



## California Integrated Waste Management Board

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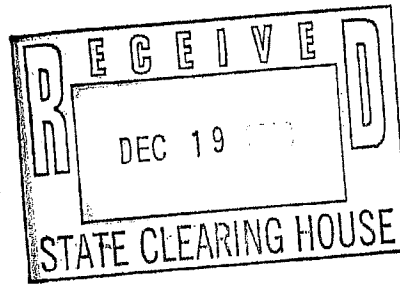


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Terry Tamminen  
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 Protection

December 18, 2003

Ms. Deidra Dingman  
 Contra Costa County  
 651 Pine Street, 4<sup>th</sup> Floor, North Wing  
 Martinez, California 94553-0095



**Subject: State Clearinghouse No. 2002102057** Draft Environmental Impact Report for the Bulk Materials Processing Center and Related Actions located at the West Contra Costa Sanitary Landfill, Solid Waste Information System No. 07-AA-0001, Contra Costa County

Dear Ms. Dingman:

The California Integrated Waste Management Board (CIWMB or Board) Environmental Review (ER) staff has reviewed the environmental document cited above. The following is an overview of the CIWMB role in the California Environmental Quality Act (CEQA) process, the project description for the proposed project, and the ER staff analysis and recommendations for the proposed project based on ER staff's understanding of the project, as described in the above document(s).

### DEIR PROJECT DESCRIPTION

CIWMB ER staff have reviewed the DEIR and submit the following project description of the proposed project. If this project description varies substantially from the project as understood by the lead agency, ER staff request that the lead agency notify ER staff of any significant differences prior to preparation of the DEIR.

The Contra Costa County Community Development Department, acting as lead agency, has prepared and circulated a DEIR in order to comply with CEQA, and to provide information to, and solicit consultation with responsible agencies in the approval of the proposed project.

West Contra Costa Sanitary Landfill, Inc. (WCCSL), operates a Class II sanitary landfill located at the foot of Parr Boulevard, City of Richmond. The site encompasses land in both the City of Richmond and Contra Costa County. The City/County boundaries pass west to east through the WCCSL site. The WCCSL site has been in operation since 1952. Currently the site consists of several distinct operations that function as a cohesive whole.



These operations include:

- Solid Waste Disposal in a Class II municipal solid waste landfill
- Waste Shuttle Facility
- Bulk Materials Processing Center (BMPC) comprised of:
  - Wood Recycling Facility
  - Composting Facility
  - Asphalt/Concrete Crushing Facility
- Hazardous Waste Management Facility (Closure Plan in progress)
- Hazardous Waste Management Facility Leachate Treatment Plant
- Barge Mooring Area (not in operation at this time)
- Soil Remediation Facility – Operation will be discontinued

WCCSL is currently permitted to receive up to a maximum of 2,500 tons per day of municipal solid wastes (MSW) from various jurisdictions in the San Francisco Bay Area. Wastes are delivered in large transfer trucks, garbage trucks, pickups, and passenger vehicles.

### **Proposed Project Design and Operational Changes**

#### **Bulk Materials Processing Center (BMPC)**

##### **Compost Facility Operations**

Increase in the volume of compostable materials and mulch to be processed at the facility. Proposed permitted quantities would increase from 10,000 tons per-year of green materials to 164,300 tons per year of green materials and “organic feedstock”. Organic feedstock would include food wastes, bio-solids (wastewater sludge), mixed waste paper, and agricultural “residues”. There could be a maximum of 94,400 total tons of all materials on site at any one time. This maximum would include 56,000 tons of materials undergoing composting; 12,800 tons of unscreened compost products in storage; and, 25,600 tons of finished, screened, compost product in storage.

The applicant has allocated 20 acres for the Composting Facility that includes a “flexible” boundary that could increase the area to 40 acres based upon market demands and needs. Finished compost will be sold to the public, to wholesalers, or used at the WCCSL for various purposes.

##### **Concrete Processing and Asphalt Crushing Facility**

The facility will be relocated to the western plateau of the landfill’s central ridge such that the operation would be located in the City and the County. Increase the maximum amount of concrete and asphalt rubble materials processed from 125,000 tons per year to 528,000 tons per year. Remove restrictions on wet weather processing or storage of asphalt. The boundary of the facility is proposed to be “flexible” which would result in the physical area varying from 15 to 30 acres. Processes materials will be sold to the public and wholesalers.

##### **Wood Recovery Facility**

This existing facility is currently in the City, but may expand into the County. The facility currently processes about 30,000 tons per year and is proposed to expand to 131,400 tons per year. Material would

be shredded used in the composting process, used as boiler fuel, or as landscaping and erosion control mulch.

Waste Recycling Center and Transfer Station

The applicant proposes to construct and operate a Waste Recycling Center and Transfer Facility (WRC) that will replace the existing Waste Shuttle Facility. The WRC operations include a materials recovery facility, transfer station, public buy-back center, a household hazardous waste collection facility. There will be an organic materials processing area on the landfill’s central plateau with separate sub-areas for receipt of green waste, wood waste, food waste, agricultural waste, bio-solids, mixed waste paper, and soil; and a mixed waste processing area, which would provide for processing and removal of recyclables and a transfer vehicle load-out area.

Under the proposed project, the WRC will receive a maximum of 1,000 tons per day (TPD), averaged over a 7-day period, of self-haul, non-franchised waste and new business (third party market opportunities). The existing Soil Remediation Building located within the County will be rehabilitated and expanded to accommodate the WRC mixed waste processing area. The DEIR evaluates for an alternative location in area A of the WCCSL as well for the WRC facilities.

Wet Waste/Dusty Material Processing Facility

Establish a new wet waste/dusty material processing operation. The process involves receiving high-moisture content mud and sludge, then blending them in containers with waste soil or dusty wastes. The blended materials will be used at the WCCSL for alternative daily cover, or for final cover. A maximum of 51,100 tons per year of materials would be processed at the facility. This Wet/Dusty Material Blending Facility would be located within the City at the existing Waste Shuttle Facility and anticipated by the applicant to be composed of existing cargo containers with a flat truss roof.

Soil Reclamation Facility

Establish soil reclamation and processing operation that will involve the reclamation of non-contaminated soils in an area adjacent to the composting and wood waste recovery operations. The soils are currently delivered daily to the WCCSL site and used as landfill cover material. About 195,000 tons of soil would be processed annually.

Biosolids and Dredged Material Spreading

This operation would involve the spreading of wet dredged materials and/or Biosolids (wastewater sludge) from the adjacent West County Wastewater District treatment plant on the southern or eastern side slopes of the closed landfill. Layers of materials would be spread down the side slopes and dried by wind and sunlight. The applicant projects that a maximum of 50,000 tons of these materials could be accommodated annually.

Changes in Facility Operating Hours

<b>Operation</b>	<b>Current Hours</b>	<b>Proposed Permitted Hours</b>
Equipment Maintenance	Monday-Saturday, 7 a.m. to 6 p.m.	Monday-Saturday, 5 a.m. to 10 p.m.
BMPC materials transport	Daily, 7 a.m. to 5 p.m.	Daily, 24 hour a day
Concrete/Asphalt Processing	Monday-Saturday, 7 a.m. to 5 p.m.	Monday-Saturday, 5 a.m. to 12 a.m.
Wood Chipping/Grinding	Daily, 7 a.m. to 5 p.m.	To: Daily, 5 a.m. to 12 a.m.
WRC Operations	Not now included	To: Daily, 24 hours a day

**Summary of Proposed Tonnage Increases and Change in Location for WCCSL Bulk Materials Processing Center**

Facility	Existing Permitted Tonnages	Proposed Permitted Maximum Tonnage	Proposed Location
Composting	10,000 tons per year (TPY) received, 5,000 tons on site at any time.	56,000 undergoing composting, 12,800 - storage, 25,600 finished screed product, 164,300 processed per year	Expand to area primarily in City
Concrete & Asphalt Processing	30,000 TPY concrete debris and 1,600 TPY asphalt on site at any one time.	175,000 tons unprocessed broken concrete or asphalt rubble in storage, 95,000 tons crushed concrete/asphalt products in storage, 528,000 tons concrete and asphalt processed per year.	Majority of the operation in the City, some in County
Waste Recycling Center	Not now included	1,000 tons mixed solid wastes on site and 365,000 tons mixed waste processed per year	In County (City location proposed alternative)
Wet/Dusty Material Blending	Not now included	5,000 tons and 10,000 gallons of unprocessed materials in storage, 44,900 tons and 1.5 million gallons materials processed per year, 25,400 tons/dry, 25,700 gallons/wet waste processed per year	In County or City
Wood Recovery	350 TPY materials on site at any one time	25,000 tons unprocessed wood waste and 22,000 tons shredded wood and mulch products in storage, 131,400 tons wood wastes processed per year.	
Soil Reclamation	Not now included	20,000 tons material to be processed and 6,500 tons processed material in storage. 195,000 tons processed per year.	City
All Facilities	Total materials not to exceed 46,950 tons per year	1,409,000 tons of processed materials and 25,700 gallons of wet waste processed per year	

Class II Landfill Height Increase

Increase in the permitted height of the landfill from 120 feet above mean-sea-level (MSL) to 160 feet above MSL. The 30-foot increase in the height of the landfill will include 7 feet of soil layer consisting of 4 feet of final cover and 3 feet of residual soil.

Public Access Trail

The concept of a Public Access Trail around the perimeter of the landfill property has been envisioned for many years. The Trail would be implemented in four phases and is proposed to follow existing levee roads around the outer edge of the WCCSL property. Development of the Trail will include upgrading and protecting the landfill’s environmental control system, building fences to restrict unauthorized access

to off-limit areas of the property, a parking area, a compacted gravel surface, fencing and access controls, appropriate signage and interpretive aids, bench and rest areas, and restroom facilities.

Trail Segment	Projected Opening Date
Phase One	December 1, 2003
Phase Two	December 1, 2004
Phase Three	December 1, 2005
Phase Four	9 months after securing funding

Many aspects of the proposed Public Access Trail are controversial such as the proposal of the applicant to spray-apply liquid biosolids to selected final landfill side slopes near the area of the Trail.

### **CALIFORNIA ENVIRONMENTAL QUALITY ACT REVIEW**

When reviewing an environmental document (ED) during the CEQA circulation process, Board Environmental Review staff will analyze and evaluate whether the proposed ED clearly describes all phases of the project, and assess all potential primary and secondary impacts to public health, safety, and the environment that could occur by the implementation of the project.

When the proposed Solid Waste Facility Permit (SWFP), and the citation of evidence of CEQA compliance by the Local Enforcement Agency is received by the CIWMB, a subsequent analysis is performed by ER staff to evaluate *whether the cited ED supports the requested specifications and conditions of the SWFP.*

ER staff will then make a recommendation to the CIWMB regarding the adequacy of the ED for SWFP concurrence purposes. The Board members will make the final determination of the adequacy of the ED for SWFP concurrence, as well as whether or not to concur in issuance of the SWFP.

### **CIWMB STAFF COMMENTS**

As a responsible agency for Solid Waste Facility Permit (SWFP) concurrence, CIWMB staff will conduct an environmental analysis for this project, using the DEIR developed by the lead agency, in accordance with CEQA Guidelines Title 14 CCR, §15096. The Final Environmental Impact Report (FEIR) should address all the requirements listed in Title 14 CCR, §§15120 – 15132. The proposed project will require new Solid Waste Facility Permits for the Bulk Materials Processing Center and Waste Recycling Center, and a revised SWFP for the landfill expansion.

To assist ER staff analysis and evaluation of this project, and to aid in the determination of the adequacy of the EIR for permit purposes, we request that the following comments be addressed in the FEIR prior to certification by the lead agency. If these questions have already been addressed in an existing document, please indicate the document, page number(s) and section(s), and incorporate this information into the FEIR, prior to certification. Please note that the final evaluation regarding the adequacy of the environmental document cited for CIWMB permit purposes, will be determined only after the proposed permit is received, and compared to the final version of the EIR.

### WCCSL Increase in Tonnage

Provisions in the design and operation of the facility that assure compliance with Solid Waste Regulations should be described in the FEIR and Joint Technical Document (JTD) in order to indicate the ability of the facility to meet State Minimum Standards for environmental protection. If the WCCSL plans to receive any waste from outside of Contra Costa County, the final environmental document should contain the locations where waste will be traveling from, and a detailed analysis of, and mitigation for, all possible associated impacts from the receipt of this waste. 2-1

### Traffic and Related Transportation System Impacts

In the FEIR, please include any addition information and current descriptions, maps, and diagrams of all roads for each of the proposed projects/facilities on the WCCSL site. In addition, as the locations of some proposed projects at WCCSL have yet to be finalized (i.e., WRC facility). In addition, please provide this information for all alternative locations at WCCSL. 2-2

### Odors and Air Quality

The DEIR states that the composting facility proposes to eventually replace the windrow composting method entirely with the open Aerated Static Pile (ASP) method of composting. Please be aware that composting putrescible feedstock using the open aerated static pile method creates potentially significant odor problems when not properly managed. The open ASP method can develop pockets of high moisture content that causes significant odor problems when the oxygen supply has been deprived, and the indigenous microorganisms' metabolism starts the anaerobic digestion of organic material. Additional measures must be taken to mitigate this potential for odor generation (e.g. backup equipment, additional bulking agent, etc.). The proposed increases in waste and the addition of putrescible materials being composted at WCCSL could greatly increase the possibility of odor impacts. 2-3

New Compost Regulations California Code of Regulations (CCR) Title 14, Section 17863.4(a); Odor Impact Minimization Plan (OIMP) requires all compostable material handling operations and facilities to prepare, implement, and maintain a site-specific OIMP. *A complete plan will be a required submittal to the LEA along with the Enforcement Agency Notification and permit application.* The entire text for the regulations can be viewed at: <http://www.ciwmb.ca.gov/Regulations/Title14/ch31.htm#article3> 2-4

The project site is in a "non-attainment" region for ozone. The Bay Area Air Quality Management District (BAAQMD) is responsible for prioritizing facilities that emit air toxics. 2-5

### Composted Final Product

The FEIR should include a description how compliance with Composting Operations Regulatory Requirements, Environmental Health Standards CCR Title 14 §§17868.1 – 17868.4 would be met for the final compost product from the proposed facility. In order to ensure safe, acceptable levels of pathogens in the final compost product, the FEIR should explain in detail the sampling method, and the frequency of sampling, that will be performed. In addition, please provide details as to the potential markets for the final composted product, and what will be done with product that does not meet minimum standards for 2-6

marketing. In addition, please indicate what sort of mitigation is proposed to prevent excessive accumulation of finished product in the event that the finished product has no market, or insufficient markets.

### Changes in Facility Design and Overburden Impacts

Proposed changes to facility design at WCCSL include the location of projects/facilities over waste fill areas. These actions could result in overburden impacts to landfill gas and leachate production, migration and containment systems that should be considered *prior* to implementation of these projects. The primary concern for structures built on, or near fill areas is the prevention of gas migration into the structures. Please include in the FEIR the final location of all proposed projects/structures/facilities on-site, especially in relation to covered waste/fill areas, how the structures will be designed to prevent gas infiltration and, whether gas sensors will be used to ensure protection from gas migration. Please include what provision are, or will be in place for the prevention of landfill gas migration into the Soil Remediation Building currently on site, and if gas sensors will be used as well.

2-9

If any additional waste, or proposed facilities will be located on top of, or near fill areas of the landfill, the following regulations should be considered:

2-10

- Title 14, CCR, §17865, Composting Operation/Facility Siting/Design Standards on Landfills,
- Title 27 CCR, §21190(g) Post Closure Land Use
- Title 27 CCR, §§20919 – 20921 Gas Monitoring/Control at Active and Closed Disposal Sites

For technical assistance, please contact Mike Wochnick of the Remediation, Closure, and Technical Services Branch at (916) 341-6328, or e-mail at [mwochnic@ciwmb.ca.gov](mailto:mwochnic@ciwmb.ca.gov).

### Alternate Daily Cover (ADC)

WCCSL has had a history of problems relating to inadequate cover of waste from the use of ADC at the facility. ER staff suggests that the use of ADC be re-evaluated for adequacy at the facility, and that ADC regulations be strictly adhered to if the facility proposes the continued use of ADC in the future at the facility. The FEIR should indicate the source, final proposed location, and size of ADC stockpiles that will be stored on the landfill site. Please note that any materials used at a landfill for ADC must be approved by the enforcement agency (EA), and will require concurrence by the CIWMB.

2-11

If the use of sludge will continue to be used on slopes near the proposed Public Access Trail, the FEIR should describe what measures will be implemented in order to protect the public from windborne particulates, and possible pathogen levels from the sludge if used in this area. Please also refer to Title 27 CCR §20690(b)(4), which states:

2-12

(A) Public contact with sludge or sludge-derived materials, either alone or blended with soil, ash, processed green material, or stabilization agents such as lime, lime kiln dust, or cement kiln dust, shall be prohibited. This prohibition shall apply to staging, processing, tipping, and cover placement areas.

(B) Sludge or sludge-derived materials, either alone or blended with soil, processed green material, ash, or stabilization agents such as lime, lime kiln dust, or cement kiln dust, shall form a compacted material

which can be placed without forming open voids or causing material to be tracked off the working face area.

### **New and Pending Regulations**

Please see the regulations area on our website (<http://www.ciwmb.ca.gov/Rulemaking/>) which contains information on additional pending and new regulations that may affect this facility. These proposed and new/current regulations will require:

2-13

- Revision of existing regulations that control the use of alternative daily cover (ADC) materials at solid waste landfills and the reporting of that use,
- Placement of facilities and operations handling construction and demolition (C&D) and/or inert debris into regulatory tiers and setting minimum standards,
- New regulations for the administration of a landfill closure loan program, and

### **Cumulative Impacts**

It is important that the FEIR address all cumulative impacts resulting from the individual/proposed project(s) and the combined projects, as well as incremental impacts resulting from the proposed projects' implementation.

2-14

### **Sudden Oak Death**

Please be aware that many counties in California, including Contra Costa, are currently undergoing an epidemic of a plant pathogen that is highly destructive to native oaks and many other hardwoods (*Phytophthora ramorum*). Composting facilities can act as dispersal centers for diseases such as this one if appropriate measures are not instituted. If material from an infected county is brought to a composting facility, it may then be transferred to uninfected areas through local sales of compost products. Federal and State regulations restrict the movement of plant materials in infected areas, and recent changes to Code of Federal Regulations Title 7, part 301 (Sections 301-92 through 92-10) specifically address *Phytophthora ramorum*. For further information on this, please see The California Oak Mortality Task Force's website: <http://www.suddenoakdeath.org/>

2-15

### **Closure Plan**

Please note the CIWMB has revised the regulations concerning closure and post-closure maintenance. *The revised regulations will require the preliminary closure plan to be approved before the issuance of a revised SWFP.* For a full text of these regulations see the Rulemaking Archives on our website: <http://www.ciwmb.ca.gov/RuleArchive/2003/Closure/>

2-16

### **Land Use Compatibility**

The project's surrounding land use must be designated as compatible with the proposed and current land uses at the project sites. The local government(s), in whose jurisdiction the facilities will be located, must make a finding that the facility is consistent with the General Plan, Public Resources Code (PRC) §50000, and is identified in the most recent County Integrated/Solid Waste Management Plan (PRC §50001).

2-17



### **Mitigation Reporting or Monitoring Program**

Public Resources Code (PRC) §21081.6 requires that the Lead Agency submit a Mitigation Reporting or Monitoring Program (MRMP) at the time of local certification of the Final Environmental Impact Report (FEIR). This Program should identify the environmental impacts associated with the proposed project, identify mitigation measures to reduce impacts to a less than significant level, identify agencies responsible for ensuring the implementation of the proposed mitigations, and specify a monitoring and tracking mechanism. PRC §21080(c)(2) requires that mitigation measures "...avoid the effects or mitigate the effects to the point where clearly no significant effect on the environment would occur." The MRMP is required to be made a condition of project approval.

2-18

Recent changes to PRC §21081.6(b) require that "A public agency shall provide the measures to mitigate or avoid significant effects on the environment are fully enforceable through permit conditions, agreements, or other measures." The MRMP should indicate that agencies designated to enforce mitigation measures in the FEIR have reviewed the MRMP, and have agreed that they have the authority, and the means, to accomplish the designated enforcement responsibilities.

### **ALTERNATIVES TO THE PROPOSED PROJECT**

If proposed today as a new facility in California, the West Contra Costa Sanitary Landfill (WCCSL) would not have been located in such an environmentally sensitive area as it is now situated. Due to the location of WCCSL, and the concerns from the community, environmental groups and regulatory agencies, ER staff would like to take this opportunity to strongly encourage the project sponsor to seriously consider implementation and/or integration of alternatives to the proposed project, all or in part, as outlined in the DEIR. In particular, the "Preferred Environmental Alternative" should be seriously considered. Adoption or integration of this alternative may help to reduce the significant impacts from the proposed project, as it is currently defined.

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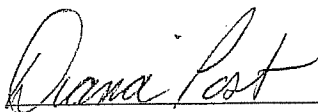
### **CONCLUSION**

CIWMB ER staff would like to thank the lead agency for the opportunity to review the proposed project. ERS staff hopes that this comment letter will be useful to the lead agency in carrying out their responsibilities in the CEQA process. Please note that ER staff may be available to attend consultation meetings and/or workshops planned for the preparation of any Environmental documents.

CIWMB ER staff request copies of any subsequent Environmental documents including, the Final Environmental Impact Report, the Report of Facility Information, any Statements of Overriding Considerations, copies of public notices, and Notices of Determination for this project. If the environmental document for this proposed project is certified during a public hearing, ER staff request notice and location of this meeting two weeks in advance. If the document is certified without a public hearing, ER staff request notification two weeks in advance of the date of the certification, and project approval by the decision-making body.

If you have any questions regarding these comments, please contact me by telephone: (916) 341-6727, or  
e-mail: [dpost@ciwmb.ca.gov](mailto:dpost@ciwmb.ca.gov)

Sincerely,



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