



COMMUNITY MONITOR COMMITTEE

Altamont Landfill Settlement Agreement

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

AGENDA

www.altamontcmc.org

VOTING MEMBERS

Ben Barrientos
City of Livermore

Jeff Nibert
City of Pleasanton

Donna Cabanne
Sierra Club

Alexandra Hoffmann-Bradley
*Northern California
Recycling Association*

NON-VOTING MEMBERS

Marcus Netz
Sonam Kaur
Blaine Harrison
*Waste Management
Altamont Landfill and
Resource Recovery
Facility*

Arthur Surdilla /
Ryan Hammon /
David Madieros
Alameda County

Robert Cooper
*Altamont Landowners
Against Rural
Mismanagement (ALARM)*

STAFF

Judy Erlandson
*City of Livermore
Public Works Department*

Anna Zamboanga
*City of Livermore
Recycling Specialist*

DATE: **Wednesday, January 8, 2025**

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 9, 2024)
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 the Chair**
- 6.2 Responses to Committee Member Questions**
- 6.3 Water Board Requests**
- 6.4 Review of Documents on GeoTracker web site**
- 6.5 PFAS Updates**
- 6.6 Reports from Community Monitor**
- 6.7 2024 Annual Report**
- 6.8 Response to Committee Member Questions - RFP**
- 6.9 Community Monitor RFP Process**
- 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 9, 2025**, at 3500 Robertson Park Road, Livermore.

Informational Materials:

- Community Monitor Roles and Responsibilities
- List of Acronyms

City of Livermore
HOW TO PARTICIPATE IN A COMMUNITY MONITOR COMMITTEE MEETING:

You can participate in the meeting in a number of ways:

The **Community Monitor Committee Agenda and Agenda Reports** are prepared by the Community Monitor and City staff and are available for public review on Wednesday evening, seven days prior to the Community Monitor Committee meeting at the Maintenance Service Center, 3500 Robertson Park Road, Livermore. The agenda is also available at <http://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 at the Maintenance Service Center, 3500 Robertson Park Road, Livermore, and included in the agenda packet available at <http://altamontcmc.org/>.

PURSUANT TO TITLE II OF THE AMERICANS WITH DISABILITIES ACT (CODIFIED AT 42 UNITED STATES CODE SECTION 12101 AND 28 CODE OF FEDERAL REGULATIONS PART 35), AND SECTION 504 OF THE REHABILITATION ACT OF 1973, THE CITY OF LIVERMORE DOES NOT DISCRIMINATE ON THE BASIS OF RACE, COLOR, RELIGION, NATIONAL ORIGIN, ANCESTRY, SEX, DISABILITY, AGE OR SEXUAL ORIENTATION IN THE PROVISION OF ANY SERVICES, PROGRAMS, OR ACTIVITIES. TO ARRANGE AN ACCOMMODATION IN ORDER TO PARTICIPATE IN THIS PUBLIC MEETING, PLEASE CONTACT THE ADA COORDINATOR AT ADACOORDINATOR@LIVERMORECA.GOV OR CALL (925) 960-4170 (VOICE) OR (925) 960-4104 (TDD) AT LEAST THREE (3) BUSINESS DAYS IN ADVANCE OF THE MEETING.

Submission of Comments Prior to the Meeting:

Email Comments may be submitted by the public to the City of Livermore Public Works Department via email at SolidWaste_Recycling@livermoreca.gov. Items received by 12:00 pm on the day of the meeting will be provided to the Committee and will be available on the meeting agenda prior to the meeting. These items will not be read into the record.

Submission of Comments During the Meeting:

During the meeting, the Open Forum agenda item is an opportunity for the public to speak regarding items not listed on the agenda. Speakers may also provide comments on any item listed on the agenda. Speakers are limited to a maximum of 500 words per person, per item. The Committee is prohibited by State law from taking action on any items that are not listed on the agenda. However, if your item requires action, the Committee may place it on a future agenda or direct staff to work with you and/or report to the Committee on the issue.

For questions regarding the Community Monitor Committee, please contact Public Works at (925) 960-8015.

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 CalRecycle acronyms page:

<https://www.calrecycle.ca.gov/lea/acronyms>.

Updates will be provided as needed. This list was last revised on March 22, 2024.

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
CDFW – California Department of Fish and Wildlife (formerly California Department of Fish and Game or CDFG/DFG)
CDRRR – California Department of Resources Recycling and Recovery, or CalRecycle
CIWMB – California Integrated Waste Management Board (predecessor to CDRRR – see above)
CVRWQCB – Central Valley Regional Water Quality Control Board
CMC – Community Monitor Committee
DTSC - Department of Toxic Substances Control
DWR – Department of Water Resources
EMP – Evaluation Monitoring Plan
EPA – United States Environmental Agency
LEA – Local Enforcement Agency (i.e., County Environmental Health)
RWQCB/Water Board – Regional Water Quality Control Board
SWRCB – State Water Resources Control Board

Waste Categories

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

Water Quality Terminology

BMP – Best Management Practice – A general term to identify effective means of pollution control, especially in the contexts of stormwater and air quality.
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.
NAL – Numeric Action Level – A concentration of a stormwater pollutant above which, the discharger must plan to reduce this concentration.
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.
SWPPP – Storm Water Pollution Prevention Plan

Rev. 06/28/2023

Substances or Pollutants

ACM – asbestos-containing material

ACW – asbestos-containing waste

ADC – Alternative Daily Cover. For more information:

<https://www.calrecycle.ca.gov/lgcentral/basics/adcbasic>

BTEX – benzene, toluene, ethylbenzene, and xylene (used in reference to testing for contamination)

CH₄ – methane

CO₂ – carbon dioxide

COD – Chemical Oxygen Demand – A measure of the degree to which a wastewater discharge can deplete the oxygen in a body of water.

DO – dissolved oxygen

HHW – household hazardous waste

LFG – landfill gas

LNG – liquefied natural gas

MEK – methyl ethyl ketone

MIBK – methyl isobutyl ketone

MTBE – methyl tertiary butyl ether, a gasoline additive

NMOC – Non-methane organic compounds

NTU – nephelometric turbidity units, a measure of the cloudiness of water

PFAS – Per- and polyfluoroalkyl substances

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)

CDO – Cease and Desist Order

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.

AQI – Air Quality Index

BGS – below ground surface

BMP – Best Management Practice

CASP – Covered Aerated Static Pile (ASP) composting

CEQA – California Environmental Quality Act

CERCLA – Comprehensive Environmental Response, Compensation, and Liability Act

CL – Concentration Limit (statistical limit of background concentrations for specific constituents in groundwater monitoring wells)

COA – Construction Quality Assurance (relates to initial construction, and closure, of landfill Units)

CY – cubic yards

GCL – geosynthetic clay liner

Rev. 03/22/2024

General Terms (continued)

GPS – Global Positioning System

IC engine – Internal combustion engine

LCRS – leachate collection and removal system

LEL – lower explosive limit

LMR – Landfill Methane Regulation

mg/L – milligrams per liter, or (approximately) parts per million

NAAQS – National Ambient Air Quality Standards

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.

RCRA – Resource Conservation and Recovery Act

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

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COMMUNITY MONITOR COMMITTEE

Altamont Landfill Settlement Agreement

Minutes of October 9, 2024

DRAFT

1. Call to Order
The meeting came to order at 4:02 PM.

2. Roll Call
Members Present: Donna Cabanne, Sierra Club; Ben Barrientos, City of Livermore; Jeff Nibert, City of Pleasanton; Alexandra Hoffmann-Bradley, Northern California Recycling Association (NCRA); Ryan Hammon, Alameda County Department of Environmental Health (LEA); Marcus Netz II, Blaine Harrison and Sonam Kaur, Altamont Landfill and Resource Recovery Facility (ALRRF)

Absent: Robert Cooper, Altamont Landowners Against Rural Mismanagement (ALARM)

Staff: Marisa Gan, Anna Zamboanga, City of Livermore; Mukta Patil, Grace Stafford and Megan Rollo, Langan/Community Monitor

3. Introductions
All those present introduced themselves.

4. Approval of Minutes of July 10, 2024, meeting
Mr. Nibert noted that the recounting of Item 6.6 on page 9 in the July Q3 2024 packet, the open space studies are for all wildlife, not only the SJKF fox, and that the name of the organization that produced the wildlife report is the Alameda County Resource Conservation District, not the Friends of Open Space and Vineyards committee. Mr. Nibert moved approval, Ms. Cabanne seconded, and the minutes were approved 4-0.

5. Open Forum
There was no open forum discussion.

6. Matters for Consideration

6.1 Responses to Committee Members Questions

Ms. Stafford reviewed item 6.1. Answers to committee member questions about Exhibit A of the Settlement Agreement, the life span of alternative daily cover, an update on the Class II Soil Profile review process, modification to the budget, and construction at SP-7. Mr. Nibert asked if Langan could provide an update on the solidification basin construction. Ms. Rollo responded that at the time of this meeting, there is no active construction, however the area has been graded. There were no additional comments or questions.

Mr. Nibert closed item 6.1.

6.2 Water Board Requests

Ms. Rollo reviewed the new items provided in the Water Board request table. One of these items, regarding the August 5, 2024, NOV from the CVRWQCB regarding disposal of Class I waste in FA2, Ms. Cabanne asked how Waste Management is delineating and removing the specific Class I waste from FA2. Ms. Rollo responded that the Class I waste is steaked out in the FA2. Mr. Harrison added on that the depth of the Class I soil is identified in FA2 by the disposal date, and the area it was disposed in was designated as non-operational until the removal is completed. Ms. Cabanne asked if PG&E or Clean Harbors will be reprimanded for the improper characterization of waste. Mr. Harrison responded that he does not think they will be reprimanded as there is a profile vetting program. Mr. Nibert asks what the waste profiling process is, and Mr. Harrison explains that the process involves the customer providing analytics for Waste Management to review and validate that the contents of the waste they are bringing to the landfill is accepted at the landfill. Mr. Nibert asks if it was Clean Harbors' responsibility to correctly profile the waste. Ms. Rollo responds, yes.

Mr. Nibert closed item 6.2.

6.3 Review of Documents on GeoTracker web site

Ms. Rollo provided a summary of the new items from the GeoTracker Review table. Concerning the August 5, 2024, NOV from the CVRWQCB regarding the disposal of Class I waste in FA2, Ms. Cabanne asked if there was a date that the removal of the Class I soil will be removed. Ms. Rollo responded that WM is waiting for a work plan to be provided by Clean Harbors regarding the removal. Ms. Cabanne asked that the CM provide an update on this issue in the January 2025 meeting. Considering the significant rainfall that has occurred in recent years, Ms. Cabanne asks that the ET cover be visually inspected regularly to monitor performance.

Mr. Nibert closed item 6.3.

6.4 Review of Reports from ALRRF

Ms. Patil provided a summary of the Groundwater Monitoring report, item 6.4.1. Most notably, Ms. Patil described detections of low concentrations of PCE and TCE, tetrahydrofuran detection at MW-49BR, the fluctuation of inorganic constituents and that the CM will continue to track each one of these instances moving forward. Ms. Cabanne asked why there is a large spike in an MTBE breakdown product at E-05R, when MTBE

has been banned for several years. Ms. Patil explained MTBE and its breakdown product tertiary butyl alcohol are mobile and persistent in nature. Ms. Cabanne asked the CM to continue to track the downward trend of this constituent.

Ms. Rollo provided a summary of item 6.4.2, Air Emissions report. Mr. Nibert asked if the five decommissioned wells were the same wells that were observed for high temperatures. Ms. Rollo responded, yes. Ms. Cabanne asked how the decommission of the LNG plant would affect air emissions at the landfill. Mr. Netz responded that it does not affect air emissions at the landfill and will not contribute to more emissions. He explained how WM is redirecting the landfill gas from the landfill to the electricity generating plant.

Mr. Nibert closed item 6.4.

6.5 PFAS Update

Ms. Rollo provided a summary of the new information, which discussed the results of the 2019 PFAS sampling event at the landfill in the framework of the new EPA CERCLA designation. Ms. Cabanne asked the CM, given the exceedances of the MCLs with the presented data, what would happen if the infrastructure bill passed. Ms. Patil responded that the MCLs are focused on drinking water and not currently on landfills. Ms. Cabanne asked if the PFAS will migrate to downgradient wells of individuals? Ms. Patil responded that these wells may need to be tested and owners of these wells may be able to apply for funding, however the detections presented in this item are from locations at the landfill. Ms. Cabanne asked the CM to continue to track this item. Mr. Nibert asked the CM if the MCLs apply to private wells. Ms. Patil responded, yes, the MCLs apply to any drinking water source.

Mr. Nibert closed item 6.5.

6.6 Reports from Community Monitor

Ms. Rollo summarized item 6.6, Reports from the Community Monitor. This includes the Altamont Monthly Operations and Records Review, such as Class 2 soil file reviews, tonnage reports and site visits. Ms. Rollo presented each report. There were no comments made on this item.

Mr. Nibert closed item 6.6.

6.7 2024 Draft Annual Report Topics

Ms. Rollo presented the proposed 2024 Annual Report topics. Mr. Nibert asked about the length of the PFAS section of the report. Ms. Patil responded that this section will be summarized. There were no other comments, and the topics were agreed upon.

Mr. Nibert closed item 6.7.

6.8 2025 Committee Meeting Schedule

Ms. Gan presented the 2025 committee meeting schedule. The committee did not present any conflicts to the proposed dates at this time. Mr. Nibert motioned to adopt the schedule and Ms. Cabanne seconded the motion.

Mr. Nibert closed item 6.8.

6.9 Request for Proposals

Ms. Gan stated that the Request for Proposal, item 6.9 is a closed discussion. Mr. Nibert delayed this item so that the CM could be present for the remaining topics. This item was discussed after items 6.10 and 7 without the CM present.

Mr. Nibert closed item 6.9.

6.10 Announcements

There were no announcements from the committee.

7. Agenda Building

No agenda items were proposed.

8. Adjournment

The meeting was adjourned around 5:57 p.m. (CM was not present for the conclusion of the meeting after discussing item 6.9). The next meeting will be held on Wednesday January 8, 2025, at 4:00 p.m. at the Livermore Maintenance Services Center at 3500 Robertson Park Road.



COMMUNITY MONITOR COMMITTEE STAFF REPORT

TO: Community Monitor Committee Members
FROM: Judy Erlandson, Interim Public Works Director
SUBJECT: Community Monitor Committee Election of Chair

RECOMMENDED ACTION

Staff recommends the Community Monitor Committee elect a Committee Chairperson.

DISCUSSION

The Settlement Agreement, dated December 5, 1999, between the County of Alameda, the City of Livermore, the City of Pleasanton, Sierra Club, Northern California Recycling Association, Altamont Landowners Against Rural Mismanagement, and Waste Management of Alameda County, Inc. (Settlement Agreement), describes the duties and obligations of the Community Monitor Committee, but does not require the selection of a Committee Chairperson.

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

If the Committee chooses to appoint a Chairperson, election shall be by majority vote of the 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:

A handwritten signature in cursive script that reads "Judy Erlandson".

Judy Erlandson
Interim Public Works Director

MEETING DATE:

01-08-2025

AGENDA ITEM:

6.1

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1814 Franklin Street, Suite 505 Oakland, CA 94612 T: 510.874.7000 F: 510.874.7001

To: ALRRF Community Monitor Committee

From: Langan – Community Monitor

Date: January 8, 2025

Re: **CMC Meeting of 1/8/2025 - Agenda Item 6.2 - Responses to Committee Members' Questions**

Questions from the October 9, 2024, meeting unless otherwise stated.

Removal of Class I Soil from FA2 Area

At the October 9, 2024, meeting, Ms. Cabanne asked the CM for an update on the removal of Class I soil from FA2 at the January 8, 2025, meeting.

In the December 10, 2024, letter, *Improper Disposal Removal Update*, WM details the completion of the removal of the Class I waste. Clean Harbors Environmental Services oversaw the removal process which involved excavating the waste material along with cover materials and mixed municipal solid waste. This process ultimately removed a total of 65.29 tons of mischaracterized waste. The overburdened soil was removed on November 20, 2024, and the mischaracterized waste was transported to the Kettleman Hill's facility in Kettleman City, California, for final disposal on December 2, 2024.

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1814 Franklin Street, Suite 505 Oakland, CA 94612 T: 510.874.7000 F: 510.874.7001

To: Community Monitor Committee

From: Langan – Community Monitor

Date: January 8, 2025

Re: **CMC Meeting of 1/8/25 – Agenda Item 6.3 – Central Valley Regional Water Quality Control Board (CVRWQCB) Requests Progress Update**

The Central Valley Regional Water Quality Control Board (CVRWQCB) issued Cease and Desist Order¹ (CDO) R5-2021-001 for the ALRRF on April 22, 2021. In the CDO, the CVRWQCB alleged the ALRRF was being operated outside of applicable federal and state regulations, and the Waste Discharge Requirements (WDRs). The CDO provided a list of various items the Discharger (ALRRF) had performed out of compliance and a time schedule with specific requirements to compel the Discharger to resolve past compliance issues, achieve compliance with Title 27 and the WDRs, and conform to its Notice of Applicability (NOA) in a time frame acceptable to the CVRWQCB.

Table 6.3.2 provides an update of the CVRWQCB requests, including the requirements outlined in the CDO, the expected completion timeline and progress that has been made on each item. Any Areas of Concern (AOCs) or Violations that were included in the previous packets that have been resolved are not included in the updated table.

The Community Monitor will continue to review items on GeoTracker and discuss with WMAC during site visits to provide updates on the work and deliverables requested by the CVRWQCB.

¹ According to California Water Code Section 8701.2 - Cease and desist order, if the Water Board or executive officer determines that any person or public agency has failed to adequately respond to a notice of violation, the board or executive officer may issue an order directing that the person or public agency to whom the notice of violation was issued to cease and desist. A cease and desist order is an order by an administrative agency that requires certain practices specified to stop.

Table 6.3-2
Tracking Table for Water Board Requests
Altamont Landfill Resource and Recovery
Livermore, CA

CMC Meeting of 1/8/2025- Agenda Item 6.3
Langan Project: 750657604
January 2025

Task	Due Date	Completed	Comments
Cease and Desist Order (CDO) R5-2021-001			
1. Update the Sampling and Analysis Plan for the interim POC detection monitoring program	7/21/2021 4/4/2022	Yes, revised plan submitted on 4/4/22	
2. Revise the background water quality values and update the concentration limits (CLs)	4/21/2022	Yes, submitted on 5/13/22	
3. Install groundwater monitoring wells (interim and final) for FA2			
(a) Work plan to install the groundwater monitoring wells (interim and final) for FA2	7/21/2021	Yes, submitted on 7/20/21	
(b) Install Interim POC Wells	Ongoing	Ongoing	
(c) Report installation within 60 days of installing any new groundwater monitoring well or soil gas monitoring well.	Ongoing	Ongoing	
(d) Install Final Permanent FA2 limit wells	2021 and 2022	Yes, installation report submitted on 12/2/2021	
(e) Report installation within 60 days of installing any new groundwater monitoring well or soil gas monitoring well.	Ongoing	Ongoing	Monitoring well installations have been reported within schedule.
(f) Implementation of a Water Quality Monitoring and Response Program for FA2 Unit 1		Yes, completed with the SAP revisions and new monitoring well network.	
4. Install soil gas monitoring wells (interim and final) for FA1 and FA2			
(a) Work plan to install the soil gas monitoring wells (interim and final) for FA1 and FA2	7/21/2021	Yes, submitted on 8/3/2021	
(b) Install Interim Monitoring Wells FA1	Week of May 31, 2021	Yes, submitted on 7/20/21	
(c) Install Interim Monitoring Wells FA2	9/21-10/21; 2021-2024	Ongoing	Same schedule as item 3(b).
(d) Report installation within 60 days of installing any new groundwater monitoring well or soil gas monitoring well.	Ongoing	Ongoing	Monitoring well installations have been reported within schedule.
(e) Install Final Monitoring Wells		Yes, installation report submitted on 12/2/2021	
5. Surface Water Monitoring Plan to conduct surface water monitoring for surface water flowing out of FA2	7/21/2021	Yes, submitted on 7/16/21	
(a) Surface Water Monitoring		Yes, Second Semiannual 2021 results submitted on 2/1/22	
6. Document the results of the MW-4A evaluation monitoring program (including groundwater and soil gas sampling) in separate corrective action status reports to be submitted semi-annually	8/1/2021	Yes, second report submitted on 2/1/22	
7. Groundwater and soil gas monitoring network along the northern and eastern limits of FA1			
(a) Work plan to install the groundwater and soil gas monitoring network along the northern and eastern limits of FA1	6/21/2021	Yes, submitted 5/10/2021; approved 5/19/2021	
(b) Install groundwater and soil gas monitoring network along northern and eastern limits of FA1	Week of May 31, 2021	Yes, submitted on 8/3/2021	

**Table 6.3-2
Tracking Table for Water Board Requests
Altamont Landfill Resource and Recovery
Livermore, CA**

Task	Due Date	Completed	Comments
8. Update corrective action financial assurance cost estimates for FA1 and FA2	7/21/2021 3/1/2022	Yes, submitted 2/25/2022	Revised cost estimates were approved by the CVRWQCB on 4/21/2022.
9. Report outlining the LFG extraction wells operations as part of the Corrective Action Program to address the LFG impacts outside the limits of FA1	5/22/2021	Yes, submitted 5/21/2021	
10. Submit a Report of Waste Discharge to install off-waste liquid solidification basins	10/19/2021	Yes, submitted 10/19/2021	
11. Report Installation and operation of new off-waste footprint solidification basins	After completion of installation	Ongoing	
12. Notify the CVRWQCB 30 days prior to removal of interim monitoring devices	Ongoing during Fill Area 2 expansion	Ongoing	
Violations or Areas of Concern (AOCs)			
1. To address the violations issued by the CVRWQCB on June 10, 2024, the discharger shall:			
(a) Ensure leachate returned to FA1/Unit 2 for dust control is applied at the minimum amount necessary for dust control.	Immediately	Completed	
(b) Submit a proposal and timeline to install containment system for the leachate collected at Seep B and C collection point to prevent discharge and ponding of leachate atop FA1/Unit 1.	7/30/2024	Completed	
(c) Document the removal of ponded leachate and leachate stained/impacted daily or intermediate cover soil from atop FA1/Unit 1 and FA2/Unit 2, as well as soil replacement, with clean soil, and regrading to ensure adequate cover thickness and drainage.	7/30/2024	Completed	
(e) Ensure daily cover is applied across all waste at least every 6.5 days	Continuous	Completed and ongoing	Active implementation - WM has implemented a more frequent application of daily cover and conducted a retraining session for onsite management focusing on application of intermediate cover.
2. Per the June 10, 2024 NOV, notify the CVRWQCB of progress made on the AOCs listed below:			
(a) AOC 1 - Repair broken LFG extraction line observed atop LF1/Unit 1 and provide documentation	As soon as repair is complete	Completed	LFG extraction line observed was an abandoned lateral line, and part of older decommissioned system. Line was cut, capped and covered.
(b) AOC 2 - All liquids, including tank washout, discharged into the Facility's solidification basins, must be discharged directly into the defined limits of each basin	Continuous	Completed and ongoing	ALRRF will ensure that all liquids, including tank wash out, discharged into the facilities solidification basins, are directed exclusively into the defined limits of each basin.
(c) AOC 3 - Enhance windblown litter controls and clean up. Reduce the size of the open disposal face and the application of daily cover over waste more frequently than every 6.5 days as a best management practice and improved housekeeping.	Continuous	Completed and ongoing	Active implementation - WM has implemented a more frequent application of daily cover and conducted a retraining session for onsite management focusing on application of intermediate cover.
(d) AOC 4 - Submit report documenting cleanup from leaking LSI-3 pump. Include proposal and timeline to install secondary containment for the LSI-3 leachate pump transfer line.	8/1/2024	Completed	

Table 6.3-2
Tracking Table for Water Board Requests
Altamont Landfill Resource and Recovery
Livermore, CA

CMC Meeting of 1/8/2025- Agenda Item 6.3
 Langan Project: 750657604
 January 2025

Task	Due Date	Completed	Comments
(e) AOC 5-12 - These AOCs may be considered as winterization work. Repair as practical.	10/31/2024, final report due 11/14/2024	Completed	
(f) AOC 13 - CVRWQCB has reached out to Storm Water Unit and requested they inspect and evaluate facility for compliance with the industrial general permit good housekeeping best management practice requirements.	Pending	Pending	Pending per CVRWQCB.
3. To address the violations issued by the CVRWQCB on August 5, 2024, the discharger shall:			
(a) Isolate, remove, and properly contain the hazardous waste and arrange for its disposal at a permitted facility authorized to accept hazardous waste.	Immediately	Completed	
(b) Submit a report documenting the offsite disposal of the hazardous waste at a permitted facility authorized to accept hazardous waste.	10/1/2024	Completed	

Notes:

POC - Point of Compliance

FA - Fill Area

LFG - Landfill Gas

CVRWQCB - Central Valley Regional Water Quality Control Board

WMAC - Waste Management of Alameda County

TBD - To Be Determined. These deadlines depend on activities which have not yet been completed.

Gray shaded cells denote items that have been completed and no longer tracked. Items remain in the table for reference.

1814 Franklin Street, Suite 505 Oakland, CA 94612 T: 510.874.7000 F: 510.874.7001

To: ALRRF Community Monitor Committee
From: Langan – Community Monitor
Date: January 8, 2025
Re: **CMC Meeting of 1/8/2025 – Agenda Item 6.4 – Review of Documents on Geotracker Web Site**

This is the abridged version of this memorandum. It is limited to new items reported in Geotracker since the previous Community Monitor Committee packet for the October 2024 meeting was completed, plus any prior items that provide useful background information for the new items. The complete, current version of this Review of Documents is located on the Community Monitor Committee website and can be accessed using this link¹.

In this memo, each topic is given its own table where relevant documents are summarized in chronological order. For ease of reference, the topics are grouped under major headings, and in the electronic version of this memo, [links](#) enable the reader to skip to a topic of interest and return to the top of the list when finished.

In the list, those topics that include a recent important development or Violation are marked with a special bullet:

- This topic links to a list of documents that contains a recent violation or important development.

Summaries of the documents added since the previous Community Monitor Committee meeting are indicated with a **heavy black border**. They largely consist of Waste Management of Alameda County (WMAC) responses to Central Valley Regional Water Quality Control Board (CVRWQCB) requests and notices, as well as design reports and reports describing specific incidents.

Violations and important areas of concern are highlighted in **pink** and **yellow**, respectively. Other noteworthy new items are highlighted in **green**. The topic list begins on the following page. When a single document addresses multiple topics, its summary is placed under the most general category available, which is often the first topic, Landfill Operations.

For reference the Geotracker webpage for the ALRRF is accessible here: https://geotracker.waterboards.ca.gov/profile_report?global_id=L10005834311.

¹ <https://altamontcmc.org/agendas-etc-2020-2023>

MEMO

Topic List

Landfill Operations

- [Revised Configuration and Phasing Schedule for FA2](#)

Monitoring Program

- [New or Pending Monitoring Wells](#)
- [Exceedances in Monitoring Wells](#)

Liquids Management

- [Liquids and Leachate Management](#)

Other Topics

- [CVRWQCB Inspections](#)

MEMO

LANDFILL OPERATIONS

Revised Configuration and Phasing Schedule for FA2

Topics

	From	Format Date	Key Point(s)
1	Geosyntec	Other Report/ Document February 9, 2024	This report documents construction quality assurance activities associated with Phase 6, and related stormwater improvements at FA2. All construction was completed per the approved design report, construction documents and CQA plan.
2	CVRWQCB	Staff Letter May 20, 2024	The CVRWQCB staff reviewed and conditionally approved the <i>Report of Construction Quality Assurance Phase 6 Construction</i> , dated February 9, 2024. This report documents the CQA monitoring activities of Geosyntec for the construction of the FA2, Phase 6 containment cell. This staff letter addresses conditional approval in accordance with Title 27 and WDR requirements for the Phase 6 CQA Report, the construction documented in the Phase 6 CQA Report, and the LSI-3 Water Balance Memorandum. WM must electronically submit to the CVRWQCB staff documentation showing restoration of the operations layer at least 48-hours prior to waste placement and the discharger must resubmit Construction Memoranda #1 and provide documentation to which factor of safety is corrected.
3	Geosyntec	Correspondence July 25, 2024	On behalf of WM, Geosyntec reviewed, revised, and commented on the Conditional Approval Report of CQA for Phase 6 Construction and LSI-3 Water Balance Memorandum prepared by the CVRWQCB.

MONITORING PROGRAM

New or Pending Monitoring Wells

Topics

	From	Format Date	Key Point(s)
4	Geosyntec	Well Installation Report December 15, 2023	<i>The Fill Area 2 Gas Probe and Monitoring Well Installation Report</i> documented the installation and development of six new monitoring wells (MW-49AR, MW-49BR, MW-58, MW-61, MW-62, and MW-63), a multi depth gas probe (UGP-11R), a single depth gas probe (VP-6). The monitoring wells and gas probes were installed in accordance with <i>the Fill Area 2 Soil Gas Probe and Monitoring Well Installation Work Plan</i> approved by the CVRWQCB on July 26, 2021.
5	WM	Well Installation Report August 12, 2024	WM submitted to the CVRWQCB the soil gas probe and monitoring well replacement report for ALRRF prepared by Geosyntec documenting the replacement of FA1 monitoring locations of MW-53 and UGP-16.

MEMO

Exceedances in Monitoring Wells

Topics

6	WM	August 17, 2024	In a July 26, 2024, email message, WM summarized the initial indications of measurably significant results for chemical oxygen demand (COD) observed in FA2 groundwater monitoring wells MW-10 and MW-18. Provided in this response, tables show that resampling performed during August 2024, did not verify the initial statistical exceedance for COD in MW-10, however, the data did partially confirm the statistical exceedance for COD in MW-18 (detected in an August 9 sample, no detect in August 15 sample nor August 15 duplicate sample). WM proposes to conduct a study to determine the nature of the exceedance in MW-18 and prepare an Optional Demonstration Report (ODR) within 90 days of September 11, 2024.
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LIQUIDS MANAGEMENT

Leachate and Liquids Management

Topics

	From	Format Date	Key Point(s)
7	WM	Correspondence June 13, 2024	Submission of the ODR for the presence of VOCs in sample VZM-B (groundwater from unsaturated zone sump under FA2 leachate impoundment LSI-3) by WM to the CVRWQCB per their request.
8	CVRWQCB	Correspondence July 22, 2024	The CVRWQCB reviewed the June 13, 2024 ODR for VZM-B and has provided in this letter their conclusions. The CVRWQCB believes that LFG from FA2 is an unlikely source of the VOCs detected in VZM-B, and that an alternative source may be in part responsible for the VOCs detected in VZM-B, especially given the leaking LSI-3 leachate return pump, observed on May 8, 2024. However, the CVRWQCB does not believe that the variations in organic chemistry and VOC detections between LSI-3 and LS3 and VZM-B exclude LSI-3 as a source of detected VOCs. The CVRWQCB believes LSI-3 is the primary source of VOCs detected in VZM-B. The CVRWQCB has asked WM to provide a work plan no later than August 30, 2024 to continue the proposed assessment of VOCs in VZM-B, and continue to operate the LSI-1, LSI-2 and LSI-3 LCRSs in accordance with Title 27 and the WDRs.
9	SCS Engineers	Correspondence August 30, 2024	On behalf of WM, SCS Engineers submitted this work plan/response to the July 22, 2024 letter from the CVRWQCB that provided comments and requested actions based on review of the ODR (June 13, 2024), that provided an assessment of VOCs detected in the LSI-3 unsaturated monitoring point VZM-B. WM agrees to continue assessing VOCs in VZM-B as well as assessing VOCs in leak detection sump LSI-3 that overlies VZM-B. TBA and tetrahydrofuran continued to be detected in an August 2024 LSI-3 sample. Other previously detected VOCs were not observed. WM has initiated removal of water from VZM-B. Recharge into VZM-B will be monitored and a progress report will be submitted under a separate work cover. Additionally, no VOCs were detected in

MEMO

	From	Format Date	Key Point(s)
			groundwater wells MW-15B, MW-16, MW-17, and MW-18 at the perimeter of LSI-3.
10	SCS Engineers	Correspondence October 17, 2024	In response to the CVRWQCB letter, dated July 22, 2024, this SCS report presents the progress regarding the ODR which provided an assessment of VOCs detected at LSI-3 unsaturated monitoring point VBM-Z. It includes a summary of the purge volumes and analytical results from recent sample collected at VZM-B after sump was purged of liquid, discussion of LS-3 pumping volumes and action leakage rate, and a revised and updated LSI sump liquid evaluation table for each surface impoundment.

OTHER TOPICS

CVRWQCB Inspections

Topics

	From	Format Date	Key Point(s)
11	WM	Correspondence July 30, 2024	After the June 10, 2024, facility inspection, the CVRWQCB submitted a letter announcing two violations and several AOCs concerning ALRRF. WM has responded to the two violations and four AOCs in this correspondence. Each violation and AOC detailed in this letter have been resolved. WM will respond to the remaining AOCs in the timely manner per their Annual Facility Inspection Report.
12	CVRWQCB	Notice of Violation August 5, 2024	The CVRWQCB has issued a NOV for the ALRRF describing the violation as the: discharge of hazardous waste into FA2, a Class III waste management unit and FA2, a Class II waste management unit. WM provided the CVRWQCB with an Improper Disposal Report, self-reporting the acceptance, solidification, and disposal of 10.67 tons of hazardous waste at ALRRF. The waste originated from the PG&E Redwood City Spoils yard. According to PG&E the Clean Harbors Environmental Services erroneously characterized the waste and transported it to ALRRF for disposal on June 25, 2024. A sample collected to assess the nature of the subject waste contained lead with a total threshold limit concentration (TTLC) of 800 milligrams per kilogram (mg/kg) and a soluble threshold limit concentration (STLC) of 44 milligrams per liter (mg/L). The STLC demarcation for lead Hazardous Waste is 5.0 mg/L The waste was then commingled and mixed with treated metal shredding waste for solidification and used as daily cover. The CVRWQCB is requiring WM isolate, remove and properly contain the hazardous waste and arrange for its disposal at a permitted facility to authorize to accept hazardous waste, immediately.

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To: ALRRF Community Monitor Committee

From: Langan – Community Monitor

Date: January 8, 2025

Re: **CMC Meeting of 1/8/25 - Agenda Item 6.5 - Updates on PFAS regulations and monitoring requirements**

PFAS MONITORING

The Committee Members have expressed continued interest in new developments related to per- and polyfluoroalkyl substances (PFAS), in particular to better understand about future requirements that may affect the landfill. Products known to contain PFAS are regularly disposed of in landfills. Two updates were finalized in the second quarter and are summarized in New Information section below.

California and Federal agencies are in the process of evaluating health risks and developing guidance for PFAS, no relevant updates have occurred on PFAS monitoring requirements for landfills.

New Information

No relevant new information to report on PFAS at this time.

Old Information

At the ALRRF, PFAS were sampled in November 2019 in response to the State Water Resources Control Board's (SWRCB) investigative order (WQ 2019-0006-DWQ). The PFAS samples were analyzed by Eurofins TestAmerica in West Sacramento. Total PFAS sample results are presented in Figure 6.4.1, attached to this memo.

Leachate samples for Fill Area 1 reported total concentrations from approximately 21,000 to 26,000 parts per trillion (ppt). Fill Area 2 leachate sample (LS-4) reported concentrations considerably lower, with a total concentration of approximately 2,700 ppt. Trace concentrations (<2.0 ppt) of three PFAS compounds were detected in background monitoring well PC-6B(R), located up gradient of Fill Area 2. Trace concentrations of two PFAS compounds were reported in detection monitoring well PC-1B, located downgradient of Fill Area 2. Monitoring wells MW-4A and MW-13B reported small concentrations of PFAS, with total concentrations of 57 and 98 ppt. PFAS compounds were reported at higher concentrations in groundwater monitoring wells in the previously affected assessment and corrective action areas. In particular, wells E-05 and E-07 reported concentrations of approximately 2,000 and 1,200 ppt, respectively. Concentrations for wells E-20B and MW-20 were 650 and 670 ppt, respectively.

The concentrations reported at the ALRRF were below the maximum concentrations for groundwater and leachate at other landfills covered by the PFAS Order, and within the middle of the range. Neither the SWRCB nor the Central Valley Regional Quality Control Board (CVRWQCB) have requested additional monitoring at this moment.

On May 18, 2022, the U.S. Environmental Protection Agency (EPA) added five PFAS to a list of risk-based values for site cleanups¹. These levels are used by the EPA and other agencies in the investigations of contaminated sites. No updates to the risk-based values have occurred for PFAS since May 2022.

On June 15, 2022 the EPA announced new drinking water health advisories for PFAS². The EPA issued interim, updated drinking water health advisories for two substances and final health advisories for two additional substances. These health advisories inform the maximum contaminant levels allowed in drinking water, and would not have an effect at this moment on landfills.

On August 17, 2022 the Division of Drinking Water presented at the State Water Resource Control Board meeting on the Notification and Response Levels for Perfluorohexane Sulfonic Acid³. There is continued progress through the discussion of this topic from regulatory agencies but at this time no direct regulatory updates have occurred.

On August 26, 2022 the EPA announced under the Administrator Regan's PFAS Strategic Roadmap, significant action to protect communities health from the risks posed by certain PFAS's⁴. The EPA is proposing that PFAS become designated as a hazardous substance under the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), or "Superfund." This would increase transparency around the releases of PFAS and help hold polluters accountable for the cleanup. This proposal applies toward PFOA and PFOS.

On March 14, 2023, the EPA announced proposed national primary drinking water maximum contaminant levels (MCLs) for six PFAS (PFOA and PFOS as individual contaminants, and four contaminants as a PFAS mixture). The proposed regulation would require public water systems to monitor, notify the public of the contaminant levels, and treat drinking water to reduce the levels of these PFAS if they exceed the proposed MCLs⁵. California-specific MCLs for PFAS have not yet been established as of March 2023³, and the proposed regulations do not require any actions until finalized, likely by the end of 2023⁶.

¹ <https://www.epa.gov/risk/regional-screening-levels-rsls-whats-new>

² <https://www.epa.gov/newsreleases/epa-announces-new-drinking-water-health-advisories-pfas-chemicals-1-billion-bipartisan>

³ https://www.waterboards.ca.gov/drinking_water/certlic/drinkingwater/pfas.html

⁴ <https://www.epa.gov/newsreleases/epa-proposes-designating-certain-pfas-chemicals-hazardous-substances-under-superfund>

⁵ <https://www.epa.gov/sdwa/and-polyfluoroalkyl-substances-pfas>

⁶ <https://www.epa.gov/sdwa/and-polyfluoroalkyl-substances-pfas>

⁷ <https://www.epa.gov/risk/regional-screening-levels-rsls-whats-new>

On May 4, 2023, the EPA generated tables that reflect changes in the toxicity and chemical specific parameters per regional screening levels hierarchies⁷. The table compares the previous toxicity database to this new and current table. This update is in response to the Integrated Risk Information System (IRIS) which is a part of the risk assessment process in which hazard identification and dose-response assessment are applied to derive toxicity values.

On February 1, 2024, the Biden-Harris Administration announced new steps to protect communities from PFAS and other emerging chemicals of concern.⁷ The EPA is proposing to modify the definition of hazardous waste as it applies to the cleanups permitted at hazardous waste facilities to ensure the EPA's regulations are clearly reflected and authorizes states authorities to require the cleanup of the full range of substances under the Resource Conservation and Recovery Act (RCRA). The EPA states that the proposed rules would "strengthen protections for communities and drinking water supplies located near the 1,740 permitted hazardous waste facilities across the nation." This would include corrective action under RCRA, requiring facilities that treat, store, or dispose of hazardous waste to investigate and mitigate hazardous releases into soil, groundwater, surface water and air. The EPA will publish the proposals in the Federal Register.

Regarding corrective actions, known technologies for treating PFAS in water include granular activated carbon, ion exchange, and reverse osmosis⁸. Granular activated carbon and ion exchange resins remove chemicals by sorption (the chemical is attached to the media), which reduces concentrations of chemicals in the effluent water of the system. Reverse osmosis removes contaminants by pushing water through a semipermeable membrane, effluent water has less chemicals, and a portion of the water (rejected water or concentrate) is collected for disposal. PFAS do not degrade in the environment, and one of the few technologies that can potentially destroy PFAS is incineration.

On April 10, 2024, the EPA announced the final National Primary Drinking Water Regulation (NPDWR) for six PFAS.⁹ Legally enforceable MCLs for six PFAS in drinking water have been finalized: PFOA, PFOS, PFHxS, PFNA and HFPO-DA and PFBS, using a Hazard Index MCL. The EPA also finalized health-based, non-enforceable MCL goals for these PFAS. The EPA is making funding available to ensure clean and safe water, \$1 billion dollars in funds will be accessible through the new 'Bipartisan Infrastructure Law' helping states and territories implement PFAS testing and treatment at public water systems, and to help private owners of wells address PFAS contamination. The EPA is prioritizing funding based on a formula that includes factors for population below poverty, small water systems, and occurrence of unregulated emerging contaminants.¹⁰

⁷ <https://www.epa.gov/newsreleases/biden-harris-administration-announces-new-steps-protect-communities-pfas-and-other>

⁸ Interstate Technology and Regulatory Council (ITRC), 2022. Treatment Technologies – PFAS — Per- and Polyfluoroalkyl Substances. https://pfas-1.itrcweb.org/12-treatment-technologies/#12_1. Accessed on March 10, 2022.

⁹ <https://www.epa.gov/sdwa/and-polyfluoroalkyl-substances-pfas>

¹⁰ https://www.epa.gov/system/files/documents/2023-02/EC%20Grant%20implementation%20manual_February%202023_final_508_0.pdf

On April 19, 2024, the EPA announced that it was designating two types of PFAS, perfluorooctanoic acid (PFOA) and perfluorooctanesulfonic acid (PFOS) as Comprehensive Environmental Response Compensation and Liability Act (CERCLA) hazardous substances. EPA does not intend to pursue entities such as publicly owned/operated municipal solid waste landfills for PFAS under CERCLA.

On 8 July 2024, the EPA final rule designating two PFAS (PFOA and PFOS), including their salts and structural isomers - as hazardous substances under CERCLA became effective. In response, Langan reviewed the Data Submittal for Compliance with 13267 Order WQ 2019-0006-DWQ prepared by Wood Environment & Infrastructure Solutions, Inc., 2019, on behalf of Waste Management, to understand concentration of CERCLA PFAS at the landfill. This report was produced in response to the State Water Resources Control Board (SWRCB) Order that required groundwater and leachate sampling for per- and polyfluoroalkyl substances.

The SWRCB ESLs for direct exposure human health risk levels (MCL priority) is 6.5 nanograms/L (ng/L) for PFOA and 5.1 ng/L for PFOS. The EPA Final MCLs for PFOA and PFOS are 4 parts per trillion (ppt) or 4 ng/L. These criteria are for drinking water.

PFOA was detected in leachate above the MCL priority at:

- 1,200 ng/L (LS1)
- 59 ng/L (LSI-4)
- 1,600 ng/L (LS2)

PFOS was detected in leachate above the MCL priority at:

- 130 ng/L (LS1)
- 26 ng/L (LSI-4)
- 110 ng/L (LS2)

PFOA was detected in groundwater above the MCL priority at:

- 10 ng/L (MW-13B)
- 10 ng/L (MW-4A)
- 80 ng/L (MW-20)
- 400 ng/L (E-05)
- 150 ng/L (E-07)
- 130 ng/L (E-20B)

PFOS was detected in groundwater above the MCL priority at:

- 110 ng/L (MW-20)
- 36 ng/L (E-05)
- 26 ng/L (E-07)
- 7.9 ng/L (E-20B)

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1814 Franklin Street, Suite 505 Oakland, CA 94612 T: 510.874.7000 F: 510.874.7001

To: ALRRF Community Monitor Committee

From: Langan, Community Monitor

Date: January 8, 2025

Re: **CMC Meeting of 1/8/25 – Agenda Item 6.6 – Reports From Community Monitor**

CLASS 2 SOIL FILE REVIEWS

In accordance with the Settlement Agreement, we reviewed Class 2 Soil Profiles at ALRRF periodically for Class 2 soils accepted from May 2024 through October 2024. A total of 122 profiles were reviewed throughout September and November of 2024 that corresponded to Class 2 soil accepted at the landfill between May 2024 and October 2024. One soil profile was found out-of-compliance.

ALTAMONT MONTHLY OPERATIONS AND RECORDS REVIEW

During the end of the third quarter and fourth quarter of 2024, four site visits were performed by the Community Monitor. In addition to site visits, summaries of LEA inspections available on CalRecycle’s website are reviewed and important issues are highlighted in the monthly reports. The reports in this item include:

- Community Monitor Site Visit for September, which took place on September 26, 2024.
- Community Monitor Site Visit for October, which took place on October 10, 2024.
- Community Monitor Site Visit for November, which took place on November 5, 2024.
- Community Monitor Site Visit for December, which took place on December 6, 2024.

Details about operations-related matters are provided in the attached reports. For the fourth quarter: FA2 Phase 7 construction continues, grading/excavation begins at the FA2 solidification basin area, ALRRF received one AOC.

During the Fourth Quarter of 2024, there was one special occurrence.

ALRRF Community Monitor Monthly Report

Monthly Tonnage Report for September 2024, received October 15, 2024

Tonnage Summary:

tons

Disposed, By Source Location

1.1	Tons Disposed from Within Alameda County	74,946.60
1.2	Other Out of County Disposal Tons	945.31
	subtotal Disposed	<u>75,891.91</u>

Disposed, By Source Type

2.1	C&D	402.94
2.2	MSW	72,824.87
2.3	Special Wastes	2,664.10
	subtotal Disposed	<u>75,891.91</u>

0.00 0.00%

Other Major Categories

2.4	Re-Directed Wastes (Shipped Off Site or Beneficially Used)	0.86
2.5	Revenue Generating Cover	47,137.99
	Total, 2.1 - 2.5	<u>123,030.76</u>

Materials of Interest

2.1.1	Fire Debris	402.94
2.3.1	Friable Asbestos	590.45
2.3.2	Treated Wood	125.58
2.5.1	Class 2 Cover Soils	11,757.64
2.5.2	Auto Shredder Fluff	11,488.87
2.5.3	Processed Green Waste/MRF fines, Beneficial Use (GSET)	0.00
2.5.4	MRF Fines for ADC	122.68

ALRRF Reports from Community Monitor

September 2024

Site Visit September 26, 2024, 9:00 AM – 11:00 PM

- Attended by Megan Rollo (Langan, Community Monitor).
- Escort: Sonam Kaur (Waste Management), unannounced.
- Weather: Cloudy, 63 degrees F.

General Observations

- Traffic to the site was flowing freely through the road and the entrance of the landfill upon arrival. Line of public trucks observed outside FA2.
- The scale houses appeared to be in good condition.

Fill Area 1

- Fill Area 1 (FA1) was observed at the LSI ponds.
- The LSI ponds were in good condition. LSI-2, which holds underdrain and rainwater was observed with 8 feet of freeboard.
- LSI-1, which holds leachate, had 9 feet of freeboard.



Fill Area 2

- Landfill operations were occurring on Phase 6 for commercial and public use.
- Construction occurring at Phase 7.
- Several piles of ADC were observed Phase 5 at time of visit.
- Installation of winterization pad at Phase 4.
- Some birds present.



Solidification Basin

- The CM observed the new location of the FA2 solidification basin from the vehicle and observed that the area has been graded but no construction is underway at time of visit.

Back-40

- Some litter observed in the Back-40 area.



Other Environmental Observations / Issues

- CM and WM visited the SB-F / SB-7 area and observed no construction. Improvements to the basin were observed.

Special Occurrences

- During the month of September there was one special occurrence. At 2:58PM, a third-party customer hauling TASW rolled over in the public area due to an uneven load, despite being directed to the area of the landfill that was evenly graded. The truck rolled over on its right side. The driver did not sustain any injuries from the incident. There was no WM employees involved or any property damages.

ALRRF Community Monitor Monthly Report

Monthly Tonnage Report for October 2024, received November 15, 2024

Tonnage Summary:

		tons	
Disposed, By Source Location			
1.1	Tons Disposed from Within Alameda County	84,413.63	
1.2	Other Out of County Disposal Tons	972.32	
	subtotal Disposed	85,385.95	
Disposed, By Source Type			
2.1	C&D	492.55	
2.2	MSW	79,705.09	
2.3	Special Wastes	5,188.31	
	subtotal Disposed	85,385.95	
		0.00	0.00%
Other Major Categories			
2.4	Re-Directed Wastes (Shipped Off Site or Beneficially Used)	0.00	
2.5	Revenue Generating Cover	79,400.24	
	Total, 2.1 - 2.5	164,786.19	
Materials of Interest			
2.1.1	Fire Debris	492.55	
2.3.1	Friable Asbestos	670.45	
2.3.2	Treated Wood	117.72	
2.5.1	Class 2 Cover Soils	44,796.55	
2.5.2	Auto Shredder Fluff	10,778.26	
2.5.3	Processed Green Waste/MRF fines, Beneficial Use (GSET)	0.00	
2.5.4	MRF Fines for ADC	337.80	

ALRRF Reports from Community Monitor

October 2024

Site Visit October 10, 2024, 12:00 PM – 2:00 PM

- Attended by Megan Rollo (Langan, Community Monitor).
- Escort: Sonam Kaur (Waste Management), unannounced.
- Weather: Cloudy, windy, 66 degrees F.

General Observations

- Traffic to the site was flowing freely through the road and the entrance of the landfill upon arrival. Line of public trucks observed outside FA2.
- The scale houses appeared to be in good condition.

Fill Area 1

- Fill Area 1 (FA1) was observed at the LSI ponds.
- The LSI ponds were in good condition. LSI-2, which holds underdrain and rainwater was observed with 8 feet of freeboard.
- LSI-1, which holds leachate, had 8 feet of freeboard.



Fill Area 2

- Landfill operations were occurring on Phase 6 for commercial use and Phase 5 public use.
- Liner installation observed at Phase 7.
- Two tippers present in Phase 6 at time of visit.
- Several piles of ADC were observed Phase 6 at time of visit.
- Due to wind speeds litter was observed airborne in the area. Observed WM staff actively mitigating this.
- Some birds present.



Solidification Basin

- Solidification Basins appear to be in good condition at time of visit.
- Observed two trucks in area at time of visit.



Back-40

- Litter observed in the Back-40 area at time of visit due to high winds. Active litter crew on-site.



Other Environmental Observations / Issues

- WM has received NOV per an acceptance of Class I Soil which was disposed of and integrated into FA2.
- LEA provided WM with verbal recognition that the July 15, 2024, AOC has been lifted.
- LNG plant has been removed from facility.

Special Occurrences

- No special occurrence occurred during the month of August.

ALRRF Community Monitor Monthly Report

Monthly Tonnage Report for November 2024, received December 15, 2024

Tonnage Summary:

tons

Disposed, By Source Location

1.1	Tons Disposed from Within Alameda County	73,752.27
1.2	Other Out of County Disposal Tons	924.22
	subtotal Disposed	<u>74,676.49</u>

Disposed, By Source Type

2.1	C&D	400.06
2.2	MSW	72,001.98
2.3	Special Wastes	2,274.45
	subtotal Disposed	<u>74,676.49</u>

0.00 0.00%

Other Major Categories

2.4	Re-Directed Wastes (Shipped Off Site or Beneficially Used)	0.00
2.5	Revenue Generating Cover	47,891.98
	Total, 2.1 - 2.5	<u>122,568.47</u>

Materials of Interest

2.1.1	Fire Debris	400.06
2.3.1	Friable Asbestos	924.22
2.3.2	Treated Wood	100.35
2.5.1	Class 2 Cover Soils	16,516.38
2.5.2	Auto Shredder Fluff	11,772.26
2.5.3	Processed Green Waste/MRF fines, Beneficial Use (GSET)	0.00
2.5.4	MRF Fines for ADC	510.82

ALRRF Reports from Community Monitor

November 2024

Site Visit November 5, 2024, 9:00 AM – 12:00 PM

- Attended by Megan Rollo (Langan, Community Monitor), Ryan Hammon and David Madieros (Alameda County LEA).
- Escort: Luis Rocha (Waste Management), unannounced.
- Weather: Partly cloudy, 57 degrees F.

General Observations

- Traffic to the site was flowing freely through the road and the entrance of the landfill upon arrival. Line of public trucks observed outside FA2.
- The scale houses appeared to be in good condition.

Fill Area 1

- Fill Area 1 (FA1) was observed at the LSI ponds.
- The LSI ponds were in good condition. LSI-2, which holds underdrain and rainwater was observed with 9 feet of freeboard.
- LSI-1, which holds leachate, had 10 feet of freeboard.



Fill Area 2

- Landfill operations were occurring on Phase 6 for commercial and public use.
- Construction of Phase 7.
- Observed installation of a new fence at the southeastern area of Phase 7.
- Three tippers present in Phase 6 at time of visit.
- Several piles of ADC were observed Phase 6 at time of visit.
- Many birds present.



Back-40 and Bethanny Reservoir

- Litter crew active.
- Observed a few pieces of litter on the way to Bethanny Reservoir.
- Moderate litter present in the Back-40.
- Observed hole in the fence line at the Back-40. WM is going to fix.





Asbestos Containing Waste (ACW)

- Asbestos present in the waste area.



Other Environmental Observations / Issues

- Luis informed CM that WM has performed excavation and shaping of the new solidification basin area – under current permit issued that is all WM can do at this time.
- Unclear if the LEA has removed their October 15, 2024, AOC after this site visit, as there was some litter present in AOC from the October visit. This report is not online at time of this write up.

Special Occurrences

- No special occurrence occurred during the month of November.

ALRRF Reports from Community Monitor

December 2024

Site Visit December 6, 2024, 9:00 AM – 11:00 PM

- Attended by Megan Rollo (Langan, Community Monitor).
- Escort: Sonam Kaur (Waste Management), announced.
- Weather: Partly cloudy, 55 degrees F.

General Observations

- Traffic to the site was flowing freely through the road and the entrance of the landfill upon arrival.
- The scale houses appeared to be in good condition.

Fill Area 1

- Fill Area 1 (FA1) was observed at the LSI ponds.
- The LSI ponds were in good condition. LSI-2, which holds underdrain and rainwater was observed with 9 feet of freeboard.
- LSI-1, which holds leachate, had 10 feet of freeboard.



Fill Area 2

- Landfill operations were occurring on Phase 6 for commercial and public use.
- Construction of Phase 7.
- Three tippers present in Phase 6 at time of visit.
- Several piles of ADC were observed Phase 6 at time of visit.
- Some birds present.



Solidification Basin in FA2

- Progress to new location of the solidification basins within FA2 is shown below in photograph. WM has permit to excavate and grade area currently. Additional work with require additional permitting and approval by the CVRWQCB.



Back-40 and Bethanny Reservoir

- Moderate litter present in the Back-40.



Other Environmental Observations / Issues

- No other issues to report.

Special Occurrences

- No special occurrences occurred during the month of December.

1814 Franklin Street, Suite 505 Oakland, CA 94612 T: 510.874.7000 F: 510.874.7001

To: ALRRF Community Monitor Committee
From: Langan – Community Monitor
Date: January 8, 2025
Re: **CMC Meeting of 1/8/25 - Agenda Item 6.7 - Topics for 2024 Annual Report**

The draft of the Annual Report for 2024 is attached. The list below summarizes the topics-of-interest for 2024 that were identified by Committee Members. Each of these is addressed or updated in the appropriate section(s) within the reports, and those sections are identified below.

<u>Topic</u>	<u>Section(s)</u>
Fill Area 2 operations and expansion	
Construction Activity during 2024	2.2 – 1 st bullet
Monitoring well replacement	2.2 – 2 nd bullet
Cease and Desist Order (CDO)	2.3.2.2
Fill Area 2 Detection Monitoring Program	
MW-4A Evaluation Monitoring Program	
Fill Area 1 Corrective Action Program	
Solidification basins	
Windblown litter incidents and controls	1.2, 1.4, 2.2, 2.3
ET cover	2.2 – 4 th bullet

Information has been updated through the report to reflect changes that have occurred in this year.

COMMUNITY MONITOR ANNUAL REPORT 2024 ALTAMONT LANDFILL AND RESOURCE RECOVERY FACILITY Livermore, California

Prepared For:

ALRRF Community Monitor Committee

Prepared By:

**Langan CA, Inc.
1814 Franklin Street, Suite 505
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**January 8, 2025
750657605**

LANGAN

TABLE OF CONTENTS

1.0	Introduction	1
1.1	Background: Settlement Agreement.....	1
1.2	Prior Community Monitor Work	1
1.3	Regional Context and Landfill Capacity Needs.....	3
1.4	Site-Specific Constraints and Opportunities	5
1.5	Overview of Operations, Regulations and Permits	6
	1.5.1 Operational Functions and Requirements.....	6
	1.5.2 Requirements for FA2 Development and Use	10
2.0	Community Monitor Activities and Issues	12
2.1	Introduction.....	12
2.2	Monitoring of Improvements and Changes	12
2.3	Compliance and Significant Incidents	14
	2.3.1 Compliance Issues Documented by the LEA.....	17
	2.3.2 CVRWQCB Violations and Concerns.....	18
	2.3.3 Other Incidents.....	23
2.4	Review of Reports.....	23
	2.4.1 Groundwater	23
	2.4.2 Storm Water	24
	2.4.3 Air Quality.....	25
	2.4.4 Mitigation Monitoring.....	25
2.5	Review of Records	28
	2.5.1 Class 2 Soils.....	28
	2.5.2 Special Occurrences Log.....	29
	2.5.3 LEA Inspection Reports.....	29
2.6	Monthly Site Visits	30
2.7	Per- and Polyfluoroalkyl Substances (PFAS) Updates.....	31
3.0	Looking Ahead: Anticipated Efforts and Issues.....	33
3.1	Introduction.....	33
3.2	Issues to be Tracked in 2025	34
	3.2.1 Ongoing Review	34
	3.2.2 Site Assessments	34
	3.2.3 Class 2 Soils File Review.....	35
	3.2.4 Permit Requirements	36

1.0 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 (FA2), adjacent to the existing Fill Area 1 (FA1). 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 2023.

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 (ESA) and Langan (formerly Treadwell & Rollo). This team began work in February 2008. From 2008 through 2019, the team carried out report reviews, Class 2 soil analysis file review, and site inspections as defined in the Settlement Agreement. From 2020, after a public procurement process to select a continuing CM, the CM team of Langan and ESA switched roles, with Langan

as the primary CM and ESA as a sub-contractor to Langan. The CM team continues to carry out report reviews, Class 2 soil analysis file review, and site visits, 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 (AOCs) 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 material¹ 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.

Since mid-2013, the CM's observations and document reviews have included the construction of FA2 and related mitigation measures. The excavation and preparation of the Phase 1 portion of FA2, together with related improvements, were monitored in 2014 and 2015.

In 2015, the Five-Year Permit Review process began when the Alameda County Department of Environmental Health, the Local Enforcement Agency (LEA), requested the ALRRF to submit an application and a revised draft of its Joint Technical Document² (JTD), which contains a detailed description of FA2 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 (CVRWQCB). The Five-Year Permit Review process was completed in 2020. Waste Discharge Requirements (WDRs) and Ceased and Deist Orders (CDOs) were issued by the CVRWQCB in mid-2016.

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.

Throughout this process, the LEA held its permit review in abeyance while CVRWQCB staff prepared, and the CVRWQCB adopted, the WDRs. Subsequently, the LEA's review required more than four years to complete. It was difficult for the ALRRF to refine its JTD to conform to the requirements of the WDRs and subsequent directives from CVRWQCB staff, and the sheer size and complexity of the JTD itself also impeded progress. The JTD, after several revisions, was finalized on April 30, 2020. The Five-Year Solid Waste Facility Permit (SWFP) was finalized and issued on September 2, 2020.

In 2021, as a result of COVID-19 health emergency and the statewide Shelter-in-Place Order issued in early March 2020, the CM site visits were suspended from January through March 2021.

In 2022, FA2 Phase 5 cell and stormwater construction improvements were authorized by the CVRWQCB. These improvements were completed in October 2023. Large winter storms occurred throughout the end of 2022 into the beginning of 2023, causing erosion at the landfill. The CVRWQCB issued 14 AOCs in April of 2023 regarding these erosional areas. WM completed the improvements to damaged areas in September 2023.

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. As of January 1, 2020, the use of green material as alternate daily cover (ADC) does not constitute diversion through recycling and is considered disposal for purposes of measuring a jurisdiction's 50 percent per capita disposal rate.

The 2015-2016 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 similar

materials that readily decompose and produce methane, a potent greenhouse gas). In Alameda County, this material is approximately 30% of the waste stream³⁴.

The two pieces of 2016 legislation with the most direct effect are SB 1383 and AB 901. SB 1383 established 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 changed how disposal and recycling is reported to California Department of Resources Recycling and Recovery (CalRecycle). The intended effect is to provide a more accurate assessment of progress toward State goals. Regulations that implement these measures are now in place, and CalRecycle is providing resource documents and workshops to support implementation⁵.

One result of this activity has been a tangible commitment by waste industries in California to provide additional organics diversion facilities. In Alameda County, two examples are the 500 tons per day Covered Aerated Static Pile (CASP) facility at the ALRRF, and the implementation of 100 tons per day of anaerobic digestion and subsequent composting capacity at the Davis Street Transfer Station. Taken together, these could reduce disposal at the ALRRF by up to 600 tons per day, which would be a 25% reduction in the current rate of disposal there. This reduction may be offset somewhat by the need for disposal of contaminants and oversize materials from compost operations.

Related State legislation passed in the 2017-2018 session provided further support for waste reduction through product stewardship, packaging, and enhanced organics-diversion requirements. The legislation passed in the first year of the 2019-2020 session has continued to focus on product stewardship while also removing some requirements to provide buy-back recycling centers.

Against this backdrop, the ALRRF began operation in FA2 on March 25, 2019. This triggered several constraints on the types, quantities and sources of materials received; these are described in the next section of this report. On April 27, 2022, the CVRWQCB conducted a final inspection and onsite meeting for FA2 Phase 4. Throughout 2022, Phase 4 continued to be the active phase of FA2. In October of 2023, construction at Phase 5 completed and Phase 4 and Phase 5 has been the active phase of FA2.

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.

⁵ <https://calrecycle.ca.gov/organics/slcp/education>, accessed December 2023.

1.4 Site-Specific Constraints and Opportunities

The 1999 Settlement Agreement added constraints on operations, by adding new conditions to the Conditional Use Permit for the ALRRF. Solid wastes from out-of-county sources were 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 (CVRWQCB). This process required several years and concluded in 2012.

Some of these conditions did not take effect until FA2 began to receive refuse, on March 25, 2019. These conditions include limitations on the amounts of sludge, inert waste and special waste accepted from certain Bay Area counties, as well as self-hauled wastes from Contra Costa County. The specific restrictions are:

- Wastes collected for disposal under a municipal franchise may only be received from Alameda County, San Francisco, and the City of San Ramon in Contra Costa County. San Francisco and San Ramon wastes can only be received if those jurisdictions meet specified waste diversion goals.
- Non-franchise waste may only be received for disposal from Alameda County and San Francisco, plus up to 25,000 tons per year of sludge, inert waste and special waste from the other seven Bay Area counties. In addition, up to 25,000 tons per year of self-hauled wastes from Contra Costa County may be disposed.

Also, under the Settlement Agreement 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 Conditional Use Permit conditions, the Settlement Agreement established the CMC and the CM role, as described above; and it established mitigation funding related to the landfill expansion.

The physical setting of the ALRRF site 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 FA1 neared its final elevation, windblown litter continued to be a problem due to the exposure of the landfill's active face to wind. That problem increased through 2019, despite the move to FA2 at a lower elevation. Although the ALRRF's litter collection crew has been able to repeatedly remove litter from large expanses of the ALRRF property, high-wind events in 2019 and 2020 quickly replenished

windblown litter in those areas, requiring repeated cleanups. In 2021, the landfill experienced record wind speeds, exacerbating the existing windblown litter issue further around FA2. As a result, a section of the fencing was knocked down and windblown litter covered large expanses of the ALRRF property as well as neighboring properties, including Bethany Reservoir. The landfill has added additional staff dedicated to litter cleanup, has repaired and increased the perimeter fencing downwind of FA2, and is communicating frequently with CalRecycle and the LEA to provide updates on removal of the windblown litter. In 2022, the LEA and CVRWQCB issued violations for windblown litter, these violations were resolved, and additional litter fences were constructed. On January 5, 2023, the CVRWQCB issued a resolution letter to the Investigative Order R5-2021-00817, that required windblown litter cleanup reporting, indicating that WM reporting obligations under this Investigative Order were complete. The CM provides an updated table of the CVRWQCB requests in the quarterly packets, including the requirements outlined in the Cease-and-Desist Order (CDO) R5-2021-0020, AOCs and Violations from inspections, the expected completion timeline and progress that has been made on each item.

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 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 (BAAQMD) 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);
- Stockpiling and processing materials for beneficial use on site, such as using demolished 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 FA1 and FA2. FA1 covers approximately 235 acres, including an Asbestos-Containing Waste landfill operation which occupies several acres within the FA1 footprint. The FA2 footprint is approximately 250 acres. Although refuse and cover material are currently being delivered to FA2, FA1 has not closed, and it will likely receive additional refuse to reach its permitted final elevation. It is currently the site of the active asbestos landfill and two solidification basins. The process to relocate the solidification basins to FA2 began in 2024.

Lands surrounding FA1 and FA2 are mainly grazing land and some construction-support activities related to the continuing construction of FA2, which will take place in phases over several years. These surrounding lands include a Conservation Plan Area, protected with a permanent easement that provides 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 (SWRCB) 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 CVRWQCB issues and administers the 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 CVRWQCB 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 CVRWQCB posts on its GeoTracker web site⁶.

1.5.1.2 Air

The 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 (GHG) emissions, as required by Federal regulations. The most recent data available, for 2023, indicate that the ALRRF is the third highest GHG-emitting landfill in California, with 38,055 metric tons of total carbon dioxide ("greenhouse gas as carbon dioxide equivalent") emitted, behind the Kiefer Landfill in Sacramento County (116,288) metric tons of carbon dioxide emitted) and the Puente Hills landfill in Los Angeles County (102,626) metric tons of total carbon dioxide emitted).⁷

1.5.1.3 Disposed Wastes

Two agencies regulate solid waste disposal in Alameda County. At the county level, the LEA, and at the State level, CalRecycle which supports and oversees the LEA. The LEA is the main

⁶ ALRRF's profile can be accessed through:
https://geotracker.waterboards.ca.gov/profile_report?global_id=L10005834311

⁷ Air Resources Board file <https://ww2.arb.ca.gov/mrr-data>, accessed December 14, 2023.

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 required by 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. The CM conducted 12 site visits in 2024 as required by the scope of work. Section 2.1 provides more details. Two of the 12 CM site visits in 2024 were performed with the LEA. The CM also reviews the LEA's monthly inspection reports which are publicly available on the CalRecycle web site⁸.

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 site visits, 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. In April 2018, the ALRRF began operation of its CASP compost facility northeast of FA1. Currently, Waste Management's position is that the CASP facility is not within the purview of the CMC. However, the CMC has taken the position that the additional permit *is* within its purview.

1.5.1.5 Waste Diversion Requirements

At the local level, the Alameda County Waste Management Authority and the Alameda County Source Reduction and Recycling Board formed StopWaste as a joint powers agency to pursue local and state waste reduction and diversion goals. StopWaste has implemented mandatory separation of recyclables and compostables at businesses and multifamily properties throughout the county, and it provides public education, training and other assistance. In addition, StopWaste

⁸ ALRRF CalRecycle profile can be accessed through:
<https://www2.calrecycle.ca.gov/SolidWaste/Site/Summary/7>.

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.

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.

1.5.2 Requirements for FA2 Development and Use

1.5.2.1 Background

In 2011, the last major permits for the development of FA2 were obtained after agreement was reached between regulatory agencies and WMAC regarding mitigation for the loss of a wetland channel and the loss of habitat for special status species. Mitigations were established through Alameda County Conditional 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 (USFWS), which consulted on wildlife protective measures.
- CVRWQCB, which certified that the mitigations would protect water quality.
- California Department of Fish and Wildlife (CDFW), which concurred with the USFWS' Biological Opinion and placed specific conditions on work in the wetland channel.

The fundamental requirements of these permits are:

- The dedication of 750 acres of ALRRF land as a Conservation Easement, in perpetuity.
- The creation of additional wetlands, in the form of a new pond between FA2 and the Eastern Alkali Wetland.
- The enhancement of a riparian channel approximately the same size as the channel to be displaced by FA2.

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 fourth federally threatened species is the valley elderberry longhorn beetle. ALRRF has no direct or indirect adverse effects toward this species. 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 CDFW with as much as \$50,000 to perform the study. With the approval of the Service and CDFW, 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 CDFW Consistency Determination.

1.5.2.3 Current Status

The wetland mitigation pond built in 2013 was damaged by sediment inflow due to unusually heavy rainfall in early 2014. To remedy this, ALRRF purchased off-site wetland channel mitigation credits from the Cosumnes Floodplain Mitigation Bank in southern Sacramento County and had the pond rebuilt and replanted in 2018. In late 2018 the very extensive sedimentation basin SB-

H was constructed between the pond and Fill Area 2. In 2021 and 2022, the wetland mitigation pond was irrigated, shallow water was observed in the pond and vegetation grew. In the first quarter of 2023, winter storms caused large erosional damage to the SB-H culvert and waterway system at the mitigation pond. The event deposited sediment into the mitigation pond. The area has since been re-constructed. By the end of 2023, the mitigation pond had increased in water quantity. This carried into 2024, as the mitigation pond benefitted from an increased quantity of water, which was observed in the pond, as well as birds and amphibious life.

In 2024, the CM reviewed a summary report describing wetland and wildlife mitigation activities and issues. Wetland and wildlife mitigation activities continued in 2024 with monitoring of construction areas and wildlife protection measures (e.g., relocating sensitive species such as California Tiger Salamander, when encountered). In 2024, the CM received and reviewed the 2023 Annual Status Report by Kleinfelder that describes conservation activities.

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

2.0 COMMUNITY MONITOR ACTIVITIES AND ISSUES

2.1 Introduction

Under the Settlement Agreement, the CM has three ongoing duties:

- Review reports, data and information that are required to be submitted by WMAC 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)

2.2 Monitoring of Improvements and Changes

Through report reviews and site visits, several new developments in ALRRF facilities and operations were monitored in 2024:

- Correspondence on February 21, 2024, by the CVRWQCB, detailed the review of the *Updated Monitoring Program Technical Memorandum* prepared October 2, 2023. This

memorandum discusses the landfill's groundwater monitoring well networks: FA1, FA2, LSI-1, LSI-2, and LS-3, along with their designated monitoring program. These monitoring programs include detection monitoring, corrective actions monitoring, and 5-year detection monitoring. Additionally, the memorandum discusses WM proposed method for calculating inorganic intrawell concentration limits, concentration limits for anthropogenic constituents and calculating FA2 intrawell sample quantities.

- On April 23, 2024, a staff letter presented by the CVRWQCB details the revisions to the report submitted by WM on February 23, 2023, *Fill Area 2 Revised Configuration for Phase 7, Destroy and Replace Monitoring Well MW-53 and Gas Probes UGP-16S/D*, which outlines proposed revisions to the layout of Phase 7 in FA2. As detailed in the May 20, 2024, staff letter by the CVRWQCB, CVRWQCB staff reviewed and conditionally approved the *Report of Construction Quality Assurance Phase 6 Construction*, dated February 9, 2024. This report documents the CQA monitoring activities of Geosyntec for the construction of the FA2, Phase 6 containment cell. This staff letter addresses conditional approval in accordance with Title 27 and WDR requirements for the Phase 6 CQA Report, the construction documented in the Phase 6 CQA Report, and the LSI-3 Water Balance Memorandum. WM must electronically submit to the CVRWQCB staff documentation showing restoration of the operations layer at least 48-hours prior to waste placement and the discharger must resubmit Construction Memoranda #1 and provide documentation to which factor of safety is corrected. On July 25, 2024, on behalf of WM, Geosyntec reviewed, revised, and commented on the Conditional Approval Report of CQA for Phase 6 Construction and LSI-3 Water Balance Memorandum prepared by the CVRWQCB. On August 12, 2024, WM submitted to the CVRWQCB the soil gas probe and monitoring well replacement report for ALRRF prepared by Geosyntec documenting the replacement of FA1 monitoring locations of MW-53 and UGP-16.
- In the 12 months from June 2023 through May 2024, seven poorly performing landfill gas wells were decommissioned, and 17 new landfill gas extraction wells were brought online. Wells with higher-than-normal gas temperatures were monitored for possible subsurface combustion. A total of seven existing wells were decommissioned, i.e., shut down and disconnected from the gas extraction system because they had become unproductive. During surface emission monitoring, there were 23 exceedances of the 500 parts per million by volume (ppmv) methane threshold total. All the corrective actions to block these emissions were successful and passed their 10-day and 30-day follow-up tests. Methane exceeding regulatory threshold of 5% was not found in any of the 50 perimeter probes installed around Fill Areas 1 and 2. Probe GP-20C and probe GP-8C, both have historically had higher methane values that have been proven to be naturally occurring and not related to landfill operations. No exceedances were detected during this monitoring event. The landfill gas wells nearest to groundwater monitoring wells E-05/E-07, E-20B, and MW-4A continued to be operated. This was an effort to prevent landfill gas from reaching those groundwater wells, where low concentrations of VOCs have been detected. Currently the operating emission control devices for landfill gas at

the ALRRF consist of two turbines (S-6 and S-7) and two flares (A-15 and A-16). The two turbines were tested for compliance with emission limits in December 2023, while the main flare, A-16, and the back-up flare, A-15, and were tested in March 2024. All four devices passed by the BAAQMD under Permits (8-34-301.4) and Condition Number (19235).

- On August 13, 2024, the *Final Report, Evapotranspirative Cover (ET cover) Demonstration*, prepared by Geosyntec, on behalf of WM, was submitted to the CVRWQCB after the completion of the 4-year demonstration and monitoring project following the ET cover construction in 2018. The report concludes that the 10-acre ET cover performed well over the demonstration period. Geosyntec notes that the ground surface conditions, vegetation and stormwater feature all required minimum maintenance. There was no observed erosion, minimal cracking, and no observed ponding. Geosyntec states that the results of the demonstration show that the ET cover will isolate the landfilled waste from precipitation water at least as well as the applicable prescriptive cover, satisfying the alternative cover requirement of the Title 27, Section 21090(a). Additionally, the cover meets the overall performance goals of the project: to isolate wastes from the environment, minimize infiltration, promote healthy vegetation, and reduce erosion.
- The Mitigation Pond had water present during the site visit conducted in April of 2024. Langan and ESA observed the completed repair of the erosion feature at the northwest boundary of the mitigation pond and at the Basin H stormwater culvert as the result of winter 2022 and 2023 storms. The restoration activities included removal of eroded sediment from the pond and reinstallation of perimeter fencing.
- The windblown litter issue remained similar to 2023 during 2024. The LEA issued an AOC on July 15, 2024, and October 15, 2024, as litter was observed on the neighboring properties around the Back-40 access roads leading to Bethany Reservoir. In both cases, WM cleaned up the litter and the AOCs were removed.
- In the period from January through November 2024, the ratio of **Class 2 cover soil** to municipal solid waste increased to 22% from 21% in 2024.

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, and 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
- 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; issues from 2018-2024 are shown in Table 2-1, below. Persistent issues appear in the upper part of the table, followed by infrequent or one-time issues. Past issues from 2011–2017 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.

**Table 2-1
 Compliance Issues Ranked by Severity**

Issue	2018	2019	2020	2021	2022	2023	2024
Contamination at E-05, E-07, E-20B	2	2	2	2	2	2	2
Stormwater contamination	3	3	2	2	1	1	1
Windblown Litter	3	4	3	5	4	3	3
Birds	2	2	2	2	2	2	1
Erosion	-	3	2	2	1	2	2
Cover thin / absent	-	1	1	1	2	-	5
Worker injury	-	1	1	-	-	-	-
Condensate/Leachate Leakage	3	3	2	2	2	2	3
Ponding in low-lying area of landfill	1	2	2	2	1	1	5
Sediment in Wetland Mitigation Area	-	-	-	-	-	2	1
Odor, on site	-	1	-	-	-	-	-
Leachate Seeps	-	4	2	2	1	1	1
Erosion control (sitewide)	-	3	2	1	1	2	1
Waste outside active area (trash, pallets)	-	-	-	-	-	2	2
Leachate Leak Disposal	-	-	-	-	3	-	-
Contaminants at monitoring well MW-4A	-	-	-	3	2	1	1
Contaminants at monitoring well MW-38	-	-	-	-	2	1	1
Windblown litter beyond last litter fence	4	2	2	5	3	3	3
Disposal of liquid into pond without prior approval	4	5	2	-	-	-	-
Lack of means to record liquid level in ponds [cleared]	4	-	-	-	1	-	-
Failure to monitor landfill gas well	4	-	-	-	-	-	-
Incomplete groundwater monitoring report	4	-	-	-	-	-	-
Liquid separation not implemented, Fill Area 1	-	4	-	-	-	-	-
Medical waste (sharps) manifest issue	-	-	2	-	-	-	-
Totals	44	40	27	29	28	25	32
Issues Beyond Control of / Refuted by ALRRF							
Truck overturn	3	2	2	2	2	1	2
Methane Gas at Perimeter Probe(s) [cleared]	-	4	4	-	-	-	-
Fire in refuse &/or stored material	-	3	3	3	-	-	1
Fire on ALRRF property, outside active areas	2	3	2	-	1	-	1
Positive COVID case	-	-	-	1	1	-	-

 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.
- : Not applicable/not evaluated

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 CVRWQCB's position appears to be that ALRRF is responsible, nevertheless.

The total severity score for 2024 is higher compared to 2023.

One incidents of particular concern occurred in 2024:

- **Windblown Litter.** This may be the single most persistent problem at the ALRRF. With the move of refuse fill operations from the FA1 hilltop into the FA2 canyon, additional fencing lining the perimeter of FA2 and the site, a reduction in windblown litter was expected. Windblown litter dispersed across site remained consistent from 2023 through 2024. In 2024, during site visits, often windblown litter was observed in the Back-40, or on the roadways or sloped areas near the Bethany Reservoir when visited with LEA. ALRRF received two AOCs from the LEA due to significant amounts of windblown litter deposited outside of the property. An internal litter cleanup crew remains a part of the ALRRF work force. When necessary, the crew removes litter from neighboring properties to the east of the ALRRF. This is described further in Section 2.2 above and Sections 2.3.1 and 2.3.2.1 below.

2.3.1 Compliance Issues Documented by the LEA

In 2024, two AOC notices were issued by the LEA. LEA inspection reports indicate concerns about the following:

- **Windblown Litter:**
 - On July 15, 2024, LEA staff conducted an inspection of the ALRRF and observed significant amounts of windblown waste on the neighboring properties around the Back 40 or the access roads/slopes leading to the Bethany Reservoir. Onsite accumulations of litter and offsite migration of litter, as observed during inspections, is not permitted on the California Code of Regulations.
 - On November 15, 2024, LEA staff conducted an inspection of the ALRRF and observed significant amounts of windblown waste on the neighboring properties around the Back 40 or the access roads/slopes leading to the Bethany Reservoir. The LEA also observed an accumulation of litter inside the fence of the electrical substation during this inspection. WM stated they require approval and accompaniment to access and clean the inside of the substation. Onsite accumulations of litter and offsite migration of litter, as observed during inspections, is not permitted on the California Code of Regulations.

2.3.2 CVRWQCB Violations and Concerns

2.3.2.1 2024 Violations

During 2024, there were two Violations issued by the CVRWQCB.

On June 10, 2024, the CVRWQCB conducted an inspection of the Altamont Landfill. The report provides a summary of inspection and outlines the Notice of Violation and steps issued as required to maintain compliance with the WDRs and Title 27. The requirements under the Notice of Violation issued are listed below:

1. Ensure leachate returned to FA1/Unit 2 for dust control is applied at the minimum amount necessary for dust control.
2. Submit a proposal and timeline to install containment system for the leachate collected at Seep B and C collection point to prevent discharge and ponding of leachate atop FA1/Unit 1.
3. Document the removal of ponded leachate and leachate stained/impacted daily or intermediate cover soil from atop FA1/Unit 1 and FA2/Unit 2, as well as soil replacement, with clean soil, and regrading to ensure adequate cover thickness and drainage.
4. Ensure daily cover is applied across all waste at least every 6.5 days.

WM has resolved the June 10, 2024, Notice of Violation.

On August 5, 2024, the CVRWQCB conducted an inspection of the Altamont Landfill. The report provides a summary of inspection and outlines the Notice of Violation and steps issued as required to maintain compliance with the WDRs and Title 27. The requirements under the Notice of Violation issued are listed below:

1. Isolate, remove, and properly contain the hazardous waste and arrange for its disposal at a permitted facility authorized to accept hazardous waste.
2. Submit a report documenting the offsite disposal of the hazardous waste at a permitted facility authorized to accept hazardous waste.

WM has resolved the August 5, 2024, Notice of Violation.

2.3.2.2 2024 Areas of Concern

On June 10, 2024, CVRWQCB conducted an inspection of the Altamont Landfill. The report provides a summary of inspection and outlines Areas of Concern, required to maintain compliance with the WDRs and Title 27. WM has resolved these Areas of Concern, and they are listed here as for reference. The Areas of Concern included in the report are listed below:

- 1) A broken LFG extraction line was observed atop LF-1.
- 2) While flowing into the basin, free liquid was observed just outside of the limits of the Yellow Flag Solidification Basin.
- 3) Windblown waste was observed well outside the southern and western limits of FA2, and as far south as the SB-H outfall spillway, and as far east as the SP-F outfall spillway.
- 4) The leachate return pump, which pumps leachate from LSI-3 back up to a J-stand near the top of FA2 was leaking, the temporary plastic catch basin installed to contain the leak was full of leachate, and leachate was spilling out of the full catch basin onto the ground.
- 5) An area of settlement and ponding was observed along the eastern side of Maintenance Shop in FA1/Unit 1.
- 6) Poor drainage and ponding were observed on benches along the southwestern corner of FA1.
- 7) An area of erosion, with cuts at least a foot deep into the cover, were observed along the southwestern side slope of FA1/Unit2.
- 8) An area of ponded storm water was observed east of the Blue Flag Basin due to poor grading.
- 9) The storm water discharge path off the eastern side of FA1 to storm water basin SB-H contained a significant amount of vegetative debris, Altamont Landfill.
- 10) An area of settlement and former ponding was observed near the southeastern side of the 10-acre ET cover demonstration project (Figure 49).
- 11) The freeboard markings on LSI-1 (Figure 44) and LSI-3 (Figure 74) were barely readable.
- 12) Neither of the soil gas monitoring probes observed, UPG-10 and VP-6, were properly secured (Figures 81 and 82). In contrast, all observed groundwater monitoring wells were properly labeled and secured.

13) Combined Violation 2, Area of Concern 3, as well as the substantial amount of windblown litter observed across the facility outside the active disposal face constitute a failure to implement good housekeeping BMPs in accordance with the Industrial Stormwater Programs, Industrial General Permit (IGP). As explained in the IGP, the Discharger is required to:

- a. Observe all outdoor areas associated with industrial activity; including storm water discharge locations, drainage areas, conveyance systems, waste handling/disposal areas, and perimeter areas impacted by off facility materials or storm water run-on to determine housekeeping needs. Any identified debris, waste, spills, tracked materials, or leaked materials should be cleaned and disposed of properly.
- b. Cover all stored industrial materials that can be readily mobilized by contact with storm water.
- c. Contain all stored non-solid industrial materials or wastes (e.g., particulates, powders, shredded paper, etc.) that can be transported or dispersed by the wind or contact with storm water.

WM is actively implementing AOC actions that require continuous implementation or have otherwise resolved AOCs.

2.3.2.2 CDO

The CVRWQCB issued CDO R5-2021-001 for the ALRRF on April 22, 2021. In the CDO, the CVRWQCB alleged the ALRRF was being operated outside of applicable federal and state regulations, and the WDRs. The CDO provided a list of various items the Discharger (ALRRF) performed out of compliance and provided a time schedule with specific requirements to that compelled the Discharger to resolve past compliance issues, achieve compliance with Title 27 and the WDRs, and conformed to its Notice of Applicability (NOA) in a time frame acceptable to the CVRWQCB. The items identified were not new and had been discussed during the past years with the CM, but the CDO raised the severity of the issues. Between 2021 and 2024, WMAC has resolved most of the issues raised by the CDO as reported below.

Requirements Outlined in the CDO include the following:

Implementation of FA2 Unit 1 Detection Monitoring Program

The CDO requires the Discharger to implement a CVRWQCB approved detection monitoring network. The Discharger has proposed and installed monitoring devices for FA2, nevertheless the CDO notes that it does not meet all the requirements outlined in the WDRs.

The following actions were requested to resolve this item:

- Installation of interim point of compliance (POC) wells in FA2 Unit 1, which will continue while FA2 is being expanded.
- Installation of final permanent FA2 limit wells, which has been completed.
- Implementation of a Water Quality Monitoring and Response Program for FA2 Unit 1.

MW-4A Evaluation Monitoring Program

In May 2017, MW-4A, located in the northeastern limit of FA1, reported exceedances of bicarbonate, calcium and five VOCs. Additional sampling confirmed a release in this area, which has been attributed to landfill gas. The Discharger has implemented focused extraction of landfill gas in this area and conducted additional investigation to define the extent of the release.

Continued implementation of the FA1 Corrective Action Program

The Discharger has chosen landfill gas extraction as the corrective action measure to address landfill gas effects. The CDO requires continued implementation of the Corrective Action Program, and to submit the following:

Report outlining the Corrective Action Program (landfill gas extraction). Starting with the Second Semiannual 2021 groundwater sampling event, a Corrective Action Status Reports have been submitted to the CVRWQCB to document the effectiveness of the Corrective Action Program.

Continued operation of solidification basins

Title 27 and the WDRs require that the solidification process does not result in the introduction of liquids into a solid waste management unit (WMU) in excess of the moisture holding capacity of the unit. The solidification basins at ALRRF are operated atop of FA1 Unit 2. These solidification basins do not comply with the WDR requirements. To bring this item back into compliance, the CVRWQCB included the following requirements in the CDO:

- The operation of the two solidification basins atop of FA1 Unit 2 can continue until new solidification basins are constructed.

- The new solidification basins shall be moved outside of the existing WMUs, shall be completed as double lined containment systems, with a leachate recovery system (LCRS) installed between the liners, and a monitoring system.

On October 19, 2021, in accordance with the CDO, Golder Associates Inc. (Golder) prepared the Report of Waste Discharge (ROWD) for the proposed concrete-lined, Solidification Basins that will be re-located near Fill Area 2 (FA2) at the ALRRF. The basins will be constructed as Class 2 liquid waste management units and will be underlain by a geomembrane liner to provide a double containment system with a leachate collection and recirculation system (LCRS). A pan lysimeter will be constructed underneath the sump. On November 8, 2022, a monitoring plan for the solidification basins was prepared by Geosyntec. On August 29, 2023, the CVRWQCB issued tentative Waste Discharge Requirements (WDRs) and monitoring program for the proposed Solidification Facility. WM provided comments, and the CVRWQCB responded to the comments on November 29, 2023. A public hearing was scheduled for December 14/15, 2023. Once all the permitting is approved by the CVRWQCB, the construction of the new solidification basins can be completed. During 2024, permitting by the CVRWQCB was issued to the landfill to perform grading of the new solidification area basin. Additional permitting must be granted in order for additional construction of the area.

Water Board Tracking Timeline

The timeline for the requirements and deliverables requested in the CDO are summarized below:

- Work plan to install the soil gas monitoring wells (interim and final) for FA1 and FA2 no later than 90 days after adoption of the CDO.
- Report installation within 60 days of installing any new groundwater monitoring well or soil gas monitoring well.
- Work plan to conduct surface water monitoring for surface water flowing out of FA2 no later than 90 days after adoption of the CDO.
- Notify the CVRWQCB 30 days prior to removal of interim monitoring devices.
- Document the results of the MW-4A evaluation monitoring program (including groundwater and soil gas sampling) in separate Corrective Action Progress reports to be submitted semi-annually by 1 August and 1 February each year.
- Report the installation and operation of new off-waste footprint solidification basins no later than 12 months from approval of the Report of Waste Discharge (depending on approval), 2024.

The majority of the tasks listed in the CDO have been completed on or before the due date included in the CDO. However, some items have not been completed; this issue will continue to

be tracked. The CM presents a table that lists updates of the requirements outlined in the CDO, the expected completion timeline and progress that has been made on each item on each quarterly packet.

2.3.2.4 Other Concerns

Several open issues had arisen between the ALRRF and the CVRWQCB since the current WDRs were finalized in July 2016. Most of these issues were included in the CDO issued by the CVRWQCB in 2021 and described in section 2.3.2.3.

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 Vehicular Incidents

Within the ALRRF operating area, four dump-trucks and one ADT overturned during 2024. One injury was reported.

2.3.3.2 Fire

One fire occurred on site in 2024.

2.4 Review of Reports

2.4.1 Groundwater

Two groundwater monitoring reports were reviewed in 2024. The first covered the period from July through December of 2023; the second covered January through June of 2024.

The data in these reports indicate that most monitoring wells with VOC contamination are still fluctuating. In the Second Semiannual 2023 sampling event, it appears VOCs are decreasing over time, including VOCs previously detected in E-05R at high concentrations. In the First Semiannual 2024 sampling event, it appears that VOCs are continuing to decrease over time. These trends will continue to be tracked.

Reoccurring statistical exceedances of concentrations of inorganic constituents (chemical oxygen demand, dissolved calcium, chloride, sulfate, total dissolved solids, and bicarbonate alkalinity) continued through 2024. This appeared in MW-2, MW-8A, MW-10, MW-18, MW-62 and PC-2A as reported in the First Semiannual 2024 Report. MW-8A, MW-8B and PC-2A are a part of a group of wells that have experienced changes in inorganic groundwater chemistry starting as early as 2018. An evaluation of potential sources of the water quality changes was conducted for these

wells, which determined the changes were due to storm water effects and not a release from the landfill (Geosyntec, 2020). WMAC has continued to report water quality data for all three wells in accordance with the 2016 WDR/MRP.

VOCs detected in corrective action monitoring wells E-05, and E-07, were generally consistent and within the ranges of previous detections observed at these wells. E20-B had a slight increase in detected concentrations than previous detections observed in the well. No VOCs were detected in E-03A, E-21, or E-23 located downgradient of E-05 and E-07. None of the VOCs that have historically or currently been detected in E-20B were detected in downgradient monitoring well MW-27 during this, or any previous, reporting period. LFG-related VOCs continue to be detected in POC monitoring well MW-38. On February 15, 2022, the CVRWQCB indicated that the monitoring of water quality in the MW-38 area (including newly installed downgradient well MW-53) should be included in the CDO status report for corrective action areas. The amended AROWD that combined the corrective action areas on the eastern side of FA1 into one Corrective Action Program was submitted on March 20, 2023. No VOCs were detected at MW-4A. The concentrations of bicarbonate alkalinity at MW-4A have fluctuated from slightly below to slightly above the statistical concentration limit.

2.4.2 Storm Water

During the Second Semiannual 2023, no VOCs were detected in sedimentation basin samples from InBasinC, InSB-E, InSB-F, or InSB-H. InBasinA sample had one VOC, acetone, at an above reporting limit concentration. No other VOCs were detected InBasinA. Acetone has been detected at similar levels in past samples from this sample point.

During the First Semiannual 2024, no VOCs were detected in sedimentation basin samples from FA2 Storm Water Retention Basin F (InSB-F), or Basin H (InSB-H). BasinC sample had a recurring concentration of acetone (15 micrograms per liter [$\mu\text{g}/\text{l}$]), above the reporting limit of 10 $\mu\text{g}/\text{l}$. The InBasinA and InSB-E samples each had a below reporting limit VOC detection of tert-butyl alcohol and toluene. No other VOCs were detected in InBasinA, InBasinC or InSB-E. Tert-butyl alcohol has been detected at similar levels in past samples from InBasinA. Although toluene has not been previously detected in samples from InSB-E, similar concentrations of toluene have been observed in past samples from other surface water monitoring points and in field equipment blanks associated with sampling in May 2024. Per the WDR, a single below reporting limit VOC species is not considered an initial indication of the presence of VOCs and no further actions are required.

ALRRF conducted a study on potential sources for these VOCs and it has not identified any industrial sources at the site for the 2023 Second Semiannual nor 2024 First Semiannual reporting.

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 2024, the CM received the Title V reports for the periods June – November 2023, and December 2023 – May 2024. 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:

- 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 2023 – November 2023, 2 landfill gas wells were decommissioned, and 5 new wells were installed and began operation.
- From December 2023 – May 2024, 5 landfill gas wells were decommissioned, and 12 new wells were installed and began operation.
- The operating emission control devices for landfill gas at the ALRRF consist of two turbines (S-6 and S-7) and two flares (A-15 and A-16). For both monitoring periods, the two turbines and two flares were tested for compliance with emission limits. All four devices passed by the BAAQMD Permit 8-34-301.4 and Condition Number 19235.
- Throughout both monitoring periods, the landfill gas wells nearest to groundwater monitoring wells E-05/E-07, E-20B, and MW-4A continued to be operated with as much vacuum as they would tolerate without pulling in air from above the ground surface. This was an effort to prevent landfill gas from reaching those groundwater wells, where low concentrations of VOCs have been detected.

2.4.4 Mitigation Monitoring

The Mitigation Monitoring and Reporting Program Annual Progress Report, covering calendar year 2023, was reviewed by the CM during the second quarter of 2024. 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.

- Condition 4.4: After the Expansion Date, the amount of sludges, inert waste, and special waste accepted for disposal at ALRRF from outside Alameda County and San Francisco shall not exceed 25,000 per calendar year, and no such waste shall be accepted from outside the Nine Bay Area Counties. The "banking" and "major event" provisions and exceptions set forth in Condition No. 4.3 above shall not apply after the Expansion Date. The site received 15,428.10 tons in 2023, staying below the 25,000 tons/calendar year.
- Condition 18: The mitigation program shall be monitored annually for five years (minimum, or a period agreed upon by the operator in consultation with FWS and DFG) after implementation to assure the success of the mitigation, as determined by evaluation of performance standards and success criteria based on FWS and DFG requirements and standards. If at any point during the five-year monitoring period, the mitigation plan is judged to have not been successful, the mitigation shall be reinitiated, after modification as necessary, and monitored for a succeeding five-year period. Implementation activities will be monitored annually for the first five years after implementation to verify that California DFG and USFWS approved performance standards and requirements have been met. The monitoring period was restarted due to damage to the wetland area. There was wetland damage in winter 2022-2023 that was rectified last summer and cleared by the biologist.
- Condition 26: Reports for Phase 6 post-construction report along with prior post-constructions will be submitted in 2024.
- Condition 29: The operator shall monitor the replacement wetlands after they are created to assess whether they are meeting the performance standards in the approved Wetlands Mitigation Plan. Such monitoring shall be conducted for five years or until performance standards are met, whichever occurs first. ALRRF will conduct monitoring of replacement wetlands in accordance with the Wetlands Mitigation Plan. Monitoring will be conducted for a minimum of 5 years from implementation or until performance standards are met. There was wetland damage in winter 2022-2023 that was rectified last summer and cleared by the biologist.
- Condition 36: The operator shall fence the area to keep livestock out of the alkali sink. Fencing was installed to restrict cattle access to the alkali wetlands in 2019. Conservation

Easement recorded (May 2012). Mitigation Plan implementation began in 2013. Fencing of the alkali wetland located next to the mitigation wetland was completed in 2019.

- Condition 47: During Phase 6 mass excavation, several seeps were noted along the first slope of the western sideslope. Three “fingerdrain” trenches were excavated to capture water from three seeps, as well from two moist ground areas; the trenches were backfilled with underdrain gravel enclosed in geotextile fabric, which drain to the underdrain piping at the toe of the slope. The pipes that collect seepage from Springs 1 and 2 were extended to discharge beyond the Phase 6 cell.

In addition to the Annual Progress Report described above, in prior years 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. In 2024, CM received the Status Report for Mitigation Wetland Report (prepared by Kleinfelder in previous years) which documents the impacts to wetlands and special-status plant and wildlife species known in the Fill Area 2 expansion area. Kleinfelder noted that:

- All performance standards (PS), except for PS-6, PS-9, and PS-11, are being met.
- The mitigation pond provides breeding habitat for California tiger salamander (CTS) and California red-legged frog (CRLF) and both species have been observed in the pond.
- The other ponds in the conservation plan area (CPA) are also flourishing and provide a breeding habitat for these species.
- Over the last ten years, in addition to the mitigation pond, CTS and/or CRLF have been observed in stockpond-6 (SP-6), SP-8, SP-9 and SP-11.
- All ponds except for SP-7 are meeting successful criteria outlined in Performance Standard 3.
- No non-native predators were observed in any ponds in 2023.
- Kleinfelder recommends: the removal of all populations of artichoke thistle, tamarisk populations in the CPA, removal of the Peruvian pepper tree in the northeastern corner of the CPA and Russian olive tree in the northwestern portion of the CPA.

2022 Annual Progress Report for the Evapotranspirative Cover report prepared by Geosyntec documents observations, maintenance, and data analysis regarding the performance of the Evapotranspirative Cover, and the inspections performed through the end of 2022. Geosyntec noted that:

- Over the 2022 calendar year, vegetation on the side slopes and top deck continued to mature. The limited, sparsely vegetated areas observed in 2020 and 2021, remained partly sparse during 2022, but reduced from 2021 to 2022. Vegetation along the side slopes and ditches were generally well established. This area will continue to be monitored and if vegetation does not become established in these areas, additional hydroseeding, re-seeding or additional work may need to be performed.
- Average root depths between 2021 and 2022 indicate the vegetation across the ET cover appears to be relatively healthy.
- The ET cover is experiencing minimal erosion along the top deck and side slopes. Long-term persistent ponding has not been observed.
- Some cracks, likely due to desiccation, were observed in 2022, as well as 2019, 2020 and 2021. Geosyntec will continue to monitor the previously identified cracks.

2.5 Review of Records

Several types of site records were reviewed by the CM in 2024. The CM's scope of work requires the periodic review of files that contain lab analyses and other descriptions of **Class 2 soils** (considered non-hazardous) that are brought to the site for use as cover soil.

The **Special Occurrences Log** for the ALRRF was examined four times during the year and summarized for the Committee. The **LEA's monthly inspection reports** are publicly available on the CalRecycle web site and were checked by the CM every month, 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 generally conducted two to three times per year, and it requires at least one full day for a qualified specialist to review each file to be sure that it is complete and within the regulatory limits for Class 2 materials. The review conducted in 2024 occurred on May 13, 2024,

for Class 2 soils accepted in October 2023 through May 2024; and periodically throughout September and November 2024, for Class 2 soils accepted through May 2024 through October 2024. WM has made the files available to the CM electronically via email correspondence.

A total of 95 profiles were reviewed on May 13, 2024, that corresponded to Class 2 soil accepted at the landfill between October 2023 through May 2024. A total of 122 profiles were reviewed throughout September and November of 2024, that corresponded to Class 2 soil accepted at the landfill between May 2024 and October 2024.

One profile was found out-of-compliance. The waste originated from the PG&E Redwood City Spoils yard. According to PG&E the Clean Harbors Environmental Services erroneously characterized the waste and transported it to ALRRF for disposal on June 25, 2024. A sample collected to assess the nature of the subject waste contained lead with a total threshold limit concentration (TTL) of 800 milligrams per kilogram (mg/kg) and a soluble threshold limit concentration (STLC) of 44 milligrams per liter (mg/L). The STLC demarcation for lead Hazardous Waste is 5.0 mg/L. The waste was then commingled and mixed with treated metal shredding waste for solidification and used as daily cover. WM provided the CVRWQCB with an Improper Disposal Report, self-reporting the acceptance, solidification, and disposal of 10.67 tons of hazardous waste at ALRRF. The waste has since been removed from the FA2.

2.5.2 Special Occurrences Log

Each permitted solid waste disposal site in California must keep a Log of Special Occurrences to document unusual and potentially disruptive incidents, including fires, injury and property damage, accidents, explosions, receipt or rejection of prohibited wastes, lack of sufficient number of personnel, flooding, earthquake damage and other unusual occurrences. The ALRRF log was either checked by the CM in person during site visits or requested via email. Three dump trucks and one ADT overturned, and one fire occurred in 2024.

2.5.3 LEA Inspection Reports

In 2024, there was one type of AOC noted in these reports, but two AOCs issued. Both AOCs pertained to windblown litter within the property boundaries as well as on surrounding properties. The LEA requested for ALRRF to reduce the litter quantity on ALRRF property and completely removed litter cited outside ALRRF property boundary. The AOC issued July 17, 2024, has been removed. The AOC issued October 15, 2024, has been removed.

2.6 Monthly Site Visits

Twelve site visits were held during 2024. The visit day and time were as shown in Table 2-2 below.

In general, satisfactory conditions were observed, although windblown litter presence was still a persistent issue. 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, whether on hours or off hours. Throughout these visits, staff and management were forthcoming regarding operating practices and current conditions.

**Table 2-2
 2024 Site Visit Summary**

Date	Day of Week	Visit Time	Announced in Advance?	With LEA staff?
January 25	Thurs	1:00 PM	Yes	No
February 28	Wed	11:00 AM	No	Yes
March 20	Wed	10:00 AM	Yes	No
April 19	Fri	10:00 AM	Yes	No
May 29	Wed	10:00 AM	Yes	No
June 11	Tues	9:00 AM	Yes	No
July 26	Fri	10:30 AM	Yes	No
August 22	Thurs	10:00 AM	Yes	No
September 26	Thurs	12:00 PM	Yes	No
October 10	Thurs	10:00 AM	Yes	No
November 5	Mon	9:00 AM	No	Yes
December 6	Fri	9:00 AM	Yes	No

In 2024, observations by the CM focused on:

- The operations in Fill Area 2.
- Maintenance of the mitigation pond.
- Plant growth and soil conditions in the evapotranspirative cover test area.
- Storm drainage and erosion control.

- Observation of issues of ongoing concern, including the presence of large numbers of seagulls and management of windblown litter east of FA 2.
- Construction of FA 2 phases 6 and 7.
- Relocation of Solidification Basins from FA1 to FA2.
- Changes at the site that could harm the environment or public health.

No truck traffic counts were conducted in 2024, because ALRRF data on tonnage and traffic made it clear that the traffic volume requirements of the Conditional Use Permit were being met.

2.7 Per- and Polyfluoroalkyl Substances (PFAS) Updates

The PFAS Order was given by the SWRCB as part of a statewide effort to obtain a preliminary understanding of PFAS compounds concentrations in groundwater and leachate at various landfills. The Order indicates this sampling is necessary to determine if PFAS compounds are present in and near waters that could be used for drinking water purposes. The SWRCB and RWQCBs will evaluate the data collected and use it to support of any regulatory action to be implemented.

To be representative, samples were collected in November 2019 from a background well, a downgradient well, and a composite leachate sampling location, where possible. PFAS compounds were reported at higher concentrations in groundwater monitoring wells in the previously affected assessment and corrective action areas (E-05, E-07, E-20B, and MW-20) than the background or the detection monitoring program (DMP) wells. The highest PFAS concentrations in groundwater were reported in corrective action wells E-05 and E-07, located immediately downgradient of the old permitted unlined portion of FA 1. Relative to corrective action wells E-05 and E-07, lower concentrations of PFAS compounds were reported in the E-20B corrective action area, situated adjacent to the old unlined FA 1.

No additional PFAS sampling is proposed or required at this time. The SWRCB is analyzing the compiled data in airports, landfills and drinking water supply systems to aid in the development of Public Health Goals in drinking water. The concentrations reported at the ALRRF were below the maximum concentrations for groundwater and leachate at other landfills covered by the PFAS Order, and within the middle of the concentration ranges.

In 2021-2022 the United States Environmental Protection Agency (EPA) made several announcements regarding its goals for investigating, regulating, and remediating PFAS in consumer products and across environmental media. This included Emergency Planning and

Community Right-to-Know Act and Toxic Substances Control Act Regulation, Safe Drinking Water Act Regulation, Clean Water Act Regulation, plans to initiate the addition of PFOA, PFOS, Perfluorobutane sulfonic acid (PFBS), and GenX⁹ to the list of Resource Conservation and Recovery Act (RCRA) Hazardous Constituents, as well as clarify that constituents classified as RCRA hazardous wastes can be cleaned up through RCRA corrective action process.¹⁰ Additionally, the California Environmental Protection Agency's Office of Environmental Health Hazard Assessment (OEHHA) announced the availability of a draft technical support document for proposed Public Health Goals (PHGs) for PFOA and PFOS in drinking water. The public comment period for the draft ended on October 28, 2021. The intended effect once PFAS regulation and guidance is finalized at the Federal and State level is to comprehensively regulate and remediate PFAS. More information on the progression of PFAS regulations throughout 2021-2022 are available in the 2022 Annual Report.

In 2023, the EPA announced proposed national primary drinking water maximum contaminant levels (MCLs) for six PFAS (PFOA and PFOS as individual contaminants, and four contaminants as a PFAS mixture). The proposed regulation would require public water systems to monitor, notify the public of the contaminant levels, and treat drinking water to reduce the levels of these PFAS if they exceed the proposed MCLs. California-specific MCLs for PFAS have not yet been established as of March 2023, and the proposed regulations do not require any actions until finalized, likely by the end of 2023. On May 4, 2023, the EPA generated tables that reflect changes in the toxicity and chemical specific parameters per regional screening levels hierarchies. The table compares the previous toxicity database to this new and current table. This update is in response to the Integrated Risk Information System (IRIS) which is a part of the risk assessment process in which hazard identification and dose-response assessment are applied to derive toxicity values.

On February 1, 2024, the Biden-Harris Administration announced new steps to protect communities from PFAS and other emerging chemicals of concern.¹¹ The EPA is proposing to modify the definition of hazardous waste as it applies to the cleanups permitted at hazardous waste facilities to ensure the EPA's regulations are clearly reflected and authorizes states authorities to require the cleanup of the full range of substances under the Resource Conservation and Recovery Act (RCRA). The EPA states that the proposed rules would "strengthen protections for communities and drinking water supplies located near the 1,740

⁹ GenX is the trademark name for a short-chain PFAS that is being marketed as a replacement for PFOA.

¹⁰ The National Law Review: EPA Makes PFAS Announcements, Issues PFAS Strategic Roadmap and Planned RCRA Hazardous Waste Designations <https://www.natlawreview.com/article/epa-makes-pfas-announcements-issues-pfas-strategic-roadmap-and-planned-rcra>, accessed November 2021.

¹¹ <https://www.epa.gov/newsreleases/biden-harris-administration-announces-new-steps-protect-communities-pfas-and-other>

permitted hazardous waste facilities across the nation.” This would include corrective action under RCRA, requiring facilities that treat, store, or dispose of hazardous waste to investigate and mitigate hazardous releases into soil, groundwater, surface water and air. The EPA will publish the proposals in the Federal Register.

Regarding corrective actions, known technologies for treating PFAS in water include granular activated carbon, ion exchange, and reverse osmosis¹². Granular activated carbon and ion exchange resins remove chemicals by sorption (the chemical is attached to the media), which reduces concentrations of chemicals in the effluent water of the system. Reverse osmosis removes contaminants by pushing water through a semipermeable membrane, effluent water has less chemicals, and a portion of the water (rejected water or concentrate) is collected for disposal. PFAS do not degrade in the environment, and one of the few technologies that can potentially destroy PFAS is incineration.

On April 19, 2024, the EPA announced that it was designating two types of PFAS, PFOA and PFOS as Comprehensive Environmental Response Compensation and Liability Act (CERCLA) hazardous substances. EPA does not intend to pursue entities such as publicly owned/operated municipal solid waste landfills for PFAS under CERCLA.

On 8 July 2024, the EPA final rule designating two PFAS (PFOA and PFOS), including their salts and structural isomers - as hazardous substances under CERCLA became effective.

Current and proposed regulations have focused on drinking water. Future developments may include additional monitoring for landfill and other disposal facilities.

3.0 LOOKING AHEAD: ANTICIPATED EFFORTS AND ISSUES

3.1 Introduction

The 2023 contract year was the beginning of an extended 3-year Community Monitor contract, with Langan providing CM services, assisted by ESA. The CM team will continue to perform report reviews, site inspections and Class 2 soils file reviews in 2025.

¹² Interstate Technology and Regulatory Council (ITRC), 2022. Treatment Technologies – PFAS — Per- and Polyfluoroalkyl Substances. https://pfas-1.itrcweb.org/12-treatment-technologies/#12_1. Accessed on March 10, 2022.

3.2 Issues to be Tracked in 2025

3.2.1 Ongoing Review

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

- 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 liners.
- Stormwater quality and management practices.
- Performance of the landfill gas system; decommissioning and installation of gas wells.
- Refuse truck traffic counts, if needed.
- ET cover test site next steps
- Compliance with the CDO.
- Reduction of windblown litter on and off ALRRF property.
- Track new developments related to PFAS.

3.2.2 Site Assessments

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 turbines, flares, etc. In 2025, 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.
- Implementation of the corrective action program in the MW-38 area.
- Gas temperatures, particularly in the high-temperature cluster of wells in FA 1 Unit 2.
- Implementation of gas collection in FA 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 stormwater pollution controls – skimmers, flocculant addition, Filtrexx™ check dams, and additional discharge points appear to have reduced contamination, although sporadic VOCs have been detected.

3.2.2.3 Windblown Litter

This will likely continue to be an issue for FA 2 and downwind areas. ALRRF has installed additional fences and maintained an internal crew to perform litter clean up as prevention to litter disposal offsite during 2022 through 2024.

3.2.2.4 New Systems

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

- The ET cover test area next steps
- The wetland mitigation pond
- Tipper and truck wash equipment in FA 2
- The liquids separation system
- Relocation of the solidification operations

In addition, monitoring reports on the Mitigation Wetland and the Conservation Plan Area, will be reviewed as they are provided.

3.2.2.5 Groundwater Contaminants and Groundwater Data

The CM team will continue to check concentrations of VOCs which show an increase. The team will also monitor data from wells E-20B, MW-4, MW-12, MW-20, MW-38 and any well that shows evidence 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.

3.2.3 Class 2 Soils File Review

As required by the Scope of Work, the CM will conduct this review at least twice during 2025.

3.2.4 Permit Requirements

As required by the Scope of Work, the CM will continue to review compliance with the Conditional Use Permit and other conditions.

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 Specifically:

- 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.
- Materials brought for disposal may only originate from Alameda County, San Francisco, and San Ramon.

3.2.4.2 Natural Resource Protections and Reporting

The natural resource permits issued in connection with the ALRRF 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 CMC:

- Every four years after the start of construction of FA 2 (which began in 2015), the 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.

We will continue to request progress reports in the future.

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COMMUNITY MONITOR COMMITTEE STAFF REPORT

TO: Honorable Chairperson and Community Monitor Committee Members

FROM: Judy Erlandson, Interim Public Works Director

SUBJECT: Response to Committee Member Questions on Community Monitor RFP and Draft Agreement

RECOMMENDED ACTION

Staff recommends retaining the existing language for the "Qualifications of Consultant to Serve as Community Monitor" and revising the Scope of Work to reduce the required number of truck counts.

DISCUSSION

At the October 8, 2024, Community Monitor Committee meeting, Ms. Cabanne inquired whether Republic should be included under the "Qualifications of Consultant to Serve as Community Monitor" section (i and j) of the Request for Proposals (RFP). Republic is one of the largest waste management providers in the United States. Due to the likelihood of a consultant being a past or current employee, contractor, or an affiliated of Republic, Staff recommends that the existing language remain unchanged to encourage a greater number of bid submissions. In 2019, only one bid was submitted for the Community Monitor position.

Ms. Cabanne also suggested removing Section 14 under the Scope of Work. Staff proposes revising the requirement from "shall conduct a minimum of 6 independent counts of trucks" to "may conduct a minimum of 2 independent counts of trucks." This adjustment reflects the fact that Waste Management operations are not nearing the maximum truck count at the landfill and align with the language in the Settlement Agreement.

ATTACHMENTS

1. None

MEETING DATE:

1-8-2025

AGENDA ITEM:

6.8

Approved by:

A handwritten signature in cursive script, reading "Judy Erlandson". The signature is written in black ink and is positioned above a horizontal line.

Judy Erlandson
Interim Public Works Director



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

October 9, 2019, the Community Monitor Committee (Committee) and Langan Engineering and Environmental Services (Langan) entered into an Agreement for Consulting Services for Langan (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 July 13, 2022, the Committee voted unanimously to extend the Agreement for the final term from January 1, 2023 to December 31, 2025.

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. The attachments, including the draft agreement, are in the process of being

MEETING DATE:

January 8, 2025

AGENDA ITEM:

6.9

updated but will be finalized before the release of the RFP. If approved by the Committee, the City will plan to release an RFP in late January 2025. An opportunity for the Committee to interview prospective Community Monitors is tentatively scheduled for April 9, 2025 at a CMC meeting.

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, 2025. 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
Interim Public Works Director

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 **February 17, 2025**. Proposals will not be opened publicly. Proposals received after said time will not be considered.

Proposal Submittal Process

All proposers must register as a vendor at no charge on Bidnet Direct. Please use the link provided below to send any communication to the City on behalf of the Community Monitor Committee and to submit proposals. No documents will be emailed directly to the proposers. Proposers must retrieve all documents from the Bidnet Direct platform (www.bidnetdirect.com).

All proposals must include completed forms. Proposals shall be delivered to the Acting Purchasing Specialist through the Bidnet Direct portal at www.bidnetdirect.com/california/cityoflivermore.

The City directs proposers to submit all questions and requests for information related to this RFP process via Bidnet. The Bidnet platform will assign and provide a timestamp to each proposer inquiry. The deadline for submitting written questions and requests for information will be February 3, 2025.

Proposers are encouraged to submit questions prior to the deadline; there will not be a scheduled pre-proposal meeting.

Proposer shall submit a complete proposal via Bidnet.

THE COMMUNITY MONITOR COMMITTEE WILL NOT ACCEPT OR CONSIDER LATE RESPONSES.

Date of Issuance: January 15, 2025

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. (WMACI). 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 WMACI, its parent company, or affiliates of WMACI, or its parent through to completion of this project.
- j. The CM may be disqualified if he or she is a past or current employee or contractor of WMACI or its parent company (Waste Management, Inc.).
- k. 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 WMACI is required to submit to the County or any other regulatory agency pursuant to the Settlement Agreement or the terms of WMACI’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 WMACI 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 WMACI within 48 hours after receipt by WMACI, 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 WMACI 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 WMACI 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 4 (four) unannounced inspections and 3 (three) off hour inspections. Announced inspections shall occur upon prior or simultaneous telephonic or personal notice to WMACI. Whether the notice given is prior or simultaneous shall be at the sole discretion of the CM. WMACI is required to provide the CM the appropriate contact(s) and telephone number(s) for notice of the visit. WMACI 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 WMACI 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. Unannounced CM inspections may occur at the same time as the LEA inspections.
- 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 may conduct a minimum of 2 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 WMACI, 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 WMACI, its parent company (Waste Management, Inc.), or affiliates of WMACI 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.

WMACI 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 WMACI, its parent, or affiliates of WMACI 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 in-person interview, tentatively scheduled for April 9, 2025. 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 WMACI with copies of all submitted proposals.
- (3) Within fifteen days after receiving all submitted proposals, WMACI 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.

RFP responses will be accepted no later than 3:30 p.m. on February 17, 2025.

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

DRAFT

PROFESSIONAL SERVICES AGREEMENT

THIS AGREEMENT is made and entered into this ____ day of _____, 20__ , by and between the Community Monitor Committee (“Committee”), _____, and _____ (“Consultant”),{a/an} {list consultant's state of registration here} {identify type of entity here} eg: a California corporation, a sole proprietorship, etc.

RECITALS

A. The Committee was established by a Settlement Agreement, effective December 5, 1999, (“Settlement Agreement”) entered into by and 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. (“WMACI”). As required by Section 5.1 of the Settlement Agreement, the Committee consists of four (4) voting members and is comprised of one member from the City of Livermore, City of Pleasanton, Sierra Club, and the Northern California Recycling Association respectively.

B. The City of Livermore provides staff support to the Committee and, pursuant to a letter agreement dated July 6, 2004, a copy of which is attached hereto as Exhibit “C”, the City of Livermore acts as the financial agent for the Committee.

C. The Settlement Agreement contemplates the hiring of a Community Monitor, which is a technical expert, 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 environmental and technical issues relating to the operation of the ALRRF.

D. The Committee requires professional services to perform the duties of Community Monitor. Under Section 5.1.2 of the Settlement Agreement, the Committee is responsible for: (a) interviewing, retaining, supervising the work and overseeing the payment of, and terminating the contract of the Community Monitor; (b) reviewing all reports and written information prepared by the Community Monitor; and (c) participating in the Five Year Compliance Reviews and the Mid-Capacity Compliance Review (as those terms are defined in the Settlement Agreement).

E. Consultant warrants it possesses the distinct professional skills, qualifications, experience, and resources necessary to timely perform the services described in this Agreement. Consultant acknowledges Committee has relied upon these warranties to retain Consultant.

AGREEMENT

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

1. **Retention as Consultant.** Committee hereby retains Consultant, and Consultant hereby accepts such engagement, to perform the services described in Section 3 below subject to the terms and conditions in this Agreement.

2. **Relationship of Parties – Independent Contractors.** The relationship of the parties shall be that of independent contractors. Consultant and its employees are not Committee officers or employees. Consultant is responsible for the supervision and management of its employees, including any workers compensation insurance, withholding taxes, unemployment insurance, and any other employer obligations associated with the delivery of the services contemplated by this Agreement.

3. **Description of Services.** Consultant shall provide the following professional services as more particularly set forth in Exhibit "A" (collectively "the Services"):

(1) Provide technical expertise to monitor ALRRF compliance with environmental laws and regulations; and

(2) Advise the public and the Cities of Livermore and Pleasanton about environmental and technical issues relating to the operation of the ALRRF.

Committee may revise the scope of services from time to time, with a corresponding adjustment to compensation as required. Any revision shall be in writing as an amendment to this Agreement, signed by both parties.

4. **Consultant's Responsibilities.** Consultant shall:

(a) Diligently perform the Services in a manner commensurate with industry, professional, and community standards;

(b) Provide the resources necessary to complete the Services in a timely manner;

(c) Obtain a business license from the City of Livermore, and keep it in effect for the term of this Agreement;

(d) Obtain and keep in effect all necessary licenses, permits, qualifications, insurance, and approvals legally and professionally required for Consultant to practice its profession and to provide the Services;

(e) Comply with all laws in effect that are related to Consultant and the Services;

(f) Coordinate the Services with Judy Erlandson, Interim Public Works Director for the City of Livermore ("Project Manager"), or such other person designated as the Project Manager by Committee;

(g) Be available to the Project Manager, and other parties referred to Consultant by the Project Manager, to answer questions or inquiries related to the Services;

(h) Only invoice Committee for the Services rendered. Consultant's invoice shall be in writing and describe the Services performed for the payment requested. Consultant shall not submit an invoice to Committee more frequently than once a calendar month;

(i) Keep and maintain invoices and records related to the Services in an organized manner. At a minimum, the records must be kept for at least 3 years from the date of final payment to Consultant and must include time sheets, work progress reports, and other documentation to adequately explain all the Services invoiced for payment. Consultant shall make the invoices and records immediately available to Committee upon delivery of a written request to examine, audit, or copy them at Committee's place of business during normal business hours. Consultant shall give Committee 30 calendar-days' written notice prior to destroying the invoices and records and allow Committee an opportunity to take possession. If Committee wants them, Consultant and Committee shall coordinate their delivery to Committee in the most efficient manner possible;

(j) Prepare and submit a written report to the Project Manager, within 3 business-days of the Project Manager's written request, that identifies the Services completed and in progress, the charges incurred to date, and the anticipated cost to complete the remaining Services;

(k) Consultant shall correct, at its own expense, all errors in the Services. Should Consultant fail to make such correction in a timely manner, the Committee may make the correction and charge the cost thereof to Consultant;

(l) If applicable, Consultant shall ensure that all work for compensation is provided in compliance with the requirements of the California Labor Code including but not limited to hours of labor, nondiscrimination, payroll records, apprentices, worker's compensation and prevailing wages. If applicable, Consultant shall comply with all prevailing wage laws, such as sections 1773, 1773.8, 1775, 1776, 1777.5, 1777.6, and 1813 of the California Labor Code and any other applicable wage and hour law. If any violation of prevailing wage law associated with this Agreement is deemed to have occurred by any court or administrative authority, Consultant shall forfeit to the Committee, as a penalty, the sum of fifty dollars (\$50.00) for each calendar day, or portion thereof, for each laborer, worker, or mechanic employed, paid less than the applicable prevailing rates for any work done to accomplish the purposes of this Agreement; and,

(m) Consultant's services provided pursuant to this Agreement shall comply with the Americans with Disabilities Act (ADA) of 1990, and all amendments thereto, as well as all applicable regulations and guidelines issued pursuant to the ADA.

5. Compensation and Payment.

(a) The total compensation payable by the Committee to Consultant for the Services **SHALL NOT EXCEED** the sum of \$_____ ("not-to-exceed amount"). Committee shall compensate Consultant for the Services rendered at the hourly rates, task amounts or travel expenses set forth in Exhibit "A" up to the not-to-exceed amount. Except as provided in the body of this Agreement, the hourly rates or task amounts are

intended to be Consultant's only compensation for the Services and is inclusive of all costs of labor, licensing, permitting, travel expenses, and overhead and administrative costs, and any-and-all other costs, expenses, and charges incurred by Consultant, its agents, and employees to provide the Services.

(b) Consultant shall invoice Committee for services rendered in the previous month, and at the rates set forth in the Schedule of Fees, attached as Exhibit "A". The total of all invoices for work conducted in year 1 of the Agreement shall not exceed \$XXX. The total of all invoices for work conducted in subsequent years of the work shall not exceed \$XXX times the Consumer price index (CPI) for the previous year for the cities of San Francisco-Oakland-San Jose as published by the U.S. Department Of Labor, Bureau Of Labor Statistics.

The total of all invoices for work conducted in subsequent years of the Agreement shall be increased by an amount that is equivalent to the percent change, from calendar year to calendar year, of the Consumer Price Index for All Urban Consumers (CPI-U), all items index, for San Francisco-Oakland-San Jose, and applied to the base amount of \$80,000 to determine maximum compensation for year 2. Year 3 compensation will be determined by applying the aforementioned CPI-U to the maximum compensation amount determined in year 2.

If this Agreement is extended for one (1) three-year term as specified in Section 7 of this Agreement, year 4 (the first extension year) compensation will be determined by applying the aforementioned CPI-U to the maximum compensation amount determined in year 3; Year 5 (the second extension year) compensation will be determined by applying the aforementioned CPI-U to the maximum compensation amount determined in year 4; and year 6 (the third extension year) compensation will be determined by applying the aforementioned CPI-U to the maximum compensation amount determined in year 5.

If warranted, per Section 5.3 of the Settlement Agreement, the Community Monitor Committee may approve additional compensation beyond the aforementioned compensation limitation.

(c) Committee (or its designated representative) shall pay Consultant no later than thirty (30) days after Committee receives a written invoice from Consultant and verifies the Services were performed for the payment requested. The City of Livermore agrees to forward the invoice to the WMACI ALRRF in a timely manner. Upon receipt of the invoice, WMACI, will reimburse the City of Livermore in a timely manner. The Consultant agrees that in the event of non-payment of any invoice by WMACI, the Consultant will not seek payment from the Committee or signatory to the Settlement Agreement other than WMACI.

6. Term. The term of this Agreement commences on January 1, 2025, and terminates upon the completion of the Services or December 31, 2027, with the allowance for one (1) three-year extension upon the unanimous approval from the Committee at a Community Monitor Committee meeting.

7. Termination by Committee. Committee may terminate any portion or all of the Services by giving Consultant at least 30 calendar-days written notice. Upon receipt of a termination notice, Consultant shall immediately stop all work in progress on the Services except where necessary to preserve the benefit of the work, and then assemble the work on the Services for delivery to Committee on the termination date. All compensation for Services performed prior to the termination date shall be payable to Consultant in accordance with Section 5. The Committee shall forward the Consultant's final invoice to WMACI for payment.

8. Ownership of Documents. All drawings, designs, data, photographs, reports and other items prepared or obtained by Consultant in the performance of the Services are Committee's property and Consultant shall deliver them to Committee upon demand.

9. Copyright and Right of Use. All items created by Consultant for Committee under this Agreement are works made for hire, and Consultant shall give Committee the copyright and all intellectual property rights to all items developed, prepared, and delivered as part of the Services. Consultant agrees that all aspects of the Services and items created thereby will be original works of creation and will not use, in whole or in part, any work created by any other party, except when expressly disclosed by Consultant to Committee and Consultant obtains a license to such items for the benefit of Committee. All licenses must be perpetual, world-wide, non-exclusive, and royalty free sufficient in scope to permit Committee's full use and enjoyment of its ownership rights in the items created by the Services.

10. Confidentiality. Consultant shall not disclose any confidential or proprietary information received from Committee to anyone except Consultant's employees who require access to the information to perform the Services. This obligation shall survive termination and remain in full force and effect until the information, and any copies thereof, are destroyed or returned to Committee.

11. Defense, Indemnity, and Hold Harmless. To the fullest extent permitted by law, Consultant shall hold harmless, indemnify, and defend with counsel selected by the Committee or otherwise acceptable to the Committee, the Committee, and the signatories of the Altamont Settlement Agreement, and its elected and appointed officials, officers, directors, employees, agents and designated volunteers from and against any and all liability, loss, damage, claims, expenses, and costs (including without limitation, attorney's fees and costs and fees of litigation) (collectively, "Liability") of every nature arising out of or in connection with Consultant's performance of the services contemplated by this Agreement, or in connection with Consultant's failure to comply with any of its obligations contained in this Agreement, except for such Liability caused by the sole active negligence or willful misconduct of Committee. Consultant's obligations to hold harmless, indemnify, and defend shall not be excused because of Consultant's inability to evaluate Liability or because Consultant evaluates Liability and determines that Consultant is not liable to the claimant. These obligations are independent of, and shall not in any way be limited by, the minimum insurance obligations contained in this Agreement. These obligations shall survive the completion or termination of this Agreement. Consultant must respond within 30 days to the tender of any claim for defense and indemnity by the Committee.

- (a) **Modification for Construction Contracts.** To the extent this Agreement is a “construction contract” covered by California Civil Code section 2782, then Consultant’s duty to indemnify shall not apply in a manner prohibited by California Civil Code section 2782.
- (b) **Modification for Design Professional Services.** To the extent this Agreement is for “design professional services” defined in California Civil Code section 2782.8, then Consultant’s duties to defend and indemnify shall only apply to the extent provided for in California Civil Code section 2782.8(a), unless section 2782.8(a) is not applicable for one of the reasons set forth in 2782.8(e).

12. Insurance. Consultant shall procure and maintain insurance during the term of this Agreement in the amounts and under the terms set forth in Exhibit “B” against claims that may arise from or in connection with this Agreement and performance of the Services. Upon reasonable written notice, Consultant shall comply with any changes in the amounts and terms of insurance as may be required from time-to-time.

13. Acceptance of Final Payment. Consultant’s acceptance of final payment will release Committee from any and all claims and liabilities for compensation under this Agreement.

14. Acceptance of Work. Committee’s acceptance of, or payment to Consultant for, the Services does not release Consultant from its responsibility for the accuracy, completeness, or competency of the Services, nor do the actions constitute an assumption of Consultant’s responsibility or liability by Committee for any defect or error in the Services.

15. Conflict of Interest. Consultant represents that no Committee Member or official has a financial interest in Consultant. Consultant shall not offer, encourage, or accept any financial interest in any part of Consultant’s business by or from a Committee Member or official during the term of this Agreement or as a result of being awarded this Agreement. If any of the Services are paid by reimbursement from an agreement between Committee Members and a private party, Consultant represents that it has not performed any work for that private party during the 12-month period prior to the execution of this Agreement, and that it shall not negotiate, offer or accept any contract for services from that party during the term of this Agreement. Consultant represents that it has not performed any work as a past or current employee or contractor of WMACI or its parent company (Waste Management, Inc.).

16. Economic Disclosure. Consultant shall comply with the Political Reform Act and prepare and file an economic disclosure statement if the Services involve making, or participation in making, decisions which may have a material effect on the Consultants’ financial interest. While it is Consultant’s sole responsibility to evaluate its conflicts of interest, the Consultant nevertheless agrees to prepare and file an economic disclosure statement if requested by Committee.

17. **Non-Exclusive Agreement.** This is a non-exclusive agreement. Committee reserves the right to provide, and to retain other consultants to provide, services that are the same or similar to the Services described in this Agreement.

18. **No Assignment.** Consultant shall not assign or subcontract any of the Services without Committee's prior written consent. For the purposes of this section, a change of fifty-percent or more in the ownership or control of Consultant constitutes an assignment.

19. **Remedies.** All remedies permitted or available under this Agreement, or at law or in equity, are cumulative and alternative, and the invocation of a right or remedy will not be construed to waive or elect a remedy with respect to any other available right or remedy. As a condition precedent to commencing legal action involving a claim or dispute against Committee arising from this Agreement, the Consultant must present a written claim to Committee

20. **Construction of Language.** The terms and conditions in this Agreement have been arrived at through negotiation and each party had a full and fair opportunity to review and revise this Agreement with legal counsel. Any ambiguity in this Agreement will not be resolved against either party as the drafting party. In the event of an inconsistency or conflict between the language in the body of the Agreement and an attachment hereto, the language in the body of the Agreement controls.

21. **Entire Agreement; Modification.** This Agreement supersedes all other agreements, whether oral or written, between the parties with respect to the Services. Any modification to this Agreement must be in writing and signed by both parties. In the event the original of this Agreement is lost or destroyed, an archival copy maintained by the Committee can be used in place of the original for all purposes with the same effect as if it was the original.

22. **Notice.** Notices under this Agreement must be delivered to the addresses below by deposit in the United States mail or by overnight delivery service, with postage prepaid and delivery confirmation:

TO CITY: Attention: Community Monitor Committee
 c/o City of Livermore
 Attn: Judy Erlandson
 City of Livermore
 3500 Robertson Park Road
 Livermore, California 94550

TO CONSULTANT: Attention: Name, Title
 Company Name
 Address 1
 Address 2

23. **Waiver.** Failure to insist upon the strict performance of any term or conditions in this Agreement, no matter how long the failure continues, is not a waiver of the term or condition and does not bar the right to subsequently demand strict performance. To be effective, a waiver must be in writing and signed by the non-breaching party.

24. **Severability.** If a court of competent jurisdiction determines a provision in this Agreement is invalid, void, or unenforceable, the remaining provisions will nevertheless continue in full force and effect without being impaired in any way.

25. **Survival.** The terms, conditions, and obligations in Sections 8, 9, 10, and 11 shall survive the completion or termination of this Agreement.

26. **Electronic Signatures.** By signing this document, you are agreeing that you have reviewed this disclosure information and consent to transact business using electronic communications, to receive notices and disclosures electronically, and to utilize electronic signatures in lieu of using paper documents. You are not required to receive notices and disclosures or sign documents electronically. If you prefer not to do so, you may request to receive paper copies and withdraw your consent at any time.

27. **Counterparts.** This Agreement may be executed and delivered in one or more counterparts, each of which will be deemed to be an original copy of this Agreement, and all of which, when taken together, will be deemed to constitute one and the same agreement. The facsimile, email, or other electronically delivered signatures of the Parties shall be deemed to constitute original signatures, and facsimile or electronic copies hereof shall be deemed to constitute duplicate originals and shall be valid and effective for all purposes.

Signatures and Attachment List on the Next Page

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

CONSULTANT:

Dated:

Name
Title

COMMUNITY MONITOR COMMITTEE

Dated:

Ben Barrientos, City of Livermore
1052 South Livermore Avenue
Livermore, CA 94550

Dated:

Jeff Nibert, City of Pleasanton
123 Main Street
Pleasanton, CA 94566

Dated:

Alexandra Hoffman-Bradley, Northern
California Recycling Association
PO Box 5581
Berkeley, CA 94705

Dated:

Donna Cabanne, Sierra Club
Livermore, CA 94550

Approval of the Agreement, made by the Committee on minutes of that meeting, as to form.

, as shown in the

APPROVED AS TO FORM:

Deputy/Assistant/City Attorney
City of Livermore

APPROVED AS TO FORM:

City Attorney
City of Pleasanton

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

I, _____, City Manager of the City of Livermore, affirm the City of Livermore has agreed to manage funds for the Community Monitor Committee as shown in the letter agreement dated July 6, 2004, attached as Exhibit "C" to this Agreement

Dated:

City Manager

APPROVED AS TO FORM:

Deputy/Assistant/City Attorney

Attachments:

Exhibit A – Scope of Work

Exhibit B – Insurance Requirements

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

THIS FORM IS TO BE COMPLETED BY CITY STAFF ONLY

**CITY OF LIVERMORE
DETERMINATION OF CONFLICT OF INTEREST
REPORTING FOR CONSULTANTS**

Consultant Name (include name of specific person doing work if known).

Contract/Project Title.

Brief Description of work to be done, or final product, and how it will be used.

Is the Consultant making, participating in making, or influencing a governmental decision?	Yes <input type="checkbox"/> No <input type="checkbox"/>
Is the Consultant performing work that could or would be done by an employee identified in the City of Livermore Conflict of Interest Code?	Yes <input type="checkbox"/> No <input type="checkbox"/> If YES, please identify the title for the designated employee:

Completed by Department Head

Signature: _____

Date: _____

.....
City Attorney Determination:

Disclosure: None Category 1 Category 2 Category 3 Category 4

Name and address of each individual subject to reporting requirements:

Comments:

Deputy/Assistant/City Attorney

Signature: _____

Date: _____