



# County of El Dorado

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## Legislation Details (With Text)

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**Title:** Environmental Management Department recommending the Board authorize the Chair to sign a Budget Transfer increasing the operating budget by \$850,000 for the Meyers Landfill Closure for FY 2010-11.

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Environmental Management Department recommending the Board authorize the Chair to sign a Budget Transfer increasing the operating budget by \$850,000 for the Meyers Landfill Closure for FY 2010-11.

**Background:**

The County of El Dorado is undertaking the work activities for the remedial design regarding the remedy and operation, monitoring and maintenance of Meyers Landfill Site, Operable Unit 1. The Meyers Landfill operated from approximately 1947 through 1971 under a series of Forest Service Special Use Permits that were issued to private parties and the County of El Dorado. Waste disposed at the site included municipal solid waste from residential and commercial sources from within the southern Lake Tahoe Basin area. The site stopped receiving waste in 1971 and in 1973 the County closed the landfill and covered the waste with an interim soil cap.

Since the closing of the site in 1973 several site investigations have been conducted. As a result of these investigations, it was determined that in the best interest of public health and safety, the site would need to be remediated. In January of 2002, the United States Forest Service (USFS) issued a Feasibility Study and Proposed Plan for remediation of the site, which was later modified and termed the Supplemental Remedial Investigation/ Feasibility Study (RI/FS). The RI/FS calls for capping the waste mass with an impermeable multi-layer cover system, installation of a passive landfill gas venting system, relocation and consolidation of a portion of the waste mass directly above and east of a South Tahoe Public Utility District (STPUD) sewer line, and installation of a surface water collection and retention system, also known collectively as the Remedial Action. The proposed Remedial Action to be implemented at the Meyers landfill site was finalized by the Forest Service in the Record of Decision (ROD) executed on November 15, 2007. The ROD was incorporated into the Partial Consent Decree, which was issued to the County of El Dorado by the Federal Court, Eastern District of California. The United States Forest Service incurred substantial costs in monitoring the site and developing the ROD. Likewise, the County incurred similar costs in the investigation of the site though to a lesser degree.

Once approved by the Court, the Partial Consent Decree became a court order with which the parties must comply. The Partial Consent Decree required the County to retain an engineering construction management company with CERCLA and National Oil and Hazardous Substances Pollution Contingency Plan (NCP) experience to oversee and direct the implementation of the Remedial Action by the Construction and Construction Quality Assurance (CQA) contractors.

The initial budget appropriated expenditures for the project were in the amount of \$3,538,614 for professional services (closure activities) and past response costs made to the USFS in the amount of \$1,653,184, as identified in the Partial Consent Decree. The USFS paid the County \$1,612,349 for settling defendant past response costs and in turn the County wired the funds back to the USFS to be transferred into the Disbursement Account, which is held by the USFS. The USFS is required to reimburse the County from the Disbursement Account for construction costs up to the amount of \$3,234,349, as indicated in the Partial Consent Decree. To date, the current construction expenses total approximately \$5,368,851.

**Reason for Recommendation:**

This construction project was scheduled to be completed within the 2010/11 fiscal year but due to a late start in the construction season and a number of issues, errors and omissions with the Final (100%) Remedial Design provided to the County by the USFS the project is extending into the 2011/12 fiscal year. On December 14, 2010 the Board approved amendments to the current agreements that EMD has with the project engineering construction management company, construction contractor, and construction quality assurance contractor. These amendments amount to approximately \$3,860,302 bringing the total project budget to approximately \$10,071,067.

On May 18, 2011 the EMD notified the USFS that the County was going to continue the construction of the closure of the Meyers Landfill. In doing so the estimated expenses for demobilization, mobilization, and construction until the end of the fiscal year 2010/11 is approximately \$850,000. The recommended budget for fiscal year 2011/12 is anticipated to be approximately \$4,600,000.

**Action to be taken following Board approval:**

Upon execution by the Chair, the Board Clerks Office will forward the fully executed budget transfer to the Auditors Office for processing.

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