

**DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY**1001 I STREET, SACRAMENTO, CALIFORNIA 95814 • WWW.CALRECYCLE.CA.GOV • (916) 322-4027

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August 1, 2014

Carla Serio, R.E.H.S.
Environmental Health Division Manager
cserio@co.shasta.ca.us

Department of Resource Management
Division of Environmental Health
1855 Placer St
Redding, CA 96001

SUBJECT: Disapproval for a 3rd Extension of the Compliance Schedule for the West Central Landfill, Facility No. 45-AA-0043, Shasta County

Dear Ms. Serio:

I have received and considered your agency's request to extend the compliance due date for the West Central Landfill by an additional twelve months. Although the operator has made some progress toward resolving the ongoing violation for Gas Monitoring and Control, they have failed to meet the final compliance due date(s). More significantly, the record fails to show any effort the operator has taken since Mid-2013 to meet the compliance deadlines, including documentation that they have applied for a Solid Waste Facility Permit revision.

CalRecycle staff are encouraged by the documented downward trend in methane levels at two of the three noncompliant perimeter wells, and the operator's recent acquisition of adjacent buffer property in order to extend the permitted facility boundary to allow the installation of additional monitoring wells, as described in the approved 2013 Landfill Gas Remediation Plan. However, a revised Solid Waste Facility Permit is needed in order to comply with the current Notice and Order (N&O).

Therefore, I hereby disapprove your request for the extension of the compliance due date until March 26, 2015. If the operator is unable to show significant progress toward obtaining a SWFP by September 15, 2014, the LEA should take further enforcement in accordance with issued N&O and pursuant to 14 CCR 18350. If, however, the operator can document significant progress toward obtaining a SWFP before then, CalRecycle will reconsider the extension request, upon written request of the LEA along with documentation of the operator's progress.



West Central Landfill, Extension Request
August 1, 2014
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We appreciate your work in the matters of the West Central Landfill and in your commitment to partnership with CalRecycle staff. If you have questions regarding this letter, please contact Jon Whitehill, Supervisor, Inspections and Enforcement Agency Compliance Unit, at (916) 341-6403 or at Jon.Whitehill@CalRecycle.ca.gov.

Sincerely,

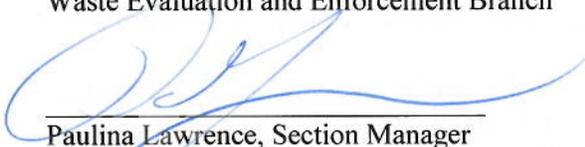


Georgianne Turner, Branch Chief
Waste Evaluation and Enforcement Branch
Department of Resources Recycling and Recovery

cc: Kenneth Henderson, Shasta County LEA,
krhenderson@shasta.ca.us

**WASTE EVALUATION & ENFORCEMENT BRANCH CHIEF
ACTION REQUEST**

To: Georgianne Turner, Branch Chief
Waste Evaluation and Enforcement Branch

From: 
Paulina Lawrence, Section Manager
Solid Waste Enforcement Section

Prepared By: Cathy Blair, Solid Waste Enforcement Section

Request Date: May 14, 2014

Action By: July 25, 2014

Decision Subject: Consideration of an Extension to the Compliance Due Date for a Facility included on the Inventory of Solid Waste Facilities Which Violate State Minimum Standards (Inventory), West Central Landfill, Facility No. 45-AA-0043, Shasta County

SUMMARY

The operator implemented its landfill gas monitoring (LFG) and control plan that was approved by CalRecycle on July 13, 2009 by installing 13 new perimeter LFG monitoring wells were installed in August 2009. The LEA cited a violation for 27 CCR 20921 Gas Monitoring and Control on the October 13, 2009 monthly inspection report, when the first quarterly monitoring of the newly installed monitoring wells indicated that wells MP-2, MP-4, and MP-11 were above 5% methane by volume. The CalRecycle 18-month inspections conducted on November 4, 2009 and May 3, 2011, verified that methane concentrations in the three perimeter monitoring wells of concern were between 10% and 60% by volume.

The West Central Landfill, Facility (No. 45-AA-0043) has been on the Inventory and under an Notice and Order (N&O) by the LEA since 2010. Title 14, California Code of Regulations (CCR) allows the Local Enforcement Agency (LEA) to issue compliance schedules with a final compliance date beyond two years from the date the facility is included on the Inventory only upon approval of CalRecycle. CalRecycle has extended the final compliance date two times due to the operator's good faith effort in correcting a difficult long term violation and because of the operators commitment to continually seek solutions to the violation even after initial efforts failed.

The LEA is now requesting a third consideration of an Extension to the compliance due date to March 26, 2015. The LEA has determined that the operator continues to make a good effort due to, in part, to the continuance of implementation of the approved 2009 and 2013 landfill gas (LFG) remediation plan, the installation of the landfill gas control and collection system (LGCCS) in 2011, purchase of 160 acres of buffer land, the operators continuous operation of the system and overall reduction in concentration of the methane in the perimeter monitoring wells.

WASTE EVALUATION & ENFORCEMENT BRANCH CHIEF ACTION REQUEST

BACKGROUND, ANALYSIS, AND FINDINGS

Background

Summary of key milestones, N&O issuances and CalRecycle extensions are listed below:

- The West Central Landfill was included on the Inventory for ongoing violations of 27 CCR, Section 20921 – Gas Monitoring and Control on March 26, 2010
- LEA *issued a N&O* on April 10, 2010 requiring a compliance in November 2011.
- The operator submitted a LFG Remediation Plan in November 2009 and it was approved in December 2009
- LGCCS was installed and operational by October 15, 2011 consistent with the 2009 LFG Remediation Plan and as directed by the N&O.
- LEA *issued the first amended N&O* on October 13, 2011 with a required compliance date of April 1, 2012 in order to give the operator an additional year to bring landfill gas levels below the regulatory threshold.
- Due to the LEA determining that the operator was continuing to make a sincere effort to operate the new LGCCS and the fact that all the probes were still not in compliance with the landfill gas standard, the LEA submitted a request to CalRecycle for a one-year extension of the compliance due date on March 30, 2012 to March 26, 2013.
- CalRecycle approved the *first one-year extension* on April 16, 2012 until March 26, 2013.
- LEA *issued the second amended N&O* on May 9, 2012 with a compliance date of March 26, 2013
- The operator submitted *an updated (2013) LFG Remediation Plan* on April 5, 2013 which proposed expanding the boundary of the landfill in order to mitigate the LFG migration, since LGCCS was still not fully effective.
- LEA submitted to CalRecycle a *second extension request* for one-year extension on April 9, 2013.
- CalRecycle approved the *second extension request* for six months on May 1, 2013 to September 26, 2013, and a *conditional extension* to March 26, 2014 if the operator demonstrated a significant decrease in the in landfill gas migration or implemented additional corrective actions as described in the 2013 updated Remediation Plan.
- LEA issued an *issued the third amended N&O* on May 13, 2013 with a compliance date of March 26, 2014
- As requested by CalRecycle, on September 16, 2013, the LEA submitted a status report which included LFG monitoring records and verification that the operator had completed the acquisition of adjacent land. The property transaction for BLM land to the County of Shasta to the west of West Central Landfill was completed on July 23, 2013. After this the operator intended to revise the permit, and install additional LFG compliance wells farther from waste on the recently purchased property.
- On April 17, 2014, the operator submitted a *second updated* LFG remediation plan and request for extension to the final compliance date.
- Since the operator has shown good faith effort by purchasing the adjacent property to expand the permitted facility boundary LEA submitted a *third extension request* to CalRecycle on April, 18, 2014 to extend the N&O until March 26, 2015 because more time is be required to obtain approvals, secure a new contractor and complete the extensive work required to expand the LFG system.

WASTE EVALUATION & ENFORCEMENT BRANCH CHIEF ACTION REQUEST

Major Actions the Operator has taken to Comply

- Prior to implementation of the 2009 LFG Remediation Plan, the landfill did not have a LGCCS. The 2009 LFG Remediation Plan proposed a phased approach, which included collecting data on landfill gas composition and generation, hiring a contractor to design and install the system, and finally installation and operation of a LGCCS. The operator completed installation of the GCCS on October 12, 2011, in accordance with the approved remediation plan as specified in the N&O.
- On April 5, 2013, the operator submitted an updated (2013) LFG Remediation Plan which included a discussion of corrective actions taken to date, an analysis of the results of those actions. The operator has continued operations and monitoring of the LGCCS, and completed the second phase of compliance; the purchase of an additional 160 acres of adjacent land to expand the permitted facility boundary.
- On April 18, 2014, the LEA requested approval of a one-year extension to March 26, 2015 noting that gas concentrations appear to be declining in two (MP-4 and MP-11) of the three wells. During the March 2013 compliance investigation, only the shallow probes in MP-4 and MP-11 indicated statistically significant decreasing trends. To date, no statistically significant trend have been detected in well MP-2. During the requested extension period, the operator is proposing to continue with the corrective actions prescribed in the approved 2013 LFG remediation plan, including the landfill permit expansion and moving the LFG monitoring wells.

Compliance Goals Not Achieved

- The operator proposed to apply for a revised Solid Waste Facility Permit in June 2014 in order to incorporate the recently acquired buffer property into the permitted facility boundary. At that time the operator proposes to submit a LFG monitoring and control plan to include the recently acquired buffer property in order to extend the permitted facility boundary beyond the MP-2 well area.
- In 2014, the operator planned to do construction upgrades to the existing LGCCS, including installation of 18 new gas extraction wells, seven gas extraction wells are intended to increase collection efficiency in areas already under gas control and 11 LFG extraction wells will expand gas control into previously uncontrolled areas.
- In 2014 the operator proposes to install the LFG monitoring wells proposed in the updated 2014 LFG monitoring and control plan in order to expand the permitted facility boundary.

OPTIONS

1. Approve a one-year extension for the proposed compliance due date to March 26, 2015.
2. Deny the extension request to the compliance due date.

Findings

The operator made the following significant progress and good faith effort in bringing the facility back into compliance between 2010 and Mid-2013:

- 1) The operator has implemented corrective actions as prescribed in the 2009 and 2013 LFG remediation plans, including installing a new landfill gas extraction system and procuring adjacent property.
- 2) Since the installation of the GCCS in October 2011, concentrations have been trending downward in the MP-4 and MP-11 wells.
- 3) The operator has finalized the purchase of additional buffer land to install a new perimeter well to replace MP-2.
- 4) The operator is in the final phase of complying with N&O which is to obtain a revise its solid waste facility permit to expand the permitted boundary to include a large buffer area to prevent the migration of methane offsite.

**WASTE EVALUATION & ENFORCEMENT BRANCH CHIEF
ACTION REQUEST**

The record does not indicate that there has been any effort from the operator to revise their permit or efforts they have taken since Mid-2013.

RECOMMENDATION

CalRecycle staff recommends that the facility not be granted a one-year extension to March 26, 2015. Although the LEA determined that the owner/operator of the facility did demonstrate a good faith effort by implementing the 2009 & 2013 LFG remediation plans, including purchasing additional buffer land for installation of new perimeter monitoring well network, there is no information in the record that shows that the operator has made effort to implement the final phase of the Plan. The land acquisition was finalized in September of 2013, however, to date, there is no record of the operator submitting an application for a revised solid waste facility permit to expand the permitted boundary (buffer area) in order to comply with N&O.

BRANCH CHIEF ACTION

On the basis of the information in this Request for Action, I hereby deny the LEAs request for a third one-year extension to the N&O in regards to the West Central Landfill, Facility No. 45-AA-0043 and direct the LEA to pursue further enforcement as outlined in its N&O.

Dated: 8/11/2014



Georgianne Turner
Branch Chief
Waste Evaluation and Enforcement Branch



Shasta County

DEPARTMENT OF RESOURCE MANAGEMENT
1855 Placer Street, Redding, CA 96001

Richard W. Simon, AICP
Director

April 18, 2014

Lorraine Van Kekerix, Branch Chief
Waste Evaluation and Enforcement Branch
California Department of Resources, Recycling and Recovery
P.O. Box 4025 Mail Stop 10A-17
Sacramento, CA 95812

CORRECTIVE ACTION SCHEDULE EXTENSION REQUEST FOR THE WEST CENTRAL LANDFILL PERIMETER GAS MONITORING SYSTEM, SHASTA COUNTY, SWIS # 45-AA-0043

The Shasta County Environmental Health Division (SCEHD) received an extension request on April 17, 2014, from the Shasta County Department of Public Works (Operator) for the Corrective Action Schedule in the Notice and Order (Order) for the West Central Landfill which was issued by SCEHD on April 12, 2010. The Order to comply contained specific time frames for compliance which either have been met or extended. Number five was extended to achieve compliance with regulatory maximum levels of methane at all probes in the approved perimeter monitoring network by March 26, 2014, in compliance with 27CCR, Section 20921. SCEHD is requesting approval of this Order extension to March 26, 2015, from the California Department of Resources, Recycling, and Recovery on behalf of the Operator pursuant to 14CCR, Section 18365.

Please find enclosed the Operator's request for extension along with the 2014 Monitoring Data Review for the *Landfill Gas Migration Remediation Plan*. The request for extension letter details progress made towards compliance and additional proposed corrective actions. The current request is for an additional 12 months until March 2015, to give the Operator time to obtain compliance at the three perimeter gas monitoring wells that are currently in violation by adding monitoring wells to achieve compliance. The same conditions from the Order will apply. Based on inspection observations and the operation of the Gas Control and Collection System (GCCS), the facility Operator has made significant progress towards compliance.

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Lorraine Van Kekerix, Branch Chief
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April 18, 2014

Thank you for your consideration. Please contact me should you have any questions or need additional information.

Sincerely,



Carla Serio, R.E.H.S.
Environmental Health Division Manager

CS/pw
LVKAPR18-14 WD

Enclosure

- c: Paul Clemens, City of Redding Solid Waste Utility
- John Heath, Shasta County Department of Public Works
- Catherine Blair, CalRecycles
- Dale Stultz, California Regional Water Quality Control Board
- Lindsey Watt, Shasta County Air Quality Management District