 CUP Conditions, when the ALRRF was seen primarily as a site for refuse disposal, as distinct from processing and resource recovery.

³ California Code of Regulations Title 14.



225 Bush Street
Suite 1700
San Francisco, CA 94104
415.896.5900 phone
415.896.0332 fax

memorandum

date August 18, 2010
to ALRRF Community Monitor Committee
from Kelly Runyon
subject CMC Meeting of 9/8/10 - Agenda Item 6.4 - Community Monitor Updates

This memorandum provides an update on work-in-progress by the Community Monitor:

Class 2 Soil File Review – The second of three file reviews is scheduled to occur on August 26, 2010.

Reports Received – The revised Joint Technical Document (JTD) was received on June 16, 2010. This three-volume document provides details to show how the ALRRF is complying with Water Board and CalRecycle permits and regulations, in the present and the future. Updates to the revised JTD were received on July 15. These updates provide descriptions of the future Landscape Garden Supply Facility, temporary changes in public operating hours, and refuse placement in the Asbestos Waste Area. These items are relatively inconsequential from the standpoint of environmental impacts, but they can be summarized for the Committee if requested.

We have reviewed the 2009-2010 Annual Report for Storm Water Discharges that was submitted to the Regional Water Quality Control Board on June 23, 2010, and the Second Semiannual – Annual 2009 Groundwater Monitoring Report that was received in January, and these reviews are now complete. A recent memorandum from our subcontractor Treadwell and Rollo is attached and is summarized below. This memo also supports our answer to a Committee Member's question, given in agenda item 6.2, question 4.

The VOC's found previously in well E-20B, and other VOC's found in well E-17, are very low in concentration, and some of them may be the result of laboratory contamination. These levels did not exceed any regulatory limits. This should be tracked in the future.

Similarly, the VOC's found recently in stormwater samples are very low in concentration, and may also be the result of laboratory contamination. Future sampling results should be watched for a pattern or an increase, but no action is indicated at this time.

Our review of the Title V report for December 2009 through May 2010 is complete. This report provides data required by, and summarizes compliance with, air permits and regulations. The most noteworthy items documented in this report are (1) the startup and operation of the LNG plant, and (2) the successful effort to control landfill gas migration near probe GP-9. The graph that appears at the end of this memo shows day-by-day gas flow to the control devices (flares, engines, etc.) at the site. Minor interruptions occurred in the following time frames:

December 10 and 11: Gas system pipe repair; turbines continued to operate.

February 1 – 5: Both turbines were off line while PG&E did maintenance on a substation circuit-breaker.

April 12 – 15: Turbine A-6 was down to diagnose and repair a vibration sensor problem.

The LNG plant also experienced several interruptions, which is to be expected while it is starting up and ramping up production levels.

Monthly Tonnage Reports and Truck Counts for June and July have been received. Truck counts indicate no exceedances of Use Permit conditions in either month. Tonnages are also well within permit limits. The new solid waste tonnage from Fremont is apparent in the July data.



MEMORANDUM

TO: Kelly Runyon, ESA

FROM: Matthew Hall, PE, Senior Project Engineer
Dorinda C. Shipman, PG, Principal

DATE: 18 August 2010

PROJECT: Altamont Landfill (ALRRF)
Livermore, California
4774.03

SUBJECT: Groundwater Analysis for Community Monitor Progress Report #6 No. of Pages: 3

Treadwell & Rollo, Inc. (Treadwell & Rollo) has reviewed hydrogeologic data for the Altamont Landfill and Resource Recovery Facility in Livermore, California (ALRRF). Treadwell & Rollo performed the following tasks:

- Reviewed *First Semiannual 2010 Groundwater Monitoring Report, Altamont Landfill and Resource Recovery Facility (WDR Order R5-2009-0055)*, prepared by SCS Engineers, Long Beach, California, dated July 2010.
- Reviewed *2009-2010 Annual Report for Storm Water Discharges Associated with Industrial Activities*, prepared by Waste Management of Alameda County, dated June 2010.

This memorandum describes the results of the above tasks and provides our opinions and recommendations for the Community Monitor Committee (CMC). These reports were reviewed for issues described in previous CMC meeting minutes and for potential trends in groundwater analytical data over recent years. Groundwater monitoring activities and findings, as required by the Waste Discharge Requirements (WDR), were generally found to be in compliance during the May 2010 sampling event.

Groundwater Monitoring and Quality

Based on the results of the recent sampling, volatile organic compound (VOC) and inorganic constituent concentrations in groundwater are generally similar to historical values. Notable changes in groundwater concentrations are summarized below.

Detection and Corrective Action Well Inorganic and VOC Concentrations

Concentrations of inorganic compounds remained stable in detection and corrective action wells during the May 2010 monitoring event. With the exception of E-17, no VOCs were detected above the reporting limit¹ in any of the detection or corrective action wells.

The groundwater sample from E-17 detected ethanol (670 µg/L) at a concentration above the reporting limit. The groundwater sample from E-17 also detected trichloroethene (0.24 µg/L) at a concentration below the reporting limit. Neither of these chemicals have been historically detected in well E-17. SCS Engineers requested a reanalysis of the sample by the laboratory. The samples were reanalyzed, but the

¹ Reporting limit is defined as the lower limit at which a laboratory can accurately detect the concentration of a specific compound.



Kelly Runyon
ESA
18 August 2010
Page 2

analysis was performed outside of the allotted 14-day hold time. Results of the reanalysis did not detect the presence of these analytes. E-17 is a corrective action well and verification sampling is not required. The RWQCB was notified of the detections, and confirmed that verification sampling is not required. Future groundwater analytical data will be reviewed to verify if these chemical compounds persist in the groundwater samples.

Otherwise, groundwater samples collected during the May 2010 monitoring event, appear to be largely unchanged from historic findings.

Unsaturated Zone Inorganic and VOC Concentrations

Under Order No. R5-2009-0055 (2009 WDR), the sampling frequency of the unsaturated zone has been reduced to annually. After the next sampling event in late 2010, we will review the data for trends to the tetrahydrofuran (in VZM-A and VD) and tertiary butyl alcohol (in VZM-A) detections that were reported at the end of 2009.

Follow Up Items

During the CMC meeting on 14 July 2010, questions were raised regarding detections in samples collected from the storm water basins and continued detections in corrective action well E-20B. The following sections contain information to respond to these questions.

Sampling of Storm Water Retention Basins

Results of the October 2009 storm water sampling detected tert-butyl alcohol (Basin A) and 2-butanone (Basin C) above the reporting limit. Trace concentrations of other VOCs were detected in water from the basins as well, but at concentrations below the reporting limits. Three of these compounds (acetone, carbon disulfide, and methylene chloride) were also detected in trip and/or method blank samples indicating possible laboratory cross contamination. The samples were reanalyzed for VOCs by the laboratory to confirm the presence of these compounds, but the samples had exceeded their hold time for analysis. 2-butanone was detected again during reanalysis of the Basin C sample (24 µg/L), but the tert-butyl alcohol was not confirmed in the reanalysis. It is unknown how analysis outside of hold time might have affected the results of these samples.

In January 2010, additional storm water sampling was performed for the basins. Storm water samples were only collected from Basins B and C, because there was no discharge from Basin A. 2-Butanone was again detected in the sample from Basin C, but below the reporting limit at the estimated concentration of 2.4 µg/L (micrograms per Liter). Other VOC detections included chloromethane (Basin C at 0.65 µg/L) and 2-butanone (Basin B at 3.6 µg/L), but both concentrations were below the reporting limits. During this sampling event, samples were also collected from Basin B and Basin C. Analysis of the samples from Basin B and Basin C detected trace VOCs, but all concentrations were below the laboratory reporting limits. Two of the trace detections were methylene chloride and naphthalene, and these trace detections were also found in trip and/or method blanks which possibly indicates laboratory cross contamination.

Additional samples will be collected in the upcoming 2010/2011 rainy season from these storm water basins. Future data will be reviewed to monitor for continued VOC detections and trends in non-



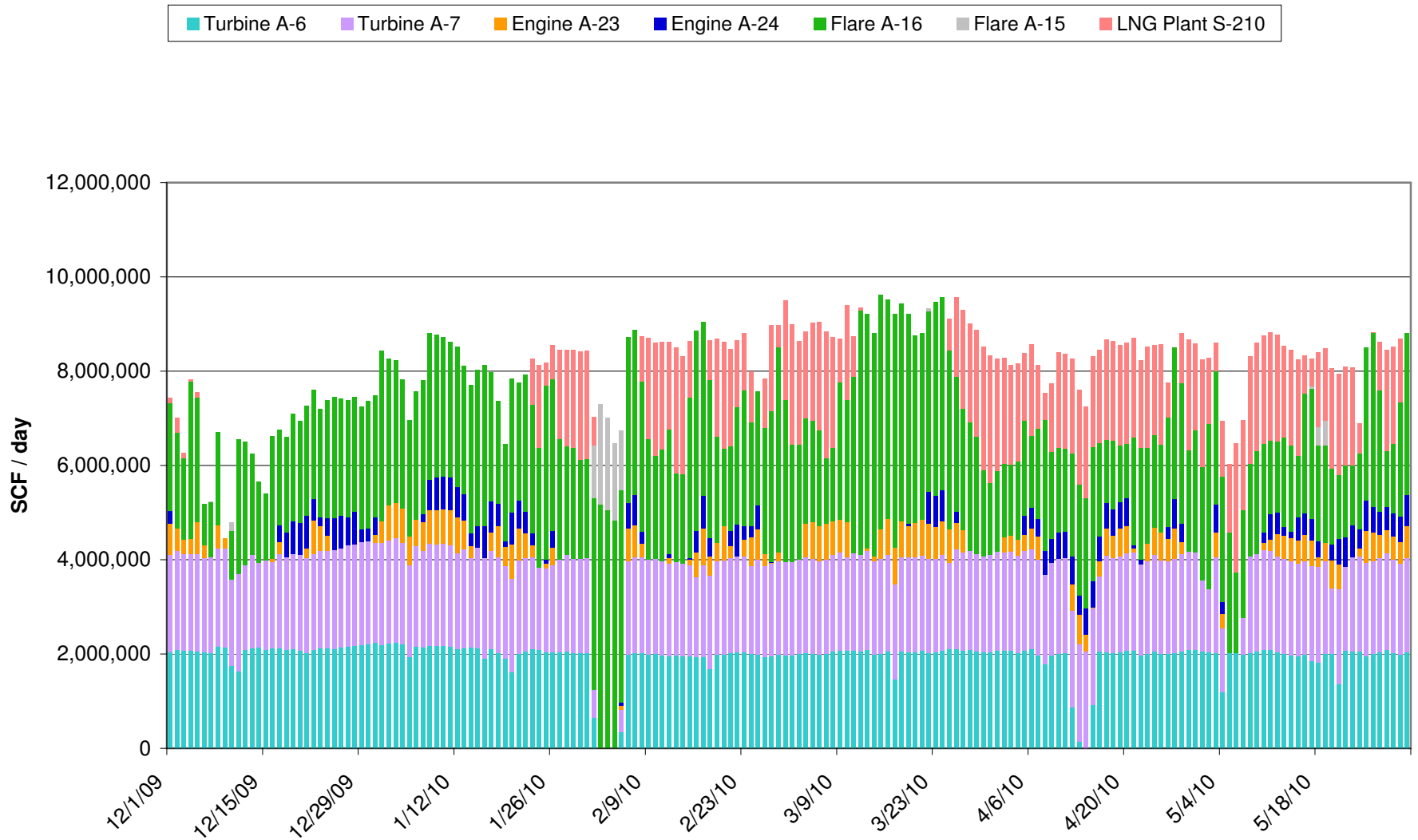
Kelly Runyon
ESA
18 August 2010
Page 3

anthropogenic organic compounds. If VOCs continue to be detected, the storm water best management practices will likely be reviewed to determine if alternative methods can be implemented to keep potential VOCs out of the storm water run off.

Continued VOC detections in samples from E-20B

VOCs have been intermittently detected in groundwater samples collected at corrective action well E-20B since 1999. Vinyl Chloride is the only VOC historically detected above the reporting limit with concentrations ranging from 0.8 µg/L to 2.9 µg/L. Analyses of samples collected from E-20B in May 2010 did not detect any VOCs above the laboratory reporting limit for this well. If the VOC concentrations at E-20B were to increase to levels that are statistically significant with respect to historical data (or reach downgradient detection wells), then resampling and/or corrective action, approved by the Regional Water Quality Control Board, would be required. The concentrations of VOCs in this well have never historically exceeded the California Maximum Contaminant Limit for drinking water (µg/L). VOC concentrations in E-20B will continue to be monitored in future reports.

Figure 6.4-1 - ALRRF Daily LFG Flow
(values derived from Title V Report)





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CMC Agenda Item 6.5
www.esassoc.com

memorandum

date August 18, 2010
to ALRRF Community Monitor Committee
from Kelly Runyon
subject CMC Meeting of 9/8/10 - Agenda Item 6.5 - Review of Reports from Community Monitor

Attached is our inspection report for July of 2010. The July inspection was announced and took place during normal working hours on July 9. The August inspection was unannounced and took place on August 18, too late for inclusion in this report.

On July 9, all landfill operating areas were observed. Recent LEA inspection reports were reviewed on-line, and the Special Occurrences Log was reviewed during the site visit.

In preparing these reports, issues that cause concern are marked with yellow rectangles in the left-hand margins of the monthly inspection reports. In July, the only such issue was windblown litter. Refuse fill was being deposited in an area that is particularly susceptible to the prevailing winds, and more litter than usual was observed being blown to, and beyond, the litter fences.

Also attached are our graphical summaries of tonnages received, by type of material, including June and July 2010. The ALRRF continues to use a substantial quantity of treated auto shredder fluff as daily cover in an effort to control litter; and the amount of class 2 cover soil increased substantially in June and July. The tonnage of municipal solid waste (MSW) was also higher in July, apparently due to the commencement of deliveries from Fremont.

Graphs by material type are provided in Figures 1 and 2 below.

Figure 1

Monthly Volumes of Revenue-Generating Cover

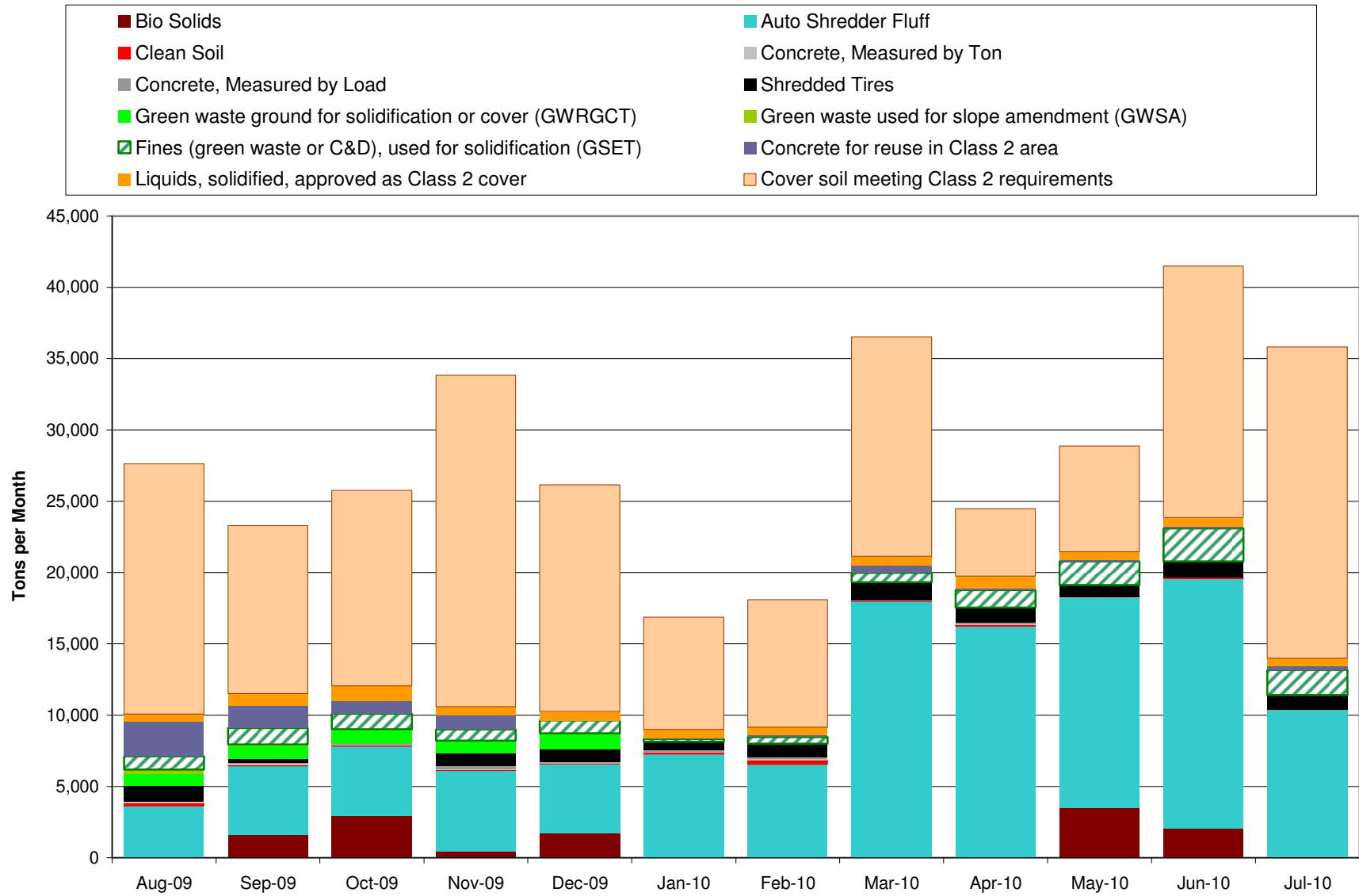
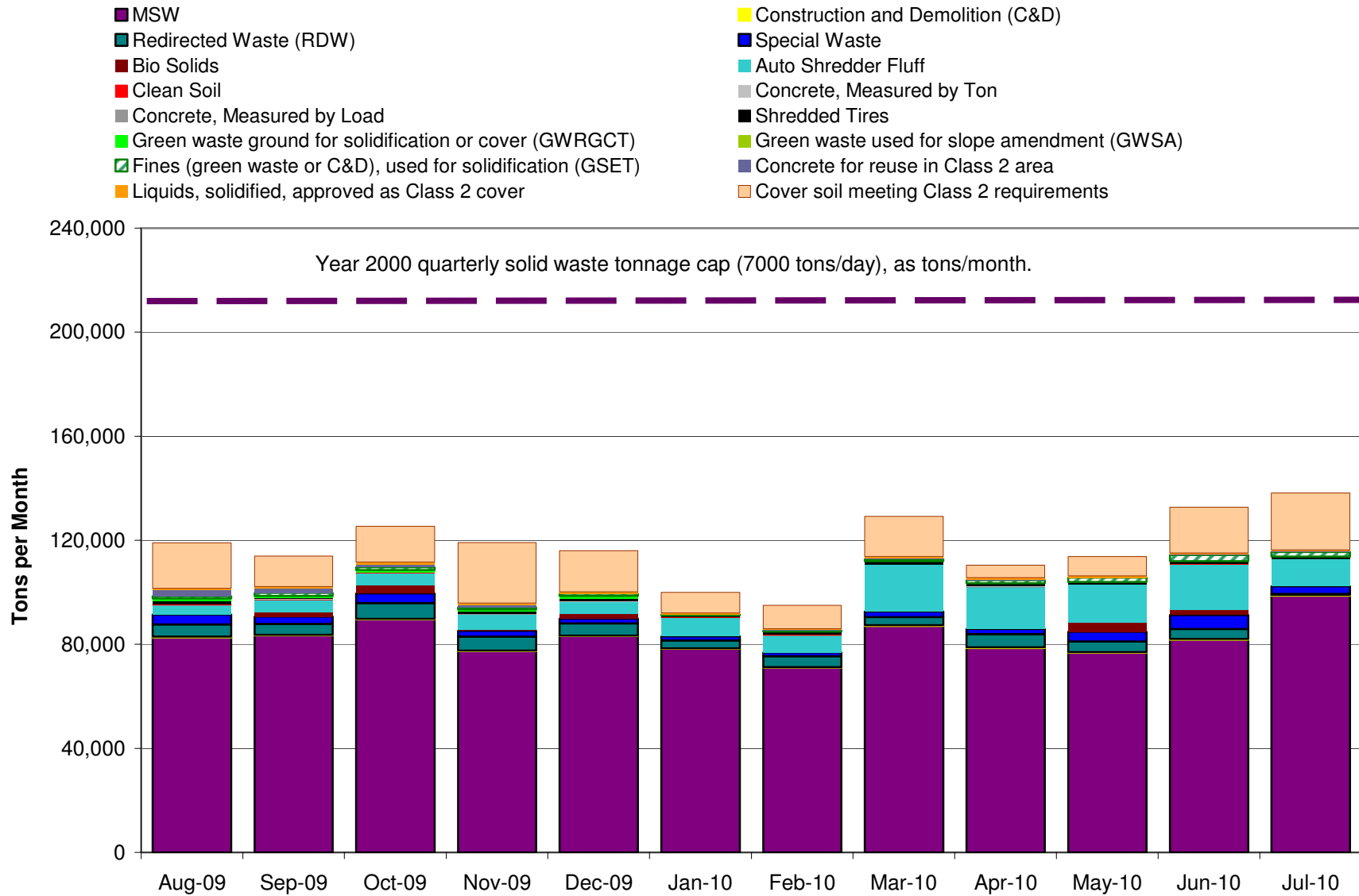


Figure 2

Monthly Volumes of All Materials



ALRRF Community Monitor Monthly Report**July 2010****Reports Received**Monthly Tonnage Report for June 2010, dated July 20, 2010

Tonnage Summary:		<u>tons</u>	
Disposed, By Source Location			
1.1	Tons Disposed from Within Alameda County	52,999.21	
1.2	Tons Disposed from City of San Francisco TS	31,791.13	
1.3	Other Out of County Disposal Tons	2,649.00	
	subtotal Disposed	87,439.34	
Disposed, By Source Type			
2.1	C&D	239.07	
2.2	MSW	81,826.06	
2.3	Special Wastes	5,374.19	
	subtotal Disposed	87,439.32	
	Difference Not Yet Reconciled	-0.02	0.00%
Other Major Categories			
2.4	Re-Directed Wastes (Shipped Off Site or Beneficially Used)	3,797.26	
2.5	Revenue Generating Cover	41,501.95	
	Total, 2.1 - 2.5	132,738.53	
Materials of Interest			
2.3.1	Friable Asbestos	845.76	
2.3.2	Class 2 Cover Soils	17,650.46	
2.5.1	Auto Shredder Fluff	17,534.00	
2.5.2	Processed Green Waste/MRF fines, Beneficial Use (GSET)	2,299.18	

Combined Title V and 8-34 Report (air permits and reporting), dated June 30, 2010

Report appears complete and is currently under review.

Joint Technical Document updates, received July 15, 2010

Currently part of Five-Year review.

First Semiannual 2010 Groundwater Monitoring Report, dated July 29, 2010

Report appears complete and is currently under review.

ALRRF Community Monitor Monthly Report**July 2010****Site Visit**Site Inspection July 9, 2010, 10:00 AM to 11:30 AM

- Attended by Kelly Runyon. Escorted by Tianna Nourot, ALRRF Environmental Manager.
- Observed refuse receiving, placement and compaction in area adjacent to asbestos area. No apparent interference between the two.
- Raw water supply pond is being kept in service because canal water will be unavailable later this year.
- Public disposal area is separate from the transfer-truck unloading area because space there is tight. Both areas appear to be well managed.
- Livermore green / food waste pile is diminished. Will be phased out.
- C&D pile was checked and had no prohibited materials visible.
- Solidification area not active.

Truck count July 9, 6:45AM to 8:45 AM

- Maximum number of refuse trucks in a 1-hour period between 6:45 and 8:45 was 19, between 7:30AM and 8:30 AM. This included transfer trucks from Davis Street, Fremont, Berkeley and San Francisco, as well as several local refuse collection trucks.

Stormwater Controls and Best Management Practices

- Basins A and B were free of litter and debris. Basin C was not observed. Water level in Basins A and B was lower than the previous observation and well below discharge elevation.

Observation of Environmental Controls

- Along the shoulders of Altamont Pass Road very little loose litter was observed. Black trash bags indicate that cleanup crew was recently cleaning the road shoulders.
- Windblown litter appears to be difficult to control in this unloading area. Gaps in the primary litter fence, due to roadways that pass through the fence line, allow some litter to pass through to the "back 40" (open land east of the active area). Fence also appears to need repair.
- All ditches and drains seen were clean and serviceable.
- LNG plant and its flare were operating. At least one IC engine was running. Both turbines were operating but the flare at the turbine house was off.

Other Observations / Notes

- Special Occurrences Log was reviewed. Incidents included one end-dump truck toppling to the side while unloading, due to uneven ground surface. Also a fire within a transfer trailer at the drop & hook area. This was controlled by on-site staff and equipment.

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COMMUNITY MONITOR COMMITTEE STAFF REPORT

TO: Community Monitor Committee Members

FROM: Dana d'Angelo, Administrative Assistant

SUBJECT: Agreement for Consulting Services with Environmental Science Associates

RECOMMENDED ACTION

Staff recommends the Community Monitor Committee discuss and approve the First Extension to the Agreement for Consulting Services with Environmental Science Associates for one three-year extension pursuant to the existing contract.

BACKGROUND

The Settlement Agreement, dated November 30, 1999, between the County of Alameda, the City of Livermore, the City of Pleasanton, Sierra Club, Northern California Recycling Association, Altamont Landowners Against Rural Mismanagement, and Waste Management of Alameda County, Inc. (Settlement Agreement), created the Community Monitor Committee to hire and oversee the work of a Community Monitor.

The Community Monitor is a technical expert retained to monitor the Altamont Landfill and Resource Recovery Facility's (ALRRF) compliance with environmental laws and regulations, and to advise the public and the Cities of Livermore and Pleasanton about technical issues relating to the ALRRF.

On January 9, 2008, the Community Monitor Committee (Committee) and Environmental Science Associates (ESA) entered into an Agreement for Consulting Services for ESA (Agreement) to perform the duties of the Community Monitor as defined by the Settlement Agreement.

On May 12, 2010, the Committee voted unanimously to extend the existing Agreement with ESA for the services of a Community Monitor for one three-year extension pursuant to the existing Agreement.

MEETING DATE:

September 8, 2010

AGENDA ITEM:

6.6

DISCUSSION

The term of the existing Agreement with ESA is from January 9, 2008 to December 31, 2010. The existing Agreement has a provision for one three-year extension with unanimous approval from Committee members at a Committee meeting. On May 12, 2010, the Committee unanimously voted to exercise the one three-year extension pursuant to the existing Agreement with ESA for the services of a Community Monitor. The Committee also provided ESA notification of the intent to exercise the three-year extension of the existing Agreement with ESA prior to the end of the Committee meeting.

Upon ESA's acceptance of the extension of the existing Agreement, Staff prepared the First Extension to the Agreement with ESA for the Committee's review and final authorization. ESA has reviewed the First Extension to the Agreement and has approved as to form.

The Committee may approve the First Extension to the Agreement with ESA as written or propose changes to return at the next Committee meeting. Upon the unanimous approval of the Committee, the First Extension to the Agreement with ESA would be signed by both the Committee and ESA. The First Extension to the Agreement with ESA shall be effective upon receipt in writing by personal service upon the authorized agent of the Committee or upon U.S. Mail to the parties of the Agreement.

ATTACHMENTS

1. First Extension to the Agreement for Consulting Services with Environmental Science Associates

Approved by:



Judy Erlandson
Public Works Manager

EXERCISE OF FIRST EXTENSION OPTION FOR PROFESSIONAL SERVICES

THIS FIRST EXTENSION, is made and entered into this ____ day of _____, 2010, by and between the Community Monitor Committee (CMC), (hereinafter referred to as "Committee or CMC"), and Environmental Science Associates (ESA), (hereinafter referred to as "Consultant").

RECITALS

On January 9, 2008, Committee and Consultant entered into an agreement for Consultant to provide professional services to Committee as shown in Exhibit 1 to the original agreement ("Agreement"). Section 4 of the Agreement contains an option to extend the Agreement for one three-year term with unanimous approval from the Committee at a Community Monitor meeting.

On December 4, 2009, Committee and Consultant amended the Agreement to: clarify the CPI escalation language for work conducted in subsequent years; specify the CPI index to be used; and remove CPI escalator fax on-demand service language, as the service has been discontinued. This was the First amendment to the Agreement.

Committee and Consultant desire to extend the Agreement for an additional term from January 1, 2011 to December 31, 2013. This is the first extension to the original Agreement.

AGREEMENT

NOW, THEREFORE, the Committee and Consultant agree that the aforementioned recitals are true and correct and further agree as follows:

1. The term of the original Agreement is extended for an additional three year term commencing January 1, 2011 and ending December 31, 2013.
2. The total compensation for work conducted in the first year of the extension period shall not exceed \$88,332 multiplied by the following Annual Escalation Factor: one plus the previous year's annual percent change in the Consumer Price Index for Urban Wage Earners and Clerical Workers (CPI-W), All Items, for the cities of San Francisco-Oakland-San Jose, as published by the US Bureau of Labor Statistics. The total compensation for work conducted in subsequent years shall not exceed an amount determined by multiplying the previous year's not-to-exceed amount by an Annual Escalation Factor determined as described above.
3. This the final extension option allowed by section 4 of the original Agreement.

4. This extension does not relieve the parties of the terms and conditions of the Agreement as written and in effect at the time the Services were rendered.

5. Except as amended above, the Agreement shall remain in full force and effect.

In concurrence and witness whereof, and in recognition of the mutual consideration provided therefore, the parties have executed this Agreement effective on the date first written above.

CONSULTANT

Environmental Science Associates
By: Gregory A. Thornton
Gregory A. Thornton
Environmental Science Associates
Chief Financial Officer
225 Bush Street, Suite 1700
San Francisco, CA 94104
415/896-5900

Dated: 13 July 2010

Federal I.D. No.
94-1698350

COMMUNITY MONITOR COMMITTEE

By: _____
Jeff Williams, City of Livermore
1052 South Livermore Avenue
Livermore, CA 94550

Dated: _____

By: _____

Cindy McGovern, City of Pleasanton
123 Main Street
Pleasanton, CA 94566
Dated: _____

By: _____
David Tam, Northern California
Recycling Association
PO Box 22452
Oakland, CA 94609
Dated: _____

By: _____
Donna Cabanne, Sierra Club

Dated: _____

Approval of the Agreement made by
the Committee on _____, as
shown in the minutes of that meeting.

APPROVED AS TO FORM

APPROVED AS TO FORM:

Jonathan Lowell
City Attorney
City of Pleasanton

Amara Morrison
Special Counsel
City of Livermore

Confirmation of City of Livermore as financial agent for the Community Monitor Committee.

I, Linda Barton, am the City Manager of the City of Livermore. I affirm that the City of Livermore has agreed to manage funds for the Community Monitor Committee as shown in the letter agreement dated July 6, 2004, attached as Exhibit A to this Agreement.

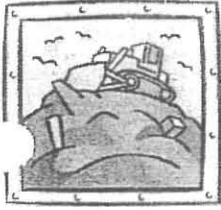
Linda Barton, City Manager

Dated: _____

ATTACHMENTS:

Exhibit A: July 6, 2004 letter authorizing the City of Livermore to act as the financial agent for the Community Monitor Committee

Exhibit A



COMMUNITY MONITOR COMMITTEE

Altamont Settlement Agreement

David Darlington
Chair
City of Livermore

July 6, 2004

Matt Morrison
Vice-Chair
Sierra Club

Linda Barton, City Manager
City of Livermore
1052 South Livermore Avenue
Livermore, CA 94550

Re: Managing Funds for the Community Monitor Committee

John Hanscom
Member
NCRA

Dear Ms. Barton:

The Community Monitor Committee requests that the City of Livermore manage the funds for the Committee.

Mark Wilson
Member
City of Pleasanton

As background, in 1999 the Community Monitor Committee was created by the Altamont Settlement Agreement. Section 5 of the Agreement sets forth the composition of the Committee; its responsibilities; and the selection, compensation, qualifications, and scope of work of the Community Monitor. There are four voting members: one appointed by the Livermore City Council; one appointed by the Pleasanton City Council; one appointed by the Northern California Recycling Association; and one appointed by the Sierra Club. The Community Monitor will be a technical expert who will monitor the Altamont Landfill and Resource Recovery Facility's (ALRRF) compliance with environmental laws and advise the Cities of Livermore and Pleasanton about environmental and technical issues relating to the operation of the ALRRF. A copy of the first page and Section 5 of the Agreement are attached for your information.

Jacque Delgadillo
Liaison

The role of the Community Monitor Committee is to hire and supervise the Community Monitor. Waste Management pays the cost of the Community Monitor, and we anticipate the amount to involve between \$50,000 to \$100,000 each year.

The Committee is not in a position to manage this amount of money directly, and therefore requests assistance from the City. Jacque Delgadillo of the Public Services Department is the staff support person for our Committee, and would be the City staff contact for this issue.

The Agreement provides that the Community Monitor provide detailed invoices for work performed and associated expenses on a monthly basis, to both the

Committee and to Waste Management. Waste Management must pay these invoices to the Committee within 45 days of receipt. (Section 5.3.1) And, presumably, the Committee then pays the Community Monitor. The Committee may also be receiving monies from Waste Management as reimbursement for its own reasonable overhead business expenses, as authorized by Section 5.3.2. It is the financial management of these transactions that the Committee is requesting.

After discussion with a representative of your Finance Department, we understand that a Community Monitor Committee account could be established in the City's Fund 910 ("Agency funds"). We understand that the City is not responsible for paying any interest. We also agree that the City may withdraw up to 2% per year for its costs in the financial management of the account.

The process we anticipate is that Waste Management would send funds directly to the City for the Fund 910 account. Payments from the account (either for the Community Monitor and/or for expenses of the Committee) would be paid out based on the written request and authorization from (1) the Public Services Director or the City staff liaison person and (2) either the Chair or Vice-Chair of the Committee.

Would you indicate your concurrence with this proposal by signing below and returning a copy of this letter to us for our records?

Sincerely,



David Darlington, Chair
Community Monitor Committee

(Based upon Committee vote taken May 25, 2004)

Attachment:

Excerpts from Altamont Settlement Agreement: pages 1, 2, and 7-12.

The City of Livermore is willing to undertake the financial management for the Community Monitor Committee as described in this letter.



Linda Barton, City Manager

7-12-04

Date

cc: Monica Potter, Finance Director, City of Livermore
Dan McIntyre, Public Services Director
Evan Levy, Financial Services Manager, City of Livermore
Judith A. Robbins, Special Counsel, City Attorney's Office
Ken Lewis, District Manager, Altamont Landfill and Resource Recovery Facility

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