

Central Valley Regional Water Quality Control Board

20 March 2015

CERTIFIED MAIL
7014 2120 0001 3977 9302

Daniel Sheehan
A Greener Globe Inc.
5009 Southside Ranch Road
Rocklin, CA 95677

CERTIFIED MAIL
7014 2120 0001 3977 9319

Richard D. Steffan
A Greener Globe Inc.
Agent for Service of Process
389 Auburn Ravine Road
Auburn, CA 95603

***NOTICE OF VIOLATION FOR MATERIALLY DEFICIENT MONITORING REPORTS,
BERRY STREET MALL (AKA FINGER’S) LANDFILL, PLACER COUNTY***

The closed Berry Street Mall (aka Finger’s) Landfill (Site) is owned by A Greener Globe, Inc. (Discharger), and is regulated by Waste Discharge Requirements (WDRs) Order R5-2011-0048. The Site is a closed Class III landfill located along Galleria Boulevard about three tenths of a mile north of Berry Street in the City of Roseville.

On 20 January 2015, the Central Valley Water Board issued Administrative Civil Liability Complaint (ACLC) R5-2015-0503 for non-submittal of technical and groundwater monitoring reports. Table 1 in the ACLC outlined “technical reports” that were not submitted, and Table 2 in the ACLC outlined “monitoring reports” that were either incomplete or not submitted. Below is the list of monitoring reports outlined in Table 2 of the ACLC.

MRP Required Reports	Due Date
2011 Second Semiannual/Annual Report/ COC Report and Aerial Survey & Update Topographic map (Incomplete)	31 January 2012
2012 First Semiannual Report (Incomplete)	31 July 2012
2012 Second Semiannual/Annual Report (not submitted)	31 January 2013
2013 First Semiannual Report (not submitted)	31 July 2013
2013 Second Semiannual/Annual Report (not submitted)	31 January 2014
2014 First Semiannual Report (not submitted)	31 July 2014

On 10 February 2015, Central Valley Water Board staff (hereafter staff) discovered that two separate accounts for this single land disposal site existed in GeoTracker, and that the account

staff had accessed to prepare the ACLC was not the same account to which the Discharger had been uploading Site data and reports. To prevent future confusion between the two accounts listed in GeoTracker for this single land disposal site, the GeoTracker account with no Discharger uploaded data was deleted.

After reviewing the GeoTracker account to which the Discharger had been uploading Site data, staff confirmed that none of the "technical reports" listed as delinquent in the ACLC had been submitted. However, in regards to the delinquent "monitoring reports" listed in the ACLC, staff determined that the Discharger had been uploading quarterly and annual groundwater monitoring reports to GeoTracker. However, each report was submitted late, did not contain all required elements, and one of the quarterly reports and both annual reports, were not uploaded to GeoTracker until after the issuance of the ACLC.

Report Reviews

Monitoring and Reporting Program (MRP) R5-2011-0048 requires semi-annual and annual sampling and reporting, so staff can evaluate compliance with the WDRs. However, as noted below, the Discharger submitted separate quarterly and annual reports, rather than combining groundwater monitoring event data and sample analysis data into one semi-annual report. To determine if these separate quarterly reports were completed in accordance with the semi-annual and annual monitoring requirements outlined in the MRP, Staff reviewed each of the following reports grouped as boxed below:

- *Third Quarter 2012 Quarterly Monitoring Report*, submitted on 3 March 2014. (396 days late)
- *Fourth Quarter 2012 Quarterly Monitoring Report*, submitted on 3 March 2014. (396 days late)
- *2012 Annual Report*, submitted on 26 January 2015. (725 days late)

- *First Quarter 2013 Quarterly Monitoring Report*, submitted on 3 March 2014. (215 days late)
- *Second Quarter 2013 Quarterly Monitoring Report*, submitted on 3 March 2014. (215 days late)

- *Third Quarter 2013 Quarterly Monitoring Report*, submitted on 3 March 2014. (31 days late)
- *Fourth Quarter 2013 Quarterly Monitoring Report*, submitted on 3 March 2014. (31 days late))
- *2013 Annual Report*, submitted on 26 January 2015. (360 days late)

- *Second Quarter 2014 Quarterly Monitoring Report*, submitted on 26 January 2015. (179 days late)

The MRP requires quarterly determination of the groundwater elevation in all six groundwater monitoring wells, semi-annual sampling of all six groundwater monitoring wells, and semi-annual and annual reporting. However, the quarterly monitoring reports listed above only document groundwater elevation and gradient data obtained during the quarter reported, and the annual reports listed above contain only analytical data for a single sampling event completed during the year for five of the six wells.

The reports were not signed by a registered professional, and do not contain chain-of-custody forms for the samples collected. Furthermore, the laboratory used to analyze the groundwater samples collected in 2012 and 2013 was not a California State Certified Laboratory. Submittal of non-qualified data by a non-certified laboratory is a violation of the WDRs and renders the results unusable.

Furthermore, the following data required by the WDRs/MRP was completely absent from any of the reports submitted:

Omitted Data

1. A dated transmittal letter, signed by the owner/operator under penalty of perjury, which explains the essential points in each report, and includes a discussion of each violation found since the last such report was submitted, and describes actions taken or planned to correct each violation.
2. The sections listed below summarize requirements in the MRP that were not included in the Discharger's monitoring reports.
 - A. Standard Observation:
 - Landfill unit, unit perimeter, and adjacent creek.
 - B. Facility Monitoring:
 - Maintenance Inspections
 - Storm Responses
 - Site Winterization
 - C. Water Quality Protection Standard Evaluation:
 - Constituents of concern
 - Concentrations limits
 - Unsaturated zone, Groundwater, Surface water
 - D. Leachate Monitoring:
 - Monitoring points L-1
 - E. Landfill Gas (LFG) Monitoring:
 - Standby LFG Collection System
 - Landfill Crown 99, 100, 102 to 109, and 113 to 125
 - SE Flank Spine 94 to 99
 - Landfill Base - SW 36, 37, 39, 42, 58, 64, 67, 88, and 90
 - Landfill Base - North 138, 139, 142, 144, and 147 to 153
 - Landfill Base - East 69 to 72, and 135 to 137
 - Soil Gas
 - Monitoring points GP-1, GP-2, GP-3, and GP-4
 - F. Unsaturated Zone Monitoring:
 - Monitoring points LYS-1, LYS-2, LYS-3, and LYS-4
 - H. Surface Water Monitoring:
 - Onsite stream and Storm water monitoring
 - Monitoring Points SW-1, SW-2, SW-3, and SW-4
 - I. Reporting
 - Semiannual Reports
 - Compliance Summary,
 - Table of Contents,

- Field meter calibration logs,
 - Tabular summary of data,
 - Narrative discussion,
 - Time series plots,
 - Geologic cross-section(s) based on installation logs,
 - Water chemistry analysis, including cation/anion balance and illustrative plots (e.g., Piper, Trilinear, Schueller, and/or Stiff plot),
 - Excel spreadsheet of monitoring data for monitoring period.
- Annual Reports
 - Written summary of monitoring results for the year, indicating changes made or observed since the previous annual report,
 - A comprehensive discussion of the compliance record, including any necessary repairs, improvements, and/or corrective action measures implemented or planned to bring the Discharger into full compliance with the WDRs,
 - Tabular and graphical summaries of the results of the prior year,
 - Representative time series plots,
 - A summary of the results of water chemistry analysis,
 - A copy of the Sample Collection and Analysis Plan,
 - A copy of the most recent aerial topographic survey map for the Site,
 - Electronic copies of historical monitoring data collected under this and previous MRPs provided in tabular format necessary for statistical analysis,
 - Evidence to the Regional Board's Executive Officer that acceptable financial assurance instrument(s) have been provided for closure, postclosure, and corrective action.

Compliance Update

Staff's review of the groundwater monitoring reports submitted to GeoTracker finds that they are materially deficient and that therefore; the reporting violations noted in Table 2 of the ACLC remain valid. Below is an updated summary regarding groundwater monitoring report submittals.

Updated Groundwater Monitoring Report Submittal and Status Summary

MRP Required Reports	Due Date	Received Date	Status
2011 Second Semiannual/Annual Report/ COC Report and Aerial Survey & Update Topographic map	31 January 2012	27 June 2012	Materially Deficient
2012 First Semiannual Report	31 July 2012	20 August 2012	Materially Deficient
2012 Second Semiannual/Annual Report	31 January 2013	26 January 2015	Materially Deficient
2013 First Semiannual Report	31 July 2013	3 March 2014	Materially Deficient
2013 Second Semiannual/Annual Report	31 January 2014	26 January 2015	Materially Deficient
2014 First Semiannual Report	31 July 2014	26 January 2015	Materially Deficient

Required Response

As required by WDRs/MRP R5-2011-0048, A Greener Globe, Inc. shall:

1. Stop submitting quarterly reports,
2. Hire a qualified registered professional to conduct groundwater monitoring,
3. Conduct all Site monitoring and sampling at the frequencies outline in the WDRs/MRP,
4. Collect samples from all monitoring points as required by the WDRs/MRP,
5. Complete all sample analysis as required by the WDRs/MRP,
6. Ensure all chain-of-custody forms are completed properly,
7. Submit all samples to a California certified laboratory,
8. Begin submitting semi-annual and annual reports completed as required by the WDRs/MRP.
 - The next semi-annual monitoring report, the 2015 First Semiannual, is due by **31 July 2015**, and the following 2015 Second Semiannual/Annual Report is due by **31 January 2016**.

By **10 April 2015**, please submit a technical report detailing the steps that will be taken to respond to Items #s 1-8, above. The report shall include the name of the firms that have been contracted to collect samples, analyze samples, and prepare reports.

Please note that we have transitioned to a paperless office. Therefore, please ensure that all future Site documents are uploaded to GeoTracker as required by the California Code of Regulations, and that after each document is uploaded, that a notification e-mail is sent to centralvalleysacramento@waterboards.ca.gov. This notification e-mail will ensure that each uploaded document is properly logged and routed to appropriate Water Board staff.

If you have any questions regarding electronic reporting, this letter or the Site in general please contact Paul Sanders at 916-464-4817 or via e-mail at paul.sanders@waterboards.ca.gov.



HOWARD HOLD, PG
Senior Engineering Geologist
WDRs Compliance and Enforcement Unit

cc: Vanessa Young, Office of Enforcement, State Water Board, Sacramento
Glenn Young, CalRecycle, Closed, Illegal, & Abandoned Sites Unit, Sacramento
Paul Holloway, Placer County Environmental Health, Auburn
Jeffory Scharff, Law Office of Jeffory J. Scharff, Sacramento