COMMUNITY MONITOR COMMITTEE
Altamont Landfill Settlement Agreement

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

AGENDA

DATE: **Wednesday, January 9, 2019**
TIME: **4:00 p.m.**
PLACE: City of Livermore
Maintenance Services Center
3500 Robertson Park Road

1. Call to Order
2. Introductions
3. Roll Call
4. Approval of Minutes (From October 10, 2018)
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 Election of Chair (City of Livermore staff)**
   - **6.2 Responses to Committee Member Questions:**
     - **VOCs in Groundwater**
     - **Fault Zones at ALRRF**
     - **Acreage of August 2018 Fire Above Fill Area 2**
     - **CMC Purview and Disposal of Lead Paint Chips**
   - **6.3 Status of Wetland Mitigation and Basin SB-H**
   - **6.4 Five-Year Permit Review**
   - **6.5 Review of Reports Provided by ALRRF**
   - **6.6 Review of Documents on GeoTracker web site**
   - **6.7 Reports from Community Monitor**
   - **6.8 2018 Draft Annual Report**
   - **6.9 Community Monitor RFP Process (City of Livermore staff)**
   - **6.10 Announcements (Committee Members)**
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 10, 2019,** at 3500 Robertson Park Road, Livermore.

Informational Materials:

- Roles and Responsibilities; List of Acronyms; Site Map
- Draft Minutes of October 10, 2018
- Reports from City staff, ESA and subcontractors

www.altamontcmc.org

VOTING MEMBERS

Robert Carling
City of Livermore

Julie Testa
City of Pleasanton

Donna Cabanne
Sierra Club

David Tam
Northern California Recycling Association

NON-VOTING MEMBERS

Enrique Perez
Waste Management Altamont Landfill and Resource Recovery Facility

Arthur Surdilla / Wing Suen
Alameda County

Robert Cooper
Altamont Landowners Against Rural Mismanagement (ALARM)

STAFF

Judy Erlandson
City of Livermore
Public Works Manager

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. [1]

Updates will be provided as needed. This list was last revised on April 4, 2017.

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)
CVRWQCB, RWQCB or Water Board – Central Valley Regional Water Quality Control Board, unless otherwise noted.
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
IDL – Instrument Detection Limit – The smallest concentration of a specific chemical, in reagent grade water, that can be detected, with 99% confidence, with the detection instrument (e.g. the mass spectrometer).
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.
MDL – Method Detection Limit – The smallest concentration of a specific chemical, in a sample that contains other non-interfering chemicals, that can be detected by the prescribed method, including preparatory steps such as dilution, filtration, digestion, etc.
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.

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[1]
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

[1] This link may need to be typed into your search bar to work correctly.

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
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, which 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
CASP – Same as ASP, above; but the “C” denotes that the pile is covered.
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

memorandum

date December 26, 2018

to ALRRF Community Monitor Committee

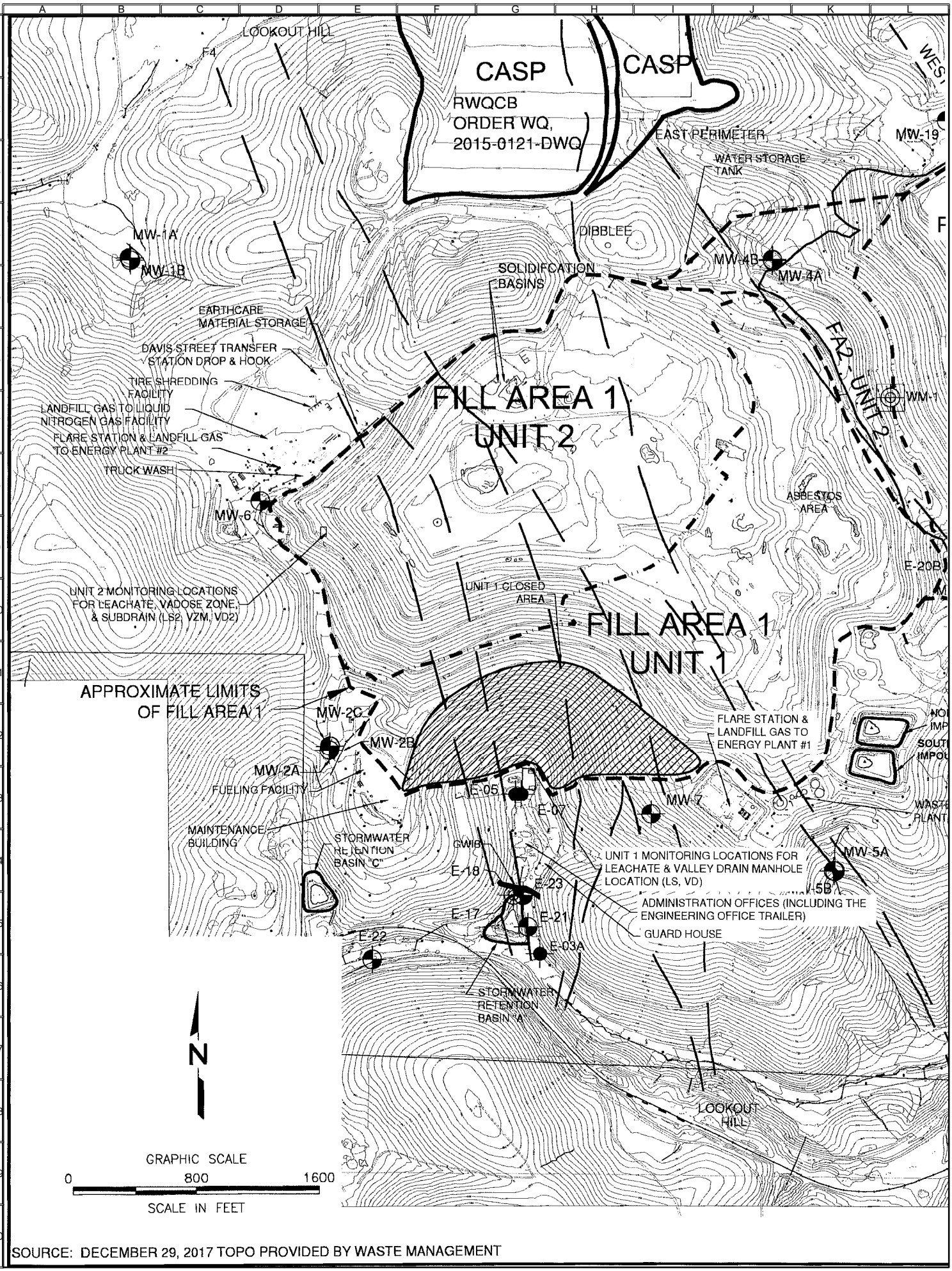
from Kelly Runyon

subject ALRRF Site Map

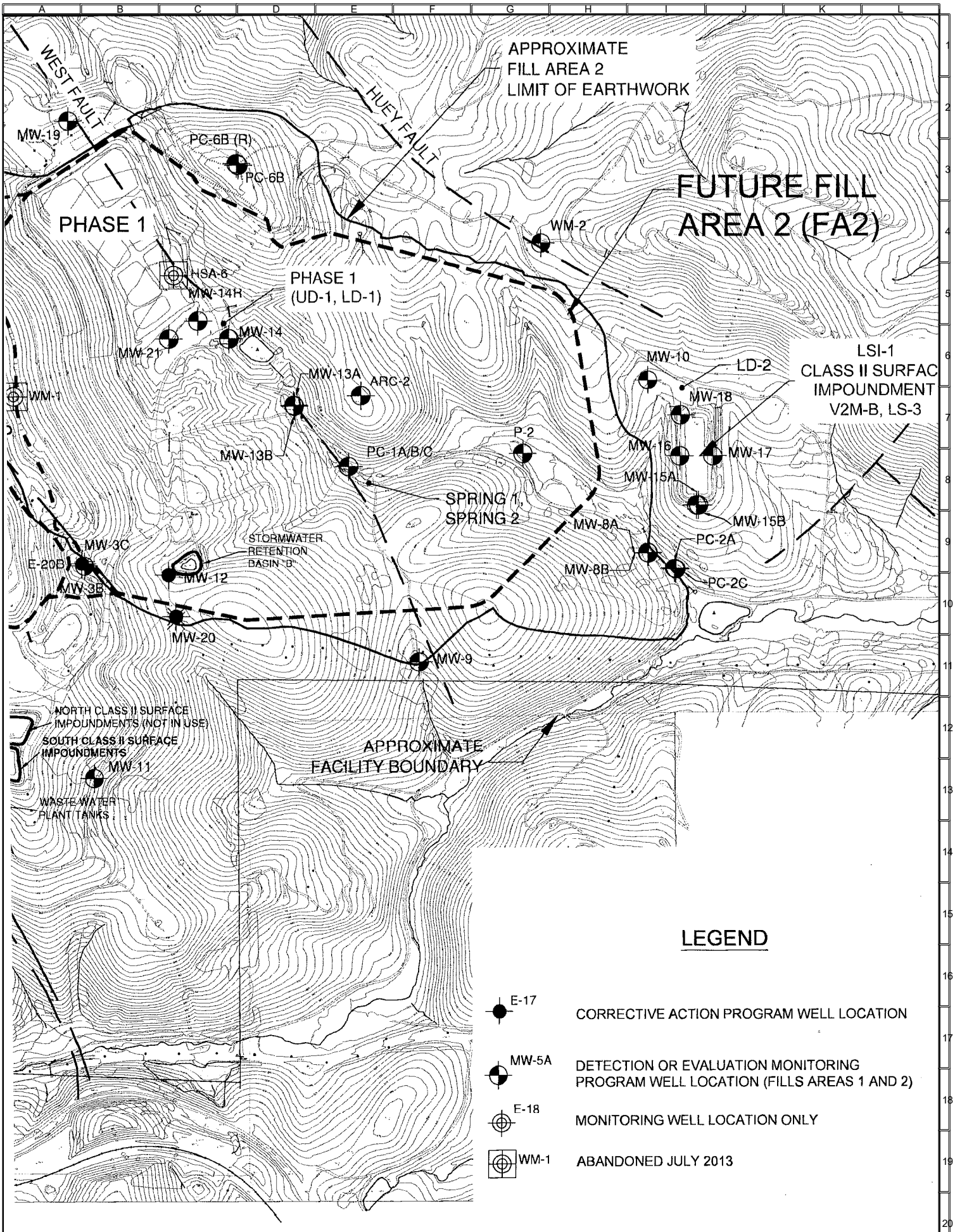
A map of the Altamont Landfill and Resource Recovery Facility (ALRRF) is provided on the following two pages. It is taken from the Groundwater Monitoring Network map that was prepared by SCS Engineers and submitted with the 2018 First Semi-Annual Groundwater Monitoring Report to the Central Valley Regional Water Quality Control Board on August 1, 2018. Map topography is dated December 29, 2017.

The map shows monitoring wells, earthquake faults, facility boundaries (e.g. "**FILL AREA 1 UNIT 2**") and the locations of many of the specific operations at the site, such as stormwater basins.

There is some overlap of the two pages, to allow for binding or stapling of the agenda packet.



SOURCE: DECEMBER 29, 2017 TOPO PROVIDED BY WASTE MANAGEMENT


APPROXIMATE
FILL AREA 2
LIMIT OF EARTHWORK
WEST FAULT
HUEY FAULT
FUTURE FILL
AREA 2 (FA2)
PHASE 1
PHASE 1
(UD-1, LD-1)
MW-19
PC-6B (R)
PC-6B
HSA-6
MW-14R
MW-14
MW-21
WM-2
WM-1
MW-13A
ARC-2
MW-13B
PC-1A/B/C
P-2
SPRING 1,
SPRING 2
LSI-1
CLASS II SURFAC
IMPOUNDMENT
V2M-B, LS-3
MW-10
LD-2
MW-18
MW-16
MW-17
MW-15A
MW-15B
MW-8A
PC-2A
MW-8B
PC-2C
MW-3C
E-20B
MW-3B
STORMWATER
RETENTION
BASIN "B"
MW-12
MW-20
MW-9
NORTH CLASS II SURFACE
IMPOUNDMENTS (NOT IN USE)
SOUTH CLASS II SURFACE
IMPOUNDMENTS
MW-11
WASTE WATER
PLANT TANKS
APPROXIMATE
FACILITY BOUNDARY
LEGEND
E-17
CORRECTIVE ACTION PROGRAM WELL LOCATION
MW-5A
DETECTION OR EVALUATION MONITORING
PROGRAM WELL LOCATION (FILLS AREAS 1 AND 2)
E-18
MONITORING WELL LOCATION ONLY
WM-1
ABANDONED JULY 2013

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COMMUNITY MONITOR COMMITTEE
Altamont Landfill Settlement Agreement
Minutes of October 10, 2018

DRAFT

1. Call to Order
Chairperson Pentin called the meeting to order at 4:03 p.m.

2. Roll Call

Members Present:	Jerry Pentin, City of Pleasanton; Robert Carling, City of Livermore; David Tam, NCRA; Arthur Surdilla, Alameda County Department of Environmental Health (LEA); Audrey Lundin, Waste Management Altamont Landfill and Resource Recovery Facility (ALRRF)
Absent:	Donna Cabanne, Sierra Club; Robert Cooper, Altamont Landowners Against Rural Mismanagement
Staff:	Judy Erlandson, City of Livermore Public Works Department; Kelly Runyon, Community Monitor
Others:	Marisa Gan, Livermore Recycling Specialist

3. Introductions
All those present introduced themselves.

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

5. Open Forum
There was no Open Forum discussion.

6. Matters for Consideration

6.1 Responses to Committee Member Questions

Five Year Permit Review: LEA Comments: Mr. Runyon provided a copy of the LEA comments and noted that the ALRRF had responded. He also stated that the LEA had made further comments, to which the ALRRF had also responded. His estimate was that the permit could be issued by the end of October.

County Planning staff for ALRRF CUP: Mr. Runyon reported that according to ALRRF staff, the County Planning staff member who is the primary point of contact for matters related to the Conditional Use Permit is Bruce Jensen.

Fault Zones at ALRRF: Mr. Runyon provided a diagram showing the spatial relationship between earthquake faults at the site and the monitoring well MW-4, noting that the fault, between Fill Area 1 and MW-4, is not recent or active. He also indicated that the earlier request by Water Board staff to address the possible role of the nearby fault in the spread of contaminants near MW-4 has not had a formal response from the ALRRF.

Decision to fill above disposed paint chips: Mr. Runyon noted that the Water Board has not taken issue with the landfill's decision to continue to fill above the disposed chips. Mr. Carling asked if there is a way to prevent this type of incident in the future, and Mr. Pentin expressed similar concern. Mr. Runyon stated that the landfill does have an active load checking program, but it has been impractical to check all loads, and in this case the contaminant was a very small part of the load and might have been missed. He also noted that in this case the generator of the waste did notify the landfill, indicating that at least some waste generators understand their obligations. Mr. Tam noted that the Alameda County District Attorney's office has had a history of pursuing environmental crimes, and he asked Mr. Surdilla if the LEA's office works with the DA on such incidents. Mr. Surdilla responded that in his experience the DA gets involved in illegal dumping incidents that involve hazardous material in public areas such as streets, but not at disposal sites. Mr. Pentin asked what the charge would be for hazardous waste disposal at the ALRRF, and Mr. Runyon replied that the Water Board sends a Notice of Violation to the landfill, whereupon the landfill usually has the generator pay for removal of the material. Mr. Pentin expressed some interest in knowing the level of the charge (misdemeanor, felony, etc.) but stated that he was not asking the Community Monitor to look into that question. Mr. Tam asked about the size of the load that contained that bucket, and Mr. Runyon stated that it was probably on the order of 20 cubic yards.

6.2 Status of Wetland Mitigation Construction – Mr. Runyon reported that the mitigation pond excavation has been completed, and excavation work on the sedimentation basin immediately upslope of the pond is under way. He also noted that planting in the mitigation pond has not yet begun.

6.3 Five Year Permit Review – Mr. Runyon referred to item 6.1, which provides an update on the progress of this permit.

6.4 Review of Reports Provided by ALRRF – Mr. Runyon began with the air emissions report, reporting that the Air District issued two violations in past months: one due to a gas well access problem, and the other caused by power outages that limited the landfill's ability to process landfill gas. He mentioned that the ALRRF is contesting the second of these, because there is a provision

in Air District regulations that, according to ALRRF, exempts the landfill when incidents like power outages occur. Ms. Lundin concurred with this summary.

Other aspects of the air emissions report were similar to prior reports. All emission control devices passed their annual tests, and Mr. Runyon noted that the internal combustion engines which use landfill gas to generate electricity have been decommissioned.

In reviewing the groundwater monitoring report, Mr. Runyon pointed out that for the May sampling the rate of purging (extracting water for a sample) was significantly reduced, to assure that samples represent groundwater at the wells and are not skewed by aeration or the presence of sediment, which can be caused by rapid purging.

He also presented an analysis of VOCs in groundwater from several wells, concluding that while many VOCs have been diminishing, MTBE concentrations (although very low) have not declined. He stated that VOC concentrations will continue to be tracked carefully, watching for trends.

Mr. Tam asked that this topic be continued to the next meeting when Ms. Cabanne is present.

Mr. Runyon also summarized stormwater monitoring reports from the prior two rainy seasons. He stated that some contaminants were found, indicating that additional measures need to be taken to intercept silt and remove hydrocarbons. The reports also recommended specific methods and equipment to be applied.

6.5 Review of Documents on GeoTracker web site

The following topics, documented in GeoTracker, were discussed:

Identifying Sources of VOCs in Storm Water – Mr. Runyon summarized the effort to determine the sources of pollutants in stormwater, and the sampling refinements proposed to the Water Board.

ET Cover Planning, Design and Installation – Mr. Runyon reported that grading work is proceeding as recommended by the ALRRF's consultant, and the project is on track to begin its test in the next few months, after plants are seeded and established.

Fill Area 1 Leachate and Underdrain Liquids Management – Mr. Runyon reviewed the Water Board's requirement that leachate and underdrain water be managed separately, and he reported that the system that will accomplish this was being installed currently.

NOV and Work Request: Monitoring Well MW-4A – Mr. Runyon stated that it appears that the Water Board is willing to accept that landfill gas may be a cause of contaminants reaching well MW-4A, but they will rely on data from samples of landfill gas and groundwater near MW-4A to reach a firm conclusion in that regard. He also noted that, because the proposed method for drilling new sampling points near MW-4 ("sonic drilling") creates heat that can interfere with accurate sampling, the Water Board is requiring that samples be taken after the borehole has cooled. Mr. Carling asked if the proposed change of

deadline has been approved; Mr. Runyon said that he had no information about that.

Notice of Violation – Disposal of Lead Based Paint Chips – Mr. Runyon stated that there has been no new information on this topic in some time, so he plans to remove it from future versions of this report unless new developments are documented in GeoTracker.

Revised Configuration and Phasing Schedule for Fill Area 2 – Mr. Runyon mentioned that a revised Fill Area 2 development plan has been brought to the Water Board, showing fill proceeding in increments from north to south. This minimizes stormwater management and traffic management difficulties, which would be severe if fill were to proceed from south to north. It also enables the fill to be developed with higher stability – less likelihood of a landslide within the fill. Mr. Runyon also reported that a more refined version of this development plan has been provided to the Water Board, but those documents did not reach GeoTracker in time for this agenda packet, and he said that the refined phasing diagram will be in the next packet.

Solidification Basin Operations – Mr. Runyon conveyed the Water Board's concern that liquids from the solidification basins are causing the landfill to exceed its moisture holding capacity; and to address that concern, the Water Board is requiring that the basins be, essentially, liquid-tight. He also noted that in a document released on GeoTracker just prior to the Committee meeting, the ALRRF has put forth a plan that it believes addresses that concern. He stated that this newest report will be summarized in the next Committee meeting.

Monitoring Downgradient from Well E-20B – Mr. Runyon explained that the latest Geotracker information documents the installation of a monitoring well downslope of MW-20, which is downgradient of E-20B and has detected some of the same contaminants as E-20B, generally at lower concentrations.

6.6 Reports from Community Monitor – Mr. Runyon indicated the July photo of an end-dump trailer that had overturned, and he noted that coincidentally, during the October inspection, two such overturned trailers were seen in the same area. Mr. Pentin asked about the procedure for relocating salamanders (as noted in the July inspection report), and Ms. Lundin replied that a consulting biologist, approved to handle these animals, comes to the site and does the relocating. For August, Mr. Runyon made note of the large amount of soil being imported in connection with preparation for Fill Area 1 closure. He also described the fire that took place east of Fill Area 1. Mr. Tam asked him to estimate the area burned by the fire. Mr. Runyon gave a rough estimate of 10 to 15 acres, and he stated that he would provide a better estimate at the next meeting. Ms. Lundin then described how ALRRF personnel and equipment worked to control the fire, together with the County Fire Department and CalFire resources. For September, Mr. Runyon described work on basin SB-H. There were no questions about the September report.

6.7 2018 Draft Annual Report Topics – Mr. Runyon presented a list of topics, unique to 2018, that he proposed to include in the Annual Report. Committee members had nothing to add. Mr. Pentin asked that Ms. Cabanne be contacted to learn if she had any topics to add or other feedback.

6.8 2018 Committee Meeting Schedule – Committee members reviewed the proposed schedule and had no changes. Mr. Tam moved for adoption, Mr. Carling seconded, and the motion passed 3-0.

6.9 Announcements – There were no announcements.

7. Agenda Building

Mr. Tam raised several questions related to the lead paint chip incident:

- Was the incident a civil or criminal matter?
- What is the liability for the generator, the operator, and the regulatory agencies?
- What has been done in other similar cases in the Central Valley Water Board's region?
- What does the Alameda County DA, and the Calif Atty General's office, consider to be an effective deterrent in such cases?
- What are the basic facts of the matter: source of load (generator), size of load, type of source (single site or possible "community" (multiple) sources)?

After some discussion about the Committee's limited purview, Mr. Tam stated that he feels the Committee has a legitimate concern that the acceptance of wastes at the ALRRF is being adequately regulated by the LEA, and the Water Board. He suggested a letter to the Alameda County DA, and possibly others, including the City of Livermore City Attorney's office, to ask what the typical practice is regarding this issue.

Ms. Erlandson then suggested that the Committee receive a description of the pertinent laws & regulations, and what can be accepted at Class 2 versus Class 1 facilities. Mr. Tam stated that he was willing to start with that and then find out how that is applied, in practice, to incidents like the lead paint chip incident.

Ms. Erlandson also noted that when questions like this are brought to the City Attorney, they generally ask for Waste Management's opinion on the matter. Mr. Runyon stated that the ground rule for questions to outside agencies is that such questions first be brought to Waste Management.

Ms. Erlandson mentioned that at the next meeting, she plans to initiate the process for selecting a Community Monitor contractor before the end of 2019, which is when the current contract term ends.

The meeting was adjourned at 5:17 p.m. The next meeting will be held on **Wednesday, January 9, 2019, at 4:00 p.m.** at the Livermore Maintenance Services Center at 3500 Robertson Park Road.

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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. Previously, Committee Member Pentin representing the City of Pleasanton served as Chair of the Committee.

If the Committee chooses to appoint a Chairperson, election shall be by majority vote of the voting members of the Committee. If a quorum of three of the four voting 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:	AGENDA ITEM:
01-09-2019	6.1

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memorandum

date December 26, 2018

to ALRRF Community Monitor Committee

from Kelly Runyon

subject CMC Meeting of 1/9/19 - Agenda Item 6.2 - Responses to Committee Members' Questions

Committee members requested that the first two topics below be continued to this meeting, so that Ms. Cabanne may have the opportunity to provide input on these issues.

VOCs in Groundwater

Trends in VOC Concentrations

The Community Monitor team has continued to review the trends in data from monitoring wells where VOCs have been detected, to evaluate the ALRRF's position that VOC concentrations have been decreasing. We have taken the further step of graphing the data over time for each contaminant in each well. We have normalized the concentration data (dividing each data point by the average for that substance at that well, with non-detects excluded) in order to pool all of the VOC data at a well and look for trends. In general, we see a level or diminishing trend that is obvious from the shapes of the graphs; see Figures 6.1-1 and 6.1-2, below.

Figure 6.1-1
E-07: Normalized Concentrations

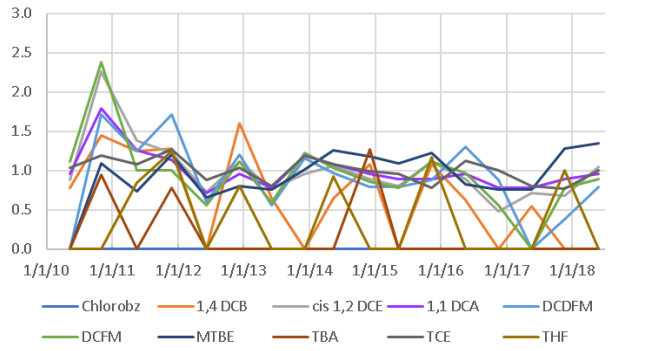
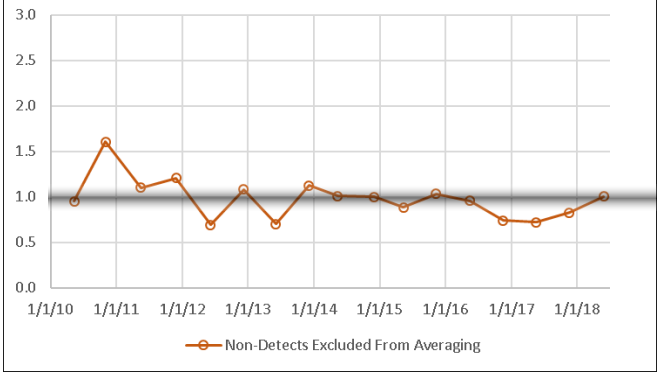
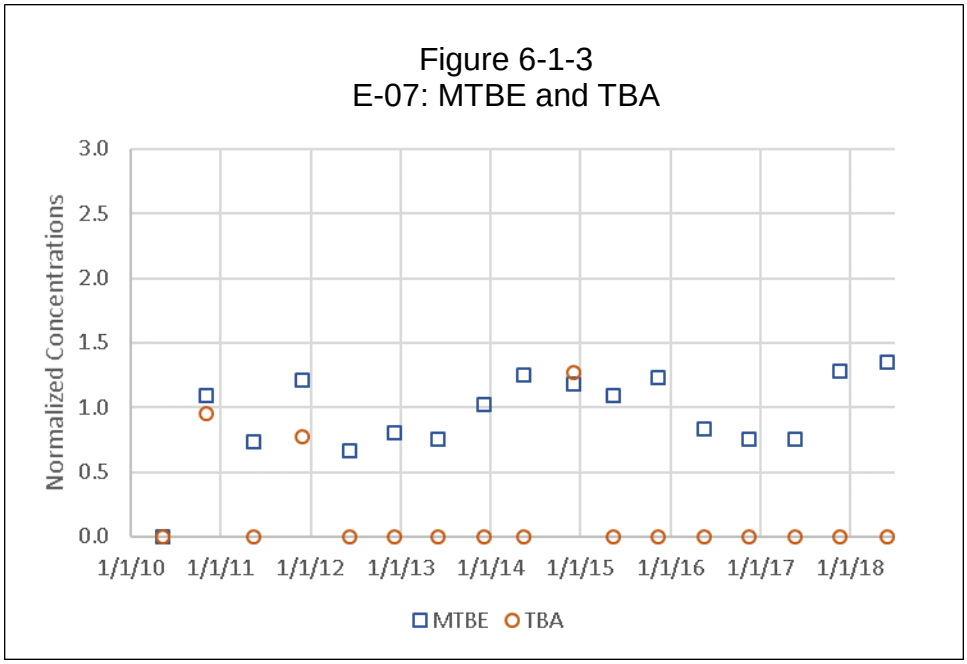


Figure 6.1-2
E-07: Averages of Normalized Concentrations



However, it became apparent during this analysis that methyl tert-butyl ether (MTBE) is not declining; see Figure 6.1-3, next page. The MTBE concentrations are very small in E-05, E-07 and E-20B, typically around 0.4 parts per billion; and they vary ±20%, but they are not declining. MTBE has also been found at MW-4A, but there are too few data points to indicate a trend. Since this substance is such a fast-moving groundwater contaminant, we will continue to watch these data very carefully.

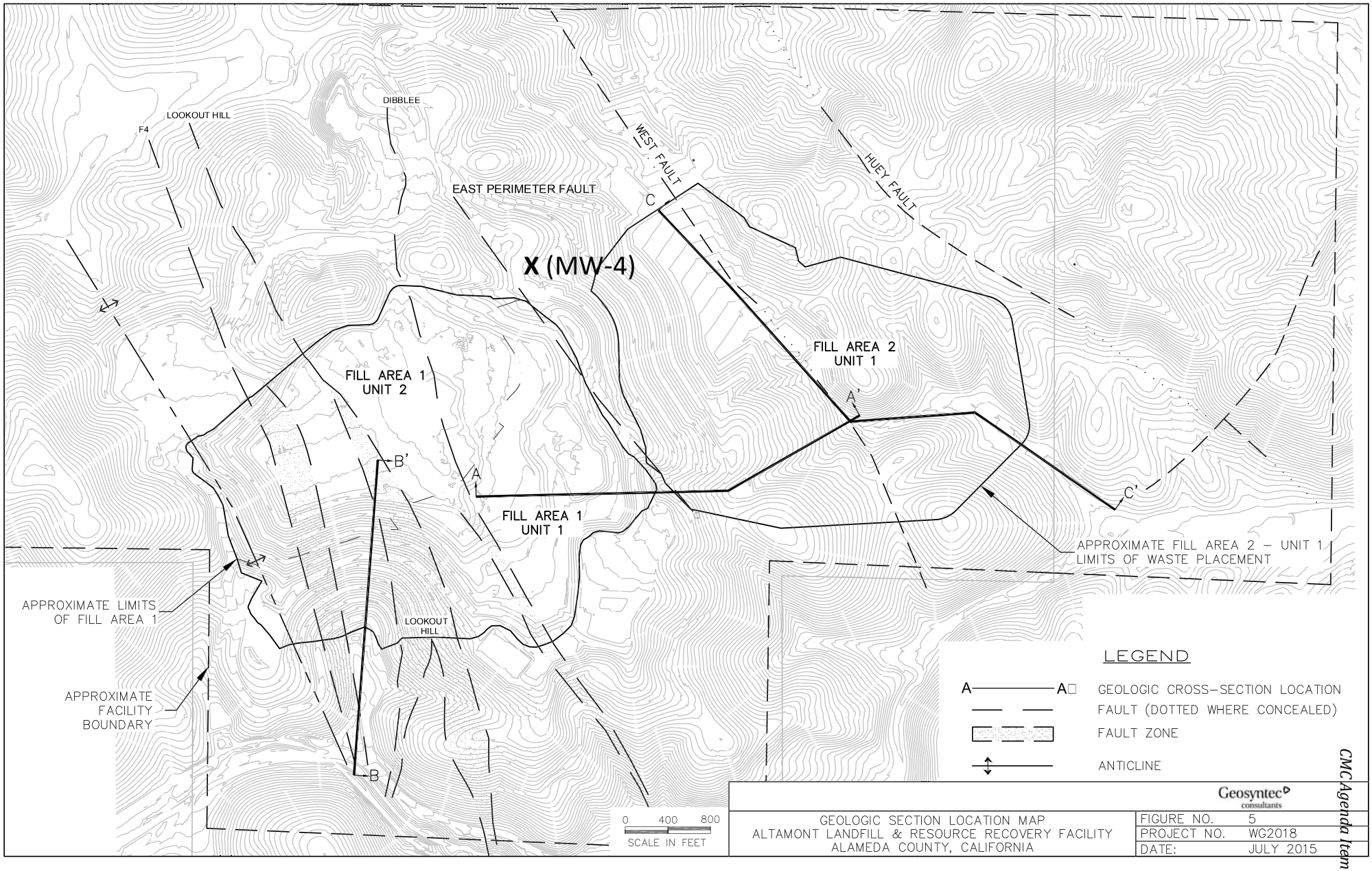


Fault Zones at ALRRF

At the July 11, 2018 Committee meeting, Ms. Cabanne asked for more detail about the fault zone between Fill Area 1 and monitoring well MW-4 that was referenced in Central Valley Regional Water Quality Control Board (Water Board) meeting notes dated May 17, 2018. The ALRRF's Monitoring and Reporting Program draft dated 29 July 2015, prepared by Geosyntec, includes a map ("Figure 5") showing several earthquake faults that have been identified on the ALRRF property. This map is shown on the following page, with the location of MW-4 based on its location in Figure 9 of the same document. The fault in question (the East Perimeter fault) is described as a short inactive fault because the younger geologic deposits in the area do not show evidence of fault activity, and most faults in the area are less than 2 miles long. However, active or inactive faults may contain fractured and deformed rock that provides a path for fluids; hence the concern from Water Board staff.

Acreage of August 2018 fire above Fill Area 2

In the October 10 Committee meeting, Mr. Tam asked for the area of the footprint of the grass fire that occurred in August, on the grassy slope between Fill Area 1 and Fill Area 2. Using photos taken later that month, the footprint has been sketched onto a rectified aerial photo, and the area measured. It was approximately 14 acres.



COMMUNITY MONITOR COMMITTEE
STAFF REPORT

TO: Honorable Chairperson and Community Monitor Committee Members

FROM: Judy Erlandson, Public Works Manager

SUBJECT: CMC Purview and Disposal of Lead Paint at ALRRF

RECOMMENDED ACTION

This report is information only, no action is required.

BACKGROUND

The Community Monitor Committee (CMC) was established by 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). Section 5 of the Settlement Agreement describes the duties and responsibilities of the CMC and defines the Committee's scope, including providing for the CMC to retain an independent technical expert (Community Monitor) to monitor the compliance of the Altamont Landfill and Resource Recovery Facility (ALRRF) with certain environmental laws and regulations. The roles and responsibilities of the CMC, the Community Monitor (CM), and Waste Management are summarized in each CMC meeting agenda packet.

The ALRRF is permitted to accept most non-hazardous materials as defined by State and Federal laws, and as defined in the ALRRF's Conditional Use permit issued by Alameda County. From 2008 through 2017, truckload quantities containing prohibited hazardous materials have been inadvertently disposed of at the ALRRF five times. In each case, the generator of the materials has been responsible to remove the materials from the ALRRF and properly dispose of the material at a Class 1 disposal facility. In each case, the ALRRF was issued a Notice of Violation (NOV) by staff of the Central Valley Regional Water Quality Control Board (Water Board).

DISCUSSION

On February 8, 2018, Waste Management staff gave the Water Board staff verbal notice that a load of materials containing a small quantity of paint chips (less than five gallons) with hazardous levels of lead had been disposed of at the ALRRF, and the

Water Board subsequently issued a NOV to the ALRRF. Given the difficulty of safely and effectively finding and removing the lead paint chips buried in the landfill, Waste Management staff requested that the materials remain in place. As of this writing Water Board staff have not required the removal of the materials, and after informal discussion of the issue with Water Board staff (including two Office of Enforcement staff) at an April 30 meeting, the ALRRF has continued to fill in the area where the chips were disposed.

At the October 10, 2018 CMC meeting, Committee Member Tam requested more information regarding the disposal of the lead paint chips. Specifically, Committee Member Tam wanted to know if further investigation of the incident was within the purview of the CMC, and if so, if this act of disposal might incur criminal or civil penalties, and if the Alameda County District Attorney's office or the California Attorney General might be asked to review this case. Committee Member Tam requested more information about the generator, size of the load delivered, and what had been done in similar cases in the Water Board's region (the Central Valley). He also inquired about what penalty might effectively prevent this situation from happening again.

As a result of Committee Member Tam's comments, the CMC requested that Livermore staff provide an opinion regarding if this type of investigation was within the purview of the CMC, and what type of investigation the CMC could pursue, if any.

Given that the primary responsibility of the CMC relates to supervising the Community Monitor and reviewing reports, documents and data describing the ALRRF's environmental compliance, Livermore staff finds that further investigation of the legal aspects of the lead paint disposal situation is beyond the CMC's purview. Legal expertise in the enforcement of environmental law is not part of the minimum qualifications for the Community Monitor, as described in Section 5.4 of the Settlement Agreement.

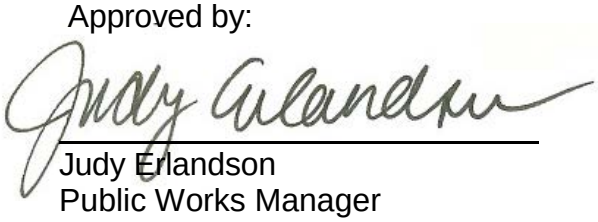
Additionally, Section 5.7.6 of the Settlement Agreement states that if the Community Monitor "reasonably suspects" that the ALRRF is in "substantial noncompliance" with applicable laws and regulations, the remedy is to report these findings to Waste Management staff, the Local Enforcement Agency, and any other regulatory agency with jurisdiction. Because relevant regulatory agencies were properly notified by Waste Management staff, additional notification by the Community Monitor is unnecessary.

Further, Section 5.3.5 of the Settlement Agreement states that Waste Management "shall not be required to pay for any legal services or litigation services as part of compensation for the Community Monitor." Therefore, requiring Waste Management to provide compensation for legal review of this matter is expressly prohibited by the Settlement Agreement, and any interest in pursuing that matter would need to be initiated outside of the CMC proceedings.

ATTACHMENTS

1. None

Approved by:



Judy Erlandson
Public Works Manager

memorandum

date December 26, 2018

to ALRRF Community Monitor Committee

from Kelly Runyon

subject CMC Meeting of 1/9/19 - Agenda Item 6.3 - Status of Wetland Mitigation Construction

Excavation and grading work at the mitigation pond concluded in June, and the procurement and installation of plants began in mid December. To protect the mitigation pond from high flows containing sediment, the sedimentation basin immediately upstream of the pond, SB-H, has been redesigned for higher capacity, and its construction is now complete.

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memorandum

date December 26, 2018

to ALRRF Community Monitor Committee

from Kelly Runyon

subject CMC Meeting of 1/9/19 - Agenda Item 6.4 - Five-Year Permit Review

Five-Year Review of Solid Waste Facilities Permit

The LEA representative will provide an update on the progress of this review at the January 9 Committee meeting.

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memorandum

date December 26, 2018

to ALRRF Community Monitor Committee

from Kelly Runyon

subject CMC Meeting of 1/9/19 - Agenda Item 6.5 - Review of Reports Provided by ALRRF

This memo covers four documents recently provided by the ALRRF or from the GeoTracker web site:

- Industrial Stormwater Level 1 Exceedance Response Action, December 2017
- Industrial Stormwater Level 2 Exceedance Response Action, December 2017
- Stormwater Pollution Prevention Plan (SWPPP), last revised April 2018
- Winterization Plan 2018 - 2019

Background

The Federal Water Pollution Control Act (Clean Water Act) provides the California Water Boards with the authority and framework for regulating storm water discharges. In the early 2000's, the State Water Resources Control Board began a formal process to adopt more stringent regulations regarding stormwater runoff from roadways, construction sites, and certain types of industries, including landfills. After considerable feedback from the affected industries, those regulations took effect in 2015, requiring a rigorous monitoring and sampling program with corrective actions when certain pollutants exceed specific Numeric Action Levels (NALs).

When a facility's stormwater discharge is below the NAL for a specific pollutant, the facility is said to be "in baseline" for that substance. In the first year that the NAL is exceeded, the facility's status regarding that pollutant rises to Level 1, and the facility must submit – and follow – a plan to reduce discharges of that pollutant. If, despite these efforts, the emissions remain above the NAL the next year, the status increases to Level 2. This requires more effective (and typically costlier) control measures plus more detailed implementation plans and technical reporting. It is important to note that a Violation may be issued when the facility fails to report, plan and implement as required, not when the NAL is exceeded.

As noted in prior reports to the Community Monitor Committee, there have been exceedances at the ALRRF in the past, leading to improvements in stormwater controls. The current regulations have led to more detailed reporting, beginning with the 2016-2017 reporting period. Reports from that period were due January 1, 2018; the ALRRF submitted them on December 31, 2017.

Level 1 Exceedance Response Action Report

This report reviews stormwater sampling data from both the 2015-16 and 2016-17 reporting periods. The stormwater pollutants that the ALRRF must monitor are pH, Total Suspended Solids (TSS), Oil and Grease,

Copper, Iron, Nitrate, and Chemical Oxygen Demand (COD). COD estimates the potential for water to be depleted of oxygen as a result of bacterial activity.

In 2015-16, discharges from the three Fill Area 1 stormwater detention basins were sampled, but due to low rainfall volumes, only six samples were obtained in all. These showed NAL exceedances for TSS, iron and nitrate.

There were ten samples from 2016-17, including a fourth sampling location on the northwest side of the property, where stormwater is discharged via a swale, with no detention pond. Water at the swale does not contact the active landfill. The averaged data from all four sampling locations showed exceedances for copper, iron, nitrate and COD. As a result, the ALRRF was found to be in Level 1 status for copper, nitrate and COD. (The repeated exceedance for iron led to a Level 2 designation, addressed below.) This Level 1 Exceedance Response Action Report notes the minimum Best Management Practices (BMPs) that are to be implemented at the facility in 2018, including basic erosion controls and employee training. It also notes that there are certain advanced BMPs in use, including retention basins and more elaborate erosion controls. It recommends the following additional controls:

- Riprap below stormwater basin inlets, to reduce erosion.
- Special "Filtrexx" check dams in drainage ditches to reduce metals and COD by removing pollutants.
- Using a different Basin C sampling point to prevent cross-contamination from off-site stormwater.

ALRRF has implemented these measures. This was verified during the December 13 site inspection. The photos below show riprap at the Basin C inlet and green Filtrexx check dams in a concrete V-ditch.

Level 2 Exceedance Response Action Report

The 2016-2017 Level 2 report focuses on controlling the amount of iron in ALRRF stormwater. It notes a strong correlation between iron and TSS concentrations in all of the sample data, which indicates that iron is carried by suspended solids and can be controlled by reducing TSS. The report recommends several additional controls:

- Adding rock check dams to the northwest swale to reduce erosion there.
- Using a different Basin C sampling point to prevent cross-contamination from off-site stormwater.
- Discharging from Basins A, B and C *before they are full*, to provide room for greater retention time during storm events so that suspended solids can settle to the bottom of each basin. This involves actively monitoring turbidity and installing a "Faircloth Skimmer" device at each basin to withdraw water from the surface while excluding any floating materials that may be present.

- After sampling stormwater this year, adding flocculant (which promotes settling of TSS) as needed upstream of each basin using passive devices called Floc Logs. These are installed in drainage ditches, and they add flocculant to the water that contacts them.
- Implementing the BMPs in the Level 1 report.

The recommended rock check dams have been installed, and skimmers are installed at Basins A and C. Floc Logs have not yet been installed.

Stormwater Pollution Prevention Plan (SWPPP)

This comprehensive and well-written plan begins with a thorough description of operations throughout the site, including waste disposal, environmental controls (e.g. the LNG plant), maintenance areas and related activities. The composting operation is included but described only briefly. It had just begun operation when the SWPPP was last updated (April 2018).

The Plan also describes the BMPs currently in use for each activity in each drainage area. Drainage areas, i.e. watersheds leading to each retention basin/discharge point, are shown on a large-scale site map included with the Plan.

Monitoring frequencies and methods are also described. These are based on general regulatory requirements or both landfill and composting operations. The parameters in the Plan go beyond those reported in the Level 1 and Level 2 documents, to include phosphorus, nitrate + nitrite nitrogen, and others required by regulations, or due to past detections, or because the Plan also includes the CASP operation which the Level 1 and Level 2 reports (dating from 2017) do not.

In Section 1.7 of the SWPPP, it is described as a "living document" that will be modified as site conditions change or as additional BMPs are needed. Anticipating this, the SWPPP includes a Revision Log. Given the constantly evolving nature of operations at the ALRRF, it is not surprising that the April 2018 SWPPP is already in need of revision, if only to its description of operations. For example, an update will be needed to address the liquids separation system currently being installed, and the description of the internal-combustion engines that consume landfill gas should be removed, as those devices have been decommissioned. In October, the ALRRF responded to Central Valley Regional Water Quality Control Board staff's directive to update the SWPPP, to include sampling for VOCs, by stating that an immediate update would be premature as the VOC investigations are still under way. The Community monitor will track the Water Board's response to this, as well as any future revisions to the SWPPP, as they become available.

Winterization Plan 2018 - 2019 Report

The Winterization Plan provides a brief discussion of the ALRRF's winter preparation guidelines and tasks, followed by numerous before-and-after photos: cleaned drains and ditches, check dams placed in ditches, renewed wattle on slopes, etc. In addition to the recommended measures, the ALRRF is managing the swale in the northwest discharge area as a bioswale, using vegetation to reduce TSS and other pollutants. The swale is fenced off to prevent damage from livestock.

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memorandum

date December 26, 2018

to ALRRF Community Monitor Committee

from Kelly Runyon

subject CMC Meeting of 1/9/19 - Agenda Item 6.6 - Review of Documents on GeoTracker Web Site

Reports from the ALRRF to the Central Valley Regional Water Quality Control Board (Water Board), Water Board responses and other Water Board notices have been reviewed as they have been posted on the Water Board's GeoTracker website. This includes notes from several working meetings between Water Board staff and ALRRF staff and consultants. Below, they are referred to as the [date] Meeting Notes. For ongoing topics, new information is summarized in underlined additions.

New Topics

Naphthalene Detections in Future Fill Area 2 Monitoring Well PC-1B

The semiannual groundwater monitoring report for the first half of 2018 noted the detection of naphthalene in the first sampling (May 2018) from well PC-1B, which is within the undeveloped portion of Fill Area 2, more than 1500 feet from the closest landfilled refuse, in the bottom of a valley on former grazing land. This well also serves as a downgradient monitoring well in relation to well E-20B.

In GeoTracker, an October 12 report from Waste Management provides information on subsequent sampling results. Two subsequent samples show progressively decreasing concentrations of naphthalene. Concentrations and sampling dates are listed below. Waste Management is proposing conducting "a study to determine the nature of the detection[s]" with a report by January 3, 2019.

Date	Concentration (µg/liter)
May 24, 2018	2.1
July 26, 2018	1.0
August 27, 2018	0.83

To date, no response from the Water Board has appeared in GeoTracker.

Leak at Condensate Tank S-12

In this context, the term "condensate" refers to liquid that has condensed as landfill gas is extracted and conveyed to gas-consuming operations (turbines, LNG plant, and flares). Condensate contains high concentrations of a variety of VOCs, as well as water. In a letter dated October 16, the ALRRF provides details regarding a condensate leak that was discovered the morning of October 9 and was verbally reported to the Water Board and repaired that day. All contaminated soil was removed and disposed in the Class 2 unit of Fill Area 1. The condensate escaped from a

leaking pipe, and some of it leaked through a crack in the secondary containment wall at condensate tank S-12, which is north of the ALRRF administrative offices and lower parking area. An estimated 10 to 15 gallons of condensate contacted soil outside the containment area.

To date, no response from the Water Board has appeared in GeoTracker.

Concentration Limits for Certain Phase 2 Monitoring Wells

In early September, the ALRRF consultants GeoChem Applications submitted a report to Water Board staff that reviewed available groundwater data for six monitoring wells installed to monitor groundwater near Fill Area 2 (FA2). Three of these wells are adjacent to the four sides of the FA2 leachate impoundment, and the other three are located near the toe of the Phase 1 portion of FA2. FA2 is not yet active, but the wells were monitored as required by the ALRRF Waste Discharge Requirements to (a) establish background concentrations for eight Monitoring Parameters, and (b) detect the presence, if any, of certain Constituents of Concern, which encompass 22 inorganic elements and compounds, and 5 classes of organic compounds, including VOCs, SVOCs, Organophosphorus Compounds, Chlorphenoxy Herbicides, and Total Organic Carbon.

The GeoChem Applications report did not analyze data for organic compounds (VOCs, SVOCs, etc.), because their concentration limits are based on detectability, not existing background levels. For each of the inorganics, the proposed concentration limits were based on the average levels found during monitoring and the degree to which those concentrations varied. A standardized statistical technique, the Shewhart-CUSUM method, was used to calculate those limits. For example, for chloride at well MW-14R, based on 8 samples over two years, with concentrations from 120 to 190 mg/liter (parts per million), the proposed Concentration Limit was 242 mg/liter. A concentration above 242 mg/l would be an out-of-range value that triggers more intensive monitoring and, potentially, some type of corrective action.

A December 5, 2018 letter from Water Board staff accepted all but seven of the 180 proposed concentration limits. For the seven that were not accepted, the concern was that GeoChem Applications' statistical analysis included outliers, which are single measurements with unusually high or low concentrations. The letter includes a table of Revised Concentration Limits for those seven limits. For example, in revising the proposed 2,026 mg/l limit for total dissolved solids in well MW-19, the Water Board dropped one unusually low outlier and calculated 1,682 mg/l. Unfortunately the Water Board letter did not explain each of their revisions in detail, but for five of the seven revisions their approach was obvious and we could duplicate the calculation. We were not able to duplicate their revision for the other two (total Kjeldahl N in MW-15B and total organic carbon in MW-18).

The Water Board letter also expressed concern about the small number of wells chosen by the ALRRF for monitoring. This is discussed further in the topic "Revised Configuration and Phasing Schedule for Fill Area 2", below.

Ongoing Topics

Identifying Sources of VOC's in Storm Water

A December 1, 2016 letter from SCS Engineers (on behalf of ALRRF) to Water Board staff addressed the Water Board's requirement for a Work Plan to identify and evaluate potential sources of VOCs that may have impacted stormwater at the facility. A September 13, 2017 letter from Water Board staff required that "a report documenting the results of the investigation … be submitted by 30 June 2018." In a July 23 letter to Water Board staff, ALRRF

management transmitted the report (by SCS Engineers, dated June 29) and recommended that sampling be extended for a year because of insufficient samples due to a lack of rainfall. In the report itself, SCS recommended installing two additional monitoring points upstream of SW-2 in an effort to pinpoint the origin of the VOCs found at SW-2.

In a letter to ALRRF dated August 8, Water Board staff accepted SCS's June 29 report and the proposed continuation of monitoring, with several conditions, one of which was that ALRRF is to add this sampling for, and reporting of, VOCs to its Storm Water Pollution Prevention Plan (SWPPP) and submit VOC findings together with other storm water test results to the State's storm water data tracking system.

In a response dated October 3, ALRRF took the position that changes to its SWPPP should wait until the additional investigation is completed. Apart from this reservation, the ALRRF's response agreed to cooperate with the Water Board's conditions. To date, there have been no further GeoTracker documents pertaining to this item.

ET Cover Planning, Design and Installation

There have been no new GeoTracker documents pertaining to this item. This issue will continue to be tracked, and new developments will be reported to the Committee.

Fill Area 1 Leachate and Underdrain Liquids Management; Use of Underdrain Liquid in Compost

There have been no new GeoTracker documents pertaining to this item. This issue will continue to be tracked, and new developments will be reported to the Committee. In a related matter, the ALRRF provided a report to the Water Board on October 2, describing damage to a leachate line, and management of contamination from that incident, during installation of the liquids separation project.

Notice of Violation and Work Request: Monitoring Well MW-4A

Samples from monitoring well MW-4A, which is outside the northeast edge of Fill Area 1, contained exceedances of certain inorganics and VOCs in May 2017. In resamples taken in June and July, some exceedances recurred.

The Water Board issued a Notice of Violation, dated October 19, 2017. The ALRRF responded by submitting an Amended Report of Waste Discharge/ Proposed Evaluation Monitoring Plan on December 21, 2017. It attributed the problem to landfill gas, not leachate, and it proposed to address the problem by intensifying the extraction of landfill gas near MW-4A. On February 8 2018 the Water Board issued an Order to the ALRRF, requiring a formal Evaluation Monitoring Program to sample groundwater along the "unmonitored northern limit" of Fill Area 1.

The April 30 2018 Meeting Notes indicate that Waste Management had petitioned (appealed) the February 8 Order, believing that the Order would require groundwater sampling along the entire 3,500-foot northern boundary of Fill Area 1. Water Board staff replied that the Order was worded broadly in order to enable Waste Management to focus on the release identified in MW-4A. They also agreed to re-review and comment on the previously submitted Amended Report of Waste Discharge.

On May 7, Water Board staff issued an Amended Work Plan, with six specific components to be submitted by June 15. On June 14, Waste Management submitted a revision of the December 21 Amended Report of Waste Discharge/ Proposed Evaluation Monitoring Plan that provides the six required components. The approach would investigate the spread of both landfill gas and contaminated groundwater in the immediate vicinity of MW-4A.

A July 3 letter from Water Board staff approved this approach with several specific requirements. A July 26 letter from ALRRF management agreed to comply with these requirements, with the following provisions:

- If a low-flowing well does not yield three purge volumes in 24 hours, Waste Management will contact Water Board staff to discuss alternatives.
- For new groundwater samples taken outside of MW-4A, the statistical concentration limits developed for MW-4A are not applicable.
- Given the backlog for availability of the proposed type of drill rig (sonic drilling), the November 2 deadline is not feasible, and a December 14 deadline is requested.

In an October 4 letter from Water Board staff, the ALRRF's approach was accepted, with the note that "Water Board staff will use all required analytical data, including inorganic sampling data, to assess compliance." This is in response to the ALRRF's concern that for "new groundwater samples taken outside of MW-4A, the statistical concentration limits developed for MW-4A" should not be applied. The Water Board letter also explicitly accepted the December 14 revised report deadline.

Notice of Violation – Disposal of Lead Based Paint Chips

There have been no new GeoTracker documents pertaining to this item. This issue will continue to be tracked, and new developments will be reported to the Committee.

Revised Configuration and Phasing Schedule for Fill Area 2

The May 17 Meeting Notes indicated that due to cost concerns and potential waste stability issues, the ALRRF proposed to modify the footprint and the phased development plan for Fill Area 2 (FA2). It was also noted that in conjunction with this change in layout, several existing monitoring wells would need to be moved (destroyed and reinstalled) to accommodate the new footprint. Moreover, ALRRF noted that it may not be possible to continuously maintain wells along the edge of the fill phases, although that is required by the WDRs. Water Board staff asked for a formal submittal describing these changes so that they could evaluate them.

The May 17 Meeting Notes also state that the schedule for the construction of FA2 Phases 1-4 is:

- Phase 1, which is fully constructed, will receive waste beginning in April of 2019.
- Construction of modified Phase 2 will begin in 2019.
- Excavation of Phases 3 and 4 will begin in 2020.

The Water Board's July 17 Meeting Notes indicate the following regarding the new footprint and phasing:

- ALRRF needs to construct an enlarged sedimentation basin between FA2 and the mitigation pond. In so doing, ALRRF needs to remove two existing monitoring well clusters that are within the new basin footprint.
- ALRRF has modified the footprint and phasing of FA 2 and needs to propose monitoring well locations that are appropriate for each phase. The modified phasing takes advantage of increased flexibility provided by the recent removal of nearby windmills, and it provides a fill sequence with less risk of instability or landslides.
- Water Board staff will need a formal proposal for this change, and they need to determine, internally, the best way to incorporate this into the existing Waste Discharge Requirements and Monitoring and Reporting Program (WDRs/MRP).

- ALRRF / Waste Management (WM) proposed to submit work plans for well replacement and a new well (MW-27) below MW-20 by July 27, 2018. WM also proposed to submit a complete build-out proposal, with monitoring wells, for each phase and final completion of FA2.

Further detail about the proposed installation of well MW-27 appears in a separate topic, "Monitoring Downgradient from Well E-20B", below.

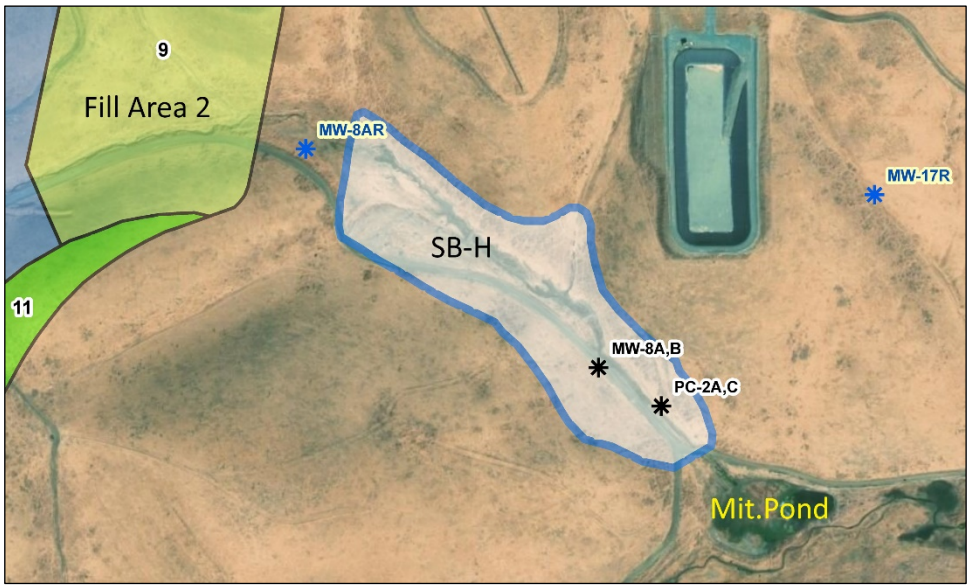
In a letter dated July 27, the ALRRF submitted proposed plans to move monitoring wells PC 2A/B, PC-2C, MW-8A and MW-8B, replacing them with MW-8AR and MW-17R in locations outside of the SB-H sedimentation basin footprint. In its letter of December 5, Water Board staff rejected this approach, expressing concern about the small number of monitoring points downgradient of Fill Area 2 and the Fill Area 2 leachate pond. They required:

> …a report by 22 February 2019, before any waste is placed in FA2 or the FA2 surface impoundment, that contains proposed concentration limits for the remainder of the FA2 monitoring wells, including all interim and final FA2 point of compliance wells, **and the MW-8 and PC-2 well pairs**. [emphasis added]

The MW-8 and PC-2 well pairs are situated within the new sedimentation basin SB-H between FA2 and the wetland mitigation pond, as shown in Figure 6.6-1 below. They have been protected during construction of SB-H. The ALRRF now faces the challenges of (a) raising these wellheads so that the wells can continue to be sampled while the sedimentation basin is handling storm water, and (b) preventing storm water from infiltrating at the wells.

Figure 6.6-1

From July 17, 2018 Submittal to Water Board



Preliminary drawings for the cuts and fills in each Phase indicated that the footprint of refuse in FA2 will advance as shown on Figure 6.6-2, below. In a letter dated August 31, ALRRF submitted a *Revised Plan for Fill Area 2 Monitoring Locations* showing the progression of FA2 fill activity, the dates of replacement of monitoring wells at the edges of refuse, and the locations of those wells. The revised progression is shown in Figure 6.6-3, below.

Figure 6.6-2
From July 17, 2018 Submittal to Water Board

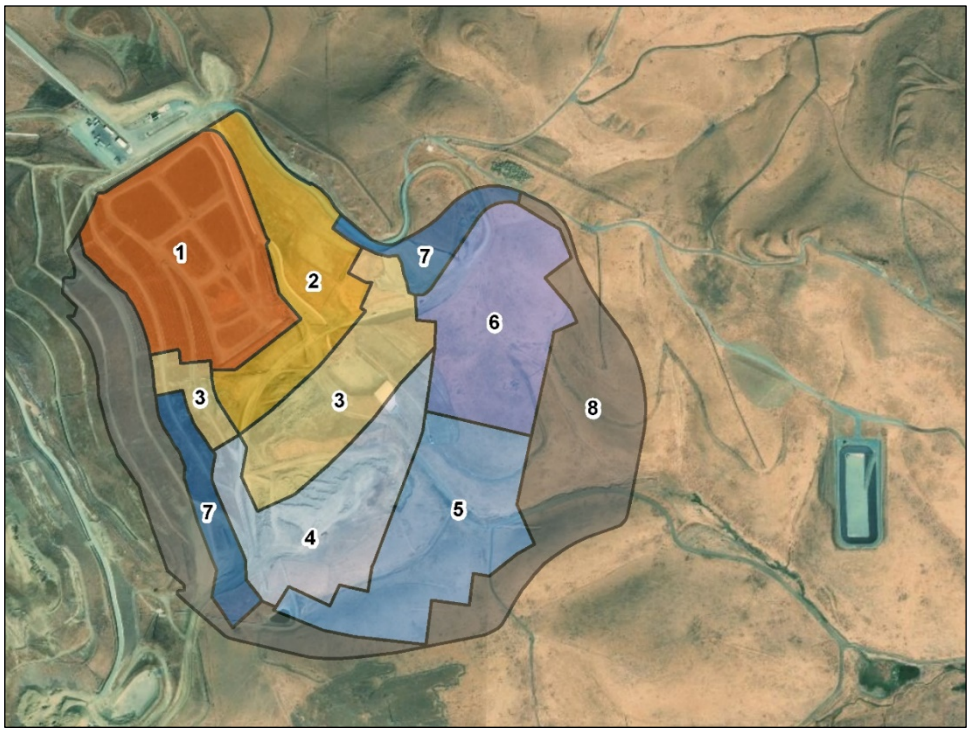
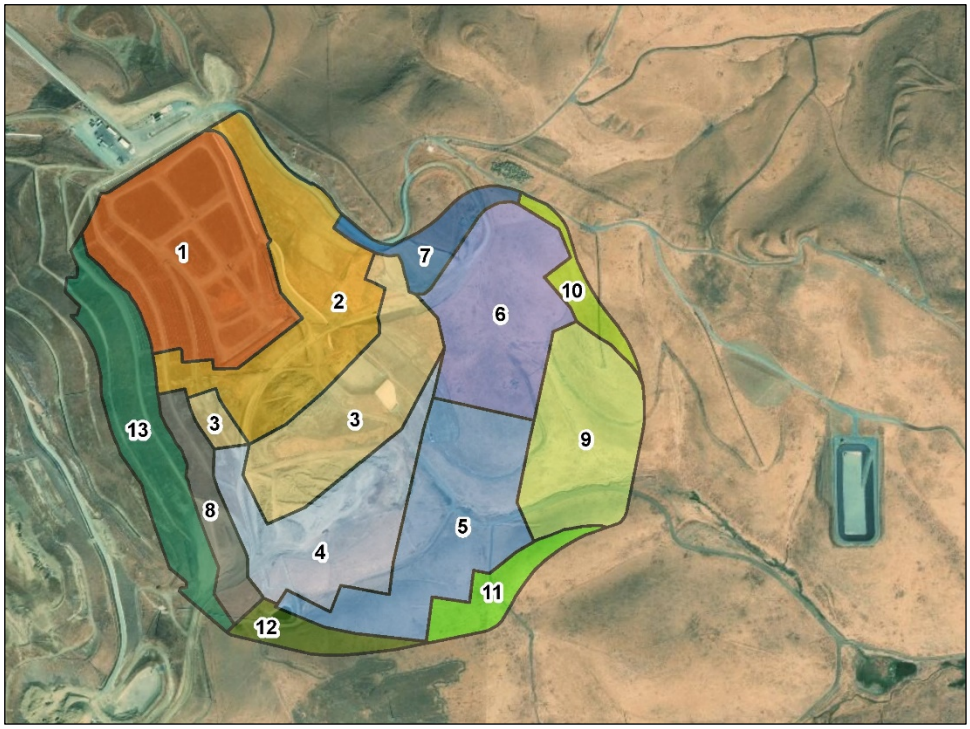


Figure 6.6-3
From August 31, 2018 Submittal to Water Board



Solidification Basin Operations

The September 29, 2016 *S.O.P. for Solidification* described the ALRRF's approach to blending liquid and solid wastes to prepare a mixture that prevents free liquid from being placed in the landfill. The mixing pits, mixing methods, loadout, and inspection of the blend for proper dryness were described. In a review letter dated January 24, 2017, Water Board staff express concern that (a) blended liquids might react chemically in the mixing pits, (b) the construction of the pits does not assure that leakage will not occur, (c) visual monitoring of blended material may not prevent the presence of free liquid in the mix, and (d) visual monitoring of the mixing pits may not detect leakage from them into the waste below. The letter requires submittal of a technical report to address these and other issues by April 1, 2017.

A March 31, 2017 letter from Waste Management to Water Board staff transmitted a *Technical Report for the Solidification Basin Operations* prepared by Golder Associates Inc. A July 17, 2018 letter from Water Board staff expressed concern that the moisture holding capacity of the waste in Unit 2 of Fill Area 1 has already been exceeded. It required submittal, by September 1 2018, of a work plan to demonstrate with actual field testing that the solidification basins comply, or a proposal to use an impervious containment. In an August 21 letter, ALRRF management stated that they retained Golder Associates to prepare the work plan. ALRRF also requested an extension of the September 1 deadline to September 7.

A September 7, 2018 letter from ALRRF transmitted Golder's work plan. It presented a detailed conceptual design and a monitoring plan. In discussing the moisture holding capacity of refuse, it stated that the "generation and collection of leachate from a landfill is not an indication that the moisture holding capacity of the refuse has been reached or exceeded" and it cited five technical papers in support of this statement.

Water Board staff responded in their October 4 *Technical Report Reviews* letter, citing the regulatory definition of moisture holding capacity: "The amount of liquid which can be held against gravity by waste materials without generating free liquid." By this definition, it appears that moisture holding capacity has already been exceeded, in Unit 2 of Fill Area 1 (where the solidification basins are located now), since Unit 2 does produce leachate which is collected at Leachate Sump LS-2. The volume of leachate collected there is approximately 2 million gallons per year, i.e. over 5,000 gallons per day. This leachate is recirculated into Unit 2 or used for dust control there.

The response also requires a work plan which demonstrates, in essence, that (a) the existing basins are liquid-tight, and (b) the monitoring methods for future basins would assure that they are liquid-tight also. The deadline for this work plan was November 22, 2018.

Monitoring Downgradient from Well E-20B

This topic was initially part of the April 2018 GeoTracker topic, "Additional Monitoring Well Installed…", in which the installation of well MW-20 was described, roughly 600 feet downgradient of well E-20B. Several VOCs were found with the initial sampling of MW-20 in late 2017. The VOCs diminished in subsequent samples, and in the December 7, 2017 sample, acetone (a possible laboratory contaminant) was the only VOC found. Since then, it was sampled in February and May 2018; a trace amount of methylene chloride was detected in February, and no VOCs were detected in May. Due to these detections, the Water Board requested that an additional well be installed downgradient of well MW-20.

In a letter from ALRRF to the Water Board dated August 3, ALRRF management provided a work plan prepared by Geosyntec for installation of that downgradient well, MW-27. The workplan stated that MW-27 will be located approximately 400 feet downslope of MW-20, in the bottom of the same small canyon as MW-20.

Water Board staff responded as part of their October 4 *Technical Report Reviews* letter, accepting the proposed Plan with the following condition: "During the installation of the filter pack, the well should be surged to settle the filter pack and remove any bridged sections prior to the placement of the bentonite seal." Surging involves raising and lowering a surge block or surge plunger inside the well. This forces water back out of the screened well casing into the surrounding bore, causing the filter pack (typically sand) outside the casing to settle into the bore annulus without voids or bridging.

An October 29 letter from ALRRF management to the Water Board staff requests a time extension of 7 months, for safety reasons, for installation of MW-27. The well location is on very steep terrain, and the access road to the well would be built on terrain with a cross slope of about 40%. Also, the soils are derived from underlying mudstone, and they become very slick when wet. The time extension would enable the access road and the well to be installed during dry weather, when it is much safer to do so. A response from the Water Board has not yet been made available on GeoTracker.

memorandum

date December 26, 2018

to ALRRF Community Monitor Committee

from Kelly Runyon

subject CMC Meeting of 1/9/19 - Agenda Item 6.7 - Reports From Community Monitor

Attached are inspection reports for October through December of 2018.
The October inspection was unannounced and took place on October 10.
The November inspection was announced and took place on November 13, at 5:30 AM.
The December inspection was announced and took place on December 13.

During these inspections, all landfill operating areas were observed. Recent LEA inspection reports were reviewed on-line.

Details about operations-related matters are provided in the attached reports. Issues that cause special concern are marked with yellow rectangles in the monthly inspection reports. For this quarter, the most significant issue arose during the off-site review of Class 2 soil files. Ten of the Class 2 soil files appeared to be incomplete. A separate issue, windblown litter, was being aggressively addressed but it continued to be a significant problem.

Also attached are graphs showing monthly tonnages by type of material for the most recent 12-month period. Figure 6.7-1 shows the breakdown of materials that make up Revenue-Generating Cover. Figure 6.7-2 shows these same quantities, plus the Municipal Solid Waste (MSW) and Special Waste tonnage for each month.

ALRRF Community Monitor Monthly Report **October 2018**

Monthly Tonnage Report for September 2018, received October 15, 2018

Tonnage Summary:		tons	
	Disposed, By Source Location		
1.1	Tons Disposed from Within Alameda County	70,211.77	
1.2	Other Out of County Disposal Tons	3,377.25	
	subtotal Disposed	73,589.02	
	Disposed, By Source Type		
2.1	C&D	655.71	
2.2	MSW	68,916.80	
2.3	Special Wastes	4,016.51	
	subtotal Disposed	73,589.02	
		0.00	0.00%
	Other Major Categories		
2.4	Re-Directed Wastes (Shipped Off Site or Beneficially Used)	7,250.34	
2.5	Revenue Generating Cover	96,205.97	
	Total, 2.1 - 2.5	177,045.33	
	Materials of Interest		
2.3.1	Friable Asbestos	668.99	
2.3.2	Class 2 Cover Soils	68,688.61	
2.5.1	Auto Shredder Fluff	15,375.01	
2.5.2	Processed Green Waste/MRF fines, Beneficial Use (GSET)	0.00	
2.5.3	MRF Fines for ADC	2,343.76	

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ALRRF Community Monitor Monthly Report **October 2018**

Site Inspection October 10, 2018, 11:00 AM - 12:30 PM

- Attended by K. Runyon, accompanying LEA Arthur Surdilla. Escorted by Audrey Lundin and Brenda Perez. Unannounced.
- Active area for transfer trailer unloading was in the Class 3 portion of the site (southeast). Two tippers, one dozer and one compactor were operating during these observations. There was no queue of transfer trucks waiting to unload.
- Bird cannons were operating. Bird population was normal for this time of year.
- The public disposal area, in the Class 2 portion of Fill Area 1, was receiving a load of MRF fines, for Alternative Daily Cover, during these observations.
- We observed that two end dump trailers had fallen over while unloading, in the same general area. They were being serviced by three large capacity wreckers, and a mechanic was working on one of the trailers.

- The C&D bunker was nearly 100% full, and virtually all of that material was scrap lumber. No prohibited materials were seen. No scrap metal items such as appliances were evident.
- The 10-acre ET Cover Test Area was in the process of receiving the top ("vegetative") layer of cover soil on both the side slope portion and the top deck. Grading appeared to be uniform and reasonably smooth.

- ALRRF staff mentioned that on the previous day, a condensate release had occurred due to a leak at a flange. This happened to occur while Water Board staff were on site for an inspection.

Fill Area 2

- No significant changes were evident. Windblown litter from Fill Area 1 was widespread. ALRRF staff mentioned that arrangements were being made for a contractor to repair the tall litter fence downwind of Fill Area 1.
- The litter crew was reported to consist of 17 workers. Where they have worked, the site is obviously cleaner, but litter was continuing to be blown onto Fill Area 2.
- The access road to the clay extraction area was dry and dusty during these observations. Other roads were being watered for dust control.
- The temporary water tanks along the upslope end of Fill Area 2 were in the process of being removed, because access to canal water had been restored.

Stormwater Controls and Best Management Practices

- Pond A was at the normal level for summer, and a minor amount of green algae was seen near the southeast corner (near the outlet).
- Pond SB-A, located above the SB-H construction area, was empty.
- Other stormwater basins were not observed.

Mitigation Pond Reconstruction; SB-H Installation

- There was no new activity evident at the mitigation pond itself; plants have not yet been installed. However, construction of the sedimentation basin SB-H, just upstream of the pond was in progress.
- Monitoring wells in the SB-H footprint had not yet been approved for destruction, so they were being protected using large-diameter vertical pipes that provided access to the wellheads.
- This work area was completely free of windblown litter. Unfortunately, much of the rest of the ALRRF site still contained substantial quantities.

Special Occurrences Log (last summarized May 2018)

- No special occurrences were logged in June.
- July 25: An end-dump truck overturned. The cause was listed as an uneven load, plus an inexperienced driver.
- No special occurrences were logged in August.
- Sept 4: A major hydraulic leak occurred near the solidification basins. Soil was used to absorb the hydraulic oil, and it was subsequently disposed in the Class 2 portion of the site, as permitted.
- Sept 26: The contractor installing the liquids separation lines punctured a leachate pipe, releasing 20 to 30 gallons of leachate. The line was quickly sealed with a pinch tool and repaired. Contaminated soil was disposed in the Class 2 portion of Fill Area 1.

ALRRF Community Monitor Monthly Report **November 2018**

Monthly Tonnage Report for October 2018, received November 15, 2018

Tonnage Summary:		tons	
	Disposed, By Source Location		
1.1	Tons Disposed from Within Alameda County	72,871.48	
1.2	Other Out of County Disposal Tons	13,918.73	
	subtotal Disposed	86,790.21	
	Disposed, By Source Type		
2.1	C&D	597.45	
2.2	MSW	70,404.95	
2.3	Special Wastes	15,787.81	
	subtotal Disposed	86,790.21	
		0.00	0.00%
	Other Major Categories		
2.4	Re-Directed Wastes (Shipped Off Site or Beneficially Used)	8,107.06	
2.5	Revenue Generating Cover	86,727.74	
	Total, 2.1 - 2.5	181,625.01	
	Materials of Interest		
2.3.1	Friable Asbestos	921.54	
2.3.2	Class 2 Cover Soils	59,233.66	
2.5.1	Auto Shredder Fluff	14,385.99	
2.5.2	Processed Green Waste/MRF fines, Beneficial Use (GSET)	0.00	
2.5.3	MRF Fines for ADC	2,913.96	

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ALRRF Community Monitor Monthly Report **November 2018**

Site Inspection November 13, 2018, 5:45 - 7:15 AM

- Attended by K. Runyon, escorted by Terry Medeiros. Off-hours; announced.
- Winds were very light, temperatures cool (45F); no fog but some smoke from Camp Fire.
- There was a noticeable, pungent odor near the offices, upon arrival. It was gone, 90 mins later.
- Transfer truck filling activity was taking place in the northeast portion of Fill Area 1, within the Class 2 portion of the site. Two tippers were present at the unloading area but only one was in operation. One transfer truck was waiting to unload. Truck traffic was moving smoothly. One dozer and one compactor were spreading and compacting refuse. Winds were calm, so windblown litter was not an issue. A litter crew was working near the SE corner of Fill Area 1.
- The public disposal area was north of the pair of tippers. It was not active during these observations.
- In the pre-dawn twilight, bird activity was minimal, but gulls began to arrive after sunrise. After this inspection, gulls were seen using the Dyer Road reservoir.
- ALRRF staff mentioned that dirt haulers were delivering to the site during night-time hours.
- Traffic at the scale house was steady but not congested. No trucks were waiting in line.
- Roadways near the active area showed evidence of watering for dust control. No ponding was seen.
- The C&D bunker and plant debris bunker were both empty. Large rolloff containers were staged next to the bunkers to handle scrap metal (appliances etc.).
- Both solidification basins were available. The "yellow" basin was receiving wet material; no issues noted. This basin's product is used for cover. The "blue" basin was inactive, with dry material staged for mixing when needed. This basin's product is disposed as Class 2 waste.

ET Cover Test Area

- The entire area was covered with hydroseed, as planned. Unsurprisingly, no germination was evident. The fiber matrix in the hydroseed appeared to be adequately thick and firm. The sloped portion of the area had wattle installed to prevent erosion.

Leachate / Underdrain Ponds, Fill Area 1

- The south pond was about 1/3 full. The north pond was empty. Liners and surroundings appeared to be in good condition.

ALRRF Community Monitor Monthly Report **November 2018**

Stormwater Controls and Best Management Practices

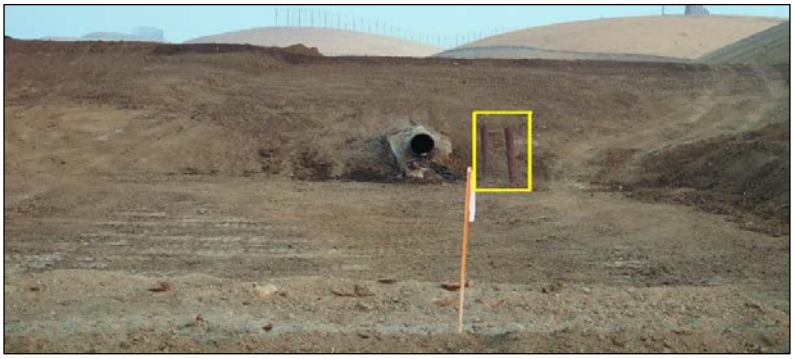
- Special pollution-control wattles had been installed in some ditches. At Pond A, the recommended Faircloth Skimmer device was in place; stormwater discharge will be drawn from the surface, in the future. Water level at Basin A was unchanged, well below the discharge level.
- Ponds B and C were not observed.
- An attempt was made to identify the new stormwater sampling areas 2A and 2B, from a map by SCS Engineers. The points appear to be at the V-ditch west of the scale area, upstream (2B) and downstream (2A) of the concrete pavement surrounding the scales.

Fill Area 2

- No significant changes were evident since the August visit. The fire scar was still evident, and windblown litter from Fill Area 1 was widespread.

Mitigation Pond Reconstruction; SB-H Installation

- Enroute to the mitigation pond, near the northeast corner of the property, stock pond 6 was nearly full of water, and the nearby stock pond was dry. Both of these are normal conditions.
- The mitigation pond has not yet been planted. It appeared unchanged from the previous site visit. The lower (eastern) portion of the pond was wet; the upper part had green plants but was dry.
- At sedimentation basin SB-H, excavation and grading work had continued, and it appeared that final grading was under way. Hydroseeding of side slopes had not yet occurred.
- The lowest portion of SB-H appeared nearly complete except for erosion protection at the inlet. Two riser pipes were protecting the monitoring wells there (see photos below). When decommissioning of those wells is approved by the Water Board, further excavation work will likely be needed there.



ALRRF Community Monitor Monthly Report **December 2018**

Monthly Tonnage Report for November 2018, received December 14, 2018

	Tonnage Summary:		tons	
	Disposed, By Source Location			
1.1	Tons Disposed from Within Alameda County		75,320.19	
1.2	Other Out of County Disposal Tons		30,766.91	
		subtotal Disposed	106,087.10	
	Disposed, By Source Type			
2.1	C&D		521.92	
2.2	MSW		71,193.52	
2.3	Special Wastes		34,371.66	
		subtotal Disposed	106,087.10	
			0.00	0.00%
	Other Major Categories			
2.4	Re-Directed Wastes (Shipped Off Site or Beneficially Used)		7,653.98	
2.5	Revenue Generating Cover		51,775.68	
		Total, 2.1 - 2.5	165,516.76	
	Materials of Interest			
2.3.1	Friable Asbestos		825.39	
2.3.2	Class 2 Cover Soils		29,657.39	
2.5.1	Auto Shredder Fluff		15,611.18	
2.5.2	Processed Green Waste/MRF fines, Beneficial Use (GSET)		0.00	
2.5.3	MRF Fines for ADC		2,320.44	

Other Reports:

Class 2 soil files were reviewed in early December. Of the 82 files reviewed, 10 were incomplete, lacking certain test results. ALRRF staff are looking into the issue.

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ALRRF Community Monitor Monthly Report **December 2018**

Site Inspection December 13, 2018, 2:00 - 3:45 PM

- Attended by K. Runyon, escorted by Enrique Perez. Announced.
- Clear skies, winds calm, warm temperatures (~60F). Tippers were operating in the south central portion of the Class 2 area, i.e., near the center of the site itself.
- No transfer trucks were arriving. During these observations, no trucks of any kind were arriving in Fill Area 1. Dozers and compactors were parked. One traffic director was parked in a pickup truck near the tippers.
- The bird cannon was operating. No gulls were seen at the working face or the Dyer Road reservoir.
- A large amount of cover material was staged near the edge of the working face, for application before the end of the week.
- The C&D bunker was empty, and the plant debris bunker contained a small amount of plant material. No scrap metal was seen next to the bunkers.
- No ponding was seen on Fill Area 1. There was ponded water in a low area, roughly 30' x 60', immediately north of the wastewater tanks, outside of the Fill Area 1 refuse footprint.
- Near the existing operations water tank, space had been excavated for a second tank to be added.
- Windblown litter on Fill Areas 1 and 2 was less than in recent previous site visits. The reduction in litter was especially obvious in portions of the area east of Fill Area 1 and above the developed portion of Fill Area 2. ALRRF staff stated that the current litter crew consists of 8 full time staff plus several others who are assigned to pick litter on an as-needed basis.
- Both solidification basins were available, with dry material already placed in the basins for mixing with wet materials as needed. A third solidification basin, created about three years ago when one basin was taken out of service temporarily, has been decommissioned.

ET Cover Test Area

- The area remains covered with hydroseed, and the sloped section is clearly visible from Altamont Pass Road. Instrument clusters have been installed to gather weather data and measure moisture below the cover (photos below). Recent rains do not appear to have cause the hydroseed to germinate except in a few low spots that collect and hold nearby runoff.

ET cover (sloped part) seen from Altamont Pass Rd.

ET cover area instruments

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ALRRF Community Monitor Monthly Report **December 2018**

Stormwater Controls and Best Management Practices

- Basins A, B and C all had no floating algae and virtually no litter visible in the water or on shore.
  Basin A was at a low level with its discharge riser fully exposed. It is equipped with a "skimmer" so that discharge water will be drawn from the top of the water column.
  Basin B water level was low. This basin was not equipped with a skimmer. A pathway has been constructed to the top of the riser, which had a new opening for sampling.
  Basin C water level was low. This basin was equipped with a skimmer.
- Ditches in many areas were fitted with Filtrexx wattle to reduce silt and other contaminants (iron, VOCs) in stormwater.
- Near the scale house, Filtrexx wattle had been placed along the upslope edges of all ditches so that runoff would pass through wattle just before entering a ditch.

Mitigation Pond Reconstruction

- A contractor's crew was just beginning to install plants during these observations.

- Preparation of the stormwater basin SB-H, upstream of the mitigation pond, appeared complete.
- The monitoring wells within this basin remain accessible for future monitoring, as required by the Central Valley Regional Water Quality Control Board.

View toward mitigation pond

Special Occurrences Log (last summarized Sept 2018)

- Oct 6: Minor leachate release due to leaky pipe on closed portion of Fill Area 1.
- Oct 9: Landfill gas condensate leaked from a pipe in the containment area for tank S-12. A crack in the secondary containment wall allowed 10 to 15 gallons of condensate to leak onto the adjacent soil. All affected soil was removed to the Class 2 portion of Fill Area 1.
- Oct.10: Two end-dump trailers overturned while unloading. No injuries.
- Oct 23: one end-dump trailer overturned while unloading. No injuries.
  The October 10 and 23 incidents were attributed to driver inexperience and heavy, uneven loads in the trailers.

Figure 6.7-1 Monthly Volumes of Revenue-Generating Cover

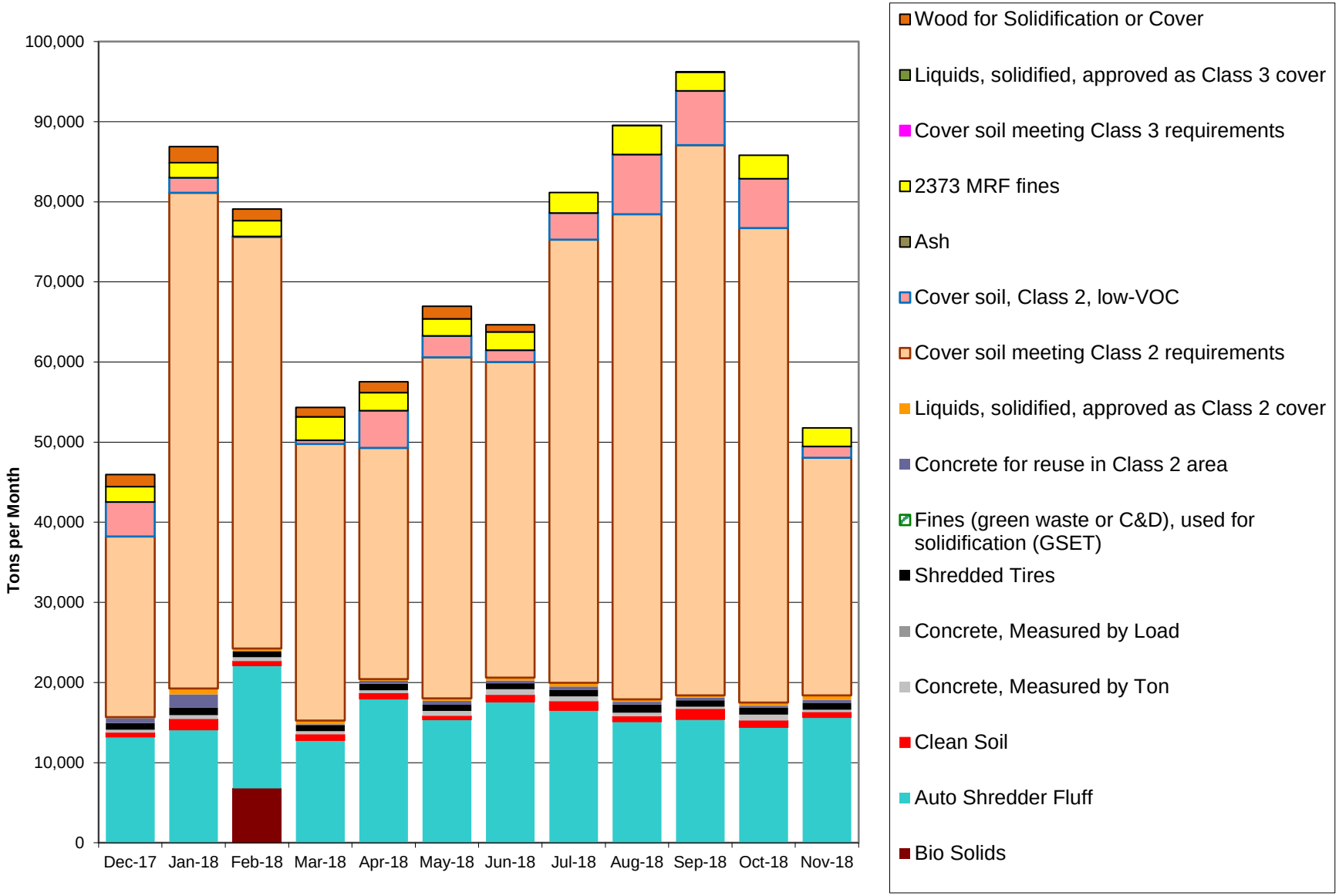
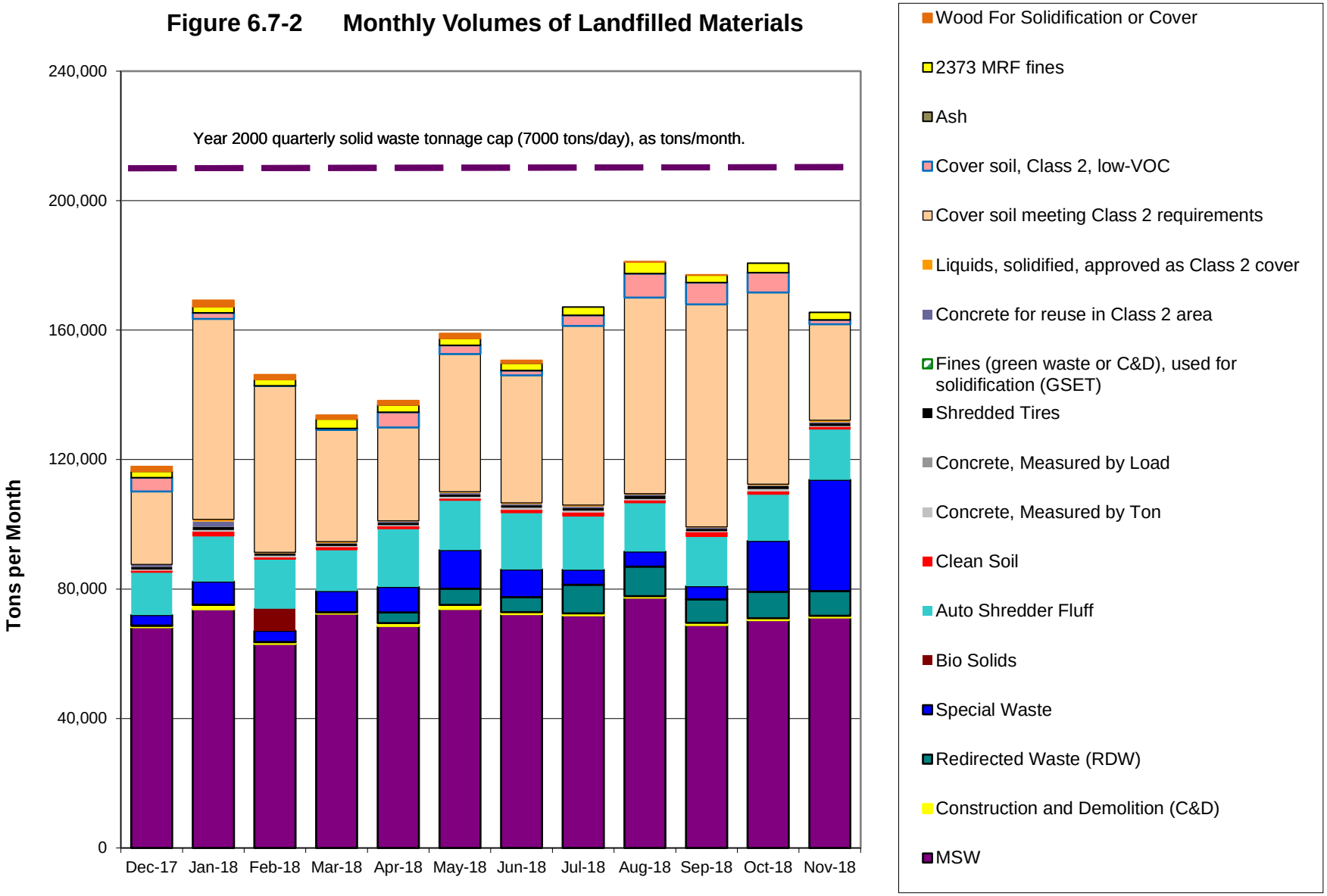


Figure 6.7-2 Monthly Volumes of Landfilled Materials



memorandum

date December 26, 2018

to ALRRF Community Monitor Committee

from Kelly Runyon

subject CMC Meeting of 1/9/19 - Agenda Item 6.8 - Topics for 2018 Annual Report

A draft of the Annual Report for 2018 is attached. The list below shows the special topics for 2018 that were identified. Each of these is addressed in the appropriate section within the report.

Evapotranspiration (ET) cover installation	(Sections 2.2, 3.1)
Mitigation pond and new basin SB-H	(1.5.2.3, 2.2)
Landfill gas VOC's in groundwater	(2.4.1)
Changes to Fill Area 2 footprint and phasing	(2.3.2.2)
Windblown litter incidents and controls	(1.4, 2.3.3.4, 2.5.4)
Requirements to be triggered by disposal in Fill Area 2	(3.2.4)

Natural-resource permit requirements

Tonnage limitations in Conditional Use Permit

Information has been updated throughout the report. The most substantial updates occurred in the following sections:

1.3

1.4

2.2

2.3 and all subsections

2.4.1

2.4.2

2.4.4

2.5.1

3.2.2.4

3.2.4 and all subsections

3.3

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ALRRF COMMUNITY MONITOR ANNUAL REPORT 2018

DRAFT

Prepared for
ALRRF Community Monitor Committee

January 9, 2019

The photo on the cover of this report shows the Phase 1 portion of Fill Area 2, viewed from the roadway on the hill immediately to the east. The photo was taken on April 26, 2018.

ALRRF COMMUNITY MONITOR ANNUAL REPORT 2018

DRAFT

Prepared for
ALRRF Community Monitor Committee

January 9, 2019

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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 limited the expansion to a second permitted operational area, known as Fill Area 2, adjacent to the existing Fill Area 1. The Settlement Agreement established the Community Monitor Committee (CMC) and a funding mechanism for its technical consultant, 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 each 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 2018.

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

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 Langan (formerly Treadwell & Rollo). This team began work in February 2008. From 2008 through 2018, the team has carried out report reviews, Class 2 soil analysis file review, and site inspections as defined in the Settlement Agreement.

- 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. The use of this material was approved by the LEA through a special study in 2013.
- In 2012, two ongoing problems, windblown litter and seagull activity, became more severe; 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, were monitored in 2014 and 2015.

In 2015, the Five-Year Permit Review process began when the Local Enforcement Agency (LEA), which is the Alameda County Department of Environmental Health, requested the ALRRF to submit an application and a revised draft of its Joint Technical Document[2](JTD), which contains a detailed description of Fill Area 2 development plans, design details, and operating procedures. On July 31, 2015, the revised JTD was submitted to the LEA and the Central Valley Regional Water Quality Control Board (Water Board). Waste Discharge Requirements (WDRs) were issued by the Water Board in mid 2016.

Throughout this process, the LEA held its permit review in abeyance while Water Board issues were resolved. Subsequently, the LEA's review has required more than two years to complete, and it was still in progress in late 2018.

1.3 Regional Context and Landfill Capacity Needs

Events in the landfill disposal industry and demographic shifts within the greater Bay Area have affected, and may continue to affect, operations and future developments at the ALRRF. Prior Annual Reports have discussed impending landfill capacity changes and changes in landfill usage that could directly affect the life expectancy of regional landfills including the ALRRF.

Those issues have largely abated, but legislative and regulatory developments have resulted in new implications for landfill life in the region and statewide. The bellwether for this trend was AB 1594, which was passed in 2014. It stipulates that beginning in 2020, green material alternative daily cover (ADC) will no longer count as diversion under the 50 percent diversion mandate for local jurisdictions established by AB 939. Green material ADC will instead count as disposal from that year forward.

The 2015-16 legislative session in California gave rise to several new laws that are intended to dramatically reduce the disposal to landfill of organic wastes (plant debris, food scraps and

[1] MRF fines: Fine material produced by sorting systems that recover materials at the Davis Street Transfer Station.
[2] 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.

similar materials that readily decompose and produce methane, a potent greenhouse gas). In Alameda County, this material is approximately 30% of the waste stream[3][4].

These new laws are now being implemented, with regulations in the final stages of approval, to be issued in 2019. The two pieces of 2016 legislation with the most direct effect are SB 1383 and AB 901. SB 1383 establishes targets to achieve a 50 percent reduction in the statewide disposal of organic waste from the 2014 level by 2020, and a 75 percent reduction by 2025. AB 901 changes how disposal and recycling is reported to CalRecycle. The intended effect is to provide a more accurate assessment of progress toward State goals.

One result of this activity has been a tangible commitment by waste industries in California to provide additional organics diversion facilities. In Alameda County, the largest-scale examples are the proposed development of the 500 ton per day CASP facility at the ALRRF, and the proposal to add approximately 100 tons per day of anaerobic digestion and subsequent composting capacity to the Davis Street Transfer Station. Taken together, this could eventually lead to a reduction of roughly 600 tons per day disposed at the ALRRF, which would be a 25% reduction in the current rate of disposal there. These improvements are at issue, however, because the improvements at Davis Street are the subject of a lawsuit alleging that the environmental studies required for permitting were inadequate. This suit was dismissed in Alameda County Superior Court, but the dismissal has been appealed.

Related State legislation passed in the 2017-2018 session provides further support for waste reduction through product stewardship, packaging, and enhanced organics-diversion requirements.

1.4 Site-Specific Constraints and Opportunities

The 1999 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.

Some of these conditions do not take effect until Fill Area 2 begins to receive refuse. These include limitations on the amounts of Sludges, Inert Waste and Special Waste accepted from certain Bay Area counties, as well as self-hauled wastes from Contra Costa County.

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.

[3] CalRecycle 2014 Waste Characterization Study: https://www2.calrecycle.ca.gov/WasteCharacterization/ , accessed December 2017.
[4] Alameda County 2017-2018 Waste Characterization Study: http://www.stopwaste.org/sites/default/files/2017-18%20Alameda%20County%20Waste%20Characterization%20Study.pdf , accessed December 2018.

The physical setting of the ALRRF site also presents certain constraints and opportunities. Canyons provide convenient high-volume fill sites, but hilly terrain and local high winds in the Altamont area require constant attention to windblown litter, especially film plastic. As Fill Area 1 nears its final elevation, windblown litter has continued to be a problem due to the exposure of the landfill's active face to wind. That problem has increased through 2018. The landfill has added staff dedicated to litter cleanup and has taken other steps to reduce the exposure of refuse to the wind. In the fall of 2018, litter control staff reportedly numbered 17 people. Their efforts were often focused on areas where expansion-related construction was occurring in Fill Area 2, and the Evapotranspiration Cover Test Area within Fill Area 1; but the crew has also gradually been able to reduce litter throughout the site.

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. The CASP (covered aerated static pile) compost system adjacent to the landfill provides a convenient location for plant debris that is inadvertently delivered to the landfill.
- A liner and liquid recovery system is in place to prevent groundwater contamination by leachate.
- Landfill gas (LFG) is controlled by an extraction system. Currently the gas is used to produce fuel (liquefied and compressed natural gas, LNG/CNG) and electrical energy.
- Emissions from combustion and processing (diesel engines and landfill gas systems) are controlled to meet Bay Area Air Quality Management District standards.
- 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 at the ALRRF include:

- Using LFG 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 with dry materials in a solidification process to make a product that can be landfilled or used as cover;
- Using contaminated soils and other wastes (biosolids, shredded tires, MRF fines, treated auto shredder fluff, etc.) for 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 (not yet active). The active parts of Fill Area 1 cover approximately 211 acres. This includes an Asbestos-Containing Waste landfill operation which occupies several acres within the Fill Area 1 footprint.

In 2010, design revisions to the top surface of Fill Area 1 increased its capacity, further increasing its expected lifetime. Settlement of in-place refuse has also added to the life of Fill Area 1, so that Fill Area 2 is not expected to receive refuse until April 2019.

Lands surrounding Fill Areas 1 and 2 are managed primarily as grazing land. These surrounding lands also provide suitable habitat for several special status species.

Much of the work done by the CM involves the review of data and reports required of the ALRRF by 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 most of the ALRRF property drains into the Central Valley, the Central Valley RWQCB (Water Board) issues and administers the Waste Discharge Requirements (WDRs) for the site. These WDRs set various operating requirements, and they also define the programs that monitor water quality by periodically testing groundwater wells as well as storm water basin contents and discharges. The Water Board also requires the ALRRF to address incidents that increase risk to groundwater, such as the inadvertent receipt of wastes that contain unpermitted levels of hazardous materials. The CM reviews semiannual groundwater monitoring reports, the stormwater pollution prevention plan, annual stormwater monitoring reports, and the annual Winterization Plan update, as well as correspondence and required reports that the Water Board posts on its GeoTracker web site.

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 submits a comprehensive "Title V report" to the BAAQMD. This report summarizes emission test results and landfill gas control system performance 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 at the

State level, 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 governs 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 in 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 mitigations specified by 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 Section 1.5.2 below. The CM tracks compliance through 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. Annual monitoring surveys of the on-site Conservation Plan Area are also reviewed by the CM.

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. However, the CMC has taken the position that the additional permit *is* within its purview. In April 2018, the ALRRF began operation of its Covered Aerated Static Pile (CASP) compost facility northeast of Fill Area 1.

1.5.1.5 Waste Diversion Requirements

Section 1.3 of this Annual Report describes recent State legislation that requires increased solid waste diversion (or reduction) and more comprehensive reporting of disposed and diverted quantities. Currently, CalRecycle is finalizing regulations to implement these requirements. The regulations are expected to take effect in 2019.

At the local level, the Alameda County Waste Management Authority and the Source Reduction and Recycling Board (StopWaste) waste-diversion goal is continuing to be pursued, most recently through the implementation of mandatory separation of recyclables and compostables at businesses and multifamily accounts. These requirements are implemented at the local level by each of StopWaste's member agencies except Dublin; in most cases StopWaste provides monitoring and enforcement. In addition, StopWaste has developed, and all of its member agencies have adopted, a single-use bag ban ordinance; and StopWaste has adopted a countywide ban on the disposal of plant debris in local landfills.

1.5.2 Requirements For Fill Area 2 Development and Use

1.5.2.1 Background

In 2011, the last major permits for the development of Fill Area 2 were obtained after agreement was reached between regulatory agencies and Waste Management regarding mitigation for the loss of a wetland channel and the loss of habitat for special status species. Mitigations were

established through Alameda County Use Permit C-5512 and permits from several State and Federal agencies:

- US Army Corps of Engineers, which had jurisdiction over wetlands.
- US Fish and Wildlife Service, which consulted on wildlife protective measures.
- Central Valley RWQCB, which certified that the mitigations would protect water quality.
- California Department of Fish and Game (now Fish and Wildlife), which concurred with the USFWS' Biological Opinion and placed specific conditions on work in the stream bed.

The fundamental requirements of these permits are:

- The dedication of 991.6 acres of ALRRF land as a Conservation Easement, in perpetuity.
- The creation of additional wetland, in the form of a new pond between Fill Area 2 and the Eastern Alkali Wetland.
- The enhancement of a riparian channel approximately the same size as the channel to be displaced by Fill Area 2.

To guide these efforts and many related requirements, the ALRRF and its consultants prepared the following documents:

- Conservation Management Plan
- Pest Management Plan
- Grazing Plan
- Waters and Wetlands Mitigation Plan

The ALRRF dedicated the 991.6-acre Conservation Easement in 2012 and built the mitigation wetland pond in 2013. In late 2017, the ALRRF executed an agreement with the Cosumnes Floodplain Mitigation Bank to fund river channel restoration and preservation in southern Sacramento County. The current status of these efforts is described in Section 1.5.2.3 below.

1.5.2.2 Corridors and Connectivity

The Biological Opinion from the USFWS describes the need for wildlife connectivity and wildlife corridors in eastern Alameda County, to provide for wildlife movement and thereby enhance species health by preventing inbreeding. The Biological Opinion states that this need exists for three of the four protected species in the area: San Joaquin Kit Fox, California Red-Legged Frog, and California Tiger Salamander. The ALRRF's Conservation Management Plan contains the following requirements in the Minimization and Mitigation sections of the document:

> MIN-31 – The project proponent will contribute funding to conduct a research study of wildlife passage at local over- and under- crossings to determine if these conduits provide conductivity [sic] for wildlife through the Interstate 580 corridor. The study will entail the periodic placement of motion-activated camera station, track plates, and other approved sampling method. The project proponent will provide the Service and/or CDFG with as much as $50,000 to perform the study. With the approval of the Service and CDFG, the project proponent may contract the study to an approved third party.
>
> MIT-7 – The mitigation pond/wetland will be constructed in an upland area… immediately upstream from the Eastern Alkali Wetland. … This area provides suitable upland refugial habitat for tiger salamanders and suitable dispersal habitat for red-legged frogs to the Eastern Alkali Wetland and the Southern Alkali Wetland.

These requirements are also stated in the USFWS Biological Opinion, which in turn is referenced by the CDFG Consistency Determination.

1.5.2.3 Current Status

Unfortunately, the wetland mitigation pond built in 2013 was badly damaged by sediment inflow due to unusually heavy rainfall in early 2014. Also, the channel enhancement was put on hold due to the drought that occurred between 2011 and 2016. To remedy this situation, the ALRRF has purchased off-site wetland channel mitigation credits from the Cosumnes Floodplain Mitigation Bank in southern Sacramento County and is having the pond rebuilt and replanted. In 2018, rebuilding was completed in April and planting was begun in December. Also, to protect the pond from sediment inflow, in late 2018 the very extensive sedimentation basin SB-H was constructed between the pond and Fill Area 2.

In 2017, the CM reviewed a summary of wetland and wildlife mitigation activities and issues. Wetland and wildlife mitigation activities continued in 2018, with monitoring of construction areas and wildlife protection measures (e.g., relocating sensitive species such as California Tiger Salamander, when encountered) but no formal reports were provided to the CM for review.

The CM also reviews the ALRRF annual mitigation monitoring report, which briefly summarizes the status of compliance with each of the 106 Conditions in Conditional Use Permit C-5512.

The final version of the Joint Technical Document for the ALRRF states that "Fill Area 1 is expected to reach capacity in about 2019. FA2 is currently being designed to be operational when FA1 approaches its final capacity.[5]" The estimated start date for Fill Area 2 has been refined to April of 2019, though this should still be considered as tentative.

[5] JTD section 4.1.1.2, page 32.

SECTION 2
Community Monitor Activities and Issues

2.1 Introduction

Under the Settlement Agreement, the Community Monitor (CM) has three ongoing duties:

- Review reports, data and information that are required to be submitted by Waste Management of Alameda County to regulatory agencies, or that provide information regarding the ALRRF's compliance with applicable environmental laws and regulations (Settlement Agreement Sections 5.7.1.- 5.7.3)
- Conduct inspections of the ALRRF facility up to 12 times per year (Sections 5.7.7, 5.8)
- Review the records of testing and acceptance of "Class 2 soils", i.e. soils known to come from a contaminated site (Section 5.7.9)

Throughout 2018, 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 were monitored in 2018:

- In the 12 months from June 2017 through May 2018, 37 poorly-performing landfill gas wells were decommissioned and 17 were brought on line. Several wells with higher than normal gas temperatures, previously identified, continued to be monitored for possible subsurface combustion.
- The two Fill Area 1 ponds, intended to hold leachate and underdrain water separately, were completed in 2017, and installation of the liquids separation equipment and piping was begun in the latter part of 2018.
- Several improvements were made to reduce stormwater pollution. Fill Area 1 stormwater basins A and C were fitted with "skimmer" discharge devices to discharge water from the surface of the ponds, to reduce the suspended solids being discharged. Riprap was added at the pond inlets to minimize soil erosion there. Special "Filtrexx" wattles were placed in ditches and along the bases of slopes, to trap hydrocarbons and other pollutants.
- Stormwater was sampled upstream of the Fill Area 1 stormwater basins, in an effort to identify the sources of contaminants that have previously been detected in the basins. This was inconclusive, so additional stormwater sampling points were identified for use in 2018.
- The 10-acre Evapotranspirative (ET) Cover Test area was regraded and hydroseeded, and instrumentation was installed. The four-year test has begun.
- The litter collection crew was increased, reaching a peak of 17 workers in the fall. At the end of 2018, there were eight full-time plus several part-time litter crew members.
- As the landfill is preparing for closure of Fill Area 1, the ratio of **Class 2 cover soil**, compared to municipal solid waste, grew to 68% in the period from January through November 2018. In 2017 it had been 43%.

- In August, a grass fire occurred on the west slope above Fill Area 2, and approximately 14 acres were burned before it was extinguished by landfill and fire department crews, including an air crew that dropped fire retardant. Fortunately, the Fill Area 2 liner was not damaged. The cause was believed to be windblown litter contacting power lines.
- The mitigation pond below Fill Area 2 was regraded to restore the original design, and planting began in December 2018. A very large stormwater detention basin, SB-H, was constructed immediately upstream to protect the pond from a recurrence of the siltation that occurred in 2014.
- The internal-combustion engines that produced electricity from landfill gas were decommissioned. These engines produced much less electricity than the on-site turbine plant, and they were costly to maintain, with frequent down time.

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. The regulatory agencies that administer these laws and regulations, as well as the environmental permits held by the ALRRF, include the following:

- Alameda County Planning Department
- Alameda County Department of Environmental Health
- Bay Area Air Quality Management District
- US Environmental Protection Agency
- California Department of Resources Recycling and Recovery (CalRecycle)
- Central Valley Regional Water Quality Control Board
- California Department of Fish and Wildlife
- US Army Corps of Engineers
- US Fish and Wildlife Service

To determine if there are trends in the compliance record, a list of compliance issues has been compiled; it is shown in Table 2-1, below. Persistent issues appear in the upper part of the table, followed by infrequent or one-time issues. Issues from 2011 – 2013 are shown in the 2017 Annual Report.

To compile this table, the CM reviewed publicly available data from the regulatory agencies listed above, ALRRF correspondence with those agencies, and the CM's monthly site inspection reports. The severity of the issues was rated subjectively by the CM using the 1 to 5 scale shown below Table 2-1. Issues that were judged to be beyond the control of the ALRRF are not included in the annual total of severity scores but are listed below the total line.

For the purposes of this report and table, incidents involving the delivery of hazardous materials with incorrect profiles (showing them as non-hazardous) are considered to be beyond ALRRF's control; but the Water Board's position appears to be that ALRRF is responsible nevertheless. There was one such issue in 2018, involving a bucket of lead paint chips in a truckload of demolition waste. This was reported to the landfill by the generator shortly after it occurred. ALRRF management reported this to Water Board staff, and after further discussion, the material was left in place.

The total severity score for 2018 is slightly lower than in 2017.

Four types of incidents that are of concern occurred in 2018:

- **End-dump Truck Overturns**. The ALRRF has increased its oversight of end-dump truck unloading in 2018, and although the landfill received many more loads of cover material in 2018 than 2017, the number of reported overturn incidents in 2018 was the same as in 2017. Nevertheless, this continues to be of concern. In a first-of-its-kind incident, two trucks overturned on the same day, within a short distance of each other. Fortunately, they were far enough apart so that they did not collide, and there were no injuries reported from this or any of the other overturns.
- **Fire**. There was a 14-acre grass fire above the developed portion of Fill Area 2, as described in Section 2.2 above. The cause was believed to be windblown litter contacting overhead power lines.
- **Condensate Leak**. The ALRRF's landfill gas system produces condensate that consists of water containing high concentrations of VOCs, and dissolved gases. This material is destroyed by burning in Flare A-16, after it is collected and accumulated using a network of pipes and tanks. In October 2018, at condensate tank S-12, condensate escaped from a leaking pipe and seeped through a crack in the concrete secondary containment. Contaminated soil was contained and properly disposed, and the leak was patched; but this issue is concerning because the area is somewhat secluded, and the leak could have continued for an extended period of time.
- **Incomplete Reporting**. Both the BAAQMD and the Water Board issued violations for incomplete reporting. The BAAQMD cited missing monitoring data for one landfill gas well in one month; the ALRRF explained that the well was temporarily inaccessible due to nearby grading work. The Water Board found that the ALRRF's *First Semiannual 2017 Groundwater Monitoring Report* was missing two well-purging logs and two maps of ponding in March 2017. The ALRRF subsequently amended the report by adding the purge logs, but the maps were not available.

Table 2-1
Compliance Issues Ranked by Severity

	Severity				
Issue	**2014**	**2015**	**2016**	**2017**	**2018**
Contamination at E-05, E-07, E-20B	2	2	2	2	2
Stormwater contamination	3	3	3	3	3
Windblown Litter	2	2	4	2	3
Birds	2	2	2	2	2
Erosion	-	3	2	1	-
Cover thin / absent	3	4	-	-	-
Worker injury	-	1	2	1	-
Condensate/Leachate Leakage	1	3	-	3	3
Ponding in low-lying area of landfill	2	-	-	-	1
Sediment in Wetland Mitigation Area	1	3	3	2	-
Odor, on site	-	-	1	-	-
Leachate Seeps	-	1	1	2	-
Late Annual Report to Water Board	-	4	-	-	-
Sampling Pump Problem: well E-05	-	2	-	-	-
Stormwater monitoring compliance (FA2 pond, tire and wood operations)	-	-	4	2	2
Material out of bounds (wood operation)	-	-	4	-	-
Erosion control (sitewide)	-	-	4	-	-
Waste outside active area (trash, pallets)	-	-	4	-	-
Leachate Leak Disposal	-	-	-	4	-
Contaminants at monitoring well MW-4A	-	-	-	4	-
Failure to monitor landfill gas well	-	-	-	-	4
Incomplete groundwater monitoring report					4
Totals	**16**	**30**	**36**	**28**	**24**
Issues Beyond Control of ALRRF					
Truck overturn	1	1	3	3	3
Dinoseb solidification & disposal (later removed)	4	-	-	-	-
Methane Gas at Perimeter Probe(s) [cleared, 2016]	4	4	4	-	-
Liquid high in chromium, nickel received (removed before being disposed)	-	-	4	-	-
Soil high in benzene received, disposed	-	-	4	-	-
Fire in refuse &/or stored material	-	-	3	1	-
Fire on ALRRF property, outside active areas	-	-	-	2	2
Hazardous material delivered (high in lead)	-	-	-	-	4

indicates that a violation was issued by a regulatory agency.

Severity Criteria

1: Minor or ongoing issue having little potential to harm environmental or public health; below regulatory thresholds.
2: Issue having some potential to harm environmental or public health; below regulatory thresholds; being addressed.
3: Issue having potential to harm environmental or public health; below regulatory thresholds; not improving, or new.
4: Issue having significant potential to harm environmental or public health, or resulting in a violation being issued.
5: Issue having significant potential to harm environmental or public health; violation issued; willful non-compliance.

2.3.1 Compliance Issues Documented by the LEA

In 2018, several Area of Concern notices were issued by the Local Enforcement Agency (LEA). LEA inspection reports indicate concerns about the following:

- Intermittent need for litter control on site and on Altamont Pass Road
- Wood bunker not emptied within required time limit

The LEA did not issue any Notices of Violation in 2018.

2.3.2 Water Board Violations and Concerns

2.3.2.1 2018 Violations

Disposal of hazardous material (lead paint chips) – As noted above in Section 2.3, a load of waste containing paint chips with hazardous levels of lead was disposed at the ALRRF in early February.

Incomplete Semi-Annual Monitoring Report – As noted above in Section 2.3, the ALRRF was able to produce the two missing purge logs but could not provide the missing maps of ponded areas.

2.3.2.2 Other Concerns

There are several open issues that have arisen between the ALRRF and the Water Board since the current Waste Discharge Requirements (WDRs) were finalized in July 2016. They are briefly described below.

Identifying Sources of VOCs in Storm Water –The ALRRF's 2017-2018 stormwater sampling detected VOCs in several locations, but the data did not clearly indicate specific sources. For the 2018-2019 rainy season, several sampling points have been added and more has been done to prevent contamination by VOCs. This may enable the ALRRF to clearly identify sources and implement effective preventive measures.

Use of Underdrain Liquids as Compost Quench – The ALRRF is installing a system to keep Fill Area 1 leachate separate from underdrain water and is seeking to use underdrain water in its nearby CASP composting operation. The Water Board is requiring separate permitting for that use, and possibly pretreatment of the underdrain water. This unresolved issue will continue to be tracked in 2019.

Solidification Basin Compliance – The Water Board is requiring the ALRRF to redesign its solidification basins to assure that no liquid can escape from them into the landfill below. Although the ALRRF has made a credible case for the impermeability of the existing basins, Water Board staff are bound by regulations that prevent them from accepting that approach. A final resolution of this issue has not been documented in the Water Board's public GeoTracker files, but it appears that the landfill is planning to build new, permanent, impervious solidification basins in Fill Area 1.

Fill Area 2 Phasing Plan – In mid-2018, the ALRRF brought a revised phased development plan for Fill Area 2 to Water Board staff for review. It appears that Water Board staff have conditionally accepted this plan but are requiring the ALRRF to preserve certain monitoring wells

that the ALRRF had planned to replace, and to develop background data for all existing FA2 monitoring wells as soon as possible, rather than phasing them in with later phases of Fill Area 2.

2.3.3 Other Incidents

The following information is based on reports filed in the site's Special Occurrences Log and on Community Monitor site inspections.

2.3.3.1 Spills of Fluids from Customer Trucks

During 2018, from January through October (November and December records are not yet available), there were three incidents that resulted in the release of substantial amounts of coolant or hydraulic oil from customers' trucks. In one case, the landfill was able provide absorbent and have the customer remove it for proper disposal. In the other two cases, which took place in Fill Area 1, the soil was disposed in the Class 2 portion of the site.

2.3.3.2 Fire

The August 2018 grass fire near Fill area 2 is described above. That is the only fire on record for 2018.

2.3.3.3 Vehicular Accidents

No collisions were recorded in 2018, but there are numerous records of end-dump trailers overturning; there were 10 from January through October (November and December records are not yet available).

2.3.3.4 High Wind Incidents

Although the ALRRF does not formally record high wind incidents, there was one noteworthy period on May 30-31 that featured sustained high winds of 20-30 MPH, gusting to 50 MPH, for approximately 36 hours. A large amount of litter was blown from the working face near the top of Fill Area 1, eastward into Fill Area 2 and the landfill's open space property beyond. Wind-blown paper and trash built up so quickly on litter fences that they were completely covered, and then the wind carried litter over the top of them. This litter impacted the east-side stormwater basins and the small ravines and drainages in that area. The only way to collect litter in these areas is by hand. Months later, at the end of 2018 the site still has not fully recovered.

2.4 Review of Reports

2.4.1 Groundwater

Two groundwater monitoring reports were reviewed in 2018. The first covered the period from July through December of 2017; the second covered January through June of 2018.

The 2017 Community Monitor Annual Report notes that in 2017, VOCs were detected for the first time at well MW-4, which is near the northeast corner of Fill Area 1. Initially, the ALRRF and Water Board staff did not agree on the probable source of these VOCs. Water Board staff were more inclined to assume that the VOCs originated from leachate or other contaminated waters, while ALRRF staff and consultants attributed them to landfill gas. After much communication, a monitoring program was devised that would determine the extent of the contamination regardless of the type of source, without requiring the ALRRF to explore its entire northern boundary.

In most other respects, groundwater monitoring results were similar to those from prior years. Contaminants, when present, were below regulatory limits that would require immediate corrective action. For most contaminants, trends in the data were indistinct. Some VOCs appear to be diminishing, but the fuel additive MTBE and its degradation product tert-butyl alcohol continued to be found in wells E-5, E-7 and E-20B, in varying concentrations that did not show a clear trend.

2.4.2 Storm Water

A new set of annual requirements for industrial storm water monitoring and reporting took effect throughout California on July 1, 2015. Stormwater samples are to be taken when a "qualifying storm event"[6] (QSE) occurs. Up to four such QSE's are to be sampled at each discharge point during a stormwater year (July through June). For each type of industrial facility, certain key pollutants must be monitored; and if concentrations of those pollutants exceed specified Numerical Action Levels (NALs), the facility must make a plan that describes Exceedance Response Actions (ERAs) to be implemented. In the first year of exceedance, "Level 1" ERAs are selected. These are low-cost measures such as improving housekeeping, cleaning drain pipes, etc. If the exceedance continues into its second consecutive year, more costly Level 2 ERAs must be applied.

The annual storm water reports for 2015-2016 and 2016-2017 were submitted to the State Water Resources Control Board under the facility ID of 5S01I000600. The ALRRF is implementing Level 1 ERAs for copper, nitrate, and Chemical Oxygen Demand (COD), and Level 2 ERAs for iron. The Level 2 ERAs include (a) the use of Filtrexx wattle to adsorb organics while reducing Total Suspended Solids (TSS), which typically transport iron, and (b) the installation of "skimmer" outlets on Fill Area 1 stormwater basins A and C, as well as the new basin SB-H, which will handle the discharge from basin B.

It is important to note that under these stormwater regulations, a Violation is not triggered by the exceedance of an NAL. Rather, an industry will receive a violation if it fails to (a) sample its stormwater discharges or (b) plan and implement any necessary ERAs. ALRRF has exceeded several NALs but has not received any Notices of Violation.

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 2018, the CM received the Title V reports for the periods June – November 2017, and December 2017 – May 2018. These reports describe landfill gas control operations and source testing, and they also document new or unique developments at the site that can have an effect on air emissions. Results from the current reporting year are similar to those from the previous year:

[6] a precipitation event that: (1) produces a discharge for at least one drainage area; and, (2) is preceded by 48 hours with no discharge from any drainage area.

- The required surface emissions monitoring (checking for methane leaks through the landfill cap) continued to occur, and although exceedances of methane were found, they were typically remedied on the first try, without the need for repeated repairs.
- From June 2017 – May 2018, 37 landfill gas wells were decommissioned, and 17 new wells were installed. The new wells began operation in November 2017, January 2018 and May 2018.
- The LNG plant continued to operate at a fairly steady production rate. There were a substantial number of short term unscheduled down-time events in the second half of 2017, but after each of those problems was resolved, the gas plant returned to steady production.
- Several PG&E power outages shut down the LNG plant and all other landfill gas combustion devices for a total of 9.8 hours during the 2017-2018 reporting period.
- In May of 2018, the Bay Area Air Quality Management District issued a Notice of Violation for excessive off-line time in March, April and May of 2017. This violation was later rescinded because the off-line time was due to PG&E power outages that were beyond the control of the ALRRF.
- All control devices passed their 2018 emissions tests without incident.

2.4.4 Mitigation Monitoring

The Mitigation Monitoring and Reporting Program Annual Progress Report, covering calendar year 2017, was completed on January 31, 2018 and was received by the CM that day. 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. The status descriptions together with the verification notes generally reflected the current status of each mitigation measure. Updates to this table from the previous year are listed below, with reference to the applicable CUP Condition number.

- 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 March 2019 (revised from the previous report, which stated the first quarter of 2019).
- 32 – This Condition requires the ALRRF to avoid existing ponds in Fill Area 2 until replacement wetlands have been established and the California Tiger Salamander has been resettled. The update states that CTS surveys are conducted prior to Fill Area 2 construction activities in previously undisturbed areas.

In addition to the Annual Progress Report described above, the ALRRF has prepared reports to inform the natural-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. Reports covering 2014 – 2015 were discussed in the 2017 Annual Report. In 2016-2017, the ALRRF and its mitigation consultants focused on the need to restore the mitigation wetland and complete other mitigation requirements (channel enhancements), resulting in a plan that was outlined in a memo from ALRRF's consultants to the natural-resource agencies and was carried out as described in Section 1.5.2.3 above. Evidently, the agencies have viewed this as a constructive approach. The Community Monitor did not receive any formal reports on mitigation activities in 2018.

2.5 Review of Records

Several types of site records were reviewed by the CM in 2018. 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. These reviews were conducted twice in 2018. The **Special Occurrences Log** for the ALRRF was examined four times during the year; also, the **Site Training Log** was examined in December, and the required stormwater training for employees was documented in March 2018. The **LEA's weekly inspection reports** are publicly available on the CalRecycle web site and were checked by the CM every few weeks, to note any new issues that may have been identified by the LEA.

2.5.1 Class 2 Soils

An ongoing CM task 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 2018, these reviews were conducted in July and December. The files were made accessible electronically from Waste Management's Oakland office.

A total of 201 files were reviewed in 2018, 14% less than in the previous year. No out-of-compliance profiles were found, but there were 10 files in the December review that appeared to be incomplete. Waste Management staff are looking into this issue and will update the CM team when more is known.

2.5.2 Other Materials

In 2016 and 2017, unusual surges in the daily tonnage of cover soil and special wastes occurred due to major excavation and environmental restoration projects in the East Bay. In 2018, a similar surge was noted in the fall, involving special wastes, especially nonfriable asbestos containing wastes, from San Francisco. ALRRF staff have indicated that most of this material originated from a mass excavation project for new buildings in San Francisco. Also, they have stated that contaminated soil from the development of the Hunters Point Shipyard has not been delivered to the ALRRF.

2.5.3 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 by the CM four times during 2018. As in prior years, the most common incident involved large end-dump semi-trailers that became unbalanced while the bed was elevated, causing the bed to fall to one side. Fortunately, there were no injuries associated with these incidents, despite their being numerous in 2018 (a total of 10, the same as in 2017). In their reporting, ALRRF staff attributed many of these overturns to driver inexperience and unbalanced loads, which can occur when a truck is loaded from one side only.

Other logged incidents included one grass fire, three leaks of coolant or hydraulic oil from customer trucks, and four incidents involving leakage of piped liquids (leachate or condensate).

2.5.4 LEA Inspection Reports

In 2018, there were five Areas of Concern noted in these reports. Four involved windblown litter, and one made note of waste wood that had been stored too long on site. These Areas of Concern were consistent with Community Monitor observations.

2.6 Monthly Inspections

Twelve site inspections were held during 2018. The inspection day and time were as shown in Table 2-2 below. Off-hours inspections, outside of the hours that the landfill is open to the public, are shown with gray highlighter.

Table 2-2
Site Inspection Summary

Date	Day of Week	Inspection Time	Announced in Advance?	With LEA staff?
Jan 15	Mon	10:00 AM	yes	no
Feb 27	Tues	5:30 PM	yes	no
Mar 28	Wed	1:00 PM	no	yes
Apr 26	Thurs	10:30 AM	yes	no
May 31	Thurs	1:00 PM	yes	no
Jun 15	Fri	12:00 PM	no	yes
Jul 26	Thurs	10:00 AM	yes	no
Aug 14	Tues	7:30 PM	yes	no
Sep 14	Fri	2:45 PM	yes	no
Oct 10	Wed	11:00 AM	no	yes
Nov 13	Tues	5:45 AM	yes	no
Dec 13	Thurs	2:00 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 in CMC meeting packets. Distinct operations, such as the stockpiling and processing of specific materials, took place in well-defined areas. No instances of unpermitted activities were noted. There were no new problems seen regarding refuse placement, public safety or traffic management, although three end-dump truck overturns were seen this year for the first time. Throughout these inspections, staff and management were forthcoming regarding operating practices and current conditions.

In 2018, observations by the CM focused on:

- Completion of improvements that are prerequisites for operation of Fill Area 2:
    - Reconstruction of the mitigation pond.
    - Construction of sedimentation basin SB-H, adjacent to the mitigation pond.
    - Construction of the liquids separation system and related ponds.
- Completion of the evapotranspirative cover test area.

- Storm drainage and erosion control, including the installation of Level 2 stormwater Best Management Practices and the status of the Fill Area 1 stormwater basins.
- Observation of issues of ongoing concern, including the presence of large numbers of seagulls and management of windblown litter.
- Any changes at the site that could harm the environment or public health.

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 Table 2-2 above, three off-hour and three joint inspections were conducted in 2018.

No truck traffic counts were conducted in 2018, because ALRRF data on tonnage and traffic made it clear that the traffic volume requirements of the Conditional Use Permit were being met.

In April 2018 the Covered Aerated Static Pile (CASP) began operation at the ALRRF, adjacent to Fill Areas 1 and 2. The CASP has a permitted capacity of 500 tons per day and was designed to be fully self-contained. In 2018 the CM inspections and record reviews did not include the CASP operation, to respect the ALRRF's position that the CASP is outside of the Community Monitor Committee's purview. During landfill site inspections by the CM, no instances of conflict or interference between landfill-related operations and CASP operations were observed; nor were any such issues found in report reviews.

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SECTION 3
Looking Ahead: Anticipated Efforts and Issues

3.1 Introduction

In the 2019 contract year, the CM team will continue to perform report reviews, site inspections and Class 2 soils file reviews. As Fill Area 1 continues to be used, its increasing volume may lead to new problems, such as seepage incidents or landfill gas impacts; and existing issues such as windblown litter and bird activity are likely to persist.

With the opening of Fill Area 2 planned for April 2019, the CM will review compliance with tonnage restrictions and mitigation requirements. The four-year test of evapotranspirative (ET) cover methods will be ongoing; the liquids separation system should begin to operate; and the mitigation pond with new stormwater basin SB-H will be functioning. The ALRRF may also be installing and operating new solidification basins that meet recent Water Board prescriptive requirements.

3.2 Issues to be Tracked in 2019

3.2.1 Ongoing Review

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

- Implementation of requirements of the 2016 Waste Discharge Requirements.
- Completion of the Five Year Permit Review.
- Concurrence of natural-resource agencies with off-site wetland mitigations.
- Groundwater monitoring methods and data quality.
- Groundwater quality, including the vadose zone below the landfill liner.
- Stormwater quality and management practices.
- Performance of landfill gas handling equipment.
- Effects of any composting or material recovery development or operations on the landfill.
- Refuse truck traffic counts.
- Performance of the 10-acre ET cover test site.

3.2.2 Site Inspections

All operations will continue to be observed, with close attention to the following areas.

3.2.2.1 Landfill Gas Control System

This system protects both air and groundwater quality, and it operates within a complex regulatory framework involving Federal permits, local permits, 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 2018, four topics will be of special interest:

- The effect of the gas system on the concentrations of contaminants in wells E-20B and MW-4A.
- The landfill gas data reported to the Water Board, and Water Board staff's understanding of how those data relate to groundwater quality.
- Gas temperatures, particularly in the high-temperature cluster of wells in Fill Area 1 Unit 2.
- Implementation of gas collection in Fill Area 2.

3.2.2.2 Stormwater Controls and Monitoring

Throughout the year, and especially during wet weather months, the CM will monitor conditions at all stormwater basins. The effects of the newest additions to stormwater pollution controls – skimmers, Filtrexx check dams, and changes to monitoring points – will be of special interest.

3.2.2.3 Windblown Litter

This will continue to be an issue for Fill Area 1 and downwind areas, including the stormwater system that will serve Fill Area 2.

3.2.2.4 New Systems

The CM will directly observe, and review available performance data, for:

- The ET cover test area
- The newly reconstructed wetland mitigation pond
- New sedimentation basin SB-H
- Tipper and truck wash equipment in Fill Area 2
- The liquids separation system
- The improved landfill gas condensate collection system
- Modifications to solidification operations

In addition, monitoring reports on the Mitigation Wetland and the Conservation Plan Area, will continue to be reviewed.

3.2.2.5 Groundwater Contaminants and Groundwater Data

The CM team will continue to check concentrations of MTBE, tert-butyl alcohol, and tetrahydrofuran, which showed an increase in 2015 but not since then. The team will also watch data from wells E-20B, MW-4, MW-12, MW-20 and other wells that have shown traces of contamination. The quality of the groundwater sampling and analyses, especially the occurrence of contaminants in quality-control samples and field samples, will also continue to be monitored.

3.2.2.6 Responses to Notices of Violation

Available data regarding the evaluation of contamination at well MW-4A will be reviewed, with special interest in the Water Board's understanding of the cause(s) of contamination at that well.

3.2.3 Class 2 Soils File Review

As required by the Scope of Work, the CM will conduct this review at least twice during 2019.

3.2.4 Permit Requirements Triggered by Expansion Date

In the Settlement Agreement, Section 4.3 defines the Expansion Date as "the date of the first deposition of solid waste in [Fill Area 2]." Currently, that is projected to occur in April of 2019. It will trigger specific requirements in Conditional Use Permit C-5512, and in the resource-protection permit conditions that were imposed through the mitigations in the landfill-expansion EIR and the associated natural-resource-agency permits (Army Corps wetland permit, USFWS Biological Opinion, etc.; see Section 1.5.2, above).

3.2.4.1 Tonnage Limitations

Section 4 of the Settlement Agreement contains numerous restrictions on the types and source jurisdictions of wastes that can be brought to the ALRRF during specified time frames prior to and after the Expansion Date. Specifically:

- After the Expansion Date, the amounts of Sludges, Inert Waste and Special Waste from outside San Francisco and Alameda Counties is limited to 25,000 tons per year, and these materials may only originate within the nine Bay Area counties.
- Self-Hauled wastes (of all types) from Contra Costa County are limited to 25,000 tons per year.

3.2.4.2 Natural Resource Protections and Reporting

The natural resource permits issued in connection with the ALRRF expansion contain over 80 explicit permit conditions, too many to enumerate here. In the near term, the following monitoring and reporting conditions are especially significant for the Community Monitor Committee:

- Every four years after the start of construction of Fill Area 2 (which began in 2015), the California Department of Fish and Wildlife (CDFW) is to receive a status report on the required periodic surveys of the Conservation Plan Area. The wildlife surveys focus on Western Burrowing Owl, San Joaquin Kit Fox, California Red-legged Frog, and California Tiger Salamander.
- Annual wetland monitoring reports are required by the Lake and Streambed Alteration Agreement, which was issued by the CDFW, for the first five years of operation of the wetland mitigations, i.e. the constructed pond.
- Reconnaissance survey reports for the Conservation Plan Area are also required by the CDFW. These include baseline and periodic surveys for sensitive wildlife species (see list above), and annual rangeland and general reconnaissance surveys. These are due on January 15 of the calendar year following the survey.

3.3 Project Management Considerations

The final year of the current Community Monitor contract is 2019. Based on recent years' experience, the 2019 budget is expected to be sufficient. In 2019 Kelly Runyon will continue with the lead role as Community Monitor, as a subcontractor to ESA. Michael Burns will continue to serve as ESA's Project Manager and will provide his own expertise, that of other ESA staff, and the environmental consulting firm Langan Engineering. Langan's work will focus on reviewing groundwater monitoring reports and Class 2 soil files.

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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 RFP Process

RECOMMENDED ACTION

Staff recommends that the Community Monitor Committee discuss and initiate a Request for Proposal for the services of a Community Monitor.

BACKGROUND

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

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

DISCUSSION

On October 8, 2013, the Community Monitor Committee (Committee) and Environmental Science Associates (ESA) entered into an Agreement for Consulting Services for ESA (Agreement) to perform the duties of the Community Monitor as defined by the Settlement Agreement. The Agreement included a provision for one three-year extension with majority approval from Committee members at a Committee meeting. On October 12, 2016, the Agreement was extended for the final term from January 1, 2017 to December 31, 2019.

Therefore, staff recommends the Committee discuss the attached draft Request for Proposal (RFP) and initiate a RFP for the services of a Community Monitor to the Committee.

MEETING DATE:	**AGENDA ITEM:**
January 9, 2019	**6.9**

Process to Request for Proposal for a Community Monitor

Upon the Committee's initiation of a RFP for the services of a Community Monitor, the consultant selection and RFP preparation process will involve the following steps:

1. Prior to releasing the RFP, the Committee will give Waste Management of Alameda County (WMAC) five (5) working days to review and comment on the contents of the RFP.
2. The Committee will release the RFP and RFP Notice. The RFP Notice is to be posted to the public at least 10 days before the submittal deadline.
3. The Committee will coordinate the evaluation of responses to the RFP, and then invite a select number of consultants that are deemed to be most qualified to an interview. Emphasis will be placed on overall experience and the consultant's approach to providing services as expressed during the interview process.
4. The Committee shall provide WMAC with copies of all submitted proposals.
5. Within fifteen days after receiving all submitted proposals, WMAC shall have the right to submit to the Committee objections to any proposal based upon an objective showing that (1) the applicant does not individually or collectively possess the minimum qualifications set forth in the scope of services, and/or (2) the proposal exceeds the scope of work.
6. If three or fewer qualifying bids are submitted, then the Committee must accept either the lowest bid for the Community Monitor work, or any bid within a certain range of the lowest bid as described below.
7. The Committee may accept any qualifying bid which does not exceed the lowest by the applicable amounts set forth below:
    a. If the lowest bid is fifty thousand dollars ($50,000) per year or less, then twenty-five percent (25%) of the lowest bid;
    b. If the lowest bid is greater than fifty thousand dollars ($50,000) per year and equal to or less than seventy-five thousand dollars; ($75,000) per year, then twenty percent (20%) of the lowest bid, or $12,500, whichever is higher;
    c. If the lowest bid is greater than seventy-five thousand dollars ($75,000) per year, then ten percent (10%) of the lowest bid, or $15,000, whichever is higher.
8. If the Committee reasonably determines that a higher bidder would provide better community monitoring services, the Committee may ask WMAC to waive the requirements of the low bid.
9. The Committee shall consult with WMAC prior to accepting any bid for the Community Monitor work.

10. The Committee shall take action by majority vote of the voting members for approval of a new Monitor.
11. The Committee will negotiate Agreement with the selected bidder.

A new Agreement with the selected Community Monitor must be executed by December 31, 2019. The previous RFP process for a Community Monitor took ten months to complete from posting of the RFP Notice to agreement execution.

ATTACHMENTS

1. Draft Community Monitor Request for Proposal

Approved by:

Judy Erlandson
Public Works Manager

COMMUNITY MONITOR COMMITTEE

REQUEST FOR PROPOSAL

"COMMUNITY MONITOR" TO MONITOR ALTAMONT LANDFILL AND RESOURCE RECOVERY COMPLIANCE

The Community Monitor Committee is requesting sealed proposals for the "**Community Monitor" to Monitor Altamont Landfill and Resource Recovery Compliance**. All proposals must be received no later than **3:30 p.m. on XXXX, 2019.** Proposals will not be opened publicly. Proposals received after said time will not be considered. Proposal shall be submitted via email to:

Judy Erlandson
jaerlandson@cityoflivermore.net

Proposals must be submitted plainly marked with the proposal title and PROPOSER name. Faxed proposals will not be accepted.

The Community Monitor Committee reserves the right to award or reject proposals in part of in whole and on any basis it deems in the best interest of the Community Monitor Committee.

Questions regarding the Request for Proposal may be directed to Judy Erlandson at (925) 960-8002.

Date of Issuance: XXXX, 2019

COMMUNITY MONITOR
Request for Proposal

Introduction

Pursuant to a legal settlement governing the expansion of the Altamont Landfill and Resource Recovery Facility (ALRRF), the City of Livermore, the City of Pleasanton, the Sierra Club, the Northern California Recycling Association (NCRA), and Altamont Landowners Against Rural Mismanagement (ALARM) won the right to have an independent Community Monitor (CM) to monitor the operations at the Landfill. The costs for the CM are to be paid by Waste Management of Alameda County, Inc. (WMAC). This document provides guidelines for work to be performed by the CM as required in the *"Settlement Agreement Between and Among 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).*

The Community Monitor Committee (CMC) is the representative body for the plaintiffs in the settlement and consists of the following four (4) voting members:

- 1 member appointed by the Livermore City Council
- 1 member appointed by the Pleasanton City Council
- 1 member appointed by the Northern California Recycling Association
- 1 member appointed by the Sierra Club

The CM shall be an independent contractor retained and supervised by the CMC. The CM will report to the CMC and shall represent the interests of the community in seeing that regulations are properly applied to minimize the impacts of the ALRRF on the surrounding community.

The CMC is seeking proposals from any individual, firm, organization, or any combination thereof ("Consultant"), which meets the minimum qualifications to perform the duties of Community Monitor (CM). The CMC will be responsible for interviewing, retaining, supervising the work, and overseeing the payment of, and, if necessary, terminating the contract of the Consultant serving as CM.

The CMC anticipates that the CM will be functioning for the life of the landfill expansion, estimated to be 20-40 years. The initial contract that results from the Request for Proposal (RFP) is expected to be for one three-year duration with the option to renew for one additional three year period.

The following information is included in the Request for Proposal (RFP) as background information.

- Attachment A – Summary of Regulating Agencies
  This is a summary of the agencies that regulate the operation of the ALRRF and recent approvals that have been issued to the landfill.

- Attachment B – List of Permit Approvals
  This is the most recent permit approvals were issued to the ALRRF.

- Attachment C – Solid Waste Facilities Permit (SWFP)
  This is the most recent SWFP that was issued to the ALRRF by the Alameda County Environmental Health Department.

- Attachment D – Settlement Agreement
  This is the Settlement Agreement that describes conditions on the operation of the ALRRF

- Attachment E – ALRRF Conditional Use Permit

- Attachment F – Sample Agreement

- Attachment G – Conditions of Approval For the Altamont Recycling and Composting Facility

Qualifications of Consultant to Serve as Community Monitor

The CM may be any individual, firm, or organization, or any combination thereof, which meets the minimum qualifications set forth in this subsection. The CM shall serve as an independent contractor for the CMC, and the CM shall meet the following minimum qualifications:

a. A minimum 10 years experience is recommended relating to the areas of landfill design, construction, operations, and regulatory oversight;

b. Familiarity with the *Settlement Agreement* in order to assist the CMC in carrying out its responsibilities under the Settlement Agreement and to carry out the work of the CM under the Settlement Agreement;

c. Possess a California Professional Engineers license;

d. Expertise in monitoring environmental impacts, including air emission and discharges to groundwater;

e. Experience in monitoring compliance with mitigation measures pursuant to the California Environmental Quality Act or other California laws or regulations requiring environmental mitigation;

f. Familiarity with the operations of solid waste landfills, and with regulatory requirements of the California Integrated Waste Management Board, the Regional Water Quality Control Board, the Alameda County Local Enforcement Agency ("LEA"), and the Bay Area Air Quality Management District relating to the operation of solid waste landfills;

g. The CM shall possess the ability to communicate environmental information in a clear and comprehensible manner; and

h. The CM shall demonstrate that it does not have a conflict of interest.

i. The CM shall be willing to avoid employment, contracting, or consulting arrangements with WMAC, its parent company, or affiliates of WMAC, or its parent through to completion of this project.

j. The CM shall have familiarity with the requirements for compliance with the Brown Act.

The CMC anticipates hiring a CM to complete the duties as described in the Scope of Work below. Services in general will include, but are not limited to, reviewing and analyzing materials, reports, documents, and data, advising the public via written or oral reports, issuing written reports, conducting inspections, and reporting to the CMC.

Scope of Work

1. CM shall review all reports, documents, and data, which WMAC is required to submit to the County or any other regulatory agency pursuant to the Settlement Agreement or the terms of WMAC's permits and approvals for the ALRRF. Material to be reviewed by the CM includes, but is not limited to, the documents listed in the Attachments.

2. The CM shall directly lead and oversee all inspections and report preparations.

3. The CM shall present reports and findings to the CMC.

4. The CM shall serve as the primary CMC liaison with WMAC and regulatory agencies.

5. The CM shall review all documents submitted to the County in connection with the Conditional Use Permit (CUP), any compliance reviews, and the CUP Mid-Capacity Compliance Review to be conducted pursuant to the Settlement Agreement.

6. The CM shall review and evaluate all testing data and source information as provided in Attachment D (Exhibit "A," of the Settlement Agreement) to determine

acceptability of variance waste (e.g., material that requires a variance from the then existing permit conditions) or declassified waste (see California Code of Regulations Title 22, 66260.200). Such notice, data, and information shall be provided to the CM by WMAC within 48 hours after receipt by WMAC, and no fewer than ten (10) days prior to any acceptance at ALRRF of such material.

7. The CM shall review all other reports, documents, and data regarding the ALRRF's compliance with applicable environmental laws and regulations.

8. The CM shall prepare meeting agendas and minutes for all CMC meetings, reserve and set up the meeting room, provide the required materials for CMC Members in a timely fashion, and provide other support as necessary. CMC meetings will be scheduled quarterly, or as otherwise directed by the CMC.

9. The CM shall advise the CMC, as requested by the CMC, via a brief oral presentation (approximately 15-20 minutes) accompanied by a written executive summary regarding progress on execution of the scope of work. The CM shall provide the CMC with an electronic version of any written materials that are associated with the presentations at least two weeks before the CMC meeting.

10. The CM shall issue a written report no later than the end of the contract period each year summarizing the CM's activities and the ALRRF's compliance record with respect to all applicable environmental laws and regulations including an oral presentation to the CMC of no longer than one hour.

11. The CM shall notify the CMC if the CM reasonably suspects that there is any noncompliance with environmental laws and regulations, or with the agreement, or with the conditions of any permit or approval for the operations of the ALRRF. If the CM suspects the noncompliance involves a substantial environmental or health risk, the CM shall immediately notify WMAC and the LEA of such suspected substantial noncompliance.

12. Review Reports

    a. The CM shall review all testing data (except contaminated soil projects of less than 10 yards - Condition No. 2.3) and source information submitted to WMAC as provided in Attachment D (Settlement Agreement Exhibit "A" **-** Condition No. 2) with regard to any proposed acceptance at the ALRRF for any use or disposal of material that requires a variance from the then existing permit conditions at ALRRF in order to be accepted there or is a hazardous waste that has been declassified or is proposed to be declassified for purposes of acceptance at ALRRF ("declassified waste" per California Code of Regulations Title 22, 66261.200). The CM shall review the propriety of such receipt of material under all applicable laws and regulations and may as necessary notify or consult with any appropriate regulatory agency regarding such action.

b. The CM shall review the inspection reports of the regulatory agencies and target its inspections accordingly to issues that are not covered by those inspection reports.

13. Inspections

a. The CM shall inspect the ALRRF twelve (12) times during each contract year for compliance with permits or any applicable environmental laws or regulations, including at least 3 (three) off hour inspections. Such inspections shall occur upon prior or simultaneous telephonic or personal notice to WMAC. Whether the notice given is prior or simultaneous shall be at the sole discretion of the CM. WMAC is required to provide the CM the appropriate contact(s) and telephone number(s) for notice of the visit. WMAC has the right to have a representative accompany the CM on any such inspection. Within two weeks of beginning work, the CM shall send to WMAC a list of the name(s) and contact information for its personnel who will conduct all inspections during the term of the contract.

b. At the direction of the CMC, the CM shall accompany the LEA inspector on their visits to and inspections of the facility. The LEA inspector shall retain control of the inspection, and the CM shall not interfere with the work of the LEA inspector. The LEA is required to provide reasonable notice to the CM of its regular and other inspections of ALRRF and allow the CM to accompany its inspector(s) on any such inspections. In the case of impromptu inspections, telephonic notice to the CM, including the leaving of a telephone message, shall constitute reasonable notice. The CM should anticipate 4-6 visits annually with LEA inspector.

c. The CM may conduct up to six (6) additional same day inspections per calendar year, if, in the conduct of the CM's duties, the CM reasonably determines that the ALRRF is in substantial noncompliance with any environmental law or regulations, the substantial noncompliance is reported to the applicable regulatory agency, and the regulatory agency determines that there is a substantial noncompliance problem. Such additional inspections, if authorized by the CMC, will qualify for additional compensation to the CM, up to an additional twenty percent (20%) beyond the annual contract amount. The CM shall immediately notify and obtain pre-approval from the CMC to perform these inspections.

14. The CM shall conduct a minimum of 6 independent counts of trucks arriving at the ALRRF during the time period indicated by the CMC, with such monitoring to be done at or outside the entrance gate to the ALRRF. The truck counts shall be conducted, at a minimum, to determine compliance with the 50 total refuse truck trips per hour limitation during the hours of 6:45 a.m. to 8:45 a.m. and the 10 total refuse truck trips per hour limitation during the hours of 4:30 p.m. to 5:30 p.m. If

there is a significant discrepancy between the CM's truck counts and the truck counts reported by WMAC, and that discrepancy cannot be resolved, up to six additional truck counts may be conducted by the CM.

15. The CM shall report to the CMC, and the CMC shall provide reasonable oversight and supervision of the CM's work and expenses.

16. Contact the EPA inspectors at least once annually to determine if the EPA has any regulatory compliance issues regarding with the ALRRF that would be of interest to the CM.

Qualifications Package

The Qualifications Package shall include the following:

(1) Name, address, phone number, fax number, and website of Consultant.

(2) Proposed services.

(3) Name of principal contact person.

(4) Year Consultant was established.

(5) Time Consultant has operated in providing related services to public and private agencies.

(6) Name, title, experience, licenses, and qualifications of lead person or persons to be designated as CM.

(7) A list of similarly related contracts that the Consultant has completed or is currently working on, including length of contract and references to be contacted in relation to same.

(8) Information about the Consultant's qualifications and ability to perform the work as described in the Project Guidelines.

(9) The Consultant's experience completing a similar project for another agency.

(10) Information about the Consultant's ability to complete the term of the contract.

(11) A list of any contracting or consulting arrangements with WMAC, its parent company (Waste Management, Inc.), or affiliates of WMAC or its parent, current or past (last ten (10) years).

(12) Provide at least 3 (three) references. Reference will not be contacted unless there is interest in the candidate.

(13) The proposal must include time and materials costs and a not-to-exceed cost for each item in the scope of work.

WMAC has the right, by giving written notice within 15 days, to disqualify for consideration as the CM any party, which is, or includes as part of a team, a party that is adverse in pending litigation to WMAC, its parent, or affiliates of WMAC or its parent.

Selection Process

(1) The CMC will coordinate the evaluation of responses to the RFP and then invite a select number of Consultants that are deemed to be most qualified to an interview. Emphasis will be placed on overall experience and the Consultant's approach to providing services as expressed during the interview process.

(2) The CMC will provide WMAC with copies of all submitted proposals.

(3) Within fifteen days after receiving all submitted proposals, WMAC may submit to the CMC objections to any proposal based upon an objective showing that (1) the applicant does not individually or collectively possess the minimum qualifications set forth in the scope of services, and/or (2) the proposal exceeds the scope of work.

(4) The CMC will take action by a vote of at least three of the voting members.

(5) The proposal must include time and materials costs and a not-to-exceed cost for each item in the scope of work.

If you have any questions regarding the RFP, please email Judy Erlandson at jaerlandson@cityoflivermore.net. If you decide to respond to this RFP, in order to be considered, your response must be emailed and addressed to Judy Erlandson, City of Livermore Public Works Department, at jaerlandson@cityoflivermore.net and copied to Marisa Gan at mjgan@cityoflivermore.net.

RFPs will be accepted no later than 3:30 p.m. on XXXX, 2019

Attachments:

Attachment A - Summary of Regulating Agencies
Attachment B - List of Permit Approvals
Attachment C - Solid Waste Facilities Permit
Attachment D - Settlement Agreement
Attachment E - ALRRF Conditional Use Permit
Attachment F - Sample Agreement
Attachment G - Conditions of Approval for the Altamont Recycling and Composting Facility

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