



COMMUNITY MONITOR COMMITTEE

Altamont Landfill Settlement Agreement

Minutes of May 14, 2008

DRAFT

1. Call to Order
Ms. Leider called the meeting to order at 4:06 p.m.

2. Roll Call
Members Present: Marj Leider, Chair; Cindy McGovern; Donna Cabanne; Arthur Boone; Karen Moroz, Alameda County Local Enforcement Agent ; Robert Cooper, Altamont Landowners Against Rural Mismanagement (ALARM);and Tianna Nourot, Waste Management Altamont Landfill Resource and Recovery Facility

Members Absent: none

3. Approval of Minutes
On the motion of Ms. Cabanne, seconded by Ms. McGovern, and carried by a vote of 4-0, the minutes of the meeting of March 12, 2008 were approved.

4. Open Forum
No items were brought to the Committee's attention.

5. Matters for Consideration
 - 5.1 Committee member activities

Ms. McGovern and Mr. McIntyre recently visited the ALRRF site, and Ms. McGovern gave a brief description of the visit. The tour was conducted by Neil Wise and Tianna Nourot. Refuse fill operations, and stockpiles of construction and demolition materials, as well as recyclable materials, were observed. They also observed the future expansion area, groundwater monitoring wells, landfill gas wells, tire processing, and the litter fence. Ms. McGovern made note of windblown litter attributable to plastic shopping bags.

 - 5.2 Information Request From A.L.A.R.M.

Mr. McIntyre reviewed the memo from ESA listing each of the items of interest.

1 – The C.U.P. has been adopted, and the adopted version is now available via the CMC web site.

2 – Mr. McIntyre stated that the current Land Use Plan has not been provided because staff are not sure what document is being requested.

3 – Regarding the location of the 750-acre Conservation Easement, Mr. McIntyre stated that it is Waste Management's position that this is a "floating" easement that does not yet have a definite location. Mr. Cooper said that he believed the easement location was defined. Mr. Kenneth Lewis, General Manager of the ALRRF, responded that the 750 acres are not yet defined. Mr. McIntyre asked if there is a point in time or a certain activity at the landfill that triggers the need for the easement. Mr. Lewis responded that the easement needs to be defined before Fill Area 2 can open. Ms. Cabanne asked when the public would know the location of the easement. Mr. Lewis replied that the easement location would be public information when it is recorded. The timing is uncertain but is intended to be this year. Ms. McGovern asked if easement sites off of the ALRRF property are being considered. Mr. Lewis replied that this concept is being considered informally but is not the preferred solution. He further stated that the condemnation of a portion of the landfill property by the State for a reservoir has complicated the situation by removing some available land. Ms. McGovern asked about public use of the easement. Mr. Lewis responded that certain uses would be allowed, such as grazing.

4 – Status of the eminent domain action for Dyer Reservoir – Mr. Lewis stated that the State Department of Water Resources has obtained eminent domain. The location of the reservoir, immediately east of Dyer Road in Section 17, was discussed

5 – Installation of groundwater wells – Will be discussed later in this meeting under item 5.3.

6 – "Map 1" from the Settlement Agreement – City staff distributed a map believed to be Exhibit 1 as cited in the Settlement Agreement.

In discussion of the one outstanding item (the Land Use Plan), Mr. Cooper asked if the expansion area is being developed now. Mr. Lewis said no, but the intent is to begin work on the expansion in 2009. Several permits need to be completed and the Fish and Game permit is the critical item. Fish and Game is attaching certain conditions to the permit that the ALRRF may not be able to satisfy directly, so alternate mitigations are under discussion.

Regarding item 1 above, Ms. McGovern asked about Condition #69 requiring truck traffic to remain on interstate highways "except for certain defined situations," Mr. Runyon was asked to clarify what those situations are. He stated that he believed the exceptions had to do with highway

closures or similar contingencies, and he would respond fully at the next CMC meeting.

Regarding item 3 above, Ms. McGovern asked if the conservation easement was the only pending item before the expansion area can be developed. Mr. Lewis replied that there are several other agency permits also being developed, but these are generally simpler; however the Air District permit(s) have become more complex than they were previously, which is adding to the effort.

5.3 Review of reports from Community Monitor

Mr. Runyon explained the format of the written reports and discussed each of the areas that were marked with yellow to indicate an item of some concern to the Community Monitor. These were as follows:

January 2008 –

The December 2007 tonnage report shows a very minor discrepancy in the accounting for tonnage delivered to the ALRRF. In discussion of the tonnage data, Ms. Cabanne asked if there is a way to break down the Special Wastes category by source, i.e. in-County or out-of-County. Mr. Runyon stated that he was uncertain but would look at the original reports to see if that is possible.

The Second Semi-Annual Groundwater Monitoring Report shows that VOC's were detected in the third quarter, but not the fourth, and that vinyl chloride was found in well E-20B in the third quarter, but not the fourth. Mr. Runyon remarked that these variations may be due to changes in the performance of the landfill gas extraction system.

Mr. Boone noted that the monthly tonnage of revenue generating cover varies more than the monthly tonnage of refuse, and asked if the constituents of revenue generating cover are known. Mr. Runyon gave some examples. Mr. Boone asked if it is possible to determine if source-separated organics that are being delivered to the landfill are being used as alternative daily cover (ADC) or for other beneficial uses; and if materials that are being delivered as revenue generating cover are being used as ADC. Mr. Lewis described four uses of green material: approximately 20% stockpiled for cover; approximately 50% used for erosion protection (and to promote plant growth) on outside slopes; another substantial fraction used as "extender for solidification"; and the green waste (also containing food waste) that is received from Livermore is shipped to Grover for further processing. Mr. Runyon responded that he would try to determine the quantities of interest, using the monthly tonnage report. In further discussion, Mr. Lewis mentioned that the green material received from Santa Clara County is not used as ADC.

Ms. Cabanne asked if there is a way to quantify the "substantial amount of windblown litter" that is mentioned in the January report. A direct answer to this question was not provided, but subsequent discussion raised these points:

- Landfill crews are picking up litter all the time, so the situation varies,
- Windy weather exacerbates the problem,
- Consumer use of plastic bags is the primary source of that litter,

- When Fill Area 2 opens, it will be shielded from wind and litter will be reduced.

February 2008 –

The variance in tonnage was noted. Ms. Nourot mentioned that there were revisions in the tonnage reports, and that corrected reports would be available.

Mr. Runyon noted that the ALRRF's Mitigation and Monitoring Report's Annual Update states that the Fill Area 2 excavation work need not take precautions for the discovery of cultural materials, because it has been surveyed for these items. He stated that ordinarily, for excavation of a previously undisturbed area, precautions are written into the specifications to protect such items if found; and he suggested that even though the area has been surveyed, it would be prudent to include such a requirement in the specifications for construction of Fill Area 2. Mr. Lewis provided assurance that if something of value were discovered, the ALRRF would comply with regulatory requirements.

Mr. Runyon also mentioned that the requirement to fence the alkali sinks appears to require that the sinks be fenced now. Mr. Lewis stated that the ALRRF's interpretation differs (i.e., that the sinks need not be fenced until Fill Area 2 is developed). Ms. Cabanne asked if the County could provide an interpretation. Mr. Runyon replied that he did not believe that the Community Monitor could directly raise that question with County staff, under the scope defined in the Settlement Agreement. Mr. McIntyre and Ms. Lieder discussed the option of a Committee member pursuing that question, and concluded that a member of the public, including a Committee Member, should be able to pursue the question through discussion with County Planning. Ms. McGovern stated that she would contact County Planning. Mr. Lewis pointed out that the specific requirements for how and where to fence have not yet been put forward by Fish and Game as part of their Biological Opinion [which is necessary to permit the development of Fill Area 2].

Discussion of the locations and configurations of alkali wetlands and natural ponds followed.

A statement in the report, regarding complete combustion by the landfill gas flare, was questioned by Mr. Boone. Mr. Lewis discussed standards for various landfill gas control devices, and the way that the Bay Area Air Quality Management District sets those standards. He stated that those standards are based on the use of natural gas, which places engines powered by landfill gas at a disadvantage.

March 2008 –

A truckload with a substantial amount of cardboard was noted during the inspection. Photos of this load were shown to the Committee at Committee members' request. Mr. Lewis questioned the right of the Community Monitor to take these photos, under the Settlement Agreement. He expressed concern about the protection of disposal customers' privacy.

Other photos from the March inspection were shown to illustrate how a GPS unit was used to check activities on each side of the Class 2 / Class 3 line. Mr. Runyon reported that all activities were taking place in appropriate locations.

April 2008 –

Ms. Cabanne asked about the variation in tonnage of revenue generating cover, and whether the sources of those materials can be identified. Mr. Runyon stated that the Community Monitor team would be looking at that prior to the next meeting, as part of the review of contaminated-soil reports.

Monitoring in April focused on groundwater monitoring procedures. Eric Morita explained the tasks that he had undertaken, which were described in the memos provided in the agenda packet. He noted that the Water Board permit for the landfill does not state a specific requirement regarding purge rates; and the current document that specifies groundwater monitoring procedures had not yet been reviewed; but the procedures that were followed for groundwater sampling generally conformed to standard practice.

Ms. Cabanne asked that the CM continue to track the recording of the number of readings taken to determine if purging has been sufficient.

In further discussion of the groundwater monitoring procedures documents from 1994 and 1996, Ms. Nourot stated that she had found both documents and could make them available.

Ms. McGovern asked if the Committee could be provided with a list of acronyms in order to better understand documents related to the ALRRF. Mr. Runyon said that he would check the SWANA library to see what might be available.

5.4 Update Regarding Topics Raised at January 9 Meeting

The chair asked if members wished to discuss this item. No discussion was requested.

5.5 Press Release From Waste Management Regarding Landfill Gas

Ms. Cabanne asked if the development of the proposed gas plant would be in the purview of the Community Monitor, and if the plant would require permits. Mr. Lewis stated that it would require an Air District permit, and a Fire Marshal permit, but it has been determined not to require a change in the Use Permit. It is expected to enable the flare to be shut down. He went on to describe some details of the technology.

Ms. Cabanne asked about Linde's operations of similar plants elsewhere in the US. Mr. Lewis stated that this plant would be the first of its kind.

Mr. Boone asked if the LNG plant would shut down the electrical generating capacity. Mr. Lewis said no; the power produced by the IC engines (about 2 megawatts) would be needed to run the LNG plant. He further stated that this project was focused on Fill Area 1 and would not be drawing on gas from Fill Area 2. There was some discussion of the length of time that landfills produce gas; Mr. Lewis stated that this depends on the moisture content of the wastes; higher moisture leads to high production rates and a shorter time frame.

5.6 Approval of Items for Web Site Posting

It was the consensus of the Committee that all reports to the Committee should be available on the web site, in a format that makes it easy to identify individual items.

6. Agenda Building

Mr. Boone introduced the subject of proper handling and disposal of household hazardous waste and asked if the CMC is an appropriate forum for discussion of household hazardous waste management and public education on this issue. It was the sense of the Committee that that subject would be more suitable for another venue.

7. Adjournment

The meeting was adjourned at 6:02 p.m. The next meeting will be held on **Wednesday, July 9 at 4:00 p.m.** at the Livermore Maintenance Services Division at 3500 Robertson Park Road.