COMMUNITY MONITOR COMMITTEE
Altamont Landfill Settlement Agreement

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

AGENDA

www.altamontcmc.org

VOTING MEMBERS

Bob Woerner
City of Livermore

Jerry Pentin
City of Pleasanton

Donna Cabanne
Sierra Club

David Tam
Northern California Recycling Association

NON-VOTING MEMBERS

Sarah Fockler
Waste Management Altamont Landfill and Resource Recovery Facility

Wing Suen
Alameda County

Robert Cooper
Altamont Landowners Against Rural Mismanagement (ALARM)

STAFF

Judy Erlandson
City of Livermore
Public Works Manager

DATE: **Wednesday, January 13, 2016**
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 (Minutes from October 14, 2015)
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 Selection of Chairperson (City Staff)**
   - **6.2 Responses to Committee Member Questions: Fill Area 2 Permits; Compost Test; Status of Gas Analyses; Duration of Five-Year Review (ESA)**
   - **6.3 Update re Fill Area 2 Status (ESA)**
   - **6.4 Reports from Community Monitor (ESA)**
   - **6.5 Review of Reports Provided by ALRRF: CPA Surveys and MMRP 2013/2014; Hydrogeologic Model; Water Board Correspondence (ESA)**
   - **6.6 Status of Five-Year Permit Review (ESA)**
   - **6.7 2015 Annual Report (ESA)**
   - **6.8 Consideration of Standing Agenda Item for Future Meetings: Announcements (Committee Members)**
   - **6.9 Community Monitor Staffing, 2016 (ESA)**
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 Monitor Committee meeting is tentatively scheduled to take place at 4:00 p.m. on **April 13, 2016** at 3500 Robertson Park Road, Livermore.

Informational Materials:

- Community Monitor Roles and Responsibilities
- List of Acronyms
- Draft Minutes of October 14, 2015
- Reports from ESA, including 2015 Annual 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 AND28 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 Maintenance Service Center, 3500 Robertson Park Road, Livermore, and on the Community Monitor Committee web site, http://www.altamontcmc.org.

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 in 2015) 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 September 25, 2013.

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
FIT – Fine materials delivered to the ALRRF, measured by the ton.
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

Water Quality Terminology
MCL – Maximum Contaminant Level – The legal threshold limit on the amount of a substance that is allowed in public water systems under the Safe Drinking Water Act.

Substances or Pollutants
ACM – asbestos-containing material
ACW – asbestos-containing waste
ADC – Alternative Daily Cover. For more information: http://www.ciwmb.ca.gov/lgcentral/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
MEK – methyl ethyl ketone
MIBK – methyl isobutyl ketone
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
TSS – Total Suspended Solids
VOC – volatile organic compounds

Documents
CCR – California Code of Regulations (includes Title 14 and Title 27)
CoIWMP – County Integrated Waste Management Plan
CUP – Conditional Use Permit
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
ASP – Aerated Static Pile composting involves forming a pile of compostable materials and causing air to move through the pile so that the materials decompose aerobically.
BGS – below ground surface
BMP – Best Management Practice
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
RAC – Reclaimable Anaerobic Composter – a method developed by Waste Management, Inc., to place organic materials in an impervious containment, allow them to decompose anaerobically, and extract methane during this decomposition.
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 October 14, 2015

DRAFT

1. Call to Order
Acting Chairperson Pentin called the meeting to order at 4:05 p.m.

2. Roll Call

Members Present:	David Tam, NCRA; Jerry Pentin, City of Pleasanton; Donna Cabanne, Sierra Club; Wing Suen, Alameda County Department of Environmental Health (LEA); Sarah Fockler, Waste Management Altamont Landfill and Resource Recovery Facility (ALRRF)
Absent:	Laureen Turner, City of Livermore; Robert Cooper, Altamont Landowners Against Rural Mismanagement
Staff:	Judy Erlandson, City of Livermore Public Works Department; and Kelly Runyon, ESA, Community Monitor (arrived 4:40 PM)

3. Introductions
Committee members and staff introduced themselves.

4. Approval of Minutes
Mr. Tam moved approval, Mr. Pentin seconded, and the minutes were approved 3-0 with no abstentions.

5. Open Forum
There was no Open Forum discussion.

Ms. Erlandson reported that the Community Monitor would be delayed due to heavy traffic. Acting Chairperson Pentin reordered the agenda to begin with items 6.7 and 7.

6. Matters for Consideration

6.7 Meeting Schedule for 2016

Committee members found that the dates suggested in the staff report were acceptable. Mr. Pentin moved approval, and Mr. Tam seconded. The schedule was approved 3-0 with no abstentions.

7 Agenda Building

Mr. Tam expressed interest in having a standing agenda item for Announcements. Mr. Pentin proposed that this topic be placed on the agenda for the next meeting. Mr. Tam so moved, and Ms. Cabanne seconded the motion; it was approved 3 – 0 with no abstentions.

The meeting was recessed until the arrival of the Community Monitor.

The Community Monitor arrived at 4:40 PM, and the meeting was called to order at 4:47 PM.

6.1 Responses to Committee Member Questions

Regarding the status of the wetland mitigation project and the opening of Fill Area 2, Mr. Runyon reported that he understands that the wetland mitigation project must be operational in order for Fill Area 2 to become operational. Ms. Fockler corrected this, stating that the wetland was required to be constructed as a condition for permitting Fill Area 2 to be constructed. She also stated that the wetland was constructed but, due to weather events last winter causing erosion and soil deposition, it needs further work before it can function as a wetland. When it is able to function, the regulatory agencies will begin a five-year evaluation period during which it must meet certain performance criteria. If it has a problem that prevents it from doing so, the clock starts over when the regulatory agencies recognize that the problem has been resolved.

Mr. Runyon summarized by stating that the current condition of the wetland project does not prevent Fill Area 2 from opening.

Referring to information from the previous Committee meeting, Mr. Pentin asked if the July 9 meeting with the wetland contractor to develop a solution was held, and if so, what the outcome was. Ms. Fockler reported that the meeting did happen, and the contractor (Dudek) is reworking the design to function more effectively. Mr. Pentin then asked if there is a requirement that the wetland be restored if it is damaged due to site conditions. Ms. Fockler stated that the regulatory agencies (primarily US Fish & Wildlife Service) are aware of the situation and have not imposed any specific requirements; the ALRRF is proceeding with the redesign on its own. Mr. Pentin asked if the new design would need to be approved by the agencies, and Ms. Fockler stated that it would be submitted to them when ready. Ms. Cabanne asked how frequently Fish and Game comes to the site. Ms. Fockler said that they have not been there since she began work at the ALRRF, about 1 year ago. Ms. Cabanne asked if Fish and Game would be checking the wetland at the end of the five-year period. Ms. Fockler said that that is unknown, but the wetland has to be viable for a five-year period in order to satisfy the permit requirement. Mr. Pentin expressed concern that if Fill Area 2 is in use and the wetland has not been repaired to re-start the 5-year “clock”, the ALRRF could be found to be out of compliance and penalized or shut down. Mr. Runyon noted that there would

be periodic reports to the regulatory agencies on the status of the wetland, and Ms. Fockler stated that the reporting process has already begun.

Mr. Tam asked when the wetland re-construction would begin. Ms. Fockler stated that there is no set date at this time. Mr. Tam asked how long the construction would be likely to take. Mr. Runyon stated that he would expect it to be done in a construction season, but the need to plant at the proper time could extend the construction period. Mr. Pentin expressed interest in having a timeline for design, construction and implementation, and asked if the Community Monitor Committee could require that. Mr. Runyon replied that he would check on what the Settlement Agreement enables the Committee or the Community Monitor to do in such a case. He also said that he would check the full text of the Use Permit conditions for any relevant requirements.

Regarding the status of the composting permit, Mr. Runyon reported that the permit application had been submitted to the LEA but was deemed incomplete because of a lack of detail. Ms. Suen added that they had informed Waste Management about this, and they are working on a resubmittal. Ms. Cabanne asked if there was a time line for the resubmittal. Ms. Suen stated that there is no deadline but her office would be working with ALRRF staff to obtain a complete application.

6.2 Update re Fill Area 2 Status

Mr. Runyon reported that construction is continuing, and he provided progress photos of the Phase 1 area. Ms. Cabanne asked how the liner is protected prior to its receiving refuse, and if that is difficult. Mr. Runyon described the layers that overlie the impervious membrane to protect it, and stated that if the top layer (2 feet of compacted soil) erodes, it can be repaired. Mr. Tam asked about the thickness of the layers above the membrane, and Mr. Runyon described them further. Mr. Tam asked about the time remaining for the use of Fill Area 1. Ms. Fockler responded that this will depend on whether San Francisco tonnage continues to be brought to the site after its current contractual limit is reached. She further stated that the operating plan currently being developed involves dividing tonnage between Fill Area 1 and Fill Area 2 at first, so a definitive date for completion of Fill Area 1 is very difficult to predict. Mr. Runyon added that a further constraint is the number of available tippers, which limits the choice of tipping areas at any given time.

6.3 Reports from Community Monitor

Mr. Runyon reported that windblown litter continues to be a major operational issue. The litter picking crew has been focusing their efforts close to the source (the working face), which is efficient; but the slopes downwind of the active area have shown an increasing amount of litter over time. Litter has also impacted stormwater basin B, and that has been difficult to clean because of the way the basin is configured. Mr. Tam expressed surprise that the landfill had had difficulty obtaining a ten-person temporary litter crew, as reported. Ms. Fockler

responded that this problem had only occurred during the initial hiring; the crew has since been augmented. Also, an on-site contractor recently agreed to collect litter from the downwind side slopes facing Fill Area 2.

Mr. Pentin asked for an update on the condition of the raw water pond. Ms. Fockler explained that it will continue to be used as a temporary water basin, and Mr. Runyon stated that he would monitor the exposed soil on the north side of the basin for erosion damage, but that was not currently an issue.

Mr. Tam asked for a grammatical correction on page 25 of the agenda packet, and Mr. Runyon agreed to make that correction. "…but not installation has occurred…" has been changed to "…but installation has not occurred…".

Referring to the report of two end-dump trucks having tipped sideways while unloading, Mr. Pentin asked if truck tip-overs are common. Ms. Fockler indicated that they are not common, and are typically caused by a combination of several factors: wind, soft soil, etc.

6.4 Review of Reports Provided by ALRRF

Mr. Runyon summarized the reports in the associated memo, noting that two VOC's were reported from samples taken at Basin C in early 2015; this will be tracked going forward. Ms. Cabanne asked if the methane produced by the landfill and naturally occurring at the perimeter of the site presents a health hazard to the nearby residents. Mr. Runyon pointed out that the probes that had been consistently indicating methane are on the east side of the site, quite far from the Dyer Road and Altamont Pass Road residences. He gave the opinion that the Dyer Road residences would not be impacted by the detected gases. Ms. Suen added that CalRecycle has reviewed the most recent sampling conducted by the operator and has preliminarily stated that the gas appears to be naturally occurring; but they may decide to take their own samples before making a final determination. Ms. Cabanne asked for follow-up on this issue. Ms. Suen noted that unless new information indicates otherwise, previously-issued gas violations will be rescinded. Mr. Tam asked if the final determination would be made by the LEA or by CalRecycle. Ms. Suen replied that in highly technical matters, the LEA asks CalRecycle to provide an analysis, and then the LEA considers this in deciding how to take action.

Ms. Cabanne asked if the gas wells upslope are being effective in reducing VOC contamination at Well E-20B, given that concentrations of contaminant have not changed appreciably. Mr. Runyon replied that it is probably too soon to expect a change, but the rate of travel of groundwater to well E-20B needs to be considered, and that has not yet been looked into. Ms. Fockler mentioned that the ALRRF is expecting a letter from the Water Board regarding this issue.

In considering water quality in the vicinity of the landfill, Mr. Tam asked if the landfill obtains its potable water from wells on site. Ms. Fockler stated that they do not; the water at the site is not potable. Mr. Runyon added that the non-

potability is not related to the VOC's that have been detected in monitoring wells.

Ms. Cabanne expressed concern about the frequent occurrence of laboratory contamination in groundwater analyses. Mr. Runyon stated that this question had been explored in depth by Langan, and the frequency and type of laboratory contamination that is being reported does not indicate a problem at the lab. He said that a certain amount of this type of contamination is virtually inevitable, and the lab used by the ALRRF is doing a reasonable job.

In answer to a question from Ms. Cabanne, Mr. Runyon stated that he had received the methane testing report and had not yet requested the hydrogeologic evaluation report but would do so.

6.5 Status of Five-Year Permit Review

Mr. Runyon reported that the revised JTD is still under review by the Water Board and the LEA.

Mr. Tam asked if the Water Board office is located in Sacramento or elsewhere. Mr. Runyon was uncertain but noted that this Water Board region has several offices in the Central Valley, including Sacramento and Fresno.

Ms. Cabanne asked how long agencies have before they must accept the document. Mr. Runyon stated that he did not know of any limitation on the time for review, but would look into it.

6.6 Topics for 2015 Annual Report

Mr. Runyon asked if Committee members had any topics to add; none were brought up.

6.8 Community Monitor: Change in Employment Status

Mr. Runyon noted that he will be retiring from ESA at the end of 2015 but would be willing to continue in the Community Monitor role as a subcontractor, if the Committee is agreeable. He provided a letter for Committee members to sign if they wish to indicate that he should continue in that capacity. Ms. Erlandson stated that the Livermore Deputy City Attorney has approved this process, and that in 2016, the Committee will need to either extend the current contract (as provided) or issue an RFP to fill the Community Monitor position. Mr. Tam made a motion to approve, and Ms, Cabanne seconded; after discussion the wording of the motion was to approve Kelly Runyon as a subcontractor to ESA for the duration of the current contract, through 2016. The motion was approved 3-0 with no abstentions.

7. Adjournment

The meeting was adjourned at 5:32 p.m. The next meeting will be held on **Wednesday, January 13, 2016 at 4:00 p.m.** at the Livermore Maintenance Services Center at 3500 Robertson Park Road.

ESA

550 Kearny Street
Suite 800
San Francisco, CA 94108
415.896.5900 phone
415.896.0332 fax

www.esassoc.com

October 14, 2015

Altamont Community Monitor Committee
c/o City of Livermore

Subject: Continued Service of Kelly Runyon as Community Monitor

Dear Committee Members:

Kelly Runyon will be retiring from ESA as of December 31, 2015. He is interested in continuing to serve as the Community Monitor through 2016, the duration of your contract with ESA for those services; and ESA is interested in having him do so. His duties and level of effort would be the same as they have been in 2014 and 2015.

With the Committee's approval, ESA will contract with Mr. Runyon to continue to provide those services. I or another ESA employee will serve as ESA's Contract Manager and will take over Mr. Runyon's administrative responsibilities that relate to the Community Monitor contract.

ESA values our relationship with the Committee and will make our best effort to provide a seamless transition. Neither the Committee members nor City staff should notice any difference between the quality of services provided in 2015 and 2016.

The Scope of Work in your contract with ESA identifies ESA as your prime contractor and Langan, Inc. as ESA's subcontractor. By signing below, the Community Monitor Committee indicates its consent to add Mr. Runyon as a subcontractor for the Community Monitor work.

Thank you for your attention to this matter.

Sincerely,

Jeff Caton, Director
ESA Sustainable Communities Group

Community Monitor Committee Members:

Laureen Turner, Chairperson — Date: 10/26/15

Jerry Pentin — Date: 10/14/15

Donna Cabanne — Date: 10/14/15

David Tam — Date: 14 Oct 15

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LIVERMORE
CALIFORNIA

COMMUNITY MONITOR COMMITTEE
STAFF REPORT

TO: Community Monitor Committee Members

FROM: Judy Erlandson, Public Works Manager

SUBJECT: Community Monitor Committee Election of Chair

RECOMMENDED ACTION

Staff recommends the Community Monitor Committee elect a Committee Chairperson.

DISCUSSION

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), describes the duties and obligations of the Community Monitor Committee, but does not require the selection of a Committee Chairperson.

Although not required by the Settlement Agreement, staff recommends the Community Monitor Committee select a Chairperson to preside at all regular meetings and decide upon all points of order and procedure during the meeting.

If the Committee chooses to appoint a Chairperson, election shall be by majority vote of the Committee. If a quorum of three of the four Committee members is present, all three committee members would have to vote, and vote unanimously, in order to take this action.

Approved by:

Judy Erlandson
Public Works Manager

MEETING DATE: 01-13-2016	AGENDA ITEM: 6.1

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ESA

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San Francisco, CA 94108
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memorandum

date January 4, 2016

to ALRRF Community Monitor Committee

from Kelly Runyon

subject CMC Meeting of 1/13/16 - Agenda Item 6.2 - Responses to Committee Member Questions:

- Time Constraints on Wetland Mitigation Project (Use Permit, other permits)
- Source of Methane at Perimeter Probes
- Effect of Nearby Gas Wells on Groundwater Contaminants at Well E-20B
- Water Board Office Location
- Time Constraints on Review of JTD Revisions

<u>Time Constraints on Wetland Mitigation Project</u>

At the October 14 Committee meeting, Mr. Pentin asked if the Community Monitor could require the ALRRF to complete the reconstruction of the Wetland Mitigation Project in a specific amount of time. The December 5, 1999 Settlement Agreement, which established the Community Monitor Committee, describes its responsibilities in Section 5.1.2 (abridged here):

(a) Retain and oversee the Community Monitor;
(b) Review reports by the Community Monitor;
(c) Participate in the Five-Year Permit Compliance Reviews

In general terms, the Community Monitor's scope of work (Section 5.7 of the Settlement Agreement) is to:

- Review reports from the ALRRF to regulatory agencies
- Advise the Committee on relevant technical and environmental issues
- Prepare an Annual Report summarizing the ALRRF's compliance record
- Review the waste profile records for Class 2 soil and any "variance waste" accepted at the ALRRF
- Inspect landfill operations up to 12 times per year (with additional inspections if substantial noncompliance is occurring)
- Notify the ALRRF and the LEA if a substantial case of non-compliance is suspected
- Conduct up to 12 truck counts per year
- Closely track the acceptance of "variance waste" or "declassified waste" (ordinarily considered to be hazardous wastes)

The Settlement Agreement does not provide any ability for the Community Monitor Committee to impose a time limit on any activity at the ALRRF. Certain permits do impose time constraints, however. The California Department of Fish and Wildlife (CDFW) Lake/Streambed Alteration Agreement (LSAA) Condition 4.1 requires a status report on all of its requirements (which include monitoring the wetlands) every four years, and if a measure is failing, the CDFW can impose additional measures. These are subject to consultation and arbitration, but this condition appears to provide a strong incentive for the ALRRF to establish an effective wetland within the

first four years of Fill Area 2 development. There are five performance standards for effectiveness, including finding egg masses for red-legged frog and tiger salamander in the pond, and having standing water in the pond at the end of August every year.

In addition, Condition 18 of the Biological resources section of Conditional Use Permit C-5512 requires annual monitoring of the Fill Area 2 mitigation program for at least five years, and requires that "If … during the five-year period, the mitigation plan is judged to have not been successful, the mitigation shall be reinitiated, after modification as necessary, and monitored for a succeeding five-year period." Conditions 29 and 30 require that the ALRRF "monitor the replacement wetlands after they are created to assess whether they are meeting the performance standards in the approved Wetlands Mitigation Plan. Such monitoring shall be conducted for five years or until performance standards are met, whichever occurs first. If performance standards are not met during the first five years … [continue monitoring] for a period to be determined by the Corps of Engineers and the County."

Other than LSAA Condition 4.1, described above, there is nothing in the CUP or the other permits that explicitly requires completion of the wetland mitigation project by a date certain.

Source of Methane at Perimeter Probes

At the October Committee meeting, Ms. Cabanne asked for follow-up regarding CalRecycle's concurrence with the finding that the methane at ALRRF's perimeter probes is naturally occurring. The LEA had stated that CalRecycle may decide to take their own samples and have them tested. ALRRF staff have recently reported that CalRecycle does intend to do this but due to staff shortage will not be able to schedule this for some time. In the interim, CalRecycle has allowed the ALRRF to return to a quarterly gas probe monitoring schedule rather than monthly.

Effect of Nearby Gas Wells on Groundwater at Well E-20B

At the October Committee meeting, Ms. Cabanne asked if the new landfill gas extraction wells upslope of groundwater monitoring well E-20B were having an effect on the contaminant levels at that well. In the ensuing discussion, Committee members expressed interest in knowing when an effect could be expected. The Community Monitor groundwater consultants (Langan) have gathered the available information and made a preliminary estimate that it would be at least a year before an effect near the gas wells would reach E-20B. This estimate is subject to change when further information about the gas wells' depth and their local geology becomes available. An update will be provided at the next Committee meeting on April 13, 2016.

Water Board Office Location

At the previous Committee meeting, Mr. Tam asked where the Regional Water Quality Control Board's office is located. The letterhead from that office indicates that it is located in Rancho Cordova, which is east of Sacramento.

Time Constraints on Review of JTD Revisions

Ms. Cabanne asked if there is a deadline for the regulatory agencies (LEA, Regional Water Board) to accept the draft JTD revisions that are part of the five-year permit review. Under certain circumstances, there is such a deadline. Initially, the LEA has 30 days to determine if the Solid Waste Facility Permit application is complete and correct. Then, if the permit application and accompanying documents are found to be complete and correct by the LEA, and the permit itself will not be materially changed, the LEA has 120 days to decide whether or not to issue the permit, per Public Resources Code Section 44008.

However, if the permit application and accompanying documents are incomplete, the operator has the option of asking the LEA to accept an incomplete application, provided the operator also waives the 120-day requirement.

This adds 180 days to the process, during which time the operator is expected to remedy the incomplete parts of the application.

To begin the five-year review process, the ALRRF submitted their permit application on July 31, 2015. On August 31, the LEA sent a letter to the ALRRF advising them that the application package had been accepted as complete and correct.

Additional details about the current processing of the ALRRF application are provided in Item 6.6 of the Community Monitor Committee agenda package.

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memorandum

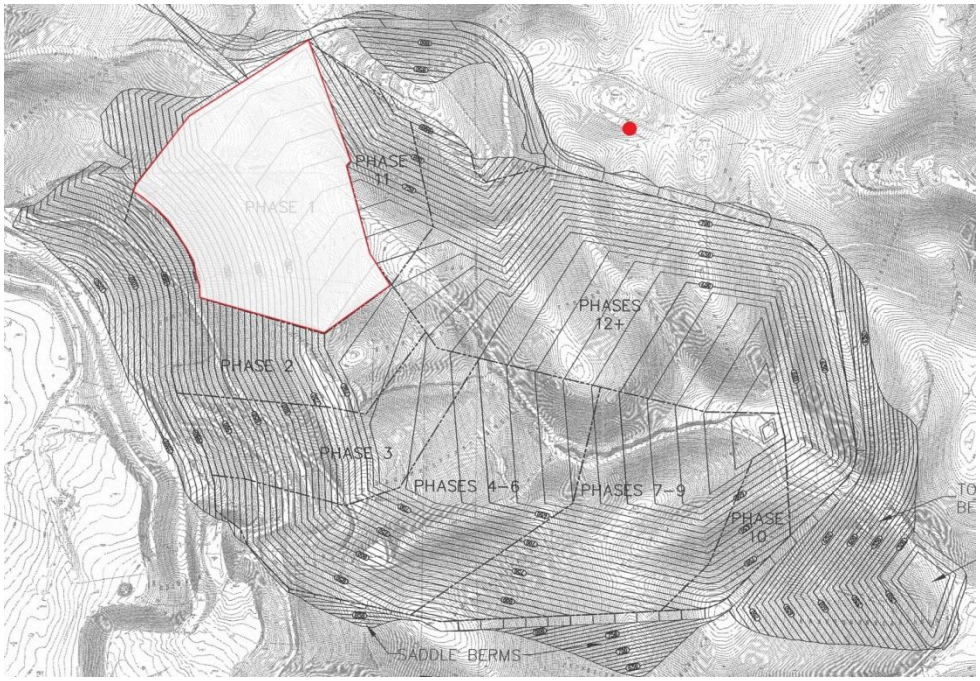
date January 4, 2015

to ALRRF Community Monitor Committee

from Kelly Runyon

subject CMC Meeting of 1/13/16 - Agenda Item 6.3 - Update re Fill Area 2 Status

In Fill Area 2, the construction of the liner for the Phase 1 area appears to be substantially complete. The photos on the following pages capture progress through mid December. In the drawing below, Phase 1 of Fill Area 2 (the area currently under construction) is shown with a red outline and white fill. The red spot near the top of the picture is the photo point that was used to make the panoramic photos that follow this memorandum.



By late October, the top layer of the lining (the operations layer) was in place. To minimize erosion, the base was track-walked with heavy equipment across the direction of the slope, and a berm was constructed by the lining contractor near the toe of that slope to further reduce runoff velocity. However, the berm was temporarily removed by an earthworks contractor working on a separate part of the project, and then over an inch of rain fell on November 2, causing serious erosion near the toe of the slope, as shown in the attached photo taken November 4. This was repaired, and additional erosion control measures were put into place, prior to the December 14 site visit.

Since that time, the focus has shifted from liner and runoff/run-on control to other Fill Area 2 features: the truck wash, the leachate pond, leachate piping, and the pond access road were all under construction during the December 14 site visit. Additional work will include perimeter fencing, signage and striping, extension of the landfill gas handling system, and probably some finish paving work and landscaping. For the remainder of the rainy season, maintenance of stormwater controls will no doubt be a priority.

View of Fill Area 2, looking west from east side ridge

November 4, 2015

erosion damage ↑

↑ operations layer in place, track-walked to minimize erosion

December 14, 2015

Damage repaired, berm replaced

side slope hydroseeded

exposed drain lines covered

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memorandum

date January 4, 2016

to ALRRF Community Monitor Committee

from Kelly Runyon

subject CMC Meeting of 1/13/16 - Agenda Item 6.4 - Reports from Community Monitor

Attached are our inspection reports for October through December of 2015.

The October inspection was unannounced and took place on October 8, with the LEA.
The November inspection was announced and took place on November 4.
The December inspection was announced and took place on December 14, off-hours (4:00 PM).

During these inspections, all landfill operating areas were observed. Recent LEA inspection reports were reviewed on-line. The Special Occurrences Log was reviewed on December 14.

In preparing these reports, issues that cause special concern are marked with yellow rectangles in the monthly inspection reports. The major ongoing issue has been windblown litter, and in November, a sharp increase in the bird population was noted. Both litter and birds are ongoing issues and, as such, have not been "flagged" in the attached inspection reports. An incident of erosion damage to the new Fill Area 2 operations layer was a unique occurrence and was flagged in the November report.

Also attached are graphs showing monthly tonnages by type of material for the most recent 12-month period, as in prior reports. Figure 6.4-1 shows the breakdown of materials that make up Revenue-Generating Cover. Figure 6.4-2 shows these same quantities, plus the Municipal Solid Waste tonnage for each month. In a new development, a steady decline in tonnage from the Davis Street Transfer Station was noted, and it was found that the tonnage from that source has been declining at the rate of one to two thousand tons per month since July. Other sources vary from month to month but have not declined, on average.

ALRRF Community Monitor Monthly Report — October 2015

Reports Received

Monthly Tonnage Report for September 2015, received October 14, 2015

Tonnage Summary:		tons	
	Disposed, By Source Location		
1.1	Tons Disposed from Within Alameda County	60,678.03	
1.2	Tons Disposed from City of San Francisco TS	32,443.94	
1.3	Other Out of County Disposal Tons	1,431.55	
	subtotal Disposed	94,553.52	
	Disposed, By Source Type		
2.1	C&D	267.70	
2.2	MSW	91,857.28	
2.3	Special Wastes	2,428.54	
	subtotal Disposed	94,553.52	
	Difference	0.00	0.00%
	Other Major Categories		
2.4	Re-Directed Wastes (Shipped Off Site or Beneficially Used)	1,621.75	
2.5	Revenue Generating Cover	29,895.50	
	Total, 2.1 - 2.5	126,070.77	
	Materials of Interest		
2.3.1	Friable Asbestos	1,069.73	
2.3.2	Class 2 Cover Soils	6,804.57	
2.5.1	Auto Shredder Fluff	11,540.52	
2.5.2	Processed Green Waste/MRF fines, Beneficial Use (GSET)	425.68	
2.5.3	MRF Fines for ADC	4,621.71	

ALRRF Community Monitor Monthly Report **October 2015**

Site Visit

Site Inspection October 8, 2015, 10:00 AM

- Attended by K. Runyon and Wing Suen (LEA), escorted by Brian Tarte.
  The wet-weather pad is being constructed using inerts: concrete, roof tile, and asphalt millings.
- Filling is proceeding northward from the south edge of Fill Area 1, with possibly two more lifts to go for completion of this area. Calculated in-place refuse density is 1800 to 1900 lb/cubic yard.
- Two dozers and two compactors were operating. No trucks were waiting to unload. A truck from the Fremont transfer station had a stuck load which was being attended to by on-site staff.
- C&D, plant debris, scrap metal and solidification areas all appear normal.
  The LEA noticed a portion of a palm tree protruding from a covered area and noted it as an area of concern due to exposed refuse.
- It is expected that the refuse from the San Francisco transfer station will no longer come to the site after the contract limit on tonnage is reached, some time in January.

Observation of Environmental Controls

- An unusually large number of seagulls was present. The bird cannon was near the tippers, being used infrequently. Site staff have modified their use of bird-scare munitions ("screamers"), using them less often. This appears to be more effective, according to Brian. He also mentioned that the bird depredation permit has been approved. This will enable the landfill to kill and display dead seagulls, to deter others from using the site.
- The liner protecting the edges of the raw water pond has not yet been repaired.
- The gate to the asbestos-containing fill area has been fully repaired.
- Windblown litter was heavier than usual on the north side of Fill Area 1, probably due to recent high winds from the south.
- The "Trilo" litter vacuum was in use near the edge of the tall litter fence. A second vacuum unit has been requisitioned.
- The use of water for dust control was observed during this inspection.

Fill Area 2

- Drain rock was being placed above the membrane liner. When that is complete, a nonwoven geotextile will be added above that, and the "operations layer" - compacted soil - above that.

- Construction has begun for the truck wash, near the north end of Fill Area 2, and the leachate pond, above and to the east of Fill Area 2.

Stormwater Controls and Best Management Practices

- As part of site winterization, deteriorated wattle (straw rolls) are being replaced as needed.
- Stormwater basin A was at its normal level; the water line was below the base of the discharge riser. About half of the surface was covered with duckweed or a similar aquatic plant.
- Stormwater basin B was nearly dry, with some litter near the edge, although not as much as in prior recent observations.
- Stormwater basin C was not observed.
- Stormwater basin SW-A, north of Fill Area 2, was dry.

Planned Composting "CASP" System

- The compost research permit has been applied for; the LEA has deemed it incomplete. The application needs to describe the proposed operation in greater detail.

ALRRF Community Monitor Monthly Report **November 2015**

Reports Received

Monthly Tonnage Report for October 2015, received November 16, 2015

Tonnage Summary:		tons	
	Disposed, By Source Location		
1.1	Tons Disposed from Within Alameda County	58,891.03	
1.2	Tons Disposed from City of San Francisco TS	32,443.54	
1.3	Other Out of County Disposal Tons	3,084.09	
	subtotal Disposed	94,418.66	
	Disposed, By Source Type		
2.1	C&D	224.16	
2.2	MSW	89,312.95	
2.3	Special Wastes	4,881.55	
	subtotal Disposed	94,418.66	
	Difference	0.00	0.00%
	Other Major Categories		
2.4	Re-Directed Wastes (Shipped Off Site or Beneficially Used)	1,913.39	
2.5	Revenue Generating Cover	39,087.11	
	Total, 2.1 - 2.5	135,419.16	
	Materials of Interest		
2.3.1	Friable Asbestos	521.01	
2.3.2	Class 2 Cover Soils	13,690.26	
2.5.1	Auto Shredder Fluff	11,985.42	
2.5.2	Processed Green Waste/MRF fines, Beneficial Use (GSET)	583.26	
2.5.3	MRF Fines for ADC	4,042.86	

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ALRRF Community Monitor Monthly Report **November 2015**

Site Visit

Site Inspection November 4, 2015, 2:30 PM to 4:00 PM

- Attended by K. Runyon, escorted by Sarah Fockler.
- ALRRF staff report that 1.2 inches of rain were received in wet weather earlier this week.
- The landfill was operating from its winter pad, spreading east and north, with one dozer and one compactor (the push is short). The two tippers are the CNG-powered models owned by WM (Recology owns the other two). The public area is north of the winter pad, filling a low spot. One compactor was operating in the public area.
- Entry road was not impacted by wet weather.
- The C&D bunker was nearly empty. The plant debris bunker had only a small amount of material.

Observation of Environmental Controls

- Flare A-16 and the two turbines were operating. At the turbine house, two small vents were releasing an unusual smoky discharge, but from the condition of the vent outlets, this is a frequent occurrence.
- The number of birds was greatly increased from last month. Probably more than a thousand. This is unsurprising, given the recent stormy weather.
- The liner protecting the edges of the raw water pond has not yet been repaired. Recent wet weather did no harm.
- The litter crew remains active on site, and several mechanical litter collection methods have been attempted, but none was an improvement on current techniques. The Trilo (litter vacuum) has needed repair in recent weeks.

Stormwater Controls and Best Management Practices

- There was minimal erosion from recent rains on the side slopes of Fill Area 1. Wattle (straw rolls) have been replaced as needed.
- Stormwater basin A was at its normal level; the water line was below the base of the discharge riser.
- Stormwater basins B and C were not observed.
- Truck wash water pond was dry, with some old cow tracks in the bottom.
- Stormwater basin SW-1 contained some water but was less than 50% full.

Fill Area 2

- The operations layer (top surface of the liner; two feet of soil) has been placed over the entire Phase 1 area.
- On the bottom surface of Fill Area 2, near the central channel, the operations layer shows some minor surficial erosion parallel to that channel due to recent rains.
- The concrete work for the new truck wash is under way; excavations have been made and forms are being placed.
- The steep slope north of the truck wash is being protected from erosion with many rows of wattle.
- The upper end of the new entry road has a heavy buildup of mud in one area, either from adjacent hillside erosion or from heavy equipment tracking it onto the roadway.
- On the west side slope, most of the slope has its operations layer in place but the two new metal downdrains are not yet covered, apparently to check for leaks. There are some rills on that slope but no serious damage.
- At the toe (south end) of the prepared area, there has been a serious washout of the operations layer. This occurred because an earthworks contractor at the site removed a toe berm that the liner contractor had placed there to protect the toe. This is soon to be repaired. The wetland mitigation project, which is downslope of the entire phase 1 area, was not affected, according to ALRRF staff.
- Construction of the new leachate pond, SE of (and above) Fill Area 2, continues.

Planned Composting "CASP" System

- The LEA's requirements for the research permit are highly detailed and will require an amendment to the Report of Facility Information (RFI). This could complicate the 5-year permit review currently under way.

ALRRF Community Monitor Monthly Report — December 2015

Reports Received

Monthly Tonnage Report for November 2015, received December 15, 2015

Tonnage Summary:		tons	
	Disposed, By Source Location		
1.1	Tons Disposed from Within Alameda County	52,376.80	
1.2	Tons Disposed from City of San Francisco TS	31,524.62	
1.3	Other Out of County Disposal Tons	1,077.52	
	subtotal Disposed	84,978.94	
	Disposed, By Source Type		
2.1	C&D	252.47	
2.2	MSW	82,479.69	
2.3	Special Wastes	2,246.78	
	subtotal Disposed	84,978.94	
	Difference	0.00	0.00%
	Other Major Categories		
2.4	Re-Directed Wastes (Shipped Off Site or Beneficially Used)	1,489.01	
2.5	Revenue Generating Cover	25,979.54	
	Total, 2.1 - 2.5	112,447.49	
	Materials of Interest		
2.3.1	Friable Asbestos	434.06	
2.3.2	Class 2 Cover Soils	8,894.87	
2.5.1	Auto Shredder Fluff	9,541.85	
2.5.2	Processed Green Waste/MRF fines, Beneficial Use (GSET)	363.36	
2.5.3	MRF Fines for ADC	3,576.33	

ALRRF Community Monitor Monthly Report **December 2015**

Site Visit

Site Inspection December 14, 2015, 3:00 PM to 5:30 PM. Field observations began at 4PM (after hours)

- Attended by K. Runyon and Michael Burns of ESA, escorted by Sarah Fockler.
- Refuse fill is being handled from the wet-weather pad in the Class 2 area. Public disposal is to the west of the tippers. The CNG-fueled tippers are in use. The diesel powered tippers are located farther south for use in dry weather. These tippers are owned by Recology and will need to be replaced if San Francisco tonnage shifts to the Hay Road landfill near Vacaville.
- At time of observation (~4:30 PM), no refuse was being landfilled and all mobile equipment was parked. Two dozers, two compactors and other mobile equipment were available.
- C&D, plant debris, scrap metal and solidification areas all appear normal.

Observation of Environmental Controls

- Seagulls were seen when we arrived (3 PM) but had left by the time we reached the working face. Their night roost is elsewhere, possibly the Dyer Road reservoir.
- The liner protecting the edges of the raw water pond has not yet been repaired. The unlined embankment has not been damaged by wave action.
- Litter on Altamont Pass Road was lighter than usual. ALRRF staff stated that the Davis Street transfer trucks have been fitted with new tarps which should help reduce windblown litter.
- Windblown litter on site is reduced in some areas, more concentrated in others. Wet weather may be enabling the temp litter crew to gain ground in some areas.

Stormwater Controls and Best Management Practices

- Stormwater basin A was at its normal level; the water level was below the base of the discharge riser.
- Stormwater basin B contained some water, below the discharge level, and a minor amount of litter around the perimeter of the water, where it is most difficult to remove due to mud and the steep banks of the basin. The location of nearby monitoring well MW-12 was observed.
- Basin C was not observed.
- Basins SB-1 and SB-2, north of Fill Area 2, contained water but the water level was several feet below the inlet to the discharge riser.
- Basin SB-A, south of Fill Area 2 Phase 1, contained some water and (based on observed bank erosion) appeared to have contained several feet more, earlier this season. Also, it appears that windblown litter accumulated in this basin and north winds blew most of the litter to the southeast corner of the basin.
- Instead of the "top hat" type of outlet protection, the new stormwater basin outlets are fitted with screening devices in the shape of an inverted cone, to keep floating trash out of the discharged water.

Fill Area 2

- The erosion problem at the toe of the Phase 1 lined area has been repaired. Recent wet weather did not cause obvious erosion there or anywhere else on the liner.
- Liner installation work is substantially complete, and the liner contractor is demobilizing.
- The previously-exposed downdrains on the west side slope have been covered.
- The entire west side slope has been hydroseeded.
- The leachate containment pond is near completion. An access road has been added, and the leachate pipeline is being moved into place for burial beneath the road.
- The truck wash foundation is complete, some framing for the side walls is in place, and electrical power is being installed from the vicinity of the turbine plant.
- A new pond has been constructed above Basin B to receive runoff from the east side of Fill Area 1. Basin B will be decommissioned at some point in the future. A very wide swale, lined with geotextile, has been constructed on the east side to intercept runoff and convey it to the replacement basin.

Planned Composting "CASP" System

- ALRRF staff report that the complexity of the LEA's requirements for the CASP-system research permit are so complex that the site is considering eliminating the resarch effort entirely.

Special Occurrences, September - December

- November 5 - At the scale house, staff noticed an oil leak from a water truck working at the site. The leakage was picked up with absorbent and the truck was taken off line for repair. The oily absorbent was placed in the solidifcation area for blending, followed by Class 2 disposal.
- November 23 - An end-dump truck delivering soil tipped over while unloading. The bed had been raised without a problem, but the driver pulled forward with the bed partially raised and the truck hit a soft spot on one side and tipped over. There were no injuries, nor any damage to other equipment.
- December 8 - At Fill area 2, a contractor's trenching machine working on a steep slope in Fill Area 2 became unbalanced and fell on its side. The operator reported back pain. He was stabilized and was taken to a hospital for evaluation.

Figure 6.4-1 Monthly Volumes of Revenue-Generating Cover

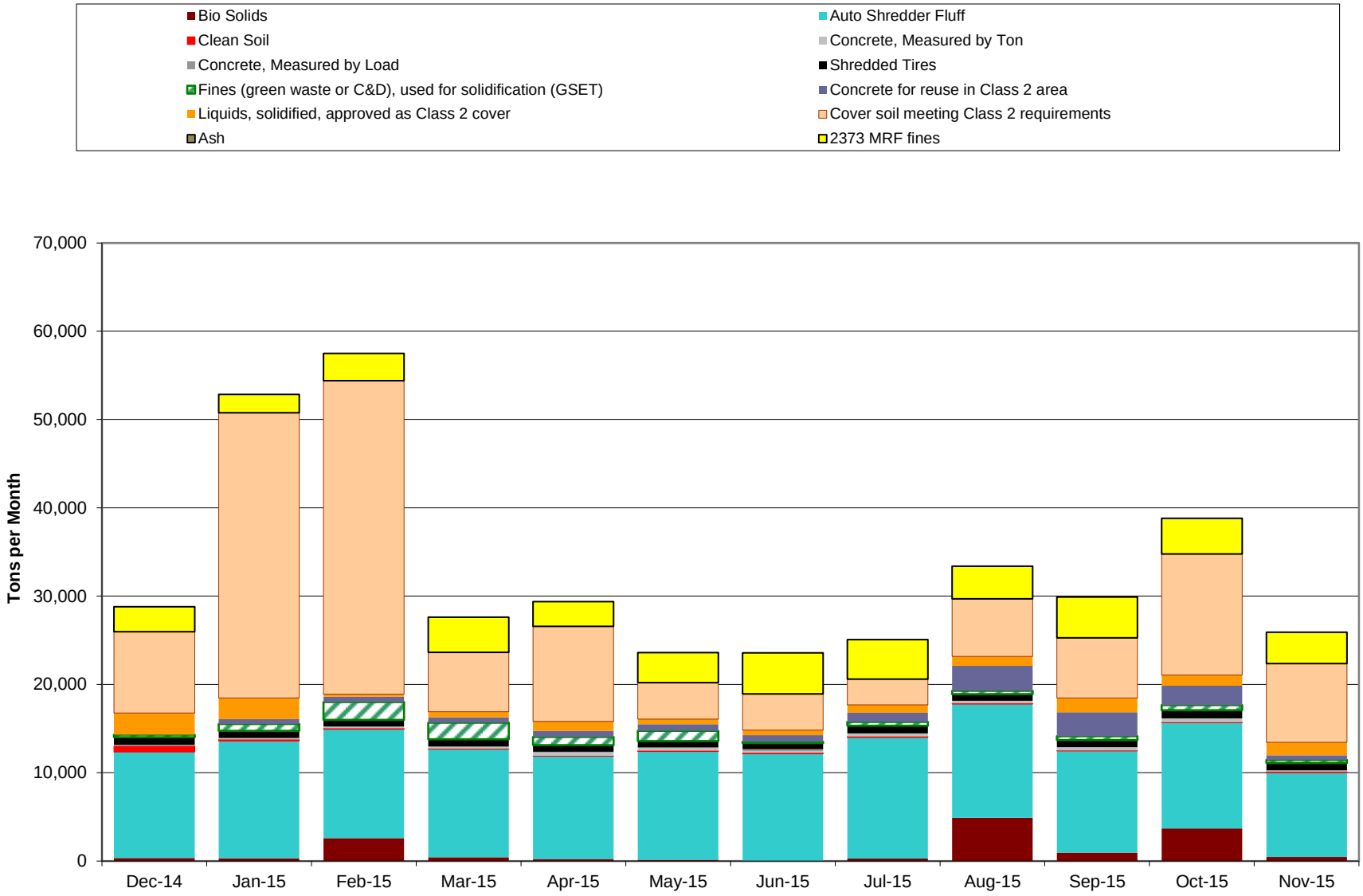
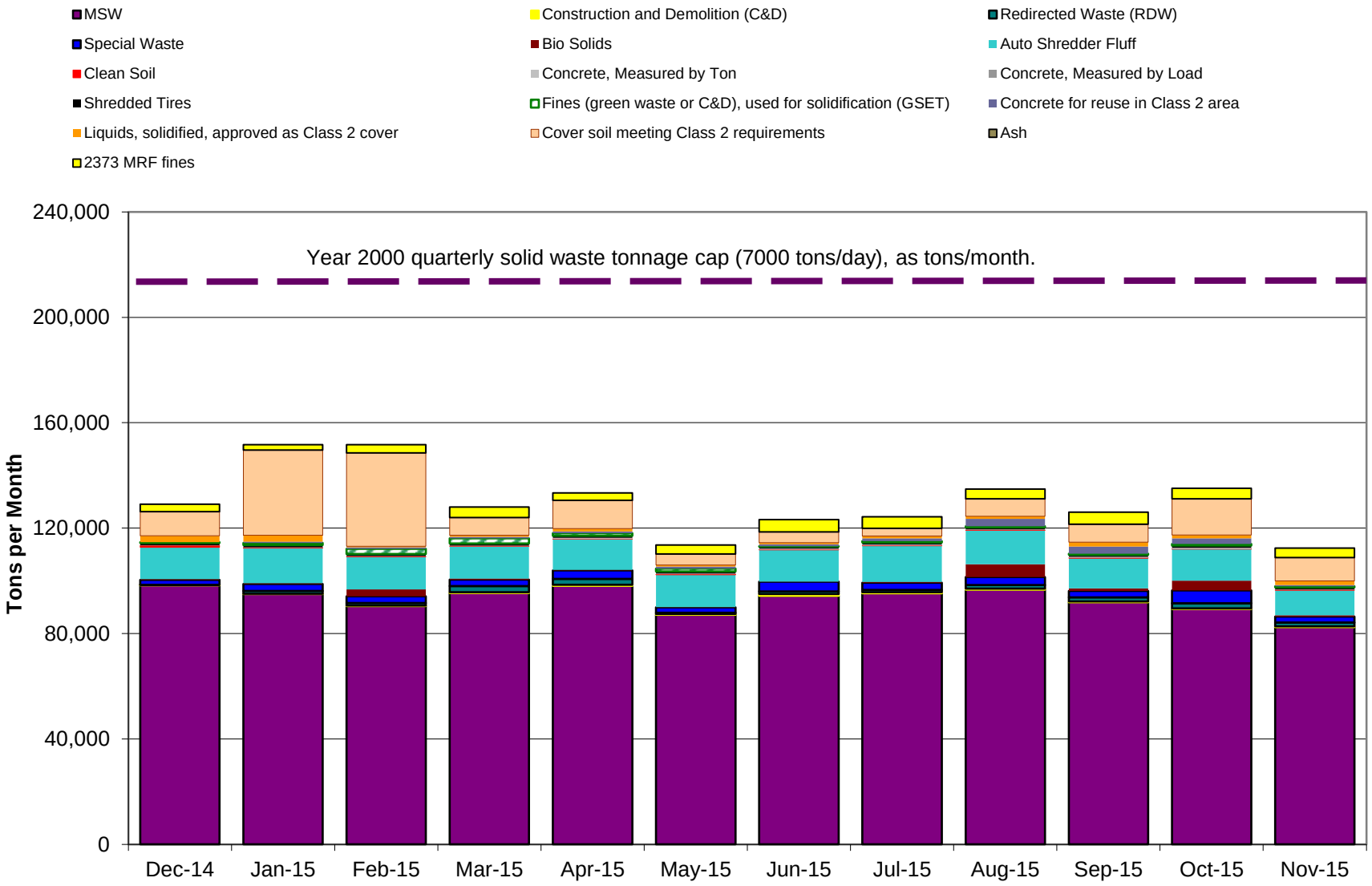


Figure 6.4-2 Monthly Volumes of Landfilled Materials



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memorandum

date January 4, 2016

to ALRRF Community Monitor Committee

from Kelly Runyon

subject CMC Meeting of 1/13/16 - Agenda Item 6.5 - Review of Reports Provided by ALRRF

This memorandum provides a lengthy review of a new report – actually two distinct reports under one cover - that were initiated by the delineation of the Conservation Plan Area and the development of Fill Area 2. We then briefly examine the annual Winterization Plan and the Hydrogeologic Evaluation Report that were provided by ALRRF in November and October, respectively.

CPA Baseline Report and 2013/14 MMRP

On November 10, 2015, in response to a request from the Community Monitor, ALRRF staff provided a copy of a two-part report, consisting of Baseline Monitoring Surveys of the Conservation Plan Area (March 2015) and Mitigation Monitoring and Reporting Program: Fill Area 2, Phase 1 Update for 2013/2014 Activities. Below, these are referred to as the CPA-BR and the 2013/14 MMRP, respectively.

CPA-BR

The CPA-BR describes biological surveys done in 2013 and 2014 to determine baseline conditions in relation to:

- The performance standards and success criteria in the approved Conservation Management Plan (CMP) that was prepared for the Conservation Plan Area (referred to in Condition 16 of CUP C-5512 as lands for "biological habitat mitigation and buffer area in Sections 15, 16, 17 and 21") , and
- The environmental permits for development of Fill Area 2.

CMP Goals and Objectives

The CPA-BR includes, as Appendix A, the Goals and Objectives of the CMP. The three Goals are listed here in abridged form:

1. Establish and manage a habitat reserve system that mitigates impacts on covered species.
2. Preserve open space and habitat that may also benefit local, non-listed, and transitory wildlife species.
3. Ensure that direct impacts of landfill expansion upon covered species are minimized or mitigated.

The twelve Objectives express these Goals in terms of specific types of actions. As an example, the Wetland Objective A for Goal 1, and its associated mitigation measures, are summarized below.

Goal 1: Establish and manage, in perpetuity; a biologically sound and interconnected habitat reserve system that mitigates impacts on covered species resulting from authorized activities and provides habitat for existing and new populations of covered species.

In Wetlands:

Objective A - Retain and enhance the existing **occupied aquatic habitat outside of the landfill expansion areas** to assure multiple long-term source populations.

Mit-1: Create endowment fund to support ongoing monitoring.
Mit-2: Record Conservation Easement; pay into endowment fund.
Mit-3: Implement Grazing Management Plan.
Mit-4: Implement Pest Management Plan.
Mit-5: Survey for San Joaquin Kit Fox; remediate habitat declines, if any.
Mit-6: Survey for protected amphibians.

CPA Baseline Report Organization and Content

The CPA-BR describes:

- Surveys in the CPA for wildlife: special-status amphibians (Red-Legged Frog and California Tiger Salamander), birds and mammals (Western Burrowing Owl, San Joaquin Kit Fox), and other endemic amphibians, reptiles, birds and mammals.
- Vegetation Surveys at stock ponds, other wetlands, and the mitigation wetland area.

It also provides recommendations on ways to meet CMP Performance Standards based on the findings of these surveys and other monitoring activities.

The CPA-BR was difficult to review. The lack of straightforward organization, the poor quality of some graphics, and the lack of included background information (e.g., the CMP Performance Standards) gave us considerable difficulty in reviewing it. Three ESA staff (a botanist, a biologist, and myself) developed a lengthy list of concerns regarding this report and the wetland mitigation effort; the list appears at the end of this section of this memo. Our concerns fall into three categories:

- In the report, poor organization and graphics inadequately document existing conditions.
- The timing of some of the baseline surveys was not optimal, so information may have been missed, and regulatory guidelines may not have been fully complied with.
- The Mitigation Wetland Project will need very substantial repair work to function as intended. (This is well documented in the CPA-BR.)

At this time we do not have any information about how the reviewing agencies have responded to this report. ALRRF staff is aware of the concerns expressed above.

Performance Standards

The CPA-BR and the MMRP are intended to enable the site to meet the performance standards and success criteria in the approved Conservation Management Plan. However, the performance standards and success criteria are not provided as part of the CPA-BR and 2013/14 MMRP. We requested them from the ALRRF and they were promptly provided, but they should be included with these reports so that any reader can apply them to the information offered in the reports.

CPA-BR: Specific Concerns

Our specific concerns re the Conservation Plan Area Baseline Monitoring Report are listed below.

1. The report organization is difficult to follow, both on a macro and micro level.

    a. Macro: the Vegetation Monitoring subsection is placed in the midst of the Wildlife Species Surveys section, sandwiched between descriptions of larval amphibian surveys and burrowing owl / kit fox surveys. Why discuss plants in the middle of a section about animals? Also, the subsection heading "Pest Management" should be replaced by "nuisance species" or a similar term; that's what is being discussed.

    b. Micro: Nowhere is there a single comprehensive list of all of the water features that are discussed, and the map in Figure 1 has no labels for the water features that it is supposed to show. The second paragraph on page 22 comes close, but it doesn't mention stock pond 10, which is referenced on page 36. Apparently that pond was dry, so it has been omitted from some lists and tables; but other dry ponds (1 and 3) are included in the Figure 3 graphics and the discussion on page 15.

2. Important information is missing from some graphics and tables. See pages 9, 17, 18, 32 and 33. On pages 44 and 45, the headings are separated from the table content, making the tables a bit harder to understand, and calling into question the coherence of the document as a whole.

3. The report refers to the Performance Standards in the Conservation Management Plan but does not provide them. It would be helpful to have them in an appendix.

4. The report in PDF format has software errors that interfere with printing and with page-by-page reading on a computer. When reading it electronically, it will sometimes freeze or shut down for no apparent reason.

5. For someone trying to determine if the baseline monitoring activity complies with the relevant permit requirements, useful information about permit criteria is sometimes hard to find. Example: Baseline surveys were required to take place within one year of the start of construction of Fill Area 2. The construction start date is not given in the report. From my site observations, I believe that FA2 construction was under way by mid-September 2013 (with discing and other preparatory work having taken place earlier), and the monitoring of the Mitigation Pond took place in October 2014. This appears to have missed the deadline, and in any case it is not the ideal time to evaluate the wetland's performance; most plants bloom earlier in the year.

6. The number of diurnal and nocturnal surveys for wildlife is not clearly stated, but regulatory agencies' guidelines typically require several such surveys in a season. The discussion on page 37 cites those guidelines, and mitigation measure MIT-6 in the Conservation Management Plan states that the baseline surveys shall conform to them. Did they?

7. The territory covered by the spotlight surveys is not shown on the version of Figure 13 that appears on page 33 in our copy of the report. That figure appears to be an empty map of the site, with the four zones within the Conservation Plan Area delineated. Points showing the observed locations, and the GPS tracks of the area covered, would be helpful in understanding how thorough the surveys were. Also the text on page 31 incorrectly references Figure 7 when it should say Figure 13.

8. Under Results (page 7) it states "other species were observed such as Northern Pacific tree frog (Pseudacris regilla)…" The project site is outside the range of this species and tree frogs observed would be the Sierran tree frog (Pseudacris sierra).

9. The Methods (page 7) state a single survey for larval California Tiger Salamander (CTS) in May 2014 with dip netting as the main technique and seine used in one pond (SP9). The US Fish and Wildlife Service (USFWS) CTS protocol calls for three surveys from March to May. The seine technique described may not conform to the USFWS CTS protocol which states "If dipnetting has been unsuccessful, seines should be used to sample 100% of the surface area of ponds smaller than 1 acre and at least 30% of the surface area of larger pools."

10. For burrowing owl (BUOW) surveys, the dates described in Methods (page 27, 6th paragraph) are inconsistent with what is reported in the Results. In the second paragraph it states den surveys occurred from May 12 to May 20. In Results it reports BUOW were monitored from May 5 to June 24. Again in the last paragraph (pg 28) the dates are inconsistent stating BUOW and San Joaquin Kit Fox (SJKF) monitoring occurred from May 1- July 21. If these date ranges represent separate monitoring efforts, that should be clarified.

11. The Results section for burrowing owls is unclear. There is mention of "three individuals … outside the CPA, which paired by June 24," this is unclear on location and which birds paired. There is confusion with the statement "the remaining four individuals (Nests 1, 3, 4, and 5) all paired,…" Were there a total of eight individuals that created four nesting pairs? The lack of description of BUOW survey protocol and the unclear presentation of the results calls into question the accuracy of the BUOW monitoring. Results indicated four nests were successful with a total of 10 fledglings within the CPA but very little detail is provided to what qualifies as successful fledging. In Figure 11 the nests and observations are concentrated in the northwest region and since methodology is not clearly stated it is unclear if the remainder of the CPA and surrounding area were monitored for BUOW.

12. Camera trapping surveys for SJKF were conducted for three to seven nights between July 7 through July 21. However, USFWS SJKF Protocol for camera trapping requires 10 nights of effort completed as promptly as practicable. In Figure 12 he caption states: "Conservation Plan divided into 4 survey zones that were used for camera trapping. Locations of camera traps (n = 37) are indicated and the California ground squirrel burrow colonies are shown." However the figure shows the 4 survey zones but does not show camera locations or ground squirrel colonies.

13. Regarding the vegetation surveys at the mitigation pond: if it's only the shoreline edge that is required to be vegetated (in order to provide escape cover for CRLF (pg. 21)), it may be unnecessary to collect data in the pond bottom or other upland locations. And averaging the cover for the whole mitigation pond (pg. 21 and Figure 8) is not a relevant metric for addressing the vegetation cover criterion as we understand it.

14. Given the events that have impacted the mitigation pond since its construction, it is not surprising that an analysis of survival (per Measure 4.2 of the Lake / Streambed Alteration Agreement) was not included as part of the baseline survey effort. However we would expect this type of report to mention the key criteria that will be applied to the pond when it is functional, so that a knowledgeable reader can see that the permittee is aware of what will be needed. Perhaps this was done in a separate Annual Wetland Monitoring Report that we have not seen.

2013/2014 Mitigation Monitoring and Reporting Program Update

The 2013/14 MMRP Update provides the relevant mitigation measures that were included in the landfill expansion EIR and in the Fill Area 2 – related permits from natural resource agencies (five sources in all). It lists more than 150 project-specific, substantive mitigation measures and permit requirements, and these are in addition to the 106 Conditions of Approval in Conditional Use Permit C-5512 or the 42 measures described in the CMP itself. Some of

these requirements are redundant, or partly redundant with differing nuances from different agencies. This is not uncommon for projects that involve habitats for protected species, particularly when wetlands are involved.

MMRP Table 1 also provides brief descriptions of compliance with each of the mitigation measures. We have two concerns about this part of the Table:

(1) The **compliance descriptions are so brief that some of them appear to be incomplete**. For example, Condition BO-17 requires that trash items and food scraps be placed in closed containers and removed daily. The compliance description states that trash cans were used but does not state that they were emptied daily. Concern about this requirement may seem unwarranted for a project that is taking place at an existing landfill where food scraps and litter are openly handled in large quantities, but its purpose is to limit the spread of invasive and predatory wildlife into the Conservation Plan Area as much as possible.

(2) The **descriptions of the mitigation measures are sometimes cut short**, presumably to save space. Some measures are quite wordy, but all of their key requirements should be presented. For example, the MMRP describes Condition BO-9 as "The project proponent shall conduct an employee education program covering the kit fox, red-legged frog, and tiger salamander before groundbreaking for the proposed action. Both construction and operations personnel will participate in the program." The mitigation description explains that such a program was conducted in 2013 and 2014, and training records are provided in Appendix B of the MMRP. However, the full mitigation measure also requires that an outline of the training program will be submitted to the US Fish and Wildlife Service, and the MMRP does not provide any obvious documentation that this was done.

We will provide a full listing of the conditions where these concerns apply, for the April 13, 2016 Community Monitor Committee meeting.

Winterization Plan

A copy of the 2015-16 Winterization Plan was provided by ALRRF staff on November 13, 2015. It consists of brief descriptions of the stormwater runoff control measures that the landfill installs or reconditions each year, followed by 12 pages of photos showing examples of each of the measures that are being used. This year, it includes Fill Area 2 slopes and drains that are newly constructed.

Hydrogeologic Model

In response to our request, in October ALRRF provided a copy of their Hydrogeologic Evaluation Report, prepared by Geosyntec and dated 27 Feb 2015. As explained by Geosyntec, this report "was prepared in response to a letter from the Regional Water Quality Control Board (RWQCB) dated 13 October 2014 requesting an evaluation of the potential influence geologic structure may have on groundwater flow, including an assessment of potential groundwater flow along bedding planes beneath the Site." We are using this document to help us determine how quickly the new landfill gas wells can be expected to affect contaminant concentrations at monitoring well E-20B. It is based on numerous groundwater studies done at the site from 1975 through 2002, supplemented by many years of local groundwater elevation data. We are not directly evaluating the groundwater model, but in our usage of it, we have found it to be credible.

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memorandum

date January 4, 2016

to ALRRF Community Monitor Committee

from Kelly Runyon

subject CMC Meeting of 1/13/16 - Agenda Item 6.6 - Status of Five-Year Permit Review

As noted in item 6.2, the LEA found the Permit Review Application to be complete and correct on August 31. If there is to be no modification of the permit itself (which appears to be the case), this provides 120 days for the LEA and CalRecycle to conduct a detailed review. At this writing (December 31), the outcome of that review is not known. The timing of the LEA's finding may be modified slightly, due to the end-of-year holidays. The Community Monitor will provide a verbal update to the Community Monitor Committee at its January 13 meeting.

The permit is also being actively reviewed by the Central Valley Regional Water Quality Control Board. Updated Water Board requirements have been drafted and provided to the ALRRF for comments before they are made public. It appears that the Water Board intends to act on this (i.e., consider adopting revised Waste Discharge Requirements, WDRs) in early 2016. At the Board's December 2015 meeting, the ALRRF was one of four landfills listed as having WDRs pending for consideration at the February meeting.

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memorandum

date January 4, 2016

to ALRRF Community Monitor Committee

from Kelly Runyon

subject CMC Meeting of 1/13/16 - Agenda Item 6.7- Draft of Annual Report

The draft of the 2015 Annual Report is attached. It is recommended that Committee members review the draft and provide comments during the January meeting of the Committee meeting or soon thereafter. A final version of this report will be submitted at the April meeting.

The report repeats some information from prior years in order to provide a stand-alone document. Significant new information for 2015 appears in the following sections:

- Section 1.3 on pages 1-2 to 1-3
- Section 1.5.2 on pages 1-6 to 1-7
- Section 2.3 on pages 2-2 to 2-4
- Section 2.4.4 on page 2-5
- Section 2.6 on page 2-7

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ALRRF COMMUNITY MONITOR ANNUAL REPORT 2015

(DRAFT)

Prepared for
ALRRF Community Monitor Committee

January 4, 2016

ALRRF COMMUNITY MONITOR ANNUAL REPORT 2015

(DRAFT)

Prepared for
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SECTION 1
Introduction

1.1 Background: Settlement Agreement

In December 1999, a Settlement Agreement was reached among parties involved in a lawsuit regarding the proposed expansion of the Altamont Landfill and Resource Recovery Facility (ALRRF). The Settlement Agreement established the Community Monitor Committee (CMC) and a funding mechanism for a technical consultant, referred to as the Community Monitor (CM).

The Settlement Agreement defines the purview of the CMC and the CM. The CM's scope of work is further defined in a contract between the CM and the CMC. The City of Livermore provides staff and administrative support to the CMC, as well as management of the CM contract and space for CMC meetings. The City also acts as financial agent for the CMC, pursuant to a letter agreement dated July 6, 2004.

In broad terms, the CM is to review certain reports and information, as defined; monitor incoming traffic by conducting truck counts, as described in the Settlement Agreement; and inspect the ALRRF site no more than twelve times a year. The Settlement Agreement describes the CM's Scope of Work to include "issuing a written report each year summarizing the ALRRF's compliance record for the period since the last such report with respect to all applicable environmental laws and regulations." This Annual Report provides that summary for 2015.

The Settlement Agreement also requires that the ALRRF operator, Waste Management of Alameda County (WMAC), pay invoices submitted by the CM to the CMC, if the work represented in those invoices is consistent with the CM's scope of work and role as defined in the Settlement Agreement.

1.2 Prior Community Monitor Work

Available records indicate that the CMC retained a technical consultant as the CM from 2005 through part of 2007.

In mid 2007, the CMC selected the current CM team of Environmental Science Associates and Treadwell & Rollo (now Langan). This team began work in February 2008. From 2008 through 2015, the team has carried out report reviews, Class 2 soil analysis file review, and site inspections as intended. In 2008, the primary concern was the rate at which groundwater monitoring wells were purged during sampling. This was resolved satisfactorily. In 2009, the CM team took a close look at the methodology used by ALRRF and its consultants to track variations in groundwater quality. No areas of concern were identified. In 2010, landfill gas perimeter probes were installed to comply with new regulations, and one of those probes detected landfill gas at levels that exceeded regulatory limits. This was abated by installing several gas

extraction wells close to those probes. In 2011, the ALRRF sought to use fine material[1] from the Davis Street Material Recovery Facility (MRF) as Alternative Daily Cover. After some concern from the LEA about the fines containing municipal solid waste materials, such as plastics from consumer goods, the use of this material was approved by the LEA through a special study in 2013. Two ongoing problems, windblown litter and seagull activity, worsened in 2012; and while the gull problem has varied seasonally, the litter problem has continued as Fill Area 1 approaches its maximum permitted elevation.

Since mid 2013, the CM's observations and document reviews have included the construction of Fill Area 2 and related mitigation measures. The excavation and preparation of the Phase 1 portion of Fill Area 2, together with related improvements including stormwater basins, a truck wash system, a leachate containment pond and access road, etc., were monitored in 2014 and 2015. Other issues from 2015 are described below in Section 2.3, Compliance and Significant Incidents.

1.3 Regional Context

Trends in the landfill disposal industry within the greater Bay Area have affected, and will continue to affect, operations and future developments at the ALRRF:

- Although populations and economic activity have increased in the Bay Area in the past few years, the average quantity of refuse brought to the ALRRF declined from 2008 through 2014, and rose very slightly in the first part of 2015, then leveled off and began to decline. It continues to appear that ongoing efforts to reduce waste disposal and increase waste diversion have largely offset a population-driven upward trend in disposal tonnages.
- There are no new landfill sites currently in development in the region. However, on a regional basis there appears to be adequate capacity for refuse disposal in the short to medium term, at least through the year 2035 [2]. Capacity (in years) at the ALRRF will increase substantially if San Francisco tonnage shifts to the Hay Road landfill in Solano County, and that appears likely at this writing (December 2015).
- Three issues that would affect disposal capacity for the region are being resolved:
    - The aforementioned shift in disposal the City of San Francisco refuse, from the ALRRF to the Hay Road landfill, would reduce the inbound refuse tonnage to the ALRRF by roughly 30 percent. Two lawsuits have been filed in an effort to stop this from happening. One of those suits challenged the procurement process that chose Recology's Hay Road site over the continued use of the ALRRF; this suit has been partially decided in favor of Hay Road, but appeal is still a possibility. The other suit challenged the CEQA process that accompanied approval of the use of Hay Road by San Francisco officials. On December 23, 2015 a Case Management Statement was filed, containing the following information:
        - A case management conference was held on December 9
        - A settlement appears imminent
        - If the case goes to trial, the parties are opting for a 2-hour non-jury trial
    - Regarding the proposed Potrero Hills Landfill expansion in Solano County, in April 2014 the State Court of Appeal overruled a lower court's denial of a landfill expansion permit from the Bay Conservation and Development

[1] MRF fines: Fine material produced by sorting systems that recover materials at the Davis Street Transfer Station.
[2] This estimate is based on a simple and conservative set of calculations assuming steady growth in population, no increase in diversion, the continued delivery of San Francisco refuse to a landfill in the greater Bay Area, and the ability for some regional disposal sites to receive all materials when other facilities reach their present capacity.

Commission. In Late July of 2014, the State Supreme Court declined to review that decision. No other actions to restrict expansion are known at this time. Hence, it appears likely that this landfill will expand.

- Redwood Landfill near Novato faced opposition to the adoption of the mitigated alternative in its Environmental Impact Report for its planned expansion. A court ruling set aside the EIR and the associated solid waste facility permit, but this was overturned on appeal. In May of 2015, the State Supreme Court declined to review that decision.

1.4 Site-Specific Constraints and Opportunities

The Settlement Agreement added constraints on operations, by adding new conditions to the Use Permit for the ALRRF. Solid wastes from out-of-county sources are strictly limited to those covered by existing disposal agreements. During peak traffic hours, the number of refuse trucks entering the landfill is limited. Numerous conditions intended to protect natural resources on the ALRRF property were imposed. These were extensively refined during the development of permit conditions from the State and Federal natural resource agencies with permit authority: The US Army Corps of Engineers, the US Fish and Wildlife Service, the California Department of Fish and Wildlife, and the Central Valley Regional Water Quality Control Board. This process required several years and concluded in 2012.

Also, the size of the future expansion area was limited to 40 million tons of capacity, with a footprint of approximately 250 acres. In addition to Use Permit conditions, the Settlement Agreement establishes the CMC and the CM role, as described above; and it establishes mitigation funding related to the landfill expansion.

The physical setting of the ALRRF site also presents certain constraints and opportunities. Hilly terrain and high winds require constant attention to windblown litter, especially film plastic. In 2015, the windblown-litter problem continued due to the increased exposure of the working face to wind as Fill Area 1 neared completion. However, the construction of the Phase 1 portion of Fill Area 2 continued throughout 2015; and this lower, less windy area may begin to receive refuse in 2016. At that point the litter problem is expected to greatly diminish, because most landfill activity will be taking place within canyons at lower elevations, rather than on hilltops.

1.5 Overview of Operations, Regulations and Permits

1.5.1 Operational Functions and Requirements

Like most large landfills throughout California, the ALRRF performs a variety of functions that support the region's management of solid wastes. These functions continue to evolve as increasing emphasis is placed on reducing and recovering wastes, but the primary function of the site continues to be the safe disposal of solid wastes by placing, compacting and covering these materials. Federal, State and local regulations require that at the ALRRF:

- Wastes are covered to control litter, prevent fire, and prevent the spread of disease.
- Wastes are placed and compacted to be physically stable.
- Plant debris is not to be disposed; if received, it must be separated and reclaimed by composting or other methods. Currently it is back-hauled to the Davis Street facility for processing and eventual use as compost or biomass fuel.

- A liner and liquid recovery system prevent groundwater contamination by leachate.
- Landfill gas is controlled by an extraction system. Currently the gas is used to produce fuel (LNG/CNG) and electrical energy.
- Emissions from combustion and processing (diesel engines and landfill gas systems) are controlled.
- Other air pollutants and nuisances (dust, odor, litter, etc.) are prevented.
- Stormwater erosion is controlled and stormwater runoff is tested for pollutants.

Compliance with these requirements protects the environment and public health, and it also presents opportunities to develop and support innovative methods for improved waste management. Currently, such activities on the ALRRF include:

- using landfill gas to produce electricity and fuel (LNG/CNG);
- using CNG fuel for on-site operations, as fuel for tipper engines;
- stockpiling and processing materials for beneficial use on site, such as using waste concrete for wet-weather roads and access pads;
- blending liquids and dry fine materials to make a soil-like product that can be landfilled;
- using contaminated soils and other wastes (biosolids, shredded tires, MRF fines, treated auto shredder fluff, etc.) as cover material, as permitted;
- stockpiling construction and demolition (C&D) materials and scrap metal for processing elsewhere;
- providing an area for the separation of plant debris from other wastes, to avoid landfilling plant debris; and
- hosting site visits, by prior arrangement, for public education.

The ALRRF property covers more than three square miles. Within that area, the portion that is delineated as landfill is divided into Fill Area 1 (currently active) and Fill Area 2 (currently being constructed). The active parts of Fill Area 1 cover approximately 211 acres. Fill Area 1 also includes an Asbestos-Containing Waste landfill operation which occupies several acres within the Fill Area 1 footprint.

Lands surrounding the active area are managed primarily as grazing land, with portions leased for wind energy. These surrounding lands also provide suitable habitat for several special status species. Design revisions in 2010 for the final shape of Fill Area 1 increased its capacity, further increasing its expected lifetime.

Much of the work done by the CM involves the review of data and reports produced by, or required of, the ALRRF. This is largely driven by the requirements of regulatory and permitting agencies, as described below.

1.5.1.1 Water

In California, the State Water Resources Control Board and its Regional Water Quality Control Boards (RWQCBs) protect groundwater and surface water resources through laws, regulations and permit requirements. Because the ALRRF property drains into the Central Valley, the Central Valley RWQCB issues the Waste Discharge Requirements (WDRs) for the site. These WDRs set various operating requirements and also define the programs that monitor water quality by periodically testing groundwater wells as well as storm water basin contents and discharges. The RWQCB also works with staff at the ALRRF to address special problems that may arise, such as the proper disposition of wastes that may have been brought to the landfill without

necessary testing for hazardous materials. The CM reviews semiannual groundwater monitoring reports, the annual stormwater monitoring report, and the annual Winterization Plan update.

1.5.1.2 Air

The Bay Area Air Quality Management District (BAAQMD) administers its own regulations, including Regulation 8 Rule 34 regarding landfill gas control, as well as relevant State and Federal regulations. At the Federal level these are referred to as Title V requirements. The operation of (and especially the air emissions from) the landfill gas control systems, various diesel engines, and other processes that produce air emissions are regulated through permit requirements. Every six months the ALRRF produces a "Title V report" that summarizes emission test results and system performance in great detail, as required. The CM reviews these reports as they are issued. The landfill also produces an annual estimate of greenhouse gas emissions, as required by Federal regulations.

1.5.1.3 Disposed Wastes

There are two agencies that regulate solid waste disposal in Alameda County. The Alameda County Department of Environmental Health is the Local Enforcement Agency (LEA), and the California Department of Resources Recycling and Recovery (CalRecycle) supports and oversees the LEA. The LEA is the main enforcement agency for the Solid Waste Facility Permit (SWFP) that delimits many aspects of operations at the ALRRF, such as operating hours, landfill cover materials and cover frequency, types of materials that are allowed to be disposed, etc. The SWFP is reviewed and updated every five years, and the CMC and CM closely follow that process, as delineated in the Settlement Agreement. The CM also reviews ALRRF inspection reports made by the LEA, as those reports become publicly available; and each year at least four of the monthly CM site inspections are done conjunction with the LEA, as required in the CM's Scope of Work.

1.5.1.4 Land Use

Concurrently with the Settlement Agreement, Land Use Permit C-5512 for the ALRRF site was updated to incorporate various mitigations identified in the Settlement Agreement. These modifications include restrictions on waste quantities, limits on truck traffic, and other operational constraints, as well as certain biological resource protection measures discussed in the next section of this report. The CM tracks compliance through a combination of direct inspection, review of data from ALRRF operations, and review of periodic reports submitted to regulatory agencies by the ALRRF, including the annual Mitigation Monitoring Report submitted to County Planning.

An additional Land Use Permit (PLN 2010-00041) was approved by Alameda County in March of 2013 for the future development and use of composting and material recovery operations at the ALRRF. Currently Waste Management's position is that this permit is not within the purview of the CMC, but the Committee has taken the position that the additional permit *is* within their purview. Condition 22 of this permit requires that it begin to be implemented within three years of its issuance.

1.5.1.5 Local Requirements: StopWaste

The Alameda County Waste Management Authority and Recycling Board (StopWaste) waste diversion goal is continuing to be pursued, most recently through the implementation of mandatory recycling at businesses and commercial source separation of compostable materials in many Alameda County cities. These requirements are implemented at the local level by

agencies' opting into (or out of) the ordinance's requirements. In addition, StopWaste has developed, and most of its member agencies have adopted, a single-use bag ban ordinance.

These waste diversion efforts represent a constraint because they limit the flow of refuse to the ALRRF, but they are also an opportunity for the ALRRF to (a) reduce its litter cleanup effort if the bag ban has a material effect, and (b) provide processing of recyclables in a MRF that may be developed at the landfill in the future.

1.5.2 Requirements For Fill Area 2 Development and Use

The current active area (Fill Area 1) will be supplemented by the expansion area (Fill Area 2) in the near future. In 2010, the last major permits for the development of Fill Area 2 were obtained. Environmental mitigations associated with the development and use of Fill Area 2 were established in Use Permit C-5512 and were refined in meetings between ALRRF staff/consultants and several regulatory agencies, concluding in 2012. These environmental mitigations are lengthy and complex; the topics that they cover are listed in Table 1-1 below. A more detailed listing is available on the CMC web site.

Table 1-1
ALRRF Environmental Mitigation Topics Associated with Fill Area 2 Development

Establishment of Conservation Plan Area
Need for Biological Monitor on site
Explicit protections for special-status species: San Joaquin Kit Fox, Western Burrowing Owl, California Tiger Salamander, California Red-Legged Frog, others
Rules regarding vehicle use, litter prevention, etc.
Pre-construction surveys for protected species
Staging areas: location, identification and use
Equipment maintenance and spill prevention
Handling of protected species, when necessary
Elimination of invasive species
Grazing Management and Pest Management Plans
Procedures if cultural remains are found
Construction of compensatory wetlands; annual status reporting
Other periodic monitoring reports
Protection and monitoring of surface waters

In 2015, the CM made observations during site visits that pertain to several of the above Conditions and reviewed the first Conservation Plan Area Baseline Survey and Mitigation Monitoring Plan Report (pertaining to the resource agencies' permit mitigations). The CM also reviews the ALRRF annual mitigation monitoring report, which briefly summarizes the status of compliance with each of the 106 CUP Conditions.

According to the recently submitted draft Joint Technical Document[3], Fill Area 2 will be developed in 12 or more Phases. Earthwork for Fill Area 2 began in 2013 and continued into 2015, focusing on the Phase 1 area and long-term infrastructure including stormwater basins, truck wash area, leachate pond, access road, etc. Liner installation took place in 2015, and some infrastructure construction will continue into 2016. Construction of additional Phases will occur in future years as needed, depending on the rate at which the Phase 1 area is consumed.

[3] Under California regulations, a Joint Technical Document (JTD) is a detailed description of all of the means and methods by which a disposal site will satisfy State requirements to protect water resources and safely dispose of permitted wastes.

SECTION 2
Community Monitor Activities and Issues

2.1 Introduction

Under the terms of the Settlement Agreement, when the ALRRF is in compliance with operating requirements, the Community Monitor (CM) has three ongoing duties:

- Review reports, data and information related to the ALRRF's reports that are required to be submitted to regulatory agencies
- Conduct monthly inspections of the ALRRF facility
- Review the records of testing and acceptance of "Class 2 soils", i.e. soils known to come from a contaminated site

Throughout 2015, the CM was active in each of these areas, as described below.

2.2 Monitoring of Improvements and Changes

Through report reviews and site visits, several new developments in ALRRF facilities and operations in 2015 became apparent:

- **Landfill gas wells** that had been installed in the latter part of 2014 were brought on line in early 2015. Several landfill gas wells that were becoming unproductive were taken off line as well. Landfill gas production, which had been declining, showed an obvious increase when the new wells came on line.
- **For Fill Area 2**, excavation of the Phase 1 portion was completed, the liner for that area was installed, the access road was constructed and paved, and other associated features were partially or completely constructed. The storm water basins are now operational, the truck wash at the north end of Fill Area 2 is nearly complete, and the leachate management system is still being constructed. It appears that Fill Area 2 could be ready to receive refuse in a matter of a few months, but wet weather is likely to impede the remaining work.
- **A second transfer-truck tipper was converted to use CNG fuel**.
- **The litter collection crew** was augmented with several temporary workers, and their efforts continued through the latter part of 2015.

2.3 Compliance and Significant Incidents

As noted above, the Settlement Agreement defines the CM's Scope of Work to include "issuing a written report each year summarizing the ALRRF's compliance record for the period since the last such report with respect to all applicable environmental laws and regulations." This Annual Report provides that summary.

2.3.1 Compliance Issues Documented by the LEA

As of mid November 2015, a total of 15 Violations and 19 Area of Concern notices had been issued by the Local Enforcement Agency (LEA) in calendar year 2015. All but one of the

Violations were for high levels of methane gas in two perimeter probes. This was addressed by the operator when it first occurred (late 2014), and initial tests indicated that the gas was not of recent origin and was most likely from a natural source. Subsequently, more stringent tests specified by CalRecycle confirmed this finding; and in September 2015 the LEA issued an inspection report stating that (a) the Notices of Violation would be cleared, and (b) CalRecycle would take its own samples to further confirm the result. CalRecycle sampling has not yet occurred, and the Notices of Violation continue to appear on CalRecycle's web site, but the landfill has been allowed to reduce its probe sampling frequency to quarterly, which is the normal interval.

The other Violation was for a lack of daily cover in a recently covered area. This was promptly corrected by landfill staff, but the Notice of Violation stands.

Areas of Concern noted by the LEA cover several topics:

- Incomplete permit documents related to a new lease-holder at the site (the wood grinding operation, Bio Fuels Inc.)
- Stockpiling of BioFuels feedstock (demolition waste rich in wood) in Fill Area 1.
- Late submittal of the proposed Joint Technical Document (JTD) revisions and other permit documents associated with the Five-Year permit review process (submittal occurred on July 31, 2015).
- A litter complaint that had been filed with the LEA.

To the best of our knowledge these have all been resolved.

At the ALRRF, the Asbestos-Containing Waste (ACW) area is permitted as a separate "Activity" on the site. Ordinarily, the LEA inspects this area quarterly, in conjunction with a regular inspection of the refuse disposal operation. However, the July inspection found that refuse fill operations had caused the removal of some fences, signs and barriers between the ACW area and the main part of the landfill. This was noted as an Area of Concern and the ACW area was inspected twice in August; by the end of August the problem had been rectified.

2.3.2 Water Board Violations and Concerns

2.3.2.1 Prior Violations

A search of the State Water Resources Control Board's violations database found no violations on record for the ALRRF. In 2014, violations had been issued for three issues described in our 2014 Annual Report:

- Material with High Copper Content (received mixed with refuse from the San Francisco transfer station)
- Rough Grading of Fill Area 2 (work begun without submittal of plans to Water Board)
- Remediation of Wastes Containing Dinoseb (wastes subsequently removed)

It appears that Water Board staff were satisfied with the ALRRF's resolution of these issues and the violations were rescinded.

2.3.2.2 Other Issues

In 2014, Regional Water Board staff took issue with the assertion by ALRRF and SCS Engineers that the contamination found at groundwater monitoring well E-20B can be attributed to landfill gas. After further correspondence between ALRRF and the Water Board on this issue, the Water Board required submittal of an updated Corrective Action Plan for groundwater near this well, to include more frequent sampling of groundwater wells in the vicinity, and other measures,

including an estimate of the time needed to reduce VOC contamination to non-detect levels around well E-20B.

ALRRF submitted its Corrective Action Plan in August of 2014. This plan describes the proposed installation of special gas extraction wells between E-20B and the landfill, and a new groundwater monitoring well downslope / downgradient of E-20B. The Corrective Action Plan also estimates that it will be approximately 10 years before VOC concentrations reach non-detect levels, based on linear extrapolation from existing trends, without taking the special gas extraction wells into account. The additional gas wells presumably provide more confidence in the ability to achieve this result.

The new groundwater monitoring well was installed next to stormwater Basin B in September of 2014. The landfill gas extraction wells came on line in January 2015. CMC members have asked when the new gas wells might be expected to have a noticeable effect on the concentrations of contaminants in monitoring well E-20B. The CM team is developing an estimate based on well locations and a model of groundwater flow rate. Preliminary results indicate a time span of about one year. This will be refined when we receive additional information about geologic conditions at the new gas wells.

2.3.3 Other Incidents

2.3.3.1 Facility Damage or Worker Injury

During 2015, the Special Occurrences Log recorded no incidents occurred that caused significant damage to facilities or equipment. There was one incident that resulted in an injury requiring outside assistance. In December, a contractor's trenching machine working on a steep slope in Fill Area 2 became unbalanced and fell on its side. The operator reported back pain. He was stabilized and was taken by EMS to a hospital for evaluation.

2.3.3.2 Earthquake

On August 24, a magnitude 6.0 earthquake occurred in Napa, approximately 40 miles from the ALRRF. Thorough inspections found no damage to roads, equipment and landfill slopes. However, a spontaneous drop in the water level in stormwater Basin A became apparent a few weeks after the earthquake. Field observations in 2015 indicate that this water level has since returned to its normal level and is quite stable, apparently depending on both surface water and ground water for replenishment.

2.3.3.3 Fire

A large grass fire occurred on May 28, partially on WMAC lands but north of Fill Areas 1 and 2. It was reported by ALRRF staff at 10:30 AM and was fought by State and local forces. Several hundred acres were affected. The cause was attributed to sparks from a failed power-line capacitor connected to the nearby wind power system.

2.3.3.4 Wet Weather

During the January 5 site inspection, significant erosional damage was noted on the west side of the new Fill Area 2 excavation. This likely occurred during the wet weather in early to mid December, but it had not been addressed because muddy conditions made access impractical. This was repaired by the end of March, and no other damage of this type was noted during the rainy period in early 2015. In the latter part of 2015, wet weather began in October with rain occurring intermittently through December, in manageable amounts. No serious damage was noted except for a washout of the uppermost layer at the lower edge of the newly installed Fill

Area 2 Phase 1 liner. This was repaired within two weeks and the problem has not recurred in 2015.

2.3.3.5 Other Incidents

Throughout the year there were several incidents of end-dump trucks falling over sideways while unloading. This can happen if the rear wheels are on uneven ground or if some of the material sticks to the dump bed after it is raised, causing the trailer to become unstable. Also, there were three reported incidents of leakage from leachate or condensate lines. Leaking fluid was contained and repairs were made.

2.4 Review of Reports

2.4.1 Groundwater

Two groundwater monitoring reports were reviewed in 2015. The first covered the time frame from July through December of 2014; the second covered January through June of 2015. Both reports reflect the Waste Discharge Requirements issued by the Central Valley Regional Water Quality Control Board that took effect in April of 2009.

Groundwater monitoring results did not differ appreciably from prior years. Contaminants, when present, were well below regulatory limits that would require remediation. For most contaminants, trends in the data were indistinct or gradually declining. We first noted in 2013 that the fuel additive MTBE and its degradation by-product tert-butyl alcohol appeared to have concentrations that are increasing in wells E-5, E-7 and E-20B, although not steadily. In general terms, the situation in 2014 and 2015 has been the same, with no significant increase in any of these contaminants. Continued monitoring of the reports on these wells is recommended.

2.4.2 Storm Water

The annual storm water report for 2014-2015 was issued in late June of 2015, as required. It documents storm water protection measures and monitoring efforts as required by regulations and permits. The lack of rain in the 2014-2015 monitoring period meant that only one discharge event requiring sampling took place, on December 3, 2014. From those samples, the few pollutants that exceeded "benchmark" (guideline) levels generally were less concentrated than in the previous sample, from November 2012. The exceptions occurred in Basin C, where iron, zinc, nitrate, and chemical oxygen demand (COD) exceeded benchmark values and were noticeably higher than the March, April and November 2012 sample values. This could reflect a change in grazing practices near Basin C (especially for nitrate and COD), and it might also reflect a lack of flushing, with no discharges having occurred since 2012. In 2014-15 there were several improvements to the storm water pollution protection systems at the site. These improvements included Best Management Practices (BMP's) such as adding silt-trap geotextile to drainage ditches and steep side slopes; adding rice straw blankets to landfill side slopes; and other means of preventing and controlling erosion.

2.4.3 Air Quality

Title V is one of several programs authorized by the U. S. Congress in the 1990 Amendments to the federal Clean Air Act. The Bay Area Air Quality Management District (BAAQMD) administers Title V requirements for the ALRRF. Title V operating permits incorporate the requirements of all applicable air quality regulations. Hence, the semi-annual Title V reports provide a comprehensive review of compliance with BAAQMD permits and regulations.

In 2015, we received the Title V reports for the periods June – November 2014, and December 2014 – May 2015. These reports describe landfill gas control operations and source testing, but they also document new or unique developments at the site that can have an effect on air emissions. Results from 2015 are similar to those from 2014:

- Surface emissions monitoring continued to occur, and although exceedances of methane were found, they were typically remedied on the first try, without the need for repeated repairs. In general there were fewer surface emission points - essentially, landfill gas leaking out of the landfill - found than in the previous year.
- The LNG plant continued to operate, and unscheduled down-time was minimal, especially in the first half of 2015.
- All control devices passed their emissions tests without incident.
- The installation of additional landfill gas wells in 2014 took place later than usual and was hindered to an extent by wet weather.

Twenty wells were added, and six were decommissioned, during the 2014-2015 reporting period. This increased the amount of available gas such that the gas-to-energy systems at the site were not constrained by a lack of gas availability. All devices, including the IC engines, were running concurrently from January through May of 2015.

2.4.4 Mitigation Monitoring

The MMRP Annual Progress Report covering calendar year 2014 was received in January 2015. It is a table that lists each of the conditions described in the current Conditional Use Permit (CUP-5512), followed by a description of the implementation status of that condition or mitigation. We found that the status descriptions accurately reflected the current status of each mitigation measure.

Several of the CUP Conditions relate to the Fill Area 2 permitting, operations and start date:

- 4.6 - This requirement, to adjust tonnage limits for partial years, was annotated by ALRRF staff to indicate that the expected start date for Fill Area 2 operations would be in the third quarter of 2015.
- 105 - This Condition requires that Fill Area 2 become active within three years of its scheduled start date.
- 20 - This Condition requires that certain USFWS- and CDFW-required wildlife surveys and mitigations be conducted prior to Fill Area 2 construction, and that sensitive species be managed appropriately. ALRRF staff have noted that Mitigation Plan implementation began in 2013.
- 73 - This Condition requires that the Landfill Gas Management Plan be revised to include Fill Area 2. ALRRF staff have noted that this is In Progress.
- 82 - This Condition requires that the Operator offer to retrofit existing noise-sensitive uses to reduce exterior noise levels below 45dBA. ALRRF staff have reported to the Committee that this has been done.

In addition to the Annual Progress Report described above, the ALRRF has begun to prepare annual reports to inform the resource agencies about progress on their permit requirements for Fill Area 2 expansion: establishing the Conservation Plan Area, constructing the wetland mitigation project, protecting existing wetlands and surface waters, etc. The first such report was provided to the CM in November 2015 and is currently under review. Two concerns have arisen in connection with the structure of this report:

1 - The descriptions of some mitigation measures are incomplete, making it difficult to be sure that the measure is being fully satisfied; and

2 - The descriptions of some compliance actions may be incomplete; they do not clearly address all of the requirements of the mitigation measures.

2.5 Review of Records

Several types of site records were reviewed by the CM in 2015. The CM's scope of work requires the periodic review of files that contain lab analyses and other descriptions of **Class 2 soils** (considered hazardous by California standards, but not by Federal standards) that are brought to the site for use as cover soil. Also, the **Special Occurrences Log** for the ALRRF was examined several times during the year, as part of monthly site inspections. The **LEA's weekly inspection reports** are publicly available on the CalRecycle web site and were checked by the CM every few weeks, to identify any new issues that may have arisen.

2.5.1 Class 2 Soils

An ongoing task for the CM team is the periodic review of files containing profiles (sample analyses) for Class 2 soils that are imported for use as cover soil in the Class 2 portion of the ALRRF. For efficiency, this is currently conducted two to three times per year, and it requires a full day for a qualified specialist from Langan to review each file to be sure that it is complete and within the regulatory limits for Class 2 materials. In 2015, these reviews were conducted in May and November. A total of 214 files were reviewed, 70% more than the previous year. No out-of-compliance profiles were found, and all files were complete.

2.5.2 Special Occurrences Log

Each permitted solid waste disposal site in California must keep a Log of Special Occurrences to document unusual and potentially disruptive incidents, including fires, injury and property damage, accidents, explosions, receipt or rejection of prohibited wastes, lack of sufficient number of personnel, flooding, earthquake damage and other unusual occurrences. The ALRRF log was checked quarterly throughout 2015. As in prior years, the most common incident was the occasional mishap involving large end-dump semi-trailers that become unbalanced while the bed is elevated, causing the truck bed to fall to one side. Fortunately, there were no injuries associated with these incidents. Other logged incidents included a major grass fire in the area north of the active landfill, and minor leaks from leachate and condensate handling systems, which were quickly contained. Additional detail on several of these items may be found in Section 2.3.3 above.

2.5.3 LEA Inspection Reports

In 2015, ongoing difficulties with windblown litter were again noted in many of the LEA inspection reports. High methane in three perimeter gas probes were also noted, as described in Section 2.3.1 above.

2.6 Monthly Inspections

Twelve site inspections were held during 2015. To obtain the best possible understanding of the range of operating conditions, the inspection day and time were varied as shown in Table 2-1 below.

Table 2-1
Site Inspection Summary

Date	Day of Week	Inspection Time	Announced in Advance?	With LEA staff?
Jan 5	Mon	10:00 AM	yes	no
Feb 12	Thurs	12:30 PM	yes	no
Mar 31	Tues	11:00 PM	yes	no
Apr 8	Wed	10:00 AM	no	yes
May 5	Tues	9:00 AM	yes	no
Jun 11	Thurs	1:30 PM	no	yes
Jul 29	Wed	6:00 PM	yes	no
Aug 6	Thurs	10:00 AM	no	yes
Sep 9	Wed	5:30 AM	yes	no
Oct 8	Thurs	10:00 AM	no	yes
Nov 4	Wed	2:30 PM	yes	no
Dec 14	Mon	3:00 PM	yes	no

In general, satisfactory conditions were observed, although windblown litter and bird (seagull) presence were persistent issues. Minor problems generally were rectified prior to the next inspection. Details are available in the monthly site visit reports provided to CMC members. There were no observed problems regarding refuse placement, public safety or traffic management. Throughout these inspections, staff and management were forthcoming regarding operating practices and current conditions. Distinct operations, such as the stockpiling and processing of specific materials, took place in well defined areas. No instances of unpermitted activities were noted.

In 2015 our observations continued to focus on:

- Storm drainage and erosion control, including the installation and performance of stormwater Best Management Practices.
- Traffic on site, and the adequacy of crews and equipment to handle incoming traffic and waste volumes.
- General observations of fill activities, including spreading, compaction and traffic control during normal and off-hours operations.
- Observation of issues of concern, including the increased presence of seagulls and the quality of materials used as Alternative Daily Cover.
- Management of windblown litter, which is an ongoing problem as Fill Area 1 reaches its maximum height.

In addition, the construction of Phase 1 of Fill Area 2 was observed throughout the year, concluding with completion of the Phase 1 liner and with continuing construction of the leachate pond and truck wash area.

The Scope of Work for the CM specifies that at least three inspections be performed off hours, and that approximately four to six be performed jointly with the LEA. As shown in the table above, three off-hour and four joint inspections were conducted in 2015.

In addition to the on-site inspections, counts of arriving refuse trucks were conducted by the CM in January and July of 2015. These counts continued to be well below the limit stipulated in the CUP.

SECTION 3
Looking Ahead: Anticipated Efforts and Issues

3.1 Introduction

In the 2016 contract year, the CM will continue to perform report reviews, site inspections and Class 2 soils file review. As Fill Area 1 nears completion, operations will become more complex in order to control the final height and shape of the filled area, and windblown litter will probably continue to be an issue. Also, as the ALRRF continues the development of Fill Area 2, the CM will review mitigation plans and reports for the Conservation Plan Area or other parts of the site.

3.2 Issues to be Tracked in 2016

3.2.1 Ongoing Report Review

The following issues will continue to be monitored in the coming year:

- Groundwater monitoring methods.
- Groundwater quality, including the vadose zone.
- Stormwater quality and management practices.
- Performance of landfill gas handling equipment.
- Additional changes to the landfill gas extraction system.
- Surface emissions monitoring.
- Reports related to the development and use of Fill Area 2.
- Effects of any development of composting, digestion or material recovery operations on the landfill.

3.2.2 Site Inspections

All operations will continue to be observed, and the following areas will receive emphasis.

3.2.2.1 Landfill Gas Control System

Performance of this system is closely related to groundwater quality, and it takes place within a complex regulatory framework involving Federal permits, local permits, new State regulations, and ALRRF CUP conditions. Physical changes to this system are likely to include the further addition of landfill gas extraction wells, decommissioning of wells that are no longer productive and ongoing operation of the LNG plant, turbines, flares, etc. In 2016, two topics will be of special interest:

- The effect of new gas wells on the concentrations of contaminants in well E-20B
- The need to take into account naturally occurring methane at perimeter gas probes

3.2.2.2 Stormwater Controls and Monitoring

Throughout the year, and especially during wet weather months, we will monitor conditions at all stormwater basins.

3.2.2.3 Windblown Litter

As noted above, this will continue to be an issue for Fill Area 1.

3.2.2.4 Fill Area 2

The CM will continue to observe construction, which will likely involve the completion of the truck wash area, the leachate pond and other appurtenances. Mitigation progress reports regarding the Conservation Plan Area or the Conservation Easement will be reviewed to the extent required by the Settlement Agreement.

3.2.2.5 Possible Increases in Certain Groundwater Contaminants

Although they are below regulatory trigger levels, the concentrations of MTBE, tert-butyl alcohol, and tetrahydrofuran appeared to be increasing in three groundwater monitoring wells in 2014. In 2015 they have remained fairly stable, but we will continue to check these levels as data become available.

3.2.2.6 Adjustments if San Francisco Refuse is Discontinued

There is a real possibility that refuse from San Francisco will no longer be brought to the Altamont Landfill, beginning in early 2016. This may lead to changes in the management of the ALRRF, such as shorter operating shifts or reduced use of some equipment. It may also lead to lower impacts from traffic, litter, etc. We will track these developments as they occur.

3.2.3 Class 2 Soils File Review

As required in our Scope of Work, we intend to conduct this review several times during 2016.

3.3 Project Management Considerations

As our current contract continues, we expect the budget to be sufficient through the remaining year of the current 3-year contract period.

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memorandum

date January 4, 2016

to ALRRF Community Monitor Committee

from Kelly Runyon

subject CMC Meeting of 1/13/16 - Agenda Item 6.9- Community Monitor Staffing, 2016

As noted in the Minutes of the previous meeting, Kelly Runyon has retired from ESA but is continuing to serve as the Community Monitor through a subcontract to ESA.

The point of contact for business with ESA, and for some technical issues during 2016, is Michael Burns, a registered Professional Geologist with landfill and groundwater experience.