

Regional Water Quality Control Board  
Central Valley Region

Response to Written Comments for  
Tentative Waste Discharge Requirements  
for  
Merced County Regional Waste Management Authority  
Highway 59 Solid Waste Landfill, Merced County

This document contains the responses to written comments received from interested parties regarding the proposed tentative Waste Discharge Requirements (WDRs) for Merced County Regional Waste Management Authority, Highway 59 Solid Waste Landfill, Merced County for operation, construction, post-closure maintenance and corrective action. The Tentative WDRs were prepared to incorporate corrective action requirements. Currently, WDRs Order R5-2006-0022, provides for construction and operation, and R5-2010-0111, provides for closure and post-closure maintenance of Phases 1 through 4.

The Tentative WDRs were circulated on 23 July 2014 for public comment, ending on 22 August 2014.

Comments submitted during the comment period were received from the following:

- A. Jerry Lawrie, Merced County Regional Waste Management Authority, 18 August 2014  
Changes recommended by Mr. Lawrie are shown in red.

## RESPONSE TO COMMENTS

In response to each comment below, any changes made to the tentative WDRs are indicated where additional language is underlined and deleted language is shown in ~~strikethrough~~ format.

## Comments on Tentative WDRs

---

### Comment 1:

Finding 2:

Add parcel numbers 052-160-033 and 052-160-35 to Finding #2. They are the two most southern parcels that make up the 609 acre property. A parcel map is available upon request.

#### **Response 1:**

Finding 2 will be revised to add parcel numbers 052-160-033 and 052-160-35.

### Comment 2:

Finding 17.

The Facility has two Class II surface impoundments for the management and collection of leachate. The first Class II surface impoundment (SI-1) is located at the ~~southwest~~ southeast corner of the Phase 5 landfill area, and stores leachate from that unit.

#### **Response 2:**

Finding 17 will be revised to correct the direction to southeast.

**Comment 3:**

Finding 18:

The two suction lysimeters are no longer functional and cannot be sampled. The pan lysimeter (PL-1) sampling point lies 12 to 15 feet deep in a vault. The atmosphere within this vault is methane and CO<sub>2</sub> which requires a three member level A hazmat team in order to sample. MW-20A was constructed as the detection monitoring well for SI-1. The Authority requests that the monitoring requirement for PL-1, and SL-1 and SL2 be discontinued. If the Central Valley Regional Water Quality Control Board wishes to continue requiring the monitoring of PL-1, the Authority requests monitoring be waived for 18 months. During that time the Authority will submit redesign proposal to the CVRWQCB and upon approval complete the modifications.

**Response 3:**

In a telephone conversation with Central Valley Regional Water Quality Control Board (Central Valley Water Board) Staff on 26 August 2014, Mr. Lawrie clarified that the pan lysimeter is functional and that samples continue to be collected. However, the method in which PL-1 is being sampled from the ground surface is problematic due to the sampling port being in the vault. Mr. Lawrie stated that the pan lysimeter will continue to be sampled. However, the design method in which the liquid is collected will be modified in the future to allow for easier monitoring and sampling from the surface. Central Valley Water Board Staff agreed. Mr. Lawrie also indicated that the two suction lysimeters are no longer functional beneath SI-1. A review of construction documents shows that the pan lysimeter extends beneath the entire liner of SI-1. Therefore, monitoring of the pan lysimeter alone satisfies the requirements for monitoring the unsaturated zone. The two suction lysimeters that are not functional are not necessary for unsaturated zone monitoring.

Finding 18 will be revised as follows:

A pan lysimeter is installed beneath the ~~centerline~~ entire liner of surface impoundment SI-1. In addition, two suction lysimeters are installed beneath two opposing slopes of the surface impoundment. However, since they are no longer functional and are not necessary to satisfy unsaturated zone monitoring of SI-1, they are no longer included in vadose zone monitoring network. These devices pan lysimeter will served as the vadose zone monitoring system for the Class II surface impoundment SI-1.

**Comment 4:**

Finding 67:

The original landfill, including Phases 1 to ~~4-5~~, was opened and operating in 1973 and is categorized as an "existing facility... To fulfill CEQA requirements for the expansion of ~~Phase 6, the Facility, including Phases 5 and 6~~, Merced County prepared an Environmental Impact Report (EIR) that contained a thorough analysis of the potential for the planned expansion to result in significant environmental effects....

**Response 4:**

Finding 67 will be revised as follows:

~~The Highway 59 original Landfill, including Phases 1 to 4, was opened and has been operating in since 1973, and is categorized as an “existing facility.” In 1996, Merced County prepared an Environmental Impact Report pursuant to the requirements The action of prescribing WDRs for an existing facility is exempt from the provisions of the California Environmental Quality Act (“CEQA”)(Pub. Resources Code, § 21000 et seq.) to analyze the potentially-significant environmental effects associated with the expansion of the Facility. On 13 August 1996, the Merced County Board of Supervisors certified the final EIR for the Phase 6 expansion. Prescribing these WDRs, which impose regulatory requirements on the existing facility in order to ensure the continued protection of groundwater resources, is exempt from the provisions of CEQA in accordance with California Code of Regulations, title 14, section 15301, which exempts the “operation, repair, maintenance, [and] permitting ... of existing public or private structures, facilities, mechanical equipment, or topographical features” from environmental review. To fulfill CEQA requirements for the expansion of the Facility, including Phases 5 and 6, Merced County prepared an Environmental Impact Report (EIR) that contained a thorough analysis of the potential for the planned expansion to result in significant environmental effects. The Board, acting as a responsible agency, was consulted during the development of the EIR. On 13 August 1996, the Merced County Board of Supervisors certified the final EIR for the expansion.~~

**Comment 5, 6 and 7:**

**F. FINANCIAL ASSURANCE SPECIFICATIONS & I. PROVISIONS**

F.1, F.3, I.[7.D.]1 and I.[7.D.]2

The Authority requests that the due date be changed to 1 September of each year. Financial assurance documentation is based on the amount of permitted air space consumed each year. This value is determined by surveying the active cell and calculating the airspace consumed during the previous 12 months. These surveys are costly and time consuming. Surveys have significant value to the Authority if conducted on a fiscal year basis. That requires the surveys be conducted on 30 June of each year. The survey must be converted to AutoCAD to determine the annual airspace consumed. This process takes approximately 45 days. To require this information to be submitted 1 June of each year would require the surveys to be conducted on 1 April. The Authority believes the due date to be arbitrary and requests the due [date] be changed to 1 September of each year.

**Response 5, 6 and 7:**

Central Valley Water Board staff contacted CalRecycle staff regarding the proposed submittal date for financial assurance documents. CalRecycle staff had no objections to revising the submittal date as requested. Findings F.1 and F.3, and Provisions I.7.D.1 and 2 will be revised to reflect the date change to 1 September.

## Comments on Tentative MRP

---

### Comment 8:

#### 2. Unsaturated Zone Monitoring

The current unsaturated zone monitoring network shall consist of:

<u>Mon Pt.</u>	<u>Status</u>	<u>Units Being Monitored</u>
<del>PL-1</del>	<del>Detection</del>	<del>Surface Impoundment #1</del>
PL-4 <u>5</u>	Detection	Phase 5
PL-6	Detection	Phase 6A

For PL-1 see comments in #18 above. The Authority requests that PL-4 be renumbered to PL-5 to reflect that it is the unsaturated monitoring system for Phase 5.

#### **Response 8:**

Continued sampling of PL-1 will be required as discussed in the response to Comment 3 of the WDRs above. Therefore, PL-1 was not removed from the unsaturated zone monitoring Item 2. of the Monitoring and Reporting Program.

Re-naming PL-4 would cause inconsistency in the history contained in the case file as well as in reference to construction documents and monitoring data. Therefore, the designation of PL-4 was not changed in the unsaturated zone monitoring Item 2. of the Monitoring and Reporting Program.

### Comment 9 and 10:

Per the comment for 5, 6 and 7, Section B REPORTING summary schedule table and Item B.7, the Discharger requests to change the End of Reporting Period date from 31 December to 30 June and the Due Date from 1 June to 1 September.

#### **Response 9 and 10:**

The Section B REPORTING summary schedule table and Item B.7 will be revised to reflect the requested changes.