



*California Environmental Protection Agency
Department of Toxic Substances Control*

**HAZARDOUS WASTE FACILITY
POST-CLOSURE PERMIT**

Permit Number: 03-SAC-10

Facility Name:

West Contra Costa Sanitary Landfill
Hazardous Waste Management Facility
Foot of Parr Blvd.
Richmond, California 94801

Owner Name:

West County Landfill, Inc.
3260 Blume Drive, Suite 200
Richmond, California 94806

Operator Name:

West County Landfill, Inc.
3260 Blume Drive, Suite 200
Richmond, California 94806

Facility EPA ID No.: CAD041844002

Effective Date:

Expiration Date:

Permit Modification History: New Permit

Pursuant to section 25200 of the California Health and Safety Code, this Resource Conservation and Recovery Act (RCRA) equivalent Hazardous Waste Facility Post-Closure Permit is hereby issued to the West County Landfill, Inc. Issuance of this Permit, which consists of 14 pages, is subject to all terms and conditions set forth herein.

James M. Pappas, P.E., Chief
Land Disposal Branch
Hazardous Waste Management Program

Date: _____

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PART I. DEFINITIONS

All terms used in this Permit shall have the same meaning as those terms have in the California Health and Safety Code, Division 20, Chapter 6.5 and Title 22, California Code of Regulations, Division 4.5, unless expressly provided otherwise by this Permit.

1. "DTSC" as used in this Permit means the California Department of Toxic Substances Control.
2. "Permittee" as used in this Permit means the Owner and Operator.
3. "HSC" as used in this Permit means the Health and Safety Code.
4. "Cal. Code of Regs." as used in this Permit means the California Code of Regulations.
5. "Approved Application" as used in this Permit means the Part A and Part B portions of the permit application described in Part III.1 of this Permit.
6. Unless explicitly stated otherwise, all references to items in this Permit shall refer only to items occurring within the same part.

PART II. DESCRIPTION OF THE FACILITY AND OWNERSHIP

1. NAME OF FACILITY

The name of the facility is West Contra Costa Sanitary Landfill, Hazardous Waste Management Facility, hereafter referred to as "Facility".

2. OWNER

The Facility owner is West County Landfill, Inc., 3260 Blume Drive, Suite 200, Richmond, California 94806 (hereafter "Owner").

3. OPERATOR

The Facility operator is West County Landfill, Inc., 3260 Blume Drive, Suite 200, Richmond, California 94806 (hereafter "Operator").

4. LOCATION

The Facility, which is a portion of the West Contra Costa Sanitary Landfill (WCCSL), is located on the south shore of San Pablo Bay. The WCCSL site is at the end of Parr Boulevard. Parr Boulevard is reached from the Richmond Parkway and accessed from Highway 580 to the south or Highway 80 to the east-northeast. WCCSL is largely within the City of Richmond (about 250 acres) and partially within the unincorporated North Richmond area of Contra Costa County (about 100 acres). The 28-acre Facility is located in the eastern end of the WCCSL site. It is surrounded by the Class II landfill, with various landfill support facilities located immediately to the south. The West County Wastewater District (WCWD) Wastewater Treatment Plant is located to the southeast of the Facility, the Richmond Sanitary Service Corporation Yard is to the east, and San Pablo Creek comes within about 180 feet of the Facility to the northeast. The area south of the Facility contains a landfill gas-fired electrical power plant, an equipment maintenance and laboratory building, a plant for treatment of leachate from the Facility, and an area that has been used for the stockpiling of soils.

5. DESCRIPTION

The Facility is a 28-acre facility within the eastern portion of the WCCSL. The Facility and WCCSL are owned by West County Landfill, Inc. (WCL), a California Corporation whose stock is wholly owned by Republic Services, Inc. The Facility includes a former 9.5-acre surface impoundment, an 11.5-acre landfill, and a 5-acre runoff retention basin. Drainage facilities occupy the remaining 2 acres.

The Facility served as a waste disposal facility from 1950s to November 1985. Initial wastes received included demolition debris, municipal solid waste, and industrial solid waste. In later years, the site was designated to receive hazardous waste. The surface impoundment, in the eastern portion of the Facility, had a capacity of 21 million gallons with 2 feet of freeboard provided by a perimeter berm. The sludge in the surface impoundment was solidified as a pre-closure activity in 1994 and 1995 pursuant to California Regional Water Quality Control Board (RWQCB) Order No. 91-084. The northern two-thirds of the impoundment (approximately 30,000 cubic yards of sludge) was solidified in 1994, while the southern third was completed in 1995.

A corrective action groundwater monitoring program is being implemented at the Facility that includes a five-foot thick, low permeability, soil attapulgite surrounding the Facility and a leach collection, removal and treatment system (LCRTS). The corrective action groundwater monitoring network and the LCRTS will continue to operate during the post-closure care period to contain the constituents in the closed Facility.

On May 9, 2000, DTSC approved the *Closure Plan and Post-Closure Plan, West Contra Costa Sanitary Landfill, Hazardous Waste Management Facility* (Closure Plan) submitted by WCL on September 1989, with revisions in January 1991, August 1991, November 1995, February 1996, August 1998 and February 1999. WCL began closure construction on July 6, 2000 in accordance with the Closure Plan. The initial closure activity was the placement of Municipal Solid Waste (MSW) at various locations on top of the existing soil layer overlying the hazardous waste. The MSW was placed in this subgrade area in order to establish proper drainage grades for the final cover. The cover system was then constructed, which included low permeability soils and geosynthetic layers covering the entire Facility. The cover system includes a passive Gas Collection System. During the construction of the cover, a Corrective Action Management Unit (CAMU) was also designated for disposal of waste generated during the closure and post-closure periods.

The Facility is completely surrounded by a soil attapulgite slurry wall. Perimeter groundwater extraction wells collect leachate from inside the slurry walls. The collected leachate is delivered via onsite pipelines to the LCRTS. Treated leachate is discharged to WCWD Wastewater Treatment Plant located southeast of the Facility.

A detailed discussion of all waste management units, activities historically conducted, and final closure plans for the Facility are memorialized in the Closure Plan. The CAMU was authorized through a *Designation of Corrective Action Management Unit, Docket HWCA #P2-96-97-003* (DTSC, May 9, 2000). As-built drawings incorporating all closure measures completed in 2000, 2001 and 2002, as well as reports detailing closure construction, solidification, and testing at the Facility are included in the *Draft Closure Certification Report* (EMCON/OWT, 2003).

6. FACILITY SIZE AND TYPE FOR FEES

The Facility is categorized as a large post-closure facility for purposes of HSC Section 25205.19. For the purpose of HSC Section 25205.4, the post-closure period for the Facility shall be deemed to have started the day the Post-Closure Permit becomes effective.

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PART III. GENERAL CONDITIONS

1. PERMIT APPLICATION DOCUMENTS

The Hazardous Waste Post-Closure Permit Application, Part A and B, dated April 2003, submitted by WCL, is hereby approved by DTSC and made a part of this Permit by reference (hereafter "Approved Application"). Included in the Approved Application are the Post-Closure Plans.

2. EFFECT OF PERMIT

- (a) The Permittee shall comply with the provisions of the California Health and Safety Code, and Division 4.5 of Title 22, California Code of Regulations (Title 22, Cal. Code of Regs.). The issuance of this Permit by DTSC does not release the Permittee from any liability or duty imposed by federal or state statutes or regulations or local ordinances, except the obligation to obtain this Permit. The Permittee shall obtain the permits required by other governmental agencies, including but not limited to, the applicable land use planning, zoning, hazardous waste, air quality, water quality, and solid waste management laws for the construction and/or operation of the post-closure facility.
- (b) The Permittee is permitted to monitor and maintain the post-closure facility in accordance with the conditions of this Permit and the Approved Application. Any treatment or storage of hazardous wastes not specifically authorized in this Permit or described in the Approved Application is strictly prohibited.
- (c) Compliance with the terms of this Permit does not constitute a defense to any action brought under any other law governing protection of public health or the environment, including, but not limited to, one brought for any imminent and substantial endangerment to human health or the environment.
- (d) DTSC's issuance of this Permit does not prevent DTSC from adopting or amending regulations that impose additional or more stringent requirements than those in existence at the time this Permit is issued and does not prevent the enforcement of these requirements against the Permittee. Failure to comply with any term or condition set forth in this Permit in the time or manner specified herein will subject the Permittee to possible enforcement action including but not limited to penalties pursuant to HSC Section 25187.
- (f) In addition, failure to submit any information required in connection with this Permit, or falsification and/or misrepresentation of any submitted information, is grounds for revocation of this Permit (Title 22, Cal. Code of Regs., Section 66270.43).
- (g) In case of conflicts between the Approved Application and this Permit, the Permit conditions take precedence.

(h) This Permit includes and incorporates by reference any conditions of waste discharge requirements issued to the Facility by the State Water Resources Control Board or the California Regional Water Quality Control Board, San Francisco Bay Region, and any conditions imposed pursuant to Section 13227 of the Water Code.

3. COMPLIANCE WITH CALIFORNIA ENVIRONMENTAL QUALITY ACT

A Notice of Exemption has been prepared in accordance with the requirements of Public Resources Code section 21000 et seq. and the California Environmental Quality Act Guidelines, which are codified in Title 14, Cal. Code of Regs., Section 15070 et seq.

4. ENVIRONMENTAL MONITORING

The Permittee shall conduct environmental monitoring in accordance with the Approved Application.

(a) For the purpose of Title 22, Cal. Code of Regs., Section 66264.91(c), the elements of the Groundwater Monitoring and Response Program for the Facility are those described in the approved Corrective Action Groundwater Monitoring Program Sampling and Analysis Plan (SAP), which is contained in the Approved Application.

(b) For the purpose of Title 22, Cal. Code of Regs., Section 66264.93, the Constituents of Concern for the Facility are described in 1.(h), 1.(i) and 1.(j) of Section G of the Approved Application.

(c) For the purpose of Title 22, Cal. Code of Regs., Section 66264.94, the Concentration Limits for the Facility are described in Section G.7.(b) of the Approved Application.

(d) For the purpose of Title 22, Cal. Code of Regs., Section 66264.95, the Monitoring Locations for the Facility are described in Section G.1.(a) and indicated on Figure 2, Appendix D-1, of the Approved Application.

(e) For the purpose of Title 22, Cal. Code of Regs., Section 66270.31, the monitoring, recording, and reporting program for the Facility is described in Section G.7.(f) of the Approved Application and in the approved SAP.

(f) For the purpose of Title 22, Cal. Code of Regs., Section 66264.700 et seq., the air monitoring program for the Facility is described in Section III-2.4 of Appendix B, Closure and Post-Closure Plans, in the Approved Application.

5. WASTE MINIMIZATION CERTIFICATION

Pursuant to HSC Section 25202.9, the Permittee shall certify annually, by March 1 for the previous year ending December 31, that:

- (a) The Facility has a program in place to reduce the volume and toxicity of all hazardous wastes that are generated by the facility operations to the degree, determined by the Permittee, to be economically practicable.
- (b) The method of storage or treatment is the only practicable method or combination of methods currently available to the facility which minimizes the present and future threat to human health and the environment.

The Permittee shall make this certification, in accordance with Title 22, Cal. Code of Regs., Section 66270.11. The Permittee shall submit the certification to the Department of Toxic Substances Control, Land Disposal Branch, 8800 Cal Center Drive, Sacramento, California 95826 and shall record and maintain onsite such certification in the facility Operating Record.

6. WASTE MINIMIZATION CONDITIONS

- (a) The Permittee shall comply with the Hazardous Waste Source Reduction and Management Review Act (SB 14) requirements that are specified in HSC Sections 25244.19, 25244.20 and 25244.21, and any subsequent applicable statutes or regulations promulgated thereunder. This would include submittal of SB 14 documents to DTSC upon request.
- (b) DTSC may require the Permittee to submit a more detailed status report explaining any deviation from, or changes to, the approved waste minimization plan.

7. CONDITIONS APPLICABLE TO ALL PERMITS

Title 22, Cal. Code of Regs., Section 66270.30, Conditions Applicable to All Permits, is incorporated into this permit by this reference.

8. MODIFICATIONS

- (a) The Permittee must request and obtain a permit modification to revise any portion of this Permit. To request such a revision, the Permittee must comply with the procedures for permit modifications set forth in Title 22, Cal. Code of Regs., Section 66270.42.
- (b) If at any time DTSC determines that modification of any part of this Permit is necessary, DTSC may initiate a modification in accordance with the procedures in Title 22, Cal. Code of Regs., Section 66270.41.
- (c) Future site conditions may require changes such as decommissioning, replacing, or adding monitoring wells or piezometers. If such changes are required, WCL will notify DTSC by letter. The proposed changes will be incorporated into the SAP by substituting the revised tables into the SAP, or by referencing a memorandum describing the changes. Copies of the revised tables or memoranda will be kept with the SAP and will be forwarded to DTSC so that DTSC can update its copy of the SAP. These changes to the SAP will be designated as class 1 permit modifications requiring compliance with Title 22, Cal. Code of Regs., Section 66270.42(a).

PART IV. PERMITTED UNITS AND ACTIVITIES

This Permit authorizes the Permittee to conduct post-closure care activities at the following units. These units are described as follows and in detail in the Approved Application:

1. The Facility, consisting of the area circumscribed by the site slurry wall, including all surface and subsurface features such as the slurry wall, the leachate extraction system, the consolidation landfill cover, the drainage trenches and culverts, the gas collection system, and the final site topography, excepting the LCRTS; and
2. The LCRTS for the Facility, consisting of collection pipes, pumps and riser pipes, above ground pumping systems, the leachate treatment system and the treatment effluent storage tanks.

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PART V. SPECIAL CONDITIONS

1. By January 10, 2004, the Permittee shall submit to the local zoning authority, or the authority with jurisdiction over local land use, and to DTSC a survey plat in compliance with Title 22, Cal. Code of Regs., Section 66265.116.
2. Section 1.c. of the Approved Application states that an annual inspection will be performed by a professional engineer or geologist. Section 1.b. of the Approved Application lists the site features or conditions to be addressed during the inspection. Section 1.c. of the Approved Application lists the items to be determined by a registered engineer. Such evaluation and documentation shall include the entire Facility. The engineer's report prepared under Section 1.c. of the Approved Application shall also recommend any corrections needed to prepare the Facility for the rainy season and maintain the Facility and LCRTS listed in Part IV of this permit consistent with plans and specifications included in the approved closure plan, approved closure plan modifications, and as-built reports listed in Section C of the Approved Application. The engineer's report prepared under Section 1.c. of the Approved Application shall also document the completion of all corrections and certify that all corrections were completed in accordance with generally accepted engineering and construction practices. Such inspections, associated maintenance and annual reports shall be completed by December 31 of each calendar year.
3. By January 10, 2004, the Permittee shall record and submit to DTSC, in compliance with Title 22, Cal. Code of Regs., Section 66265.119, a Notation on the Deed to the property that will in perpetuity notify any potential purchaser of the property that: (a) the land has been used to manage hazardous waste; (b) its use is restricted under Title 22, Cal Code of Regs., Chapter 14, Article 7; and (c) the record of the type, location and quantity of hazardous waste disposed of at the Facility has been filed with the local zoning authority.
4. By October 15, 2003, the Permittee shall submit to DTSC the Final Closure Certification Report, along with final as-built drawings signed by West County Landfill, Inc. and by an independent qualified engineer registered in California.

PART VI. CORRECTIVE ACTION

1. POTENTIAL OR IMMEDIATE THREATS/NEWLY IDENTIFIED RELEASES/ NEWLY IDENTIFIED SWMUs

(a) In the event the Permittee identifies an immediate or potential threat to human health and/or the environment, discovers new releases of hazardous waste and/or hazardous constituents, or discovers new Solid Waste Management Units (SWMUs) not previously identified, the Permittee shall notify DTSC orally within 24 hours of discovery and notify DTSC in writing within ten (10) days of such discovery summarizing the findings including the immediacy and magnitude of any potential threat to human health and/or the environment. Newly identified hazardous constituents discovered during routine groundwater sampling shall be reported in accordance the reporting provisions of the approved SAP.

(b) DTSC may require the Permittee to investigate, mitigate and/or take other applicable action to address any immediate or potential threats to human health and/or the environment, SWMUs, or newly identified releases of hazardous waste and/or hazardous constituents. Corrective action shall be carried out under either a Corrective Action Consent Agreement or an Enforcement Order for Corrective Action pursuant to HSC Section 25187.

2. SAMPLING AND ACCESS

(a) Sampling

(1) The Permittee shall provide confirmatory samples to DTSC within the time requested by DTSC to determine if there is a threat to human health and/or the environment. The sampling shall be done in accordance with guidance that DTSC supplies to the Permittee.

(2) The Permittee shall notify DTSC in writing at least fourteen (14) days prior to beginning any confirmatory sampling requested by DTSC. If the Permittee believes it must commence emergency confirmatory sampling without delay, the Permittee may seek emergency telephone authorization from DTSC's Land Disposal Branch Chief or, if unavailable, his/her designee to commence such activities immediately. At the request of DTSC, the Permittee shall provide or allow DTSC or its authorized representative to take split or duplicate samples of all samples collected by the Permittee pursuant to this Part of this Permit.

(3) The Permittee shall submit to DTSC upon request the results of all sampling and/or tests or other data generated by its employees, divisions, agents, consultants or contractors pursuant to this Permit.

(4) Notwithstanding any other provisions of this Permit, DTSC retains all information gathering and inspection authority rights including enforcement actions related thereto, under HSC and any other applicable state or federal statutes or regulations.

(b) Access

(1) DTSC, its contractors, employees, agents, and/or any U.S. EPA representatives are authorized to enter and freely move about the facility pursuant to the entire Permit for the purposes of: interviewing Facility personnel and contractors; inspecting records, operating logs, and contracts relating to the Facility; reviewing progress of the Permittee in carrying out the terms of this Permit; conducting such test, sampling, or monitoring as DTSC deems necessary; using a camera, sound recording, or other documentary-type equipment; verifying the reports and data submitted to DTSC by the Permittee; or confirming any other aspect of compliance with this Permit and Division 20, Chapter 6.5 of the HSC. The Permittee shall provide DTSC and its representatives access at all reasonable times to the Permittee's Facility and any other property to which access is required for implementation of any provision of this Permit and any provision of Division 20, Chapter 6.5 of the HSC and shall allow such persons to inspect and copy all records, files, photographs, documents, including all sampling and monitoring data, that pertain to work undertaken pursuant to this Permit or undertake any other activity necessary to determine compliance with applicable requirements. DTSC acknowledges that the Facility is not manned 24-hours a day. DTSC will provide reasonable notice when requiring access to the site.

(2) To the extent that work being performed pursuant to this Part of this Permit must be done on property not owned or controlled by the Permittee, the Permittee shall use its best efforts to obtain access agreements necessary to complete work required by this Part of this Permit from the present owner(s) or operator of such property within ninety (90) days of approval of any workplan for which access is required. "Best efforts" as used in this paragraph shall include, at a minimum, a certified letter from the Permittee to the present owner(s) of such property requesting access agreement(s) to allow the Permittee and DTSC and its authorized representatives access to such property and the payment of reasonable sums of money in consideration of granting access. The Permittee shall provide DTSC with a copy of any access agreement(s). In the event that agreements for the access are not obtained within ninety (90) days of approval of any workplan for which access is required, or of the date that the need for access becomes known to the Permittee, the Permittee shall notify DTSC in writing within fourteen (14) days thereafter regarding both efforts undertaken to obtain access and its failure to obtain such agreements. In the event DTSC obtains access, the Permittee shall undertake approved work on such property.

(3) Nothing in this Permit shall be construed to limit or otherwise affect the Permittee's liability and obligation to perform corrective action including corrective action beyond the facility boundary, notwithstanding the lack of access. DTSC may determine that additional on-site measures must be taken to address releases beyond the Facility boundary if access to off-site areas cannot be obtained.

(4) Nothing in this Permit shall limit or otherwise affect DTSC's right to access and entry pursuant to any applicable state or federal laws and regulations.