

APPLICATION BY THE COUNTY OF EL DORADO FOR:
SOLID WASTE DISPOSAL AND CODISPOSAL SITE CLEANUP PROGRAM
MATCHING GRANTS TO PUBLIC ENTITIES TO
ABATE SOLID WASTE DISPOSAL SITES
GRANT APPLICATION PACKAGE
FISCAL YEAR 2009/2010
CIWMB CLEANUP BRANCH

(F) Grant Need Narrative

The County of El Dorado is respectfully requesting the CIWMB to consider providing matching grant funding through the Solid Waste Disposal and Codisposal Site Cleanup Program for the Meyers Landfill closure construction project, South Lake Tahoe, California.

Site History:

The Meyers Landfill Site is located south of Lake Tahoe, about two miles northeast of Meyers, California. The landfill was in operation from about 1947 through 1971. The Site comprises approximately 24 acres of land in the Lake Tahoe Basin Management Unit of the Forest Service. In or about 1955, El Dorado County received its first Special Use Permit from the Forest Service regarding the Site. According to available information, the landfill at the Site was initially operated as a burn dump until the 1960's, but subsequently operated as a "trench-and-fill" landfill where disposed waste was covered with soil. The landfill stopped receiving solid waste in 1971, although there is evidence that residents of the City of South Lake Tahoe continued to dump their waste at the landfill, and the El Dorado County Department of Transportation used the landfill to deposit street sweeping wastes, consisting primarily of pine needles and debris. At the request of the Forest Service, the Site was closed in 1973 and covered with a soil cap of sandy material.

In May 1975, complaints regarding the landfill prompted the investigation by the Lahonton Regional Water Quality Control Board (LRWQCB). Forest Service documents assert that in May 1975 leachate was detected being discharged into Lower Saxton Creek from the northern end of the Site. The LRWQCB noted erosion of the soil cap and corrosion and possible leakage of a culvert installed beneath the landfill. In June of 1975 the LRWQCB issued a Clean-up and Abatement Order No. 75-5 to the Forest Service and El Dorado County. After consultations with the Forest Service, El Dorado County performed extensive work between 1975 and 1977, including reshaping and repairing the soil cap, installation of drainage control structures, installation of soil erosion control measures, and planting of grasses and shrubs to help control soil loss.

In the early 1990's, the Forest Service installed several ground water monitoring wells at the Site. During the period of 1991-1994, volatile organic compounds (VOCs) were allegedly detected in ground water beneath the landfill. Some shallow ground water samples within the landfill boundaries were found to contain vinyl chloride. The monitoring program was then expanded to include four wells around the landfill and additional site investigations were conducted. In August 1996, vinyl chloride was

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detected. Because of this finding, the Forest Service initiated an administrative action under the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) to determine the nature and extent of the contamination. On September 9, 1997, the Forest Service issued an Action Memorandum, pursuant to CERCLA, to close access to the Site to protect the public and to protect the Site for further sampling work. Since mid-1997, a total of twenty-nine wells (excluding the wells installed by Geomatrix, the consultant hired by the County in 2002 to provide technical support on this matter) have been installed near the site and nearby residential areas, and borings were drilled through the landfill to determine the condition of the Site. Based upon the full analysis of these wells, the Forest Service concluded that VOCs are the significant constituent of concern, in particular vinyl chloride.

Based upon the investigations conducted by the Forest Service, a Remedial Investigation / Feasibility Study (RI/FS) was initiated to consider the alternatives for clean up and abatement of the Site. As a result of the RI/FS, the Forest Service issued a public notice stating that its preferred remedial alternative for the Site was to construct a RCRA Subtitle C Cap over the landfill.

Evidence of Significant Health and Safety Concerns:

In November 2007 the United States Forest Service (USFS) produced a Record of Decision (ROD) regarding the Meyers Landfill (Operable Unit 1 – Landfill Waste Mass). The ROD indicated that the selected remedial action, which is a multi-layer cap construction over the landfill, is necessary to protect public health and welfare and the environment from actual or threatened releases of hazardous substances, pollutants, or contaminants from the Site, which may present an imminent and substantial endangerment to public health or welfare, and the environment. The ROD concluded the site is releasing CERCLA hazardous substances into the environment. The primary contaminant release and transport mechanism to underlying soils and groundwater at the Site is stated in the ROD to be the leaching of contaminants from the waste by the infiltration of water (rainfall and seasonal snow melt) through the existing porous cover soils. If no action is taken, the ROD concludes the Site will continue releasing vinyl chloride and other contaminants into the underlying soils and groundwater and the contaminated groundwater plume will continue to expand, potentially threatening drinking water supply wells and nearby surface waters. In addition, the ROD states that without additional controls, erosion due to precipitation and recreational uses could result in further removal of the existing sandy soil cover and exposure of waste, giving rise to unacceptable exposure of contaminants to human and ecological receptors. A complete copy of the ROD is attached with this grant application and labeled Section G.

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Site Characterization Summary:

There have been numerous site investigations and reports (over 40) related to the Meyers Landfill site dating as far back as 1975. Rather than attempt to supply all this information in this application, or only supply an example report, a summary list of all investigations has been included. Please refer to Table 1, Summary of Investigations, Meyers Landfill, contained within the ROD (Section G). This information is also contained within the Meyers Landfill Intermediate Remedial Design (dated December 2008), which is also enclosed with this grant application and labeled as Section H. The County would be pleased to provide CIWMB with any specific reports upon request.

Substantiation of Need for Grant Funds:

The closure construction of the Meyers Landfill includes many eligible activities under this grant such as; site grading and drainage controls to minimize erosion; slope and foundation stabilization; excavation, consolidation, and capping of waste areas; installation of landfill gas and leachate control systems; and field and laboratory testing. A more detailed description of the remediation activities is included in the Work Plan section as well as the Meyers Landfill Intermediate Remedial Design (Section H).

The County's current financial situation makes it economically infeasible to fund the closure of the Meyer's Landfill. In the current fiscal year, the County's General Fund is experiencing record reductions in major revenue sources such as Property Taxes, Sales Tax, and Vehicle License Fees. The most recent five (5) year General Fund financial forecast as prepared by the County's Chief Administrative Office shows revenue shortfalls ranging from (\$334,062) in 2010 – (\$24,935,321) in 2014. These shortfalls are in addition to the already drastically reduced General Fund budget as the County has been experiencing dramatic revenue shortfalls of up to 9% since the 2006-07 fiscal year. In addition to these significant revenue shortfalls, the current State of California budget requires the County to remit Proposition 1A revenue to the State for a period of three years. The County's Prop 1A remittance for the current fiscal year is approximately \$6.3 million dollars. All financial indicators provided to the County show recovery of these tough economic times several years out for local governments and indicate that full recovery is not expected. (See Section J for the County of El Dorado's Annual Financial Report, Fiscal Year 2007/2008, and Single Audit Report, Fiscal Year 2007/2008) Further delays to the construction of the landfill cap, according to the ROD, will result in continued release of vinyl chloride and other contaminants into the underlying soils and groundwater, potentially threatening drinking water supply wells and nearby surface waters.

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(G) Goals and Objective Narrative

The Meyers Landfill is located in the ecologically sensitive Lake Tahoe Basin. The ROD states that infiltration of rainwater and snow melt into the landfill waste mass is resulting in the leaching of hazardous substances into the groundwater. The ROD further states that the contaminated groundwater plume, if no action is taken, may result in contamination of nearby drinking water wells, Saxon Creek, which runs adjacent to the landfill site, and ultimately Lake Tahoe. The ROD finds that the construction of a multi-layer cap over the landfill waste mass is the first step to prevent water infiltration into the landfill and further degradation of groundwater quality.

The County of El Dorado is the proposed working party for the final closure of the Meyers Landfill site. The County, subject to a settlement of the CERCLA action with the Forest Service, will be providing for the protection of public health & safety and the environment by installing the landfill cap, stormwater controls and passive landfill gas system. Once the project has been completed and the site revegetated, the site will be accessible to the public.

(H) Work Plan

Please see the attached Meyers Landfill Intermediate Remedial Design (Design), prepared by ERRG, Inc., for the United States Forest Service (USFS) for a complete overview of the project design (Section H).

The eligible and ineligible tasks associated with this project are included in the Design and are identified in Appendix I, "Engineering Cost Estimate" (also separated out in Section H). Descriptions of eligible work and associated costs are highlighted in yellow. Work and costs that are not highlighted are likely not eligible based upon Part E, the Eligible Activities list, contained within Section 1 of the Grant Summary and Guidelines.

The County's proposed landfill engineering firm, Bryan A. Stirrat and Associates (BAS), now a Tetra-Tech Company, is the County's Engineer of Record for the Meyers closure project.

In addition, the USFS has contracted with ERRG, the firm hired by the USFS to design the Meyers Landfill Cap, to also provide engineering support and oversight relevant to the cap design and construction.

In preparation for the release of the Bid Documents for the Meyers cap construction and CQA services, BAS has been hired by the County to prepare the Remedial Action Work Plan (RAWP). Once the RAWP is complete (October 31, 2009), it will be incorporated into the Bid Documents that will be used to solicit bids for this project. A copy of the

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draft Bid Document's Table of Contents for the Construction and CQA contracts have been included in this grant application package and is labeled Section I.

The RAWP includes many of the elements requested in the Work Plan section of this application, such as:

- Site history, project scope and methodology, identification of key personnel, contractor qualifications, remedial activities description and general & specific work requirements
- Detailed construction schedule, including sequence of construction *
- Site Health and Safety Plan (HSP)
- Construction Storm Water Pollution Prevention Plan (SWPPP)
- Air Pollution Prevention Plan
- Traffic Control Plan
- Decontamination Plan
- Noise Control Plan
- Spill Control Plan
- Hazardous Materials & Waste Management Plan
- Contamination Prevention Plan
- Resource Protection Plan
- Contingency Plan
- Construction Quality Assurance (CQA) Plan
- Winterization Plan
- Sewer Line Damage Contingency Plan
- Excavation Plan
- Dewatering Plan
- Field Sampling Plan
- Performance Standards Assessment Plan
- Remedial Action Certifications
- Operations Monitoring & Maintenance Plan (OMMP)

Project Schedule:

November 2009	The tentative award date for this grant.
November 24, 2009	Meyers RFP Released for Construction and CQA
December 15, 2009	Meyers RFP closes
January 12, 2010	Meyers Construction and CQA contracts awarded.
June 15, 2010	Closure construction begins
October 15, 2010	Closure construction complete

* Note: A detailed construction schedule will be prepared as part of the RAWP.

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CEQA:

This project, which has been designated a CERCLA site and subject to CERCLA protocols, is categorically exempt from CEQA under the CEQA Guidelines, Section 15308, Actions by Regulatory Agencies for the Protection of the Environment:

Class 8 consists of actions taken by regulatory agencies, as authorized by state or local ordinance, to assure the maintenance, restoration, enhancement, or protection of the environment where the regulatory process involves procedures for protection of the environment. Construction activities and relaxation of standards allowing environmental degradation are not included in this exemption.

Please see the November 2007, Record of Decision, Appendix A, Responsiveness Summary for Meyers Landfill Operable Unit 1, for more details regarding the responsive measures taken pursuant to CERCLA for this project.

Design Drawings:

Design drawings prepared by ERRG are included in Section H, the Meyers Intermediate Remedial Design, Section 2.

(I) Evaluation Narrative

The County of El Dorado is unaware at this time specifically which companies will be responsible for the Meyers Landfill closure construction and construction quality assurance (CQA) activities. The County recently closed a Request for Qualifications in order to prequalify both Construction and CQA companies who may wish to bid on this project. The following is a list of companies who have prequalified.

Construction:

- A.J. Diani Construction Co., Inc.
- Envirocon, Inc.
- Ford Construction Co., Inc.
- Guinn Construction
- Sukut Construction, Inc.
- Wood Bros, Inc.

Prequalified CQA Companies:

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- Geosyntec Consultants
- Vector Engineering, Inc.

On September 3, the County of El Dorado held a mandatory prebid site walk of the Meyers Landfill. Representatives from all of the aforementioned companies attended. The County will be releasing a Request for Proposals (RFP) on November 24, 2009, for both the construction and CQA activities associated with the closure construction of the Meyers Landfill. The RFP will close on December 15, 2009. The lowest, responsive, responsible bidders from the above lists will be awarded either the Construction contract or the CQA contract respectively, subject to financing through this grant and settlements with the remaining parties to the CERCLA action and the County's insurance carriers.

(J) Budget

Please see Appendix I, "Engineering Cost Estimate," contained in the Meyers Landfill Intermediate Remedial Design for a breakdown of the costs associated with this project (Section H). Unfortunately at this time, the County does not have a specific cost breakdown for labor, materials, etc. The cost estimate provided by ERRG includes mostly lump sum figures for various tasks. The specific costs broken down more narrowly into various categories will be provided through the competitive bid process. Based upon the Engineering Cost Estimate supplied by ERRG and the Eligible Activities list contained within the Grant Summary and Guidelines, the following project cost summary is provided. Please note that ERRG's cost estimate includes a 30-year projected post closure maintenance cost summary, which is not part of the capital cost estimate to complete the closure construction and therefore, these costs are not indicated in the Ineligible Costs estimate.

Eligible Costs	\$4,882,798.00
Ineligible Costs	<u>\$ 617,500.00</u>
Total Capital Construction Costs	\$5,500,298.00

The following funding sources will be used to complete this project:

CIWMB Matching Funds Grant	\$ 750,000.00
Settlement Funds	<u>\$4,750,298.00</u>
Total Funding	\$5,500,298.00

The County of El Dorado has already spent over 1.1 million dollars for site investigations and technical support in anticipation of the closure of the Meyers Landfill (See Section

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J). The County respectfully requests that the funds already spent by the County be considered as grant matching funds.

The County is currently negotiating settlements with multiple responsible parties and anticipates that the above Settlement Funds will be available to fund the Meyers Landfill closure project.

(K) Application Completeness, Letters of Support, Experience, Etc.

Please see the attached letters of support from South Tahoe Refuse Inc. and the South Lake Tahoe Waste Management Authority (JPA).