

INFORMATION SHEET

ORDER NO. _____
CHICO REDEVELOPMENT AGENCY
FOR POST-CLOSURE MAINTENANCE OF
HUMBOLDT ROAD PRIVATE PROPERTIES OPERATIONAL UNIT
BUTTE COUNTY

The Humboldt Road Burn Dump (HRBD) is a group of fifteen properties in the City of Chico used in the past for waste disposal. The HRBD, as a whole, consists of one primary disposal area located on Assessors Parcel Number (APN) 011-030-015, which formerly operated as the City of Chico Burn Dump, and fourteen other waste disposal areas on adjacent properties. The primary disposal area operated from the early 1900's until approximately 1965 when the Butte County Neal Road Landfill opened and City of Chico Burn Dump closed as a waste disposal facility. Wastes from the City of Chico and the unincorporated portions of Butte County were historically dumped, burned, and then leveled in a cyclic fashion at the primary disposal area. Approximately 70 of 157 total acres were impacted by waste disposal operations. On 11 December 1997, the California Environmental Protection Agency Site Designation Committee adopted Resolution No. 97-16, pursuant to Health and Safety Code (HSC) section 25260, et seq, *Unified Agency Review of Hazardous Materials Release Sites*, designating the Regional Water Board as Administering Agency. Subsequent HRBD site investigation and remediation activities were conducted in accordance with HSC section 25260, et seq.

On 3 June 2003, the Regional Water Board Executive Officer issued Cleanup and Abatement Order No. R5-2003-0707, to the parties reasonably identified as responsible for the HRBD waste. Between 2004 and 2006, four separate remediation projects occurred to clean up the HRBD waste. Waste from APN 002-180-083 was removed and transported to Ostrom Road Landfill for disposal and, on 17 November 2005, a No Further Action Determination was issued for the site. Waste from APN 011-780-014 and APN 011-780-018 was removed and transported to the Waste Management Kettleman Hills Facility for disposal. . On 22 December 2006, a Certificate of Completion was issued, pursuant to HSC section 25260, for APN 011-780-014 and a No Further Action Determination was issued for APN 011-780-018. Chico Redevelopment Agency removed waste from six properties (APN 002-180-087, APN 002-180-088, APN 002-180-089, APN 002-180-095, APN 011-030-137, and APN 011-030-150) and consolidated it in the primary disposal area located on APN 011-030-015 and, on 22 December 2005 and 7 February 2006, Certificate of Completions were issued pursuant to HSC section 25260. The Regional Water Board regulates the Chico Redevelopment Agency, HRBD Operational Unit, under separate Waste Discharge Requirements.

Waste from six properties (APN 011-300-016, APN 011-030-136, APN APN 011-030-138, APN 011-030-139, APN 002-180-084, APN 002-180-086) was removed and consolidated into an 8-acre waste management unit (Unit) on APN 011-500-138 and, on 10 March 2005 and 16 December 2005, Certificate of Completions were issued pursuant to HSC section 25260. Waste Discharge Requirements (WDR) Order No. R5-2004-0089, adopted by the Regional

Water Board on 9 July 2004, set forth requirements for closure of the Unit.

Waste consolidated in the Unit was capped with an engineered cover consisting, from bottom to top, of six inches of compacted clean soil, a 16-ounce nonwoven geotextile, 60-mil high-density polyethylene (HDPE) barrier layer, a geocomposite drainage layer, and 18 inches of clean soil for construction of a vegetative erosion resistant layer. A passive gas venting system was also installed directly beneath the foundation layer. An engineered base liner system was not constructed, as the natural geologic formations are considered adequate for protecting groundwater quality in conjunction with the engineered cap. Other Unit activities completed in the 2005 season included construction of a leachate collection berm and outlet and installation of a surface water drainage conveyance system, three groundwater monitoring wells, and two permanent survey monuments.

The three completed groundwater monitoring wells at the Unit were named MW-5, MW-6, and MW-7 to prevent potential errors in reviewing groundwater data collected from the three monitoring wells (MW-1, MW-2, and MW-4) constructed and one abandoned monitoring well (SB-3) at the adjacent HRBD Operational Unit. Groundwater has been observed in three of the six groundwater monitoring wells (MW-1, MW-2, and MW-5). MW-4, MW-6, and MW-7 have been dry since installed.

The HRBD Remedial Investigation and Remedial Action Plan identified antimony, arsenic, and lead as the metal constituents of concern in the waste material that has been consolidated in the Unit. The same report also identified calcium, sulfate, and nitrate as soluble constituents within the waste material. The concentration of total dissolved solids in the shallow MW-5 groundwater, although in excess of Regional Water Board Basin Plan objectives for agricultural use, has generally decreased since Unit closure. No dissolved antimony, arsenic, lead, cyanide, volatile or semi-volatile organic compounds, pesticides, herbicides, or dioxin have been detected in the MW-5 groundwater samples. This Order revises the Unit detection monitoring program to require the same parameters and frequency as specified in the Waste Discharge Requirements for the Discharger's HRBD Operational Unit.

Leachate is collected behind a berm near the northwesterly toe of the Unit and directed to an outlet pipe that is equipped with a valve that is usually closed. When the valve was opened on 13 December 2006, a small volume of leachate was observed, sampled, and analyzed. The concentration of dissolved lead in the leachate was 3 µg/L, slightly above the laboratory detection limit. Leachate has not been observed at the outlet pipe since December 2006.

Following completion of the Unit, Thomas V. Fogarty and Mary R. Fogarty, Trustees of the Thomas V. and Mary R. Fogarty Revocable Trust dated 25 January 2000 purchased APN 011-500-138 from Patricia B. Rosellini, Sole Trustee of the Rosellini Trust, and A. George Martin and Jo Ann Martin, Trustees of the Martin Living Trust. A Covenant to Restrict Use of Property (Deed Restriction) was recorded with Butte County. Waste Discharge Requirements Order No. R5-2008-0044, adopted by the Regional Water Board on 14 March 2008, reflects the ownership change.

On 16 December 2008, Thomas V. Fogarty and Mary R. Fogarty, Trustees of the Thomas V. and Mary R. Fogarty Revocable Trust granted Chico Redevelopment Agency (Discharger)

deed to the portion of Assessor's Parcel Number 011-500-138 containing the consolidation Unit. This Order identifies Chico Redevelopment Agency as the current Unit owner and operator.

The Discharger is required to maintain financial assurance mechanisms for post-closure maintenance and for corrective action of known or reasonably foreseeable releases from the Unit. On 13 July 2006, Regional Water Board staff approved the financial assurance cost estimate for the Unit. On 20 July 2006, Butte Community Bank issued the Regional Water Board Letter of Credit No. 0400711993 in the aggregate amount of two-hundred sixty one thousand dollars (\$261,000.00) for 30-years of Unit post-closure maintenance and corrective action. Due to the ownership change, on 20 January 2009, Butte Community Bank cancelled Letter of Credit No. 0400711933. On 3 March 2009, Discharger and Regional Water Board staff signed a Pledge of Revenue agreement in the amount of two-hundred thirty four thousand nine hundred dollars (\$234,900), the estimated cost for the remaining 27-years of Unit post-closure maintenance and corrective action. The corrective action items include seeding areas of the cover that are lacking vegetation; fertilizing the vegetative cover; replacing cover soil in worn areas of the cover; installing temporary erosion controls; repairing minor damage to the cover geosynthetics; maintaining and conducting minor repairs to the landfill gas vent, leachate collection system components and monitoring wells; redeveloping the monitoring wells; cleaning and making minor repairs to the site drainage system and perimeter fence. The Pledge of Revenue is a financial assurance mechanism that complies with the requirements of Title 27 CCR.

These WDRs rescind WDR Order No. R5-2008-0044 and prescribe post-closure maintenance requirements for the Unit.

KLC: sae
03/04/2009