



April 12, 2024

Rachel Gillis, Supervisor
gillisra@saccounty.gov

Sacramento County Environmental Management Department
Environmental Compliance Division
11080 White Rock Rd Ste 200
Rancho Cordova, CA 95670

Subject: Final Evaluation Results of the Sacramento County, Environmental Compliance Division as Local Enforcement Agency (LEA) for Sacramento County

Dear Ms. Gillis:

The Department of Resources, Recycling and Recovery (CalRecycle) completed the evaluation of your agency as the certified solid waste LEA for Sacramento County. The April 3, 2024 exit interview provided an opportunity for the LEA to comment and provide additional facts allowing CalRecycle staff to modify the draft language. The attached Final Evaluation Results incorporates the information provided at the exit interview.

Evaluation staff appreciates the Sacramento County LEA's cooperation and enthusiasm during the evaluation process. We wish you continued success and support by your local governing body. CalRecycle staff looks forward to continuing our existing productive and collaborative relationship.

Please contact me at (916) 445-0545 / marykay.shafer@calrecycle.ca.gov or Diana Cozadd at (916) 341-6377 / diana.cozadd@calrecycle.ca.gov for further assistance or if there are any questions.

Sincerely,

A handwritten signature in blue ink that reads "Mary Kay Shafer". The signature is fluid and cursive, with a clear first and last name.

Mary Kay Shafer, Supervisor
LEA Evaluations Unit
Waste Evaluation and Enforcement Branch
Waste Permitting, Compliance and Mitigation Division

Attachment: Final Evaluation Results

cc: Jennea Monasterio, Director
MonasterioJ@saccounty.gov

James Van Buren, Program Manager I
VanBurenJ@saccounty.gov

Robert Duncan, Program Manager II
DuncanRob@saccounty.gov

California Department of Resources Recycling and Recovery

***LEA Evaluation Unit
Solid Waste Enforcement Section
1001 I Street, Sacramento, CA 95814***

**Sacramento County LEA Evaluation Results
April 3, 2024**

AUTHORITY

Statute requires the Department of Resources Recycling and Recovery (CalRecycle) to find a Local Enforcement Agency (LEA) *not* to be fulfilling its responsibilities, if CalRecycle, in conducting the LEA performance review makes *one* or more of the following findings [Public Resources Code (PRC) 43214 (d)]:

1. The local enforcement agency has failed to exercise due diligence in the inspection of solid waste facilities and disposal sites;
2. The local enforcement agency has intentionally misrepresented the results of inspections;
3. The local enforcement agency has failed to prepare, or cause to be prepared, permits, permit revisions, or closure and postclosure maintenance plans;
4. The local enforcement agency has approved permits, permit revisions, or closure and postclosure maintenance plans which are not consistent with Part 4 and Part 5 of the PRC;
5. The local enforcement agency has failed to take appropriate enforcement actions; and
6. The local enforcement agency has failed to comply with, or has taken actions that are inconsistent with, or unauthorized by statute or regulations.

ACTIVITY

CalRecycle evaluated the performance of the Sacramento County Environmental Compliance Division, as Local Enforcement Agency (LEA) for the Jurisdiction of Sacramento County. This evaluation assessed the LEA for effective implementation and enforcement of statutory and regulatory requirements at solid waste facilities/operations and disposal sites in the jurisdiction for the time period from the previous evaluation date of December 15, 2017 through January 31, 2023, and includes emerging or on-going issues identified during the current evaluation process.

EXECUTIVE SUMMARY

CalRecycle's evaluation of the LEA finds it is fulfilling responsibilities. The LEA diligently inspected sites and submitted most inspection reports within the required timeframe. The LEA issued four (4) Permits and received two (2) Enforcement Agency Notifications

(EAN), completed eleven (11) Permit Review Reports, and approved seventeen (17) Report of Facility Information (RFI) amendments. The LEA reviewed/approved fourteen (14) Closure and Postclosure Maintenance Plans and five (5) Non-water Corrective Actions (CA). The LEA issued three (3) enforcement orders and completed two (2) enforcement order. The LEA's designation and certification maintenance requirements are up-to-date. The Hearing Officer is current.

ANALYSIS

1. Diligence in Inspections (14 CCR 18083)

Inspection Frequencies per 18083(a)

a. Active

Review of CalRecycle's Solid Waste Information System (SWIS) database revealed that the LEA diligently inspected most active facilities/operations/sites pursuant to regulatory requirements; approximately 99% (867 of 868) of inspections were completed during this evaluation period. According to SWIS, the following inspection was missed:

Facility	SWIS Number	Inspection Frequency	Missing Inspection Report(s)
Sierra Waste Recycling & Transfer Station	34-AA-0214	Monthly	2018: December

b. Closed, Closing

Review of the SWIS database revealed that the LEA diligently inspected closed/closing facilities/operations/sites pursuant to regulatory requirements; 100% (384 of 384) of inspections were completed during this evaluation period.

c. Inactive

Review of the SWIS database revealed that there are no inactive sites in this jurisdiction.

Inspection Submittal Timeframes

Review of the SWIS database revealed that the LEA did submit inspection reports in a timely manner. Approximately 99% (1241 of 1250) of the inspection reports completed during the evaluation period were submitted to CalRecycle within the 30-days required by PRC 43218 and 14 CCR 18083.

2. Inspection Results

Evaluation staff did not find that the LEA intentionally misrepresented inspection results.

3. Permits and Closure Plans (14 CCR 18082)

Permit Processing Requirements (27 CCR 21650), and Relevant Title 14 Sections, Permit Review Reports (PRR) Completed:

- 1) **Application for a New, Revised or Modified Full Solid Waste Facility Permit (SWFP)** - Per 27 CCR 21650, the LEA shall accept or reject an application for a new, revised, or modified permit within 30 days of receipt of the application. The LEA may accept an incomplete package. Within 60 days of accepting the application package as complete/correct, the LEA shall submit a copy of the proposed permit to CalRecycle. Within 120 days of application acceptance, the LEA must issue or deny the permit.
- 2) **Permits for Closed or Closing sites** - Permits are required to be updated to reflect closure per 27 CCR 21870 for sites which initiated closure construction after February 25, 2003. No later than upon the approval of the certification of closure, the EA shall update the permit. The scheduled permit review is still required prior to and after a permit that reflects closure has been issued.
- 3) **Permit Reviews** - All full SWFPs shall be reviewed, and revised if necessary, from the date of the last issuance, at least once every five years. The application shall include proposed changes, updated amendments to the RFI, remaining site life and capacity, amended closure plan, and detailed written estimate to cover the cost of foreseeable corrective action activities. If there is a significant change at a site, a revision of the solid waste facility permit is required.

General Note: All Permit Revisions/Modifications applications submitted to CalRecycle must include a five-year permit review report completed within the last five years per 27 CCR 21640(a).

According to CalRecycle's database of active/inactive/closed/closing facilities/operations/sites for Sacramento County LEA, the jurisdiction includes the sites below.

The following table describes the regulatory status for all active sites:

Active - Permitted/EAN/Exempt

SWIS Number	Site/Facility Name	Regulatory Tier and Current Issue Date	PRR Completion Dates, Findings and Next PRR Due Date
Landfill (2)			
34-AA-0001	Sacramento County Landfill (Kiefer)	Revised Permit Issued 5/10/1999	PRR of 11/17/2023: No Significant Change; Next PRR Due: 11/17/2028

34-AA-0020	L and D Landfill [1]	Revised Permit Issued 7/1/2019	Next PRR Due: 8/27/2025
Transfer/Processing Facility (7) / Operation (3)			
34-AA-0002	North Area Transfer Station	Revised Permit Issued 11/17/2005	PRR of 9/15/2020: No Significant Change; Next PRR Due: 9/15/2025
34-AA-0021	South Area Transfer Station	Revised Permit Issued 11/6/1996	PRR of 8/16/2021: No Significant Change; Next PRR Due: 8/16/2026
34-AA-0033	Elder Creek Transfer and Recovery	Revised Permit Issued 5/7/2019	PRR of 1/6/2020; No Significant Change; Next PRR Due: 1/6/2025
34-AA-0195	Sacramento Recycling & Transfer Station	Revised Permit Issued 9/13/2006	PRR 6/18/2021: No Significant Change; Next PRR Due: 6/18/2026
34-AA-0214	Sierra Waste Recycling & Transfer Station	Modified Permit Issued 3/3/2022	Next PRR Due: 3/3/2027
34-AA-0221	Florin Perkins Public Disposal Site - T/P	Revised Permit Issued 5/30/2017	PRR of 6/12/2023; Significant Change; Next PRR Due: 6/12/2028
34-AA-0231	California Waste Recovery Systems MRF	Revised Permit Issued 10/23/2015	PRR of 6/14/2019; No Significant Change; Next PRR Due: 6/24/2024
34-AA-0225	Caltrans Maintenance (Rancho Cordova)	EAN Filed 4/5/2011	NA
34-AA-0226	Caltrans Maintenance (Sacramento)	EAN Filed 4/12/2011	NA
34-AA-0227	Caltrans Maintenance (Elk Grove)	EAN Filed 4/19/2011	NA
Composting Facility (2) / Operation (2)			
34-AA-0191	Waste Management Recycle America, LLC	New Permit Issued 10/7/2005	PRR of 9/1/2020: No Significant Change; Next PRR Due: 9/1/2025

34-AA-0203	Lopez Ag Service, Inc.	New Permit Issued 2/19/2006	PRR of 2/16/2021: No Significant Change; Next PRR Due: 2/11/2026
34-AA-0237	Recycling Industries	New Permit Issued 2/8/2023	Next PRR Due: 2/8/2028
34-AA-0219	Nilsen Farms Composting	EAN Filed 1/10/2005	NA
34-AA-0239	Silva Ranch Compost Operation	EAN Filed 7/26/2022	NA
34-AA-0238	Agromin Ag Composting Operation	EAN Filed 8/25/2021	NA

[1] L and D Landfill (34-AA-0020) - Landfill and a large volume transfer/processing facility

The following table describes the regulatory status for closed/closing landfills/ disposal facilities/sites which have a permit that reflects closure or requires the permit be updated to reflect closure per 27 CCR 21870(e) (mandatory if closure construction activities initiated after February 25, 2003):

Closed/Closing – Permitted

SWIS Number	Site/Facility Name	Regulatory Tier and Current Issue Date	PRR Completion Dates, Findings and Next PRR Due Date
Landfill (2)			
34-AA-0007	Dixon Pit Landfill	Updated Permit Issued 7/7/2007	PRR of 2/7/2019: No Significant Change; Next PRR Due: 2/7/2024 [1]
34-AA-0018	Sacramento City Landfill	Updated Permit Issued 1/30/2014	PRR of 1/24/2024: No Significant Change; Next PRR Due: 1/29/2029
34-AA-0029	Sacramento Regional Wastewater Treatment Plant, Grit and Screening Landfill	New Permit Issued 11/6/2020	Next PRR Due: 11/6/2025

[1] Dixon Pit Landfill (34-AA-0007): PRR received January 8, 2024, LEA requested 30-day extension for review on February 14, 2024 and CalRecycle approved; PRR due March 14, 2024.

Report of Facility Information (RFI) Amendment:

Per 27 CCR 21665 (c), the LEA may approve and file an RFI amendment without revising the SWFP if the proposed change is: 1) consistent with CEQA or is exempt from CEQA, 2) consistent with state minimum standards, and 3) does not conflict with the terms and conditions of the SWFP.

The LEA processed the following pursuant to 27 CCR 21665:

Sacramento County Landfill (Kiefer) (34-AA-0001) – The RFI Amendment application dated February 15, 2024 was to amend the Joint Technical Document to include: updates to the PCPCMP, updates to site maps, language to include SB 1383 standards, and other minor updates to language to reflect current operating standards. The RFI Amendment is under review by the LEA.

North Area Transfer Station (34-AA-0002) – The RFI Amendment application dated June 28, 2021 was to amend the Transfer Processing Report (TPR) to include: widening of site entrance lanes; a second facility exit; three additional on-site scales; associated changes to traffic flow and site maps; and minor language corrections. The RFI Amendment was approved, and the application was accepted by the LEA on July 6, 2021; and received by CalRecycle on July 6, 2021.

North Area Transfer Station (34-AA-0002) – The RFI Amendment application dated September 26, 2022 was to amend the TPR to include: construction and operation of a commercial waste building; a by-pass road south of the building; removal of a truck wash bay; and the addition of SB1383 regulatory sections. The RFI Amendment was approved, and the application was accepted by the LEA on October 25, 2022; and received by CalRecycle on October 26, 2022.

L and D Landfill (34-AA-0020) – The RFI Amendment application dated February 1, 2021 was to amend the Report of Disposal Site Information to address how the operator will comply with maintaining compliance with RWQCB requirement changes. The RFI Amendment was approved, and the application was accepted by the LEA on February 26, 2021; and received by CalRecycle on February 26, 2021.

Elder Creek Transfer and Recovery (34-AA-0033) – The RFI Amendment application dated June 8, 2018 was to amend the TPR to include: food and green waste operations in Section 3.1.5; revised site maps; and updated general manager and operations manager information in Appendices A, C, and E. The RFI Amendment was approved, and the application was accepted by the LEA on July 3, 2018; and received by CalRecycle on July 3, 2018.

Elder Creek Transfer and Recovery (34-AA-0033) – The RFI Amendment application dated July 7, 2020 was to amend the TPR to include installation of a compressed natural gas (CNG) fueling system. The RFI Amendment was approved, and the application was accepted by the LEA on August 6, 2020; and received by CalRecycle on August 7, 2020.

Elder Creek Transfer and Recovery (34-AA-0033) – The RFI Amendment application dated February 22, 2021 was to amend the TPR to include the installation of an indoor food waste depackager. The RFI Amendment was approved, and the application was accepted by the LEA on March 26, 2021; and received by CalRecycle on March 26, 2021.

Elder Creek Transfer and Recovery (34-AA-0033) – The RFI Amendment application dated March 28, 2022 was to amend the TPR to include: installation of a canopy at the new tipping area for source separated organic green container waste. The RFI Amendment was approved, and the application was accepted by the LEA on April 29, 2022; and received by CalRecycle on May 2, 2022.

Elder Creek Transfer and Recovery (34-AA-0033) – The RFI Amendment application dated September 30, 2022 was to amend the TPR to include: installation of a canopy outside on the southeast side of the building; installation of a mechanical sort line, two automated fire suppression system, and a large stormwater retention pond; minor updates to the emergency contact and equipment inventory lists; and changes to the facility site map. The RFI Amendment was approved, and the application was accepted by the LEA on October 27, 2022; and received by CalRecycle on November 3, 2022.

Waste Management Recycle America (34-AA-0191) – The RFI Amendment application dated September 11, 2020 was to amend the TPR to include: updates to owner and management information; updates to the Fire Prevention and Protection Program; and expanded descriptions to reflect current facility site conditions and recyclable material storage. The RFI Amendment was approved, and the application was accepted by the LEA on October 9, 2020; and received by CalRecycle on October 9, 2020.

Sacramento Recycling & Transfer Station (34-AA-0195) – The RFI Amendment application dated December 31, 2019 was to amend the TPR to include: revision to the food waste recovery, processing and diversion language; and minor changes to Figure 6. Management Organizational chart. The RFI Amendment was approved, and the application was accepted by the LEA on January 27, 2020; and received by CalRecycle on January 28, 2020.

Sacramento Recycling & Transfer Station (34-AA-0195) – The RFI Amendment application dated July 7, 2021 was to amend the TPR to include updates to the site map, onsite vehicle equipment list, facility personnel, and the Non-Disposal Facility Element in Appendix F. The RFI Amendment was approved, and the application was accepted by the LEA on August 3, 2021; and received by CalRecycle on August 3, 2021.

Sacramento Recycling & Transfer Station (34-AA-0195) – The RFI Amendment application dated September 2, 2021 was to amend the TPR to include: three fire suppression system and updated site map. The RFI Amendment was approved, and the application was accepted by the LEA on September 29, 2021; and received by CalRecycle on September 29, 2021.

Sacramento Recycling & Transfer Station (34-AA-0195) – The RFI Amendment application dated October 25, 2022 was to amend the TPF to include: design modification of the MRF; inclusion of a third baler and compliance SB 1383 language; replacement of MRF equipment; and update site map, emergency contacts list and management organizational chart. The RFI Amendment was approved, and the application was accepted by the LEA on November 9, 2022; and received by CalRecycle on November 9, 2022.

Lopez Ag Service, Inc (34-AA-0203) – The RFI Amendment application dated April 5, 2021 was to amend the Report of Composting Site Information to update: contact facility information, equipment inventory, existing figures, green waste process timelines, soil blending and composting procedures; and include the modular building near the scale house, and the RWQCB-required a stormwater retention pond on the site map. The RFI Amendment was approved, and the application was accepted by the LEA on May 6, 2021; and received by CalRecycle on May 7, 2021.

Sierra Waste Recycling & Transfer Station (34-AA-0214) – The RFI Amendment application dated November 24, 2020 was to amend the TPR to include: a third scale; updates to management information and facility personnel onsite during operation; maximum number of daily incoming vehicles; and removal of mulch processing and storage information from operations. The RFI Amendment was approved, and the application was accepted by the LEA on December 22, 2020; and received by CalRecycle on December 22, 2020.

California Waste Recovery Systems MRF (34-AA-0231) – The RFI Amendment application dated February 18, 2021 was to amend the TPR to include: new fire suppression system; reconfiguration of office space; and update the facility site maps and figures to reflect changes. The RFI Amendment was approved, and the application was accepted by the LEA on May 6, 2021; and received by CalRecycle on May 7, 2021.

Closure and Postclosure Maintenance Plan Review and Approvals:

At the time of the next permit review report and as required under 27 CCR 21640(b)(4), an amended closure and postclosure maintenance plan (Updated Plans) or a statement to the effect that amendments are not necessary, certified by a registered civil engineer or certified engineering geologist, shall be included in the permit review process as required under 27 CCR 21865(a). In addition, closure and postclosure maintenance plans shall be amended to include all updates and any changes in the regulations; such as: 1) February 2008 - Update of cost estimates as required under 27 CCR 21780 (a) (2); 2) February 2009 - the approved Landfill Gas Monitoring and Control Plan as required under 27 CCR 20921; 3) July 2010 - water/non water release corrective action cost estimates (CA) as required under 27 CCR 22101 and 22103.

Facility/ SWIS Number	Type of Plan	LEA Status/Approval Date (Approval Document Required)	RWQCB Status/Approval Date	CalRecycle Status/Approval Date
Sacramento County Landfill (Kiefer) (34-AA-0001)	Preliminary Closure Postclosure Maintenance Plans (PCPMP)	Approved: 5/22/2019	Approved: 4/1/2020	Approved: 3/22/2022
	Partial Final Closure Plans	Approved: 2/3/2022	Approved: 6/1/2022	Approved: 6/7/2022
	Partial Final Closure Plans	Approved: 6/7/2022	Approved: 6/6/2022	Approved: 6/7/2022
	PCPMP Due: 6/18/2023; Received: 6/22/2023	Under Review	No Documentation on File	Comments: 11/17/2023
	Non-water CA Plan	Approved: 5/22/2019	Approved: 8/27/2019	Approved: 9/10/2019
	Non-Water CA Plan Due: 6/18/2023; Received: 6/22/2023	Under Review	No Documentation on File	Under Review
	Next Updated Plans and Non-water CA Due: 6/20/2028			
Aerojet Rocketdyne Inc. (34-AA-0006)	PCPMP	Approved: 6/22/2020	Approved: 3/16/2022	Approved: 3/18/2022
	Clean Closure	Approved: 12/28/2021	Approved: 1/23/2022	Approved: 1/4/2022
	Next Updated Plan Due: 12/1/2024			
Dixon Pit Landfill (34-AA-0007)	PCPMP	Approved: 2/20/2019	Approved: 2/20/2019	Approved: 2/20/2019
	PCPMP	Approved: 4/12/2022	Approved: 4/26/2022	Technical Adequacy: 4/26/2022

Dixon Pit Landfill (34-AA-0007) Continued	PCPMP Due: 9/11/2023 Received: 12/22/2023 [1]	Under Review	Under Review	Under Review
	Non-water CA Plan	Approved: 4/16/2019	Approved: 4/11/2019	Approved: 4/16/2019
	Non-water CA Due: 9/11/2023; Received: 12/22/2023 [1]	Under Review	Under Review	Under Review
	Next Updated Plans and Non-water CA Due: 10/14/2028			
Sacramento City Landfill (34-AA-0018)	PCMP	Approved 12/27/2018	Approved: 11/9/2018	Approved: 12/27/2018
	PCPMP Due: 9/1/2023; Received: 9/8/2023	1/29/2024	No Documentation on File	Comment: 1/4/2024
	Non-water CA Plan	Approved 11/2/2018	Approved: 10/23/2018	Approved: 11/26/2018
	Non-Water CA Plan Due:9/1/2023; Received: 9/8/2023	Approved: 1/4/2024	No Documentation on File	Technical Adequacy: 1/4/2024
	Next Updated Plans and Non-water CA Due: 9/1/2028			
L and D Landfill (34-AA-0020)	PCPMP	Approved: 3/3/2021	Approved: 3/3/2021	Approved: 9/7/2021
	Partial Final Closure Plans	Approved: 3/3/2021	Approved: 3/17/2023	Technical Adequacy: 3/3/2021
	Partial Final Closure Plans	Approved: 7/1/2019	Approved: 7/9/2019	Approved: 6/17/2019

L and D Landfill (34-AA-0020) <i>Continued</i>	Non-water CA Plan	Approved: 8/27/2020	Approved: 6/10/2020	Approved: 11/3/2021
	Next Updated Plans and Non-water CA Due: 11/27/2024			
Sacramento Regional Wastewater Treatment Plant (34-AA-0029)	PCMP	Approved: 11/6/2020	Approved: 4/22/2021	Approved: 4/29/2021
	Clean Closure	Approved: 1/19/2022	Approved: 1/3/2022	Approved: 1/19/2022
	Non-water CA Plan	Approved: 11/6/2020	Approved: 9/8/2020	Approved: 3/12/2020
	Next Updated Plans and Non-water CA Due: 3/27/2025			

[1] Dixon Pit Landfill (34-AA-0007) - LEA extension request approved by ESB on November 27, 2023, due January 26, 2024; received January 29, 2024.

California Environmental Quality Act (CEQA) Participation:

The LEA did not participate in any CEQA reviews during this evaluation period.

4. Approval of Inconsistent Permits/Closure Plans

CalRecycle Evaluation staff did not identify any inconsistent approvals of permits or closure plans.

5. Enforcement (14 CCR 18084)

During this evaluation period, enforcement was implemented for the following:

L and D Landfill (34-AA-0020), (Permitted, Active, Monthly) – On October 24, 2018, methane was detected at 13% by volume in air at perimeter monitoring well M and a violation for 27 CCR 20921 Gas Monitoring and Control was cited. Violations continued to be cited on November 8 and 20, and December 21, 2018 and continued on January 22, February 27, March 4, March 14, April 16, 2019. The LEA issued the Stipulated Notice and Order (N&O) on May 14, 2019 with a compliance date of October 31, 2019. On July 3, 2019, the LEA amended Stipulated N&O to include the revised landfill gas plan which was approved by the LEA. Compliance was achieved on August 30, 2019.

CalRecycle commends the LEA on their success at achieving compliance at this site.

Elder Creek Transfer and Recovery (34-AA-0033), (Active, Permitted, Monthly) – The LEA cited Vs for 14 CCR 17410.1 Solid Waste Removal due to the operator failure to remove green or municipal solid waste within the required 48-hour timeframe on February 24 and August 2, 2017; May 9 and September 24, 2018; and July 23, October 21, and November 23, 2020. On January 29, 2021, the LEA issued a Notice and Order with a compliance date of January 29, 2022. Violations continued to be cited for 14 CCR 17410.1 Solid Waste Removal on May 25, June 23, and December 29, 2021. On February 23, 2022, the LEA amended the N&O. Per the April 22, 2022 inspection report, the operator has submitted the 2022 1st Quarter Self-Monitoring Report on April 30, 2022, and upon LEAs review of the municipal solid waste and green waste tonnage records, the operator met the 48-hour removal requirement.

CalRecycle commends the LEA on their success at achieving compliance at this site

Incline Clean Energy, LLC (34-AA-0235), (Surrendered, Inactive, None) – This site was formerly known as CleanWorld SATS Biodigester, LLC (CleanWorld) (34-AA-0232). CleanWorld operated a Medium Volume In-Vessel Digestion Facility. The facility is located on the South Area Transfer Station (34-AA-0021) that is owned by the County of Sacramento Department of Waste Management and Recycling (DWMR).

An N&O was issued to CleanWorld on March 9, 2017 for consecutive violations of PRC 44004 Significant Change: exceeded permitted hours; 14 CCR 17896.19 Biogas Control; 14 CCR 17896.20 Cleaning; 14 CCR 17896.21 Drainage and Spill Control; 14 CCR 17896.24 Litter Control; 14 CCR 17896.26 Maintenance Program; 14 CCR 17896.31 Odor Minimization Plan; 14 CCR 17896.32 Odor and Nuisance Control; 14 CCR 17896.42 Supervision and Personnel; 14 CCR 17896.44 Vector, Bird and Animal Control; 14 CCR 17896.45 Record Keeping Requirements; 14 CCR 17896.48 Equipment; 14 CCR 17896.50 Housekeeping; 14 CCR 17896.51 Lighting; 14 CCR 17896.57 Digestant and Handling. The N&O was reissued and served by email on March 14, 2017. An extension was requested for item 6.7 of the 14 CCR 17896.26 Maintenance Program and approved on March 30, 2017. An extension was requested for items 6.4 and 6.5 of the 14 CCR 17896.26 Maintenance Program, items 8.1 and 8.2 of the 14 CCR 17896.32 Odor and Nuisance Control, and item 15.1 of the of 14 CCR 17896.51 Lighting, approved on April 25, 2017. CleanWorld gained compliance on these items. On July 18, 2017, CleanWorld SATS requested and received a compliance date extension till January 18, 2018 for item 16 of the 14 CCR 17896.26 Digestate Handling.

On October 26, 2017, a meeting was held with CleanWorld, California Department of Food and Agriculture (CDFA), CalRecycle, Sacramento Air Quality Management District, and Sacramento County Environmental Management Department (EMD) to discuss the status of a CDFA pending license application that would exclude the facility of a solid waste facility permit (SWFP). During this meeting, CleanWorld referred to their business as Incline Clean Energy, LLC. On February 9, 2018, the operator submitted a new SWFP application under the new business name. On

March 2, 2018 a new SWFP permit was issued to Incline Clean Energy, LLC (Incline) (34-AA-0235).

On March 8, 2018 the LEA issued a Stipulated N&O for consecutive violations for 14 CCR 17896.19 Biogas Control and 14 CCR 17896.57 Digestant and Handling with a compliance date of May 15, 2019. On July 16, 2018, Incline requested an extension, on July 19, 2018 and the LEA approved the revised June 1, 2019 compliance date.

The June 20, 2019 inspection report documented that the operator did not comply with the March 8, 2019 Stipulated Notice and Order and that the LEA had not received a request to extend the compliance due date. On August 11, 2019, the LEA issued a Penalty Order and imposed administrative civil penalty.

Per the January 22, 2020 inspection report, Sacramento County Department of Waste Management and Recycling (DWMR) terminated the lease, took possession of the site, and assumed responsibility for site restoration.

On January 27, 2020 DWMR submitted the South Area Transfer Station / Incline Clean Energy Digestate Mitigation & Demolition Schedule to replace the December 24, 2019 Schedule for digestant removal by August 11, 2021 and facility demolition by September 8, 2021.

On February 2, 2020, the LEA voided the permit.

On March 12, 2020 the LEA issued a Stipulated N&O requiring DSWR to provide an evaluation of the site prepared by a qualified expert with in-vessel digester experience to characterize the in-tank digestate, final removal, and use/disposal of the digestate; and evaluate the condition of the facility and the tanks for continued storage. In addition DWMR was to comply with tasks 1-13 of the January 27, 2020 by October 6, 2021. The site evaluation report was received on April 27, 2020.

On May 18, 2021, DSWR submitted a pilot remediation workplan for removal of digestant from tank #2 (one of six tanks) with a written request to extend the March 2020 N&O compliance date to fall of 2022. On June 16, 2021, the LEA amended the N&O to extend the compliance date to October 6, 2022.

On July 8, 2022, DSWR requested to extend the October 6, 2022 compliance date to October 1, 2024, due to the quadrupled the remediation costs for the amount of water required to return the solid digestant to a liquid state, and therefore increasing the volume of the processing and disposal of contents of the pilot project of tank #2. Based on the cost of initial tank and five remaining, DSWR required solicitation of competitive bids for the entire remediation project. On August 31, 2022, the LEA approved the compliance due date of October 1, 2024.

Per the January 25, 2024 Inspection Report Comment: During the June 22, 2023 inspection report, an environmental/industrial hazardous waste disposal company began

dismantling piping to the biodigester system. Per the November 16, 2023 LEA inspection, all above ground piping was removed from the tank farm area. According to the Site Operations Manager, digestate removal is scheduled for early 2024. The operator is in the process of submitting a new workplan to the LEA for the removal of digestate and tanks from the site.

The LEA shall continue to work with the owner to achieve compliance and continue to document status on monthly inspection reports.

The following sites have an operation status of Closed, Illegal & Abandoned (CIA) and dates back to the previous evaluation:

Gerber Road Landfill (34-AA-0023)(Pre-Regulation, Closed, Semi-annual) —

Dating back to the prior evaluation, the LEA consecutively cited Area of Concerns (AOCs) from June 24 2015 to October 31, 2017 for 27 CCR 20650 Grading of Fill Surfaces and 27 CCR 20820 Drainage and Erosion Control. During this evaluation, the LEA continues to consecutively cite AOCs for the same regulations from May 4, 2018 to May 17, 2023. On October 31, 2017, the LEA began to cite AOCs for 27 CCR 20934 Reporting (Landfill Gas) and continues to consecutively cite AOCs to October 18, 2023.

Gerber Road Landfill (34-AA-0023)(Pre-Regulation, Closed, Semi-annual) Consecutive AOC			
Regulation/ PRC Cited	Date	AOC/ V	LEA Inspection Comments/ CalRecycle Comments
27 CCR 20820 Drainage and Erosion Control	5/14/2018 through 5/17/2023	AOC	As noted in previous inspection reports, due to bowl-like contours and a lack of grading and cover, the area is prone to drainage problems. Significant re-grading is needed promote runoff and prevent erosion when soil becomes available.
27 CCR 20934 Reporting	5/14/2018 through 10/7/2020	AOC	Gas monitoring reports were provided late to LEA; gas monitoring reports are due within 30 days of the reporting period end date.
	5/13/2021 10/21/2021	AOC	First three quarterly 2021 gas monitoring reports not received. <i>Inspection Report Comment Section:</i> LFG monitoring reports was submitted, all readings from landfill gas perimeter probes were 0.0% methane per volume of air. In waste LFG wells (LF 1 & 2) measured between 8-10% methane.

	<p>5/7/2022 11/16/2022</p>	<p>AOC</p>	<p>First three quarterly 2022 LFG monitoring report not received. Last quarter submitted, all readings from LFG perimeter probes were 0.0% methane per volume of air. In waste LFG wells (LF 1 & 2) measured between 8-10% methane.</p>
	<p>5/17/2023 10/18/2023</p>		<p>First three quarterly 2022 and all of the 2023 LFG monitoring reports have not been received; gas monitoring reports are due within 30 days of the reporting period end date.</p>
<p>27 CCR 20650 Grading of Fill Surfaces</p>	<p>5/14/2018 11/15/2018</p>	<p>AOC</p>	<p>Grading not completed; delayed due to limited soil availability. The LEA, based on CalRecycle staff guidance, has allowed additional time for the operator to acquire soil to complete grading.</p> <p><i>5/14/2018 Inspection Report Comment Section:</i> Owner is seeking soil from construction and other projects for capping the site. No additional soil has been received since before the previous inspection, which was spread to a depth of about 1 foot and covered approximately 50% of the top deck area with the short-term goal to increase the top deck grade for shedding water to the north end of site.</p> <p><i>11/15/2018 Inspection Report Comment Section:</i> The operator was spreading cover soil over the south-central portion of the waste management unit near well LF2 during the inspection. According to the operator, approximately 3,000 of 5,000 cubic yards (CY) of soil were received from a county project. Loads were being delivered at the time of the inspection. The operator stated an additional 300,000 CY of soil to complete the LF cover is expected from another county project by June 2019 and will be stockpiled on the Waste Management Unit (WMU) top deck until the soil can be spread.</p>
	<p>5/29/2019 10/15/2019</p>	<p>AOC</p>	<p>Same AOC comment as 5/14/2018 inspection report</p> <p><i>Inspection Report Comment Section:</i> Operator continues to accept soil loads which some loads require screening to remove debris. A workplan for the projected 300,000 CY of soil storage (see 11/15/2028 inspection report comment) must be submitted for LEA review and approval prior to acceptance of the soil.</p> <p><i>10/15/2019 Inspection Report Comment Section:</i> Stockpiles of soil and inert debris were noted at the base of WMU near the entrance and elsewhere. The operator has previously stated that he continues to accept soil for closure as it becomes available.</p>

	5/19/2020	AOC	<p>Same AOC comment as 5/14/2018 inspection report</p> <p><i>5/19/2020 Inspection Report Comment Section:</i> The operator, via the LEA staff, has requested CalRecycle Clean-up Program’s assistance for completing closure of the site.</p> <p><i>10/7/2020 Inspection Report Comment Section:</i> During an onsite pre-inspection meeting with the operator, CalRecycle’s CIA and Cleanup Program staff discussed possible financial assistance for cap completion or cell consolidation. CalRecycle staff to confer with their management.</p>
	5/13/2021 10/21/2021	AOC	<p>Same AOC comment as 5/14/2018 inspection report</p> <p><i>5/13/2021 Inspection Report Comment Section:</i> Since the last inspection, the operator estimated 2,500 CY of soil received. LEA reiterated 10/7/2020 discussion of CalRecycle potentially providing financial assistance for capping or cell consolidation of the site.</p> <p><i>10/21/2021 Inspection Report Comment Section:</i> LEA noted piles of soil stored on the landfill cap and several loaded semi-trailers on the landfill cap near the landfill entrance gate. LEA instructed to monitor for ruts or depressions caused by the trailers to prevent covered waste from being exposed or the ponding of stormwater on the landfill cap.</p> <p>An estimated approximately 1,000 CY of soil has been received since last inspection.</p> <p>LEA reiterated 10/7/2020 discussion of CalRecycle potentially providing financial assistance for capping or cell consolidation of the site.</p>
	5/7/2022 11/16/2022 5/17/2023	AOC	<p>Same AOC comment as 5/14/2018 inspection report</p> <p><i>5/7/2022, 11/16/2022 and 5/17/2023 Inspection Reports Comment Section:</i> Similar to 10/21/2021’s with the except of 1,500 CY of soil has been received since 10/21/2021 on the 5/17/2022 report.</p>
	10/18/2023	AOC	<p>Grading has not been completed; delays continue due to soil availability. As noted in previous inspection reports, the LEA in consultation with CalRecycle CIA staff has been allowing additional time for the owner to identify and acquire soil to complete the cap and grading of the site. Since the last inspection, an additional 2,500 CY of soil had been received and an additional 1,000 CY of soil secured to be delivery in the next 3 weeks. Per the owner, two dozers were scheduled to grade prior to the start of the rainy season.</p>

The LEA shall continue to work with the owner to achieve compliance and continue to document status on semi-annual inspection reports.

Waring’s Dump (34-CR-5017)(Pre-Regulation, Closed, Annual) – In the prior evaluation, details were provided for an LEA N&O issued January 28, 2005 relating to compliance/enforcement issues which included ongoing violations of 27 CCR 20530 Site Security, 27 CCR 20650 Grading of Fill Surfaces, 27 CCR 20750 Site Maintenance, and 27 CCR 21110(c) Time Frame for Closure. After years of legal efforts by the LEA Program to gain site access, CalRecycle’s Cleanup Program was able to perform site remediation on May 27, 2017 by means of soil cover/cap and drainage improvements. The remediation was completed June 23, 2014.

During the current evaluation timeframe, Evaluation Unit staff noted that two (2) citations related to the prior evaluation’s enforcement order continue to be cited as AOCs:

- Site Security 27 CCR 20530: April 26, 2018, April 24, 2019, April 24, 2020, April 6, 2021, April 5, 2022, and April 18, 2023; and
- Site Maintenance 27 CCR 20750 on April 26, 2018, April 24, 2020, April 6, 2021, April 5, 2022, and April 18, 2023.

The LEA shall continue to document status on annual inspection reports, and pursue enforcement if necessary pursuant to PRC, regulations and the EPP.

The following sites have an operation status of permitted; enforcement orders were not issued to these sites:

Recycling Industries (34-AA-0237) (Permitted, Active, Monthly) – This site was initially permitted as a medium volume transfer site limited to 100 tons per day (TPD). From September 24, 2019 to February 8, 2022, the LEA cited violations (V) for PRC 44014(b) Operator Complies with Terms & Conditions.

Recycling Industries (34-AA-0237) (Permitted, Active, Monthly) Consecutive Violations			
Regulation/ PRC Cited	Date	AOC/ V	LEA Inspection Comments/ CalRecycle Comments
PRC 44014(b)	9/24/2019	V	<p>The facility continued to periodically exceed the 100 TPD limit. Sacramento County single stream recyclables loads are concentrated on Mondays and Tuesdays rather than evenly distributed throughout the week which caused periodic overages.</p> <p>The LEA determined that the operator was to apply for a full solid waste facility permit. Violation citations were to be continued as long as the operator exceeds 100 TPD, but the LEA would not pursue enforcement so long as</p>

			<p>the operator actively worked to obtain a full solid waste permit.</p> <p>The operator was required to provide copies of the use permit application and related documents, and copy the LEA on all correspondences with the Planning Department.</p>
	10/17/2019 through 11/5/2019	V	<p>Similar violation comments as above but with the additional following language.</p> <p>The LEA was copied on the operator's application which was submitted to Planning on October 2, 2019. The operator also provided monthly updates on the use permit application process.</p>
	12/10/2019 through 4/16/2020	V	<p>Similar violation comments as above but with the additional following language.</p> <p>The Lead Agency's CEQA document for this project should be prepared so that it is sufficient for both the use permit and full SWFP.</p>
	5/15/2020 through 7/30/2020	V	<p>Similar violation comments as above but with the additional following language.</p> <p>On May 7, 2020, the operator's Conditional Use Permit application was deemed complete and Sacramento County Planning and Environmental Review (PER) distributed the application to applicable county agencies for review. The LEA provided comments were incorporated with the Sacramento County Environmental Management Department's (EMD) on May 14, 2020.</p>
	10/20/2020, 2/25/2021	V	<p>A medium volume transfer station is limited to 100 TPD, but according to records provided by the operator, the facility continued to periodically exceed the 100 TPD limit. The LEA previously notified the operator to apply for a full solid waste facility permit (SWFP) as a large volume transfer station. In consultation with CalRecycle, the LEA continued to issue violations for exceedance of 100 TPD limit, however would not pursue enforcement as long as the operator actively works on obtaining a full SWFP.</p>
	3/4/2021 through 8/11/2021	V	<p>Similar violation comments as above but with the additional following language.</p> <p>Sacramento County PER in the process of California Environmental Quality Act (CEQA) review.</p>

	9/27/2021, 10/26/2021	V	Similar violation comments as above but with the additional following language. On September 14, 2021, LEA requested draft copy of the CEQA document for review prior to the formal public review and comment period.
	12/7/2021	V	Similar violation comments as above but with the additional following language. The LEA had concerns with the facility increasing volumes of inbound material while continuing to exceed permitted limits. LEA staff intended to monitor tonnage closely and reconsider the agreement to not conduct enforcement if the number of violations increase.
	1/10/2022	V	Similar violation comments as above but with the additional following language. No additional collection contracts have been finalized as of this inspection.
	2/8/2022	V	Similar violation comments as above but with the additional following language. On February 3, 2022 an anonymous complaint report was received by EMD regarding ongoing permit violations of the 100 ton per day limit. As discussed with the operator during the inspection, due to the operator's acceptance of additional tonnage despite periodic violations and delayed progress towards applying for the full SWFP, EMD has determined that effective February 9, 2022, any further violations of the existing Registration Tier Permit and applicable State Minimum Standards would result in enforcement action, including possible penalties. Also, commencing February 11, 2022, the operator was required to send tonnage reports to EMD on a weekly basis.
	3/9/2022	--	Based upon tonnage records provided weekly by the operator, there have been no new violations.

In agreement with CalRecycle Permitting and Assistance Branch, the LEA cited violations (V) for PRC 44014(b) Operator Complies with Terms & Conditions for tonnage exceedance while the operator went through the CEQA process to apply for a large volume permit. After the LEA received an anonymous complaint on February 3, 2022 regarding the ongoing permit violations, the operator was informed further tonnage exceedance would result in an enforcement order. The operator complied and enforcement was not pursued. The full permit was issued March 8, 2023.

Dixon Pit Landfill (34-AA-0007) (Permitted, Closed, Quarterly) – On August 6, 2021, the LEA Program became aware that solid waste extended beyond the eastern landfill boundary of Dixon Pit Landfill. Site investigation work was conducted to characterize the nature and extent of waste on the property, and to assess the presence of LFG. Remedial investigations and activities are summarized within the following documents:

- East Side Waste Determination Work Plan (September 24, 2021)
- Preliminary Geophysical Survey Results of the Eastern Limits of Waste Investigation (December 30, 2021)
- Eastern Waste Limits Investigation Report (February 1, 2022)
- Waste Limits Investigation Report (September 13, 2023)

During the remedial investigation process, the LEA cited consecutive AOCs for the following regulations as indicated:

- 27 CCR 21865 Amendment of Closure and Post-Closure Maintenance Plan (C/PCMP) from September 8, 2021 to September 20, 2023 as the existing C/PCMP does not accurately reflect the location of waste and needed to be updated to address this issue, including any changes to the cap, landfill boundary/site map, gas monitoring network, ownership, and site maintenance.
- 27 CCR 21180 Post-Closure Maintenance from December 28, 2021 to September 20, 2023 for seasonal stormwater ponding in the north and east side drainage ditches surrounding the landfill cap. The areas have been graded various times to correct differential settling and to provide proper run-off control; however, surface elevation in areas that continue to flood need additional grading to adequately facilitate proper drainage.
- 27 CCR 20925 Perimeter Monitoring Network from May 17, 2022 to September 20, 2023 as a result of the February 1, 2022 Eastern Waste Limits Investigation Report. LFG perimeter monitoring probe P10 located in the middle of the east property line was installed in waste, therefore compromised and not accurately provided whether landfill gas is in excess of 5% methane and/or if gas is migrating onto the adjacent parcel.

The September 13, 2023 Waste Limits Investigation Report confirmed an estimated 50,000 cubic yards of municipal solid waste and construction/demolition debris extends from the Dixon Pit Landfill onto the property east of the landfill affecting approximately 5-acres.

The LEA is requiring that owner/operator to submit a preliminary plan by March 20, 2024 for review and remediation approval of the waste that extends onto the east adjacent property. Remediation options may include, but are not limited to, permitted clean closure and properly disposing of the waste at a permitted active landfill; work with the adjacent property site owner to reconsolidate the waste back onto the Dixon Pit Landfill or negotiate purchase of the property with waste to correctly reflect the Dixon Pit Landfill footprint; and reestablishing the landfill's gas monitoring network and other landfill infrastructure east of the waste.

CalRecycle recommends that the LEA Program continue to work with the Engineering Support Branch staff.

The following CIA sites have long-term AOC citations:

This evaluation notes concerns about the following CIA sites compliance status. The LEA is citing AOCs; however, no further formal enforcement is being pursued except for one joint remediation project for Cannon (34-CR-5001) and Scollan (34-CR-5005).

Dellar Landfill (34-AA-0182)(Pre-Regulation, Closed, Semi-annual) – In a letter dated August 3, 2016, the LEA notified the owner that the property had been identified as a disposal site subject to LEA regulation and inspection. In a letter dated October 6, 2016, the LEA informed the owner of post-closure land use requirements. At the beginning of the evaluation cycle, the LEA was citing AOCs for Site Maintenance 27 CCR 20750, Site Security 27 CCR 20530 and Site Security at Closed Site 27 CCR 21135. Site Maintenance was completed by September 29, 2022; however, consecutive AOC citations continue for Site Security due to ongoing fence holes allowing unauthorized site access. The operator is responsive to addressing fence repairs and is working with the City to address the ongoing issue.

CalRecycle recommends that the LEA Program continue to work with the Closed Illegal and Abandoned Unit.

The LEA should appropriately cite 27 CCR 20530 for Site Security when addressing fencing. From December 7, 2017 to January 17, 2020, the LEA staff combined site conditions and fencing issues under 27 CCR 20750 Site Maintenance; the issues should have been cited separately.

Pursuant to 27 CCR 20530 Site Security, “The site shall be designed to discourage unauthorized access by persons and vehicles by using a perimeter barrier or topographic constraints.”

SMUD N. City Substation (34-CR-0005)(Unpermitted, Closed, Quarterly) – The LEA has cited consecutive AOCs for Final Cover 27 CCR 21140 from March 7, 2018 to September 14, 2023.

SMUD N. City Substation (34-CR-0005)(Unpermitted, Closed, Quarterly) Consecutive AOC			
Regulation/ PRC Cited	Date	AOC/ V	LEA Inspection Comments/ CalRecycle Comments
27 CCR 21140 Final Cover	3/7/2018 through 9/12/2018	AOC	There is no cap over the waste. The cap must be addressed in the C/PCMP to be submitted later. In the meanwhile, the Interim Action Plan (IAP) addresses State Minimum Standards relating to public health and safety.

	12/3/2018 through 2/7/2022	AOC	<p>Similar comments as the 3/7/2018 through 9/12/2018 inspection reports with the additional following language.</p> <p>Prior to submitting the FC/PCMP, decommissioned and removal of the old substation, and the construction and energizing the new Substation E must be completed.</p> <p><i>3/22/2021 Inspection Report Comment:</i> On January 15, 2021, the LEA program received a final draft Disposal Site Remediation Work Plan (DSRWP) for review. The LEA provided comments on February 1, 2021.</p> <p>On January 25, 2021, LEA staff received the operator’s Notice of Availability/Intent to Adopt the Mitigated Negative Declaration (MND). The LEA Program reviewed and provided comments on February 10, 2021.</p> <p><i>6/17/2021 Inspection Report Comment:</i> The owner’s Board of Directors unanimously voted on May 20, 2021, to adopt the Initial Study and Mitigated Negative Declaration (IS/MND).</p> <p><i>11/8/2021 Inspection Report Comment:</i> On-site substation has been removed and the DSRWP was out for bid with a contractor selection due by late 2021.</p> <p><i>2/7/2022 Inspection Report Comment:</i> The DSRWP contractor intends to begin the project in April 2022.</p>
	5/11/2022	AOC	<p>Similar comments as the 3/7/2018 through 2/7/2022 inspection reports with the additional following language.</p> <p>Final cover construction activities started in early May with completion expected by September 2022.</p>
	11/1/2022	None	<p><i>11/1/2022 Inspection Report Comment:</i> Final cover construction activities completed September 2022; completion report is expected by the end of December 2022.</p> <p>The AOCs for grading of fill surfaces, final cover, and drainage and erosion control noted in the previous inspection reports were addressed. Several areas of settlement during the final cover walk through were noted.</p>
	2/2/2023	AOC	<p>The final cover shall function with minimum maintenance and provide waste containment to protect public health and safety by controlling at a minimum vectors, fire, odor, litter and landfill gas migration. The final cover shall also be compatible with post <u>closure</u> land use.</p> <p><i>2/2/2023 Inspection Report Comment similar to 11/1/2022 Inspection Report Comments</i></p>

	5/16/2023		<p>Similiar AOC comments as 2/2/2023 inspection report with the following language.</p> <p>Settlement work is scheduled for later this month.</p> <p><i>5/16/2023 Inspection Report Comment similar to 11/1/2022 with the following language:</i> The AOC for grading of fill surfaces, final cover, and drainage and erosion control noted in the previous inspection reports have been addressed for all areas except settlement below transmission towers that is scheduled for repair later this month.</p> <p>The final cover transition from United Pacific Railroad property possibly not graded as indicated in the original plan and may not allow surface storm water to flow as needed to ensure there are no ponding issues.</p>
	9/14/2023	None	

CalRecycle commends the LEA Program for efforts to gain compliance at this site; full compliance will be achieved when the FC/PCMP and Construction Quality Assurance Report is submitted by the operator and the LEA Program approves. Should ponding reoccur during seasonal storms, the LEA is expected to reinstate citations for 27 CCR 21140 Final Cover to aid in gaining final compliance.

Cannon (34-CR-5001)(Pre-Regulation, Closed, Quarterly) and Scollan (34-CR-5005)(Pre-Regulation, Closed, Quarterly) – The Cannon and Scollan properties in addition to several adjacent parcels comprise a 6+ acre disposal area has been procured by the City of Sacramento. Both sites’ conditions require capping in order to provide proper drainage. The LEA has cited consecutive Areas of Concern (AOCs) for the following regulations at both sites as follows:

- 27 CCR 20650 Grading of Fill Surfaces from December 15, 2017 to March 16, 2023; 22 consecutive AOCs
- 27 CCR 21140 Final Cover from December 15, 2017 to March 16, 2023; 22 consecutive AOCs
- 27 CCR 21150 Drainage and Erosion Control from December 15, 2017 to March 16, 2023; 22 consecutive AOCs

On May 30, 2023, the LEA issued a stipulated Notice and Order to provide the City of Sacramento (City) additional time to comply with RWQCB approvals and requirements that has delayed construction on the project. The City is to provide monthly status reports until the project is completed, the construction project is to be completed by May 31, 2024, and the Construction Quality Assurance Report is to be submitted within 60 days of completion. If an extension is required, the City has make the request in writing no later April 30, 2024 and the N&O will be required to be amended.

The LEA ceased citing AOCs on the April 26, 2023 and July 5, 2023 inspection reports for 27 CCR 20650 Grading of Fill Surfaces, 27 CCR 21140 Final Cover, and 27 CCR 21150 Drainage and Erosion Control.

As the stipulated N&O is outside of the evaluation period, compliance will be addressed in the next evaluation period.

SP Railroad (34-CR-5003)(Unpermitted, Closed, Quarterly) – In September 2016 the LEA Program identified the unpermitted solid waste disposal site was subject to regulations and inspections by the LEA. This site is comprised of 8 parcels; the parcels were grouped and identified as Group A, Group B and Group B South in the Assessments Reports and Disposal Site Remediation Work Plans (DSRWP). Site investigation work was conducted to characterize the nature and extent of waste on the property, to determine if landfill gas was present, and to assess any threat to public health and safety and the environment. Remedial investigations and activities are summarized within the following documents:

- Phase 2 Report (2018)
- Landfill Gas Monitoring Well Installation Summary (2018)
- Final Soil Sampling Summary Report (2019)
- Phase 2 Site Assessment Report for Group B South Parcels (2021)
- Disposal Site Remediation Work Plan for Group A and Group B Parcels (2021)
- Landfill Gas Monitoring Well Installation Summary – Group B Parcels (2022)
- Disposal Site Remediation Work Plan for Group B South Parcels (2023)

The outstanding AOCs are related to capping the site in order to provide proper drainage. The LEA has cited consecutive Areas of Concern (AOCs) for the following regulations as follows:

- 27 CCR 20650 Grading of Fill Surfaces from December 15, 2017 to May 17, 2023; 23 consecutive AOCs
- 27 CCR 21150 Drainage and Erosion Control from December 15, 2017 to May 17, 2023; 23 consecutive AOCs
- 27 CCR 21140 Final Cover from December 15, 2017 to August 16, 2023; 24 consecutive AOCs

According to the August 16, 2023 inspection report cited AOC for 27 CCR 21140 Final Cover, the cap and grade to Groups A and B parcels had been completed. The LEA was reviewing and providing comments on the draft DSRWP for Group B South for the capping and grading of the parcels.

On August 23, 2023, the LEA provided comments to be addressed in the Final DSRWP for Group B South Parcels. The operator's consultant submitted the Final DSRWP addressing the LEA's comments on October 2, 2023 and the LEA approved on November 3, 2023. Per the Final DSRWP for Group B South Parcels, construction for final cover is to occur July to September 2024, and the Construction Quality Assurance report is to be completed by December 2024.

CalRecycle recommends that the LEA continue to cite AOCs for 27 CCR 21140 Final Cover until the project is complete.

6. Failure to comply with or actions inconsistent with statute or regulations.

CalRecycle Evaluation staff did not identify any issues.

7. Designation/Certification Maintenance (14 CCR 18081)

Review of the Sacramento County LEA's Enforcement Program Plan (EPP) updates and conditions received on December 19, 2023 and January 9, 2024 reveals that the LEA has met certification maintenance requirements for staffing and budget resources, which are consistent with the time task analysis. The next EPP update is due December 7, 2024. The agency also maintains non-conflict of interest with the operating units. The Hearing Officer is current.

CONCLUSION

Based upon the above analysis and findings, and pursuant to PRC Section 43214, this document constitutes notification that Sacramento County, Environmental Compliance Division as Local Enforcement Agency:

1. Is exercising due diligence in the inspection of solid waste facilities;
2. has not intentionally misrepresented the results of inspections;
3. has not failed to prepare, or cause to be prepared, permits, permit revisions, or closure and postclosure maintenance plans;
4. has not approved permits, permit revisions, or closure and postclosure maintenance plans which are inconsistent with Part 4 and Part 5 of the PRC;
5. has not failed to take appropriate enforcement actions; and
6. has not failed to comply with, or taken actions that are inconsistent with, or unauthorized by, statute or regulations.

Sacramento County has implemented a successful program that meets LEA responsibilities. CalRecycle staff acknowledges the LEA's professionalism and responsiveness during the evaluation process. We look forward to continuing our partnership with the Local Enforcement Agency and extend our support to provide assistance to resolve any current or upcoming issues.