



COMMUNITY MONITOR COMMITTEE

Altamont Landfill Settlement Agreement

Minutes of March 12, 2008

1. Call to Order

Ms. Leider called the meeting to order at 4:09 p.m.

2. Roll Call

Members Present:

Marj Leider, Chair; Cindy McGovern; Donna Cabanne; Arthur Boone; Robert Cooper, Altamont Landowners Against Rural Mismanagement (ALARM); and Tianna Nourot, Waste Management Altamont Landfill Resource and Recovery Facility

Absent:

Karen Moroz, Alameda County Local Enforcement Agent

Staff:

Dan McIntyre and Dana D'Angelo, City of Livermore Public Works Department

3. Approval of Minutes

On the motion of Mr. Boone, seconded by Ms. Cabanne, and carried by a vote of 4-0, the minutes of the meeting of January 9, 2008 were approved.

4. Open Forum

Robert Cooper introduced himself as representing Altamont Landowners Against Rural Mismanagement (ALARM), and presented several questions from ALARM: Has the amended CUP been adopted?

Please provide the current Land Use Plan.

What is the location of the 750-acre Conservation Easement?

What is the status of the eminent domain action regarding Dyer Reservoir?

Have the groundwater wells required in the Settlement Agreement and CUP been installed? When?

Please provide Exhibit 1 from the Settlement Agreement (map).

Ms. Leider and Mr. Boone informed Mr. Cooper that discussion topics need to be placed on a meeting agenda before the Committee can pursue them, and Ms. Leider stated that the Committee would place ALARM's issues on the agenda for the next meeting. Mr. McIntyre agreed to provide those documents that are available from City files. Ms. Leider indicated that the Community Monitor Committee (CMC) would need input from the City Attorney as to whether ALARM's concerns are within the purview of the CMC. Ms. Cabanne then asked Mr. McIntyre to obtain an update on the status of the buffer zone from the City Attorney.

5. Matters for Consideration

5.1 Recent Inspections by Community Monitor

Mr. Runyon gave a verbal description of the Community Monitor (CM) orientation visit and of CM monitoring sessions that occurred on February 8 and 26, as well as traffic counts that occurred on February 8 and March 3. In general, no potential violations were noted. Mr. Runyon did express some concern about the extensiveness of windblown litter downwind of the working area of the site.

In discussion of recent and prior inspections, Ms. Cabanne requested greater emphasis on review of groundwater protection. She stated that the prior CM, Techlaw, reported (in May 2006) that there had been insufficient purging during sampling, and that they (Techlaw) had concerns about sampling of the following wells: E06, E05, E07, and E20. Also, the Techlaw report indicated that wells E24 and E25 had not been installed although they were supposed to have been, according to work done by WMAC's consultant, Rust Engineering. Furthermore, in their last report for 2006, Techlaw indicated that there had been insufficient purging of groundwater wells MW-9 and MW-10 immediately prior to sampling, and that there were the following additional concerns: trace volatile organic compounds (VOC's) in E03A, E21, and E23; and an exceedance of vinyl chloride detected in well E20. Ms. Cabanne asked that the CM review prior groundwater monitoring reports, from 2006 through the present, to determine if the exceedances are due to a temporary shutdown, and if these exceedances / concerns are one-time events or part of a trend. Also: have purging procedures changed? Were the high vadose-zone concentrations in the first and second quarters of 2006 one-time events or part of a trend?

Ms. Cabanne also made the following request: In August 2005 there was a request being prepared for a variance regarding shutdown of the groundwater interception trench. Was that request submitted to the Regional Water Board? Did they approve? What has been the situation since then, with regard to groundwater quality?

5.2 Topics raised at previous meeting

The CMC reviewed the memo from ESA regarding each of these topics.

1 – Landfill gas to energy – Ms. McGovern asked representatives from Waste Management for comment. Ms. Dominick stated that they need to obtain the expansion cell in order to have enough gas to supply additional turbines, and that the company is also pursuing a process to convert excess landfill gas to liquefied natural gas for use in collection trucks. Mr. Wise noted that since November of 2007, the landfill had added 37 new

landfill gas wells. Mr. Boone remarked that the landfill continues to flare a great deal of gas, when it would be more beneficial to the community to produce power from that gas. Ms. Dominick responded that there is no landfill gas turbine that can meet current Air District emission level standards; those standards require the same emission level from Day 1 through Day 365 of the first operating year. Mr. Boone asked CMC members if they would be amenable to his pursuing this question with the Air District himself. Responses were affirmative. Mr. Wise noted that the landfill currently produces 3.5 megawatts of electricity.

In discussion of the need for a new landfill cell, waste Management staff noted that the landfill's new cell will be needed by 2010. In response to a question from Mr. Boone, Ms. Dominick provided the name of Brian Bateman as the head of engineering at the Air District.

2a – Huffman legislation – Noting that the CM has stated that the bulleted questions are within the Community Monitor's purview, Waste Management staff asked to review these questions and provide their opinion regarding the community monitor's purview.

It was moved by Ms. McGovern, seconded by Ms. Lieder, to request Waste Management staff to review the three bulleted questions in this portion of the ESA memo and provide Waste Management's opinion, to ESA, about whether these are within the Community Monitor's purview. Ms. Dominick indicated that they would like to provide such an opinion about all of the topics in this memo that are asserted to be within the Community Monitor's scope. There was no objection from the CMC, but the motion was not modified; it passed unanimously.

2b – Reduced excavation – After discussion, ESA was asked to discuss this informally with Waste Management, to see if a response can be determined without extra expense, and if so, to provide such a response.

3 – Capacity for / Needs of San Francisco – ESA was not directed to pursue this topic further.

4 – Class 2 / Class 3 adjacency – ESA was directed to pursue this as described in the memo. Ms. Cabanne mentioned concerns about the placement of contaminated soil.

5 – Santa Clara County green wastes – Mr. Boone mentioned that green wastes from Santa Clara County are not being used as ADC but for other beneficial uses at the landfill, and that this is of concern. Mr. Runyon stated that he can review the Monthly Tonnage Reports to try to determine the tonnages involved, and the disposition of these materials, but the tonnage reports may not provide enough information to make this clear. Waste Management staff expressed concern that the CMC understand

that there is no tonnage limit for this type of material. ESA was directed to proceed as described in their memo.

5.3 Use of web site to hold reference documents

Committee members concurred that the web site will be used to hold future meeting agendas, approved (not draft) minutes, and other public documents relevant to the Committee's activities, as determined by the Committee.

6. Agenda Building

The format of Community Monitor reports was discussed. ESA will submit its first reports in a format that reflects this discussion. Ms. Cabanne requested that the Community Monitor reports be provided prior to the CMC meeting. Mr. McIntyre suggested that they be part of the agenda packets. ESA agreed to this. The need for a column or graphic indicator in the Community Monitor's report to flag areas of serious concern was discussed. Ms. Cabanne suggested that this be extended to the CM's review of reports by others.

There followed some discussion of a potential field trip for one or two CMC members, prior to the May meeting.

The need for a site map at the next meeting was also discussed.

7. Adjournment

The meeting was adjourned at 5:18 p.m. The next meeting will be held on **Wednesday, May 14 at 4:00 p.m.** at the Livermore Maintenance Services Division at 3500 Robertson Park Road.