



**GEOLOGICAL**  
ANALYTICS

*J. Moody*  
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CVRWQCB

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April 12, 2010

Mr. John Moody  
Central Valley Regional Water Quality Control Board  
11020 Sun Center Drive, Suite 200  
Rancho Cordova, CA 95670

**Re: Tentative Revised Waste Discharge Requirements**  
Berry Street Mall Landfill, 901 Galleria Boulevard, Roseville, California

Dear Mr. Moody:

On behalf of the owner of the Berry Street Mall Landfill property, Mr. Daniel Sheehan, Geological Analytics has been authorized to respond to the *Notice, Tentative Revised Waste Discharge Requirements for Postclosure Maintenance, Monitoring, and Corrective Action, A Greener Globe Corporation, Berry Street Mall (aka Finger's) Landfill, Class III Landfill, Placer County*, issued by the California Regional Water Quality Control Board - Central Valley Region on February 2, 2010.

The Berry Street Mall Landfill is a closed landfill with an active Waste Discharge Permit (WDR No. 89-115). The landfill property has limited revenue, much of which is already expended to comply with the provisions of WDR No. 89-115. The conditions set forth in the Tentative Revised Waste Discharge Requirements are not financially feasible at this time.

At the current time, the southern portion of the landfill property is leased to Green Acres nursery and this is the sole source of income for Mr. Sheehan. Income is approximately \$19,000 per month. Expenses include a monthly loan payment of \$10,000, costs associated with compliance with the provisions of WDR No. 89-115, and Mr. Sheehan's personal living expenses. There are simply no financial resources available to implement an extensive site investigation, additional monitoring requirements and additional compliance measures as proposed in the *Tentative Revised Waste Discharge Requirements*.

Mr. Sheehan is presently working on development options for the property and financing avenues that would preferentially involve a clean closure of the landfill. Unfortunately, the financing is not presently in place and therefore Mr. Sheehan does not have the financial resources to implement new permitting, monitoring and sampling procedures at the landfill property at this time.

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The 2009 Annual Detection Monitoring Report, dated January 30, 2010, indicates that, with the exception of 1,4-dichlorobenzene, carbon tetrachloride, and chloroform, no volatile organic compounds were detected in the landfill monitoring wells. Analytical results continue to suggest an upgradient source of carbon tetrachloride and likely for 1,4-dichlorobenzene, as well. Detected concentrations of the above compounds are at or less than 1 microgram per liter ( $\mu\text{g/L}$ ). No metals exceeded maximum concentration levels (MCLs) in samples collected during the 2009 annual sampling event.

Although nitrate and sulfate exceeded prediction limits in samples collected during the 2009 annual sampling event, these results are consistent with historical concentrations, with maximum sulfate concentrations in groundwater samples of less than 150 milligrams per liter ( $\text{mg/L}$ ) and maximum nitrate concentrations in groundwater samples of less than 3.5  $\text{mg/L}$ , with the maximum concentrations of both sulfate and nitrate occurring in samples from well GW-5. Other samples showed substantially lower concentrations of these compounds.

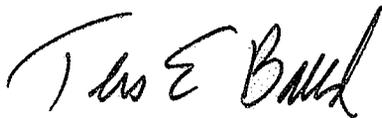
Due to the fact that the Berry Street Mall Landfill was an unlined landfill which did not accept household wastes and it has been over 20 years since the landfill stopped receiving wastes, it is likely that the present sampling results accurately represent the condition of groundwater beneath the landfill site and that the likelihood of any additional releases is low.

In consideration of the site conditions and limited financial resources available, we respectfully request that you defer the implementation of any updated Waste Discharge Requirements and associated investigation, monitoring and compliance provisions. Mr. Sheehan will provide updates should the status of the financing and clean closure efforts change.

Thank you for your consideration of this situation.

Sincerely,

**Geological Analytics**



Thomas E. Ballard, P.G. #7299  
Senior Geologist



cc: Mr. Daniel Sheehan, A Greener Globe



# California Regional Water Quality Control Board Central Valley Region

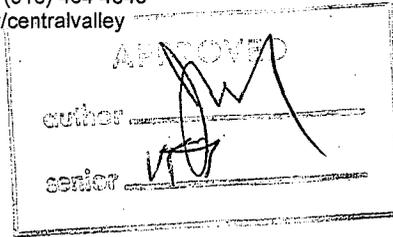
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13 May 2010

Thomas E. Ballard  
Geological Analytics  
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## RESPONSE TO COMMENTS ON TENTATIVE REVISED WASTE DISCHARGE REQUIREMENTS, BERRY STREET MALL LANDFILL, PLACER COUNTY

This letter provides Central Valley Water Board staff's response to your 12 April 2010 comments (written on behalf of your client A Greener Globe Corporation) on tentative revised waste discharge requirements (TWDRs) issued for the Berry Street Mall Landfill on 2 February 2010. Your letter requested that the TWDRs not be revised at this time and that the item be placed on hold rather than scheduled for the 26, 27, and 28 May 2010 Board meeting, as indicated in the Notice of Public Hearing (NOPH) with the item. Summarized below are staff's responses to your comments and request.

1. Comment - *The Discharger substantially lacks funds to comply with the WDRs as proposed.*

Staff Response – The TWDRs implement Title 27 regulations for a closed landfill. These regulations do not include exemptions or reduced requirements based on financial hardship.

2. Comment - *The site has been adequately investigated, negating the need for the further investigation required under the tentative WDRs.*

Staff Response – As stated in the TWDRs (e.g., Findings 28, 38 and 53), the source and extent of the volatile organic compounds (VOCs) detected in groundwater at the site have not been defined, and potential onsite sources of these impacts (leachate, soil pore water, and landfill gas) have not been tested since the landfill was closed in 1993. The site therefore has not been adequately investigated.

3. Comment - *Impacts to groundwater at the site are relatively mild and the volatile organic compounds (VOCs) detected in groundwater are likely from an upgradient source.*

Staff Response – Although concentrations of VOCs detected in groundwater at the site are relatively low, one VOC, carbon tetrachloride (1.8 µg/L), continues to be detected well above water quality objectives, including the California Primary MCL (0.5 µg/L) and California Public Health Goal (0.1 µg/L). Notwithstanding whether there may be an upgradient source, the landfill cannot be ruled out as a source of the VOCs until an adequate site investigation has been completed, as required under the tentative WDRs. See TWDR Provision G.7.c.

**California Environmental Protection Agency**

4. Comment - *The likelihood of any additional release from the landfill is low since it did not accept household wastes and has not accepted waste in over 20 years.*

Staff Response – Most of the landfill waste stream consisted of household waste. See TWDRs, Findings 3 and 10. Also, as noted in TWDRs, the landfill does not have a prescriptive liner and leachate collection system. Given the nature of the landfill waste, lack of containment at the facility, and failure to adequately delineate the source of existing groundwater impacts at the site, it is premature to assume that there will not be another release from the landfill.

In addition to the above issues, the current WDRs for the facility (Order 89-115) are out of date and no longer adequately regulate the landfill. Under such circumstances, revision of the WDRs is not optional; it is required. Title 27, Section 21720 (b) states:

“WDR Revision — The RWQCB shall revise WDRs as necessary to implement the provisions of this title.”

Given the above considerations, we are unable to cancel, or place on hold, revision of the WDRs for this site, as you have requested. Board staff has made several revisions to the TWDRs, however, since their original issuance in February 2010 that justify re-noticing the item. We will therefore be reissuing the TWDRs and scheduling the item for a later Board meeting, likely July 2010. We plan to mail out the revised TWDRs and NOPH shortly. Once you receive the revised TWDRs, it may be a good opportunity for us to meet to further discuss your concerns. If you have an interest in such a meeting, or any other questions regarding the TWDRs, please feel free to call John Moody at (916) 464-4641.

VICTOR J. IZZO  
Senior Engineering Geologist  
Title 27 Permitting and Mining

cc: Daniel Sheehan, A Greener Globe Corporation, Rocklin  
Gino Yekta, California Department of Resources Recycling and Recovery, Sacramento  
Leslie Graves, Division of Water Quality, SWRCB, Sacramento  
Lori Okun, Office of Chief Counsel, SWRCB, Sacramento  
Deborah Kirschman, Placer County Department of Health and Human Services, Auburn