

NOTICE OF EXEMPTION

To: Office of Planning and Research
State Clearinghouse
P.O. Box 3044, 1400 Tenth Street,
Room 212
Sacramento, CA 95812-3044

From: Department of Toxic Substances Control
Landfills Team
Permitting Teams
8800 Cal Center Drive
Sacramento, CA 95826

Project Title: Acme Fill Corporation – Postclosure Permit

Project Location: Martinez, California

County: Contra Costa County

Project Description: This project consists of administratively transitioning the Acme Landfill Corporations North Parcel Landfill from an Interim Status Facility to a Post Closure Permitted Facility. With the exception of the addition of some monitoring wells, no physical changes to the site are proposed. The Facility consists of one Class I and two non-Class I landfills. The North Parcel Landfill occupies 135 acres, is a closed Class I Landfill, and is the subject of this project, a new Post Closure permit.

The Department of Toxic Substances Control (DTSC) acknowledged closure of the North Parcel Landfill on June 23, 1999. Since closure, the facility was operating under Interim Status. Under the conditions of the Postclosure Permit, state and federal regulations require that a Postclosure plan for a 30 -year period be developed and implemented by the facility. The new Postclosure Permit outlines the procedures to fulfill these regulatory requirements which consist of three primary functions: a) maintenance of the closure cover, b) environmental monitoring; and c) maintenance of financial mechanisms, via a compliance schedule, to fund the Postclosure activities.

Background

Location, Usage, and History

Acme is located at 950 Waterbird Way in Martinez, California. The facility is about three miles northeast of the town of Martinez. The toll plaza for Interstate 680, Martinez Bridge is located approximately 1 mile west of the Facility.

Other than the North Parcel, the East Parcel is an active Class II landfill and covers about 87 acres. The South Parcel is an inactive or closed Class III landfill and covers about 22 acres. The total area of the Facility, including the combined area of the parcels and additional land used as buffer zones, is about 516 acres.

Operations at the Facility began in the early 1950s where waste was collected and disposed of in the North Parcel area. Initially, waste was placed on ground surfaces, burned, and then covered with additional waste that was also burned. In the late 1950s, the waste was compacted and occasionally covered with soil. By 1981, a mandatory soil cover of a minimum of 6 inches was placed over the waste, or working surface. The North Parcel had been used to dispose of municipal solid waste and some hazardous waste. Acme stopped accepting Resource Conservation and Recovery Act (RCRA) hazardous waste in 1984, California hazardous wastes in 1987 and California designated waste in 1989.

After DTSC approved a Final Closure Plan, closure construction for the North Parcel began in August 1997. After the construction was completed, the Facility prepared a Final Closure Construction Report, certifying closure in March 1999. DTSC acknowledged the Final Closure Construction Report on June 23, 1999. After closure certification, the Facility continued to implement the approved Postclosure Plan conditions under Interim Status. Postclosure maintenance activities are reimbursed from a maintenance insurance policy. Postclosure Reimbursement costs are submitted to DTSC for review and approval quarterly.

Groundwater

A subsurface barrier surrounds the hazardous waste landfill. The liquid inside is continuously extracted and monitored via network of extraction wells, monitoring wells, and perimeter drain sumps. The purpose of the extraction system is to lower liquid levels in the subsurface to maintain leachate gradient inward toward the waste. Weekly inspections of the North Parcel groundwater and leachate monitoring wells are conducted consistent with inspection requirements of the approved Postclosure Permit Application. Quarterly liquid levels measurements and semi-annual well sampling tasks are completed consistent with the *Postclosure Groundwater Monitoring Plan, Acme Landfill North Parcel, Contra Costa County California*, January 2009 (Revised February 2013). Leachate extracted from the North Parcel landfill is treated and discharged to the Central Contra Costa Sanitary District (CCCSD) wastewater treatment plant through an CCCSD influent line located adjacent to the North Parcel on the west. Design, construction, and operation of the leachate treatment facility for the North Parcel were implemented under Regional Water Quality Control Board (RWQCB) Waste Discharge Requirements.

Surface Water and Vadose Zone Monitoring

The surface water drainage system for the final landfill consists of sheet flow across the landfill where it is routed via a perimeter drainage channel to outfalls that serve as energy dissipaters for the converging flows before ultimately discharging to the surrounding buffer area. Stormwater detention is provided by the wetland area located northeast of the North Parcel. The perimeter ditches and drains around the facility are maintained before the onset of each wet season. Maintenance includes removal of vegetation, and clearing of debris from the concrete ditches, inlets, and outlet structures. Monitoring and testing of stormwater discharges from the North Parcel are conducted monthly during the wet season (October through May) consistent with the National Pollutant Discharge Elimination System (NPDES) general industrial storm water permit issued to Acme by the RWQCB.

Air Monitoring

The landfill gas control system includes landfill gas collection wells, horizontal collectors, condensate sumps, and a gas flare. The Facility has an approved air monitoring program and permit issued by Bay Area Air Quality Monitoring District (BAAQMD), December 14, 2011.

Project Activities

To implement the new Acme, North Parcel Landfill Postclosure Permit the following tasks were required:

- The Facility's prepared a Final Postclosure Permit Application
- DTSC reviewed the application and required changes as part of Notice of Deficiencies
- DTSC prepared a Draft Postclosure Permit
- The Draft Permit received a 45-day public comment period
- Permit approval

The Postclosure Permit includes three main requirements:

1. Regular inspection and maintenance of the cover and drainage systems (with corrective action as necessary);
2. Environmental monitoring, consisting of regular monitoring well inspection, sampling, and data analysis; and,
3. Provisions of financial mechanisms to fund the Postclosure activities for 30 years.

Name of Public Agency Approving Project: Department of Toxic Substances Control

Name of Person or Agency Carrying Out Project: Acme Landfill Corporation

Exemption Status: (check one)

- Ministerial [PRC, Sec. 21080(b)(1); CCR, Sec. 15268]
- Declared Emergency [PRC, Sec. 21080(b)(3); CCR, Sec.15269(a)]
- Emergency Project [PRC, Sec. 21080(b)(4); CCR, Sec.15269(b)(c)]
- Categorical Exemption: [State type and section number]
- Statutory Exemptions: [State code section number]
- General Rule [CCR, Sec. 15061(b)(3)]

Exemption Title: Title 14, California Code of Regulations, Section 15061 (b)(3).
With certainty, no possibility of significant environmental effect.

Reasons Why Project is Exempt: This project consists of administratively converting the Facility's Interim Status to a Postclosure Permit. With the exception of the addition of some new wells, periodic cover inspections and minor repairs of cover for drainage, no physical changes to the site are proposed. Control measures that will limit environmental effects to insignificant levels include the following:

- This project does not involve Air Quality/Green House Gas (GHGs) emissions which DTSC has determined on July 15, 2014, and therefore, is below the Bay Area Air Quality Management District (BAAQMD) threshold levels. In addition, an analysis of project activities upon existing environmental conditions indicates that there are no environmental impacts as the result of the Post Closure Permit. As a result, DTSC finds that the project is exempt from further environmental review under CEQA.
- On April 13, 1999, Acme recorded a notation on the Facility property deed that the land was used to manage hazardous wastes and use of the land is restricted.
- The Post-Closure Permit includes a provision to restrict future land uses at the Facility via a Land Use Covenant (LUC) signed between DTSC and the UPI. The LUC restricts future use of the property. The property will be restricted from construction activity of residential, hospital, public or private schools, or day care center. No activity will be allowed that will disturb the landfill cap or disturb the soil below the cap and no activity will be allowed for the extraction of groundwater.
- The initial closure cover integrity and closure systems of the North Parcel Landfill were acknowledged by DTSC on June 23, 1999. DTSC continues to receive annual inspection reports of the cover integrity and closure systems from the Facility. In addition, DTSC assess the cover integrity as part of annual compliance inspections.
- DTSC has determined with certainty that there is no possibility that the activities in question may have a significant effect on the environment. Due to a lack of surface activities the project would not result in "a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project, including land, air, water, minerals, flora, fauna, ambient noise, and object of historic or aesthetic significance."

- The North Parcel is secured by a 6-foot-high chain link fence that is topped with 3 strands of barbed wire. All gates within this fenced area are locked during non-operating hours and the landfill site has 24-hour surveillance through a remote camera system. The main entrance gate to Acme across the North Parcel is open during operating hours. The remaining gate at the site is closed and locked at all times, but is accessible and used by authorized personnel. There are no unattended public accesses.
- Post-closure activities are carefully regulated to assure against the potential for any additional environmental concerns. Pursuant to DTSC authority, any new discoveries at the Facility will trigger an examination and evaluation of this notice of exemption (NOE) relative to the statutory and regulatory requirements of the California Environmental Quality Act (CEQA). Any constituent release will trigger corrective action mechanisms such as a Corrective Action Consent Agreement or Unilateral Correction Action Order, as well as evaluation of this NOE for CEQA compliance.
- Control measures are in place for all environmental media as required by the following:
 - A Hazardous Waste Postclosure Permit Application, Technical Completeness Letter which was issued July 28, 2014
 - A CCCSD Wastewater Discharge Permit,
 - A Major Facility Review Permit issued by the BAAQMD on December 14, 2011,
 - A Waste Discharge Requirements Order No. 96-161 adopted by the RWQCB on January 10, 1997, with the amendments described in Order No. 01-042, Amendment of Waste Discharge Requirements Order No. 96-161 adopted by the RWQCB on April 18, 2001.

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