

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

**STAFF SUMMARY REPORT (KEITH ROBERSON
and JOLANTA UCHMAN)
MEETING DATE: May 11, 2011**

ITEM: 7

SUBJECT: **POTRERO HILLS LANDFILL, INC., POTRERO HILLS LANDFILL, SUISUN CITY, SOLANO COUNTY** – Update to Waste Discharge Requirements, Issuance of Water Quality Certification, and Rescission of Order No. 93-072

CHRONOLOGY: Waste Discharge Requirements (WDRs) adopted in 1985, updated in 1993

DISCUSSION: The Potrero Hills Landfill (Landfill) is a large, regional landfill that has operated since 1986 for the disposal of municipal solid waste under permit from Solano County and the Bay Conservation and Development Commission (BCDC). The Landfill is owned and operated by Potrero Hills Landfill, Inc., a subsidiary of Waste Connections, Inc. The Landfill is located south of Highway 12, about one mile southeast of Suisun City, within the Secondary Management Area of the Suisun Marsh, as established by the Suisun Marsh Preservation Act. Water quality impacts from operation of the Landfill since 1986 have been minimal and have been adequately addressed through corrective actions.

A major expansion of the Landfill was approved by Solano County in 2005 and upheld by BCDC, which implements the Suisun Marsh Preservation Act, in 2010. The expansion of the Landfill would permanently fill 1.864 acres of wetlands and streams considered waters of the United States and the State including 3,970 linear feet of drainages in the headwaters of the Spring Branch Creek, and 0.39 acre of non-federal waters of the State.

The Revised Tentative Order (Appendix A) does the following:

1. Issues a water quality certification pursuant to Section 401 of the federal Clean Water Act for the landfill expansion area. The certification specifies requirements for minimizing impacts to waters of the U.S. and State and requires habitat mitigation and monitoring for unavoidable impacts to wetlands and other waters;
2. Updates WDRs to reflect current landfill operations, design, and construction of waste disposal units;
3. Updates and clarifies the waste acceptance criteria for disposal units that are constructed in compliance with federal Subtitle D requirements;
4. Specifies monitoring, control, and collection requirements for groundwater, leachate, landfill gas condensate, and stormwater consistent with the State's Title 27 regulations for landfills;

5. Modifies the Landfill's existing Self Monitoring Program by updating the list of chemical analytes and requiring monitoring for the landfill expansion area;
6. Rescinds the current WDRs that date to 1993.

To compensate for the expansion's unavoidable fill impacts and for impacts to special status species and their habitats, the Landfill will: 1) create 4.49 acres of seasonal wetlands, 1.80 acres (5,600 lf) of swale/channel, and 1.78 acres of pond habitat, 2) preserve and enhance 65.12 acres of seasonal wetlands and 1.49 acres (11,980 linear feet) of channel, 3) preserve 4.73 acres of pond habitat, 863.13 acres of California tiger salamander upland habitat, and 20.74 acres of upland grassland habitat. Mitigation will occur on 963.28 acres within the Secondary Management Area of the Suisun Marsh on land owned by the Landfill.

A draft tentative order was circulated on March 18, and the comment period closed April 18, 2011. Written comments on the draft order (Appendix B) were received from the following parties:

- Potrero Hills Landfill, Inc. (the Discharger)
- Solano County Local Enforcement Agency staff
- BCDC staff
- William S. Reustle, an attorney representing an adjacent landowner (June Guidotti)
- Kelly T. Smith, an attorney representing SPRAWLDEF, an environmental group
- Two private citizens (George Guynn, Jr. and Christina Padua-Hughes).

Staff responses to these comments are provided in Appendix C. The draft order was revised as appropriate to address the comments received. Staff also incorporated self-initiated editorial revisions during this process. None of these revisions have altered the design of the Landfill or its expansion.

The Discharger has indicated its acceptance of the Revised Tentative Order (Appendix A). However, we expect the item to be contested by other parties.

**RECOMMEN-
DATION:**

Adoption of the Revised Tentative Order.

FILE NO. 2129.2045 (KER), 2128.03 (JGU)
CIWQS PLACE ID. 248989, 74239

APPENDICES: A – Revised Tentative Order
B – Comments Received
C – Staff Responses to Comments

Appendix A

REVISED TENTATIVE ORDER

Appendix B

COMMENTS RECEIVED

Appendix C

STAFF RESPONSES TO COMMENTS