From: Gary Liss [mailto:gary@garyliss.com]
Sent: Friday, June 18, 2004 2:43 PM
To: Moulton-Patterson, Linda
Cc: Bill Magavern; david@grrn.org; anderson@recycleworlds.net; Paparian, Michael; Farrell, Peggy; Paparian's Executive Assistants; Garcia, Bobbie; Levenson, Howard; Walker, Scott; Packard, Rubia; murray@cawrecycles.org; Scott Smithline
Subject: GeoSyntec Landfill Facility Compliance Study

Chair Moulton Patterson,

Thank you for the opportunity to comment on June 15, 2004 on the GeoSyntec Landfill Facility Compliance Study final report. I want to summarize for the record the comments I made at the June 15th Board meeting on Agenda item 11:

- The CIWMB should be commended for its leadership in arranging for this comprehensive a review of landfill (LF) policies and performance
- I look forward to being able to access the database on the CIWMB's website of over 1000 scanned documents from 1998-2001 that are text searchable
- I concur with the recommendations for:
    - Multiple prescriptions for base liners based on site conditions
    - Post-closure standards are needed
    - Pre-processing should be pursued
    - LF gas monitoring and control should be more comprehensive
    - LF gas should be included in water quality monitoring
    - Monitor for explosive gases closer to the landfill mass
    - Develop annual winterization plans

  These should be viewed as near-term priorities for the Permits & Enforcement Committee to address and would all be good to pursue.
  I particularly noted that I had just heard a presentation on the Halifax, Nova Scotia landfill system, and that I was very impressed with their implementation of a required pre-processing of all materials before they are buried in the ground. That system was driven by the fact that about half of the residents rely on wells for their water, and wanted assurances that the landfill would not leak and contaminate their water supply.
  The CIWMB needs to determine what is "acceptable" practice
  The frequent references to "cost" criteria in the GeoSyntec report suggested that the CIWMB may decide that they would not proceed with regulations needed to protect the public health and environment if it cost too much. USEPA has certainly tried to develop its next generation of regulations in a way that would not increase the costs to the owners and users of landfills. Unfortunately, that has resulted only in postponing waste disposal problems, not eliminating them.
  The focus on "immediate tangible benefits" as a key criteria for GeoSyntec recommendations is unfortunate. Once again, that focuses on short-term fixes, that may cause much larger problems and financial liabilities in the future.
  A fact quoted on p.27 of the 2nd Attachment to the agenda item is highly disturbing - that 1/3 of CA landfill sites have had water-related compliance

issues. Given the lack of other recommendations to address this, does that mean it's OK for 1/3 of CA landfills to leak?

- The GeoSyntec report reviewed emerging TECHNOLOGIES but not emerging POLICIES (e.g., bans, the composting alternative, or the requirement for LF owners to fund independent community monitors and/or 3rd party reviews)
- There were many other good recommendations made in the reports that were not highlighted in the brief presentation. I encouraged the P&E Committee to make sure that all the detailed recommendations were acted upon, not just the top 7 highlighted above in the presentation.
- This was a landmark work to address cross-media monitoring and coordination. I suggested that the CIWMB figure out ways to ensure continued focus on that coordination among the different media and agencies involved. I appreciated hearing from you in response that since you had moved into the Cal-EPA building such coordination HAD increased significantly.
- GeoSyntec called for many additional studies. I suggested that the CIWMB could get a lot of studies done at the local level by the CIWMB commenting in the review of CEQA documents for future landfills that the applicants should consider emerging landfill technologies as project options in the review of alternatives in any CEQA reports. I also commented how this work dovetails with many other projects at the CIWMB, as Howard Levenson highlighted in his closing comments. In particular, this analysis will be useful in considering future CIWMB work in:

  - enforcement policies,
  - use and status of cleanup funds (with priority going to doing it right first, so you don't have to cleanup afterwards),
  - the upcoming discussion about landfill research, development and demonstration (RD&D) projects,
  - CIWMB review of conversion technologies (particularly with regard to what should be done about organics),
  - promotion of composting as a priority in the Strategic Plan, and
  - the consideration of what type of financial assurance is needed for landfills during the post-post-closure period.

I look forward to continuing to work with you and your staff to ensure the best policies and practices are followed for landfills in California.

Sincerely,
Gary Liss on behalf of the GrassRoots Recycling Network

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