

INFORMATION SHEET

ORDER NO. _____
THOMAS V. FOGARTY AND MARY R. FOGARTY, TRUSTEES, AND
THOMAS V. AND MARY R. FOGARTY REVOCABLE TRUST
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. 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 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. Waste from APN 011-780-014 and APN 011-780-018 was removed and transported to the Waste Management Kettleman Hills Facility for disposal. 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. 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 011-030-138, APN 011-030-139, APN 002-180-084, APN 002-180-086) was removed and consolidated into a 7-acre waste management unit (Unit) on APN 011-030-138 (currently known as APN 011-500-138). 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 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-3) constructed and one abandoned monitoring well (MW-4) at the adjacent HRBD Operational Unit. MW-5 was drilled to 44 feet below ground surface (bgs) with a 20-foot screen interval between 24 feet bgs and 44 feet bgs. This well is located near the toe of the Unit. MW-6 was drilled to 80 feet bgs with a 20-foot screen interval between 60 feet bgs and 80 feet bgs. This well is located on the east side of the Unit. MW-7 was drilled to 100 feet bgs with a 40-foot screen interval between 60 feet bgs and 100 feet bgs. Groundwater has not been observed in MW-6 and MW-7 following construction.

Groundwater samples from MW-5 have contained detectable barium, manganese, vanadium, zinc, nitrate as N, and salts (Electrical Conductivity, Total Dissolved Solids, Chloride, Calcium, Sodium, Sulfate, and Magnesium) at concentrations less than water quality objectives. No dissolved lead, volatile or semivolatile organic compounds, pesticides, herbicides, or dioxin have been detected in the MW-5 groundwater. A change has been requested to revise adopted Monitoring and Reporting Program No. R5-2004-0089.

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 (Discharger) 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. The Discharger also recorded a Covenant to Restrict Use of Property (Deed Restriction) with Butte County.

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 County 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). The Letter of Credit is valid until 20 July 2007, and is automatically renewed for a one-year period on 20 July of each successive year.

These WDRs rescind WDR Order No. R5-2004-0089 and prescribe post-closure maintenance requirements for the Unit.

KLC/KB: sae 1/15/2008