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8 BEFORE THE
9 CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
10 FOR THE CENTRAL VALLEY REGION
11

12 In the Matter of:
13 RECOLOGY, INC.
14 Recology Yuba Sutter
15 ACL Complaint No. R5-2015-0502
16

DECLARATION OF
PAUL YAMAMOTO

17
18 I, Paul Yamamoto, declare as follows:

19 1. I am currently the Director of Technology and Engineering at Recology. From
20 2006 to the end of 2014, I was Vice President and Group Manager of the Organics and Landfill
21 Group at Recology.

22 2. I have personal knowledge of all facts stated in this declaration and, if called as a
23 witness, could and would testify competently under oath.

24 3. I am part of the Recology management and decision-making team with respect to
25 the operations at the Feather River Organics composting facility at the Recology Yuba Sutter site
26 in Marysville, California. My responsibilities have included general oversight of the work by
27 Recology personnel and its engineering consultants on the compost stormwater collection system
28 at the Feather River Organics facility.

Declaration of Paul Yamamoto
ACL Complaint No. R5-2015-0502

1 4. From June 2011 to February 2013, Recology and its consultants submitted a
2 number of technical reports in response to requests from staff of the Central Valley Regional
3 Water Quality Control Board for a Report of Waste Discharge so that the 2003 Waste Discharge
4 Requirements for the Recology Yuba Sutter site could be revised to include the Feather River
5 Organics composting operations. See Recology's Factual, Legal & Technical Analysis at 4-6.

6 5. In the spring of 2013, Recology and Regional Board staff agreed to the issuance of
7 a Cleanup & Abatement Order for the Recology Yuba Sutter site to document Recology's
8 responsibilities and the compliance deadlines.

9 6. In August 2013, Regional Board staff issued a Cleanup & Abatement Order for the
10 Recology Yuba Sutter site (Regional Board Order R5-2013-0704, issued Aug. 29, 2013). Item #5
11 of the Order required Recology, by October 1, 2014, to make improvements to the "compost pad"
12 underneath the Feather River Organics facility and overlying the closed landfill unit LF-1. Item
13 #9 of the Order required Recology to install a compost water collection system by the same
14 deadline, October 1, 2014

15 7. On January 31, 2014, pursuant to provision #9 of the Cleanup and Abatement
16 Order, Recology submitted the *Compost Area Collection Work Plan*. This work plan is included
17 within this submission as Recology Exhibit 23. On May 15, 2014, Central Valley Regional
18 Water Quality Control Board responded to the work plan by issuing a Notice of Violation. The
19 NOV stated that the work plan was inadequate.

20 8. Immediately after receiving the NOV, I worked with Recology personnel and its
21 consultants to formulate a response to the NOV in order to ensure that the facility would be
22 compliant with the regulatory requirements. During the late spring and summer of 2014, our
23 team worked with Regional Board staff on amending the compost stormwater requirements for
24 the facility in light of the site-specific logistics. Recology and Regional Board staff ultimately
25 agreed on a revised performance standard that would require the compost stormwater collection
26 system to handle rainfall from the 25-year, 24-hour storm event.

27 9. This revised standard was based on the then-current (summer 2014) draft statewide
28 requirements for composting facilities that were under consideration by State Water Resources

1 Control Board. Recology agreed to achieve this standard by the CAO deadline of October 1,
2 2014, even as the statewide order had not yet been published for adoption and the draft statewide
3 requirements then under consideration by the State Board were designed to allow existing
4 composting facilities a maximum period of six years to come into compliance with the new
5 requirements once they were adopted.

6 10. During the discussions and communications with Regional Board staff in the
7 spring and summer of 2014 about the compost stormwater issues at Feather River Organics, staff
8 asked how many storage tanks it would take to achieve the 25-year, 24-hour standard. Recology
9 directed its engineering consultant, Golder Associates, to prepare hydrology calculations and
10 modeling to answer this question. The lead on the project for Golder was Ken Haskell, who has
11 almost three decades of experience in the field. Mr. Haskell's resume is included within this
12 submission as Recology Exhibit 30.

13 11. Recology also hired a second expert engineering firm, Brown & Caldwell, to
14 review Golder's hydrology calculations and modeling. The lead on the project for Brown &
15 Caldwell was Ronald Crites, who has 45 years of experience in wastewater issues. Mr. Crites'
16 whose resume is included within this submission as Recology Exhibit 31. Dr. Robert Beggs also
17 worked on the project for Brown & Caldwell. Mr. Beggs has a Ph.D. in Biological Systems
18 Engineering from University of California, Davis and 30 years of experience in environmental
19 engineering and water resources management. His resume is included within this submission as
20 Recology Exhibit 32. Recology directed Brown & Caldwell to peer review Golder's work
21 because we took the CAO requirements seriously and we wanted to apply sound, experienced
22 engineering designs and demonstrate good faith in our efforts to meet the applicable
23 requirements.

24 12. Recology relied on the experience and expertise of its two engineering consultants
25 to devise an appropriately-sized compost stormwater management system to comply the CAO.
26 Recology submitted the analysis of its two engineering experts to Regional Board staff on July
27 30, 2014. See Recology Exhibit 28.

28

1 13. Given that the deadline in the CAO for improving the compost pad to make it less
2 permeable was the same as the CAO deadline for installing the compost stormwater collection
3 system (October 1, 2014), both of these actions were completed simultaneously during the 2014
4 dry season. As a result, when the site installed the compost stormwater collection system, we did
5 not have prior experience with how the newly improved and regraded pad would function during
6 heavy storm events, nor were we able to test the performance of the pad and collection system
7 under storm conditions until it actually rained.

8 14. After learning that Regional Board staff had concerns about the engineering
9 calculations used to design the compost stormwater collection system, we immediately directed
10 Golder to prepare a supplemental report to review the calculations based on actual field data.
11 This supplemental report was submitted to Regional Board staff on August 13, 2013 and is
12 included within this submission as Recology Exhibit 29. The supplemental report includes
13 another review by Brown & Caldwell of the calculations and modeling prepared by Golder.

14 15. On August 19, 2014, I attended a meeting at the Regional Board's offices in
15 Rancho Cordova, California to discuss the compost stormwater collection system with Regional
16 Board staff. Staff expressed concerns with the modeling calculations that Golder and Brown and
17 Caldwell had used, though staff did not provide any written analysis or calculations. After
18 discussing the modeling calculations, staff indicated that they were not going to debate the
19 calculations, but stated that it was up to Recology to devise and install an appropriate system to
20 meet the CAO requirement.

21 16. While the engineers had recommended a system of six 21,000-gallon storage tanks
22 for the compost stormwater collection system, we decided prior to the CAO deadline of October
23 1, 2014 to double the engineers' recommendation and to install 12 tanks as a measure of
24 conservatism, in an effort to address staff's concerns, show good faith and meet the applicable
25 requirements.

26 17. As documented in the declaration of Phil Graham that is included within
27 Recology's submission of evidence (see Recology Exhibit 1), the system worked very well during
28 the early rains of the 2014-2015 wet season during October and November of 2014; the pad

1 drained well, the compost stormwater was managed as designed and the water was fully
2 contained for disposal to the local publicly-owned treatment works or for beneficial reuse as part
3 of the composting process. As further documented in the declaration of Phil Graham, as soon as
4 we learned as a result of the heavy rains on December 3, 2014 that improvements were needed to
5 the system, we mobilized a large team of people both inside and outside of the company to
6 address the situation and to fix the problem. By December 12, 2014, we had completed
7 substantial upgrades and improvements to the system's capacity and performance.

8 18. We are committed to compliance and to protecting the environment. Our Feather
9 River Organics facility provides multiple benefits to the surrounding communities, by helping
10 them meet the state's legislative waste diversion goals as embodied in the Integrated Waste
11 Management Act, by reducing the emissions of greenhouse gases that otherwise would be caused
12 by the disposal of compostable materials in landfills, and by producing an organically certified
13 compost product that helps to reduce the use of artificial pesticides and fertilizers and the
14 consumption of water for growing plants and crops.

15 19. We will continue to closely monitor the performance of the compost stormwater
16 collection system, and we are willing and ready to make additional adjustments at the Feather
17 River Organics Facility should such adjustments prove necessary in the event that any problems
18 with the system were to arise in the future.

19 I declare under penalty of perjury under the laws of the State of California that the
20 foregoing is true and correct.

21
22 Dated: 3-18-15



Paul Yamamoto