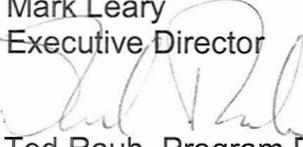


M E M O R A N D U M

To: Mark Leary
Executive Director

Date: October 22, 2007

Through: 
Ted Rauh, Program Director
Waste Compliance and Mitigation Program

From: 
Mark de Bie, Division Chief
Permitting and Local Enforcement Agency Support Division
Waste Compliance and Mitigation Program
CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

Subject: REQUEST FOR ACTION ON PROPOSED MODIFIED SOLID
WASTE FACILITIES PERMIT FOR THE OLINDA ALPHA LANDFILL
(30-AB-0035), ORANGE COUNTY

This memo requests that the Executive Director take action on the proposed Modified Solid Waste Facilities Permit for the Olinda Alpha Landfill, Solid Waste Information System Number 30-AB-0035, located in Orange County. A copy of the proposed permit is attached. The memo provides you with staff's findings and recommendations relative to the proposed action, pursuant to authority granted to the Executive Director by California Code of Regulations (CCR), Title 27, Sections 21663(a) and 21685 (c). In addition, the Board has delegated to the Executive Director the authority to concur in or object to modified solid waste facilities permits. Board Policy No. BL-6, adopted by Resolution 2007-31, February 13, 2007.

The proposed modified permit was received on August 30, 2007. Action must be taken on this permit no later than October 29, 2007. If no action is taken by October 29, 2007, the Executive Director will be deemed to have concurred in the issuance of the proposed modified permit.

Based on our review of the submitted permit package, staff recommends that the Executive Director concur in the issuance of the modified permit and sign below, as all of the required submittals and findings required by Title 27, Section 21685 have been made and the required CEQA findings have been made in support of concurrence. These findings are summarized in the following table. The documents or analysis on which staff's findings are based are in the facility file for the facility. The proposed changes and more details on findings are presented in more detail below.

Proposed Changes

The following changes to the permit are being proposed:

Current	Proposed
Total Permitted area (in acres) 667	Total Permitted area (in acres) 565.2, this

	change is to correct total facility acreage based on the most current property boundary survey
Estimated Closure Year 2013	Estimated Closure Date 12/31/2013
Remaining Design Capacity 74,900,000 cy as of October 1993	Remaining Design Capacity 33,937,697 cy as of 12/31/06. Part of the change is due to filling between 1993 and 2006 as well as better measurement of actual remaining capacity.
Waste Discharge Requirement dated 5/94	Waste Discharge Requirement dated 8/99 with MRP dated 5/07. Only reporting requirements to the RWQCB are being changed in the WDR.
Finding 13 a in current permit: "This solid waste facility permit is for the vertical expansion at Olinda Alpha Landfill and it combines both existing permits for Olinda and Olinda Alpha Landfills into one permit."	This finding is deleted because it is not applicable at this time as the facilities have already been combined.
Current permit LEA conditions: 17.14. "The operator shall take immediate and independent action to prevent and suppress fires on the project area. The facility shall be maintained with a clearance of flammable materials for a minimum distance of one hundred fifty (150) feet from the periphery of any exposed flammable solid waste, or additional minimum flammable clearance provisions determined by the local fire protection agency (pursuant to PRC 4373)" 17.15. "The operator shall properly equip and maintain noise attenuation and spark arrestor devices (such as mufflers) on all combustion engines utilized at this facility. All equipment components shall be maintained in good mechanical condition and properly operated to prevent excessive noise levels and circumstances capable of starting accidental fires."	The current LEA conditions number 17.14 and 17.15 were deleted as they are duplicative of other agency responsibilities.
Current permit conditions: 17.21. "All landfilling activities shall be conducted in accordance with the Master Plan as depicted in the March 1996 Report of Facility Information for the expansion project at this facility. Prior approval must be obtained from the LEA for any deviations from the above Master Plan." 17.22. "This permit supersedes all previous solid waste facilities permit for this site (namely permit 30-AB-00016 issued 4/12/89 and permit 30-AB-0035 issued 3/15/93)."	LEA condition 17.21 and 17.22 were renumbered and updated: Old condition 17.21 is now conditions 17.19: 17.19 "All landfilling activities shall be conducted in accordance with the Construction Sequencing Plan as depicted in the May 2007 Report of Facility Information. Prior approval must be obtained from the LEA for any deviations from the above Master Plan." Old condition 17.22 is now condition 17. 20: 17.20 "This permit supersedes all previous solid waste facilities permit for this site (namely permit 30-AB-0035 issued 5/20/96)."
Current permit document citations, section 15: Report of Facility Information 3/96 Air Pollution Permit and Variances A/N 232786 8/90 A/N 287115 12/93	Replacement permit document citations, section 15: Report of Facility Information (JTD) 5/07 Air Pollution Permits (Facility Permit to Operate) 11/04 F22339 11/04

A/N 290450	5/94	N8079	11/04
Gas Lease Agreement	12/93	F63713	11/04
Preliminary Closure/Postclosure Plans	3/96	F46965	11/04
Final Closure and Postclosure Maint. Plans	3/96	Landfill Gas Rights Agreement	2/81
Closure Financial Responsibility Document	10/95	Latest Amendment	4/07
Storm Water Discharge Permit	3/93	Preliminary Closure Plans	5/07
Waste Discharge Requirements		Prelim. Postclosure Maintenance Plans	5/07
81-48	4/81	Closure Financial Assurance Document	10/06
78-29	2/78	Waste Discharge Requirements	
93-57	9/93	99-33	8/99
94-17	3/94	MRP 99-33	5/07
94-34	5/94	OC Fire Authority permit	2/07
Salvage Contract Agreement	10/95	General Industrial Storm Water Permit	6/97
MOU between City of Brea and		MOU between City of Brea and	
County of Orange	3/92	County of Orange	3/92
MOU 1 st amendment	4/93	MOU Amendment No.1	4/93
MOU 2 nd amendment	6/95	MOU Amendment No.2	6/95
MOU to accept out of county waste	6/95	MOU Amendment No.3	8/97
		MOU Amendment No.4	6/99
		MOU Amendment No.5	8/00

There are no other changes being proposed as an aspect of this permit action.

Executive Director Findings

CCR Title 27 Sections	Findings	Acceptable	Unacceptable
21685(b)(1) LEA certified Report of Facility Information	The LEA provided the required certification.	<input checked="" type="checkbox"/>	
21685(b)(2) LEA Five Year Permit Review	The LEA provided the required documentation.	<input checked="" type="checkbox"/>	
21685(b)(3) Solid Waste Facility Permit	The LEA provided all the required documentation	<input checked="" type="checkbox"/>	
21685 (b)(4)(A) or (B) Consistency with PRC 50000.5 or LEA finding relative to PRC 50001	Board staff in the Sustainability Program has found the facility consistent with the Sitting Element.	<input checked="" type="checkbox"/>	
21685(b)(5) Preliminary or Final Closure/ Postclosure Maintenance Plans consistency with State Minimum Standards	Board staff in the Waste Compliance and Mitigation Program have found the Preliminary or Final Closure/ Postclosure Maintenance Plans consistent with State Minimum Standards	<input checked="" type="checkbox"/>	
21685(b)(6)(A) Financial Assurances Documentation compliance	Board staff in the Waste Compliance and Mitigation Program have found that there is Financial Assurances Documentation and compliance through 1/20/2008,	<input checked="" type="checkbox"/>	
21685(b)(6)(B) Operating Liability compliance	Board staffs in the Waste Compliance and Mitigation Program have found Operating Liability in compliance.	<input checked="" type="checkbox"/>	
21685(b)(7) Operations consistent with State Minimum Standards	Board staff in the Waste Compliance and Mitigation Program found that the facility was in compliance with all operating and design requirements during an inspection conducted on 9/20/2007	<input checked="" type="checkbox"/>	
21685(b)(8) LEA CEQA finding	The LEA provided a finding that the proposed permit is consistent with	<input checked="" type="checkbox"/>	

CCR Title 27 Sections	Findings	Acceptable	Unacceptable
	and supported by the existing CEQA documentation		
CEQA determination to support responsible agency's findings	Board staff in the Waste Compliance and Mitigation Program found that the proposed permit is consistent with CEQA and supports the ED concurrence in the modified permit.	<input checked="" type="checkbox"/>	

Executive Director Action:

On the basis of the information in this Request for Action on Modified Solid Waste Facilities Permit and the findings set out above, the Executive Director hereby concurs in the Modified Permit.

Dated: 10/29/2007



Mark Leary,
Executive Director

Attachment: Proposed Modified Permit 30-AB-0030 dated August 23, 2007