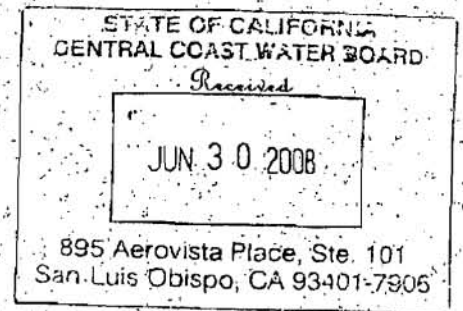


Chicago Grade Landfill, Inc.

2290 Homestead Road ♦ Templeton, CA 93465
Phone 805-466-2985 ♦ Fax 805-466-6155



June 26, 2008

Mr. Dean Thomas
Regional Water Quality Control Board
895 Aerovista Place, Suite 101
San Luis Obispo, CA 93401

Subject: Comments Concerning Revised Waste Discharge Requirements
R3-2008-0056
Paso Robles Class III Landfill

Dear Mr. Thomas,

Thank you for providing us with the draft Waste Discharge Requirements ("WDRs") and Monitoring & Reporting Program ("M&RP") for the Paso Robles Landfill. As you know, I have operated a landfill near Paso Robles' site for 14 years. Chicago Grade Landfill's site is similar in geology, hydrology and operations to the Paso Robles Landfill; the two landfills are approximately 9 miles apart. Over the last 5 or 6 years I have become increasingly concerned about the escalation of new regulations, particularly new regulations that raise the cost of doing business but fail to achieve significant environmental benefit. It is with that thought in mind that I comment on Waste Discharge Order R3-2008-0056.

WDRs

1. General Finding #41 requires the landfill operator to provide the Executive Officer with reports that are on file (and required by) another public agency, the California Integrated Waste Management Board ("CIWMB"). As I recall, AB 1220 divides the authority for the implementation of Title 27 between the SWRCB and the CIWMB. The intent of AB 1220, in part, is to keep the landfill operator from having to respond to two

Item No. 29
December 4-5, 2008 Meeting
Paso Robles Landfill Revised WDRs
Attachment 3

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two public agencies over the same matter. Compliance with Financial Assurance, which is what General Finding #41 addresses, is already evaluated on an annual basis by the CIWMB pursuant to Title 27 Section 22220 et. sec. The landfill's compliance with Financial Assurance reporting to the CIWMB is mandatory, and since the CIWMB performs an annual review, compliance is assured. If RWQCB staff wishes to check on the CIWMB's performance with respect to Financial Assurance, RWQCB staff should contact the CIWMB directly. Thus General Finding #41, which requires the operator to provide the CIWMB's annual approval of the operator's Financial Assurance mechanism to the RWQCB should be deleted from the order.

2. It seems like a small matter, but "freeboard" is not defined in the draft order. I actually had one of your fellow staff members tell me that Specification #15 (which is similar to one in our WDRs), required a constant 2 foot separation between the water surface and the spillway, meaning that a sediment basin could never overflow. Clearly this is not the intent of Specification #15. Including the definition of freeboard may be appropriate in the WDRs.

3. Reporting Requirement #22 requires a new Technical Compliance Report every year. In the past, the Technical Compliance Report was required every 5 years, immediately after the issuance of new WDRs. It was the intent of the Technical Compliance Report to make sure that the discharger understood the new Waste Discharge order. Requiring a Compliance Report annually, even though the WDRs don't change, serves no purpose. Reporting Requirement #22 should be changed back to every 5 years, or September 30, 2013 in this case.

M&RPs

4. Part 1 A1 of the M&RPs order discusses the need to perform site inspections when a storm "produces storm water runoff and discharge". It is assumed that this requirement

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refers to discharge from a storm water basin to the waters of the State, not storm water runoff that occurs only within the facility. If that is what is meant, then the wording should more precisely reflect that intent. See also Part 1 B1. The wording describing storm water runoff in Part 1 B1 is different than the wording in Part 1 A1. Are we to assume that the meaning is the same? See also Part 1, F6. The definition of a storm event is more clearly defined in Part 1 F6; is the intent the same in Part 1 F6 as in Part 1 B1 and Part 1 A1?

An important provision of 97-03-DWQ is left out of the various definitions of what is collectively referred to as "storm water runoff" in the M&RP. In 97-03-DWQ new storm events (and therefore new inspections) are defined as being preceded by 3 working days without a storm water discharge. Is the definition of a "storm event" in MRP Order R3-2008-0056, as it pertains to inspections, the same as the definition of a "storm event" in State Water Resources Control Board Order 97-03-DWQ? When considering your response, please consider that the MRPs at this site already require 29 storm inspections, plus additional (drainage system) inspections for "runoff-producing storm events". Add to this the regular monthly CIWMB and RWQCB staff inspections, and there are already over 50 erosion control/runoff-related inspections required per year. If additional inspections are required for every storm (storms that are not preceded by 3 days with no discharge and storms that cause no discharge to waters of the State), then storm water inspections would number 75 to 100 per year, depending on the weather. These additional costs would have to be passed on to the business community during the current time of financial difficulty, and would not yield in my opinion, a commensurate level of protection of the State's waters.

5. In Part 1 F6, the discharger is required to install or at least utilize automatic storm water sampling devices. This requirement is in conflict with SWRCB Order 97-03-DWQ which requires hand samples during the first hour of discharge or the first hour the facility is open if the discharge occurs at night.

It has been my experience that automatic storm water sampling devices are inferior to hand samples because certain monitoring parameters like dissolved oxygen, turbidity and pH need to be measured immediately, not in 30 days or, at a minimum, many hours after the sample is taken. There is also the substantial cost of installing automatic storm water samplers, and the problem of damage to the sampling equipment during a storm (or by animals). At a minimum, the operator needs to be given the option of using the automatic sampling equipment or to obtain grab samples, as is allowed by Order 97-03-DWQ.


6. Part 1 F7 addresses perimeter gas monitoring probe sampling. Beginning in September, 2008, the number of perimeter gas probes at each landfill will increase dramatically in response to new regulations passed by the CIWMB. Considering that approximately 18 gas samples must be analyzed for VOCs (instead of 3 gas samples previously required) each year, it is desirable to make the perimeter gas monitoring as cost efficient as possible. Section F7 of the M&RP requires analysis of landfill gas for VOCs by "method TO-14 (or equivalent)". Does the "or equivalent mean EPA 8260 will suffice?

7. Lastly, the laboratory test for metals in the MRP requires water samples to be unfiltered. Analyzing unfiltered water samples for metals leads to false positive results, since the acid preservative added to the water sample dissolves the metals in the sediments suspended in the water sample. While it is acceptable to use unfiltered water samples for the analysis of most constituents, it is inappropriate to use preserved and unfiltered water samples for the analysis of metals. The EPA test (or sample preparation

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method) for metals specified in the MR&Ps needs to be changed to allow filtering of the samples.

Sincerely,
CHICAGO GRADE LANDFILL



Michael F. Hoover
General Manager

cc: State Senator - Honorable Abel Maldonado
Mr. Doug Moen - City of Paso Robles

MFH:ra

SCS ENGINEERS

June 12, 2008
Project No. 01205150.00

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

Attention: Dean Thomas

**Subject: Pre-Draft WDR Comments
Paso Robles Sanitary Landfill
Paso Robles, California**

Dear Mr. Briggs:

On behalf of the City of Paso Robles this letter presents comments on the pre-draft Staff Report, Waste Discharge Requirements (WDRs), and Monitoring and Reporting Program (MRP) for the Paso Robles Sanitary Landfill. This response has been prepared by SCS Engineers (SCS) based on discussions with representatives from the City of Paso Robles and Pacific Waste Services (PWS).

OVERALL

Overall the pre-draft WDRs and staff report are complete and thorough and appear to be comparable to the existing permit, with exceptions as noted below.

PRE-DRAFT STAFF REPORT

- **Summary Section, Page 1** - Landfill parcel is 80 acres, not 82 as stated.
- **Facility Description, Page 2** - The hazardous waste management facility is operated under a separate permit issued to the San Luis Obispo County IWMA.
- **Control Systems and Monitoring, Page 3** - The pre-draft Staff Report suggests that geocomposite clay liners (GCL) do not perform as well as the prescriptive design for base liners and cover systems and that alternate materials will be required. This is an important consideration for future design, environmental protection and costs. GCLs are commonly employed and have been permitted for Title 27 / 40 CFR landfills throughout California and the U.S. We are aware of some agency concerns in this regard. However, in SCS's experience, perceived performance deficiencies may be attributed to construction practices, rather than material properties. Problems can be alleviated by specifying and installing appropriate overlap between GCL panels (to prevent subsequent shrinkage/creep of GCL materials and ensure a uniform barrier surface). In the absence of supporting data



suggesting GCL performance problems, we respectfully request that the Staff Report be modified to allow the City to retain the right to petition for use of GCL in future base liner design and construction.

- **Control Systems and Monitoring, Page 4** – The pre-draft Staff Report suggests that existing lysimeters be retained and incorporated in the monitoring program. Historically, sampling (via vacuum pumping) has not produced sufficient liquids volumes to analyze for all required monitoring parameters. Since 2005, the majority of the lysimeters have been dry. It is recommended that the need for continued semi-annual lysimeter monitoring be reconsidered as part of the revised WDRs.
- **Compliance History, Page 5** – The pre-draft Staff Report states that "... with the installation and start-up of the landfill gas system in 1998... the Discharger appears to be successfully correcting the leachate problem, as indicated by the declining VOC trends." We recommend this statement be re-worded. To date, we are unaware of a leachate release or any leachate-related impacts to groundwater. Note that proper operation of LFG control systems can be effective in controlling VOC impacts to underlying water quality.

PRE-DRAFT WASTE DISCHARGE REQUIREMENTS (WDRS)

- **Purpose of This Order, Item 5, Page 1** – See above comment regarding landfill parcel acreage.
- **Site Description and History, Item 25, Page 4** – Results of monitoring data suggest that perchlorate detected may be from natural sources or sources other than the landfill. This should be stated.
- **Control Systems and Monitoring Program, Item 32, Page 4** - The landfill gas control system is also operated under federal Title V permit requirements.
- **California Environmental Quality Act, Item 36, Page 5** – See above comment regarding landfill parcel acreage.
- **Section C, Specifications, Item 3. ii, Page 8** - The pre-draft WDR requires a 2-foot thick layer of compacted clay having a permeability less than or equal to 10^{-7} centimeter per second (cm/sec) and a minimum 40 mil synthetic flexible membrane liner or a minimum 60-mil high-density polyethylene. This condition has been changed from WDR Order No. 01-112 where the GCL was acceptable instead of new requirement of 2-foot of clay. Please see the above comments regarding the GCL component of the liner system. Again, we request the City retain the right to petition for use of GCL in the future base liner design and construction.
- **Section C, Specifications, Item 3. iii, Page 8** – the pre-draft WDR requires an upper component of 12-inches of sand drainage layer for leachate collection, covered with 12-inch protective soil layer. This condition has been changed from WDR Order No. 01-112 which allowed use of drain rock or a geocomposite drain layer. Industry convention is to

use drain rock and geocomposite drain net materials. Use of sand could present operations problems meeting performance requirements for liquid head buildup (it is less permeable than drain rock) and the sand material could be significantly more costly than drain rock or geocomposite. In the absence of supporting data suggesting the need to use sand in the drainage layer, we recommend that the pre-draft WDR be modified to allow the City the right to petition for use of drain rock or geocomposites, to be consistent with industry convention.

- **Section C, Specifications, Item 8, Page 9** – RWQCB approval for use of alternate daily cover is required. The City currently has CIWMB and RWQCB approval for use of ADC (tarps). We understand that RWQCB approval was obtained prior to issuance of the existing WDRs.
- **Section E, Provisions, Item 6, Page 11** – We request that reasonable notice be given in advance of any agency inspections. Further, all personnel on-site shall be responsible for their own worker health and safety.
- **Reporting Requirements, Item 22, Page 13** – the pre-draft WDR requires by January 31 of every year, the Discharger submit an Annual Compliance Report. This condition is not consistent with the Tentative MRP, Part IV., B. Annual Summary Report that allows the Annual Summary Report to be submitted with the Second Semiannual Monitoring Report submitted no later than April 30 each year. We respectfully request Provision 22 be changed to “April 30 of every year” to match the Tentative MRP Annual Summary Report submittal due date. The associated table under E. Provision 40 should be changed accordingly.

PRE-DRAFT MONITORING AND REPORTING PROGRAM (MRP)

- **Section A, Site Inspections, Item 1. a.** – The pre-draft MRP lists the Wet Season as October through April. However, the General Industrial Stormwater Permit lists the Wet Season as October through May. Please address this discrepancy.
- **Section F, Analytical Monitoring and Monitoring Locations, Item 2, Table 1, Page 3** – The following analytical methods are commonly used, appropriate, and we request that they be added to the list of Monitoring Parameters (Table 1):

Chloride – 300.0
Manganese - 6010
Nitrate Nitrogen – 300.0
Sulfate – 300.0

- **Section F, Analytical Monitoring and Monitoring Locations, Item 2, Table 1, Page 3** – Manganese analysis should be for dissolved constituents.

- **Section F, Analytical Monitoring and Monitoring Locations, Item 3. b, Page 4** – Semi-annual monitoring of the Lysimeters (LS-V1 through LS-V6) should be reconsidered. See above comment under pre-draft Staff Report.
- **Section F, Analytical Monitoring and Monitoring Locations, Item 3. d, Page 4** – Existing landfill gas monitoring probes are designated GP-1 through GP-5, GP-7, and GP-8 (there is no GP-6).
- **Section F, Analytical Monitoring and Monitoring Locations, Item 5, Table 3, Page 5** – The following analytical methods are commonly used, appropriate, and we request that they be added to the list of COCs:

Arsenic - 6010
Cyanide – 335.4
Lead - 6010
Selenium - 6010
Sulfide – 376.2
Thallium - 6010

- **Section F, Analytical Monitoring and Monitoring Locations, Item 5, Table 3, Page 5** – Metals (i.e., antimony, arsenic, barium, beryllium, cadmium, chromium, cobalt, copper, lead, mercury, nickel, selenium, silver, thallium, tin, vanadium, and zinc) should be analyzed for dissolved constituents.
- **Section F Analytical Monitoring and Monitoring Locations, Item 6, Table 4, Page 6** – The following analytical methods are commonly used, appropriate, and we request that they be added to the list of Stormwater Monitoring Parameters:

Specific Conductance – 120.1
Nitrate Nitrogen – 300.0
Total Suspended Solids – 160.2

- **Section F, Analytical Monitoring and Monitoring Locations, Item 7, Page 6** – Landfill gas monitoring probes should be labeled GP-1 through GP-5, GP-7, and GP-8 (there is no GP-6).
- **Section F, Analytical Monitoring and Monitoring Locations, Item 3, Page 3, a** – First Bullet – Identifies *Well MW-3, MW-8 and MW-11 shall serve as DMPs*. We respectively request the RWQCB revise this by identifying “Well MW-3, MW-9 and MW-11 shall serve as DMPs”. It is our intent to replace former Well MW-8 with MW-11 and to correct previous MRP to classify MW-9 as a DMP. Further supporting information of MW-9 is presented in the next response. Well MW-8 has been dry for several monitoring events and will be replaced with MW-11.

- **Section F, Analytical Monitoring and Monitoring Locations, Item 3. a, Page 4 –** Identifies that *Well MW-9 is about 240-feet from WMUB; and consequently, does not comply with 40 CFR 258.40(d), but shall be included as a monitoring point.* This statement is consistent with MRP Order No. 01-112, but we request a change. MW-9 was installed in the 1990's as a planned expansion of the "Groundwater Detection Monitoring Point" and investigation for perched groundwater in a monitoring plan submitted by Conor Pacific/EFW and approved by the RWQCB. Subsequent monitoring has shown that Well MW-9 is consistently monitoring groundwater downgradient of the Paso Robles Landfill Module 2B. Compliance with Title 27 appears to have been achieved by using Well MW-9 as a "Groundwater Detection Monitoring Point" and request the RWQCB's consideration for listing this well as such.

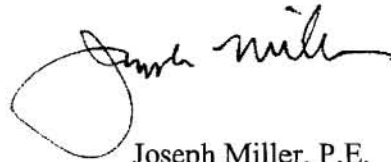
Also, it should be noted that U.S. EPA guidance for groundwater monitoring in accordance with 40 CFR generally allows that points of compliance be established within 150 meters of the waste unit boundary (approximately 460 feet). Well MW-9 is well within this allowable setback limit.

This response has been prepared by SCS for the City of Paso Robles, Department of Public Works. Please contact either of the undersigned with questions or comments regarding this submittal.

Sincerely,



Steve Clements, P.G., R.E.A.
Project Manager
SCS ENGINEERS



Joseph Miller, P.E.
Project Director

cc: Doug Monn, City of Paso Robles
James Wyse, PWS