

**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

750



FROM: Waste Management Department

SUBMITTAL DATE:
July 27, 2010

SUBJECT: 2009 El Sobrante Landfill Annual Monitoring Report

RECOMMENDED MOTIONS: That the Board of Supervisors:

1. Receive and file the 2009 El Sobrante Landfill Annual Monitoring Report, dated June 2010; and
2. Direct the Clerk to ensure that a copy of the Annual Monitoring Report is made available for public review at accessible locations.

BACKGROUND: As stipulated in the Conditions of Approval of the Second El Sobrante Landfill Agreement, the Administrative Review Committee (ARC), formed pursuant to Section 13 of the Agreement and composed of representatives from the Waste Management Department, Executive Office, and Planning Department, reviewed the 2009 El Sobrante Landfill Annual Monitoring Report to ensure that the landfill is being operated by Waste Management, Inc., in conformance with the landfill's adopted Mitigation Monitoring Program. (continued)




Joseph R. McCann, Assistant Chief Engineer for
Hans Kernkamp, General Manager-Chief Engineer

FINANCIAL DATA	Current F.Y. Total Cost:	\$0	In Current Year Budget:	N/A
	Current F.Y. Net County Cost:	\$0	Budget Adjustment:	N/A
	Annual Net County Cost:	\$0	For Fiscal Year:	N/A

SOURCE OF FUNDS:	Positions To Be Deleted Per A-30	<input type="checkbox"/>
	Requires 4/5 Vote	<input type="checkbox"/>

C.E.O. RECOMMENDATION:

APPROVE
BY: 


Alex Gann

County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Stone, seconded by Supervisor Buster and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Buster, Tavaglione, Stone, Benoit and Ashley
Nays: None
Absent: None
Date: August 10, 2010
xc: Waste

Kecia Harper-Ihem
Clerk of the Board
By: 

Deputy


Prev. Agn. Ref.:

District: 1

Agenda Number:

12.1

ATTACHMENTS FILED
WITH THE CLERK OF THE BOARD

FORM APPROVED COUNTY COUNSEL
BY: 
NEAL R. KIPNIS DATE
Departmental Concurrence

Dept't Recomm.: Consent Policy
Per Exec. Ofc.: Consent Policy

BACKGROUND (continued)

Upon deeming the landfill in compliance, the ARC submitted the Annual Monitoring Report to the Citizens Oversight Committee (COC) for their review and approval. On July 21, 2010, the COC approved the 2009 Monitoring Report. In addition, the Second Agreement requires that a copy of the Annual Monitoring Report be made available for public review at accessible locations.



El Sobrante Landfill Annual Monitoring Report

**Reporting Period:
January 1, 2009 through December 31, 2009**

**Prepared By:
USA Waste of California, Inc.**

June 2010

Introduction

The El Sobrante Landfill Annual Monitoring Report (AMR) for the period covering January 1, 2009 through December 31, 2009, has been prepared by USA Waste of California (USA Waste), a subsidiary of Waste Management Inc. (WMI), for the County of Riverside in compliance with the Second El Sobrante Landfill Agreement (Second Agreement), inclusive of any Amendments. Provision 13.2 of the Second Agreement requires USA Waste to annually report on its compliance with the El Sobrante Landfill Mitigation Monitoring Program (MMP) and the Second Agreement. The AMR will be first reviewed by the County's Administrative Review Committee (ARC), a committee comprised of representation from the County's Planning Department, Waste Management Department, and Executive Office, and then submitted to the Citizen Oversight Committee (COC), a committee formed in 2003 pursuant to Condition of Approval No. 14.a. (Exhibit "F" of the Second Agreement). Condition of Approval No. 14.b. requires the COC to meet at least once annually to review the AMR, as submitted by the ARC.

Landfill History

The El Sobrante Landfill is an existing municipal solid waste landfill, located at 10910 Dawson Canyon Road, easterly of Interstate 15 and Temescal Canyon Road, approximately seven (7) miles southeast of the City of Corona in the Temescal Canyon area of unincorporated Riverside County. The landfill, which is owned and operated by USA Waste, started disposal operations in 1986. From 1986 to 1998, the landfill was operated pursuant to the first El Sobrante Landfill Agreement and its Amendments and one Addendum. On September 1, 1998, the Riverside County Board of Supervisors (BOS) approved the El Sobrante Landfill Expansion Project, a vertical and lateral expansion of the landfill, and entered into the Second Agreement, which became effective on September 17, 1998. The Second Agreement represents a public/private relationship between the owner/operator of the landfill and the County of Riverside and provides for the County's Waste Management Department to operate the landfill gate, to set the County rate for disposal at the gate with BOS approval, and to operate the Hazardous Waste Inspection Program.

The specific actions taken by the BOS on September 1, 1998 included the following:

- Adoption of Resolution No. 98-275, certifying the Environmental Impact Report (EIR), consisting of the Draft EIR (dated April 1994), the Final EIR (dated April 1996), and the Update to the Final EIR (dated July 1998).
- Adoption of Resolution No. 98-276, approving the El Sobrante Landfill Expansion Project and the Second El Sobrante Landfill Agreement, adopting Conditions of Approval and a Mitigation Monitoring Program (MMP) and making Findings of Fact.

The El Sobrante Landfill Expansion Project, for which the EIR (circulated under SCH No. 1990020076) was certified, included the following major elements:

- An increase in landfill disposal capacity to approximately 196.11 million cubic yards or approximately 109 million tons of municipal solid waste.
- An increase in the daily disposal capacity up to 10,000 tons.
- An increase in the landfill area to a total of 1,322 acres.
- An increase in the landfill footprint to 495 acres.
- An increase in the hours of operation, allowing 24-hour continuous operations, 7 days a week, for non-waste functions (i.e., application of daily cover, stockpiling of daily cover, site maintenance, grading, and vehicle maintenance) and allowing disposal operations from 4:00 AM to Midnight.

Pursuant to the Second Agreement, the "Start Date" for the El Sobrante Landfill Expansion Project and the terms of the Second Agreement was the date upon which all necessary approvals and/or permits were obtained. The following were considered the final approval/permits needed to trigger the "Start Date":

- Issuance of Waste Discharge Requirements (WDRs) Order No. 01-53 from the Regional Water Quality Control Board (RWQCB), Santa Ana Region on July 21, 2001.
- Issuance of Solid Waste Facility Permit (SWFP) No. 33-AA-0217 from the Riverside County Environmental Health Department, Local Enforcement Agency (LEA) on August 6, 2001, following concurrence from the California Integrated Waste Management Board (CIWMB).

The Second Agreement has since been amended twice. The First Amendment, approved by the BOS on July 1, 2003, amended the scope of the Expansion Project to allow the landfill operator to grind green waste for Alternative Daily Cover (ADC) and to add facilities to convert landfill gas to electricity. The Second Amendment, approved by the BOS in March 2007, allowed for USA Waste to pursue the necessary approvals/permits to again amend the scope of the Expansion Project. Subject to further environmental review in compliance with the California Environmental Quality Act (CEQA) and BOS approval, the Second Amendment allowed for acceptance of waste material for disposal over a continuous 24-hour period and for the maximum daily capacity of 10,000 tons to be changed to a weekly disposal capacity of 70,000 tons. CEQA review of these changes was initiated in 2007 and completed in 2009. Likewise, the SWFP to implement these revisions was approved in 2009.

Overview of Calendar Year 2009

2009 Permits/Approvals

The El Sobrante Landfill received the following permits/approvals in 2009:

- The BOS adopted Resolution No. 2009-093 on March 31, 2009, approving the El Sobrante Landfill SWFP Revision [operational changes in Second Amendment to Second Agreement], certifying the Supplemental EIR (SCH #2007081054), and approving the corresponding MMP.
- The Joint Technical Document (JTD), which corresponds to SWFP #33-AA-0217, was revised March 2009 to reflect engineering design changes in conceptual landfill grades, resulting in a modified width of permanent perimeter roads, a change in the inclination of the landfill's side slopes, an updated seismic stability analysis for the landfill's liner system, and increased site capacity and site life.
- The LEA issued a revision to SWFP #33-AA-0217 on September 9, 2009, upon concurrence from the CIWMB on August 18, 2009, which allowed for operational changes in the Second Amendment to Second Agreement to be implemented (i.e., 70,000 tons per week, not exceeding 16,054 tons per day, and continuous 24-hour disposal).
- The annual permits from South Coast Air Quality Management District (SCAQMD) for Truck Tipper Engines, F44349, F74076 and F61098, were renewed.

2009 Changes in Landfill Expansion Project Plan

The El Sobrante Landfill continued to be developed in overall accordance with the Expansion Project approved by the BOS in 1998 and evaluated in the certified EIR. However, the changes allowed by the JTD (revised March 2009) to conceptual landfill grades, as based on updated seismic stability analysis, have produced efficiencies in the final engineering design, reducing the landfill footprint from 495 acres to 468 acres without exceeding the final elevation of the landfill and creating greater site capacity and site life.

2009 Landfill Activities

The following activities occurred at the El Sobrante Landfill during calendar year 2009:

- Five (5) additional gas collection wells were installed to improve gas flows to the generators converting landfill gas to electricity.
- Additional hydroseeding was applied at the site of the U.S. Tile Clay Mine, filled in 2008 and located within the Contingency Parcel of the El Sobrante Landfill Multiple Species Habitat Conservation Plan (HCP).
- Hydroseeding was applied to the final cover of the Phase B partial closure area, encompassing approximately 18 acres.
- Excavation within Phase 9B continued in 2009.
- The filling of an offsite, adjacent surface mine was approved by the Riverside County Planning Department, allowing excess soils excavated from Phase 9B to be conveyed via the conveyor system constructed in 2008/09.

- The operational changes (i.e., 70,000 tons per week, not exceeding 16,054 tons per day, and continuous 24-hour disposal), as identified in the Second Amendment to the Second Agreement, were implemented on August 31, 2009.
- Nine (9) perimeter monitoring wells/probes were drilled in 2009.

2009 Days and Hours of Operation

In 2009, the El Sobrante Landfill was open a total of 307 days. Excluding County holidays, the landfill was open six (6) days a week, Monday through Saturday, and closed on Sunday. Until August 31, 2009, only non-waste functions (i.e., application of daily cover, stockpiling of daily cover, site maintenance, grading, and vehicle maintenance) were performed on a 24-hour basis; disposal was limited to the hours of 4:00 AM to 12:00 Midnight, Monday through Friday, and 6:00 AM to 6:00 PM on Saturday. On August 31, 2009, 24-hour disposal operations went into effect; the landfill is now open from 4:00 AM on Monday to 6:00 PM on Saturday.

Days/Hours for Commercial Haulers (1/1/09 through 8/30/09):

- Open six (6) days a week, Monday through Saturday
- Hours on Monday through Friday = 4:00 AM to 12:00 Midnight
- Hours on Saturday = 6:00 AM to 6:00 PM

Days/Hours for Commercial Haulers (8/31/09 through 12/31/09):

- Open six (6) days a week, Monday through Saturday
- Hours = 4:00 AM on Monday through 6:00 PM on Saturday

Days/Hours for General Public:

- Open six (6) days a week, Monday through Saturday
- Hours = 6:00 AM through 6:00 PM daily

2009 Disposal Volumes

During calendar year 2009, a total of approximately 1,889,484.55 tons of municipal solid waste was disposed at the El Sobrante Landfill. Of this amount, approximately 767,835.88 tons originated from Riverside County sources, and approximately 1,121,648.67 tons originated from out of County sources. In 2009, approximately 38,415.7 tons of processed green waste was used as ADC at the landfill, and approximately 35 tons were either reused or recycled.

Based on 307 working days, an average of 6,155 (rounded to nearest whole number) tons were received at the landfill on a daily basis in 2009.

2009 Landfill Capacity

Landfill capacity is closely monitored at the El Sobrante Landfill to ensure that the landfill's operational efficiency is meeting WMI and community expectations. On an annual basis, the entire landfill is flown by an aerial survey company, and aerial topographic maps are prepared to calculate the capacity used during a known period of time. The capacity used is then divided by the amount of waste disposed during that period of time to arrive at an Airspace Utilization Factor (AUF). The calculated used capacity takes into account compaction efficiency of the waste, use of ADC and soil cover, waste settlement, and waste stream composition.

Using the AUF for 2009 operations (0.761 ton/cubic yard) and the amount of 1,889,485 tons of waste disposed in 2009, approximately 2,482,897 cubic yards of capacity were used in 2009, and

the landfill's remaining capacity at the end of 2009 is estimated to be approximately 164,412,975 cubic yards.

Origin of Non-County Waste Disposal Volume in 2009

Non-County waste received at the El Sobrante Landfill must be delivered in transfer trucks, or transfer-like trucks to mitigate traffic impacts. A transfer-like truck is one that transports a volume of waste to the landfill similar in size and weight to a transfer truck. Two examples of a transfer-like truck are the Heil Star System and the WMS Pod Trucks.

During 2009, non-county waste was delivered to the El Sobrante Landfill from five (5) primary locations, which included the following:

- Athens Transfer Station, City of Industry, CA
- Carson Transfer Station, Carson, CA
- Grand Central Recycling and Transfer Station, City of Industry, CA
- Southgate Transfer Station, Southgate, CA
- West Valley Transfer Station in Fontana, CA

During calendar year 2009, the following out-of County communities delivered more than 1,000 tons of municipal solid waste to the El Sobrante Landfill:

- | | | |
|-------------------|------------------------|---------------------------|
| - Baldwin Park | - Irwindale | - Pechanga Tribal Lands |
| - Carson | - La Habra | - Pomona |
| - Chino | - La Puente | - Rancho Palos Verdes |
| - Claremont | - La Verne | - Redondo Beach |
| - Colton | - Lancaster | - Rialto |
| - Commerce | - Lawndale | - Rolling Hills Estates |
| - Diamond Bar | - Lomita | - San Bernardino (City) |
| - El Monte | - Long Beach | - San Bernardino (County) |
| - El Segundo | - Los Angeles (City) | - San Diego (City) |
| - Fontana | - Los Angeles (County) | - San Dimas |
| - Gardena | - Manhattan Beach | - Southgate |
| - Huntington Park | - Ontario | - Torrance |
| - Inglewood | - Palos Verdes Estates | - Vernon |
| | | - Yucaipa |

For calendar year 2009, the El Sobrante Landfill also received miscellaneous volumes of municipal solid waste (less than 1,000 tons) through transfer stations and through direct haul from private haulers from the following out-of-County communities:

- | | | | |
|-----------------|--------------------|-----------------|--------------------|
| - Alhambra | - El Cajon | - Lynwood | - San Diego Cnty. |
| - Anaheim | - Escondido | - Malibu | - San Fernando |
| - Arcadia | - Fullerton | - Maywood | - San Gabriel |
| - Artesia | - Garden Grove | - Mission Viejo | - San Marcos |
| - Azusa | - Glendale | - Monrovia | - Santa Ana |
| - Bell | - Glendora | - Montclair | - Santa Barbara |
| - Bell Gardens | - Grand Terrace | - Montebello | - Santa Clarita |
| - Bellflower | - Hawaiian Gardens | - Monterey Park | - Santa Fe Springs |
| - Beverly Hills | - Hawthorne | - Morongo Tribe | - Santa Monica |
| - Buena Park | - Hermosa Beach | - Newport Beach | - Seal Beach |
| - Brea | - Highland | - Norwalk | - Signal Hill |
| - Burbank | - Huntington Beach | - Oceanside | - Simi Valley |
| - Calabasas | - Industry | - Orange (City) | - Soboba Tribe |

- Cerritos
- Chino Hills
- Compton
- Covina
- Cudahy
- Culver City
- Cypress
- Downey
- Duarte
- Irvine
- LaCanada Flntrdg.
- La Habra Heights
- La Mirada
- Laguna Beach
- Laguna Niguel
- Lake Forest
- Lakewood
- Loma Linda
- Los Alamitos
- Orange (County)
- Palmdale
- Paramount
- Pasadena
- Pico Rivera
- Rancho Cucamonga
- Redlands
- Ripon
- San Diego County
- Thousand Oaks
- Tustin
- Upland
- Victorville
- Walnut
- West Covina
- West Hollywood
- Westminster
- Whittier
- Yorba Linda

Projected Waste in 2010

With the downturn in the economy, it is projected that there will be no growth in the waste stream in 2010. Similar to 2009, the in-County disposal tonnage for 2010 is expected to be in the range of 750,000 tons, and the out-of-County tonnage is expected to be in the range of 1,100,000 tons.

Closure/Post Closure Trust

No funds were withdrawn from the Closure/Post-Closure Trust for these activities during 2009, and at the end of the calendar year, the market value of the El Sobrante Landfill Trust was approximately \$19,200,000.

Local Mitigation Trust Account

The Local Mitigation Trust, created pursuant the Second Agreement with a deposit of \$150,000 by USA Waste, is for mitigation projects in the local areas surrounding the landfill as recommended by the COC. In 2004, the COC recommended that the entire Local Mitigation Fund be utilized for County efforts to cleanup illegal dumping in the Temescal Valley area along the I-15 corridor from El Cerrito Road south to Lake Street. The BOS approved the COC recommendation on October 19, 2004. At the end of 2008, approximately one-half of the Trust Account had been used in this effort. In 2009, working collaboratively with the County's Code Enforcement Department, the COC recommended that an allocation not to exceed \$10,000 be used toward implementing the Clean Money Youth-Based Fundraising Program in the First and Second Supervisorial Districts. The BOS approved this recommendation on September 1, 2009.

General Liability Insurance

The Certificate of Insurance is an attachment to the AMR.

Regulatory Agency Issues

During 2009, the El Sobrante Landfill was regularly inspected by regulatory agencies. The landfill did not receive any formal Notices of Violations and does not have any unresolved complaints from any of the regulatory agencies, including the LEA, the CIWMB, the Regional Water Quality Control Board - Santa Ana Region (RWQCB-SAR), and the SCAQMD.

Pending Litigation

During 2009, the El Sobrante Landfill was not involved in any type of litigation.

2009 Status of Mitigation Monitoring Program
(Adopted by BOS on March 31, 2009)

Aesthetics (A) Mitigation Measures

A-1

To assure visual screening of landfill operations and facilities, a phased closure and restoration plan shall be implemented. The closure and restoration plan shall utilize Riversidian sage scrub consistent with native vegetation in nearby undisturbed areas of the Gavilan Hills to minimize visual impacts to surrounding views.

Status:

The approved HCP negotiated with the US Fish and Wildlife Service (USFWS) and California Department of Fish and Game (CDFG) details a phased closure and restoration plan utilizing native species. Construction on the first phase of closure (Phase A) began in 2006 and was completed in early 2007. To date, revegetation on the Phase A slopes has been very successful, with excellent seed germination, native species diversity, and reaching approximately 50 percent native cover in most slope areas by spring of 2009. In November of 2009, two (2) acres of Phase A slopes, where erosion had occurred during winter 2008, were supplemented with a native hydroseed mix.

Phase B of closure began in 2008. Upon completion of closure in the fall of 2009, restoration of approximately 18 acres of Phase B slopes occurred from October until early November 2009. Restoration activities included the creation of cactus patches, creation of rock and brush piles for reptile habitat, and the application of a hydroseed mix of native Riversidian Sage Scrub (RSS).

A-2

Development shall be phased such that only approximately 20 acres are disturbed at any one time. Riversidian sage scrub restoration activities shall be similarly phased.

Status:

Phased closure and restoration are being performed in accordance with the Implementing Agreement, dated July 2001, for the approved HCP that was entered into by USFWS, CDFG, USA Waste, and Riverside County. During 2003, the expansion phases were redesigned to facilitate expansion and soil stockpiling activities and to minimize disturbance. A minor modification request was formally submitted to the USFWS and CDFG in May 2004 to re-phase the grading plan, increasing the number of phases from 15 to 17. Approximately 22 acres of phases 1 and 6 were closed and revegetated in 2007, and an additional 18 acres were closed and restored starting at the end of 2008 and ending in early November 2009.

A-3

Landfill-associated facilities and structure exteriors (including rooftops) and signage shall be of a color consistent with the surrounding area.

Status:

No facilities, structures, or signage were installed or constructed during 2009. The landfill owner/operator will continue to comply with this measure for any and all future facilities, structures, and signage.

A-4

A plan that assures the removal or approved use of landfill-associated facilities, structures, and signage shall be approved by the CIWMB, as part of the Post-closure Plan.

Status:

The final post-closure plan will include this measure. At this time, the approved HCP contains the same requirement with a caveat to leave approved structures in place, if desired, for the ongoing monitoring and maintenance of the habitat preserve.

A-5

Outdoor lighting associated with the access road, administration building, and scales shall be directed toward the ground and shall be shielded. Portable lighting used for landfill operations (i.e., working face of the landfill) shall be shielded and directed toward the working area.

Status:

This mitigation measure is implemented on an ongoing basis. If the landfill operator was to receive a complaint about temporary lighting through feedback from the LEA, the light locations and angles would be adjusted. No complaints regarding lighting were raised in 2009.

A-6

Wherever feasible, temporary earthen or landscape berms, or other structures or measures, shall be utilized to provide visual screening of operations at the working face and to reduce potential glare impacts on surrounding residences from nighttime activities at the working face of El Sobrante. Any measures implemented for this purpose shall be subject to annual review by the Citizen Oversight Committee.

Status:

The landfill phasing has been restructured to minimize the visual impact of filling activities for surrounding neighbors. During periods of 2009, the location of active filling could not be feasibly screened from some neighborhoods west of Interstate 15 due to the height of the landfill. However, the sight distance is such that glare impacts were not an issue. The majority of local residents cannot readily see the landfill due to its location behind hills alongside Interstate 15.

A-7

A plan that assures the removal of litter associated with the proposed project shall be approved by the CIWMB prior to the issuance of a SWFP.

USA Waste or its successor-in-interest shall be responsible for the control and cleanup of litter and debris from the landfill and/or waste-hauling vehicles along the landfill access road to its intersection with Temescal Canyon Road, and along Temescal Canyon Road from the intersection with Interstate 15 (I-15) to the intersection with Weirick Road. At a minimum, USA Waste or its successor-in-interest shall inspect and remove litter and debris from these roadways on a weekly basis and within 48 hours upon receipt of notice of complaint.

Status:

Litter removal is an on-going task and is monitored by the LEA. No violations or areas-of-concerns were recorded during 2009 by the LEA for the landfill or for the landfill access road.

Temescal Canyon Road, like many roads in Riverside County, has been the subject of illegal disposal activity and increased graffiti. During negotiations with the BOS regarding the First Amendment to the Second Agreement, the landfill operator agreed to increase the scope of its off-site litter removal activities to better meet the needs of the community. Condition 23.a. of the approved Conditions of Approval (Exhibit "F" of the Second Amendment) was revised to read as follows:

- 23.a. USA Waste or its successor-in-interest shall be responsible for the control and cleanup of litter and debris from the landfill and/or waste-hauling vehicles along the landfill access road to its intersection with Temescal Canyon Road, and along Temescal Canyon Road from the intersection with Interstate 15 (I-15) to the intersection with Weirick Road.

During 2009, El Sobrante Landfill continued to allot a minimum of 16 man-hours per week to the clean-up of litter and debris along the landfill access road to its intersection with Temescal Canyon Road and along Temescal Canyon Road from the intersection with I-15 to the intersection with Weirick Road.

In addition, the First Amendment to the Second El Sobrante Landfill Agreement, approved on July 1, 2003, requires the following:

In order to provide more focused assistance with the problem of illegal dumping on private property, USA WASTE or its successor-in-interest will provide one roll-off bin per quarter in the Spanish Hills area and one roll-off bin per quarter in the Dawson Canyon area for private property owners in those areas. Costs associated with transportation and disposal of waste deposited in the bins will be borne by USA WASTE, with the understanding that the private property owners will bear the responsibility of depositing waste in the bins.

During 2009, the landfill operator transported and disposed of trash contained within the two roll-off bins located in the Spanish Hills and Dawson Canyon areas on an "as needed" basis monitored by surrounding neighbors, or on an average of once every 45 days.

For I-15, USA Waste sponsors three sections of the interstate through the CalTrans Adopt-a-Highway program. El Sobrante will continue to clean the adopted sections of I-15 utilizing company resources.

Air Quality (AQ) Mitigation Measures

AQ-1

The following activities shall occur based on SCAQMD Rule 1150.1 - Control of Gaseous Emissions from Active Landfills:

- Landfill gas collection and thermal destruction systems shall be provided and operated.
- Landfill gas destruction system shall be constructed using best available control technology (BACT). Improved combustion technology (e.g., boiler) shall be installed at the time that the continued use of current technology flares would exceed SCAQMD standards for stationary sources. (Final EIR).
- A network of landfill gas monitoring probes shall be installed to identify potential areas of subsurface landfill gas migrations.
- The project includes a landfill gas barrier layer (i.e., 10- to 20-mil high-density polyethylene [HDPE] or polyvinyl chloride [PVC] sheeting) as part of the intermediate cover and final cover system. This gas barrier layer is not required by Subtitle D and would minimize excess air infiltration and fugitive landfill gas emissions, and would increase landfill gas collection efficiency.

- **Monitoring of landfill gas concentrations at perimeter probes, gas collection system headers, landfill surface, and in ambient air downwind of the landfill shall be conducted in accordance with applicable regulations.**
- **Annual emissions testing of inlet and exhaust gases from the landfill gas destruction system shall be conducted to evaluate gas destruction efficiency.**
- **The gas collection system shall be adjusted and improved based on quarterly monitoring and annual stack testing results.**

Status:

El Sobrante Landfill continues to be in compliance with these requirements. Quarterly reports confirming compliance are submitted to the South Coast Air Quality Management District.

AQ-2

The following activities shall occur based on SCAQMD Rule 403 - Fugitive Dust:

- **Emission controls necessary to assure that dust emissions are not visible beyond the landfill property boundary shall be implemented.**
- **New cell construction and cell closure activities shall not occur simultaneously.**
- **The Rule 403 Fugitive Dust Emissions Control Plan for the landfill, approved by SCAQMD in May 1993, shall be adhered to. The plan itemized various control strategies for dust emissions from earthmoving, unpaved road travel, storage piles, vehicle track-out, and disturbed surface areas, including watering, chemical stabilizers, revegetation, and operational controls or shutdown for implementation during both normal and high wind conditions.**
- **Rule 403 Fugitive Dust Emissions Control Plan shall be revised on an annual basis.**

Status:

Dust control measures are being implemented in accordance with this mitigation measure and the landfill's SCAQMD-approved Rule 403 Fugitive Dust Plan. The plan is updated as required by the SCAQMD.

AQ-3

The following mitigation measures exceed current regulatory requirements and shall be incorporated by design, construction, and operation:

- **PM₁₀ monitoring stations and an onsite meteorological station shall be installed and operated, as agreed in consultation with the SCAQMD.**
- **Where feasible, landfill roads shall be paved.**
- **Portions of paved roads abutting unpaved haul truck traffic areas shall be routinely swept and/or washed.**
- **Onsite vehicles shall be routinely maintained.**

Status:

El Sobrante Landfill is in compliance with this mitigation measure. The site has installed a meteorological station and conducted PM₁₀ monitoring as part of construction activities. All paved surfaces are scheduled to be swept a minimum of once weekly, with supplemental sweepings added on a more frequent basis as dictated by weather conditions. All unpaved haul roads are watered as needed and the dust suppressant, magnesium chloride, is used periodically during the summer months. All heavy equipment is maintained on a 250 operating hour interval and all heavy trucks (e.g., roll-off trucks) undergo annual exhaust opacity testing as required by SCAQMD.

AQ-4

In the event monitoring indicates that permissible levels of PM₁₀ are being exceeded, some combination of the following dust control measures shall be implemented:

- Washing of truck wheels.
- Routing paved access roads away from directions that result in property boundary impacts.
- Curtailing specific activities (e.g., new phase construction) when conditions are unfavorable for fugitive PM₁₀ control.

Status:

This mitigation measure has not been triggered, because PM₁₀ levels are not being exceeded.

AQ-5

The following activities would occur based on SCAQMD Regulation XIII - New Source Review:

- Control devices for stationary emission sources shall be provided which satisfy BACT requirements.
- NO_x, ROG, SO_x, and PM₁₀ emissions from stationary sources shall be offset according to SCAQMD requirements for essential public services.

Status:

El Sobrante Landfill is in compliance with this mitigation measure and submits annual emission reports as required by this mitigation measure.

AQ-6

The following activity shall occur based on SCAQMD Regulation XIV - Toxics and Other Noncriteria Pollutants:

- Control devices for stationary emission sources shall be provided which assure that emissions of potentially carcinogenic and/or toxic compounds do not result in unacceptable health risks downwind of the landfill.

Status:

El Sobrante Landfill is in compliance with this mitigation measure. Annual emission compliance tests are conducted to ensure compliance with permitted limits.

AQ-7

Onsite vehicles shall be routinely maintained.

Status:

El Sobrante Landfill is in compliance with this mitigation measure, which consists of routine maintenance for onsite vehicles and equipment.

AQ-8

Heavy construction equipment shall use low sulfur fuel (<0.05 percent by weight) and shall be properly tuned and maintained to reduce emissions.

Status:

El Sobrante Landfill is in compliance with this mitigation measure. All diesel fuel used at the facility is low sulfur fuel with a sulfur content of less than 0.05% by weight.

AQ-9

Construction equipment shall be fitted with the most modern emission control devices.

Status:

El Sobrante Landfill is in compliance with this mitigation measure. All heavy equipment operated at the facility by USA Waste is fitted with the manufacturer's specified emission control devices for the period the equipment was manufactured. As equipment is routinely maintained, the most current available upgrades to the emission control systems are installed on the equipment.

AQ-10

The project shall comply with SCAQMD Rule 461 which establishes requirements for vapor control from the transfer of fuel from the fuel truck to vehicles.

Status:

El Sobrante Landfill is in compliance with this mitigation measure. The facility does not currently operate stationary or mobile gasoline fuel tanks that trigger the requirements of Rule 461.

AQ-11

Prior to construction and construction/operation activities, the following premonitoring measures shall be implemented to avoid or lessen boundary concentrations of NO₂:

- Normal landfill operations and cell construction/closure activities shall be preplanned to avoid potentially adverse alignments (both horizontally and vertically) during anticipated periods of meteorological conditions which could result in the greatest property boundary concentration.
- During periods when both disposal and construction activities are occurring, downwind property line monitoring of NO₂ shall be implemented for wind and stability conditions which could result in the highest boundary concentrations.

During construction and construction/operation activities, the following postmonitoring measures shall be implemented to avoid or lessen boundary concentrations of NO₂:

- If monitoring determines that the 1-hour NO₂ standard (i.e., 470 µg/m³) is being approached (i.e., within 95 percent of the standard or approximately 450 µg /m³), construction or cell closure activities shall be curtailed until the appropriate tiered mitigation measures can be implemented, or until adverse meteorological conditions no longer exist.
- The waste placement and/or clay preparation areas shall be moved to a preplanned alternative working location to separate emissions from clay placement construction emissions.
- Construction procedures shall be configured such that operations requiring heavy equipment do not occur simultaneously (e.g., clay placement and protective soil placement by scrapers will not be done during periods with adverse meteorological conditions).
- Construction scheduling will be slowed to reduce daily equipment usage.
- Hours of construction with designated pieces of equipment (e.g., scrapers) shall be constrained to occur outside of peak adverse meteorological conditions.

Status:

During construction activities, the landfill operator continues to implement a "CEQA Mitigation Monitoring Workplan for NO₂," which was prepared by SCS Engineers to incorporate these measures and submitted to the South Coast Air Quality Management District on January 27, 2003.

AQ-12

Within three years of start date [July 1, 2001], USA Waste or its successor-in-interest shall submit to the County of Riverside an evaluation of the technological and economical feasibility of using natural gas fuel or other alternative fuel in transfer trucks. The technological feasibility of the evaluation shall include review comments by the South Coast Air Quality Management District. The evaluation shall be subject to County approval. If the County finds that natural gas fuel or other alternative fuel in transfer trucks is technologically and economically feasible, USA Waste or its successor-in-interest shall develop and implement a program to phase-in transfer trucks capable of using these fuels. The program shall be subject to County approval. If the County concludes that transfer trucks capable of using alternative fuels are not technologically and economically feasible, USA Waste or its successor-in-interest shall periodically reevaluate the feasibility of using alternative fuels in transfer trucks. Such reevaluations shall be at least every three (3) years. USA Waste or its successor-in-interest shall, however, conduct such a reevaluation anytime deemed appropriate by County.

Status:

The initial evaluation report was submitted with the 2004 Annual Report. The report indicated that alternatively fueled engines with sufficient power ratings for a transfer truck application were not available. As of the end of 2009, this has not changed. If higher engine horsepower applications are developed for a transfer truck application, USA Waste will reevaluate the feasibility of implementing this requirement.

AQ-13

The project shall provide the required emission reductions of NO_x and ROG sufficient to cause no net increase of project emissions.

Status:

The attached "Annual 2010 Mitigation Monitoring Program Status Report, Air Quality Mitigation Measures AQ-13, El Sobrante Landfill, Corona, California", prepared by SCS Engineers and dated October 1, 2009, provides both a summary of the site's emission inventory for both stationary and mobile sources and a summary of the emission increases, or reductions, from the various site emission sources from the baseline year to the 2010 projected emissions. Report results forecast an emission reduction of 589.0 lbs/day for NO_x, and 10.3 lbs/day for ROG. No emission offsets are required for 2010, and the project is in compliance with this mitigation measure.

AQ-14

USA Waste shall amend its Policies and Procedures Manual at the landfill to require that heavy construction and operating equipment at the landfill shall not idle for longer than 15 minutes.

Status:

EI Sobrante Landfill is in compliance with this mitigation measure. Site Policies and Procedures have been revised to enforce the "no idle longer than 15 minutes" mitigation measure, and installation of exterior indicator lights began in 2008 to show machine idle time-outs and assure compliance with this requirement. At the end of 2009, 3 units had been installed; installation will be completed in 2010.

Biological Resources (B) Mitigation Measures

B-1

Development shall be phased so that the area to be disturbed shall be minimized. Restoration of previously disturbed areas shall be performed in accordance with the Multiple Species Habitat Conservation Plan for the EI Sobrante Landfill and its Implementing Agreement, both dated July 2001, and any approved modifications or amendments thereto.

Status:

Phased closure and restoration are being performed in accordance with the Implementing Agreement, dated July 2001, for the approved Multiple Species HCP that was entered into by USFWS, CDFG, USA Waste, and Riverside County. During 2003, the expansion phases were redesigned to facilitate expansion and soil stockpiling activities. A minor modification request was formally submitted to USFWS and CDFG in May 2004 to re-phase the grading plan, increasing the number of phases from 15 to 17. Closure of Phase A of the landfill was completed in 2007 including the restoration of approximately 22 acres of Riversidian Sage Scrub (RSS). Phase B closure of approximately 17.6 acres began in 2008 and was completed in 2009. Restoration of Phase B slopes occurred from October to early November 2009 and included the creation of cactus patches, creation of rock and brush piles for reptile habitat, and the application of a hydroseed mix of native RSS. New cell development excavation will continue to be minimized as much as operationally possible and monitored by biological consultants to ensure that appropriate preserve/excavated ratios are maintained.

B-2

Areas within the landfill limits of disturbance shall be restored with Riversidian sage scrub in accordance with the Multiple Species Habitat Conservation Plan for the EI Sobrante Landfill and its Implementing Agreement, both dated July 2001, and any approved modifications or amendments thereto.

Status:

Refer to "Status" under Mitigation Measure B-1.

B-3

Dudleya salvaging and restoration shall be performed in accordance with the Multiple Species Habitat Conservation Plan for the EI Sobrante Landfill and its Implementing Agreement, both dated July 2001, and any approved modifications or amendments thereto.

Status:

Dudleya salvaging and restoration is performed by RECON Environmental, Inc., the Habitat Manager, in accordance with the Dudleya Restoration Plan, prepared pursuant to the approved

HCP. The initial estimate of the many-stemmed *Dudleya* population in 2001 was 1,600 individuals. However, pre-impact surveys conducted from the commencement of pre-impact surveys in 2002 in the landfill phases and general surveys conducted in the preserved open space have identified approximately 26,800 individual plants. The mitigation requirement for El Sobrante Landfill is to restore impacted *Dudleya* at a 1:1 ratio. As of 2008, 12,460 plants had been salvaged from landfill phases prior to grading activities. Many of these plants are currently being cultivated within the RECON native plant nursery to produce plants for relocation. . In April 2009, maintenance tasks (i.e., weed control) were performed within the restoration area. In May 2009, approximately 1,160 plants were salvaged from Phase 10, 11, and 12, in anticipation of construction activities and were stored at the RECON native plant nursery. Through 2009, approximately 14,700 many-stemmed *Dudleya* plants have been planted into protected open space areas referred to as the *Dudleya* Restoration Area.

B-4

Prior to disturbance to wetland/riparian areas, a wetland compensation and mitigation plan shall be developed in consultation with the ACOE, if a 404 Permit is required, the CDFG, pursuant to Section 1603 of the California Fish and Game Code, the RWQCB, pursuant to 401 Water Quality requirements and/or policies to protect wetlands, and the USFWS, if consultation is triggered pursuant to Section 7 of the Endangered Species Act. Mitigation of riparian habitats shall be targeted at a 3:1 ratio with compensation of 6.36 acres. Target mitigation of an additional 1.28 acres of riparian herb vegetation shall be at a 1:1 ratio. Final determination of mitigation ratios shall be made subsequent to onsite evaluation by the ACOE, CDFG, RWQCB, and/or USFWS and shall not be unreasonable or arbitrary.

Status:

Impacts to wetland habitat have not occurred and should not occur until the last phase of landfill development, Phase XVII. As noted in the approved HCP negotiated with the USFWS and CDFG, the wetland compensation plan will be developed separately from the HCP and prior to impacts.

B-5

Activities to mitigate the disturbance to wetlands may include, but are not limited to:

- **Identification and assessment of sites and specific riparian mitigation measures along Temescal Wash.**
- **Enhancement of degraded areas within existing channels.**
- **Weed removal to improve existing riparian habitat.**
- **Potential purchase of offsite riparian habitat.**

Status:

As noted under "Status" for Mitigation Measure B-4, a wetland compensation plan has not yet been developed, because impacts to wetland/riparian areas have not occurred and will not occur until Phase XVII. At the time the plan is developed, it will incorporate measures such as those noted in Mitigation Measure B-5.

B-6

The purchase of offsite riparian/wetland habitat shall be incorporated into the mitigation plan in the event that the ACOE Section 404 permit and CDFG Section 1603 agreement process conclude that onsite enhancement and offsite mitigation along Temescal Wash

could not provide sufficient compensation for disturbance to onsite riparian habitat. If this mitigation were implemented, surveys shall be conducted in coordination with USFWS and CDFG to identify offsite riparian habitat that would be suitable for purchase as mitigation for onsite habitat disturbance. Considerations shall include, but not be limited to:

- Proximity to landfill site.
- Similarity of adjacent habitat.
- Management plans.
- Comparability.
- Sustainability.
- Cost.

Status:

Refer to "Status" under Mitigation Measures B-4 and B-5. A mitigation plan will be developed in negotiation with the resource agencies prior to any impacts to these habitats in future phases of the landfill.

B-7

Wetland/riparian habitat mitigation shall be implemented in accordance with all permits, approvals, and/or agreements as may be required by ACOE, CDFG, RWQCB, and/or USFWS.

Status:

Prior to disturbance to wetland/riparian areas, or any streambed alteration, permits will be required from CDFG (1602), Army Corps of Engineers (ACOE - 404), and Regional Water Quality Control Board (RWQCB - 401), which will require submittal of a compensation and mitigation plan. Mitigation will be implemented in accordance with an approved plan and upon issuance of all approvals and/or permits from these resource agencies.

B-8

Landfill personnel shall be instructed as to the requirement for and importance of restoration of completed areas of the site.

Status:

Worker education for El Sobrante Landfill employees and contractor employees was conducted in 2009 by El Sobrante supervisory staff as needed. This is an ongoing requirement. Restored and undisturbed habitat is also closely monitored by the Habitat Manager to ensure that impacts from landfill activity do not occur.

B-9

Approximately 406 acres of undisturbed open space, upon which a Declaration of Conservation Covenants and Restrictions has been recorded in favor of CDFG and USFWS, shall be maintained and managed for the benefit of Covered Species, pursuant to federal and state incidental take permits and the *Multiple Species Habitat Conservation Plan for the El Sobrante Landfill* and its Implementing Agreement, both dated July 2001, and any approved modifications or amendments thereto.

Status:

A restrictive covenant has been placed over approximately 406 acres of Undisturbed Open Space on the landfill property in favor of USFWS and CDFG. A Declaration of Conservation Covenants and Restrictions was recorded on August 7, 2002 (Instrument No. 434614). Another 292 acres were conveyed to the County in 2002, subject to a conservation easement granted in favor of the CDFG.

B-10

Pursuant to Section 5 of the Agreement, USA Waste or its successor-in-interest shall pay the County a per ton charge for the deposit of Non-County waste at El Sobrante Landfill, \$1.50 of which shall be utilized for multi-species habitat acquisition and management, including planning and research activities, as provided in Section 10.7 of the Agreement and as approved by the Board of Supervisors on September 1, 1998. Monies to be utilized for multi-species purposes shall be deposited in a trust fund administered by the Executive Officer of the County.

Status:

For calendar year 2009, approximately \$1,682,473 was collected from out-of-county waste imports and conveyed to the Executive Office for MSHCP funding (as based on 1,121,648.67 tons of out-of-County waste in 2009 at \$1.50/ton).

B-11

In the unlikely event that out-of-County waste ceases to be disposed of at El Sobrante, use of the 60 million tons of air space currently allocated for out-of-County waste shall include the requirement for payment of \$1.00 per ton for multispecies habitat acquisition and management.

Status:

The circumstances cited in this measure have not occurred.

B-12

Lighting at the working face shall be downcast and shielded to minimize reflection, and shall be directed inward toward the landfill.

Status:

Mobile light plants are utilized as needed within the working face area to assure safe nighttime working conditions. All light sources are monitored by site supervisors to assure units are properly shielded and directed to avoid glare to the surrounding community. No complaints have been received regarding night lighting utilized at the El Sobrante Landfill.

B-13

A predator monitoring and control plan shall be implemented in accordance with the *Multiple Species Habitat Conservation Plan for the El Sobrante Landfill* and its Implementing Agreement, both dated July 2001, and any approved modifications or amendments thereto.

Status:

Wildlife control measures that include the following have been incorporated in the approved HCP and are being implemented by the Habitat Manager (RECON) in accordance with the Implementing Agreement:

- Cowbird trapping during the breeding season of the Gnatcatcher.
- Monitoring for the occurrence of Argentine ants and fire ants, and implementation of control measures that are based on methods prescribed by County and State agencies and approved by the Management Committee. Implementation of the measures must be consistent with the terms of the incidental take permits.
- Monitoring for the presence of domestic pets and feral cats, and implementation of trapping or other appropriate actions to limit the effects on these animals on Covered Species in Conserved Habitat and in undisturbed habitat in the Landfill Area.

The Habitat Manager contracted with TERACOR to perform cowbird trapping in 2009. The cowbird trapping program was conducted from April 1 through July 15, with daily monitoring of three traps placed within the RSS within the eastern preserve, northern preserve, and contingency parcel. In 2008 and 2009, the number of cowbirds trapped has remained significantly lower than previous years.

B-14

Brush clearing and habitat removal in each phase of landfill expansion will not be allowed to occur between February 1 and August 15, pursuant to the *Multiple Species Habitat Conservation Plan for the El Sobrante Landfill* and its Implementing Agreement, both dated July 2001, and any approved modifications or amendments thereto.

Status:

In accordance with the Implementing Agreement for the approved HCP, vegetation clearing is only allowed after August 15 and before February 1 and is monitored closely by the Habitat Manager. Focused surveys and pre-construction surveys were initiated in 2009 for expansion into Phases 10, 11, and 13. In 2009, focused surveys occurred for Quino Checkerspot Butterfly (QCB), Coastal California Gnatcatcher (CCG), Western Burrowing Owl, Western Spadefoot Toad, and for rare plants. A total of 66.7 acres within the expansion phases and 2.1 acres north of Phase 12 were surveyed for QCB from February to April 2009. No QCB were detected. From February through May 2009, protocol surveys were conducted on 410 acres of RSS and on 350 acres of non-native grassland, both in the expansion phases and within preserve area. One pair and one individual were observed within the preserve area. Phase I, II and III protocol surveys were conducted to determine the presence or absence of burrowing owls within 165 acres of expansion phases and a surrounding 500-foot buffer area, with the Phase III surveys conducted between May 27, 2009 and July 7, 2009. No burrowing owls were detected within the survey area. Likewise, no Western Spadefoot Toads were found within suitable habitat or ponded areas.

In May of 2009, focused rare plant surveys for Munz's onion, Long-spined spineflower, and many-stemmed dudleya were undertaken in the undeveloped portions of the expansion phases, within a 2.1-acre area north of Phase 12, and in all adjacent areas inside and outside the expansion line of these phases. No Munz's onion or Long-spined spineflower were found; many-stemmed dudleya were found and salvaged as noted under "Status" for Mitigation Measure B-3. Upon acceptance of the results of these surveys by the resource agencies, a total of 11 acres were cleared in Phase 11 after August 15, 2009, and 45 acres were cleared

before February 1, 2010 in Phases 10 and 11. Another 15 acres in Phase 10 and 11 are planned for later this year, after August 15.

B-15

When the landfill expansion is complete (i.e., after closure of all phases and at the end of the postclosure monitoring maintenance period [currently a minimum of 30 years]), including all restoration activities in accordance with the *Multiple Species Habitat Conservation Plan for the El Sobrante Landfill* and its Implementing Agreement, both dated July 2001, and any approved modifications or amendments thereto, the area of onsite disturbance (approximately 645 acres) shall be kept in permanent conservation through a conservation easement in favor of the CDFG. In the event that CDFG revokes its acceptance of the conservations easement, the land shall be placed into conservation with the County, or other County-designated entity, such as Western Riverside County Regional Conservation Authority as approved by the US Fish and Wildlife Service and the El Sobrante habitat management committee.

Status:

As noted, this mitigation measure will not be triggered until after the post-closure period of approximately 30 years beyond closure of all phases of the landfill expansion project.

B-16

USA Waste or its successor-in-interest shall continue to include the County in all aspects of future permitting processes involving USFWS, pursuant to Section 7 of the Endangered Species Act, CDFG, pursuant to Section 1603 of the California Fish and Game Code, ACOE 404 permitting, and RWQCB, pursuant to 401 Water Quality requirements and/or policies to protect wetlands.

Status:

The County of Riverside is a party to the Implementing Agreement for the approved HCP. No portion of the out-of-County fee that is allocated for multi-species habitat acquisition and management (refer to Mitigation Measure B-10) is utilized to fund the El Sobrante Landfill HCP. The County maintains entire discretion over the trust fund, which is currently being utilized to fund a major portion of the Western Riverside County Multiple Species Habitat Conservation Plan. USA Waste (or its successors-in-interest) is entirely responsible for funding and carrying out its obligations under the approved HCP for the El Sobrante Landfill.

Cultural Resources (C) Mitigation Measures

C-1

Prior to grading, a Society of Professional Archaeologists (SOPA)-certified archaeologist(s) shall be retained, at the expense of the project, to provide surface collection, mapping, and test excavations for identified archaeological sites. If the sites are determined to be important, the resources within these sites shall be either preserved or a data recovery excavation shall be conducted.

Status:

Excavation in Phase IX continued in 2009. On August 14, 2003, SOPA-certified archeologists, Harry Price and Evangeline Birmingham with RECON, conducted a pre-impact survey of Phases VIII and IX. Per a letter report, dated September 4, 2003, no archaeological resources were located during the survey. In fact, two previously recorded archaeological sites (CA-RIV-

4980 and CA-RIV-4982) that had been mapped within the limits of impact for Phases VIII and IX could not be relocated. Due to the lack of any evidence of any archaeological resources, RECON did not recommend any further archaeological work within these areas. In addition, field surveys were conducted by Archaeological Monitors of an approximately one-acre parcel in Phases 10 and 11. The interval between archaeologists was approximately 10 meters. No historic or prehistoric resources were found during the survey. No data was recorded with the local data repository.

C-2

In the event that additional archaeological sites are uncovered during initial grading, work shall be redirected and an archaeologist shall be retained at the expense of the project, to evaluate the importance of the site and, if necessary, shall develop and implement an appropriate data recovery program. The archaeologist shall be allowed to redirect grading in the area of exposed resources until inspection, evaluation, and recovery activities are completed.

Status:

No archaeological sites have been uncovered during any grading or excavation work in current phases. Per the RECON letter report, dated September 4, 2003, the archaeological survey conditions for Phases VIII and IX produced excellent ground visibility. There was no evidence for a subsurface component.

C-3

Routine road or stormwater facilities, maintenance or other land-altering activities in the vicinity of sites shall be monitored by a SOPA-certified archaeologist to prevent inadvertent disturbance or loss of important resources.

Status:

Pre-impact archaeological surveys have been conducted by SOPA-certified archaeologists in order to identify previously recorded resources and to identify new resources in expansion areas prior to any disturbance activities. As noted under "Status" for Mitigation Measure C-1, no resources have been identified in Phases 8, 9, 10, or 11.

C-4

The status of the sites shall be monitored on a semi-yearly basis to assure that incidental disturbance or recreational collection of resources has not occurred.

Status:

RECON, as the Habitat Manager, monitors all activity on the landfill site on an ongoing basis.

C-5

Archaeological materials recovered during surface collections, subsurface excavations, and monitoring shall be curated in perpetuity at a regional repository approved by the County. Expenses for curation shall be borne by the project.

Status:

No archaeological materials have been identified or recovered in the current expansion phases. El Sobrante Landfill will comply with this mitigation measure if triggered.

C-6

While the archaeological sites that will be affected by the proposed project are not expected to include human remains or burial artifacts, should such items be discovered during subsurface testing or data recovery, or if such items are discovered at unknown sites during construction or operation of the proposed action, project-related earthmoving activities shall be redirected away from the area. A SOPA-certified archaeologist shall consult with the County and representatives of local Native American groups regarding removal and re-interment.

Status:

No human remains or burial artifacts have been recovered during subsurface testing or during grading. Therefore, this mitigation measure has not been triggered. However, should human remains or burial artifacts be discovered, proper protocol procedures will be followed.

C-7

The approved archaeological mitigation measures shall be affixed to all copies of the project grading plans.

Status:

El Sobrante Landfill is in compliance with this mitigation measure.

Geology, Soils and Seismicity (G) Mitigation Measures

G-1

The landfill and associated structures shall be designed and constructed to withstand the expected ground motions and potential effects of seismic ground shaking.

Status:

El Sobrante Landfill is in compliance with this mitigation measure. All cell designs are engineered based on seismic stability analyses and subject to review and approval of the RWQCB. Likewise, all building plans must comply with all applicable building standards and are submitted to Riverside County for review and permitting.

G-2

Final exterior waste fill slopes shall not be steeper than 1.75:1 with a minimum of one 15-foot wide bench for every 50-feet of vertical height.

Status:

El Sobrante Landfill is in compliance with this mitigation measure. All final exterior slopes are a more conservative 2.5:1 with benches every 50 vertical feet. Interim slopes are constructed at 3:1 per RWQCB guidelines.

G-3

A slope or foundation stability report shall be prepared by a registered civil engineer or certified engineering geologist. The report must indicate at least a 1.5 factor of safety for the critical slope under dynamic conditions, or appropriate factor of safety in accordance with applicable regulations.

Status:

El Sobrante Landfill is in compliance with this mitigation measure. All stability analyses are included in the Joint Technical Document (JTD) reviewed and approved by the RWQCB. In addition, each new landfill cell design requires a seismic stability analysis that is submitted, as well, to the RWQCB for review and approval. The JTD, revised March 2009, incorporated an updated seismic stability analysis of the landfill's liner system.

G-4

In lieu of achieving a 1.5 factor of safety under dynamic conditions, a more rigorous analytical method that provides a quantified estimate of the magnitude of movement may be employed.

Status:

El Sobrante Landfill is in compliance with this mitigation measure. All stability critical structures within the footprint of the landfill are designed to the 1.5 factor of safety.

G-5

Significant slopes (including cut, fill, and waste prism slopes greater than 20 feet high and steeper than 3:1) shall be designed to comply with RWQCB and CIWMB requirements for the identified maximum probable earthquake peak acceleration.

Status:

El Sobrante Landfill is in compliance with this mitigation measure. All cut, fill, and waste slopes are designed by an engineering firm to comply with regulatory requirements.

G-6

RWQCB and CIWMB requirements shall be complied with, and the final cover surface slopes shall be limited to 3:1, based on seismic considerations, with intermediate fill stage heights limited to 70 feet, with 15-foot wide benches to improve stability, unless subsequent analyses verify the acceptability of steeper slopes or greater fill heights. Under no circumstance, however, shall the final exterior waste fill slope be steeper than 1.75:1 (see G-2 above).

Status:

El Sobrante Landfill is in compliance with this mitigation measure.

G-7

Slope buttresses shall be provided, if necessary, to increase slope stability and reduce deformations.

Status:

El Sobrante Landfill is in compliance with this mitigation measure. In 2009, no buttress fills were required or constructed.

G-8

Parameters developed by geosynthetic and geotechnical testing shall be included in the analysis of liner systems on side slopes. Residual strength values (i.e., after shearing) shall be used, unless control of peak strengths can be demonstrated.

Status:

El Sobrante Landfill is in compliance with this mitigation measure. Compliance is documented in the Construction Quality Assurance As-Built Reports for each specific landfill phase that is constructed.

G-9

A post-earthquake inspection plan shall be submitted to the RWQCB and CIWMB, for approval which provides for detailed site inspection after an earthquake of magnitude (M) 5.0 or greater within 25 miles of the site to determine the integrity of landfill structures and systems. The plan shall identify appropriate measures which may be initiated to correct earthquake-related damage. Also, a routine inspection plan shall be developed and implemented by a registered certified engineer to examine slope conditions.

Status:

El Sobrante Landfill is in compliance with this mitigation measure. A plan has been designed and implemented to include integrity inspections of structures, slopes and the landfill's integrated systems. El Sobrante Landfill staff currently inspect slopes and structures for maintenance issues including signs of settlement and fissures on a weekly basis. This plan was submitted to the RWQCB and CIWMB in 2008 and incorporated in the approved JTD, revised March 2009.

G-10

If geotechnical investigations reveal the need for blasting for a specific landfill phase, a blasting study shall be conducted in compliance with County requirements. If such a study is necessary, it shall be conducted by a licensed engineer and submitted to the County Engineering Geologist for approval.

Status:

El Sobrante Landfill will comply with this mitigation measure if geotechnical investigations reveal the need for blasting. No blasting was required in 2009.

G-11

If isolated saturated bedrock conditions are encountered in cut slopes, appropriate drainage systems shall be installed. These systems could consist of weep systems, subdrain systems, or the flattening of excavated cut slopes to improve slope stability.

Status:

Two sets of surface water downdrains were put in place in 2009 in conjunction with the recently applied final cover in Phases 1 and 3-5. Subdrain systems were installed in Phase 8 when these conditions were encountered. During the construction of cell 9A, this subdrain was extended. This measure will continue to be implemented at the El Sobrante Landfill during cell construction when these conditions are encountered and will continue to be in compliance with this mitigation measure.

G-12

Landfill liners shall be placed over the side slopes, and surface water runoff control systems (e.g., V-ditches at the top of slopes) shall be constructed to prevent uncontrolled flow down the face of the slopes.

Status:

El Sobrante Landfill is in compliance with this mitigation measure. El Sobrante has constructed and continuously maintains a surface drainage network system to prevent erosion over the slopes of the landfill, which consists of v-ditches, check dams, sand bags, and silt fences.

G-13

Structural fills shall be built above ground water and compacted in place to a specific high relative density.

Status:

El Sobrante Landfill is in compliance with this mitigation measure. No structural fills were placed in ground water during 2009. A canyon subdrain system was installed beneath the fill in Phase 8 in 2004.

G-14

Expansive index testing shall be performed to verify the suitability of native soils for fill materials. If testing indicates a potential for high expansiveness in the soil, such soils shall be either treated (e.g., mixed with non-expansive soils) or removed.

Status:

El Sobrante Landfill is in compliance with this mitigation measure. All fill materials have been tested prior to fill placement and documented in a Construction Quality Assurance As-Built Report submitted to the regulatory agencies.

G-15

Blasting shall be conducted in compliance with local building code requirements to prevent damage to structures and new construction from shear waves generated during blasting.

Status:

El Sobrante Landfill will comply with this mitigation measure if geotechnical investigations reveal the need for blasting. No blasting was required in 2009.

G-16

Only state-licensed blasters shall be used to design, supervise, and detonate explosives on the site.

Status:

This mitigation measure was not triggered in 2009, since no blasting was required.

G-17

Seismic monitoring of each blast shall be conducted by an independent, qualified consultant.

Status:

This mitigation measure was not triggered in 2009, since no blasting was required.

G-18

There shall be no onsite storage of explosives. Explosives shall be transported to the site by the licensed blaster on an as-needed basis.

Status:

Explosives are not stored on the site of the landfill.

G-19

USA Waste shall inform the Riverside County Sheriff's Department (Sheriff's Dept.) and the Riverside County Fire Department (Fire Dept.) prior to blasting.

Status:

This mitigation measure was not triggered in 2009, since no blasting was required.

G-20

USA Waste shall notify neighbors within 1,000 feet of potential blasting areas prior to a blasting episode.

Status:

This mitigation measure was not triggered in 2009, since no blasting was required.

G-21

A record of each blast shall be retained for at least three years and shall be submitted to the County Building and Safety Department as requested by the Building and Safety Director.

Status:

If blasting should occur, all records of blasting would be retained at the landfill Administration Office. The blasting record would become part of the Operating Record for the landfill. However, no blasting occurred in 2009.

G-22

Preblast inspections shall be made by a civil engineer licensed by the State of California of residences and facilities existing at the time of landfill permit approval and located within 1,000 feet of potential blasting areas.

Status:

This mitigation measure was not triggered in 2009, since no blasting was required.

G-23

A letter containing a general description of the blasting operations and precautions, including the blast-warning whistle signals that are required by the State of California Construction Safety orders, shall be sent to residents within a one-half mile radius of the landfill operations by USA Waste in accordance with applicable regulations.

Status:

This mitigation measure was not triggered in 2009, since no blasting was required.

G-24

Blasting complaints, if any, shall be recorded by USA Waste as to complainant, address, data, time, nature of the complaint, name of the person receiving the complaint, and the complaint investigation conducted. Complaint records shall be made available to the County Engineering Geologist, Planning Department, and Building and Safety Department.

Status:

This mitigation measure was not triggered in 2009, since no blasting was required.

Land Use and Land Use Plans (L) Mitigation Measures

L-1

The development of El Sobrante Landfill Expansion shall be in accordance with the mandatory requirements of all applicable County ordinances and shall conform substantially with the project description in the EIR (State Clearinghouse No. 90020076), as filed in the office of the RCWMD.

Status:

While there have been changes to conceptual grades based on updated seismic stability analysis (JTD, revised March 2009), the El Sobrante Landfill continued to be developed in overall accordance with the Expansion Project approved by the BOS in 1998 and evaluated in the certified EIR in 2009.

L-2

Prior to any offsite grading, USA Waste or its successor-in-interest shall obtain and record appropriate offsite easements.

Status:

Offsite grading, requiring offsite easements, was not conducted in 2009.

L-3

A Citizen Oversight Committee shall be formed by the Board of Supervisors upon approval of the project. The Citizen Oversight Committee shall be composed of a total of five (5) members, whose term of service will be established upon formation of the committee. Three (3) of the five (5) members will be appointed by the Supervisor of the district in which the landfill is located. Of these three (3), two (2) members must reside within a three (3) mile radius of the landfill property. One (1) member shall be a representative from a corporate operation within a three (3) mile radius of the landfill property. The remaining two (2) members will be appointed by the entire Board of Supervisors and shall be chosen at large to represent the affected communities of interest.

Status:

The Citizen Oversight Committee (COC) was formed by the Board of Supervisors in 2003 and meets multiple times per year to discuss issues related to the use of the Mitigation Trust, illegal dumping and programs, and landfill operations. The COC held at least five (5) meetings in 2009. Key issues discussed by the COC were: 1) the proposed revision to the landfill's operating permit to allow for expanded operating hours and a weekly tonnage limit, 2) the use of

the Mitigation Trust for the Clean Money Youth-Based Fundraising Program in the First and Second Supervisorial Districts, and 3) the 2008 El Sobrante Landfill Annual Report.

L-4

The Citizen Oversight Committee shall meet at least once annually to review the Annual Status Reports that will be submitted by an Administrative Review Committee which will include all reports and data that will be provided by USA Waste or its successor-in-interest and shall submit written comments on the project to the Board of Supervisors as they deem necessary.

Status:

The COC met on August 4, 2009 to review the 2008 El Sobrante Landfill Annual Report.

Noise (N) Mitigation Measures

N-1

Excavation and liner construction of new landfill cells shall be limited to the hours of 8:00 a.m. to 5:00 p.m., Monday through Saturday.

Status:

El Sobrante Landfill is in compliance with this mitigation measure.

N-2

Landfill equipment working on the outside slopes of the landfill shall be limited to the hours of 8:00 a.m. to 5:00 p.m.

Status:

El Sobrante Landfill is in compliance with this mitigation measure.

N-3

Construction equipment shall use industrial-grade mufflers to reduce noise emission.

Status:

El Sobrante Landfill is in compliance with this mitigation measure.

N-4

Blasting shall be postponed during temperature inversions and unfavorable wind conditions (wind blowing toward residences).

Status:

No blasting occurred in 2009.

N-5

Drilling and blasting shall be conducted between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday, and will not occur on federal, state, and local holidays.

Status:

No blasting occurred in 2009.

N-6

Acoustic blankets shall be used around drilling operations to reduce potential drilling noise.

Status:

No drilling for blasting occurred in 2009.

N-7

Wherever feasible, temporary earthen or landscape berms, or other structures or measures, shall be utilized to reduce potential noise impacts on surrounding homeowners from nighttime activities at the working face of El Sobrante. Any measures implemented for this purpose shall be subject to annual review by the Citizen Oversight Committee.

Status:

The current landfill development and filling is not close to any residential property owners, and the facility has not received any noise complaints. Additionally, new noise studies incorporated in the Supplemental EIR prepared for the revision to the landfill's operating permit to allow for 24-hour disposal and a weekly disposal capacity limit, did not disclose new noise impacts requiring further mitigation.

Paleontological Resources (P) Mitigation Measures

P-1

A qualified paleontologist shall be retained, at the expense of the project, to monitor ongoing grading or other extensive activities in the Silverado Canyon and Lake Mathews formations. The monitoring program shall reflect the County's intent to research, recover, and preserve significant paleontological resources.

Status:

El Sobrante Landfill has maintained compliance with this mitigation measure since the 1998 approval of the Expansion Project by the Riverside County Board of Supervisors by retaining a qualified paleontologist to monitor any excavation activities within the Silverado Canyon or Lake Mathews formations. No excavations in these formations were conducted in 2009.

P-2

In the event that significant paleontological resources are uncovered during excavation, earthmoving and/or grading, work shall be redirected from the area until an appropriate data recovery program can be developed and implemented.

Status:

No significant paleontological resources were uncovered during earthwork activities in 2009; no excavation, earthmoving and/or grading work was redirected.

P-3

Recovered fossils shall be cleaned, cataloged, and identified to the lowest taxon possible. A report containing monitoring results, including an itemized list of fossils, shall be submitted to the County. A copy shall accompany the fossils to an appropriate repository.

Status:

Since no significant paleontological resources have been uncovered, this mitigation measure has not been triggered.

P-4

Collected fossils shall be curated at a public institution with an educational/research interest in the material. The expenses shall be borne by the project.

Status:

Since no significant paleontological resources have been uncovered, this mitigation measure has not been triggered.

P-5

The approved paleontological mitigation measures shall be affixed to all copies of the project grading plans.

Status:

El Sobrante Landfill is in compliance with this mitigation measure.

Traffic and Circulation (T) Mitigation Measures

T-1

Out-of-County waste from Los Angeles County, Orange County, San Bernardino County, and San Diego County shall be transported to El Sobrante by transfer trucks.

Status:

El Sobrante Landfill has maintained compliance with this mitigation measure with the cooperation of the Riverside County Waste Management Department, who monitors and provides waste origin data. All contracted out-of-County waste was delivered by transfer trucks in 2009.

T-2

Transportation of out-of-County waste from areas other than Los Angeles County, Orange County, San Bernardino County, and San Diego County shall not be permitted without additional environmental review and approval.

Status:

El Sobrante Landfill is not accepting waste from counties other than those identified. El Sobrante is in compliance with this mitigation measure.

T-3

Transfer trucks hauling waste from out-of-County to El Sobrante that use State Route (SR) 91 shall travel to and from the landfill during off-peak hours for SR 91.

Status:

El Sobrante is in substantial compliance with this mitigation measure. While transfer trucks hauling waste from out-of-County using SR 91 represent an insignificant contribution to traffic levels on this roadway, extensive residential growth has led to significant traffic congestion on

both SR 91 and Interstate 15. Consequently, El Sobrante is committed to significantly reducing transfer truck traffic during peak daytime and early evening commute times, by moving waste deliveries to nighttime hours, as is evidenced in the Second Amendment to the Second Agreement, which requires that 2,400 tons/day (tpd) of waste (2,000 out-of-County tons and 400 in-County tons) be delivered to the landfill between the hours of 9 pm and 5 am, Monday through Friday. This provision was implemented on August 31, 2009, upon approval of a revision to the landfill's Solid Waste Facility Permit, which allows the landfill gate hours for waste delivery to be extended from 20 hours a day to 24 hours a day. However, due to the slow economy, daily tonnage into the landfill is down approximately 30 percent. This, and a combination of transfer station operational requirements and union restrictions, has presented challenges in shifting more loads for transport to the later hours and in meeting the 2,400 tons/day (2,000 tpd out-of County/400 tpd in-County) requirement. However, in the first four months of implementing the shift to 24-hour operations, the daily tonnage during these hours has increased by more than 70% compared to the same period in 2008 (September-December). The majority of this night time tonnage shift is from out-of-county transfer trucks, most of which are from WM transfer facilities in Carson (primary customer using SR 91) and Southgate.

T-4

Vehicles delivering waste from out-of-County to be disposed at El Sobrante shall utilize on all trips (both inbound and outbound) only that portion of Temescal Canyon Road between its intersection with 1-15 and the landfill access road, except in the event of a closure of the on- and/or offramps at Temescal Canyon Road and 1-15.

Status:

El Sobrante Landfill requires all transfer trucks to utilize the designated route for deliveries of waste. A sign has been installed at the intersection of Dawson Canyon Road and Temescal Canyon Road to clearly indicate to drivers leaving the landfill that no right turn is allowed and to indicate the landfill operator's commitment to enforce this restriction. When a driver is observed not using the designated route, the management of the trucking company is notified of the violation, and a request is made to correct the behavior. The El Sobrante staff tracks violations, with repeated violations by a driver resulting in the driver being banned from using the El Sobrante facility. No repeat violations were noted in 2009.

T-5

Except for vehicles collecting waste in the immediate vicinity of El Sobrante, USA Waste's or successor's-in-interest collection vehicles delivering waste from in-County to be disposed at El Sobrante shall utilize only that portion of Temescal Canyon Road between its intersection with 1-15 and the landfill access road for all trips (both inbound and outbound), except in the event of a closure of the on-and/or off-ramps at Temescal Canyon Road and I-15.

Status:

The landfill operator has implemented this mitigation measure similarly to Mitigation Measure T-4. A sign has been installed at the intersection of Dawson Canyon Road and Temescal Canyon Road to clearly indicate to drivers leaving the landfill that no right turn is allowed and to indicate the landfill operator's commitment to enforce this restriction. When a driver is observed not using the designated route, WMI hauling operations are notified of the violation, and a request is made to correct the behavior. The El Sobrante staff tracks violations, with repeat violations by a driver resulting in the driver being banned from using the El Sobrante facility. No repeat violations were noted in 2009.

Public Services and Utilities (U) Mitigation Measures

U-1

Access roads/streets shall be wide enough to accommodate movement and parking without hindering the flow of traffic. Roadway modifications shall be designed to provide smooth and orderly traffic flow and shall be well lighted.

Status:

El Sobrante Landfill is in compliance with this mitigation measure.

U-2

Warning or caution signs shall be placed on Temescal Canyon Road and the El Sobrante access road to indicate the presence of slow-moving traffic/trucks.

Status:

El Sobrante Landfill has placed multiple speed limit and caution signs at strategic points along the access route to the landfill to indicate the presence of slow-moving traffic in compliance with this mitigation measure.

U-3

Upon assignment of a numbered street address by the County, the project entrance shall be clearly marked with address numbers.

Status:

El Sobrante Landfill is in compliance with this mitigation measure. The landfill entrance is well marked by many signs.

U-4

Buildings shall be constructed with fire retardant roofing material as approved by the County Fire Department.

Status:

All new building applications for permanent structures will be routed through the Fire Department as required by the standard building permit process and this mitigation measure.

U-5

Water mains and fire hydrants providing required fire flows shall be constructed subject to approval by the County Fire Department.

Status:

All new water mains and fire hydrants will be routed through the Fire Department as required.

U-6

Prior to approval of any development plan for lands adjacent to open space areas, a fire protection/revegetation management plan shall be submitted to the Riverside County Fire Department for review and comment.

Status:

El Sobrante Landfill developed and submitted a fire management plan to the Fire Department in 2003. Construction of two additional water storage tanks (140K gal. and 40K gal.) and pump upgrades were completed in 2007 to increase the water supply at El Sobrante for potential fire mitigation. The Fire department has received a dedicated hook-up to each of the new tanks.

U-7

Landfill equipment operators, waste transfer vehicle drivers, and landfill personnel assigned to nighttime operations shall have appropriate training for night operation of heavy equipment.

Status:

El Sobrante Landfill equipment operators assigned to night operations receive weekly training on safety within the landfill, inclusive of maintaining proper lighting while operating in other than daylight conditions. All operator training is documented, with records maintained on site.

U-8

Portable lights shall be used at the working face to provide a safe working environment during nighttime operations.

Status:

El Sobrante Landfill is in compliance with this mitigation measure.

U-9

The landfill access road and onsite roads to the working face shall be equipped with reflectors, reflective cones, reflective barriers and signs.

Status:

El Sobrante Landfill is in compliance with this mitigation measure.

U-10

Public access to the landfill shall be restricted to the hours of 6:00 a.m. to 6:00 p.m.

Status:

El Sobrante Landfill is in compliance with this mitigation measure.

U-11

Installation of low flow toilets, faucets, and showers.

Status:

El Sobrante Landfill is in compliance with this mitigation measure.

U-12

Wastewater shall go to the Lee Lake Treatment Facility, which makes water available for reuse.

Status:

Leachate and condensate is re-circulated on-site as permitted by the RWQCB. Gray water from restroom facilities is routed into an onsite septic system approved by Riverside County. Currently, the landfill, except for a portion of the landfill's access road, is located within the District boundary of Western Municipal Water District, with non-potable water provided by Lake Elsinore Water District, and potable water provided by Corona. Discussions with Lee Lake Water District (LLWD) to provide water and sewer service to the landfill in the future were initiated as early as 2007 and have continued into 2010. While LLWD has confirmed its ability to provide service, the process requires that applications for annexation and a Sphere of Influence (SOI) amendment be processed and approved through the Riverside County Local Agency Formation Commission (LAFCO). Preparation of the application package, which has several components, was initiated in 2009. Currently, the legal descriptions and corresponding mapping for the annexation and the SOI are being completed. Final details on future infrastructure requirements, CEQA compliance, and the preparation of a Plan of Services are being worked out with LLWD. Upon completion of these components, the applications will be filed with LAFCO. The LAFCO process will involve appropriate public noticing and involvement (i.e., public hearing). A decision on the annexation into the LLWD and SOI Amendment is expected to occur by no later than the fall of 2010.

Water Resources (W) Mitigation Measures

W-1

Drainage structures, such as the perimeter drainage channels, sedimentation basins, leachate evaporation ponds, stormwater retention basins, and collection pipes and ditches, shall be inspected and maintained on a regular basis.

Status:

At a minimum, El Sobrante Landfill supervisors inspect and maintain all drainage structures (including ditches, sedimentation basins/storm water retention basins and drainage piping) within the site on a monthly basis. Routine maintenance and cleaning of drainage structures was completed in 2009 with no unusual incidents or issues. This task is part of the supervisors' regular responsibility and serves to facilitate compliance with this mitigation measure.

W-2

Regular monitoring (and possibly testing) of perimeter drainage channels and retention ponds shall be completed to assure that discharged stormwater does not contain contaminants from the landfill.

Status:

El Sobrante Landfill employs a dedicated environmental engineer and retains consulting specialists to provide testing and monitoring of all drainage components within the landfill as required by State and Local regulatory agencies. Monitoring reports are maintained on site. These activities maintain compliance with this mitigation measure.

W-3

A Stormwater Pollution Prevention Plan (SWPPP) shall be prepared. It shall include a Spill Prevention and Response Plan and a monitoring plan. The facility shall implement "best management practices" as required by NPDES.

Status:

El Sobrante Landfill is in compliance with this mitigation measure.

W-4

Leachate shall be collected by the leachate collection and removal system (LCRS) installed at the base of each landfill cell. Such leachate shall be sampled regularly and, if necessary, treated prior to use for dust control on lined areas of the landfill.

Status:

El Sobrante Landfill has received approval from the RWQCB to utilize leachate collected via the LCRS for dust control based upon testing results, as directed by the RWQCB staff. A LCRS report is prepared annually to satisfy the requirements of the RWQCB, as specified in the landfill's Waste Discharge Requirements (WDR), dated July 20, 2001. According to the draft report, prepared by SCS Engineers and dated January 2010, the LCRS recovers leachate from 12 locations in the landfill, and the leachate control systems are inspected weekly. Annual sampling occurred on October 20 and 21, 2009. From January through December 2009, a total of 572,111 gallons of leachate were collected and used for dust control. Use of leachate, as approved by the RWQCB, as the responsible agency, is in compliance with this mitigation measure.

W-5

Stormwater runoff that falls on the active working face of the landfill shall be diverted to a collection sump and reused for dust control on lined areas of the landfill. The sump for stormwater runoff from the active working face shall be designed to hold the runoff from the 100-year, 24-hour storm.

Status:

El Sobrante Landfill is in compliance with this mitigation measure. A berm is constructed at the toe of the active face to collect contact water that may come into contact with refuse and prevent co-mingling with storm water. This condition rarely occurs due the predominately dry conditions at El Sobrante.

W-6

Drainage improvements shall be designed and constructed to provide all-weather access to the landfill.

Status:

El Sobrante Landfill is in compliance with this mitigation measure.

W-7

To reduce the quantity of water used, the following measures shall be implemented:

- **Low-flow plumbing fixtures shall be installed for onsite facilities.**
- **Washwater for cleaning equipment at the operations and maintenance center shall be collected and recycled, and reused for washing or dust control.**
- **Stormwater that falls on the active working face of the landfill shall be collected and used for dust control.**

Status:

El Sobrante Landfill is in compliance with this mitigation measure.

W-8

The liner system for the expansion of El Sobrante shall meet the following requirements:

- The liner system (inclusive of the bottom liner and the sideslope liner) of the landfill shall exceed the requirements of Subtitle D and California Code of Regulations (CCR) Title 27 and shall be composed of the alternative bottom liner (identified as Alternative Bottom Liner B2) and the alternative sideslope liner (identified as Sideslope Liner Alternative S2), which are both described and evaluated in Evaluation of Liner System Alternatives, El Sobrante Landfill Expansion, Riverside County, California, prepared by GeoSyntec Consultants and dated February 1998.
- If it is determined that this liner system will not meet the requirements of the regulatory agencies, a substitute liner system must be approved by the regulatory agencies, and evidence of such a determination shall be forwarded to the El Sobrante Landfill Administrative Review Committee of Riverside County. In this event, the substitute liner system shall be composed of a bottom liner and a sideslope liner that are at least equal to Alternative Bottom Liner B2 and Sideslope Liner Alternative S2, respectively, and must be approved by the Administrative Review Committee.

Status:

El Sobrante Landfill is in compliance with this mitigation measure.

W-9

Landfill gas collectors shall be placed as compacted lifts of waste are finished. Once sufficient waste has been placed above the collectors to prevent air intrusion, the collectors shall be used for active landfill gas extraction.

Status:

El Sobrante Landfill is in compliance with this mitigation measure. In 2009, El Sobrante installed one (1) landfill gas (LFG) collector in Phase 9. Four (4) LFG collectors were installed in Phase 3-5. These additional five (5) gas collection wells were installed to improve gas flows to generators converting landfill gas to electricity. A series of horizontal collectors were installed previously within the footprint of Phase 8. These horizontal collectors are used as a compliance measure to collect any newly generated gas and prevent free venting from the working face. Due to the generally arid climate of the area and the young age of the waste, the horizontal collectors do not collect a significant quantity of landfill gas from the landfill. El Sobrante principally relies on sufficient LFG extraction from the vertical well field to maintain compliance.

W-10

The final cover of the landfill shall conform to Subtitle D and CCR Title 27, and shall consist of a minimum of four (4) feet of vegetative layer in accordance with the augmented cover described in the EIR (State Clearinghouse No. 90020076). Any change from the augmented cover shall require clearance from the RCWMD, the California Integrated Waste Management Board (CIWMB), Regional Water Quality Control Board (RWQCB), the U.S. Fish and Wildlife Service (USFWS), and the California Department of Fish and Game (CDFG).

Status:

El Sobrante Landfill is in compliance with this mitigation measure.

W-11

In accordance with applicable regulations, landfill gas shall be monitored at the landfill perimeter and in the vadose zone.

Status:

El Sobrante Landfill has eight (8) active perimeter gas probes, with multiple completions, monitored and reported in accordance with applicable regulations. The Local Enforcement Agency (LEA) inspects probes on a quarterly basis. A revised probe plan was submitted to the CIWMB in 2008 and approved on June 5, 2009, addressing additional probe locations for future cell development. In accordance with the approved Gas Probe and Monitoring Plan, nine (9) probes were drilled in 2009. All 17 probes are spaced at 1,000 feet around the perimeter of the landfill. There were no reportable excess levels of gas in perimeter probes in 2009.

W-12

"Point of compliance" ground water monitoring wells, as required by CCR Title 27, shall be installed along the downgradient perimeter of the landfill footprint, pursuant to a monitoring plan approved by the RWQCB. These wells shall be sampled on a quarterly basis beginning one year prior to landfilling each respective cell, and will provide a secondary warning of a leak in the liner system.

Status:

El Sobrante Landfill has implemented a "point of compliance" ground water monitoring program consisting of sixteen (16) active ground water monitoring wells in compliance with CCR Title 27 and as approved by the RWQCB. Quarterly monitoring reports are provided to the RWQCB and copies are maintained on site. All monitoring activity in 2009 was in compliance with RWQCB requirements.

W-13

If leachate or landfill gas generated by the landfill expansion were determined to be a potential risk to ground water, a corrective action plan shall be developed and implemented in conjunction with the RWQCB as required by CCR Title 27.

Status:

This mitigation measure was not triggered for the expansion phases in 2009. For the original landfill, a corrective action plan was implemented for apparent landfill gas impacts to ground water in 1996. This plan was developed and implemented in conjunction with the RWQCB. On June 4th 2003, the RWQCB gave El Sobrante permission to turn off the ground water remediation system as the impacts appeared to have been mitigated. Monitoring continues to this day and in the event that impacts appear to return, El Sobrante Landfill will re-institute the mitigation measures.

W-14

Whenever a specified material, design, system or action is required by the project or any exhibit thereto, USA Waste or its successor-in-interest may substitute such material, design, system or action, provided that:

- Such material, design, system or action complies with applicable Federal, State, and local regulations; and,

- Any Federal, State or local regulatory agency having jurisdiction has approved the use of the material, design, system or action for similar facilities (i.e., Class III landfills); and,
- The General Manager - Chief Engineer of the RCWMD, with concurrence of the appropriate regulatory agency(ies), has determined that such material, design, system or action is technically equal, or superior to, those required in these conditions.

Status:

EI Sobrante Landfill is in compliance with this mitigation measure.

W-15

USA Waste or its successor-in-interest shall deposit 50 cents per ton into a Third Party, Environmental Impairment Trust, which fund shall be established and maintained throughout the life of the project. Any balance in the existing fund contributed by USA Waste or its successor-in-interest under the First EI Sobrante Landfill Agreement, as amended, shall continue to accrue with deposits from all waste delivered to the site on or after the start date, including interest earnings on the funds, until the fund has reached a total of \$2,000,000, at which time deposits may be discontinued until withdrawals cause the fund to fall below the \$2,000,000 cap. The cap shall increase annually by 90 percent of the change in the Consumer Price Index (CPI) starting in the year 2002.

Status:

The balance of the Environmental Impairment Trust at the end of 2009 was \$2,846,144.75. EI Sobrante Landfill is in compliance with this mitigation measure.

W-16

Monies may be withdrawn from the Environmental Impairment Trust only for environmental remediation purposes with approval by USA Waste or its successor-in-interest and the General Manager - Chief Engineer of the RCWMD. The Trustee shall be required to report quarterly to the Department on all fund activity and balances.

Status:

EI Sobrante Landfill did not withdraw any funds from this Trust in 2009.