

ATTACHMENT 3

Comments on WDR and MRP

JOAN LEON
521 Amber Lane
Santa Maria, CA 93454

August 27, 2007

Received
AUG 29 2007
895 Aerovista Place, Ste. 101
San Luis Obispo, CA 93401-7906

Mr. Dean Thomas
California Regional Water Quality Control Board, Central Coast Region
895 Aerovista Place, Suite 101
San Luis Obispo, CA 93401-7906

Subject: Proposed draft revised waste discharge requirements for Santa Maria Class III landfill

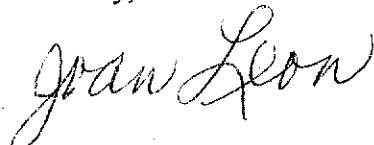
Mr. Thomas,

Having reviewed the staff report for the October 19 meeting, my concerns are regarding the NHIS program at the landfill.

1. On January 17, 2006 the NHIS acceptance criteria was changed to increase the contaminants by 50 percent but only for the Guadalupe Site sand. Gasoline criteria (C4-C12) was increased from 1 to 1.5. Diesel (C13-C22) was increased from 5.0 to 7.5.
2. Page 3 of the staff report states: "The Soil Acceptance Criteria is periodically modified based on the Discharger's request and demonstration that the new standards remain protective of the groundwater and are below hazardous concentrations." How are these requested changes monitored? Since the criteria were increased by 50% for the Guadalupe sand, will this mean that the criteria will be increased for other generators?
3. The contract between the city and Central Coast Resource and Recovery Inc. states in Exhibit A: Scope of Services: I A - "Contractor shall market NHIS capacity." Does this allow CCRRI to go beyond the Santa Maria Valley to get customers to put their NHIS in our landfill? I believe the area served should be limited to the Santa Maria Valley.
4. Contract Exhibit A Section IIA "The exact quality of NHIS ...cannot be guaranteed." Who monitors the quality of the NHIS? What if the quality exceeds the limit?

The Santa Maria River Levee is in urgent need of reconstruction, according to the Corps of Engineers. Accepting more NHIS with possibly higher concentrations of contaminants is very troubling. Acceptance of NHIS should be limited to the valley and only within the minimum level of contaminants.

Sincerely,



Joan Leon

From: <res0h61y@verizon.net>
To: <dthomas@waterboards.ca.gov>
Date: 9/3/2007 4:49:50 PM
Subject: RE: Comments-McCalip-NHIS

Sept. 1, 2007

California Regional Water Quality Control Board
Central Coast Region
895 Aerovista Place, Suite 101
San Luis Obispo, CA 93401

RE: COMMENTS FOR (NHIS) PROGRAM FOR THE SANTA MARIA
LANDFILL

Attn: Dean Thomas

From: Kenneth McCalip, 878 Brookside Ave., Santa Maria, CA 93455

Dear Mr. Thomas:

In accordance with the notice dated August 2, 2007, I am submitting my comments for the Santa Maria Class III Landfill, Santa Barbara County California.

These comments are directed to the NHIS program recently approved by your agency.

1. 500 YEAR FLOOD LEVEE CAN NO LONGER HOLD 100 YEAR FLOOD

The Army Corps of Engineers has recently concluded that the Santa Maria levee is no longer fit to withstand a 100 year flood and is in the process of updating flood maps of the area. Your entire report is based on the erroneous fact that the levee protects this dump site. It would appear that at a minimum that the portion of the levee protecting this site should be upgraded as a condition of your proposed order.

2. TESTING IN 2000 SHOWED THAT 3 OUT OF 6 AGRICULTURAL WELLS
CONTAMINATED WITH NO FOLLOW UP TESTING SINCE 2000

Your own staff report shows no follow up testing has occurred of contaminated wells on private property for the past 7 years. This shows a total lack of monitoring by your board and that at a minimum that you should require updated testing prior to issuing these new standards.

3. SINCE GROUNDWATER CURRENTLY COMES IN CONTACT WITH WASTE, WHY WOULD
YOU ALLOW THIS APPLICANT TO STORE WASTE IN THIS AREA WHEN THE LINER IS
REQUIRED TO BE FIVE FEET AWAY FROM ANY GROUNDWATER?

With this site currently under a clean up order with "pulses" of contamination flowing off site it would seem at a minimum that you would require a complete clean up verified by testing prior to allowing further storage and possible additional environmental damages.

Page 2

McCalip Comments
Sept. 2, 2007

Thank you for the opportunity to comment.

Yours truly,

Kenneth McCalip

August 28, 2007

California Regional Water Quality Control Board
Central Coast Region
895 Aerovista Place, Suite 101
San Luis Obispo, CA 93401

Re: Comments for NHIS program for the Santa Maria Landfill

Attn: Dean Thomas

From: Toru Miyoshi, 437 e. McElhany Ave, Santa Maria, CA
93454. (805) 925 6608

Dear Mr. Thomas:

In accordance with the notice dated August 2, 2007, I am submitting my comments for the proposed revised waste discharge requirements for Santa Maria Class III land, Santa Barbara County, California.

My comments are directed to the NHIS program at the Santa Maria Landfill approved by your Agency.

1. **All NHIS materials should come from the Central Coast Region only.**
 - a. The City of Santa Maria and their contractor, CCRRI, approved the Tidelands Oil Company NHIS material from Long Beach, California without any notification to the Central Coast Region staff and until commencement of delivery from Long Beach. An analysis was sent to Santa Maria and Santa Barbara County Staff questioning the transfer of the contaminated Tidelands Oil material to Santa Maria. Since the investigation

analysis prepared by Miller Brooks Environmental, Inc Huntington Beach, CA was sent anonymously, the City staff ignored the report as some disgruntled individual disregarded it. The city ordered another report that was made by Ninyo & Moore, Irving, CA and this report apparently found the material to be in compliance with your NHIS criteria. The Tidelands material commenced delivery to Santa Maria in late 2006 and discontinued delivery in the spring of 2007. They announced they would restart delivery in June 2007 but this has not happened. The reason for this action was never explained. However, an odor complaint was submitted from a farmer downwind from the landfill, which had to close down their operation due to the strong odor to the City shortly after commencement of the Tidelands NHIS material. I personally notified officials from Tidelands of this situation and they were surprised that this complaint was not forwarded to their office in Long Beach. I believe it was after this incident that caused Tideland Oil to suspend delivery of their contaminated NHIS material to the Santa Maria Landfill.

I submit this incident as an example of lack of oversight for the NHIS program. When the City Staff approved the Tidelands NHIS material, they submitted a one-page memo to the City Council and no public hearing was held for this major delivery of 187,000 cubic yards. .

2. Whenever a change in the NHIS criteria is made, a public hearing be held in Santa Maria.

a. When the Unocal-Chevron NHIS at Guadalupe Beach was approved after review of their EIR, it was revealed that the NHIS criteria was lowered to qualify this material to be dumped at the Santa Maria Landfill.

The RWQCB staff indicated the original NHIS criteria was too conservative as a justification for qualifying Chevron's diluent contaminated sand to be dumped at the Santa Maria Class III landfill. There was no public hearing in Santa Maria to assure the public that this amendment posed no health hazard to our environment. It is important to note that this amendment would not apply to other NHIS that may be dumped at the Santa Maria Landfill. The question is, if the Chevron material is safe at the amended criteria why is other NHIS material denied the lower standard? Public acceptance and confidence should be a requisite for any change in the NHIS program.

3. The brochure issued by CCRRI to sell the NHIS program be corrected.

a. The brochure listed the Regional Water Quality Control Board as one its customer. I have been informed they are not, however, no correction of the brochure has been ordered. The appearance of conflict cannot be avoided when the Regional Board is listed as a customer.

4. The NHIS program was approved by your agency to cap a certain portion of the SM Landfill only.

a. The City of Santa Maria is applying for a new permit at a new location to continue the NHIS program. Any extension of the NHIS program should be under city management not a private contractor paid by 50% of the dumping fee. Such an arrangement assure the people of Santa Maria a sense of security since monetary profit can become subordinate to protect public health and the environment.

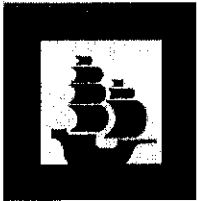
5. RWQCB staff report date 10-19-07

a. Page 2 of your staff report under Landfill Description. "The facility sits on the south bank of the Santa Maria River, immediately behind the Corps of Engineer's 500

year flood control levee". This description is in error as the people of Santa Maria has been informed by the Santa Barbara County Flood Control Agency that the levee **will** not contain a 100 year storm and Flood insurance will become mandatory. Until the levee is renovated to meet the 100 storm, the Santa Maria Landfill is vulnerable to flooding. With the current Zaca fire that is denuding the Sisquoc and Cuyama Water shed, the vulnerability of landfill becomes more critical.

I request an opportunity to testify at the Regional Water Quality Control Board hearing on October 19, 2007 meeting in Santa Barbara.

/s/ Toru Miyoshi



CITY OF SANTA MARIA
UTILITIES DEPARTMENT
Business Services • Fleet Services
Flood Control • Regulatory Compliance
Solid Waste Services
Water Resources • Wastewater Resources

2065 EAST MAIN STREET • SANTA MARIA, CALIFORNIA 93454-8026 • 805-925-0951, EXT. 7270 • FAX 805-928-7240

UTILITIES DEPARTMENT

September 4, 2007

Mr. Roger Briggs
Executive Officer
Regional Water Quality Control Board
895 Aerovista Place, Suite 101
San Luis Obispo, CA 93401

**SUBJECT: COMMENTS TO THE DRAFT PROPOSED REVISED WASTE
DISCHARGE REQUIREMENTS (WDR) FOR SANTA MARIA CLASS III
LANDFILL**

Dear Mr. Briggs:

Thank you for the opportunity to comment on the draft Waste Discharge Requirements. We appreciate the professionalism and attention to detail provided by your staff in preparing these draft Requirements. Mr. Dean Thomas and Mr. John Robertson have been excellent to work with and are a credit to your staff. We concur with your staff's recommendations with the exception of two items summarized below.

1. Draft Monitoring and Reporting Program (MRP) Part I, Section E.1.b, and Part I, Section E.6.b requires quarterly field probe and annual lab testing (TO-14) for Volatile Organic Compounds (VOCs) in all 52 soil pore gas (vadose zone) monitoring points. Although there is no requirement in existing WDR Order No. 01-041 to analyze any or all of the 52 soil gas probe samples in the lab, the City chose to perform this task in the lab for years on a quarterly basis. Since there were no significant "hits" in the lab data and since the sensitivity of the field equipment has improved to 2 ppm, the City switched to quarterly field instrument VOC monitoring in the fourth quarter of 2006. We have continued with calibrated field monitoring since that time.

Therefore, we suggest that the following language be incorporated in the MRP Part I, Section E.1.b, and Part I, Section E.6.b.

"Test for volatile organic compounds annually using EPA Method TO-14 in probes where VOCs have been detected at concentrations greater than 2 ppm with field instruments in two consecutive sampling events."

2. Existing Order No. 01-041 was approved prior to the disposal area being lined and, therefore, did not allow disposal of wastes that contain less than 50 percent solids by weight. However, all areas dedicated for waste disposal now have a lined containment system as described in the proposed WDR Section C.7.b. The City requests that the requirements for disposal of sewage sludge or water treatment sludge be updated to be consistent with the other landfills in the Central Coast region (i.e., Crazy Horse Landfill, City of Watsonville, City of Santa Cruz, Buena Vista Landfill, Monterey Peninsula Landfill, Cold Canyon Landfill, etc.) with regard to sludge disposal.

The City recommends adding the following language in Section E of the WDR:

Sewage sludge or water treatment sludge with greater than 50% moisture content may be discharged to the waste management unit if all the following criteria are met:

a) Sludge shall be discharged only to Waste Management Units that have a dendritic/blanket-type leachate collection and removal system (or acceptable equivalent) immediately above the liner, which is designed and operated to prevent the development of one foot or more of hydraulic head on the liner at any time.

b) A daily minimum solids-to-sludge ratio of 5 to 1, based on weight, shall be maintained when co-disposing sludge with solid waste.

c) Primary and mixtures of primary and secondary sewage sludge shall contain at least 20 percent solids by weight.

d) Secondary sewage sludge and water treatment sludge shall contain at least 15 percent solids by weight.

Thank you for consideration of our comments. Questions regarding this matter may be addressed to me at 805-925-0951, ext. 7244 or at bhagemann@ci.santa-maria.ca.gov.


BRADLEY E. HAGEMANN, P.E.
Utilities Engineer