

**From:** [Pat Dunn](#)  
**To:** [Moody, John@Waterboards.com](mailto:Moody.John@Waterboards.com); [nancivng@aol.com](mailto:nancivng@aol.com); [Lewis, John \(EMD\)](#)  
**Cc:** [Loren J. Harlow; "Curtis Fujii"; wlneal@aol.com](#)  
**Subject:** FW: Tentative Waste Discharge Requirements: Florin Perkins Landfills  
**Date:** Monday, April 22, 2013 11:01:17 PM  
**Attachments:** [8 Closure Schedule, excerpt.docx](#)

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Dear Mr. Moody:

This email acknowledges receipt of the Teichert letter sent to the RWQCB on this last day of the comment period specific to the Tentative Waste Discharge Requirements (TWDRs), Florin Perkins Landfill (FPL). With this quick turn-around response, we would like to restate our support of the RWQCB staff's efforts to depict accurately the existing environmental conditions and continued obligations by the FPL to address the low level environmental impacts. Environmental conditions have not changed since the submittal of the Evaluation Monitoring Report/Engineering Feasibility Study and Final Closure Plan, dated December 2011 and 2012, respectively. Ongoing extensive landfill gas probe and ground water monitoring results continue to reflect the low level concerns, findings and schedule presented in the TWDRs.

Specifically and in response to Item no. 1 in Teichert's letter, the request to remove the Aspen Monitoring Wells from the monitoring network, FPL will require additional time, as referenced in the contingency plan provision, to investigate the feasibility of replacement monitoring wells. Due to the limited area suitable for the placement of monitoring wells on the landfill property, investigation of locations and drilling access will be required.

In response to the referenced items 2 and 3 of the Teichert letter, the rationale used to demonstrate the 10 year closure schedule can be restated as documented in the attached excerpt Section 8 - Closure Schedule, December 2012 Final Closure Plan. Timeline conditions and financial hardship constraints related to closing this large site have not changed. The time schedule for closure incorporates the following factors (as attached): 1) Prioritization of closure activities in areas requiring corrective action (i.e., the South WMU), 2) Available soil stockpile accumulation rate for final cover and 3) The Family Trusts' ability to complete closure activities for the entire site. In addition and as referenced in the TWDR Finding 58, landfill closure will include the installation of a phased approach and long term LFG controls completed in coordination with the final cover construction at a given unit. The LFG design and timeline will be influenced by the monitoring results and the local air district requirements.

Specific to item 4 of the Teichert letter, note that the phrase "adjacent quarry pits" references the quarry pits owned by FPL. The drainage system has been designed to convey and retain stormwater on FPL Property.

We look forward to assisting you in responding to comments and finalizing the WDRs. Please do not hesitate to call Loren Harlow, Curt Fujii or myself.

Sincerely,

Patrick F. Dunn, M.S., P.G., C.Hg.  
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-----Original Message-----

From: Moody, John@Waterboards [<mailto:John.Moody@waterboards.ca.gov>]  
Sent: Monday, April 22, 2013 3:49 PM  
To: Tina Webb  
Cc: Loren J. Harlow; 'Nancy Cleavinger (NanClvng@aol.com)'; 'Patrick Dunn (pfdunn@dunnenviro.com)'; 'Curt Fujii (fujicieng@att.net)'; 'Will Neal (WLneal@aol.com)'; 'John Lewis (LewisJoh@saccounty.net)'  
Subject: RE: Tentative Waste Discharge Requirements: Florin Perkins Landfills

This email acknowledges receipt of your comments on the tentative WDRs for the Florin Perkins Landfill. I am also enclosing a copy of comments received today from Teichert Aggregates, which are now public record. Water Board staff will be responding to comments on the tentative WDRs for the Florin Perkins Landfill and, given the differences in the comments, invites any additional comments Cleavinger et al. may have in response to Teicherts comments. Any such comments must be submitted in writing by midnight tonight, however. You may respond by midnight in writing by reply email.

-----Original Message-----

From: Tina Webb [<mailto:TWebb@bakermanock.com>]  
Sent: Monday, April 22, 2013 2:36 PM  
To: Moody, John@Waterboards  
Cc: Loren J. Harlow; 'Nancy Cleavinger (NanClvng@aol.com)'; 'Patrick Dunn (pfdunn@dunnenviro.com)'; 'Curt Fujii (fujicieng@att.net)'; 'John Lewis (LewisJoh@saccounty.net)'; 'Will Neal (WLneal@aol.com)'  
Subject: Tentative Waste Discharge Requirements: Florin Perkins Landfills

Mr. Moody,

Attached please find our letter regarding the above referenced matter. If you have any questions, please let us know. Thank you.

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## 8 CLOSURE SCHEDULE

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### 8.1 OVERVIEW

The Family Trusts, as owners of FPL, have expended significant funds to extensively define and delineate ground water impacts related to FPL and to provide a reasonable and feasible plan for closure and corrective action. The Family Trust's efforts have been and will continue to be performed in a diligent, timely and reasonable manner to ensure protection of water quality and in compliance with applicable regulatory requirements of the RWQCB, the Sacramento County Local Enforcement Agency (LEA) and CalRecycle.

The FPL closure schedule reflects necessary and appropriate corrective actions and is reasonable and timely based upon the revisions to the CAP. Since the South WMU unit is the only unit that requires corrective action, closure of this unit will be accomplished in a timely and reasonable schedule and will occur by 2016. The North and East WMUs consist primarily of soil and inert wastes and do not pose a significant threat to groundwater quality. As a result, these WMU's will be closed after the South WMU and within a reasonable timeline considering their potential impacts on groundwater. Closure of the entire site will not occur until the end of 2022 due to the vast quantities of soil required.

The time schedule for closure incorporates the following factors:

1. Prioritization of closure activities in areas requiring corrective action (i.e., the South WMU).
2. Available soil for final cover.
3. The Family Trusts' ability to complete closure activities for the entire site.

The following significant factors impact the FPL closure schedule:

- The FPL and the nearby Jackson Road Landfill (JRL) which is currently undergoing closure are owned by a combination of trusts that have interests in both sites and have expended nearly a million dollars in JRL closure activities.
- The Sole Asset of the Family Trusts is the FPL property. The Family Trusts expended considerable monies to evict the prior tenant of the site and have not received any income from the site after regaining control of the property.
- The FPL property is leased to Zanker Resources Management LTD (Zanker). Zanker currently operates a materials recycling and recovery center. Revenues

for the lease are based upon a daily tonnage amount. Based upon the current permitted recycling limit, the Family Trusts do not receive any revenue from the Zanker operation.

- The Zanker lease does not provide compensation to the Family Trusts for any soils delivered for closure activities that remain the sole responsibility of the Family Trusts. However, soils received for closure activities are not included in the Zanker's tonnage limit for operations of the recycling center as permitted by the LEA.
- Zanker has, as an accommodation, provided to the Family Trusts approximately 35,000 cubic yards of soil per year for final cover at JRL and stockpiling for FPL closure. Zanker has indicated that it will continue to provide soil for the FPL closure activities.
- Based upon the projected volumes of soil required for site closure (See below.), successful closure is dependent upon the utilization of soils provided by Zanker, and these soils are a critical component of successful closure. The estimated cost of approximately \$7 million dollars at \$20/cubic yard for soil purchase of 340,000 cubic yards is not within the Family Trusts' ability.
- The expected revenue under the lease, even at the maximum permitted tonnage, would not offset the estimated closure costs, not including the estimated cost to purchase soil for final cover.

Therefore, Zanker's demonstrated ability to deliver soils, has a major impact on the closure schedule. The proposed schedule prioritizes closure of the South WMU and completion of closure of that WMU by 2016. Based on a required volume of approximately 340,000 cubic yards for the entire site closure and a rate of accumulation of 35,000 cubic yards per year, FPL can complete total closure in approximately ten years, with an anticipated completion date near the end of November, 2022.

Based upon the prompt implementation of corrective actions and closure in the South WMU, the proposed closure schedule of the entire site is reasonable. The proposed schedule addresses the impacts of landfill gas on groundwater in a timely and reasonable timeline. The remaining WMU's do not pose a similar threat to groundwater and a final closure schedule of 2022 is reasonable considering all the factors.