



Upper Valley Waste Management Agency Board Agenda Letter

TO: Board of Directors
FROM: Steven Lederer - Manager
Upper Valley Waste Management Agency
REPORT BY: Alice Ramirez, Senior Office Assistant - 259-6716
SUBJECT: Update on Status of Regulatory Compliance and Contract Breach

RECOMMENDATION

DISCUSSION ON NOTICES OF VIOLATION AT THE CLOVER FLAT LANDFILL AND RESULTANT DETERMINATION OF BREACH OF CONTRACT

DISCUSSION AND POSSIBLE ACTION: Board to receive an update regarding violations and operational problems at the Clover Flat Landfill, including an update on the status of corrective actions from the LEA and other regulatory entities and the Company.

EXECUTIVE SUMMARY

On April 5, 2019, the UVA Board of Directors found the Company in breach of our contract with CFL due to various violations found at the landfill. This will be a standing agenda item until all such violations are resolved and the Breach is cured.

FISCAL IMPACT

Is there a Fiscal Impact? No

ENVIRONMENTAL IMPACT

ENVIRONMENTAL DETERMINATION: The proposed action is not a project as defined by 14 California Code of Regulations 15378 (State CEQA Guidelines) and therefore CEQA is not applicable.

BACKGROUND AND DISCUSSION

On April 5th, the Board found the Company in Breach of the CFL contract due to various regulatory issues that have arisen at the landfill. The purpose of this standing agenda item is to update the Board on progress towards achieving regulatory compliance.

The following report was provided by Peter Ex, our LEA, who will also be present to answer questions.

The LEA conducted a routine inspection of CFL on August 6th. No violations were noted and all leachate previously stored in frac tanks has been removed and disposed of offsite. The three frac tanks contaminated with radioactivity are to be removed in the next couple weeks. The LEA observed continued improvements onsite including; the installation of litter control fencing surrounding the active landfill area, additional K-rails for traffic control and safety, removal of various stockpiled materials, advance preparation of slopes for winter drainage and erosion control, and continued improvements in landfilling practices.

The LEA approved a permit amendment for CFL on August 12th which incorporates the Napa County Fire Marshal "Fire Prevention, Control and Operations Plan" and corresponding operational changes into the facility operating document. CFL submitted their required 5-year permit review application on July 22nd. CFL met with County staff on August 13th to discuss a planned Use Permit Modification to incorporate northern areas of the property previously cited for Grading issues, into the Solid Waste Boundary subject to LEA authority. CFL continues to work with the LEA, RWQCB, Fish and Wildlife, and County Engineering division to rectify erosion issues and prepare for the coming winter. A joint inspection with the RWQCB and F&W is scheduled for September 10th.

SUPPORTING DOCUMENTS

None

Recommendation: Approve

Reviewed By: Steven Lederer