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DEPARTMENT OF TRANSPORTATION
AND PUBLIC WORKS
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January 22, 2013

Matt St. John, Executive Officer
California Regional Water Quality Control Board
North Coast Region
5550 Skylane Blvd., Suite A
Santa Rosa, CA 95403

**RE: Comments on Order No. R1-2013-0003 - WDID Nos. 1B801490SON and 1B99011RSON
Waste Discharge Requirements (WDR)**

Thank you for the opportunity to submit comments on the subject WDR. The County and our consultants have worked collaboratively with your staff in the development of the Draft WDR and are very appreciative of all the time and effort that your staff has put into what we believe to be a very good draft permit. We have attempted to organize our comments consistent with the order in which the issues appear in the permit, with the exception being those issues that are addressed in multiple locations within the document.

I. Findings, E.9 (Draft WDR, page 7)

Designation of Discharger. This section of the WDRs includes reference to “Dischargers”. As noted in Table 1 of the draft WDRs, the County is the owner and is named as the sole Discharger. For clarity, references to “Dischargers” should be corrected in the Findings section and elsewhere in the WDRs as applicable.

Preferential Pathway. A key element of the project includes placement of a “Preferential Pathway” liner system to provide leachate control where municipal solid waste will be placed over existing fill in Landfill 1 (LF-1). A critical design element is that the preferential pathway barrier will allow continued operation of existing and future leachate and landfill gas (LFG) extraction wells in LF-1. It is anticipated that as fill operations progress to final design grades, new or replacement leachate or LFG will need to be installed in the LF-1 footprint. New well casings will need to extend through newly placed waste and into the underlying, existing waste in LF-1 where the level of accumulated leachate can be lowered. Details on preferential pathway design and proposed well penetrations are provided in the Joint Technical Document (JTD).

The RWQCB has concurred that new WDRs will allow drilling of vertical wells through the preferential pathway. This is reflected in minutes from our December 10, 2010 technical meeting and RWQCB correspondence dated April 20, 2012. However the draft WDRs do not specifically include this provision. In light of the above, the County respectfully requests the 2nd paragraph in WDR Section I.E.9 be modified as follows, to be consistent with earlier precedent (changes highlighted):

The Dischargers indicates that continued operation of the leachate management systems, in particular the leachate extraction system, is critical to long-term environmental management at the site. Installation of new and replacement of existing leachate and landfill gas extraction wells will be required and may be constructed through the Preferential Pathway liner system as proposed by the Discharger and described in the JTD.

I. Findings, G.14 (page 12) and C. Provisions 23.n.(page 44)

The two referenced sections relate to conditions in the draft WDR, which apply to the existing Compost Facility. While the County is the owner of the Central Landfill property, our ownership rights are limited by the Joint Powers Agency Agreement (JPA), executed by the Cities in Sonoma County and the County in 1992. Section 5 of the JPA requires that the County provide a site on our property for the Compost Facility. Under the JPA the County has no role in the operation of the Compost Facility. Pursuant to the JPA the Sonoma County Waste Management Authority (SCWMA), an independent agency, is the operator of the Compost Facility. The SCWMA is neither a contractor nor a subcontractor to the County. Therefore, it is the County's opinion that the permit conditions that relate to the Compost Facility discharge should not be part of the County's WDR permit to operate the Central Landfill. As such, we respectfully request that these sections of the permit be removed from the final WDR.

I. Findings, H.18.viii (page 12)

The last paragraph references technical studies used for landfill siting. At our meeting on November 30, 2012, RWQCB staff agreed that these references should refer to organizations, not individuals. We suggest the following change for consistency:

Two additional features (referred to as "Unnamed Fault Trace North of the REA" and the Geophysical Anomaly Northwest of the REA" (January 21, 2011 Technical Memorandum RMC Geoscience to SCS Engineers)) were reportedly identified by EBA Wastechologies (EBA 1997, 1998 Reports). ~~Mr. Mitchell~~ RMC Geoscience reports that during his its own site investigations, he RMC was unable to locate either of these features, concluding that the presence of an active fault in this area is unlikely.

I Findings, H. 20, iii (page 14)

Paragraph 4 conflicts with the second and third paragraph stating that the County has complied with the requirements of the previous WDR's, which required construction and monitoring of the wetland mitigation area. Based on this statement, it is not clear why the County must continue to monitor and report on the functioning of the wetland mitigation area?

This section should note that, although the mitigation site was designed and successfully resulted in the creation of 2.6 acres of seasonal wetland meeting the federal wetland criteria, the County was only required to create 1.7 acres of federal definition wetlands. In addition, this section notes that the wetland mitigation site, although primarily for impacts from Landfill 2, also included mitigation for the smaller West Expansion area. Suggest the following additions to this paragraph as shown in *italics*:

The Dischargers are responsible for ensuring the long-term functionality of the 2.6 acre mitigation area, *(of which a minimum 1.7 acres meet the U.S. Army Corps of Engineers wetland definition)* which, *in part*, serves as replacement for the wetlands permanently removed from the Landfill 2 footprint.

C. Provisions, 4 (page 39) and Additional Conditions, 23.c. Wetlands Function assessment. (Page 43)

The provision implies a formal wetland delineation for a project that has been completed, met and exceeded all requirements as stated in these WDR's (see comments above). The requirement of on-going monitoring to confirm that the wetlands continue to meet the federal definition of wetlands is unprecedented, and implies a wetland mitigation site is never "complete." In addition, as previously mentioned, the requirement of the Army Corps of Engineers was the creation of 1.7 acres of wetland meeting the federal wetland definitions, not 2.6 acres as stated. The County requests that this provision and the Additional Condition 23.c be modified or removed to acknowledge that the mitigation is certified as complete.

C. Provisions, 7 (page 39)

This section refers to potential detection of waste constituents in landfill underdrain areas. Monitoring of collected underdrain liquids is proposed as described in the JTD. However, the underdrain(s) is (are) not proposed as Points of Compliance for water quality monitoring purposes. The County has proposed that the Points of Compliance will be monitoring well(s) immediately downgradient of the respective units. This is consistent with California Title 27 Section 20405 regulations, and input/direction received from RWQCB staff at our November 15, 2011 and November 30, 2012 meetings. Accordingly, detection of waste constituents should only necessitate corrective action if such constituents are verified as being present in the downgradient point of compliance monitoring well.

The County suggests the following change for consistency with regulatory criteria and previous agency direction:

In the event waste constituents are detected within the discharge from any landfill underdrain area, the Discharger shall ~~implement appropriate corrective action and~~ collect all underdrain flow as leachate for discharge to the Class II surface impoundments and/or into the leachate disposal pipeline or other legal point(s) of disposal as authorized by the Executive Officer.

Note that as described in the JTD and required by the RWQCB, the County proposes that following new cell construction, collected underdrain water will be treated as leachate. If upon testing it is determined to be suitable for storm water discharge, it will be piped to the storm water detention basins.

We appreciate your consideration of our comments, please contact us me if you have any questions.

Thank you,



Susan R. Klassen, Interim Director
Sonoma County Dept. of Transportation and Public Works

Cc: David Leland, Assistant Executive Officer – NCRWQCB
Diana Henriouille, Senior Water Resource Control Engineer - NCRWQCB
Trish Pisenti, Refuse Operations Manager – SCDTPW