

**STATE OF CALIFORNIA
REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION**

**STAFF SUMMARY REPORT (Lindsay Whalin)
MEETING DATE: June 8, 2011**

ITEM: **5C**

SUBJECT: **Guadalupe Rubbish Disposal Company, Inc., Guadalupe Recycling and Disposal Facility, San Jose, Santa Clara County - Updated Waste Discharge Requirements and Rescission of Order No. 01-050**

CHRONOLOGY: 2006 - Waste Discharge Requirements (WDRs) amended
2001 - WDRs adopted

DISCUSSION: This Revised Tentative Order (Appendix A) updates the WDRs for the Guadalupe Recycling and Disposal Facility (the Landfill). The Landfill is a 411-acre property in south San Jose, of which 115 acres is permitted for the disposal of municipal refuse. The Landfill operated as a burn-dump beginning in 1929, and was subsequently converted to a sanitary landfill. The WDRs need to be updated principally to account for development and operational changes and plans, reflect changes in the Landfill's Waste Acceptance Criteria, and require Guadalupe Rubbish Disposal Company (GRDC) to evaluate potential revisions to its Self-Monitoring Program.

We circulated a draft Tentative Order for public comment and only received comments from GRDC. In response, revisions to the Tentative Order (Appendix B) were made as appropriate, including:

1. The due date for an assessment of the Self-Monitoring Program was extended from October 31 to December 31, 2011;
2. Landfill gas condensate monitoring frequency requirements addressed in the Self-Monitoring Plan were updated to reflect the Landfill's BAAQMD air permit; and
3. Table B-1 was updated to reflect the current corrective action monitoring frequency.

Of note, the findings in the Revised Tentative Order describe the Landfill's December 2010 landfill gas condensate spill that reached surface waters. The Order's provisions would require actions to avoid and minimize any future condensate releases. In addition, on May 23, 2011, the Board's Assistant Executive Officer issued a Notice of Violation and Water Code section 13267 Order to GRDC requiring submittal of information regarding the condensate spill. While the Revised Tentative Order is not a formal enforcement action for the spill, such action may still be initiated by the Board's Prosecution Team.

The Company has indicated its agreement with the Revised Tentative Order, and we expect this item to remain uncontested.

RECOMMENDATION: Adoption of the Revised Tentative Order

File No.: 229344 (LW)

Appendix: A - Revised Tentative Order

Appendix: B - Comments and Responses