

From: "ljl Laurent2@netzero.net" <ljl Laurent2@netzero.net>
To: <jmoody@waterboards.ca.gov>
Date: 5/27/2008 2:47 PM
Subject: Hearing WDRs Folsom Corp Yard dumps. to RWQCB members

Honorable Board Members

CVRWQCB

May 27, 2008

in Re:

Tentative Revised Waste Discharge Requirements for Clean Closure Class 3 landfill Corp Yd.

Hearing date ??? July 31 and/or August 1, 2008

I note in the text the following requirement:

"The WDRs also require that the Discharger obtain coverage under the general storm water permit and provide updated cost estimates and funding for corrective action financial assurances in approved amounts."

The city and Brown and Caldwell have met with neighbors on 2 formal occasions, and they have steadfastly refused to provide details about contingency planning and emergency planning. Neighbors have repeatedly asked for the details of the city's plans with regard to handling, storage, and disposal of toxic and/or dangerous substances, release of airborne toxics requiring immediate shutdown and remediation, and the extent of their ability to prevent toxics and hazardous substances from reaching the waters of the American River either by run-off or by ground penetration.

Since the wording appears to dictate "updated cost estimates and funding for corrective action financial assurances in approved amounts,"

is there not a requirement for the city of Folsom to provide this information to the Board prior to the hearing at which they expect approvals?

There is currently an investigation being conducted into the exact nature of the materials dumped into the old Folsom sewage ponds and surrounding areas in an unregulated fashion.

Preliminary investigations indicate the city and its providers have erroneously indicated that only benign materials were disposed of in these ponds and their environs.

It is my intention to put the RWQCB members on notice that the actual materials in the ground remain an unknown commodity which IS NOT limited to "tree branches, grass, and other organic material." There is no reason for the city and its contractors to NOT provide a contingency plans, an emergency notification plan, and alternate plans in case toxic and/or hazardous materials are found and released during this "clean closure" process. I believe it would be improper for the RWQCB to amend the current Requirements without

REQUIRING and demanding assurances to protect the American River waters and environs, an environment, and proof of financial surety in case toxics and/or hazardous materials are discovered and must be dealt with at much higher cost, under far more stringent conditions than are currently indicated by city employees and contractors.

Laurette J. Laurent
Folsom Resident proximate to Corp Yard
916 985-4488

LJ Laurent
916 985-4488

From: "ljlaurant2@netzero.net" <ljlaurant2@netzero.net>
To: <jmoody@waterboards.ca.gov>
CC: <rmjohnson@mp.usbr.gov>, <sara5204@pacbell.net>
Date: 6/10/2008 2:44 PM
Subject: contingency and emergency notification plans, time is of the essence

Dear John,
 These requests are being made again to the city of Folsom. Have you received materials which would address these itemized concerns?
 If affirmative, please tell me how I can access it.

It would be very distressing to enter the Board Meeting at the end of July and have to tell them that I was unable to receive this significant information prior to the June deadline placed upon me prior to the July hearing.
 We have been informed publicly that the city intends to begin digging on August 1, 2008. It appears contingency and emergencies are not going to impact the grand design.
 Laurie Laurent
 985 4488.

Latest request to city follows:

Walt Sadler, city of Folsom Public Works Dept,
 We are currently in the Public Comment Period before Folsom asks the RWQCB Region 5, Water Board for action on the dump permit WDRs.
 If the city has additional requirements for me to receive the below documents, please advise me immediately as TIME IS OF THE ESSENCE.
 As of the last meeting between Brown & Caldwell, neighbors, and the city employees, the city did NOT have a contingency plan, nor an emergency notification to neighbors plan. We have had 3 public meetings attended by city employees, many neighbors, Brown & Caldwell, at which many of us noted the importance of the
 Contingency Planning
 and
 Emergency Neighborhood Notification plan.

Still we do not have this information.
 Nor do we have the storm water permit information.

I have asked for this information and certainly wish to see it before the deadline on June 22, 2008.
 Please let me know when I can peruse:

1. Contingency plan for clean closure as discussed at 3 public meetings.
2. Folsom's estimates for cost estimates both for those under the
 NPDES Storm Water Permit to which the city is a partner,
 and for contingency costs should extremely hazardous materials be found, or if the contractor is forced to stop work because of inability to obtain diesel fuel, American River protection in case the rainy season begins during the proposed dig, or other such contingencies.
3. Folsom's coverage for this project under the Storm Water Permit.
4. Emergency Neighborhood Notification plan as discussed at 3 public meetings.
5. What entity is ensuring the performance of the contract and the protection of the American River waters?

Thank you for your attention to this matter. Time is of the essence.

Laurie Laurent

From: "ljl Laurent2@netzero.net" <ljl Laurent2@netzero.net>
To: <jmoody@waterboards.ca.gov>
Date: 6/12/2008 3:58 PM
Subject: FCYL Closure Unable to obtain Cost Basis for Estimates

RWQCB Board
Re: FCYL clean closure documentation

I examined the May 2008 Amended Report of WD/Clean Closure Work Plan at the Folsom Library.
ITEM 1:

Appendix A,

I was unable to copy any of the Appendix A, Figures, which contains much of the data required to understand the conclusions of the city's engineers.

Specifically, I require the outsized Figures as follows

1-3, 1-4, 2-1, 2-4, 2-9, 2-10.

I went immediately to City Hall to request these copies, but was turned away by the city clerk's office because "it's lunchtime."

ITEM 2: As I reported to John Moody, the city has still NOT provided information I have requested since the first public meeting in January 2008.

I wish to know the bases for their cost estimates.

In fact, the city avoids mentioning costs, although I believe the costs of upfront compliance work is already in the neighborhood of \$700,000.

I would like to know if any spread sheets exist for their estimates.

The city has announced RWQCB Public Hearing on July 31, 2008, and Excavation to begin on August 1.

This is insane. The public comment submission period ends in 10 days, and we still have NO INFORMATION detailing COST, basis for each estimate, funding source, and financial assurance.

Where is the cost estimate information as of June 12, 2008? I need this data before the comment period closes, or I

REQUEST EXTENSION OF THE HEARING UNTIL WE HAVE 30 DAYS TO EXAMINE AND RESPOND TO THE COST/FINANCIAL ASSURANCE ISSUES.

Laurette J. Laurent
Folsom Resident

From: "ljl Laurent2@netzero.net" <ljl Laurent2@netzero.net>
To: <jmoody@waterboards.ca.gov>
Date: 6/12/2008 4:15 PM
Subject: Cost of FCYL Closure, historical estimates

RWQCB Members
June 12, 2008

As a private enforcer of the Clean Water Act and Porter Cologne Water Act, I caused the sworn and videotaped depositions of some Folsom officials. I learned about the Folsom infrastructure in detail, and my material was sufficient to impress NEPA Criminal Investigation Division.

During my association with the long-time City Engineer, I learned that the city has repeatedly investigated the cost of clean closure of the Folsom dumps.

Mr. Robert Blaser, Registered Engineer told me that in 1989 the cost estimate was \$8,000,000.

He repeatedly advised the city council members to pay the \$8,000,000 because the costs would only escalate.

In my copy of the Brown & Caldwell Solid Waste Assessment documents, I find that B&C, during the year 2000, calculated the costs to be \$6,241,000 to \$8,628,000.

I find it ridiculous that the current May 2008 B&C document refers to using not the figures they produced themselves in 2000, but a revision 5 years later. I haven't seen this revision, but I'll bet they said the cost went down from the 1989 \$8,000,000.

The city has told RWQCB staff they have \$1,000,000 and estimate total cost at \$1,500,000. That is so absurd as to be criminal on someone's part.

Do you think I believe they Compliance costs, analyses, and repeated moving of 74,000 cubic yards of unknown (possibly hazardous) material will be \$1.5M?

Be realistic, with diesel at \$5.50 per gallon, \$1M is perhaps enough FOR THE FUEL ALONE to excavate, repeatedly move, sort, load and transport 74,000 cubic feet over and over.

Kettleman hazardous dump is 240 miles away.

We are speaking of 10,000 TRUCKLOADS OF MATERIAL which B&C estimates will be hauled from the site.

If a garbage truck gets 4 miles to the gallon, and diesel costs are \$5.50 or more, that alone could eat up the \$1M. And let us not forget the city has already expended most of that sum simply on the Compliance groundwork.

Don't forget the analyses of each batch of material, and moving it around during the period the samples are out.

A cost estimate of less than the 1989 \$8,000,000 is sheer nonsense, or much worse.

Laurette J. Laurent
Folsom Resident

From: "ljl Laurent2@netzero.net" <ljl Laurent2@netzero.net>
To: <jmoody@waterboards.ca.gov>
Date: 6/12/2008 4:29 PM
Subject: Financial Assurance FCYL Closure

RWQCB Members,
June 12, 2008

During two public hearings Registered Engineers for the city of Folsom stated that the FCYL contained street sweeping, grass clippings, tree limbs, and material generated by the city itself. There were > 2 dozen residents present to hear and object to this statement made by Guy Graening at about 6:37 pm, and assented by Walt Sadler.

I am sure of this claim that there was nothing but benign natural material because we all reacted to the assertions. Life-long residents objected immediately and set about to prove that the the entire area (not just the ponds) was a dump for anything, anytime, by anyone. Efforts were begun to document the true history of the site.

Because of this party line of non-hazardous fill, the city implied the clean up would not require the expense of Haz Mat disposal fees and transportation and handling.

The city wants the RWQCB to believe that a project their own engineer (with Brown & Caldwell engineers) estimated to be \$8 Million in 1989 to 2000, is now going to cost a mere one to two million.

This is so outrageous as to require the city of Folsom to demonstrate their ability to fund this closure.

I consulted the proposed 2008-09 Folsom Budget, and this project could cost more than the entire Utility Department budgeted amount.

I couldn't find any funding source for a project so significant and expensive.

If the RWQCB does not demand answers, then the Board will suffer the wrath which should be directed at the city council and others.

According to City Manager Kerry Miller, in the June Newsletter:

"The City of Folsom's budget outlook has been impacted by what I see as a perfect storm of economic factors. The combination of decreased revenue sources, including sales taxes, property taxes and development fees, along with an increased cost of services and the possibility that the State may take away additional City revenues, pose a significant budgetary challenge."

If you allow the city to walk in for a rubber stamp approval on July 31, 2008, when the city is understating the huge costs of dump clean up, then it is you who are at fault for not doing your regulatory duty.

If the city would give me some believable estimates, we could ALERT the Folsom residents and discuss this honestly.

Laurette J. Laurent
Folsom Resident

From: "ljl Laurent2@netzero.net" <ljl Laurent2@netzero.net>
To: <jmoody@waterboards.ca.gov>
Date: 6/12/2008 4:47 PM
Subject: FCYL Closure: what's in it?

RWQCB members
June 12, 2008

April 29, 2008, the city's engineers told the assembled residents that the FCYL dumps within the old sewage ponds contained NOTHING but city waste, and it was mostly green, with some assorted junk which was non-hazardous. They stressed that the only dumper there was the city. We objected, of course. They never corrected their comments.

Not until I saw one tiny sentence in the May 2008 Amended Work Plan which is voluminous and not on-line, and the Appendices are uncopyable at the library.

This sentence reads:

"In 1974, the City began using the former ponds associated with the sewage treatment plant as a landfill (refer to 1982 aerial). The City discharged primarily non-municipal solid-waste including construction and demolition debris, green waste, and street litter."

Note the B&C report does NOT mention the disposal by the city of any hazardous materials such as VOCs, oil, degreasers, gas with/without MTBE, benzenes, toluene compounds, mercury, lead, and other PCB associated hazardous materials.

The TENTATIVE ORDER wording states in Finding of Fact #2:

1974 through 1987 the contents dumped were "street cleaning and other wastes from the city." Not open to the public.

Obviously this finding of fact agrees with what Guy Graening (B&C) and Walt Sadler (Folsom Utilities) have told us affirmatively. They quite likely told RWQCB staff this same tale.

Only once, in the final version with the imprimatur, is the issue handled differently.

Still, the city engineers still have not owned up the hazardous materials repeatedly dumped into the entire FCYL by city employees themselves.

During the horrible fire which nearly destroyed our homes, and burned a part of the Federal forest at the American River, these oils and hazardous materials burned while the vegetation around them did not. I, and others, have supplied photographic proof of this happening where the FCYL ENCROACHES ONTO FED lands at the American river.

Let's set the record straight, the city was censured as recently as the mid 1990's for chemical violations at the Corp Yard. All types of cleaners, degreasers, automotive products and excess were willfully dumped on the site, including the old dumps.

If you want proof, look at the Water Monitoring logs which show every type of Hazardous Material from toluene to trichlorobenzene to dangerous heavy metals.

We have witnesses who know it was city policy to dispose of hazardous materials by dumping on the site. Of course it's there, even if the statements say nay.

Laurette J. Laurent
Folsom Resident

From: "ljl Laurent2@netzero.net" <ljl Laurent2@netzero.net>
To: <jmoody@waterboards.ca.gov>
Date: 6/12/2008 5:04 PM
Subject: What's in FCYL, VOCs detected

According to Finding of Fact # 36 of the Tentative WD Permit for the FCYL, the following were found:

ethylbenzene, toluene, xylenes, trichlorobenzene, and the hated MTBE which is so harmful to drinking water.

If the city were abiding by all the Permits and Orders after the dumps were sealed, how did all this get there?

Maybe the same way MTBE has gotten there since I moved here in 1997. The city stores junked vehicles on bare soil. As of June 12, 2008, there are four vehicles on that area. There have been up to 14 stored there despite the extreme hazard.

The city continuously stored its Electronic Waste on this site 28' from our homes and Tot Park playground. That is why after the disastrous June 21, 2007 fire, there was residue of lead after the junk there burned. But the point is, it's back again. This is the failure of "self policing and self-reporting."

There are also Creosote soaked utility poles on the city property at the FCY, both on the UFA and adjoining.

If I were doing oversight, I'd make sure such a group was required to post a 100% surety bond, because money is the only way they listen. (Remember the \$700,000 fine for sewage?)

Laurette J. Laurent

From: "ljl Laurent2@netzero.net" <ljl Laurent2@netzero.net>
To: <jmoody@waterboards.ca.gov>
Date: 6/12/2008 5:10 PM
Subject: Designated Party Status

RWQCB members
June 12, 2008

I request Designate Party Status for the FCYL closure hearings.

My reasons are: I live within a couple hundred feet of this site.

My health was damaged seriously by the Creosote and Haz Material fumes generated by the FCY stored materials which exploded violently into the air and particles were carried about.

Like all my neighbors, I am impacted by the lead found within feet of the sidewalk, by your staff after the 2007 fire. The city stored CRTs, computers, all electronic crap on this spot until after the fire.

I know the city claims they will find no hazardous materials in the FCYL dumps, but that is nonsense and we intend to enhance the proof provided by the water monitoring and human monitoring.

I have not been given all the requisite information to date, despite making requests for COST data since January 2008. It is essential someone demand FINANCIAL RESPONSIBILITY AND ACCOUNTABILITY.

I am one of the poor suckers who must pay for this nonsense, so the city can give it to a developer, like they gave away our Historical Sutter Street Railroad Block. (Of course, they don't answer questions about this either.)

I need to fight for full disclosure so that any clean up of the FCYL dumps is done by a MORE RESPONSIBLE ENTITY than the city of Folsom.

There is no money for this, and no demand for the four story hotel. There is no likelihood the Folsom/Bernau Development Corp partnership will receive the right to control the American River at this area in order to develop "a marina" and a road around Lake Natoma on the Federal Lands at the American River. It's not gonna happen. Let the city sell the land to someone who will pay for a more fully watched cleanup. Companies are more accountable than some governmental agencies apparently.

If you need more reason, I speak for the live blood of millions of Californians who depend upon the Delta and American River for the water to survive.

Laurette J. Laurent
Folsom Resident

From: "ljl Laurent2@netzero.net" <ljl Laurent2@netzero.net>
To: <jmoody@waterboards.ca.gov>
Date: 6/12/2008 5:37 PM
Subject: FCYL closure Borehole Logs TPB 1, TPB 2

RWQCB Members,
Thanks to your outstanding staff, I learned of the final version of the Clean Closure Work Plan.

Although it has been impossible for me to obtain
Figures 1-3, 1-4, 2-1, 2-4, 2-9, and 2-10,
I did recognize a very serious problem with the test pit borings done during the first week of February
2008.

Over the major sewage ponds themselves, i.e. the deepest dumps, Brown & Caldwell did only two
borings, TPB 1 and TPB 2.

If I had the Figures from Appendix A, I could overlay them and demonstrate that the
ONLY BORINGS WERE PUT DOWN INTO THE SOIL BERM SEPARATING THE TWO PONDS.

When I read the ***** marked conclusions that the dumps are
**STILL PREDOMINATELY SOIL* 98% soil/2% trash"

I was disgusted.

Of course the berms are soil. And don't try to tell me that Folsom employees 30 to 40 years ago DUG
OUT the soil berm before dumping all their unwanted materials into it. That is crazy.

What we have here is very questionable research. It is sufficient to cast a pall over every one of their
claims.

If disturbed by money-driven, less responsible entities, it is highly possible that catastrophe will result.
This is our precious, limited drinking water. I do not believe the city of Folsom and its hirees have
demonstrated the acumen to address the environmental, financial, and health costs of this venture.
Unfortunately, because of the anti-statements, contradictions, obfuscations, refusals to answer, refusals to
produce cost data, and glaring omissions and selective sampling they have done, I can only conclude this
is a "no-go" project.

If the residents who must pay for it knew of the current 6 figure expenses just for paper work and
preliminaries, I think they would scream against this project.

The timing is all wrong.

The group is not forthcoming with the whole truth. It would be calamitous to rush forward with excavation
on August 1, 2008, the day after your meeting

Please bear in mind, I have only 10 days to make comments, and the city still refuses to address my
inquires (made for 5 months), or to provide me with the most basic of data.

This is an outrage. Don't mess with the American River.

Before any development is enabled by YOUR actions, kindly remember the Folsom trunk sanitary sewer
line (only 27" diameter for about 40,000 souls) should be enlarged before anything else. With closure, the
land goes to developers, the sewage goes into the 27" line, and when this currently surcharging sewer line
spills over, it has only the American River to go into. This type of information must be considered in your
perusal of requirements for this WD change.

This is NOT a benign clean up plan. It's development paid for by residents like me.

Laurette J. Laurent
Folsom Resident

From: "ljl Laurent2@netzero.net" <ljl Laurent2@netzero.net>
To: <jmoody@waterboards.ca.gov>
CC: <sara5204@pacbell.net>, <pwebb@saccounty.net>, <DuncanRob@saccounty.net>...
Date: 6/13/2008 1:17 PM
Subject: FCYL Closure City response to LEA comment COMMUNITY RELATIONS

RWQCB Members,

June 13, 2008,

The city responded to LEA Sac Cty Env Div comment (Pat Webb) on Community Relations by saying we neighbors would get all we needed from calling MMC public relations firm. I called twice and never received any response whatsoever.

Not only that, I have received responses via email from B&C on two occasions despite the fact that I have made requests for info, inquiries, complaints, and essential safety suggestions as follows:

I have spoken with Guy Graening, B&C, 3 separate times in person and Walt Sadler on twice in person. I have phoned both of them. I have emailed them over and over for the past five months. My requests for COST info, COST BASIS info, emergency neighborhood notification system, safety circulation pattern on the site have never been addressed in the appropriate

WRITTEN format. Not only do we have NO information on health, safety, cost, and other environmental issues, we will probably have no 30 day comment period on any of this critical data.

I have complained repeatedly to everyone in Utility Div. and the administration that the Corp Yard which burned June 21, 2007, is currently being used still for Creosote materials, old vehicles on bare soil, metal, apparent plastics. The site has plenty of combustile material, natural and otherwise within 28' of our properties.

Laurette J. Laurent
Folsom Resident

From: "ljl Laurent2@netzero.net" <ljl Laurent2@netzero.net>
To: <jmoody@waterboards.ca.gov>
CC: <webbp@saccounty.net>, <DuncanRob@saccounty.net>, <toddli@saccounty.net>...
Date: 6/13/2008 1:26 PM
Subject: FCYL Closure, city response to LEA on LABELLING ALL CORP YD USES clearly

RWQCB Members

June 13, 2008

Re city response to LEA comment re labelling all Corp Yard uses clearly.

City did not indicate its encroachment on US Bur of Reclamation land where city operates its auto & mechanics operations.

city did not indicate it STILL stores CREOSOTE materials, and has returned to practice of storing junk and vehicles, and metal and plastics on bare soil next to our homes. They should plow down this high pile of soil which they dumbly use for storage when all it does is provide an easy path for fire in the Corp Yard to jump right into our street and homes. There are few trees left in front of the houses on north Young Wo Circle where last years CY fire and explosions nearly burned us out.

Laurette J. Laurent

Folsom Resident

From: "ljl Laurent2@netzero.net" <ljl Laurent2@netzero.net>
To: <jmoody@waterboards.ca.gov>
CC: <webbp@saccounty.net>, <toddli@saccounty.net>, <DuncanRob@saccounty.net>...
Date: 6/13/2008 1:33 PM
Subject: FCYL closure city response to LEA re groundwtr CLs in separate letter

RWQCB members,
June 13, 2008

I agree on the issue. Please be aware that the city's method of "separate letter" is not compliant with making all information available to the public, providing 30 days for examination and response PRIOR to the expiration of the 30 day period. We have to all comments in by June 23, but it appears we will not have critical data and cost information, and safety information prior to that date. You may not even have it by then.

They will produce something during the current Public Comment Period and we will have absolutely no opportunity for the 30 day comment and examination period. We require time to circulate additional important data to our experts.

Laurette J. Laurent
Folsom Resident

From: "ljl Laurent2@netzero.net" <ljl Laurent2@netzero.net>
To: <jmoody@waterboards.ca.gov>
CC: <webbp@saccounty.net>, <toddli@saccounty.net>, <DuncanRob@saccounty.net>...
Date: 6/13/2008 1:38 PM
Subject: FCYL closure, city response to LEA comment re maintaining monitoring wells

RWQCB Members
June 13, 2008

LEA Pat Webb is absolutely correct about the necessity for the monitoring wells as required by law. We will not always be in drought conditions. We cannot rely upon the city to accomplish voluntary compliance and reporting with the applicable regulations which safeguard our precious water supply.

Laurette J. Laurent
Folsom Resident

From: "ljl Laurent2@netzero.net" <ljl Laurent2@netzero.net>
To: <jmoody@waterboards.ca.gov>
CC: <rmjohnson@mp.usbr.gov>, <webbp@saccounty.net>, <toddli@saccounty.net>, ...
Date: 6/13/2008 1:47 PM
Subject: FCYL closure, city response to LEA comments 6, 8 COST

RWQCB Members

June 13, 2008

In comment 6 response, the city states it will add text. How can we avail ourselves of the 30 day comment period when the city is adding text at this late date?

Comment 8 re COST

The LEA is absolutely right about cost facts and figures and assurances.

In 2000 Brown & Caldwell estimated the cost at MORE THAN the ENTIRE 2008-2009 UTILITY DEPT. BUDGET.

This is absolutely outrageous. If this job cost \$8M in the 1990's when less was known and required, how can the cost now become \$1.5M of which the city has a measly \$1M?

I am calling for a FULL REPORT OF ESTIMATED COSTS,

COST BASES USED, including evidence of current validity with high diesel costs rising daily,

HARD PROOF OF MONIES DEPOSITED for all work necessary to ensure the protection of the American River, Lake Natoma Shores residents, and the Federal Lands at the American River, as well as the State Parks which are needed more in these times.

Laurette J. Laurent
Folsom Resident

From: "ljl Laurent2@netzero.net" <ljl Laurent2@netzero.net>
To: <jmoody@waterboards.ca.gov>
CC: <webbp@saccounty.net>, <toddli@saccounty.net>, <DuncanRob@saccounty.net>...
Date: 6/13/2008 1:55 PM
Subject: FCYL Closure city response to LEA comment re TIMETABLE unrealistic

RWQCB Members
June 13, 2008

The LEA is absolute correct. The published timetable is unrealistic, the applicant has not supplied all required information, and yet Folsom plans to appear at the Board 7/31/2008, and excavate on August 1, 2008.

This is unacceptable in my opinion.

There is no statement of cost and demonstration of FINANCIAL assurance, and this normally would take a long time to ensure because it is a public agency.

I believe the city has refused to give COST information because it could manage to get to the public, the city's residents who must foot all bills.

I believe there is no way hard-pressured residents would make this expenditure in this climate a priority.

There is no way Folsom residents would believe the 1990's \$8M project will now cost \$1.5M, and there is no PROOF of their assertions.

The city is not behaving to the same responsibility standards that a private entity would be held to in such an important undertaking.

Laurette J. Laurent
Folsom Resident

From: "ljl Laurent2@netzero.net" <ljl Laurent2@netzero.net>
To: <jmoody@waterboards.ca.gov>
CC: <webbp@saccounty.net>, <toddli@saccounty.net>, <DuncanRob@saccounty.net>...
Date: 6/13/2008 2:08 PM
Subject: FCYL Closure city response to LEA comment re AIR MONITORING

RWQCB Members

June 13, 2008

The city has given an inadequate response to the Lead Environmental Agency on many counts.

When the city replies it has installed meteorological station, it fails to add that if they ever, at any point, discover toxics and haz mats are released into the air across the street from us, they have ABSOLUTLY NO MECHANISM in place to WARN US to STAY INDOORS or evacuate immediately.

If they dare to say it is unlikely, I remind them of June 21, 2007, when their materials were ignited by a wildfire, there were huge multiple explosions and we suffered terribly from the materials released from the FCY into the air. If the winds had been a few degrees different in direction that day, we would have taken flames on our homes.

To imagine that they have identified all the materials accurately and completely is absurd. The city's assurances at public meetings is contradicted by the Test Logs for water and soil samples.

What if they pull out and store material as planned, and it explodes and/or catches fire?

We are in drought conditions.

The have no evacuation plan for us, no notification plan. They even refuse to design and impose a traffic circulation pattern for the 10,000 truckloads, which doesn't include the digging and repeated moving of materials. Remember, they have to store the stuff while the lab analyses are done. They have to move 74,000 cubic yards of unknown materials over and over and over.

It is EXTREMELY distressing to me that Registered Engineers are so desperate to plow ahead that they REFUSE to provide EMERGENCY and NOTIFICATION and CIRCULATION plans to protect humans and environment.

Kindly upbraid them for their cavalier attitude to compliance and foresight, and compliance. Otherwise we could have another Folsom debacle like the 700,000 gallons of RAW SEWAGE they put into the American River for 2 whole days just a few years ago.

Laurette J. Laurent
Folsom Resident

From: "ijlaurent2@netzero.net" <ijlaurent2@netzero.net>
To: <jmoody@waterboards.ca.gov>
CC: <JMICHE@parks.ca.gov>, <fdavies@CIWMB.ca.gov>, <sara5204@pacbell.net>, <...
Date: 6/16/2008 1:41 PM
Subject: Folsom Dump Plan fails to meet Title 27 Notice Requirements, violates CEQA in State Park

RWQCB Members:

June 16, 2008

RE FCYL Closure Title 27 regulation

21730 specifies the entities who must be given Notice, and these requirements were not met.

(a) The largest abutting neighbor to the FCY is California State Parks. Until Friday June 13, 2008, the local Folsom area office of State Parks was not made aware of the Notice dated May 23, 2008, and was completely excluded by the city of Folsom from consideration in formulating concerns.

(b) Title 27 requires 45 days Notice prior to the Public Hearing circulated to the interested listed parties. Unless Notice is issued today, you will miss the 45 deadline to notify the California State Parks and local conservation groups.

Moreover, the city of Folsom violated State regulations by posting in concrete a large sign on Federal Land bordering on the bike trail in the State Park abutting the FCYL and FCY.

If the city had abided by CEQA laws and regulations, the State Park authorities would have been involved in investigating and allowing the construction of this "clean closure" sign. They would have issued a permission. Why not ask Folsom for their permission to construct in the State Park lands/Federal Lands at American River.

(c) This should not be a problem however because the city has not yet provided copies of the completed Plan for Closure/Clean Closure with ALL required items included. See my comments on these requirements. Until Folsom meets the "minimum requirements" of the Plan and circulates the complete document, the 30 day Public Comment Period cannot begin.

Laurette J. Laurent

Folsom Resident

From: "ljl Laurent2@netzero.net" <ljl Laurent2@netzero.net>
To: <jmoody@waterboards.ca.gov>
CC: <rmjohnson@mp.usbr.gov>, <webbp@saccounty.net>, <sara5204@pacbell.net>, ...
Date: 6/16/2008 2:11 PM
Subject: FCYL Closure Plan incomplete 21810, 21090 Title 27

RWQCB Members,

June 16, 2008

FCYL Closure Plan/Clean Closure Plan INCOMPLETE

Pursuant to Title 27 CIWMB 21810 and SWRCB 21090 f (Final Closure Plan contents for Clean Closure (new))

1. Applicant is required (b)(2) to provide an "accurate DETAILED cost estimate" for clean closure.
2. (c) "minimum component of the plan is (2) "a characterization of the SITE conditions to define the EXTENT & CHARACTER of the wastes present and the levels and extent of the soil contamination."

Comment: the Amended city plan of May 2008 is the first time I have ever seen the city acknowledge IN PRINT the existence of the THIRD DUMP. The city knew there was another dump, but did not self-report it and permit it for closure and monitoring, after characterization of the wastes. In addition, this is the first time the city has posted Surveyor's signage to indicate how much of this wasteland on city property lies OUTSIDE the FCY fence. There is a high likelihood the Five Foot Separation rule is violated with respect to the water level of the American River itself. The city must CLOSE this unauthorized fill area pursuant to Title 27. Moreover, it must be born in mind that the usual reason people avoid a regular dump is because they are dumping something which might not be permitted in the municipal dump. This type of dumping might also be done by a municipal discharger.

Title 27 21810 (4) requires "description of health & safety procedures to be followed and specific measures to protect public health & safety during clean closure activities.

COMMENT: Folsom has steadfastly REFUSED to develop and promulgate at least the following plans:

- a.1. Fire Suppression for stockpile next to the Federal lands forest, bike trail, private forested land.
- a. 2. Emergency access via Traffic CIRCULATION Plan. This site is tiny for the type of vehicles involved. Despite my demands for a Circulation Plan, the city absolutely has refused to comply with this legal requirement. I was nearly burned out June 21, 2007. I don't want that to happen ever again. I watched, smelled, and heard explosions and fires of natural materials and combustibles and explosive materials the city stores to this day.
- a.3. Emergency NOTIFICATION system for neighbors who lives within 30' of the FCY.
- a.4. Examination of the piled material which is now used as a storage lot on bare soil at the elevation of Lake Natoma Shores homes. Since the 2007 fire there, there is clear sight of the jumble, piled-up junk nature of this elevated site.
- a.5. Access plan to evacuate State Park users and neighbors in case of release of toxic materials. Last year we literally choked on the Creosote smoke, yet the city still left that material and piles of TIRES on its UFA land.
- a.6. Fire Suppression Plan for forest
- a. 7. EVIDENCE of materials present in all parts of FCY, especially UFA dump next to the American River at almost elevation level, and served by a major STORM DRAIN system directly to the river.
- a. 8. Investigation of the old sewage plant pipes which carry liquids from the old sewage plant directly to the American River.
- a.9. Chemical response plan in case toxins are released by excavation.
- a.10. Evidence city first responders have TRAINING and Equipment to deal with potential Designated wastes and liquids in the lower dump, as well as Dumps 1 & 2 at the higher level.
- a.11. Demonstration of access to lowest portions of site in UFArea.

Laurette J. Laurent
 Folsom Resident

From: "ljl Laurent2@netzero.net" <ljl Laurent2@netzero.net>
To: <jmoody@waterboards.ca.gov>
CC: <mfinnegan@mp.usbr.gov>, <DuncanRob@saccounty.net>, <toddli@saccounty.ne...>
Date: 6/16/2008 2:26 PM
Subject: FCYL closure plan NOT complete, FUNDS requirements

RWQCB Members:

June 16, 2008

FCYL Closure TITLE 27 CIWMB 21800, SWRCB 21090 f

Pursuant to these sections,

the city of Folsom has failed (wilfully and utterly) to satisfy this section, which requires "a detailed schedule for disbursement of funds for closure activities as in 21800 d."

21800d Final Closure Plan (T14:ss 18262, 18262.3)

The final closure plan SHALL also include a detailed schedule for disbursement of funds for closure activities, from a

TRUST FUND,

or ENTERPRISE monies

for either:

advance payment, or reimbursement of costs paid for activities.

Since the city has not completed their Work Plan, and has wilfully omitted the Financial Assurance and Health & Safety and elements of Final Closure/Clean Closure Plans, it is impossible to know how much in excess of \$8,000,000 (last credible estimate, 1990's) this project would cost — let alone considering that the city has NOT submitted any information on the characterization of the UFA, i.e. DUMP # 3.

Permit me to note that if you require a copy of the Folsom 2008-09 Preliminary Budget, or Budget, you will note the entire Utilities Dept budget does not match this sum estimated for the permitted, Closed dumps, not including the UFA, or Dump 3.

Laurette J. Laurent
Folsom Resident

From: "ljl Laurent2@netzero.net" <ljl Laurent2@netzero.net>
To: <jmoody@waterboards.ca.gov>
CC: <mfinnegan@mp.usbr.gov>, <DuncanRob@saccounty.net>, <toddli@saccounty.net...>
Date: 6/16/2008 2:44 PM
Subject: Folsom, bad neighbors, bad stewards, photos of high corner, UFA or Dump 3
Attachments: HPIM2031FCY vehicl, kindling corner june 08.jpg; HPIM2050 Creosote, kindling FCYL june 08.jpg

Please note: forwarded message attached

Attachments contain photos taken June 14, 2008,
FOLSOM CORP YARD LANDFILL area UFA/Toe,
unauthorized fill area.

1. Note presence of vehicles (including some apparently surplus out of use) which contain fuels and
2. all other automotive accoutrements including lead batteries, oil, electronic devices, all types of plastics, VOCs, heavy metals, chemicals, PCBs, etc.
3. Note storage of these vehicles and other metal and apparent plastic materials on
4. BARE SOIL where the June 21, 2007, Corp Yard flames and explosions endangered our adjacents homes, lungs, Tot Park users.
5. Note the high weeds and grass surrounding all these combustibles and pollution sources, including
6. the Creosote soaked utility poles which the city adamantly refuses to remove, even after the June 21, 2007, disastrous fire at this location which is 28' from homes and other residential, recreational, and park uses, and the Federal Lands at the American River.
7. This area at the American River is where the unauthorized third dump is located.
8. This is the first time that property markers have been placed where we could see that the city owns land at about the same level as the American River. City ownership extends outside the chain link fence, and the ledges of fill.
9. This is where the storm drains, collecting all the local run off, drain onto this UFA dump 3/Toe area.
10. FYI, the filters in the large storm drain have never been changed since placement.
11. The city does not maintain the required storm drain system maintenance fund account.
12. The lowest portion of this area is most likely < 5' above the American River elevation.
13. Until the city provides usable and complete topographic information as required by both CIWMB and SWRCB regs, we cannot determine Item 12.
14. The city now admits the existence of this third dump, which has never been classified, characterized, located, monitored, tested pursuant to CIWMB Closure Regs (which include the proper financial assurances for both agencies).
15. The city has a responsibility for this, and must be held to Title 27 regulations.
16. The enforcement agencies, CIWMB and SWRCB, have an obligation to enforce Title 27, including all provisions protecting the environment via Process. To wit, the Closure process outlined in Title 27 is an integral part of dealing with the THIRD DUMP which the city now recognizes on city land at Folsom Corporation Yard, at the toe of the American River abutment.
17. FYI, both photos are within 35' of homes and public recreation facilities. The heavily used American River trail and bike trail is within a few feet of where the city indicates it will categorize and stockpile whatever it excavates from the northern dumps.

From: "ljl Laurent2@netzero.net" <ljl Laurent2@netzero.net>
To: <jmoody@waterboards.ca.gov>
Date: 6/16/2008 7:57 PM
Subject: Fw: Folsom Corp Yard Landfill Clean Closure, omissions, denials

To interested parties:

My inquiry June 10, 2008, at the City Clerks counter was strictly for copies of documents which were not available for copying in the Folsom library copy. I need 5 pages from Appendix A, but the clerk told me "everyone is out to lunch, we should close between 12 and 1." The city never provided the hard copy I required to analyze the wealth of data in the Figures.

My prior requests sought information which the city has not provided as of this date, such as the detailed bases for the cost estimates.

May I respectfully point out that the contractors will do what they will do to abide by law. However, a private contractor has no ability, no charge, and no responsibility to

- a. characterize the materials in situ,
- b. develop a neighborhood emergency notification plan for everyone in proximity (including those on public lands),
- c. to investigate the preparedness of local first-responders, and a host of other contingency plans which are particular to governmental agencies.

This is the polite way of saying (as my neighbor voiced April 29, 2008) This is our lives, our health, and our safety you are dealing with. How dare you treat it as an adjunct to your convenience and cost-cutting measures?

Since January 2008, we have asked the city and its engineers to provide full characterization of all FCY materials, above and below ground. Monitoring Logs prove there are potent poisons. Without this information, it is impossible to ensure we will not suffer as terribly as we suffered June 21, 2007. The explosions and 70' flames were horrific. The fumes made some of us sick for months. Heavy metal contamination was found right next to the Tot Lot Park because of the junk the city stored and IS AGAIN STORING at this location.

It is disappointing to see that Mr. Sadler, a city employee, has concluded this part of the Closure Plan is not required because the city knows from the meteorological equipment currently at Young Wo Circle, that there will not be any dire consequences from opening up the dumps and "UFA."

Laurette J. Laurent

----- Forwarded Message -----

from Walter Sadler a city engineer in Utility Dept. whose is in charge of the FCYL Closure.

<?xml:namespace prefix = o ns = "urn:schemas-microsoft-com:office:office" />
Dear Ms. Laurent,

In regards to you email of June 10th, it appears that there are several issues that need to be clarified to address your concerns. First, to date we have had two neighborhood meeting at the Veterans Hall, January 17th and April 29th to discuss the project and seek input from the neighborhood. As a result of this input, we have made several changes to our monitoring plan and implementation procedures. With regard to our air monitoring program for the perimeter of the project, we have added asbestos to those constituents that will be monitored. In response to the neighborhoods concerns regarding temporary parking for Corporation Yard employees, we have made arrangements to use portions of the City's new Railroad Block parking structure on a temporary basis. Therefore, we will not be using that portion of the Corporation Yard adjacent to <?xml:namespace prefix = st1 ns = "urn:schemas-microsoft-com:office:smarttags" />Veterans Way/Forrest Street and Young Wo Circle for employee parking.

At the last neighborhood meeting on April 29th, Contingency Planning in terms of what to do if different categories of waste were encountered as we open up the closed landfill was discussed in some detail. At that time, we stated that the Plans and Specifications for the Contract would require the contractor to develop the requisite plans and procedures to address any conceivable situation based on our knowledge of the contents of the landfill. This is addressed in the requirement for the development of a Health and Safety Plan by the Contractor, Dust Control and Air Emission requirements during construction, and other elements of the Specifications which are a part of the contract documents for the project. With regard to Storm Water Control, in accordance with the State Water Resources Control Board regulations for a Storm Water Discharges Associated with Construction Activities (General Permit), the Contractor is required to apply for the permit as the Operator, prepare the appropriate documents as delineated in the project Specifications, and assume responsibility for compliance with the conditions of the permit.

Also, at the neighborhood meeting on April 29th, the issue of Emergency Notification of the neighborhood was discussed at some length and various degrees of concern. Finally, it was acknowledged that the action levels for dust are well below any health standard and were intentionally set low to enable the City's onsite representative the opportunity to either have the contractor address the issue through dust control or stop construction depending upon the site conditions at that time. As a result it was agreed that Emergency Notification was not necessarily the appropriate label, but rather "Timely" Notification of the neighborhood and that could be accomplished through either verbal notification or door hangers. Implementation procedure for timely notification will be addressed with the contractor, once bids have been taken on the project and the City Council has authorized execution of the contract.

With regards to the RFQ for contractors, we had six firms submit qualifications to bid on the project, and all six were deemed qualified. A prebid meeting was held at the Corporation Yard last Friday, with bids due on July 8th. After that date, and when we have had a chance to evaluate the bids, I will be glad to share the appropriate information with you.

If you have any additional comments or concerns please do not hesitate to contact me. We are working now to identify an appropriate date for the next neighborhood meeting and will notify you and the neighborhood in the near future of the date.

Walt

From: "ljl Laurent2@netzero.net" <ljl Laurent2@netzero.net>
To: <fdavies@CIWMB.ca.gov>, <jbajurin@ciwmb.ca.gov>, <jmoody@waterboards.ca...>
CC: <rmjohnson@mp.usbr.gov>, <gadams@ciwmb.ca.gov>, <mwochnik@ciwmb.ca.gov>, ...
Date: 6/17/2008 2:01 PM
Subject: FCYL closure, LEA on Topo info, REQ for Closure Plan for third dump

RWQCB Members

June 17, 2008

FCYL closure Lead Enforcement Agency Comments (which are omitted from Folsom library copy of Work Plan)

(A) Mehrten formation drop off bifurcates the old double-pond sewage plant basin and FCY. The basins were constructed on even grade (see aerials in Appendix A). Long time residents state the garbage dumps in the old ponds are constructed upon even older garbage dumps.

Therefore, the logical first step in the Work Plan is detailed Topographic investigations and maps, followed by ALL the appropriate and necessary test boring holes. The city has not completed the job by only doing 4 test borings, and restricting half of them to the soil berm in the old sewage pond 1. Moreover, the city has not done any borings which prove the TRUE depth of the materials dumped in all three dumps, nor characterized these materials in all three dumps (dump 1 under parking lot which was built w/o compliance and CIWMB Permit), dump 2 under the lower sewage pond, and dump 3 below both and utilized by persons with something that wasn't dumped into dumps 1 or 2.

Longtime residents have stated affirmatively that prior to the construction of the even level sewage ponds which are bifurcated by the Mehrten Formation, there was a city dump there. Yet the city has not done testing to show what is in the dump which is under the sewage ponds dump. This needs to be done. The city has done ONLY FOUR test borings, of which half are into the soil berm between the two top sewage ponds. This is why they told bidders for the haul contract that the materials to be removed are "98% soil, 2% trash."

This is a willful omission, as is the omission of reporting and testing contents of the third dump. This UFA/TOE area is clearly materials of a dumped nature. The bottom portion lies within 5' of the actual high water level of the American River. There is an issue of the CIWMB 5' Separation rule. There is an affirmative need for the SWRCB and the CIWMB to require the city to perform a fully bonded Closure of the third dump, whether it is "unauthorized fill area" or city fill area.

If you consult my photographs, you can see the city-owned land below the sewage pond dumps contains Creosote soaked woods, utility poles, tires, automotive waste comprised of COCs such as VOCs, heavy metals, plastics, industrial cleansers, oils, fuels, and more.

The city has now, for the first time, admitted the existence of a third dump below the two which underwent the CIWMB Closure Plan Process. The CIWMB and SWRCB MUST require the city to abide by the law. A Closure Plan for the third dump is essential to protect the public.

It is disturbing that the city has added a "health & safety plan" in response to the LEA comments. However, where is there any consideration of the 1,500,000 users of the State Parks, residents, the environment, and the American River. They city Work Plan proposes to stockpile all materials next to the State Park (and perhaps on it since the city encroaches). These recreators are free to traverse the low dump area which is outside the city fencing. Due to the recent surveyors markings, it is now clear the city owns the dump lands outside the fence, less than 5' above the river, which receive the storm water from the city drain (built in about 1995, but the drain filters have never been cleaned.)

It is essential for the RWQCB to ask the CIWMB to require a Closure Plan pursuant to Title 27, for the newly-admitted third dump.

I have left > 10 messages and several dozen emails with CIWMB personnel, but have received no answers at all. You have given me only 5 more days to comment, yet the city HAS NOT YET SUBMITTED ALL THE REQUIRED ELEMENTS of the plan.

It is time for the Board Members and staff to get on the ball. We are talking about very dangerous constituents of concern (COCs), and they show up in the monitoring logs. We need appropriate test borings in all dumps. We need someone to keep the city from excavating UNKNOWN constituents and moving them, putting their particles into the summer winds, placing them where they most likely will be exposed to the annual wildfires, moving them next to 1.5 million recreators in Folsom State Recreation

Area, and sorting them for disposal. The city told the bidders they were trucking 98% soil, but we know better. It is possible the lower area, next to the American River Federal Lands/State Park will contain ClassIII, Class II, and designated waste materials. But WE DON'T KNOW, DO WE?

It is a violation of Title 27 regulations IMO for the city to disregard the Closure Plan process of the so-called unauthorized fill area, which is in fact as large as the dumps they admitted to for years.

(Another added fact, the city built a parking lot over the top sewage-ponds dump without doing the CIWMB required application and Permitting process. How typical.)

This application by the city is obviously INCOMPLETE, and therefore its cost assurances are a pathetic joke. The Closure Plan has all the required financial assurance requirements for UNKNOWN, UNcharacterized materials. City needs to do a Title 27 Closure Plan.

Laurette J. Laurent

Folsom Resident

Private enforcer Clean Water Act/Porter Cologne Act

From: "ljl Laurent2@netzero.net" <ljl Laurent2@netzero.net>
To: <jmoody@waterboards.ca.gov>
CC: <gyoung@ciwmb.ca.gov>, <gadams@ciwmb.ca.gov>, <sara5204@pacbell.net>
Date: 6/18/2008 3:35 PM
Subject: Fw: Folsom cannot afford Swings; budget woes? see last paragraph

RWQCB Members,
You should be interested in this. Please read the last paragraph.
Parks & Rec, as well as all other Folsom departments lost personnel and are dealing with budget cuts.

Folsom residents

----- Forwarded Message -----

Yesterday I met with Tim O'Shea who manages Folsom's neighborhood parks. We chatted about the potential for adding standard swings to our neighborhood park.

Here are the facts to be considered:

Clearances from obstacles for the installation of swings are adequate for the current structure. It is required (by law) that these swing sets be 72" from any foreign obstacle. The sides of the 'smaller park are in fact 84" from the swing set (toward the back of the park) and far greater than this from the 'handicapped ramp' to the front of the park.

Swing sets must conform to all legal requirements which include that the swings themselves must be a minimum of 30" from the support structures (the legs of the swing) and at least 24" must be provided between the swings themselves.

The other consideration for swing sets is that the swing seat must be twice the length of the chain away from any other obstacle (like the cement barriers surround the park or any other obstacles in the park itself. This too was considered to be adequate for installation of standard swings.

The problem that currently exists is that the structure that supports the 'tot swings' in our park is not adequate to support 'standard' swings. If you will go the park and shake the pipes that support these swings you will note that there is quite a bit of play in this structure. If someone weighing more than 125# were to be swinging on these swings there would be considerable stress put on this structure and eventually (probably sooner rather than later) this structure would fail and someone would be hurt.

It does not appear that there could be a single 'standard' (larger child) swing installed using this structure. Also, the law does not allow for a mixed swings set to be installed. That is any swing in the same bay of a swing set must, again, by law, be of the same type as any other swing in that bay. Which means that we can have two 'standard' swings or two 'toddler' swings, but not one of each in the current configuration of any swing set.

I will continue to investigate the possibility of a different swing set - but, since the city of Folsom doesn't have enough money in their current budget to support changing out the swing set it would appear that we may

have to find a way to sponsor this replacement ourselves.

Please standby for more information.

Dean W. Handy

Neighborhood Watch Captain

1376 Young Wo Circle

(916) 351-1230

[Non-text portions of this message have been removed]

_____ Messages in this topic (1) Reply (via web post) | Start a new topic Messages | Files | Photos | Links | Database | Polls | Members | Calendar For assistance, contact Moderator Dan Winkelman at winkdan@hotmail.com.

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From: "ljl Laurent2@netzero.net" <ljl Laurent2@netzero.net>
To: <wsadler@folsom.ca.us>, <wsadler@folsom.ca.us>
CC: <kmillier@folsom.ca.us>, <kpayne@folsom.ca.us>
Date: 6/18/2008 3:16 PM
Subject: RE: Folsom Corp Yard Landfill Clean Closure, omissions, denials

Walt,

Thank you for your response, but I don't have a fax machine.

As for the questions I have asked since the January and April 2008 meetings, I have subsequently learned that my requests are identical to
.Requirements contained in Title 27.

We obviously differ on the interpretation of that Code, but AS A FOLSOM RESIDENT, learning about the considerable staff cuts, budget slashing, and the City Manager's assurance that he is doing everything he can to ensure our Fire and Police Departments continue to be funded sufficiently to maintain at least our current levels of protection, I am even more desirous to see detailed Closure Plan, accurate & detailed cost-basis spread sheet type information, Cost Assurances, Characterization of all contents in all locations, and upfront pre-excitation testing to identify ALL Constituents of Concern

on the property which belongs to and has belonged to the city for at least 60 years (according to life-time residents and a former garbage collectors family.)

As well, as my neighbors have told you and Brown & Caldwell, we are sure you have yet to do all the pre-dig examination and Plans required, and we are sure we require 2 additional components to the Health & Safety issue:

*1. Contingency Plan which protects the adjacent 1,500,000 users of the Folsom State Recreation Area/Federal Land,

*2. Emergency Notification Plan, such as reverse 911 phone calls.

We are nearly at the one year anniversary of the Corp Yard fire, explosions, release of toxic substances which could have burned us and the forest out of existence, and which contaminated our air with COCs such as Creosote, and our ground with lead.

I'm immediately hereafter forwarding photos of the moment in time when the city materials exploded.

With sincere concern for health and safety of all, including the American River waters,
Laurette J. Laurent

PS I was unable to find in the proposed City Budget 2008-2009, any Capital Improvement fund item for the historically correct cost estimate of this project. Please tell me how I could have missed this expenditure which should be more than the entire Utility Budget for next fiscal year.

From: "ljl Laurent2@netzero.net" <ljl Laurent2@netzero.net>
To: <jmoody@waterboards.ca.gov>, <fdavies@CIWMB.ca.gov>, <gadams@ciwmb.ca.go...>
CC: <rmjohnson@mp.usbr.gov>, <webbp@saccounty.net>, <flweiland@yahoo.com>, <...>
Date: 6/19/2008 12:50 PM
Subject: Folsom's Financial Assurances questioned FCYL Clean CI

RWQCB Members,
June 19, 2008,

Re: Folsom's VERBAL financial assurances to RWQCB staff prior to this date,
(and NOT verified in writing) able to support the legally-mandated Closure plans it proposes.

The Sacramento Bee Folsom Edition Thursday, June 19, 2008,
published an article under the byline of Walter Yost wyost@sacbee.com

The Folsom City Council edged closer last week to approving a 2008-09 cut budget that will include general fund cuts but no layoffs of full-time employees currently on the books. Faced with a sharp decline in property ad sales tax revenue, th city is preparing to cut its general fund budget for the first times in years. It addresses an approximately \$6,000,000 shortfall, by slashing all city department expenditures by 10%. Also, 33 job positions will remain vacant, including deputy fire chief and asst finance director.

Another 21 positions NOW OCCUPIED will be reassigned to vacant positions or to departments SUPPORTED BY RATES OR FEES.

Budget also calls for elimination the funding for 40 TEMPORARY OR PROBATIONAL EMPLOYEES.

Total employee position reductions appears to be 94.

The \$243.4 M budget includes a \$59.5 M general fund budget which provides for MOST of the city's basic operations.

City Manager Kerry Miller has called the 2008-09 budget one of the MOST CHALLENGING the city has faced and a reflection of the downturn in the local economy.

Board please also look at the Page 1 headlines for the same date:

In a story about water conservation not being accomplished in the region, there is a histogram and graph of water usage by entity on PAGE A9.

WATER USAGE, water consumption in the Sac region far exceeds U. S. and state averages, as well as most other nations.

NOTE Trends in water use: Gallons per day per person graph shows:

Placer County 239 gallons, Sacramento County 265 gallons,

CITY OF FOLSOM USAGE IS AN STAGGERING 381 GALLONS pre day.

This is NOT a city to be trusted to self-regulate, self police, and to be a steward of our precious dwindling water supply. The Corp Yard excavation of uncharacterized materials is a typical Folsom approach to environmental issues, even when their toxics are directly at the American River itself.

Also today the Bee issued an alert that FOLSOM RESERVOIR IS DRAINING SO FAST THAT BOATS MUST BE MOVED OUT OF THE BROWNS MARINA WITHIN TWO WEEKS.

Disgusted Folsom Resident who conserves water constantly and who is used to omissions, inaccuracies and minimalizing by the city,

Laurette J. Laurent

From: <ljlaurent2@netzero.com>
To: <jmoody@waterboards.ca.gov>
Date: 6/19/2008 12:53 PM
Subject: www.sacbee.com - Bee Exclusive: Capital gushes wasted water

Hello,

The following story from the Sacramento Bee (<http://www.sacbee.com>) was sent to you by: LJ (ljlaurent2@netzero.com).

And LJ had this to say:

See graph page 9. Folsom per capita water usage of water taken out before it flows past the Corp Yard Landfills. It is disgusting to residents.

You can read this story in its entirety on the web at:
<http://www.sacbee.com/101/story/1024692.html>

Bee Exclusive: Capital gushes wasted water

Published 12:00 am PDT Thursday, June 19, 2008

The Sacramento metropolitan region has so neglected water conservation that it now ranks as one of the world's most extravagant consumers of water, a Bee review has found.

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The Web Site of The Sacramento Bee

This story is taken from [Sacbee / News](#).

Bee Exclusive: Capital gushes wasted water

Metropolitan region's per-capita use tops U.S. daily average as conservation pledges go unmet.

By Matt Weiser - mweiser@sacbee.com

Published 12:00 am PDT Thursday, June 19, 2008

The Sacramento metropolitan region has so neglected water conservation that it now ranks as one of the world's most extravagant consumers of water, a Bee review has found.

Throughout California, urban water agencies have generally failed to make good on conservation promises made during the state's last major water fight.

No concentration of residents and businesses, however, uses as much as Sacramento: 25 percent more per capita on a daily basis than Las Vegas, and nearly 50 percent more than Los Angeles. Those cities have cut use despite massive growth.

Even excluding large industrial and agricultural users, the Bee's review of an array of water statistics found per-capita consumption here is greater than the U.S. daily average. It's also higher than urban use in Canada, Germany, France, the United Kingdom, and a host of other developed nations.

Experts said the high rate of water consumption leaves California vulnerable to the current drought, declared this month by Gov. Arnold Schwarzenegger.

In progress reports obtained by The Bee, only one of the capital region's urban water agencies reported progress on all 16 conservation goals they promised to meet in a 2000 agreement. None completed every task, and collectively they fulfilled only about half the goals they agreed to meet by the end of 2006.

The 16 conservation tasks agreed to by members of the Sacramento Water Forum came from a truce between water agencies and environmental groups.

Environmentalists agreed not to fight planned Sacramento and American river diversions if agencies promised to conserve.

The promises included water audits of homes and businesses, landscape standards for commercial development, water meters and low-flow toilets, public education and other programs.

Specific conservation target numbers were not included, and no penalties were put in place.

The findings call into question Schwarzenegger's reliance on local water agencies to voluntarily achieve his 20 percent conservation goal. The governor this month declared a statewide drought – the first time since 1991 – but with no immediate conservation orders.

The conservation data also conflict with California's reputation as environmentally progressive, and with Sacramento's desire to become a "green" city.

"Are people making the best effort? Some of them definitely have some catching up to do," said Tom Gohring, executive director of the Sacramento Water Forum, a consortium of water agencies. "I'd really love it if people who talk about sustainability would talk about the same thing in regard to water conservation."

Rivers pay a price

The cost in water volume of this neglect is hard to quantify.

But in one example that can be measured, the 15 Sacramento-area agencies collectively failed to install, via rebate programs, 26,214 low-flow toilets in commercial and industrial buildings (there was no residential goal).

Estimating conservatively, if each toilet saved 2 gallons per flush and was flushed twice a day, the region could have saved 118 acre-feet of water annually. That's enough to serve 240 average homes for a year, or to flood Capitol Park to a depth of 3 feet.

"The impacts of the drought are going to be worse than they would have been if we had improved our efficiency more over the last decade," said Peter Gleick, president of the Pacific Institute, an Oakland think tank. "There would be more water in our reservoirs, and demand would be lower. I think it's sad."

The consequences are particularly relevant this year, amid collapse of the Central Valley fall-run chinook salmon population. Many of those fish spawn in the American River, source for most of the region's tap water.

Habitat for salmon, steelhead and other fish – as well as recreation – would improve if Sacramento diverted less river water.

It also would alleviate an ecosystem collapse in the Sacramento-San Joaquin Delta, where nine fish species are declining.

Instead, several Sacramento-area water districts are laying plans to divert more river flows to keep up with demand. Environmentalists are unhappy that conservation has been neglected.

"There could be a major blowup over this," said Terry Davis, conservation coordinator at the Sierra Club's Mother Lode Chapter. "More than ever, everything is under scrutiny, and every (water) purveyor is under a greater obligation to show they are making responsible use of their water supply."

Careless water use

Sacramento's wasteful ways are easy to find.

On Tuesday, Erlinda Walker used the blast from a hose to push leaf litter off the sidewalk in front of her 1st Avenue home in Sacramento's Curtis Park area.

"I know I shouldn't be using the hose to clean it off," Walker said. "But it's either that or the (leaf) blower."

Two doors down, lawn sprinklers spilled into the gutter. The temperature was 96 degrees.

At the end of the block, Marion Ivacian hosed off her sidewalk, porch, walkway – and the front of her green stucco house.

"I don't normally wash the sidewalk down," she said, "but my neighbor just had their tree trimmed, so I'm trying to clean it off."

On Wednesday, a state Department of General Services employee used a pressure washer to clean

sidewalks around a state building on Capitol Avenue.

DGS spokesman Eric Lamoureux said the sidewalks are washed every Wednesday, as required by a contract with the restaurant on the building's ground floor, MVP Sports Grill.

"We manage millions of square feet of property, and when you look at public areas like that, people will spill gum, they'll stain the sidewalks with food, with any number of things," he said. "When we use the pressure washer, we try to use as little water as possible."

Poor compliance

Of the 15 capital-area water agencies that signed on to the Water Forum agreement, only one, the Placer County Water Agency, reported progress on every conservation task by the end of 2006 and it completed all but two.

Second-best was the San Juan Water District, which serves upscale Granite Bay and provides wholesale water to Folsom, Fair Oaks and Orangevale. The district fulfilled most of the goals but failed to install 156 low-flow toilets in industrial buildings.

San Juan's per-capita thirst is the greatest in the region – and perhaps in the entire state.

San Juan residents each used 494 gallons of water per day in 2006, according to Water Forum data. That's above the regional average of 287 gallons.

Yet, it's still saving: in 1986, San Juan's per-capita use was 787 gallons daily.

District General Manager Shauna Lorange blamed high consumption on landscape watering of residential parcels in the district that tend to be very large.

"Per-capita use is definitely going down," Lorange said of her customers. "We want to maintain the health in the American River as well as maintain a reliable water supply."

Other Water Forum members have much lower compliance.

The city of Sacramento completed none of the 16 conservation tasks and showed more than 50 percent progress on just one.

In a separate report by the California Urban Water Conservation Council, only two of 202 member agencies statewide – Rohnert Park and Santa Rosa – met similar water efficiency goals adopted by the council.

Council member agencies supply about 80 percent of urban water in California. Its data for a 10-year reporting period ending in 2007 were released to The Bee by Public Officials for Water and Environmental Reform, which includes some council members.

The council's conservation goals were adopted in 1997 after the state threatened to cut back water rights unless water agencies demonstrated "reasonable use." Under state law, "reasonable use" forbids waste.

"Obviously, voluntary measures are not succeeding," said Otis Wollan, board member of the Placer County Water Agency.

Meters coming – slowly

Sacramento-area water managers said convincing customers to conserve is difficult, because many homes still don't have water meters. This means waste carries no pricing penalty.

State law requires urban areas to be metered by 2025. Although Sacramento is making progress, it has a way to go: The city still has 106,000 meters to install.

Wollan said many water agencies refuse to spend enough on conservation.

The San Juan District, which has reduced its water demand, spends a relatively large 7 percent of its budget on conservation. Sacramento spends only 1.7 percent of its water budget on conservation. If meter installation is added in, conservation spending increases to 14 percent.

The city touts its water education and audit programs, both required by the Water Forum. But Sacramento completed only 5 percent of commercial meter installations, and only 7 percent of commercial toilet retrofits.

Sacramento installed none of the 10,731 low-flow toilets it promised, via rebates, for industrial buildings.

"We are working hard to do them, and we do face some challenges that are unique," city utilities spokeswoman Jessica Hess said.

"Conserving water is really important and it's going to help us not only during years like this. However, even taking that into account, additional (river) diversions will be necessary to meet long-term needs."

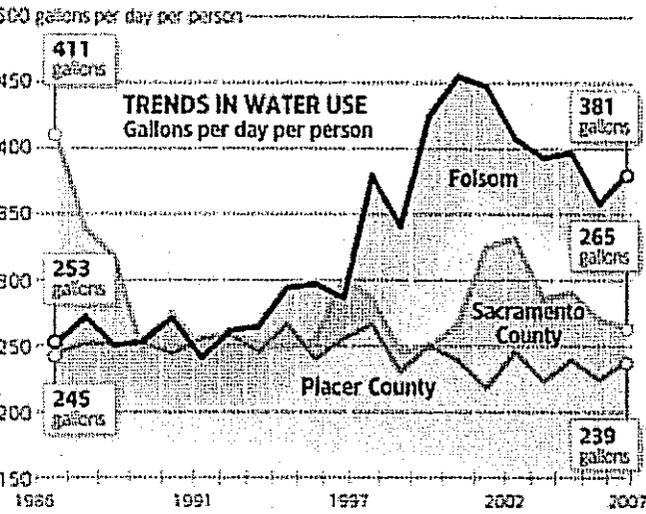
Go to: [Sacbee](#) / [Back to story](#)

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Phone: (916) 321-1000

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Water use, at home and abroad

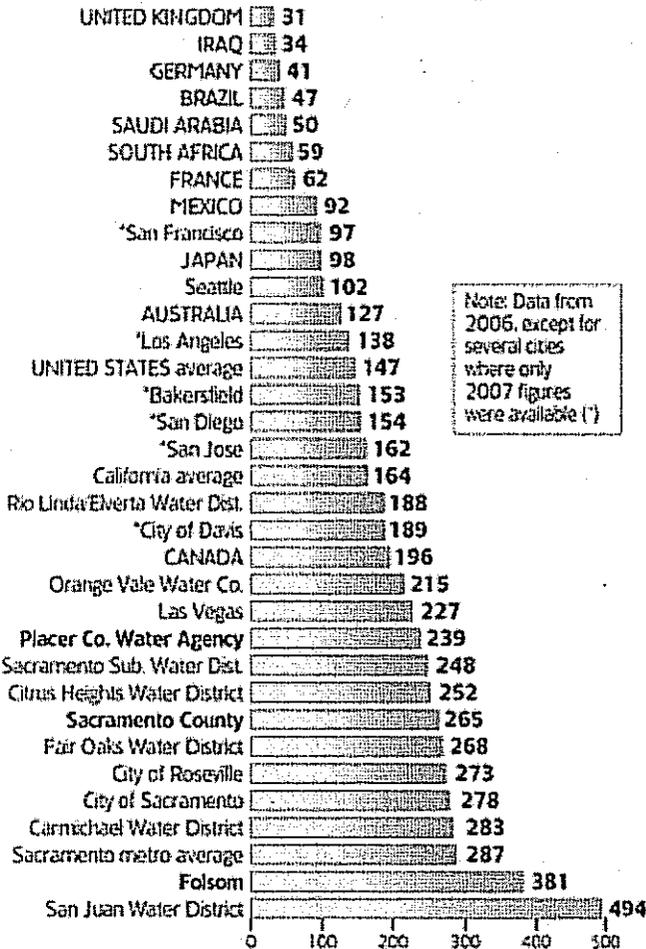
Water consumption in the Sacramento region far exceeds U.S. and state averages, as well as that of most other nations.



Sources: City of Folsom; Placer County Water Authority; Sacramento County Water Agency

COMPARING URBAN WATER USE

Gallons per day per person (excluding industrial and agriculture)



Note: Data from 2006, except for several cities where only 2007 figures were available (*)

Sources: Sacramento Water Forum; California Urban Water Conservation Council; Pacific Institute; Sharon Chikada@ckada@ckbee.com

From: "ljl Laurent2@netzero.net" <ljl Laurent2@netzero.net>
To: <jmoody@waterboards.ca.gov>
Date: 6/20/2008 12:07 PM
Subject: Public Documents for FCYL cc Work Plan

June 20, 2008

RE: FCYL Work Plan and other documents I have been unable to obtain directly from city of Folsom.

It would assist me and others to have access to a hard copy of the following documents which have not been placed at the public library, were not provided when I went directly to cityhall, and which are necessary for the public to do a full evaluation of the Public Record for the Public Hearing which has a Public Comment period deadline of June 23, 2008:

1. Folsom RFQ, FCYL clean closure: Request for Quote circulated to potential bidders for the FCYL clean closure project,

including all diagrams, appendices, communications which form an integral part of the current Work Plan requirements for bidders.

2. Circulation plan for trucks and vehicles as itemized in the RFQ and Work Plan. (This assumes the Work Plan includes this information since it is critical data. See Item 5.)

3. Description of substrate and roadway surfaces which will be utilized for the above referenced Plan and RFQ. (This assumes the Work Plan includes this information since vehicles may sink into the materials present in the FCYL and UFA areas which are extremely irregular in nature and at this point, totally UNCHARACTERIZED by city engineers.)

4. WRITTEN detail of all city Financial Assurance claims as they relate to the submitted Work Plan, evidence of the city's financial ability to complete the program and to button up the project in the event of unforeseen events stopping project.

5. Written information indicating any city claims with regard to EMERGENCY response for FIRE, EXPLOSION, Toxic material releases of any type which address the ability of Fire & Emergency responders to gain IMMEDIATE access to the work site, "stockpiles" adjacent to the State Park bicycle/horse/pedestrian trail, as well as any other area of land which will suffer from an uncontrolled fire event, explosion, etc. June 21, 2007, proved that having no roadway access for fire fighting and emergency vehicles was a terrible problem, and it was necessary to wait for aerial fire suppression AIRCRAFT of the State and other agencies. This is a record dry period and fire starts from a single spark or over-heated chemical.)

6. Topographic information sufficient to determine the importance of the ledge which runs directly through all 3 dumps, formed by the Mehrten Formation on one side and strata which the city neglected to characterize in the existing plan. Better Topo was requested by interested agency.

Will the public be given notice of all amendments to the plan, and given access to all Public Record, and given a Public Comment Period for all alterations to plan?

Thank you,

Laurette J. Laurent

From: "ljl Laurent2@netzero.net" <ljl Laurent2@netzero.net>
To: <fdavies@CIWMB.ca.gov>
CC: <mwochnik@ciwmb.ca.gov>, <mfinnegan@mp.usbr.gov>, <rmjohnson@mp.usbr.gov...>
Date: 6/20/2008 12:32 PM
Subject: You are right about need for proper "road" and circulation

Frank Davies,
Cal. Integrated Waste Management Board
Closure & Permitting
June 20, 2008

RE: Your comment that appropriate roadway for excavation vehicles and emergency vehicles is necessary at Folsom Corp Yard Landfill Clean Closure site

Frank,
Your concern about having a roadway capable of supporting not only the huge project vehicles, but also the First Responder emergency vehicles gave me something to think about further.
In the event of an emergency, how could these emergency vehicles get to the problem site? Last year it was a terrible, terrible situation. I have the photos to show you. I have given a hard disk of photos to a concerned neighbor who will forward them to you.

Unbelievably the city, county, and state responders who were the first arrivals used the 28' of pavement for our subdivision as their first and major access. The photos will show you what a debacle it was. The large fire trucks never got onto the Corp Yard area, and I observed it took 40 minutes for smaller trucks to get onto the State Parks Trail access next to our homes, almost as low as the elevation of the river. Aerial tankers buzzed so low that a neighbor was afraid it would contact his roof. Many of our homes are about 30 feet from waste disposal units (historic and current transfer area for junked vehicles.)

*

It becomes increasingly important that you see a FCY land use map, with all potential blockages, bottlenecks, and hazards identified. Also you must be able to see how tightly the waste is in relation to the surrounding property owners, such as me and the State Park lands. You are very right to see a critical need for a fire/hazard buffer and a roadway of some type which circulates around the waste sites.

*

Only a site examination could show you how a single match or warmed up chemical or a cigarette could cause a conflagration which would dwarf the 6/21/07 fire.

I will attempt to obtain for you the Folsom Life Newspaper coverage which described the immediate threat to homes, lives, etc. during that event.

My recent experience has taken me through the Dyke 8 construction area along the Folsom Reservoir and Natoma St. in Folsom. The construction vehicles are large and heavy. They required the construction of a temporary truck roadway which consisted of a base at least 4 feet deep, a granite rock surface, and placement of SWPP (Storm Water) bales to prevent runoff of materials into the Reservoir. It's a good example of how to do it correctly and safely. I have photos if you require them.

Laurie Laurent

From: "jl Laurent2@netzero.net" <jl Laurent2@netzero.net>
To: <fdavies@CIWMB.ca.gov>, <jmoody@waterboards.ca.gov>
CC: <gadams@ciwmb.ca.gov>, <mwochnik@ciwmb.ca.gov>, <rmjohnson@mp.usbr.gov>, ...
Date: 6/20/2008 12:37 PM
Subject: Fw: Folsom Life Newspaper fire story, FCYL June 21, 2007

----- Forwarded Message -----

BURNING FROM THE LAKE NATOMA SHORELINE to the top of the corporation yard, the fire captured a waste disposal storage unit. Folsom Life photo by Tom Paniagua

Neighbors take action to protect property: 16-acre blaze near Folsom Historical District threatens neighborhood

By Marc Maloney, Staff writer

An intense, intentionally-set grass fire destroyed a storage building in the city corporation yard and snarled traffic in and around the Folsom Historic District Thursday night, June 21.

Around 5:45 p.m., 911 dispatchers received a report of a fire on California State Parks land along the bike trail near Young Wo Circle, west of the Folsom Historic District and behind the corporation yard.

"Crews arrived to find a very active grass fire burning primarily east up into the city corporation yard and along the bike trail," reported Folsom Fire Department Deputy Chief of Operations Ron Phillips.

The blaze burned during the Thursday Night Market on Sutter Street, creating some traffic problems.

The Folsom Police Department employed its Mobile Command Center and assisted with traffic control. The fire eventually spread to about 16 acres and consumed a storage shed used by the city's household hazardous waste team.

"There was no hazardous waste in the building," Phillips said. "It was used as a place for equipment storage."

A total of 21 units responded to the fire, including units from the Sacramento Metropolitan Fire District, the United States Bureau of Land Management, and CAL FIRE, the department formerly known as the California Department of Forestry and Fire Protection. Two air tankers and a helicopter helped extinguish the blaze, which Phillips said was contained around 9 p.m.

While some residents opted to leave their homes during the fire, Phillips said no mandatory evacuations were ordered.

"There was a spot fire behind one of homes along River Way, but there were no injuries," he said.

"Overall, we were very fortunate."

Some area homeowners took matters into their own hands, using garden hoses to soak buildings and patches of dry brush in the fire's path.

"We were wetting down the side of the corporation yard that fronts on Young Wo Circle," said Young Wo Circle resident Deborah Grassl. "The residents on that side of the street were very frightened. We were all getting the weeds and grass as wet as possible."

Grassl recalled finding herself in a similar position a few summers ago.

"Four years ago, our home got hit with cinders from another fire in the same area," she said. "In that case, we weren't home at the time, so our neighbors jumped into our back yard with our hoses and started wetting things down."

Tuesday afternoon, June 26, fire investigators announced while they had concluded that the fire had been

set intentionally, they were still searching for the person(s) responsible for the blaze.

"Investigators have looked at the area of origin and have eliminated all the accidental sources like lightning, power lines, and campfire," Phillips said.

Phillips asked that anyone with information about the cause of the fire call the Folsom Fire Department at 984-2280.

"That's a pretty active area along the bike path, and we're hoping someone may have seen something," he said.

Phillips also cautioned that firefighters are worried this will be a particularly active fire season this year and urged residents to keep the environmental conditions in mind.

"We've had an early fire season this year, because the fuel moisture across Northern California is extremely dry when compared to recent years," he said. "This incident was almost a prelude to the (Angora Fire) near Tahoe. These fires just took off."

Story created Jun 28, 2007 - 16:46:12 US/pacific.

From: "ljl Laurent2@netzero.net" <ljl Laurent2@netzero.net>
To: <dwhandy@sbcglobal.net>
CC: <jeagan@sacbee.com>, <sara5204@pacbell.net>, <jmoody@waterboards.ca.gov>...
Date: 6/23/2008 7:36 PM
Subject: Re: Clean Closure - Action Level Notification

Dean,

In re the email to you from Folsom Engineer Walt Sadler: (which I have copied below, noting it was cc'd to the Sac Bee Metro Editor and RWQCB & SARA)

It is incomprehensible to me why the city's engineers have belatedly supplied an OSHA document to their bidders/contractors, but are not supplying the health and safety details for the RESIDENTS AND 1,500,000 State Park users who will be affected by this project 24/7, not just during work hours.

As we know, Title 27 requires the Work Plan for Closures include a Health & Safety Plan devised to ensure the safety of residents, nearby humans, and the environment.

Frank Davies told me personally that he has told the city they MUST meet all requirements, and they have not done so. Given the nature and unknown nature of the waste materials, and given what we know about the nasty materials found by monitoring, the city's dismissal of concern is flagrant and unacceptable. Why is the city refusing to recognize that fires are inevitable on the site. We have had 1 fire already this year. Many hazardous materials are on site. Did I mention to you I found a Brown & Caldwell study which estimated there is a large amount of DIESEL FUEL in the ground at the Corp Yard?

I am copying the same people so they realize CIWMB and I are on the same pages of Title 27, and a detailed plan is required to protect innocent beings impacted by this potential debacle, and the environment.

Laurie

PS, Like you, I am outrage at the continued cavalier attitude of the city. Look how he minimizes the issue by implying "dust" is the sole air quality issue. What an insult. What they pull up, repeatedly move, sample, and stockpile next to the State Park,

will oxidize, burn, chemically combine with other materials in the air and water and fuels used on site.

MEMO FROM WALT SADLER (CITYENG.) TO LNS RESIDENT DEAN HANDY:

From: Walter Sadler [mailto:wsadler@folsom.ca.us]
Sent: Monday, June 23, 2008 4:51 PM
To: Dean W. Handy
Cc: J. Eagan (Sac Bee); John Moody; Alan D. Wade
Subject: RE: Clean Closure - Action Level Notification

Dean,

I appreciate and understand your concerns regarding notifying the neighborhood in the event an air quality (dust) action level are exceeded. You are correct that at the last neighborhood meeting there was quite a lot of discussion of this issue. Even the idea of a reverse 911 was discussed in lengthy detail and discarded by several members of the audience after it was pointed out that the action levels we proposed are well below any State or Federal level and that the contractor's employees would also be exposed. At that time we tabled the issue for further discussion after discussing the idea of having several individuals walk around and knock on doors to notify the residents. This is where the idea of door hangers came up in the event that people aren't home. Again, I reiterate that the action levels are very low and in the event they are exceeded, we discussed what compliance measures we would impose on the contractor. We can revisit the issue at the next neighborhood meeting.

With regard to the Health and Safety Plan (HASP) that that you referenced, I believe you are referring to Section 3.1 in Amended Report of Waste Discharge/Clean Closure Work Plan which discusses the general requirements of a HASP. This is not a detailed HASP but merely a discussion that a HASP must be prepared. As we stated at the meeting, an employer is responsible under both Federal and State regulations for developing the HASP as they are responsible for the health and safety of their own employees. This requirement can be found in OSHA 29 CFR 1910.120 (b)(4) and Cal OSHA 8 CCR (b)(4). The HASP will be submitted to the City for comments and acceptance prior to construction being initiated, at that time we will incorporate the appropriate notification procedures agreed upon by the City

and the Neighborhood residents. I think at this time it is inappropriate to prepare a notification plan, when one hasn't been agreed upon by the Neighborhood residents, and should be incorporated into the Contractor's HASP.

I look forward to further discussions with you at the next Neighborhood Meeting which is tentatively scheduled for the third week in July. In the meantime, if you have any questions, please do not hesitate to contact me or Guy Graening.

Walt

From: "ljl Laurent2@netzero.net" <ljl Laurent2@netzero.net>
To: <jmoody@waterboards.ca.gov>, <fdavies@CIWMB.ca.gov>
CC: <mfinnegan@mp.usbr.gov>, <rmjohnson@mp.usbr.gov>, <lcaballero@mp.usbr.gov...>
Date: 6/26/2008 2:58 PM

On Jun 26, 2008, at 11:05 AM, Crystal Barber wrote:

Warren, I couldn't agree more. Similar to what is happening with the clean closure of the land between the Preserves and Lake Natoma State Park, the city is doing the minimum to notify the surrounding neighborhood and not reaching out to anyone else in the Historic District, to which the Preserves belongs. I think that we as neighbors, citizens and taxpayers need to hold the City of Folsom accountable and ensure that their process is as open and transparent as Senator Cox has made the State Parks Long Range Plan process (i.e., extending the public comment period, having multiple meetings, etc.). Crystal

From: Warren V. Truitt [mailto:wvt@infomania.com]
Sent: Thursday, June 26, 2008 10:59 AM

Subject: City of Folsom receives grant to build "paved & lighted" nature trail

All,

I read the article in today's Bee about Folsom winning a grant to create a lighted pedestrian promenade along Lake Natoma.

I then called Jim Micheaels of State Parks to get his feedback. Jim explained that Folsom wants to create a paved, lighted path along the lake, allowing disabled access, points for paddle craft to access the water, etc. State Parks did NOT endorse their grant proposal. State Parks also does not support a dock in the area -- which Folsom wants to include. This is the area below the Natomas Crossing Bridge, and running upstream to the Historic Power Plant. The path would not be for bicycles.

It appears, true to form, that Folsom is quietly seeking to move ahead, i.e. not formally asking for public comment. The grant will come from State Prop 50 funds. Jim Micheaels pointed out that the plans submitted for the grant are available for viewing and those interested should contact the City of Folsom to obtain same -- as well as comment about the City's plans as appropriate. FYI.

Please forward to others who may be interested.

Warren

From: "ljlarent2@netzero.net" <ljlarent2@netzero.net>
To: <mfinnegan@mp.usbr.gov>, <rmjohnson@mp.usbr.gov>, <rschroeder@mp.usgr.go...
CC: <pvonich@mp.usbr.gov>, <lcaballero@mp.usbr.gov>, <fdavies@CIWMB.ca.gov>, ...
Date: 6/27/2008 2:14 PM
Subject: Folsom gets \$750K grant for American River construction FYI

Jim Micheaels of State Parks feedback: Jim explained that Folsom wants to create a paved, lighted path along the lake, allowing disabled access, points for paddle craft to access the water, etc. State Parks did NOT endorse their grant proposal. State Parks also does not support a dock in the area -- which Folsom wants to include. This is the area below the Natomas Crossing Bridge, and running upstream to the Historic Power Plant. The path would not be for bicycles.

It appears, true to form, that Folsom is quietly seeking to move ahead, i.e. not formally asking for public comment. The grant will come from State Prop 50 funds. Jim Micheaels pointed out that the plans submitted for the grant are available for viewing and those interested should contact the City of Folsom to obtain same -- as well as comment about the City's plans as appropriate. FYI.

Please forward to others who may be interested. It appears this is a significant change to the area. River Watcher

From: "ljl Laurent2@netzero.net" <ljl Laurent2@netzero.net>
To: <jmoody@waterboards.ca.gov>, <fdavies@CIWMB.ca.gov>
CC: <gadams@ciwmb.ca.gov>, <mwochnik@ciwmb.ca.gov>, <srosenbaum@waterboards...>
Date: 6/27/2008 2:04 PM
Subject: Folsom concept of Permit Compliance, \$750K Nat. Res grant at Amer River

To: Members RWQCB

Members CIWMB

From: Laurette Laurent, Folsom Resident, Designated Party July 2008 Hearing

Re: Folsom compliance with Federal, State, and local laws and regulations:

June 26, 2008 Bee reported Folsom has been awarded a \$750,000 grant by the CA Dept of Natural Resources to construct a lighted, paved access road/path from Historic Folsom to a boat launching facility they plan to construct at the American River in the vicinity of the Lake Natoma Crossing Bridge over the American River below the Historic District.

This came as a shock to all involved agencies, residents, and environmentalists, since there was no public hearing, no notice, no environmental reports, and apparently involvement with the existing government agencies operating and OWNING this land and waters.

Today I spoke with Dept of Int, Bureau of Reclamation, Pacific Div., Div. of Natural Resources, Div. Chief who informed me the city asked for a meeting several months ago to discuss a tentative concept for the construction on Federal lands/waters of a boat launch and lighted trail. The Bureau responded with concerns which need to be addressed for such a concept. I believe the concerns were affirmed in writing to the city. I will request this information from the city under Freedom of Information legislation.

The owners, Bureau of Reclamation, heard nothing further from the city. Then this article appeared in the Sacramento Bee 6 26 2008: CA Dept of Natural Resources had given Folsom a \$750K grant for the project.

To obtain a Permit for such a use, the applicant must do the full application to the Bureau, and follow the entire Environmental Review process. The city has no apparent use for such legal niceties in any instance. There is no application, no approval, no documentation for construction plans, no response to the Bureau's concerns.

If you recall the Permit Process for the new bridge across Lake Natoma, the review was detailed and extensive. I asked if the city were confused about their rights under the bridge ROD documents. No, the Bureau informed the city of all its obligations to complete an application, full public review, etc.

This is obviously linked to the Fedcorp/city plans for a hotel and marina at this same vicinity, the State Parks FL SRA Plan update process, and the

Folsom Corp Yard Closure Plan currently under review by the RWQCB and CIWMB.

It is IMO yet another piece of evidence that the city of Folsom does not do voluntary compliance with existing legislation. I hope the Water Board and Waste Boards take due notice of this.

*As I have stated, I am NOT opposed to closure of all of the dumps.

*What is necessary is legal closure in compliance with all laws & regulations. There is adequate evidence you will not obtain this compliance from Folsom.

Laurette Laurent

From: "ljl Laurent2@netzero.net" <ljl Laurent2@netzero.net>
To: <jmoody@waterboards.ca.gov>
CC: <fdavies@CIWMB.ca.gov>, <mfinnegan@mp.usbr.gov>, <rmjohnson@mp.usbr.gov>...
Date: 6/30/2008 2:33 PM
Subject: Folsom Corp Yard encroachment onto USBR Property

June 30, 2008

To: John Moody, for RWQCB Members and others

From: Laurette J. Laurent

RE: Folsom Corporation Yard Encroachment onto Federal Lands/Waters

(Note to staff: John,

It surprised me that I got through to you on the phone this morning. I am glad we had a chance to speak because I am very concerned the RWQCB Members (appointees of the Governor) realize that the FCYL clean closure submittal is a very small portion of the Corp Yard cleanup.)

I also want to be certain the following issues are addressed:

1. FCY encroaches on USBR land. While you indicated surprise that they allowed this to continue, I must remind you it is difficult to access the area because the city created a very sharp precipice by dumping unknown wastes there.
2. At this encroachment area the city has long operated repair, construction, maintenance, dumping, washing, storing, truck rinsing, concrete washing, and raw sewage facilities which leach directly into the American River.
3. The city appears to have caused this encroachment by dumping all types of waste materials onto the USBR land. As I told you last summer, I witnessed spots where the vegetation on Federal Land did NOT burn, but the dumped fuels did burn.
4. I cannot find any evidence of RWQCB requiring Water Monitoring Wells at this location (perhaps because of the steep drop off and unstable nature of the city-dumped materials). As I told you today, past studies have indicated a crying need for Monitoring Wells in the vicinity of the numerous spills in the encroachment area. In the SWAT report of 2001, it was estimated there is at least 1,000 cubic yards of diesel contaminated soil in this location where the city encroaches on USBR property and waters.
5. I believe it is improper for the city to perform a partial treatment of the FCY, starting with the old sewage plant dumps, because the land is of no use whatsoever until the higher, larger portion of land is cleared and remediated.
6. The city is misguided in planning to clean the very bottom of the FCY while CONTINUING to operate all the FCY functions above the site. This will restrict both the cleanup operation and the normal city functions which include the USE OF FLAMMABLES and hazardous materials.
7. This is apparently the driest period on record. It is no time to exacerbate the fire and explosion and toxic material release risks by operating heavy vehicles on bare soil, abutting the USBR forest and State Park. The city again has many explosive vehicles and materials stored where they can convey forest fire into our homes/subdivision.
8. When the next fire starts, how will the city protect RESIDENTS AND PARK USERS? As of this late date, I have not been notified of any HEALTH & SAFETY PROVISIONS compliance which will protect the residents and recreators from the city's negligence. As we saw June 21, 2007, the city use of the 19+ acres at the FCY is NOT optimal for fire safety and other emergencies. It is totally UNACCEPTABLE for the city to receive Permit changes and/or approvals for work while they adamantly REFUSE to provide an Emergency Plan for residents and State Park users.
9. I bet Folsom has not even contacted State Parks seeking their input for such emergency notification plans to protect innocent Park users.
10. Please, Board Members, be aware, last week the Sacramento Bee announced Folsom is in receipt of a CA Natural Resources Grant \$750,000 to construct boat launch and ADA compliant lighted trail on USBR property. The city apparently was notified in writing by USBR that there were issues to be addressed before this plan could even be approved in concept. Yet the city applied for money without having detailed plans, environmental reviews, public hearings, public notice, and NO PERMISSION from the land owners. Ahh, this is the "Folsom Way."
11. I am in possession of an "environmental audit" of the Folsom Corp Yard which reinforces my concerns that the city is not able to "self-regulate" in environmental matters.

SUMMARY

In summary, it is my mission to ensure the safety of the precious American River waters, the Federal Lands, the State Park users, residents, and all the flora & fauna in this area.

*I believe it is the city's OBLIGATION to inform residents of the COSTS of this partial project.

*I believe the city needs to justify doing this during the fuel crisis, in the driest of times on record, during the mortgage crisis during which no funds are available (and no demand) and at a time when the city budget is strained by a "perfect storm" of bad financial impacts (according to the city manager).

*The city also needs to remove its illegal waste storage from American River lands before it begins emptying out the three lower dumps.

* The city should undertake the entire FCY cleanup at once, for safety and economies of scale. If the city weren't such a bad neighbor, it would have obtained a leased or purchased a Corp Yard site elsewhere, but no one wants to welcome Folsom as a neighbor because of their record and performance.

*Furthermore, I suggest the RWQCB and CIWMB staff should consult the 2001 Solid Waste Assessment Testing Report to see how much more detailed and realistic it is compared to the city's 2008 proclamations. I believe the city should be constrained to abide by the more appropriate 2001 SWAT Report because it is more scientific, complete, and accurate.

Laurette J. Laurent

From: "ljlarent2@netzero.net" <ljlarent2@netzero.net>
To: <fdavies@CIWMB.ca.gov>
CC: <mwochnick@ciwmb.ca.gov>, <jmoody@waterboards.ca.gov>
Date: 7/5/2008 4:29 PM
Subject: Folsom CYL clean closure Encroachment and Emergency plans (H&S)

Frank Davies, CA Integrated Waste Management Board
Re: FCYL encroachment issue and H&S compliance
Frank,

When we had our lengthy phone conversation July 19, 2008, you informed me you had received phone calls from Guy Graening (Brown & Caldwell) and Walt Sadler (FPW) during the morning. It was about 2:00 pm when you reached me.

During our conversation, I mentioned the encroachment onto Federal Lands at the American River. You told me they city was so anxious to proceed that they agreed to clean up everything they found regardless of extension onto abutting ownership.

The city met with the US Bureau of Reclamation about this project. Walter Sadler stated the clean up would NOT under any circumstances go beyond the line of demarcation on the Work Plan (which is part of the Bid RFQ document). Please be aware the city's waste does go beyond the project work line in the "landfill" area.

The city may also have told you they have an emergency notification plan/system in place to warn residents and State Park users of imminent dangers. They may have said they have a Health & Safety Plan for the many people who reside and/or recreate in this populous area. As of this date, we have NO documentation of such plans which are mandatory.

Additionally, there is no evidence the city has consulted with the CA Department of Parks & Recreation regarding the safety and protection of the thousands of Lake Natoma trail users at this clean closure site. If you recall, the CDPR was not even included on the Notice of Public Hearing list.

It is obvious that all requirements MUST be satisfied and guaranteed in writing. The city has told residents they have a H&S Plan, but it is the OSHA requirement for the contractors employees who will be on site from 7 a.m. to 6 p.m. Moreover, the city is bizarro if they think it is of any use to call the public relations firm when there is a concern. That is so absurd. I called their number MMC, and I obtained NO response whatsoever from them on two occasions. So, it appears the city has no documented H&S plan for all humans and environment. I am sure these are required in 40 CFR.

I realize the city is anxious to dig on August 1, 2008, but I do not care. I wish to live, breathe, and maintain my property which is only several hundred feet from this project. They damaged our health June 21, 2007. Their junk stored open to the air exploded all over us. The same junk is still there, waiting to explode into 80' flames again.

It is very important for the city to have the roadway, space, fire-suppression resources/access, emergency notification plan, emergency response plan, toxic handling response plan (involving the agencies who are First Responders).

As of the week preceding the 4th of July, the city had lots of talk, but NO DOCUMENTED COMPLIANCE. Since there is no CIWMB public hearing, I sure hope these issues will be on PAPER prior to the July 31, 2008 RWQCB public hearing.

I am sure the Federal agency which owns the land would also like to see the written compliance and assurance and surety evidence. After all, CIWMB and RWQCB are merely the designated enforcers for the National EPA law, and this is federal land and water.

It is almost crazy for the city to tell you they will fit more than 10,000 semi-truck vehicle trips and about as many loader vehicle trips into the narrow strips of land which they propose, unpaved and abutting the

forest – and still provide emergency access. Suppose the sole narrow access is blocked with semis when excavated/stockpiled materials catch fire, explode, fizzle, fume, catalyze, etc. They are working next to the bike trail and forest. How do they address such an emergency in a timely fashion? During June 2007 fire, while the County got a small truck to the area quickly, it took a full 20 minutes for the city to muster significant First Responders at the site. It appeared as though every agency had to assist in developing an impromptu plan. I have photos and witnesses to prove it. Let's not have that again.

You mentioned requiring a circulation roadway of some sort. It is extremely important. Guy Graening told me the city refused to level the high portion of land next to our homes. It is just a small area of piled debris and rocks. If they took it down, they would have a much larger, level work/transportation/storing surface. It is my hope you will address the disparity between city words, city actions, and city documents required by law. We need it all in writing.

Laurie Laurent
985-4488

From: "ljl Laurent2@netzero.net" <ljl Laurent2@netzero.net>
To: <jmoody@waterboards.ca.gov>
CC: <mfinnegan@mp.usbr.gov>, <rmjohnson@mp.usbr.gov>, <rschroeder@mp.usbr.gov>
Date: 7/7/2008 10:57 AM
Subject: Re: Designated Party Status, right of cross examination, written safety plans

RWQCB Members,
via staff lead John Moody

July 7, 2008

John,

Do the current rules allow for a person with D.P. Status to ask questions of the sworn witnesses?

Will staff address shortcomings in the city's presentation?

For example, as of this date, the city has not informed local residents/park-users of any WRITTEN HEALTH & SAFETY plans (which I believe are mandated by Title 27 and 40 CRF which RWQCB & CIWMB enforce.)

We have seen the Health & Safety Plan created to address OSHA requirements for laborers on site from 7 a.m. to 6 p.m., but we have yet to see any city writings which satisfy the Health & Safety Plan requirements for the residents, recreators, and environment. If you recall, we were burned, smoked, exploded upon, and subjected to all the city's stored hazardous materials. The city is currently replicating last year's waste storage and long-term flammable storage in open air on bare soil. Conditions are ripe for us and our health (and possibly our property) to be destroyed by the city's negligence.

Please be advised this notification has been shared with Frank Davies in greater detail. The bottom line is, we do not wish to be impacted again this year as we were last year.

Specifically regarding RWQCB enforcement, I am concerned about testing of the materials in the high portion of the Corp Yard where RWQCB staff found (in post-fire testing) serious Constituents of Concern, and the lack of a written safety and emergency plan. If the pile of junk creating the high portion of land next to our homes were eliminated, the city would have far more space for a minimal First Responder Health & Safety/Emergency Access Plan.

Today the air is extremely unhealthy for all. The thousands of fires have choked valley residents for weeks. Does the city plan to operate during such conditions?

I cannot understand why the city has not submitted any written materials from the Fire Departments and other who responded last year to the fire and explosions. The County Fire Department was the first to arrive. It took at least 20 to 40 minutes for the city to get its own water trucks and large fire trucks onto the burning area. In fact there are many photos (and a letter) showing that the city did not put fire vehicles onto the CORP YARD landill paved areas. I could not understand why the city waited so long and didn't have a full fast response plan. I am not criticizing the Fire Dept because they are constrained by the political decisions driving this place.

I know I am directly in the path of another health debacle and possible loss of property. This is a wretched time for the city to advance this dusty, risky, under-studied, proposal. They should be forced to submit WRITTEN compliance with every single detail prior to any Public Hearing. They must be forced to provide WRITTEN compliance since petty details like human and environmental safety have never been their priority.

Moreover, the city is crazy to tell us that in case of "concerns" (like a real emergency) we should call their public relations firm, MMC. How absolutely insane is that as a form of notification.

I want a fully compliant WRITTEN safety document in my hands prior to any public hearing. I want to know what the First Responders will do to protect human life, health, flora, fauna, bikers, and the Federal lands and waters abutting this abortive proposal.

I want WRITTEN evidence the city has detailed emergency response plans to warn State Park users if they are in danger because I am often in the parklands at Lake Natoma. I believe the neighbors,

including USBR and CDPR, should be asked to submit WRITTEN COMMENTS on the adequacy of the city's health, safety, and emergency plans. We are all sick of the city's negligence and noncompliance with existing laws.

If you have any comments from these neighbors, I certainly wish the city had taken responsibility for forwarding them to us. If you have USBR and CDPR comments, please advise me so I can request to see them ASAP.

With grave concern,

Laurette J. Laurent DP July 31, 2008 hearing.

Please call me if you have any questions. 985-4488, please return email me regarding agency comments, neighbor comments, and cross-examination rights. Thank you.

cc: US Bureau of Reclamation, CDPR Folsom Area Office
CIWMB