

**SANTA CRUZ COUNTY
BOARD OF SUPERVISORS INDEX SHEET**

Creation Date: 9/23/09
Source Code: PUBWK
Agenda Date: 9/29/09
INVENUM: 63064

Resolution(s): _____

Ordinance(s): _____

Contract(s): _____

Continue Date(s): _____

Index: --Letter of the Department of Public Works dated September 23, 2009

Item: 35. ACCEPTED AND FILED report on the Buena Vista Landfill site regarding State Minimum Standards for Gas Monitoring and Control, as recommended by the Director of Public Works



County of Santa Cruz

0243

DEPARTMENT OF PUBLIC WORKS

**APPROVED AND FILED
BOARD OF SUPERVISORS**

701 OCEAN STREET, ROOM 410, SANTA CRUZ, CA 95060
(831) 454-2160 FAX (831) 454-2385 TDD (831) 454-2123

JOHN J. PRESLEIGH
DIRECTOR OF PUBLIC WORKS

DATE: *9/29/09*

COUNTY OF SANTA CRUZ
SUSAN A. MAURIELLO
EX-OFFICIO CLERK OF THE BOARD
BY *[Signature]* DEPUTY

AGENDA: SEPTEMBER 29, 2009

September 23, 2009

SANTA CRUZ COUNTY BOARD OF SUPERVISORS
701 Ocean Street
Santa Cruz, California 95060

**SUBJECT: NOTICE OF INCLUSION OF THE BUENA VISTA LANDFILL BY
THE CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD**

Members of the Board:

Public Works was made aware on September 21, 2009, that the Buena Vista Landfill site was placed on a Notice of Inclusion for not meeting State Minimum Standards by the California Integrated Waste Management Board (CIWMB) for landfill methane gas monitoring and control. Public Works operates and maintains the Buena Vista Landfill, and one of our key responsibilities includes the operation of a comprehensive gas control and monitoring system to prevent subsurface landfill methane gas migration. Recent monitoring by the CIWMB from a vacuum probe at a subject site south of the landfill revealed gas levels at an 80-foot depth in excess of 5 percent which exceeds state compliance regulations.

Over the past four months, Public Works has been closely working with the CIWMB in an effort to mitigate the subsurface gas migration at the subject site. Our initial plan submitted to the CIWMB in June 2009 included the adjustment of the vacuum control collection system at various wells to reduce the subsurface gas migration at the site. As your Board is aware, the landfill gas is collected continuously at the landfill and is then redirected to a cogeneration plant that produces electricity. Initially, we realized a reduction in the gas emissions at the site due to the adjustment of the vacuum control system; however, a recent site visit by the CIWMB produced a positive reading of subsurface methane gas.

At this time, Public Works is finalizing a work plan in conjunction with our engineering consultant firm, SCS Engineers, that will be submitted to the CIWMB as describing a corrective plan and implementation schedule (summarized below). The corrective plan includes the following:

1. Immediately increasing the vacuum control system on the existing gas wells nearest to the subject site.
2. Within 120 days, installation of two new extraction wells at the subject site of gas migration.

These actions are intended to produce a practical and rapid solution to correcting the subsurface gas migration and subsequent removal from the CIWMB Notice of Inclusion. The cost to design and install two new extraction wells is estimated at \$30,000. Funding is available in the CSA 9C Recycling and Solid Waste Services budget for the existing contract with SCS Engineering for the work items.

It is therefore recommended that the Board of Supervisors accept and file this report on the Buena Vista Landfill site regarding State Minimum Standards for Gas Monitoring and Control.

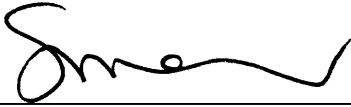
Yours truly,



JOHN J. PRESLEIGH
Director of Public Works

JJP:KK:lh

RECOMMENDED FOR APPROVAL:



County Administrative Officer

copy to: Public Works



LINDA S. ADAMS
SECRETARY FOR ENVIRONMENTAL
PROTECTION

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD



ARNOLD SCHWARZENEGGER
GOVERNOR

1001 I STREET, SACRAMENTO, CALIFORNIA 95814. P.O. Box 4025, SACRAMENTO, CALIFORNIA 95812-4025
(916) 341-6000 • WWW.CIWMB.CA.GOV

MARGO REID BROWN
CHAIR
MBROWN@CIWMB.CA.GOV
(916) 341-6051

September 15, 2009

Santa Cruz County Board of Supervisors
701 Ocean Street
Santa Cruz, CA 95060

SHEILA JAMES KUEHL
SKUEHL@CIWMB.CA.GOV
(916) 341-6039

**SUBJECT: Notification of the Inclusion of the Buena Vista Landfill,
Facility No. 44-AA-0004 on the Inventory of Solid Waste
Facilities Which Violate State Minimum Standards**

JOHN LAIRD
JLAIRD@CIWMB.CA.GOV
(916) 341-6010

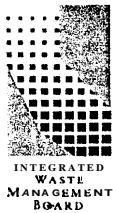
Dear Board of Supervisors:

CAROLE MIGDEN
CMIGDEN@CIWMB.CA.GOV
(916) 341-6024

The Buena Vista Landfill in Santa Cruz County has been placed on the Inventory of Solid Waste Facilities Which Violate State Minimum Standards (Inventory), maintained by the California Integrated Waste Management Board (CIWMB), pursuant to Public Resources Code (PRC) 44 104. The Inventory is a list of solid waste facilities in the state of California that are violating the State Minimum Standards (SMS) for solid waste handling and disposal. The SMS regulate the design and operation of solid waste facilities in order to protect public health, safety, and the environment. Regulations promulgated in 2003, require the CIWMB to notify local governments when a facility, in the local jurisdiction, is placed on or removed from the Inventory. (See Title 14, California Code of Regulations (CCR), Sections 18360 – 18368).

ROSALIE MULÉ
RMULE@CIWMB.CA.GOV
(916) 341-6016

Solid waste facilities are placed on the Inventory after chronic violations of SMS occur. The CIWMB is currently serving as the solid waste Enforcement Agency (**EA**) for Santa Cruz County and required to inspect and enforce state standards at solid waste facilities. When a facility violates the same standard for two consecutive months, as documented by the EA's monthly inspections, CIWMB staff sends a Notice of Intent (NOI) letter to the owner/operator notifying them of the CIWMB's intent to include the facility on the Inventory. The NOI provides the operator 90 days to correct the violation. If the violation continues, CIWMB staff consults with the EA prior to issuing an inclusion letter that places the facility on the Inventory. All facilities listed on the Inventory are required by statute to be under a compliance schedule, issued by the **EA**, which ensures diligent progress is being made to correct the violation.



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Buena Vista Landfill Inventory Letter

September 15, 2009

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The Buena Vista Landfill is being included on the Inventory for continuing violation of the following State Minimum Standard:

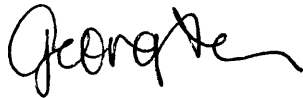
- **Title 27, California Code of Regulations, Section 20921 – Gas Monitoring and Control**

A current listing of the Inventory is available online at:

<http://www.ciwmb.ca.gov/SWIS/Inventory/default.aspx>

If you have any questions regarding this matter, please contact Jon Whitehill of my staff at (916) 341-6403 or me at (916) 341-6429.

Sincerely,



Georgianne Turner, Branch Manager
MSW Facilities Operations and Evaluation Branch
Compliance Evaluation & Enforcement Division



LINDA S. ADAMS

SECRETARY FOR ENVIRONMENTAL

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD



ARNOLD SCHWARZENEGGER
GOVERNOR

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MARGO REID BROWN
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September 15, 2009

CERTIFIED MAIL,
7003 1680000061705725

SHEILA JAMES KUEHL
SKUEHL@CIWMB.CA.GOV
(916) 341-6039

Kasey Kolassa
Recycling and Solid Waste Services Manager
Santa Cruz County Department of Public Works
701 Ocean Street, Room 410
Santa Cruz, CA 95060-4070

JOHN LAIRD
JLAIRD@CIWMB.CA.GOV
(916) 341-6010

**SUBJECT: Inclusion of the Buena Vista Landfill,
Facility No. 44-AA-0004, on the Inventow of Solid Waste
Facilities Which Violate State Minimum Standards**

CAROLE MIGDEN
CMIGDEN@CIWMB.CA.GOV
(916) 341-6024

Dear Mr. Kolassa:

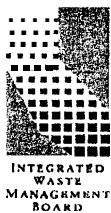
ROSALIE MULÉ
RMULE@CIWMB.CA.GOV
(916) 341-6016

On May 13, 2009, California Integrated Waste Management Board (CIWMB) staff sent you a Notice of Intent (NOI) letter to include the Buena Vista Landfill, Facility No. 44-AA-0004, on the Inventory of Solid Waste Facilities Which Violate State Minimum Standards (Inventory). It was stated that if the violation listed in the NOI was not corrected within 90 days of receiving the NOI, the facility would be included on the Inventory. The 90 days expired on August 17, 2009. The latest inspection report submitted by the CIWMB acting as the Enforcement Agency (EA) indicates that the violation of State Minimum Standards (SMS) cited in the NOI, has not been corrected.

**YOU ARE HEREBY NOTIFIED THAT THE BUENA VISTA LANDFILL,
FACILITY NO. 44-AA-0004, HAS BEEN INCLUDED ON THE
INVENTORY PURSUANT TO PUBLIC RESOURCES CODE SECTION
44104 FOR THE FOLLOWING STATE MINIMUM STANDARDS
VIOLATION:**

- **Title 27, California Code of Regulations, Section 20921 – Gas Monitoring and Control**

All facilities listed on the Inventory are required by statute to be under a compliance schedule, issued by the EA, which ensures that diligent progress is being made to correct the violation. Title 14 of the California Code of



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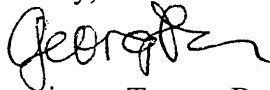
Buena Vista Landfill Inventory Letter
September 15, 2009
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Regulations, Section 18365, requires the EA to issue the compliance schedule within 15 days from the date of the inclusion letter.

The EA will continue to inspect your facility and provide written documentation (inspection reports) regarding the compliance status of the facility with respect to it being included on Inventow. If the violation is corrected to the satisfaction of the LEA, and documented by the LEA in at least one inspection report, you will be notified that the facility has been removed from the Inventory. Otherwise, the facility will remain on the Inventory as long as the violation continues to be cited.

If you have any questions regarding this action, please contact Jon Whitehill of my staff at (916) 341-6403 or me at (916) 341-6429.

Sincerely,



Georgianne Turner, Branch Manager
MSW Facilities Operations and Evaluation Branch
Compliance Evaluation and Enforcement Division

cc: Santa **Cruz** County Board of Supervisors

