COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING AND BUILDING
STAFF REPORT
PLANNING COMMISSION

Promoting the wise use of land
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MEETING DATE	CONTACT/PHONE	APPLICANT	FILE NO.
November 4, 2010	John McKenzie 781-5452	Cold Canyon Landfill	D000281D

SUBJECT
Hearing to consider revocation of a Development Plan (D000281D) that approved expansion of the composting operation at Cold Canyon Landfill. The revocation process will allow the Planning Commission to review condition compliance and drainage issues related to the compost facility and determine if any action is necessary. The existing permit allows for acceptance and processing of up to 300 tons daily of green waste material for composting within an approximate 12-acre area adjacent to the existing landfill operation on Highway 227, south of the Edna-Los Ranchos community, within the San Luis Obispo planning area. The site is in the Agriculture land use category. Supervisorial District No. 3. The Assessor's Parcel Number is 044-261-047.

RECOMMENDED ACTION
Consider remedial drainage actions as adequate and review for compliance with the existing Development Plan (D000281D) conditions of approval for existing compost operation.

ENVIRONMENTAL DETERMINATION
None (A Mitigated Negative Declaration was adopted when the project was approved)

LAND USE CATEGORY	COMBINING DESIGNATION	ASSESSOR PARCEL NUMBER	SUPERVISOR DISTRICT(S)
Agriculture	Flood Hazard (compost facility not located within designation)	044-261-047	3

PLANNING AREA STANDARDS:
None

EXISTING USES:
Compost facility, undeveloped

SURROUNDING LAND USE CATEGORIES AND USES:
North: Public Facility (Cold Canyon landfill)
East: Agriculture (Material Recovery Facility, Winery/ vineyards, single-family residences)
South: Agriculture (single-family residence, accessory bldgs, equestrian facility.)
West: : Agriculture (single family residences)

ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING & BUILDING AT:
COUNTY GOVERNMENT CENTER γ SAN LUIS OBISPO γ CALIFORNIA 93408 γ (805) 781-5600 γ FAX: (805) 781-1242

OTHER AGENCY / ADVISORY GROUP INVOLVEMENT:
CalRecycle, Central Coast Regional Water Quality Control Board, Air Pollution Control District, Integrated Waste Management Authority, County Department of Public Works and Transportation, County Department of Agriculture, County Counsel

TOPOGRAPHY:	VEGETATION:
Gently to moderately sloping to the southwest	Grassland
PROPOSED SERVICES:	ACCEPTANCE DATE:
N/A	N/A

DISCUSSION

A. PURPOSE FOR HEARING

The purpose of today's hearing is for the Planning Commission to review condition compliance of the Cold Canyon Landfill Compost Facility which was approved on July 12, 2001 (see Exhibit C - Location Maps, and Exhibit F – 2001 Compost Facility Conditions of Approval).

Per Section 22.74.160 of the Land Use Ordinance (see Exhibit L), Revocation Hearings are normally triggered when there is a violation of one or more approved conditions that are not being resolved. This hearing allows the Planning Commission to determine one of the following actions be taken:

1. Allow the permittee additional time to correct the violation or non-compliance; or
2. Modify conditions of approval on the basis of evidence presented at the hearing; or
3. Revoke the approved land use permit and order the discontinuance or removal of the approved use within a time specified by the Planning Commission.
4. Allow the permittee to continue the operation as currently permitted.

In this case, an original project condition of approval from 2001 directs staff to return the project to the Planning Commission for compliance review regardless of whether or not a violation has occurred, see Condition #20 below. As this condition was not met (no Commission Hearing was held after 12 months of expanded operation), this revocation process was determined to be the closest process to allow the Commission to review condition compliance.

Condition #20 from the 2001 permit reads as follows:

20. Staff will report back to the Planning Commission regarding the project's compliance with conditions, 3 months after issuance of grading permit and 3 months and 12 months after start of expanded compost operations. The report back shall be noticed as a public hearing. The applicant agrees that the Planning Commission will retain discretionary jurisdiction and may place additional conditions on the project over this permit until the final 12 months report back hearing.

The Central Coast Regional Water Quality Control Board (Water Board) on February 11, 2010 issued a Notice of Violation to Cold Canyon Landfill for inadequate capacity in precipitation and drainage controls, and discharge of inappropriate surface runoff during this last rainy season, which conflicted with condition #6 which reads:

6. The required grading and drainage plan shall include Best Management Practices (BMP) to be utilized in the design, construction and operation of the project. BMP's may include but are not necessarily limited to the Regional Water Quality Control Board's BMP Guidelines and as described in the application.

In preparation for the 2010-2011 rainy season, the applicant has completed wet weather preparations as required by the Water Board including maintenance and improvements to landfill detention basins, and identifying and reworking landfill slopes that contributed to landfill runoff violations. To address compost area runoff violations, the applicant has proposed specific drainage improvements for the composting pad and processing area that includes construction of a dedicated pond to retain compost impacted runoff onsite for beneficial reuse. The County and the Water Board are currently reviewing proposed compost area drainage improvements. The Water Board will require compost area drainage improvements if composting restarts.

Due to the complexities and history of the project, the following provides some discussion about the project's permit history, the multi-jurisdictional regulatory framework, neighbor involvement, the proposed expansion of the overall landfill facility, and the importance of a compost facility from the County's perspective.

B. PROJECT DESCRIPTION AND PERMIT HISTORY

The project description is a combination of two permits that have allowed the establishment and expansion of a compost facility that is adjacent to a landfill. Table 1 in the following condition Compliance section identifies the project's operational conditions of approval which provides the framework for the project description.

The project is currently permitted to process up to 300 tons per day of green waste. Prior to the decision to stop processing greenwaste, the facility was processing up to about 150 tons per day.

Permit History. The following is a summary of the County permit history:

- In 1991, the Cold Canyon Landfill was approved for expansion. At that time, limited acceptance of green waste was approved in the form of chipping the material and using it as a part of the daily landfill cover requirement. (See Exhibit D – 1991 Landfill Conditions of Approval)
- In 1996, in its effort to help meet some of the State's recycling and landfill diversion goals, a Development Plan was approved to establish a green waste compost program over a 5-acre area with a capacity limit of 10,000 cubic yards of green waste material at any given time. (See Exhibit E – 1996 Compost Conditions of Approval)
- In 2001, another Development Plan was approved to expand the composting area to 12 acres and changed the allowed amount of on-site material accepted to 300 tons per day (much easier to measure weight units with the on-site scale instead of estimated volume under cubic yards). This green waste diversion from the landfill has been a part of a very successful diversion program (65% diversion from this landfill) which has substantially extended the originally proposed lifespan of the landfill. In 1991, Cold Canyon Landfill estimated that the approved expansion would reach capacity in 2003. This estimate was made prior to the green waste diversion efforts and approvals that came afterwards. Based on an estimate early this year by the operator and provided to CalRecycle, the applicants are estimating that landfill capacity will be reached in 2018, which indicates that existing diversion efforts have added about 15 years to the landfill's site life. (See Exhibit F – 2001 Compost Conditions of Approval)
- Through August 2010, the Cold Canyon Landfill was using the entire 12-acre compost area for processing approximately 150 tons per day green waste received from residential and commercial customers within Cold Canyon's service area (i.e., from San Simeon to the south county border).
- As of September 2010, Cold Canyon has temporarily stopped receiving greenwaste for composting purposes and requested that further expansion of the compost facility no longer be considered (see Exhibit K– Cold Cyn Request to IWMA, and Exhibit L – Cold Canyon – Letter of Intention). Also, this recent request includes that the facility be allowed to 1) use the greenwaste as 'alternative daily cover' (ADC) for the working face of the landfill, and 2) transfer greenwaste and woodwaste to another out-of-county facility. The original landfill permit anticipated the use of woodwaste as ADC.

Please refer to Section C, which combines the above-referenced permit conditions into one place focusing on those measures relating to operational composting conditions of approval.

Flood Hazard Combining Designation. An approximate 300 square foot area at the south edge of the 88-acre property includes the Flood Hazard designation. This is approximately 1,600 feet from the approved 12-acre compost area, and the compost operation does not impact and is not being impacted by the Flood Hazard designation.

C. CONDITION COMPLIANCE

The following Table 1 has carried forward from all of the conditions listed in Exhibits D, E, and F those measures that are considered ongoing 'operational' measures that are considered relevant, as well as those measures relating to newly proposed activities (see Exhibit K and L). The compliance column is intended to summarize whether or not the condition has been or is being met by the operator. See Section F (Conclusions) for additional or revised measures being proposed.

Table 1. Project Description/Operational Conditions of Approval

	1996 Permit	**2001 Permit**	**Compliance**
Size	5 acres	12 acres	Project is within 12 acre area
Daily amount of greenwaste allowed	10,000 cubic yards	300 tons	Before ceasing operation, facility was accepting about 150 tons/day
Retail Sales	No retail sales allowed of compost		No retail sales
Hours of operation	Hours of operation shall be between 8:00 a.m. to 3:00 p.m.; Other composting activities, which do not include acceptance of composting material, may occur between 6:00 a.m. and 5:00 p.m. daily, except for the use of mechanical equipment which shall be limited to between the hours of 8 a.m. to 3 p.m. Back up beepers shall be adjusted to the minimum level approved by OSHA.		Unknown-unverified complaints rec'd on operating outside approved hours~~7 am to 5 pm~~
Acceptable Material	Bio solids shall not be allowed as feedstock for composting process		No bio solids used

Operational 1996 Compost Facility Conditions

Condition	**Compliance**
1. This approval authorizes the development and operation of the Cold Canyon landfill green waste compost facility with the following project components: a. Compost will be produced in windrows with ten foot aisles based with red rock. b. Site plans, cross sections and details depicting the layout and proposed drainage of the proposed project as shown on the approved plans. c. Acceptable waste material would include, but not necessarily be limited to, tree trimmings, wood residues, construction woodwaste, grass, leaves, shrub clippings and agricultural wastes (i.e., orchard and vineyard prunings and manure). d. Equipment requirements will include: a tub grinder, compost turner, trammel screen,• loader, dump truck. water truck and long stem thermometers. f. The compost facility will accept waste from 8 a.m. to 3:00 p.m., Monday through Sunday. Other composting activities, that do not include acceptance of composting material, may occur between the hours of 6:00 a.m. and 5:00 p.m., Monday through Sunday, except for the use of mechanical equipment which shall be limited to between the hours of 8 a.m. to 5 p.m. Back up beepers shall be adjusted to the minimum level approved by OSHA. g. A program that will check incoming loads for inappropriate materials.	All measures in compliance with the following comments: Unverified complaints that noisy elements of compost operation beginning earlier than 8 am; where possible, back-up beepers put on lowest setting (not all trucks have adjustable controls)
7. In the event that odor becomes a problem, the LEA has the authority to require that the applicant either mitigate the problem or cease operation of the green	CalRecycle conducts monthly inspections,

waste facility.	and after three successive months of odors found a 'Notice of Violation' was issued to resolve problem
15. Prior to issuance of a grading permit, the applicant shall submit a landscape screening plan to be reviewed and approved by the Environmental Coordinator. The screening plan shall provide a downwind dust barrier for properties located to the southeast of the subject property. The newly planted trees shall be fast growing and maintained until successfully established. This shall include caging from animals (e.g., deer, rodents), periodic weeding and adequate watering (e.g., drip irrigation system). If possible, planting during the warmest, driest months (June through September) shall be avoided. In addition, standard planting procedures (e.g., planting tablets, initial deep watering) shall be used.	Such a dust-screening landscape plan was not successfully implemented – see proposed revised condition
Operational 2001 Compost Facility Conditions	
Condition	**Compliance**
6. The required grading and drainage plan shall include Best Management Practices (BMP) to be utilized in the design, construction and operation of the project. BMP's may include but are not necessarily limited to the Regional Water Quality Control Board's BMP Guidelines and as described in the application.	See discussions in sections A and F; compliance is expected; RWQCB cited run-off violation from lack of adequate drainage basin capacity; operator has submitted plans to County and RWQCB to fix
8. A minimum 20 foot wide fire access lane shall be maintained around the site.	Condition being met
10. Prior to final inspection, the applicant shall replace, in kind at a 4:1 ratio all oak trees removed as a result of the development of the project. No more than 1 oak tree shall be removed as a result of the development of the project. Replanting shall be completed as soon as it is feasible (e.g. irrigation water is available, grading done in replant area). Replant areas shall be either in native topsoil or areas where native topsoil has been reapplied. If the latter, top soil shall be carefully removed and stockpiled for spreading over graded areas to be replanted (set aside enough for 6-12" layer).	Done; trees planted off-site in county park
12. The road between the landfill and the green waste facility is unpaved. In the event that use of the road as access to the green waste facility produces dust problem, the applicant agrees to stabilize the road surface with an appropriate dust pallative or by paving the road.	Not currently paved – visible dust has been noted for landfill operation in general, which may include dust from this section of road used.
16. Prior to issuance of a grading permit, submit a construction emission reduction plan to the APCD for review and approval. The plan shall include, at a minimum, the following: a. equipment list with oxidation catalysts on the two pieces of equipment estimated to cause the highest level of combustion emissions during construction. The APCD must be consulted during the determination of which pieces of equipment will be retrofitted. b. Equipment must be operated in tune per the manufacturer's specifications. c. Use CARB motor vehicle diesel fuel in all construction equipment including portable and stationary engines. d. Fugitive dust reduction measures.	APCD has 3 on-site permits relating to emissions and dust; recent letter of potential nuisance relates to landfill odors
17. During compost operations, the following measures shall be observed: a. Compost material processed shall possess sufficient residual moisture or	Limited monitoring by CalRecycle and

added moisture to prevent visible dust emissions from crossing the site boundary. b. Traffic areas shall be watered or equivalently controlled to prevent dust emissions from crossing the site boundary. c. Visible dust emissions from the compost turning operations, the compost turner exhaust or the trommel screen shall not exceed Ringleman Number 2 or 40% capacity. d. Diesel fuel burned in the trommel screen engine shall not contain more than 0.5% sulfur or 10% aromatic hydrocarbon.	APCD either through regular monthly meetings or complaint follow-ups; until about two years ago, almost no complaints were received
20. Staff will report back to the Planning Commission regarding the projects compliance with conditions, 3 months after issuance of grading permit and 3 months and 12 months after start of expanded compost operations. The report back shall be noticed as a public hearing. The applicant agrees that the Planning Commission will retain discretionary jurisdiction and may place additional conditions on the project over this permit until the final 12 months report back hearing.	Was not done – Revocation Hearing intended to fulfill this requirement
Other Existing 1991 Landfill Facility Conditions (if landfill greenwaste 'alternative daily cover' option retained and composting not re-established):	
Condition	**Compliance**
A-6. The applicant's compliance with the required and recommended conditions of approval of this land use permit shall be reviewed from time to time by the County Planning Commission. Review may include, but not be limited to, transmittal of compliance reports from the mitigation monitor, reports from the Planning Director regarding written evaluation of condition compliance submitted by the Mitigation Monitor and pursuant to the provisions of Land Use Ordinance Section 22.02.038 and Sections 22.10.010 et. seq.	No monitor retained; however, compliance reports from agencies (e.g., Water Board, Cal Recycle, APCD) completed and made available for County review
A-8. Prior to issuance of the Notice to Proceed, the applicant shall establish a fund with the county in an amount approved by the Planning Director to cover costs of condition compliance including mitigation monitoring activities associated with the County required conditions of approval of this land use permit. The monies maintained in the fund shall be used to fund the review of those mitigation measures where a County agency is designated as the responsible agency in the Mitigation Monitoring Plan.	No fund established or county monitor retained; however, compliance reports from agencies (e.g., Water Board, Cal Recycle, APCD) completed and made available for County review
B-32. The current wastewood/biomass operation described in the Final Environmental Impact Report page 2-37 shall continue to operate as part of the proposed project. All features of the operation including staging, stockpiling, chipping am post-chipping stockpiling shall be located so as to not be visible from public roads and neighboring properties.	Superceded by compost operation (operator while not allowed under Franchise Agreement);

Other recent violations (in addition to those described elsewhere under 'Compost Odors' and 'Purpose for Hearing') received from other permitting agencies are as follows:

- Air Pollution Control District (APCD) – Tub Grinder being used did not have updated APCD permit (see Exhibit I – APCD Notice); logs for certain monitoring wells not recorded properly; received 3 verified landfill odor complaintsand one verified dust complaint.
  - *Cold Canyon response – Cold Canyon obtained proper permits for the tub grinder, provided missing monitoring records, and fixed faulty monitoring well; odor complaints just received at time of staff report writing and not enough time for CCL to respond.*
- Central Coast Regional Water Quality Control Board (Water Board) – The February 11, 2010, Notice of Violation to Cold Canyon Landfill also included a violation for inadequate intermediate cover in the dry weather disposal area.
  - *Cold Canyon response – Cold Canyon corrected the inadequate intermediate cover.*

D. OTHER RELATED INFORMATION

Agency Oversight

Agencies having oversight over various elements of the landfill and the compost facility are summarized as follows:

- California Department of Resources Recycling and Recovery or 'CalRecycle' [formerly the California Integrated Waste Management Board] – See CalRecycle's responsibilities below under 'Compost Odors'. CalRecycle has recently merged the duties of the CIWMB with those of State Department of Conservation's Division of Recycling to best protect public health and the environment by effectively and efficiently managing California's waste disposal and recycling efforts. CalRecycle acts as the County's Enforcement Agency (EA) to insure compliance with many state landfill and compost regulations. While most other jurisdictions throughout California have their own EA, in July, 2004 the County relinquished its EA responsibilities to the State (CalRecycle) at the specific request of a certain local landfill operator. There are only three other counties and two cities in the state that have CalRecycle acting as the LEA.
- Air Pollution Control District (APCD) – is responsible for enforcement of Federal, State and local air quality rules and regulation as well as the administration of the air quality permitting regulations. Air quality regulations and permits cover landfill activities such as operations, equipment and other activities with air emission-related impacts.
- Central Coast Regional Water Quality Control Board (Water Board) – is responsible for protecting groundwater and surface water quality and beneficial uses, and implements Federal and State water quality rules and regulations through Waste Discharge Requirements. Waste Discharge Requirements for Cold Canyon Landfill, Order No. R3-2002-0065, were adopted by the Water Board on November 1, 2002 and include prohibitions, specifications, and provisions for the operation and design of Cold Canyon Landfill. Order R3-2002-0065 also requires Cold Canyon Landfill to submit semiannual monitoring reports that assess landfill compliance and include groundwater and surface water monitoring. The Water Board intends to revise Order No. R3-2002-0065 upon completion of the rDEIR, which addresses future plans for the landfill. Cold Canyon Landfill is also enrolled in General NPDES Permit, Waste Discharge Requirements for Discharges of Stormwater Associated with Industrial Activities Excluding Construction Activities, which requires development of a Stormwater Pollution Prevention Plan and wet weather runoff monitoring.
- County Public Health – provides input on projects that could have potential associated health risks.
- San Luis Obispo County Integrated Waste Management Authority (IWMA) – Provides informational support to landfill and recycling operations, and educates the public on management of various waste stream elements (e.g., hazardous substances, recycling, etc.).

Compost Odors

Odors from the compost facility are currently regulated by CalRecycle (California Department of Resources, Recycling and Recovery [formerly the California Integrated Waste Management Board]) as the solid waste Enforcement Agency (EA) for San Luis Obispo County. An Odor Impact Minimization Plan (OIMP) is required for all compostable materials handling operations and facilities, with the exception of agricultural composting operations without odor complaints, and must be submitted to the EA as part of their notification or solid waste facility permit application. The OIMP must be reviewed annually by the operator to determine if any revisions are necessary. Any revisions to the OIMP are to be submitted to the EA within 30 days of those changes. (see Exhibit N – Cold Canyon's OIMP).

The OIMP regulatory requirements in Title 14 of the California Code of Regulations (Sec. 17863.4) (go to http://www.calrecycle.ca.gov/Laws/Regulations/Title14/ch31.htm#article3) have been developed to allow an operator to aggressively devise an operational plan to prevent odors from occurring and to plan in advance the mitigation measures that should be taken if odors do occur. The OIMP also contains the site's complaint investigation procedures which should include a 24 hour phone hotline for receipt of odor complaints, notification to the Enforcement Agency (EA - in this case, Cal Recycle) and emergency procedures for the cease and desist of any operations that are causing odor impacts. The OIMP provides a benchmark for the EA to evaluate if the facility is following the procedures established by the operator to minimize odors. If the operator is not following the procedures in the OIMP, the EA may issue a Notice and Order to require the operator to either comply with the OIMP or to revise it. If the odor impact minimization plan is being followed, but the odor impacts are still occurring, the EA may issue a Notice and Order requiring the operator to take additional reasonable and feasible measures to minimize odors. An OIMP is required for all compostable materials handling operations and facilities, with the exception of agricultural operations without odor complaints.

As the neighbors began complaining of the odors, Cold Canyon began working with CalRecycle to make changes to their operation early in 2009. Subsequently, Cold Canyon retained an expert to further identify problems and formulate solutions. To this end, over the last year and a half Cold Canyon has made some fundamental changes. Operational changes include:

- Processing incoming feedstock continuously
- Changing the sizes of the grind/chip operation
- Changing the windrow turning frequency
- Installation of an odor neutralizing system at the perimeter area and on equipment (grinder and windrow turner)

Each of these measures is designed to either decrease the opportunity for odors and anaerobic conditions to develop, or to neutralize any odors that do develop.

Despite these efforts, neighbor complaints continued and CalRecycle cited the operation for three consecutive months, which triggered a formal corrective process (Notice of Intent [NOI]) (See Exhibit H – Cal Recycle Notice). The threshold for odor detection and potential non-compliance is very low. While the OIMP includes provisions to use other means than listed above to reduce the odors, Cold Canyon decided to temporarily suspend its composting program. The green waste (wood waste) now collected is being used as landfill Alternate Daily Cover (ADC) spread over the working face at the end of each day (as was envisioned with the original landfill expansion permit [wastewood/biomass processing]). As an intermediate step, Cold Canyon expects to shortly begin the transfer of unused green waste to a facility in Santa Maria for composting.

It should be noted that as a part of their monthly inspections during August or September 2010, CalRecycle did not verify any compost odor complaints.

Prior to the transfer of greenwaste occurring, Cold Canyon will need to work with the County Department of Agriculture to insure that the Light Brown Apple Moth (an agricultural pest, currently found in Los Osos and Arroyo Grande) not be exported out of the County. Cold Canyon is already working with the Ag Department on how to quarantine the material received from the problem areas and how to keep it separate from the uninfected material. According to the Department of Agriculture, it is expected that this process will be relatively simple where a specific distance between piles be retained and/or a covering of the infected stockpile be required.

Cold Canyon will be increasing its rates to cover the increase in costs to send the greenwaste to Santa Barbara County.

There are two other related points to mention. Nuisance odors are also regulated by various agencies including the APCD which enforces the Health and Safety Code 41700. The issue of landfill odors becomes more complicated in that there are several sources of odors in the Cold Canyon Landfill area. It is important to note that in some of the agency staff's follow up efforts on compost odor complaints and tracing down the source, as this is a rural agricultural area, it has been found that in many instances the source has been from one or more of the following: the landfill, neighboring properties (e.g., pomace (grape crushing wastes) piles from vineyards; equestrian facilities, horse, sheep or cow grazing, oil processing facility, etc.). This issue of odor impacts is further complicated because there is a substantial range of sensitivity among individuals' sense of smell, and their reactions to such smells.

Health Risk
The County is currently conducting a Phase I Health Risk Assessment to evaluate the claim that the landfill operations, including the composting, could be resulting in an increase of health risks to the neighbors (see Exhibit O – Public Health/Hoffman Letters). The Recirculated DEIR includes a provision to conduct a more detailed Phase II assessment if the results from the Phase I work warrant this additional analysis. Once this assessment is completed, if measures are recommended, they will be proposed at the time the overall expansion of the facility is heard by the Commission next year.

Franchise Agreement
A Franchise Agreement with the County and the Operator is in place that has established service rates and additional rules under which the landfill and composting facilities are to operate.

Neighborhood Involvement
At about the time of the EIR public scoping meeting (mid 2007) on the request to expand the overall landfill and composting operations, the neighbors began organizing, including a concerted effort to identify compatibility issues with the existing operation, such as excessive noise and objectionable odors. In March, 2009, the County (and other agencies) began receiving daily neighbor complaint logs, which continued through June of this year. During this period over 700 complaints were received. The complaints focused mainly on the compost portion of the operation.

Importance of Compost Facility
Loss of this composting element at Cold Canyon will have the following detrimental effects:

- Jeopardize the County's ability to continue to meet the State's 50% diversion requirement~~s~~;
- Additional traffic and emissions due to longer truck hauling trips to Santa Barbara county;
- Increased residential and commercial garbage rates due to higher fees and costs to truck the green waste to another location;
- Reduced capacity and therefore the life of the landfill due to green waste being placed on top of the waste received each day. The existing diversion programs (recycling and composting) added about 15 years to the life of the landfill; use of ADC will decrease the life.
- Increase in the generation of methane from the decomposition of the green waste in the landfill.
- Loss of an important resource, the compost product itself.

E. DRAFT EIR INFORMATION

In 2006, Cold Canyon Landfill, operated by Waste Connections, Inc., requested expansion of their facility to increase landfill capacity, increase daily tonnage of compost material and expand the material recovery (recycling) facility, among other proposed changes. A Draft Environmental Impact Report (DEIR) was completed in early 2009. (see report on County website at: http://www.slocounty.ca.gov/planning/environmental/EnvironmentalNotices/Environmental_Impact_Reports_2009.htm). Relevant issues associated with the compost operation that were identified in the Draft EIR included: noise, water use, and air quality (which includes odors).

Upon receipt of comments during the 45-day Public Review period of the DEIR, it was determined that a Recirculated Draft EIR (rDEIR) was necessary to conduct additional analysis for noise, water availability and health risk. Completion of the rDEIR is currently underway, to be followed by another 45-day public review period and completion of a Final EIR. Upon completion of the Final EIR, the proposed expansion will include numerous conditions, and will be acted upon by the Planning Commission next year.

The EIR is examining the landfill expansion proposal which includes eventually moving the location of the composting facility in order to allow the landfill operation to expand over the compost facility's current location. The compost facility would stay within the property of the current permit, but change location on-site.

Draft EIR Summary of compost-related activities. The 2009 Draft EIR includes technical work and discussion that will help describe the compost facility's compliance with existing regulations and project conditions. The Draft EIR discussion of existing noise and water conditions is summarized in the following section. Odors are discussed in the following 'Compost Odor' section.

- ***Noise*** – Noise producing activities include the transport of raw materials to the site and processed materials from the site, truck loading activities, compost processing activities, and water truck movements for dust control. Heavy equipment used in the compost operation includes a tub grinder powered by a Caterpillar 3412 engine, 18-foot Scarab compost windrow turner, Trommel screen, front loaders (Caterpillar IT28), and diesel-powered water truck. Noise-producing activities for the compost operation within the composting operation presently occur between the hours of 7:30 a.m. and 4:30 p.m.

  Based upon EIR-based noise measurements taken on and around the facility, the existing compost operation produces approximately 81 dBA at 100 feet from the tub grinder and 84 dBA at 100 feet from the Scarab windrow turner. Assuming noise attenuation due to geometric spreading over distance and no topographic shielding, it is estimated that operations by the grinder and/or row turner produce approximately 55 to 60 dBA as measured from home sites that range from 250 to 700 feet from the landfill's property boundary. Such levels exceed the County's 50 dBA daytime Leq standard by 5 to 10 dB.

  The Noise Element provides the policy framework within which potential future noise impacts can be minimized. The Noise Element was in place at the time the compost facility was approved. The County Noise Element addresses the prevention of noise conflicts from land use related sources. The policies of the Noise Element applicable at the time the compost facility was approved include the following:

  New Development and Stationary Noise Sources

  New development of noise-sensitive land uses may be permitted only where location or design allow the development to meet the standards for existing stationary noise sources.

New or Modified Stationary Noise Sources

Noise created by new stationary sources, or by existing stationary sources which undergo modifications that may increase noise levels, shall be mitigated to not exceed the noise level standards for lands designated for noise-sensitive uses.

While no mitigation measures relating to noise were included in the previous compost permits, for the project to be consistent with the Noise Element, the following discusses measures that could substantially reduce the significant noise sources associated with the compost facility.

Noise barriers could be constructed around the tub grinder. Barrier materials to be used could include earth, concrete, hay bales or any acoustically dense material. Hay bales have been effectively used for noise attenuation enclosures for aircraft maintenance run-ups at the San Luis Obispo County and Fresno Airports.

The height of the barrier required to effectively mitigate tub grinder noise would depend on how close to the tub grinder the barrier could be located and the relative elevations of nearby receptors. A 12 foot-high barrier in relatively close proximity would be effective in reducing noise levels from the tub grinder by 5-10 dB. It is possible that noise from the tub grinder could still exceed the County's 50 dBA hourly Leq standard at nearby property lines, even after installation of an effective on-site noise barrier, and post-construction monitoring would be appropriate to allow for fine-tuning of the barrier to achieve acceptable County thresholds.

The Scarab windrow turner, as a mobile noise source, presents a greater challenge for effective noise mitigation. The equipment must operate over a wide area and the closest receiving property lines and homes are generally located at a higher elevation than the existing compost windrow area. Equipment-related modifications are possible including the use of one or more of the following: install more effective mufflers, install shielding (e.g., noise blankets, etc.) at the source of the noise-producing mechanical equipment, windrow turning management, site recontouring and/or reconfiguring the windrows so that perimeter rows can act as a noise barrier and reduce noise during the turning of interior rows. As with the tub grinder, it is possible that noise from the Scarab could still exceed the County's 50 dBA hourly Leq standard at nearby property lines, even with the suggested measures, and post-construction monitoring would be appropriate to allow for fine-tuning to improve the attenuation results at property lines.

Should the proposed landfill operation expansion be approved, as noted earlier, the compost operation would move further from existing sensitive noise receptors (thereby reducing noise impacts). Also, additional measures would be proposed for the new compost location.

- ***Water Availability*** – While revisions to the water analysis are pending for the Recirculated DEIR, the following water information about existing conditions (before recent cessation of the compost operation) is still considered useful for this issue. Water use at the Landfill, including all of the existing activities, ranges between approximately 45,000 and 60,000 gpd on weekdays, and about 4,700 gpd on the weekends. The compost operation uses a substantial portion of this daily weekday water, with a reasonably conservative estimate of approximately 34,200 gpd (or 27.3 afy). Very hot weather could increase average compost water demand to around 40,000 gpd. These amounts would be expected to double should the permitted 300 tons/day be achieved. Rainy weather typically reduces daily water demand (for all facility components) to about 5,000 gpd. The compost operation was receiving an average of about 150 tons daily with the existing permit allowing up to 300 tons.

  The overall water use within the groundwater basin is estimated as follows: Cold Canyon Landfill – 35 afy, Domestic User – 37 afy, and Agriculture (vineyards) 270 afy for an overall

total usage of 342 afy. Total recharge of the groundwater basin due to percolation of precipitation and applied irrigation water is estimated to be approximately 391 afy. The EIR recognizes that there are underdeveloped or undeveloped areas within the watershed supplying the groundwater basin that could total 954 afy of additional demand (does not include the proposed Cold Canyon expansion, which will include revised water information as a part of the rDEIR). While the potential future demands (e.g., landfill expansion, new residential, agricultural intensification, etc.) may exceed availability, there is no evidence that the current usage by all existing users is resulting in an overdraft of the basin.

- ***Air Quality -*** Cold Canyon has several active permits with the Air Pollution Control District, including permits for the compost operation and related equipment. Cold Canyon is regulated under Federal, State and local air quality regulations. Cold Canyon is required to be in compliance with these air quality rules and regulations and with the conditions on their APCD permits. APCD staff conducts compliance and permit renewal inspections and other investigations as needed at the landfill. These other investigations include responding to complaints regarding landfill odors and dust. Whenever non-compliance has been found with APCD rules and regulations, Cold Canyon has complied with APCD requirements

F. CONCLUSION AND RECOMMENDATIONS

While staff recommends the Planning Commission follow option #2 below to include the new or revised measures listed in Exhibit B, the actions available for the Planning Commission are as follows:

1. Allow the permittee additional time to correct the violation or non-compliance; or
2. Modify conditions of approval on the basis of evidence presented at the hearing; or
3. Revoke the approved land use permit and order the discontinuance or removal of the approved use within a time specified by the Review Authority.
4. Allow the permittee to continue the operation as currently permitted.

As identified in Section C, Condition Compliance, except for the noted exceptions, Cold Canyon has historically complied with its conditions of approval. As stated above, the Draft EIR has identified some existing noise conflict with the County's Noise Element relating to the tub grinder and scarab. The following is a summary of suggested new or revised measures to address noise, odor, dust and future compliance. Please refer to Exhibit B for specific language proposed for each of the following measures proposed.

<u>Noise</u>. For noise impacts relating to composting:

- Within 90 days of approval, provide to the County a 'Compost Operation Noise Reduction Program' for County review and approval. The intent of the Program would be to include sufficient measures to reduce noise to acceptable levels as provided in the County's Noise Element. Once approved, the program would be implemented when the compost operation is reestablished. Post-installation of measures would be evaluated for compliance. As needed, periodic monitoring would be conducted throughout the life of the operation.

<u>Water</u>. The Draft EIR also recognizes that the existing composting facility uses substantial water in an area that has a limited supply. However, as there does not appear to be any existing water supply issues for the current operation, no additional measures for water are being proposed.

Odors/Dust. Condition #15 of the 1996 approval includes a landscape screening measure (which was not installed), which would have effectively filtered dust and pile-related mist, as well as reduced wind within the compost area (and reduced odors carried to neighboring properties. Berming or man-made structures could also be used as a barrier instead of landscaping. It is recommended that this measure be installed.

Also, with regard to odors, if the compost facility is reestablished, staff recommends the following requirements:

- Continue the iterative process contained in the facility's Odor Impact Minimization Plan, where other odor-reducing 'tools' are applied beyond what has already been tried.
- Establish a County monitor, with expertise in compost odor control, to achieve the following:
    - Establish a compost perimeter barrier to effectively reduce dust, mist and wind speeds; upplement CalRecycle's monthly field visits and provide agency coordination, as needed, to verify operator's good faith efforts to implement the iterative OIMP process in reducing odors;
    - Provide a presence to address neighborhood complaints, as well as report back to the County on compliance with County conditions of approval relating to odors.
- Include meteorological data (wind direction and speed) with the existing reporting requirements already in place for grinding and windrow turning activities.

Vector Control. With the applicant proposing transfer of unprocessed greenwaste, the potential for spreading of diseased or infested vegetation to other areas is created. Certain areas are known to contain such problems, such as the Apple Moth in the Arroyo Grande and Los Osos area. Exhibit B includes a new measure to make sure there is coordination and cooperation between the applicant and the County Department of Agriculture (who is responsible to manage and/or control such plant-related diseases and/or insects).

Drainage. With regard to the drainage Condition #6 of the 2001 permit regarding applying best management practices, and the recent Water Board Notice of Violation for facility runoff, the County has reviewed the applicant-proposed drainage basin plan improvements and has determined that the design meets County building and grading codes. These proposed plans have also been submitted for review and approval to the Water Board. Based on these efforts, and required implementation of the approved plan, staff will be able to make the determination that the compost facility complies with Condition #6.

If the applicant chooses to continue using wood waste or green waste as 'alternative daily cover', staff will work with the operator toward ensuring that the landfill operations comply with related landfill conditions of approval.

OTHER AGENCIES

Air Pollution Control District, Regional Water Quality Control Board, County Public Health, County Counsel, CalRecycle, Integrated Waste Management Authority, County Public Works and Transportation Department, County Department of Agriculture

ATTACHMENTS
EXHIBIT A - Findings
EXHIBIT B – Proposed Additional Conditions of Approval
EXHIBIT C - Location Maps
EXHIBIT D – 1991 Landfill Conditions of Approval

EXHIBIT E – 1996 Compost Conditions of Approval
EXHIBIT F - 2001 Compost Conditions of Approval
EXHIBIT G – Proposed Drainage Pond work
EXHIBIT H – Cal Recycle Notice
EXHIBIT I – APCD Notices
EXHIBIT J – RWQCB Notices
EXHIBIT K – Cold Cyn Request to IWMA
EXHIBIT L – Cold Canyon – Letter of Intention
EXHIBIT M - Section 22.74.160 of the Land Use Ordinance
EXHIBIT N – Cold Canyon OIMP
EXHIBIT O – Public Health/Hoffman Letters

FINDINGS - EXHIBIT A
D000281D, D950031D

Development Plan Permit

A. As conditioned, the proposed project or use is consistent with the San Luis Obispo County General Plan because the use is an allowed use and is consistent with all of the General Plan policies.

B. As conditioned, the proposed project or use satisfies all applicable provisions of Title 22 of the County Code because the proposed project meets the ordinance requirements for commercial composting facilities.

C. The continued operation or conduct of the use will not, because of the circumstances and conditions applied to this particular case, be detrimental to the health, safety or welfare of the general public or persons residing or working in the neighborhood of the use, or be detrimental or injurious to properties in the vicinity because the operation of such a facility does not generate activity that presents a potential threat to the surrounding property and buildings. This project is subject to the following to address health, safety and welfare concerns: County Ordinance and Building Code requirements, Title 14 of the California Code of Regulations, Central Coast Basin Plan, County Air Pollution Control District regulations.

D. As conditioned. the project or use will not be inconsistent with the character of the immediate area or contrary to the orderly development because there is an existing landfill and material sort facility adjacent to the project site, and, as conditioned, will not conflict with rural residential and agricultural' uses in the vicinity.

E. The proposed project or use will not generate a volume of traffic beyond the safe capacity of all roads providing access to the project, because the proposed use will generate an insignificant amount of traffic.

F. On the basis of the previous Initial Study, and including implementation of existing environmental regulations, such as those relating to noise and air quality, there is no substantial evidence that the project will have a significant effect on the environment.

G. As conditioned, including reasonable and feasible measures to minimize odors, noise and vector control, the proposed project will continue to provide a public benefit and assist the County in meeting its waste diversion requirements of 50% or more (AB939) through the conversion of greenwaste to reuseable compost.

EXHIBIT B – Proposed Additional Conditions of Approval for 1996 (D950031D) and 2001 (D00281D) Permits

Noise

1. Prior to re-establishment of the compost facility, and w~~W~~ithin 6~~9~~0 days ~~of~~ prior to resuming the compost facility~~completion of the Revocation Hearing process~~, the applicant shall provide to the County a 'Compost Operation Noise Reduction Program' for County review and approval. The purpose and intent of the Program shall be to include sufficient measures to reduce noise to acceptable levels consistent with the County's Noise Element. Once approved by the County, the Program would be implemented at the specified milestones when reestablishing the compost operation. Post-installation of measures would be evaluated for compliance. An iterative provision shall be included to apply additional measures if initial measures are not successful. As needed, periodic monitoring would be conducted throughout the life of the operation.

Odors/Dust

2. With regard to odors and/or dust, if the compost facility is reestablished, the following measures shall apply and be approved by the County prior to facility reestablishment:

   a. To meet the intent of condition #15 (D950031D), the installation of windbreaks around the compost operation shall be established, and:
      i. If berming is used it shall appear as natural as possible, or blend with the existing topography; or
      ii. If vegetation is used, a landscape plan shall be submitted that includes fast-growing and evergreen vegetation that will provide a solid screen of adequate height within 5 years; this vegetation would be maintained for the life of the project and be kept in a healthy and vigorous condition; or
      iii. If a man-made barrier is used, it shall be at least four feet above top of windrows; it shall use visually attractive materials and design and the materials used shall be dark (chroma and value of 6 or less per the Munsell Book of Color); this structure shall be kept in good working order for the life of the project;
   b. Provide funding for a County monitor, with expertise in compost odor control, to achieve the following:
      i. Establish an ongoing contact to follow-up on neighbor complaints to better determine odor source and, as applicable, assist the operator in fine-tuning practices to further reduce odors.
      ii. Provide a regular report to the County of complaints received and what measures, if any, where needed and taken to resolve issue.
   c. Include meteorological data (wind direction and speed) with the existing reporting requirements already in place for grinding and windrow turning activities.

Vector Control

3. If any portion of greenwaste/woodwaste program includes exportation or transfer of any pre-composted material off-site, the following shall apply:
   a. Prior to reestablishing compost operation, the operator shall contact the County Department of Agriculture to determine any known problematic insects or pathogens, and/or quarantine areas that relate to green waste or wood waste. A vector control program shall be established for affected haulers where material brought on-site shall be kept separate
   b. On a quarterly basis, or as determined appropriate by the County Department of Agriculture, the operator shall contact the Ag Department relating to the discovery or containment of problem pests. As such situations develop, the operator will comply with the County Department of Agriculture's recommendations to insure containment and avoid the spread of the identified vector.

Monitoring

4. The applicant shall incorporate a 'compliance-based' monitoring program during operation of the compost facility and include the following elements:
   a. Prior to reestablishment of the composting operation,
      i. A monitor shall be retained by the County (funded by the applicant) to provide oversight of the processing of green waste and wood waste material brought on-site for the life of the compost project.~~;~~
      ~~ii. The applicant shall establish a trust account with the County that will provide for 18 months of county monitoring service.~~
      ~~iii. At one year after initiation of monitoring program, operator shall replenish the trust account with funds to cover 12 additional months of monitoring services, as estimated by the monitor, and replenish thereafter on an annual basis.~~
      ~~iv. At any point during the year that the fund is depleted below the estimated 6 month reserve, the applicant shall replenish at the County's request.~~
   b. The monitor shall prepare a work plan that will include the following:
      i. Inclusion of qualified monitoring staff that can provide expertise on reducing compost-related odors, and developing noise mitigation should the existing measures not be adequate;
      ii. Creation of a complaint 'hot line' telephone service for use by the public and administered by the monitor; a prominent sign shall be posted by the applicant at the site's entrance that includes this 'Complaint Hot-line' number, which shall be kept in good working order for the life of the project.
      iii. A plan for timely and effective responses to complaints received between ~~7~~ 6 am and 10 pm, including the location of the monitor and time to arrive on site to be no more than one hour;
      iv. A 'compliance driven' program, where initial monitoring efforts will be at key milestones (e.g., after installation of noise attenuation measures, etc.) and thereafter on a 'periodic' basis. As complaints are verified and/or non-compliance encountered, monitoring shall increase until compliance is achieved.
      v. Random monitoring shall be an integral portion of the work plan, which shall include before and after approved hours of operation;
      vi. As there are other permitting agencies (RWQCB, APCD, CalRecycle), the monitor shall coordinate with these agencies to notify them when there is a potential compliance issue within that agency's jurisdiction;
      vii. Where there is difficulty in achieving compliance, a process shall be developed that includes the following approach:
         - Verify that the required measure is being implemented as intended;
         - Work with operator to refine the measure to achieve compliance;
         - Formulate and apply a different approach to achieve the intended measure.
      viii. Regular neighborhood meetings shall be held by the County monitor and landfill operator, and attended by neighbors to listen to neighborhood concerns.
      ix. The County monitor will provide an 'agency coordination' function to 1) better address and direct complaints received, and 2) understand and develop a central or clearinghouse process with the intent to improve coordination with all other permitting agencies on operational requirements and regulatory framework for the compost facility.
5. After the compost facility has been re-established, staff will report back to the Planning Commission regarding the project's compliance with conditions within one year. The report back shall be noticed as a public hearing. The applicant agrees that the Planning Commission will retain discretionary jurisdiction, and may place additional conditions on the project over this permit until the "final 12 month report back hearing".

EXHIBIT C - Location Maps

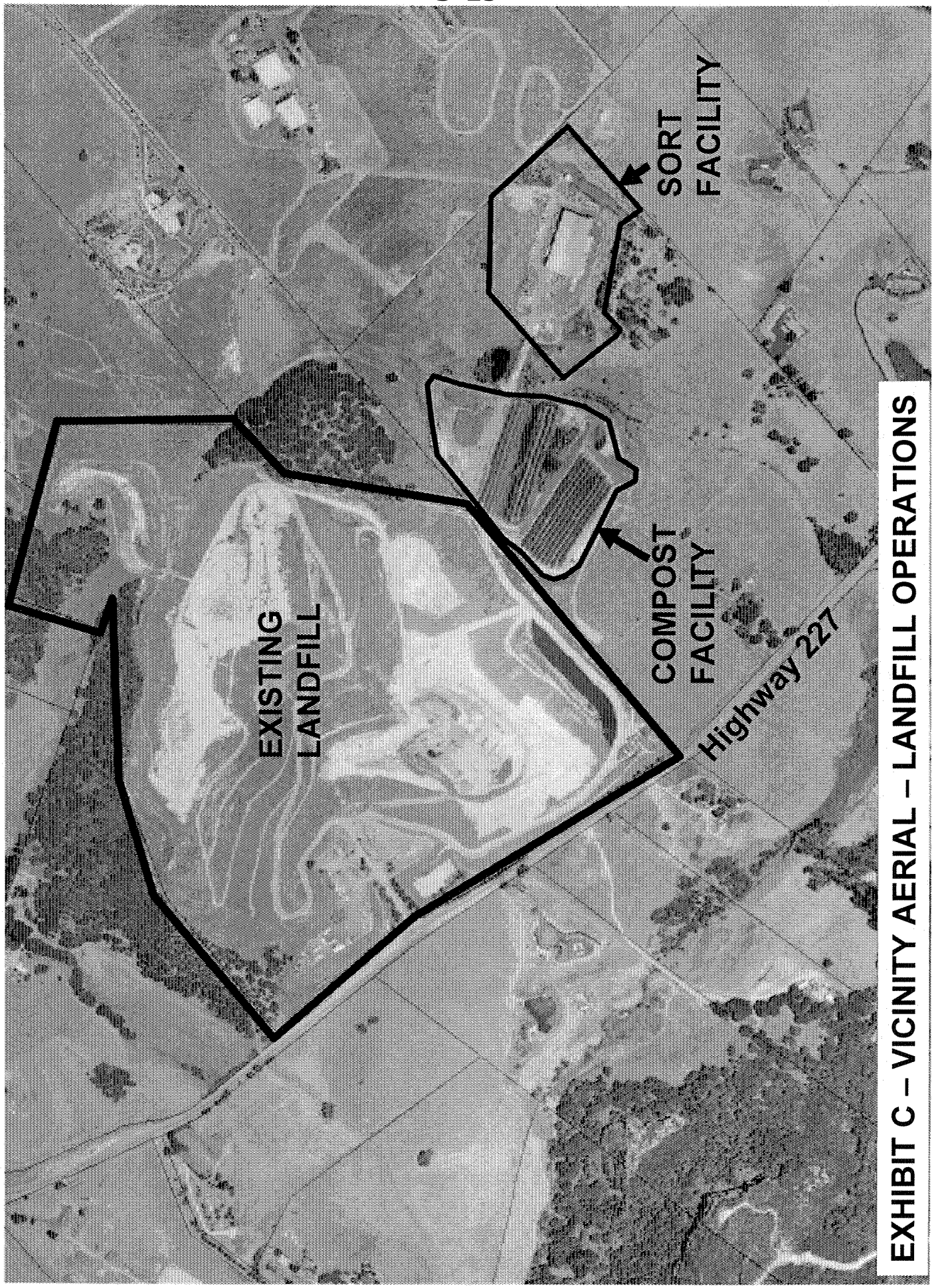


EXHIBIT C – VICINITY AERIAL – LANDFILL OPERATIONS

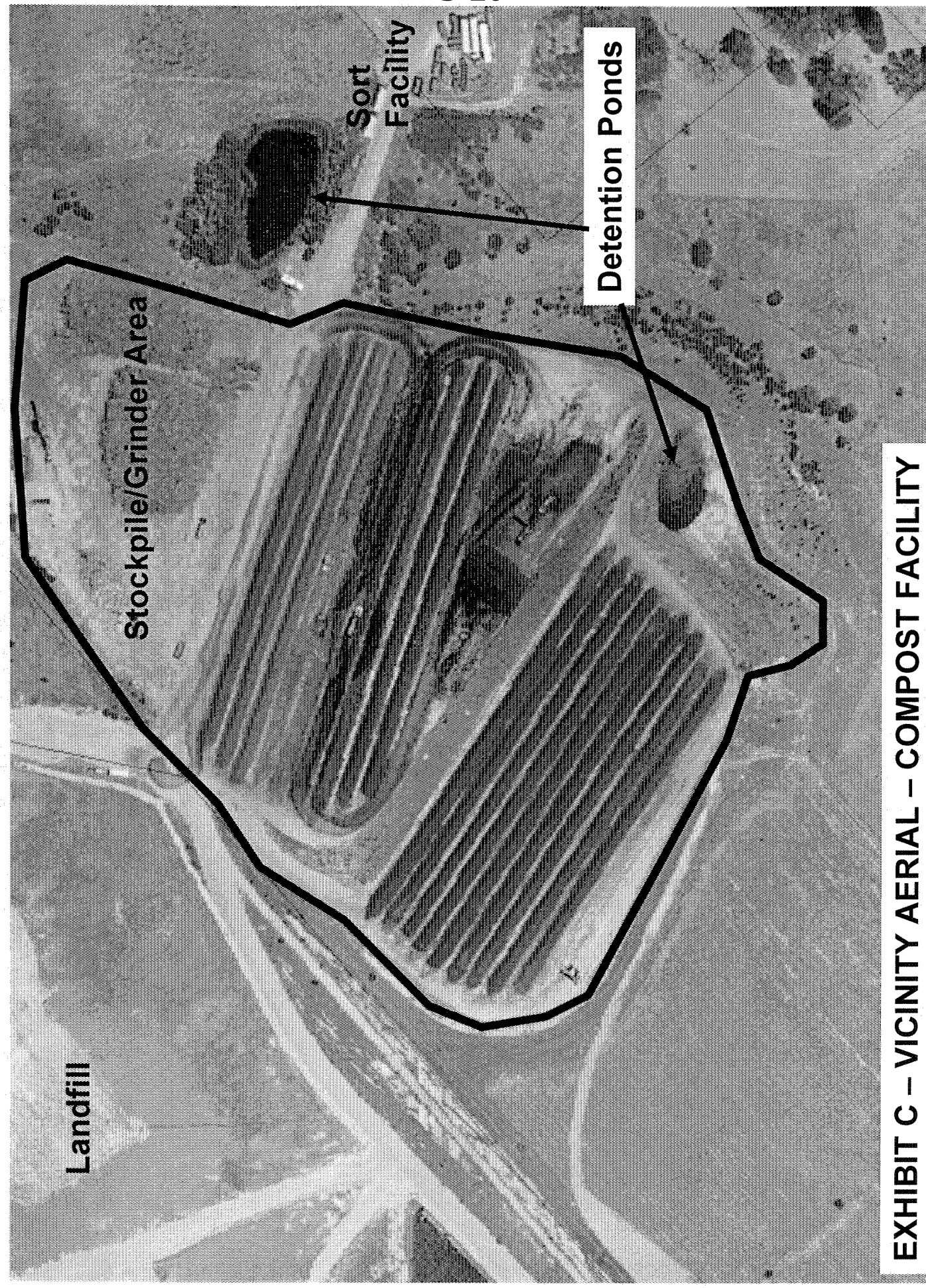


EXHIBIT C – VICINITY AERIAL – COMPOST FACILITY

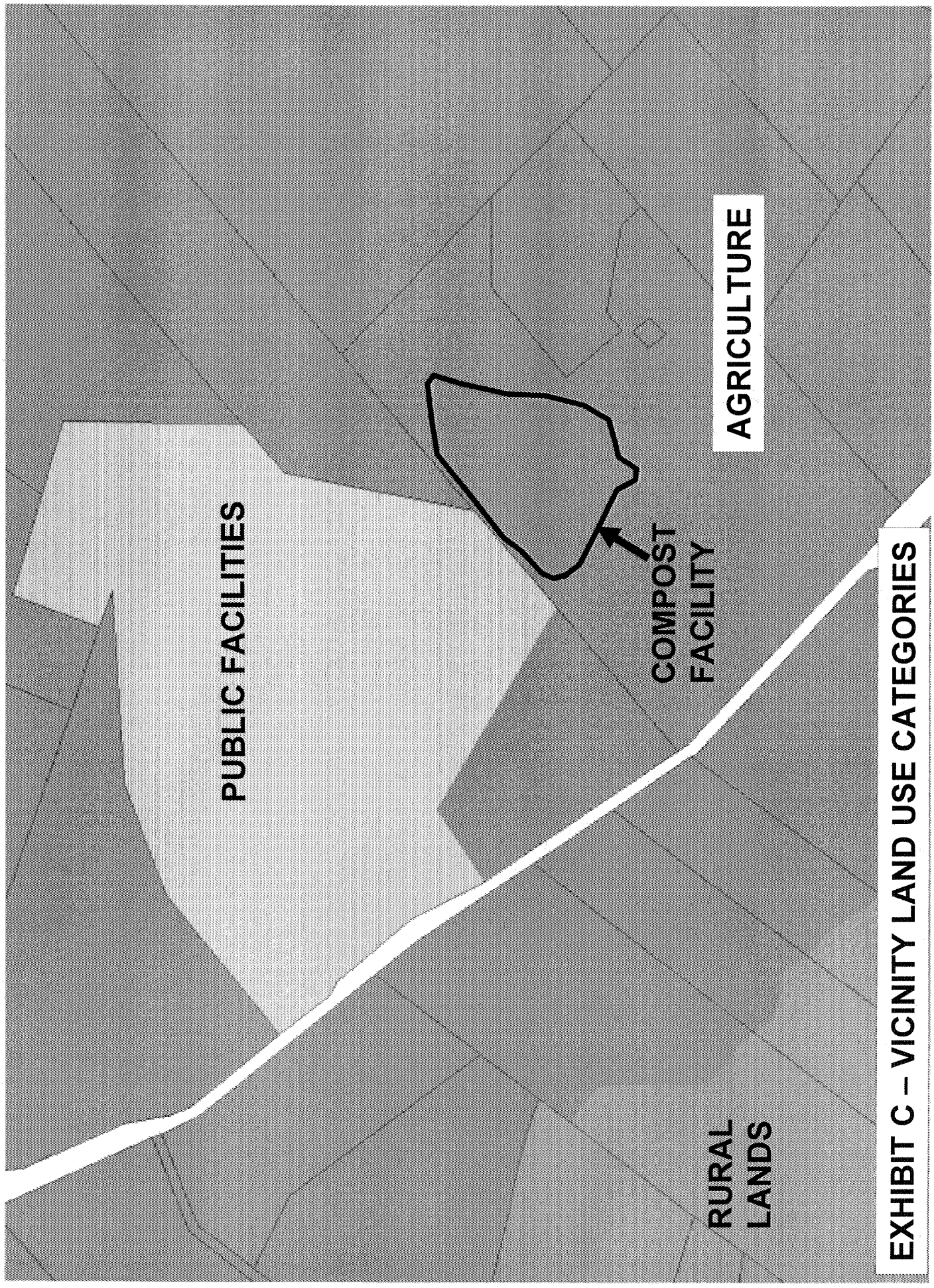


EXHIBIT C – VICINITY LAND USE CATEGORIES

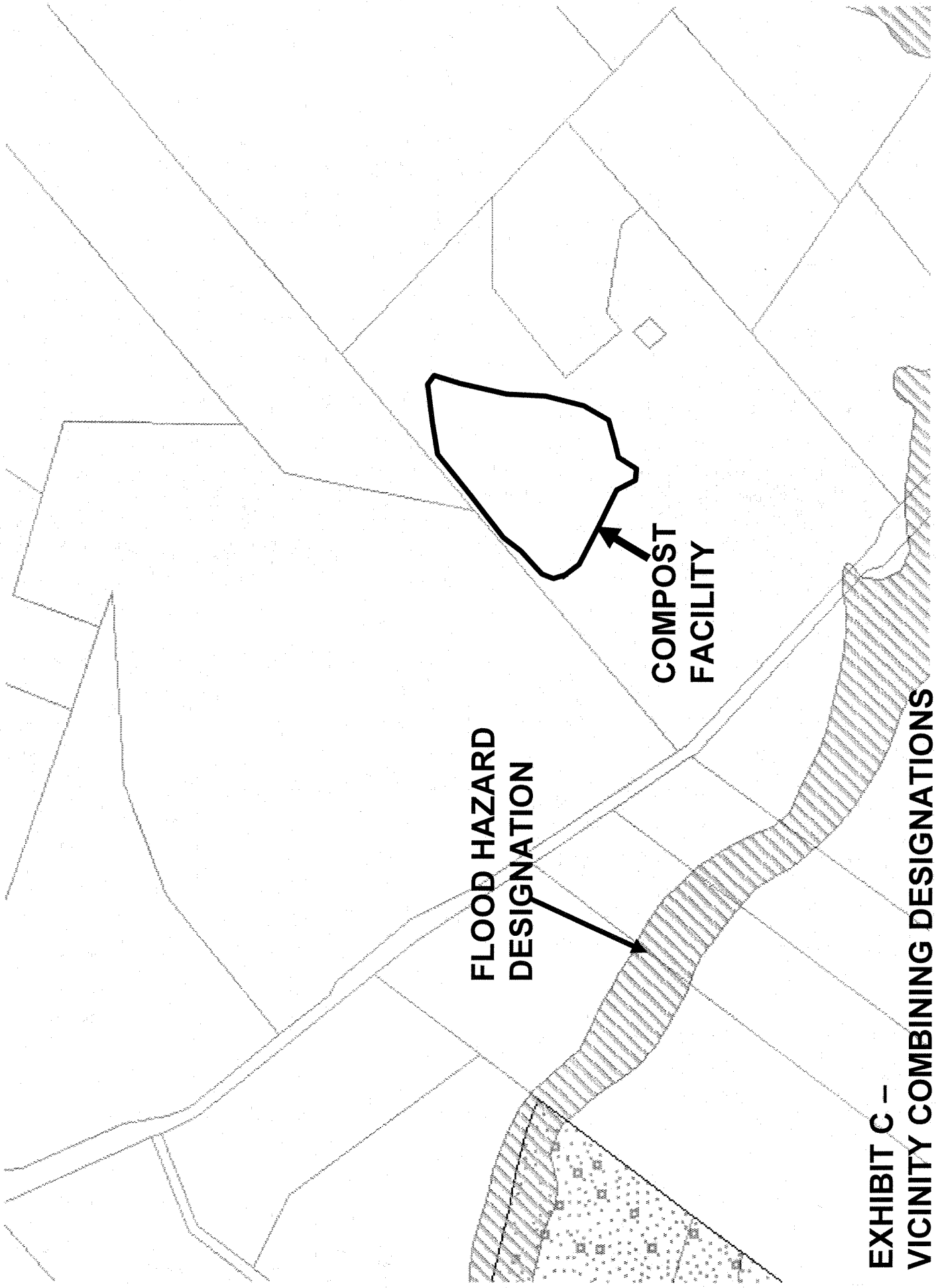


EXHIBIT C –
VICINITY COMBINING DESIGNATIONS

EXHIBIT D – 1991 Landfill Conditions of Approval

EXHIBIT D860156:A (REVISED)

REQUIRED CONDITIONS OF APPROVAL

Notice to Proceed

A-1. In order to facilitate the preparation of the proposed project subsequent to conditional approval of the Development Plan, Solid Waste Facilities Permit, Waste Discharge Requirements and Caltrans encroachment permit, a Notice to Proceed shall be issued by the Planning Director when certain pre-preparation and pre-operational conditions are met by the applicant. Notice to Proceed is required prior to acceptance of waste.

a. The Notice to Proceed shall be issued prior to acceptance of any waste in the approved expansion area. Prior to issuance of the Notice to Proceed the following conditions shall be met:

i. A-3 Landscaping

ii. A-5 Permitting

iii. A-7 Performance Securities

iv. A-9 Mitigation Monitoring Fund

v. A-11 Grading

vi. A-12 Sedimentation Basins

vii. A-16 Water Quality Monitoring

viii. A-20 Traffic and Circulation

ix. A-21 Litter Control

x. A-22 Litter Control

xi. A-24 Personnel

xii. A-26 Fire safety Plan

xiii. A-27 Oak Tree Replanting Plan

xiv. A-28 Oak Tree Replanting Plan

xvi. A-32 Hazardous Waste

b. This Development Plan shall expire in two (2) years from the date of final approval of the Development Plan if the use is not occurring on the site pursuant to Land Use Ordinance sections 22.02.042 and 22.02.044. Time extiensi.ons for establishing the use may be considered pursuant to Land Use Ordinance section 22.02.050 (Extensions of Time for Land Use Permits) .

Status of Approval

A-2. This approval authorizes expansion of the Cold Canyon landfill consistent with the following:

a. Acceptance of nonhazardous and inert refuse as defined by California Code of Regulations (CCR) Title 23, Division 3, Subchapter 15, (Sections 2523 et. seq.).

b. Placement of nonhazardous and inert material within the area shown on Exhibit D860156D:Q1 and Q3 and this material shall not exceed the fill and cross section contours shown in Exhibits D860156D:Q3, Q4, Q5 and Q8.

c. Excavations for site preparation as shown on Exhibit D860156D:Q2.

d. Fill the refuse column based on the phasing plans shown in Exhibit D860156D:Q4.

e. Plan sheets, cross sections and details depicting the engineering features of the landfill, including the liner and leachate collection and treatment systems, surface water control structures, excavation and fill phasing, soil stockpile areas and final cover as approved by the Regional Water Quality Control Board and the Local Enforcement Agency.

f. A drainage plan for on and off-site drainage improvements that meets the requirements of the Land Use Ordinance and the County Engineering Department and/or the Regional Waste Quality Control Board.

g. A Fire Safety Plan approved by the County Fire Department.

h. Litter prevention requirements as required and approved by the Local Enforcement Agency.

i. A Waste Control Program if required and approved by the Local Enforcement gency, the Regional Water Quality Control Board and/or the California Department of Health Services.

j. A groundwater and leachate monitoring program if required an approved by the Regional Water Quality Board.

k. A preliminary and final closure and postclosure plan if required and approved by the Local Enforcement Agency and the Regional Water Quality Control Board and closure and postclosure activities as may be required by state law and/or the LEA.

l. A leachate collection and removal system that includes a high density polyethylene geomembrane liner if required and approved by the Regional Water Quality Control Board.

m. A hydraulic barrier separating future vertical expansion from the existing fill if required and approved by the Regional Water Quality Control Board.

Landscaping

A-3. The applicant shall submit to the Planning Director for review and approval, final landscape and revegetation plans and long term maintenance plans for the expansion area prior to issuance of the Notice to Proceed. The plans shall provide for, at a minimum, the following:

i. screening of the site from state Highway 227;

ii. screening along the easterly property boundary;

iii. a timetable for commencement and completion of landscaping requirements;

iv. revegetation of landfill slopes immediately upon partial closure of each portion of the landfill.

Time Limits

A-4. This Development Plan shall expire and became void when the designated fill elevations in Exhibit D860156D:Ql, as approved, are reached or the use is abandoned or discontinued for a period greater than twelve (12) months pursuant to I.and Use Ordinance Section 22.02. 052a (3). Expiration of this permit shall mean the termination of acceptance of solid waste pursuant to this land use permit. Closure and postclosure activities as may be required by state law and/or the LEA may occur.

Permitting

A-5. The following permits are required to be issued or approved prior to issuance of the Notice to Proceed:

a. Waste Discharge Requirements (Regional Water Quality Control Board);

b. Solid Waste Facilities Permit;

c. Encroachment Permit (Caltrans).

Permit Review

A-6. The applicant's compliance with the required and recommended conditions of approval of this land use permit shall be reviewed from time to time by the County Planning Commission. Review may include, but not be limited to, transmittal of compliance reports from the mitigation monitor, reports from the Planning Director regarding written evaluation of condition compliance submitted by the Mitigation Monitor and pursuant to the provisions of Land Use Ordinance Section 22.02.038 and Sections 22.10.010 et. seq.

Performance Security

A-7. Prior to issuance of the Notice to Proceed, the applicant shall submit a performance security, pursuant to Land Use Ordinance Section 22.02.060, in an amount to be based on an estimate prepared by the applicant for review and approval by the Planning Director and in a form approved by County Counsel. The performance security must be based on an estimate of the cost of the work involved for each item noted below plus an administrative fee.

A performance security shall cover the work for approved site perimeter landscaping, including landscape screening and the approved oak tree mitigation plan. Any portion of this work completed prior to issuance of the Notice to Proceed is not required to be made a part of the performance security.

Mitigation Monitoring Fund

A-8. Prior to issuance of the Notice to Proceed, the applicant shall establish a fund with the county in an amount approved by the Planning Director to cover costs of condition compliance including mitigation monitoring activities associated with the County required conditions of approval of this land use permit. The monies maintained in the fund shall be used to fund the review of those

mitigation measures where a County agency is designated as the responsible agency in the Mitigation Monitoring Plan.

Stratigraphy

A-9. If whale bone fossil bearing deposits are unearthed from the Monterey Formation during excavation activities, work within 100 feet of the uncovered resource shall cease and a qualified paleontologist approved by the Office of the Environmental Coordinator shall be retained by the permittee to evaluate resource significance. The paleontologist shall submit a written report to the Office of the Environmental Coordinator describing the resource and recommending any further actions. Work within the 100 foot prohibition area may recommence only with the written approval of the Office of the Environmental Coordinator.

Erosion Control

A-10. All disposal areas shall be protected from inundation, washout, and erosion of wastes or cover materials associated with 100 year storm flows.

A-11. Grading shall be consistent with County approved grading plans, policies and ordinances.

A-12. As-built plans for the two sedimentation basins designated as Basins A and B on Exhibit D860156D:Ql shall be submitted to the Regional Water Quality Control Board prior to issuance of the Notice to Proceed. The basins shall be shown to have been constructed to the requirements of Title 23 (CCR).

A-13. All up-gradient runoff shall be channeled around the landfill to prevent run-on and possible leachate generation and shall be reflected on the drainage and grading plans.

A-14. Areas of higher erosion potential shall be protected by water bars, jute netting, straw matting, sand bags and straw bales as necessary. These features shall be shown on the drainage, sedimentation and erosion control plan..

A-15. All sediment laden runoff' shall be passed through sedimentation/retention basins and shall be shown on the drainage plan.

Water Quality Monitoring

A-16. Prior to issuance of the Notice to Proceed, the applicant shall, obtain approval of and place into operation, a groundwater monitoring plan pursuant to the requirements of Title 23, Chapter 15 of the California Code of Regulations. The quarterly (or other interval as may be required by the Regional Board) sampling will continue throughout the active life of the facility and be conducted during the postclosure period until adequate data are available to demonstrate that no significant impacts are occurring. All water quality data shall be submitted to the Regional Water Quality Control Board for review and approval. The plan, at a minimum, shall include four groundwater monitoring wells installed pursuant to the recommendations of the Final Environmental Impact Report (pages 4.B-46 through page 4.B-48) and/or as approved by the Regional Water Quality Control Board.

In the event that monitoring identifies significant levels of contaminants, the Regional Water Quality Control Board shall be contacted immediately. A corrective action plan shall be initiated per the requirements of Title 23, Chapter 15 of the California Code of Regulations. The plan shall include, but not be limited to, a subsurface investigation to assess the vertical and horizontal extent of the contaminant plume and potential sources. Additional studies of aquifer hydraulic gradients and parameters may be required to fully evaluate the implications of any contamination.

If the RWQCB determines that any observed contaminant plume is significant, implementation of groundwater remediation shall be required. The remediation program shall be designed pursuant to the recommendations of the Final Environmental Impact Report and the Regional Water Quality Control Board.

Water Quantity

A-17. If groundwater pumping data shows availability to have dropped to under 8640 gpd, the Mitigation Monitor may require additional pumping capacity be installed. The applicant shall submit biennial pumping reports to the Mitigation Monitor.

Surface Water

A-18. If discharge into surface water bodies is detected, quarterly (or other interval as may be required by the Regional Board) monitoring of surface water shall be conducted and results submitted to the Regional Water Quality Control Board. If monitoring indicates that contaminants are present, the permittee shall conduct an investigation under the supervision of the Regional Water Quality Control Board to identify the contaminant source and appropriate mitigation measures.

Air Quality

A-19. A landfill gas control and extraction system shall be designed and installed if required by the APCD or the LEA.

Traffic and Circulation

A-20. Prior to issuance of the Notice to Proceed, the following improvements shall have been constructed:

a. State Highway 227 shall be restriped to provide left hand· turn channelization.

b. The sight distance improved at the intersection of Highway 227 and the site entrance under the direction of Caltrans.

c. All improvement plans shall be reviewed and approved and an encroachment permit issued by Caltrans.

Litter Control

A-21. Prior to issuance of the Notice to Proceed, the applicant shall install four foot high litter fences on the property boundary.

A-22. Prior to issuance of the Notice to Proceed, the applicant shall expend involvement in the "Adopt a Highway" program to include both sides of state Highway 227, at least one mile in each direction from the site entrance.

A-23. The applicant shall inspect surrounding properties each day and if litter is discovered to have migrated off-site, shall immediately remove the the litter if the permission of the property owner is granted. If deemed necessary by the Mitigation Monitor or the LEA, litter removal shall continue whenever landfill activities are ongoing.

Personnel

A-24. The applicant shall designate a responsible party available at all times with the authority to receive and correct any notification of permit violation. A telephone number shall be supplied to the Mitigation Monitor through which the responsible party may be contacted at any time.

Hours of Landfill Operation

A-25. The landfill may accept wastes from 7:00 a.m. to 4:30 p.m., Monday through Sunday. Other landfill activities that do not include landfilling of waste may occur between the hours of 6:00 a.m. and 5:00 p.m., Monday through Sunday.

Fire Safety Plan

A-26. Prior to issuance of the Notice to Proceed, the applicant shall submit to the Planning Director a fire clearance letter issued by the County Fire Department stating that all requirements of the Fire safety Plan have been met.

Oak Tree Replacement Plan

A-27. The applicant shall provide for the planting of 500 oak trees pursuant to the approved oak Tree Mitigation Plan attached as Exhibit D860145D:S.

A-28. Prior to Issuance of the Notice to Proceed, the applicant shall implement the Oak Tree Mitigation Plan.

Local, State and Federal Compliance

A-29. The applicant shall comply with all local, State and Federal laws and regulations concerning landfills.

A-30. The applicant shall maintain a copy of the approved land use permit, Solid Waste Facilities Permit and the waste Discharge Requirements on-site at all times.

Status of Optional Area

A-31. The optional expansion area as shown in Exhibit D860156D:Ql is not approved for landfilling purposes. The area's status as a borrow site pursuant to the 1979 Departmental Review am Approval (R780901: 2) is not authorized for change through this Development Plan.

Hazardous Wastes

A-32. Prior to issuance of the Notice to Proceed, the applicant shall construct and maintain a holding area for hazardous waste materials. The holding area shall be designed and constructed to safely store materials for at least ten days. The design and operation of the holding area shall be reviewed and approved by the Environmental Health Department.

A-33. This Development Plan shall be reconsidered by the Planning Commission after the plans required by AB939 are approved and adopted by the County, the cities and the California Integrated Waste Management Board. The reconsideration of this Development Plan, pursuant to the condition of approval, shall be limited to providing for Implementation of programs provided for in the plans to be put into place at the proposed project site.

EXHIBIT D860156D:B (REVISED)

RECOMMENDED CONDITIONS OF APPROVAL

Closure and Postclosure Fund and Plans

B-1. The applicant shall maintain a fund for landfill closure and postclosure activities pursuant to Title 14 of the California Code of Regulations Chapter 5, Sections 18250 et. seq. Preliminary and final closure and postclosure plans, as required Pursuant to Title 14 of the California Code of Regulations, Chapter 3, Sections 17760 et. seq. and Chapter 5, Sections 18250 et. seq. and Title 23, Subchapter 15, sections 2580 et. seq. shall be submitted to the Planning Director once the plans are approved by the Regional Water Quality Control Board and the Local Enforcement Agency.

Hydrogeology

B-2. A low permeability high density polyethylene geomembrane liner shall be installed at the landfill/bedrock interface pursuant to the recommendations of the Final Environmental Impact Report (FEIR) and as approved by the Regional Water Quality Control Board.

Seismicity

B-3. Landfill containment structures and peripheral slopes shall be designed to withstand a maximum peak ground acceleration of 0.65 g pursuant to the recommendations of the Final Environmental Impact Report.

Liquefaction

B-4. If alluvial and silty sand deposits contain groundwater, then groundwater migration and surface water flow shall be diverted away from the alluvial areas based on a plan prepared by the on-site engineer and reviewed and approved by the LEA and RWQCB as required.

Slope Stability

B-5. A final excavation plan shall be prepared to address impacts associated with excavating landslide deposits along the southerly extremity and eastern boundary of the site and shall specifically mitigate any potential project related destabilization of these landslide areas both on and off-site.

B-6. If refuse slope failure occurs, the extent of the failure shall be evaluated by a geologist approved by the County Department of Planning and Building and Office of the Environmental Coordinator prior to repair of the failed slope. The assessment and repair shall be monitored by the LEA.

Soil Stockpile

B-7. The applicant shall submit to the LEA for review and approval, a soil stockpile plan designating the locations of stockpiles for use during cover activities, intermediate cover purposes and closure.

Soil Permeability

B-8. Imported low permeability soil demonstrated to pass site specific low permeability tests shall be utilized as water infiltration barriers. On-site soils can be improved by admixing with bentonite as approved by the Regional Water Quality Control Board.

B-9. Grading of earth materials shall be conducted on an as .needed basis to minimize surface disturbance.

B-10. Revegetation shall occur in sequence immediately upon completion of final grading of landfill phases consistent with the provisions in Appendix H of the Final Environmental Impact Report and will be in accordance with the approved closure plan. Hydroseeding with an approved seed mix, mulch and a soil sealant, or equivalent measures as approved in writing by the Local Enforcement Agency shall be required to reduce water erosion potential.

Shrink-Swell Potential

B-11. Site specific soil engineering tests shall be performed on soils of the Lodo Series, prior to use of the soils for final cover, to determine the degree of expansiveness and the appropriate use of these soils in the proposed project design. Recommendations regarding the use of these soils shall be submitted to the LEA for approval and shall be implemented.

Leachate Control

B-12. A leachate collection and removal system (LCRS) shall be constructed for the expansion area unless equivalent measures are approved in writing by the Regional Water Quality Control Board. The system shall include a liner consisting of a high density polyethylene geomembrane overlying recompacted subgrade. The remainder of the system shall consist of a drainage blanket system constructed prior to landfilling. A 1-foot thick drainage blanket and network of leachate drain pipes will be placed above the basal liner. The drains will convey the leachate to collection sumps from which the leachate can be removed.

B-13. The LCRS and liner shall be designed and installed in the existing landfill area that has not received fill pursuant to the requirements of the Regional Water Quality Control Board.

B-14. A hydraulic barrier separating future vertical expansion from the existing fill shall be included in the landfill plans if required and approved by the Regional Water Quality Control Board. It is recommended by the Planning Commission that the Board not adopt overriding findings if it is found that the hydraulic barrier is necessary to reduce significant impacts to a less than significant level and the barrier is determined to be economically or technically infeasible.

B-15. If leachate is detected in a previously dry leachate collection sump, or if a progressive increase in volume of fluid in a sump is detected:

a. The RWQCB shall be notified within 7 calendar days or as required by the Regional Water Quality Control Board;

b. The leachate shall be sampled am analyzed to determine chemical characteristics;

c. The leachate may be removed from the sump and used for dust control if it is determined to be nonhazardous; or

d. Disposed of in an authorized disposal site.

e. Measures shall be formulated and implemented to reduce generation of leachate (reconstruction of clay cap; runoff diversion, etc).

Air Quality

B-16. Grading shall be kept to a minimum to reduce surface disturbance.

B-17. The primary long-term access roads, as identified on the Final Grading Plan (Exhibit D860156D:Q1) shall be paved.

B-18. A water truck shall be used at least 2 times per day on all unpaved access roads, graded areas, excavation areas and any stockpiled soils or as directed by the LEA. Additional watering shall be used during high wind conditions (i.e. 15 mph or more).

B-19. A chemical sealant shall be used on all unpaved access roads leading to the active face as well as recently covered areas at the end of each week or as required by the LEA. Sealant shall also be applied to all unvegetated driveable surfaces as may be directed by the LEA.

B-20. The cover placed on the old fill area shall be inspected for cracking on a monthly basis and filled as necessary.

B-21. The old fill area will be covered with the required four feet of clean cover, then revegetated. Hydroseeding with an approved seed mix, mulch and a soil sealant will be used.

Litter Control

B-22. The entire surface of the active face area shall be covered daily and shall be compacted to a minimum depth of 6 inches pursuant to the requirements of CCR Title 14, Section 17682.

B-23. All old fill area surfaces at final grade shall have final cover applied and drought tolerant vegetation established. Native vegetation is encouraged.

B-24. A movable 10 foot high barrier fence shall be used to cover the area in front of and around the working face.

B-25. A monofilament wire system consistent with the description in the Bird Population Control Plan shall be utilized over the working face of the landfill to impede the feeding and flight of gulls at the site.

B-26. Cold Canyon Landfill, Inc. shall continue to perform Performance Standards inspection practices and implement procedures and recordkeeping as stipulated by the Local Enforcement Agency and CCR Title 14, Section 17683 if Performance Standards operations continue.

B-27. A covered load program shall be reviewed and approved by the LEA and initiated at Cold Canyon Landfill prior to placement of refuse in the permitted expansion area.

B-28. A sign shall be maintained at the entrance to the facility stating that all open-bed trucks that enter the site must be covered to prevent litter from blowing onto public roadways.

Personnel

B-29. The applicant shall retain a registered civil engineer with expertise in landfill construction/operation to direct site construction activities such as expansion area excavations, low permeability soil placement and liner construction. The engineer will be responsible for overseeing the construction activities at the site as required.

B-30. The applicant shall have a site manager on-site at all times during landfill or covering activities and shall be responsible for all site operations in coordination with the Mitigation Monitor and responsible agencies.

Material Salvaging

B-31. Material salvaging operations currently underway at the landfill shall continue.

Wastewood/Biomass Processing

B-32. The current wastewood/biomass operation described in the Final Environmental Impact Report page 2-37 shall continue to operate as part of the proposed project. All features of the operation including staging, stockpiling, chipping am post-chipping stockpiling shall be located so as to not be visible from public roads and neighboring properties.

Waste Control Program

B-33. The applicant shall institute all of the policies and practices identified in the Waste Control Program of the Final Environmental Impact Report pages 2-40 through 2-42 and pages 4.J-8 through 4.J-10.

B-34. The applicant shall implement the use of two portable microrad radiation detectors in the Waste Control Program. The detectors shall be consistent with the description found on page 4.H-8 of the Final Environmental Impact Report.

Postclosure End Use

B-35. The postclosure end use of the project site is designated as open space, non-irrigated grazing land as such a designation is required by Title 14 of the California Code of Regulations, Section 17796 et. seq.

B-36. The applicant shall institute daily cover of solid waste pursuant to CCR Title 14, Section 17682 in order to control odors.

Asbestos

B-37. The landfill shall continue its prohibition of the acceptance of asbestos. Prior to establishment of the use, the applicant shall consult with the County Air Pollution Control District in order· to determine if a permit shall be required pursuant to the requirements of National Emissions Standards for Hazardous Air Pollutants (NESHAP) Section 61.151 or 154.

Bird Control Plan

B-38. The applicant shall use decoys in the trees near :the working face if so directed by the LEA.

B-39. Confine unloading and the working face to as small an area as feasible.

B-40. Stepped up compaction activities on the working face as required by the LEA.

Training

B-41. The applicant shall provide adequate training and monitoring of landfill workers and use of personal protective equipment.

B-42. The first row of a refuse lift at the extreme southerly comer of the expansion area is to be oriented so that a refuse noise buffer is established between the landfill operation and State Highway 227.

EXHIBIT E – 1996 Compost Conditions of Approval

PLANNING COMMISSION
COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA

COPY

Thursday, April 11, 1996

PRESENT: Commissioners Don Keefer, Shirley Bianchi, Charmaine Gallagher, Pam Murray and Chairman Ken Schwartz

ABSENT: None

Attachment C
6 pages

RESOLUTION NO. 96-28
RESOLUTION RELATIVE TO THE GRANTING
OF A DEVELOPMENT PLAN

WHEREAS, The County Planning Commission of the County of San Luis Obispo, State of California, did, on the 11th day of April, 1996, grant a Development Plan to COLD CANYON LANDFILL/OASIS ASSOCIATES to establish a green material compost operation on a five acre portion of an 88 acre parcel. Access to the site would be provided through the existing landfill, in the Agriculture Land Use Category. The property is located in the county adjacent to the Cold Canyon Landfill, along the eastern side of Highway 227, approximately 6 miles south of the city of San Luis Obispo, APN: 044-261-018, in the San Luis Obispo Planning Area. County File Number: D950031.

WHEREAS, The Planning Commission, after considering the facts relating to said application, approves this Permit subject to the Findings listed in Exhibit A.

WHEREAS, The Planning Commission, after considering the facts relating to said application, approves this permit subject to the Conditions listed in Exhibit B.

NOW, THEREFORE, BE IT RESOLVED, That the Planning Commission of the County of San Luis Obispo, State of California, in a regular meeting assembled on the 11th day of April, 1996, does hereby grant the aforesaid Permit, No. D950031D.

If the use authorized by this Permit approval has not been established or if substantial work on the property towards the establishment of the use is not in progress after a period of twenty-four (24) months from the date of this approval or such other time period as may be designated through conditions of approval of this Permit, this approval shall expire and become void unless an extension of time has been granted pursuant to the provisions of Section 22.02.050 of the Land Use Ordinance.

If the use authorized by this Permit approval, once established, is or has been unused, abandoned, discontinued, or has ceased for a period of six months (6) or conditions have not been complied with, such Permit approval shall become void.

On motion of Commissioner Murray, seconded by Commissioner Bianchi, and on the following roll call vote, to-wit:

AYES: Commissioners Murray, Bianchi, Keefer, Gallagher, Chairman Schwartz

NOES: None

ABSENT: None

the foregoing resolution is hereby adopted.

/s/ Ken Schwartz
Chairman of the Planning Commission

ATTEST:

/s/ Eleanor Porter
Secretary, Planning Commission
1450L

Exhibit A - Findings

A. The proposed project or use is consistent with the San Luis Obispo County General Plan because the use is an allowed use and is consistent with all of the General Plan policies.

B. As conditioned, the proposed project or use satisfies all applicable provisions of Title 22 of the County Code.

C. The establishment and subsequent operation or conduct of the use will not, because of the circumstances and conditions applied to this particular case, be detrimental to the health, safety or welfare of the general public or persons residing or working in the neighborhood of the use, or be detrimental or injurious to properties in the vicinity because the installation and operation of such a facility does not generate activity that presents a potential threat to the surrounding property and buildings. This project is subject to Ordinance and Building Code requirements designed to address health, safety and welfare concerns.

D. As conditioned, the proposed project or use will not be inconsistent with the character of the immediate area or contrary to the orderly development because there is an existing landfill adjacent to the proposed site, the site is not visible from surrounding public views and the use, as conditioned, will not conflict with rural residential and agricultural uses in the vicinity.

E. The proposed project or use will not generate a volume of traffic beyond the safe capacity of all roads providing access to the project, either existing or to be improved with the project because the proposed use will generate an insignificant amount of traffic.

F. On the basis of the Initial Study and all comments received there is no substantial evidence that the project will have a significant effect on the environment.

G. The proposed project will not result in significant visual impacts from public views because the facility is proposed in a low lying area surrounded by relatively gentle to moderately sloping hills. The area surrounding the proposed site is sparsely populated, while views of the site are obstructed by intervening topography and vegetation. The operation would not be visible from Highway 227. All cut and fill slopes will be required to be revegetated.

Exhibit B - Conditions

Approved Development

1. This approval authorizes the development and operation of the Cold Canyon Landfill green waste compost facility with the following project components:

   a. Compost will be produced in windrows with ten foot aisles based with red rock.

   b. Site plans, cross sections and details depicting the layout and proposed drainage of the proposed project as shown on the approved plans.

   c. Acceptable waste material would include, but not necessarily be limited to, tree trimmings, wood residues, construction woodwaste, grass, leaves, shrub clippings and agricultural wastes (i.e., orchard and vineyard prunings and manure).

   d. Equipment requirements will include: a tub grinder, compost turner, trommel screen, loader, dump truck, water truck and long stem thermometers.

   f. The compost facility will accept waste from 8 a.m. to 3:00 p.m., Monday through Sunday. Other composting activities, that do not include acceptance of composting material, may occur between the hours of 6:00 a.m. and 5:00 p.m., Monday through Sunday, except for the use of mechanical equipment which shall be limited to between the hours of 8 a.m. to 5 p.m. Back up beepers shall be adjusted to the minimum level approved by OSHA.

   g. A program that will check incoming loads for inappropriate materials.

Air Quality

2. The access road between the existing landfill and the compost facility shall be stabilized with an appropriate dust palliative. If dust becomes a problem, the Local Enforcement Agency (LEA) or the Air Pollution Control District (APCD) shall have the authority to require more stringent dust prevention measures, including paving.

3. In the event that a tub grinder and tommel screen are powered by an internal combustion engine with greater than 50 brake horsepower, a permit from the Air Pollution Control District may be required.

4. The area beneath the designated windrows must be maintained in a dust free condition in the event that this area is not occupied by a windrow. This can be achieved either by using a chemical dust binder or placement of gravel or pavement in the unused windrow footprints.

Odor

5. Feedstock is material that has not been sized and is not yet actively composting. No more than 10% of the feedstock shall be stockpiled manure. Although the mix of the active compost may exceed 10% of the feedstock.

6. No biosolids (septage or treatment plant sludge) will be accepted as feedstock for the proposed compost facility.

7. In the event that odor becomes a problem, the LEA has the authority to require that the applicant either mitigate the problem or cease operation of the green waste facility.

Traffic

8. Access to the compost facility will be via the Cold Canyon Landfill entrance which fronts on State Highway 227.

9. No retail sales of finished compost product shall occur onsite at any time.

Permitted Volume

10. Feedstock to be stored onsite shall never exceed 10,000 cubic yards at any one time.

Visual Resources

11. The proposed use is limited to the five acre portion located in the north west of the 88 acre parcel shown on the approved plans.

12. This approval does not authorize the placement of permanent structures on the subject property.

13. All cut and fill slopes shall be revegetated with a seed mix approved by the Department of Planning and Building.

Archaeological Resources

14. If any archaeological resources are found during site preparation, all earthwork within 50 feet of the object(s) shall cease until the resources have been evaluated by a qualified archaeologist from the County approved list. Any

additional mitigation measures recommended by the archaeologist shall be evaluated by the Environmental Coordinator and upon Coordinator approval, implemented by the applicant. Upon completion of any such mitigation measures, and prior to final inspection, the applicant shall have the archaeologist prepare a letter stating that all the mitigation measures have been implemented.

15. Prior to issuance of a grading permit, the applicant shall submit a landscape screening plan to be reviewed and approved by the Environmental Coordinator. The screening plan shall provide a downwind dust barrier for properties located to the southeast of the subject property. The newly planted trees shall be fast growing and maintained until successfully established. This shall include caging from animals (e.g., deer, rodents), periodic weeding and adequate watering (e.g., drip irrigation system). If possible, planting during the warmest, driest months (June through September) shall be avoided. In addition, standard plating procedures (e.g., planting tablets, initial deep watering) shall be used.

EXHIBIT F - 2001 Compost Conditions of Approval

Aug 01 01 03:12p BRUCE A RIZZOLI 805-543-6473 p.1
Jul-25-01 11:46A cold canyon landfill 805-549-9036 P.02
07/25/01 WED 11:38 FAX 805 781 8430 CANON MULTIPASS C3500 002

SAN LUIS OBISPO COUNTY
DEPARTMENT OF PLANNING AND BUILDING

VICTOR HOLANDA, AICP
DIRECTOR

BRYCE TINGLE, AICP
ASSISTANT DIRECTOR

ELLEN CARROLL
ENVIRONMENTAL COORDINATOR

TORREST WERMUTH
CHIEF BUILDING OFFICIAL

DATE: July 18, 2001

Attachment D
8 pages

APPLICANT/AGENT:

SUBJECT: PLANNING COMMISSION APPROVAL RESOLUTION

At the meeting of July 12, 2001, the County Planning Commission approved your application by adopting an official resolution. A copy of this resolution is enclosed for your records. The approved Findings, shown in Exhibit A, and the Conditions, shown in Exhibit B, are attached to the resolution.

Pursuant to County Land Use Ordinance Section 22.01.042, you have the right to appeal this decision to the Board of Supervisors up to 14 calendar days after the date of the action, in writing, to the Department of Planning and Building. The appeal fee is $474 and must accompany your appeal form.

If you have any questions regarding this matter, please contact me at (805)781-5611.

Sincerely,

Diane Tingle

DIANE R. TINGLE, SECRETARY
COUNTY PLANNING COMMISSION

COUNTY GOVERNMENT CENTER · SAN LUIS OBISPO · CALIFORNIA 93408 · (805)781-5600 · 1-800 834-4636
EMAIL: ipcoplng@slonet.org · FAX: (805)781-1242 · WEBSITE: http://www.slonet.org/vv/ipcoplng

James Caruso
805/ 871-5702

Aug 01 01 03:12p BRUCE A RIZZOLI 805-543-6473 p.2
Jul-25-01 11:47A cold canyon landfill 805-549-9036 P.03
07/25/01 WED 11:39 FAX 805 781 8430 CANON MULTIPASS C3500 003

PLANNING COMMISSION
COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA

Thursday, July 12, 2001

PRESENT: Commissioners Cynthia Boche, Wayne Cooper, Eugene Mehlschau, Bob Roos, Chairman Doreen Liberto-Blanck

ABSENT: None

RESOLUTION NO. 2001-58
RESOLUTION RELATIVE TO THE GRANTING
OF A DEVELOPMENT PLAN

WHEREAS, The County Planning Commission of the County of San Luis Obispo, State of California, did, on the 12th day of July, 2001, grant a Development Plan to COLD CANYON LANDFILL INC. to allow expansion of an existing green waste compost facility at the Cold Canyon Landfill, in the Agriculture Land Use Category. The property is located in the county on the south of and adjacent to the Cold Canyon Landfill, east of State Highway 227 and approximately 6 miles south of the city of San Luis Obispo, APN: 044-171-014, in the San Luis Obispo Planning Area. County File Number: D000281D.

WHEREAS, The Planning Commission, after considering the facts relating to such application, approves this Permit subject to the Findings listed in Exhibit A.

WHEREAS, The Planning Commission, after considering the facts relating to such application, approves this Permit subject to the Conditions listed in Exhibit B.

NOW, THEREFORE, BE IT RESOLVED, That the Planning Commission of the County of San Luis Obispo, State of California, in a regular meeting assembled on the 12th day of July, 2001, does hereby grant the aforesaid Permit No. D000281D.

If the use authorized by this Permit approval has not been established or if substantial work on the property towards the establishment of the use is not in progress after a period of twenty-four (24)

months from the date of this approval or such other time period as may be designated through conditions of approval of this Permit, this approval shall expire and become void unless an extension of time has been granted pursuant to the provisions of Section 22.02.050 of the Land Use Ordinance.

If the use authorized by this Permit approval, once established, is or has been unused, abandoned, discontinued, or has ceased for a period of six months (6) or conditions have not been complied with, such Permit approval shall become void.

On motion of Commissioner Boche, seconded by Commissioner Roos, and the following roll call vote, to-wit:

AYES: Commissioners Boche, Roos, Cooper, Mehlschau, Chairman Liberto-Blanck

NOES: None

ABSENT: None

the foregoing resolution is hereby adopted.

/s/ Doreen Liberto-Blanck
Chairman of the Planning Commission

ATTEST:

/s/ Diane R. Tingle
Secretary, Planning Commission

Exhibit A
D000281D - Findings

A. As conditioned the proposed project is consistent with the general plan

B. As conditioned, the project or use satisfies all applicable provisions of Title 22 of the San Luis Obispo County Code because the proposed project meets the ordinance requirements for commercial composting facilities.

C. The establishment and subsequent operation or conduct of the use will not, because of the circumstances and conditions applied in this particular case, be detrimental to the health, safety or welfare of the general working public or persons residing or working in the neighborhood of the use, or be detrimental or injurious to property or improvements in the vicinity of the use because the project is subject to Land Use Ordinance and Building Code requirements designed to address health, safety, and welfare concerns.

D. The proposed project or use will not be inconsistent with the character of the immediate neighborhood or contrary to its orderly development because the facility is located in the middle of a site that contains other similar recycling and solid waste disposal uses.

E. The project will not generate a volume of traffic beyond the safe capacity of all roads providing access to the project, either existing or to be improved with the project because the LOS on area roads will remain above LOS C.

EXHIBIT B
Conditions of Approval

Approved Development

1. This approval authorizes the expansion and operation of a green waste compost facility as shown on the approved plans.

Site Development

2. Site development shall be consistent with the approved site plan, floor plans and elevations.

3. Hours of operation shall be 8:00 a.m. to 3:00 p.m.

4. The operator shall check incoming loads for inappropriate materials.

Grading and Drainage

5. Prior to issuance of a grading permit, grading and drainage plans shall be submitted to the County Public Works Dept and Building Division for review and approval.

6. The required grading and drainage plan shall include Best Management Practices (BMP) to be utilized in the design, construction and operation of the project. BMP's may include but are not necessarily limited to the Regional Water Quality Control Board's BMP Guidelines and as described in the application.

Fire Safety Plan

7. **Prior to issuance of a grading permit,** the applicant shall provide proof of compliance with an approved safety plan from the County Fire Dept.

8. A minimum 20 foot wide fire access lane shall be maintained around the site.

Biological Resources

9. **Prior to issuance of a grading permit,** the applicant shall submit a Wetland Mitigation Plan to the Department of Planning and Building, US Army Corps of Engineers and the Dept. of Fish and Game for review and approval. The Wetland Mitigation Plan shall include at a minimum, the following:

   a. Wetland mitigation ratios of 2:1 for wetlands and 1:1 for other waters as may be approved by the US Army Corps of Engineers.

   b. The proposed reservoir storage pond shall be designed to provide wetland habitat

around its lower perimeter. The basin configuration shall be designed with gently sloping sides to allow establishment of riparian and wetland vegetation along the lower banks. The outlet shall be placed at a height that will retain some water in the basin after storm flows pass.

c. Proposed drainage swales, channels and brow ditches shall be designed to both provide conveyance of runoff and act as wetland and other water habitats where feasible. After construction, these swales shall be revegetated with native wetland species appropriate to the area such as rushes and native rye grass as specified in the Wetland Mitigation Plan.

d. The banks of the degraded drainage channel below the expansion area shall be planted with native riparian species to stabilize the banks and decrease erosional activity. Species suitable for planting include willow, blackberry, juncus and wild rye.

e. Performance standards or criteria for success for wetland creation that includes survival of planted stock, cover of emergent areas and cover of nuisance or exotic plant species in years 1-5.

f. Other wetland mitigation as may be required by the Corps of Fish and Game including but not limited to provision of open space easements covering created wetlands or other wetland areas.

10. **Prior to final inspection,** the applicant shall replace, in kind at a 4:1 ratio all oak trees removed as a result of the development of the project. No more than 1 oak tree shall be removed as a result of the development of the project. Replanting shall be completed as soon as it is feasible (e.g. irrigation water is available, grading done in replant area). Replant areas shall be either in native topsoil or areas where native topsoil has been reapplied. If the latter, top soil shall be carefully removed and stockpiled for spreading over graded areas to be replanted (set aside enough for 6-12" layer).

Traffic

11. Retail sales could result in adverse traffic impacts and are not part of the project description. The applicant has agreed that the project shall not include onsite retail sales.

12. The road between the landfill and the green waste facility is unpaved. In the event that use of the road as access to the green waste facility produces dust problem, the applicant agrees to stabilize the road surface with an appropriate dust pallative or by paving the road.

13. The applicant acknowledges that bio-solids will not be accepted as feedstock for the green waste compost facility.

Archaeology

14. In the event archaeological resources are unearthed or discovered during any construction activities, the following standards apply:

    a. Construction activities shall cease, and the Environmental Coordinator and Planning Department shall be notified so that the extent and location of discovered materials may be recorded by a qualified archaeologist, and disposition of artifacts may be accomplished in accordance with state and federal law.

    b. In the event archaeological resources are found to include human remains, or in any other case where human remains are discovered during construction, the County Coroner is to be notified in addition to the Planning Department and Environmental Coordinator so that proper disposition may be accomplished.

Air Quality

15. Prior to issuance of a grading permit, amend APCD permits #341-2, #26-2 and #34-2 as may be required by APCD.

16. Prior to issuance of a grading permit, submit a construction emission reduction plan to the APCD for review and approval. The plan shall include, at a minimum, the following:

    a. equipment list with oxidation catalysts on the two pieces of equipment estimated to cause the highest level of combustion emissions during construction. The APCD must be consulted during the determination of which pieces of equipment will be retrofitted.
    b. Equipment must be operated in tune per the manufacturer's specifications.
    c. Use CARB motor vehicle diesel fuel in all construction equipment including portable and stationary engines.
    f. Fugitive dust reduction measures.

17. During compost operations, the following measures shall be observed:

    a. Compost material processed shall posses sufficient residual moisture or added moisture to prevent visible dust emissions from crossing the site boundary.
    b. Traffic areas shall be watered or equivalently controlled to prevent dust emissions from crossing the site boundary.
    c. Visible dust emissions from the compost turning operations, the compost turner exhaust or the trommel screen shall not exceed Ringleman Number 2 or 40% capacity.
    d. Diesel fuel burned in the trommel screen engine shall not contain more than 0.5% sulfur or 10% aromatic hydrocarbon.

Other Permits

18. Prior to issuance of a grading permit, the applicant shall submit evidence that the following

agencies have either issued required permits or do not have a permit requirement:

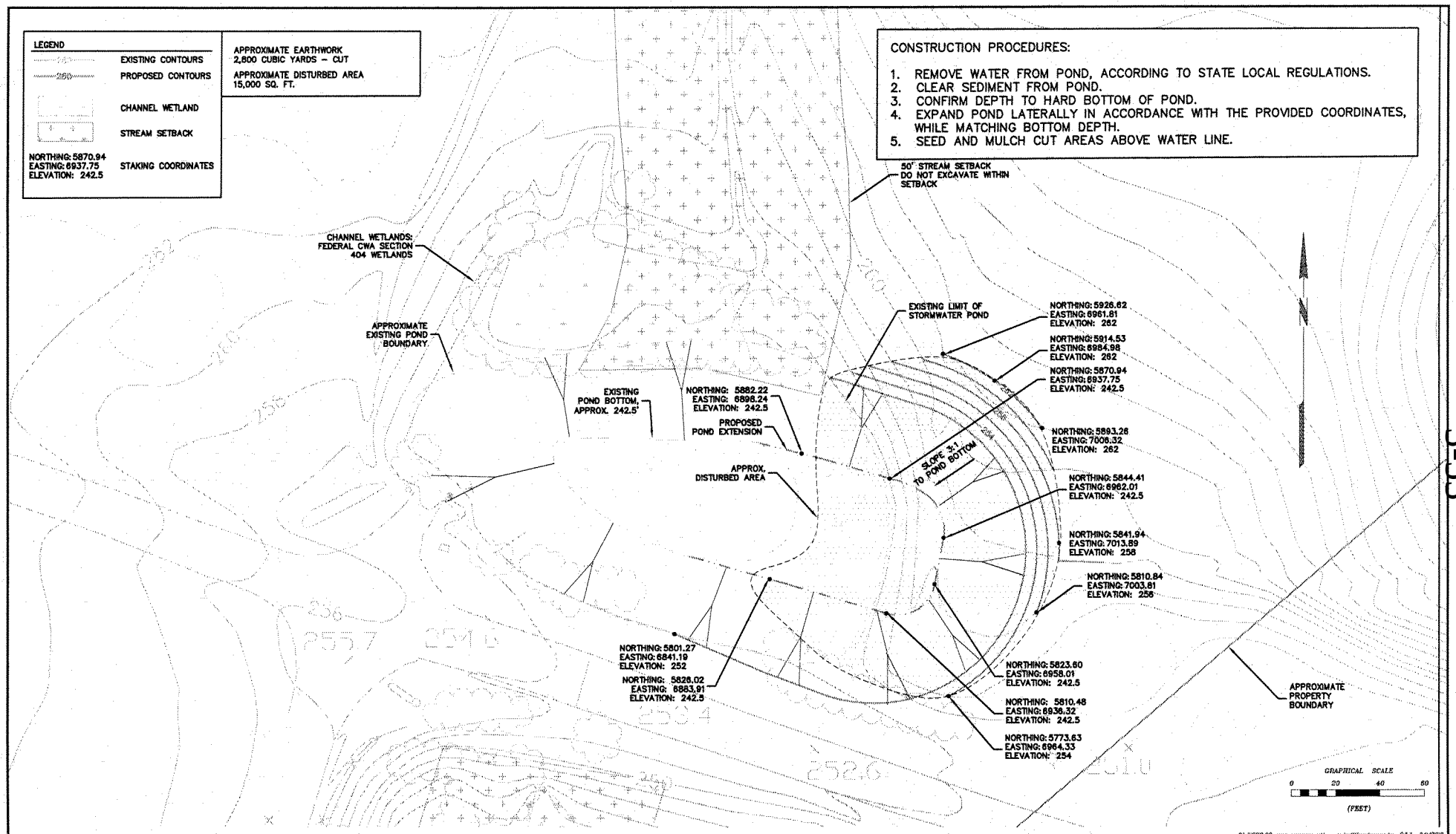
a. Army Corps of Engineers
b. California Dept. of Fish and Game
c. Air Pollution Control District

19. The applicant shall fund a mitigation monitor to be retained by the County Planning Department. The monitor shall review construction phase of the project and report back to the County until completion of grading operations. The monitor will also be responsible for monitoring biological resources mitigation measures.

20. Staff will report back to the Planning Commission regarding the projects compliance with conditions, 3 months after issuance of grading permit and 3 months and 12 months after start of expanded compost operations. The report back shall be noticed as a public hearing. The applicant agrees that the Planning Commission will retain discretionary jurisdiction and may place additional conditions on the project over this permit until the final 12 months report back hearing.

C:\compostsr.pc

EXHIBIT G – Proposed Drainage Pond work



NO.	DATE	REVISIONS	BY	CHK

PROJECT NO: 010019.00	PROJECT ID:
DRAWN BY: D. ZAITZ	SCALE: 1"=20'
ENGINEER: J. SOLORIO	DATE: 6-24-2010
CHECKED BY: C. COLES	DATE: 8-20-2010

ORIGINAL SCALE IN INCHES 0 1 2

LAWRENCE & ASSOCIATES
ENGINEERS & GEOLOGISTS

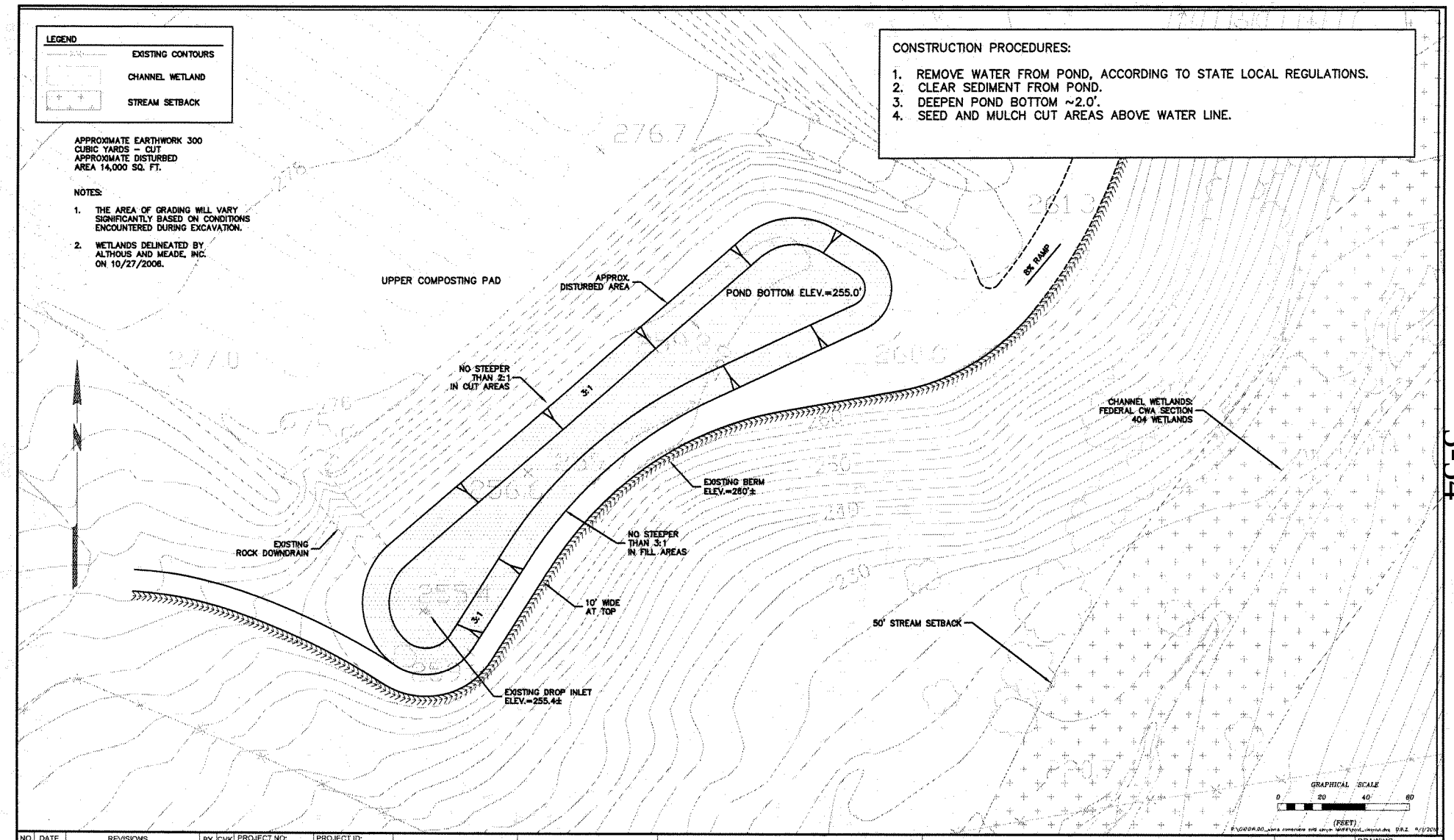
COLD CANYON LANDFILL

WASTE CONNECTIONS

STORM WATER POND
WR-1 CAPACITY EXPANSION

REGISTERED PROFESSIONAL ENGINEER JOSE I. SOLORIO No. 55355 CIVIL STATE OF CALIFORNIA

DRAWING: C2.0
SHEET: OF
DATE: 6-24-2010



NO.	DATE	REVISIONS	BY	CHK

PROJECT NO: 010019.00	PROJECT ID:
DRAWN BY: D. ZAITZ	SCALE: 1"=20'
ENGINEER: J. SOLORIO	DATE: 8-27-2010
CHECKED BY: C. COLES	DATE: 9-1-2010

ORIGINAL SCALE IN INCHES 0 1 2

LAWRENCE & ASSOCIATES ENGINEERS & GEOLOGISTS

COLD CANYON LANDFILL

WASTE CONNECTIONS

STORM WATER POND
SW-1 CLEANOUT PLAN

REGISTERED PROFESSIONAL ENGINEER JESUS SOLORIO No. 65305 Exp. 6/30/11 Civil STATE OF CALIFORNIA

DRAWING: C3.0
SHEET: OF
DATE: 8-27-2010

EXHIBIT H – CalRecycle Notice

Natural Resources Agency

Arnold Schwarzenegger, Governor

CalRecycle

DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY

801 K STREET, MS 19-01, SACRAMENTO, CALIFORNIA 95814• (916) 322-4027 • WWW.CALRECYCLE.CA.GOV

September 20, 2010

CERTIFIED MAIL
7008 1140 0002 3857 3494

Mr. Lacy Ballard, Site Manager
Cold Canyon Landfill, Inc.
2268 Carpenter Canyon Road
San Luis Obispo, CA 93401

SUBJECT: Rescission of Notice of Intent (NOI) to Include Cold Canyon Landfill Green Material Compost Facility, Facility No. 40-AA-0017, on the Inventory of Solid Waste Facilities Which Violate State Minimum Standards (Inventory)

Dear Mr. Ballard:

Department of Resources Recycling and Recovery (CalRecycle) staff sent you a NOI letter, dated July 2, 2010, for the Cold Canyon Landfill Green Material Compost Facility. The NOI included the following violation of State Minimum Standards:

- **Title 14, California Code of Regulations, Section 17867(a)(2) – Odor**

CalRecycle staff has since completed the monthly inspection report for August 2010, which did not document a violation for the standard listed above.

Therefore, the NOI letter is hereby rescinded and listing of the subject facility on the Inventory will not occur at this time.

As the solid waste enforcement agency, CalRecycle will continue to be responsible for inspecting your facility on a monthly basis and providing written documentation (inspection reports) regarding the compliance status of your facility with respect to the standard cited above.

If you have any questions regarding this action, please contact Randy Friedlander of my staff at (916) 341-6718 or me at (916) 341-6413.

Sincerely,

Jeff Hackett, Supervisor
MSW Facilities & EA Inspections & Enforcement B
Compliance Evaluation and Enforcement Division
Waste Compliance and Mitigation Program

ORIGINAL PRINTED ON 100 % POST-CONSUMER CONTENT, PROCESSED CHLORINE FREE PAPER

* Please note that correspondence for staff of the Waste Compliance and Mitigation Program should continue to be sent to 1001 I Street, P.O. Box 4025, Sacramento, CA 95812. Correspondence specifically for the attention of the Director of CalRecycle should be sent to the address in the letterhead.

cc: Mr. John McKenzie
Department of Planning and Building
976 Osos St., RM 300
San Luis Obispo, CA 93408

Mr. John Nall
Department of Planning and Building
976 Osos St., RM 310
San Luis Obispo, CA 93408-2040

Mr. Timothy Fuhs
Air Pollution Control District
County of San Luis Obispo
3433 Roberto Court
San Luis Obispo, CA 93401-7126

Mr. Bruce Falkenhagen
Energy Enterprises
2275 Corbett Canyon Road
San Luis Obsipo, CA 93401-8322

Ms. Mary Whittlesey
Solid Waste Coordinator
County Government Center, Room 207
San Luis Obispo, CA 93408

Corral de Piedra Land Company, Owner
2490 Victoria Street
San Luis Obispo, CA 93401

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SEP 22 2010
SLO CO PLAN & BLDG

Natural Resources Agency

Arnold Schwarzenegger, Governor

CalRecycle

DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY

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CERTIFIED MAIL
7008 1140 0002 3857 3098

July 2, 2010

Mr. Lacy Ballard, Site Manager
Cold Canyon Landfill, Inc.
2268 Carpenter Canyon Road
San Luis Obispo, CA 93401

SUBJECT: Notice of Intent to Include the Cold Canyon Landfill Green Material Compost Facility, Facility No. 40-AA-0017, on the Inventory of Solid Waste Facilities Which Violate State Minimum Standards

Dear Mr. Ballard:

A review of the monthly Enforcement Agency (EA) inspection reports of May 19, 2010, and June 10, 2010, for the Cold Canyon Landfill Green Material Compost Facility indicate that the following State Minimum Standard has been violated during that period:

- **Title 14, California Code of Regulations, Section 17867(a)(2) – Odor**

The Department of Resources Recycling and Recovery (DRRR or CalRecycle), is required to place on the Inventory of Solid Waste Facilities Which Violate State Minimum Standards (Inventory) facilities that have repeat violations of Title 27 or Title 14 of the California Code of Regulations.

DRRR STAFF IS PROPOSING TO INCLUDE THE COLD CANYON LANDFILL GREEN MATERIAL COMPOSTING FACILITY, FACILITY NO. 40-AA-0017, ON THE INVENTORY PURSUANT TO PUBLIC RESOURCES CODE SECTION 44104 FOR REPEAT VIOLATIONS OF THE ABOVE STATE MINIMUM STANDARD.

As the EA, the DRRR will continue to be responsible for inspecting your facility on a monthly basis and will also provide written documentation (inspection reports) regarding the compliance status of your facility with respect to the standard cited above. If the violation is corrected and documented on an inspection report within 90 days of receipt of this notice, the facility will not be included on the Inventory.

If you have any questions regarding this action, please contact Randy Friedlander of my staff at (916) 341-6718 or me at (916) 341-6413.

Sincerely,

Jeff Hackett, Supervisor
MSW Facilities & EA Inspections & Enforcement B
Compliance Evaluation and Enforcement Division
Waste Compliance and Mitigation Program

* Please note that correspondence for staff of the Waste Compliance and Mitigation Program should continue to be sent to 1001 I Street, P.O. Box 4025, Sacramento, CA 95812. Correspondence specifically for the attention of the Director of CalRecycle should be sent to the address in the letterhead.

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2490 Victoria Street
San Luis Obispo, CA 93401

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JUL - 8 2010

State of California
CIWMB 93
(Rev 01/07)

California Integrated Waste Management Board

Compostable Materials Handling Operation and Facility Inspection Report

Page 1 of 2

Enforcement Agency: CalRecycle (formerly CIWMB)

For Official CIWMB Use Only
Received Date

FACILITY FILE NUMBER (99-xx-9999): 40-AA-0017

INSPECTION DATE (MM/DD/YYYY): 09/22/2010

PROGRAM CODE (Select only one code)
○ LEA Periodic ○ CIWMB Closed Sites ○ CIWMB Focused
○ LEA Focused ◉ CIWMB Enforcement Agent ○ CIWMB Periodic

Time In: 08:15
Time Out: 09:00
Inspection Time: .75 HR

○ Attachments On File (Not Scanned)

Facility Name: Cold Canyon Landfill Green Material

Received By (Operator) Signature: e-mailed to Operator

Facility Location: 2268 Carpenter Canyon Road

Owner Signature (if present):

Inspector: Randy Friedlander

Inspector Signature: Randy Friedlander

Also Present (Name):

THE ABOVE FACILITY WAS INSPECTED FOR COMPLIANCE WITH APPLICABLE SECTIONS OF DIVISION 30 OF THE PUBLIC RESOURCES CODE (PRC), AND TITLE 14 AND TITLE 27 CALIFORNIA CODE OF REGULATIONS (CCR).
THE STANDARDS BELOW ARE CONSIDERED IN COMPLIANCE UNLESS OTHERWISE MARKED WITH ONE OF THE FOLLOWING: V=VIOLATION A=AREA OF CONCERN

PERMITS - FACILITIES	V	A
PRC 44002 - OPERATOR AUTH BY SWF PERMIT	○	○
PRC 44004 - SIGNIFICANT CHANGE	○	○
PRC 44005 - TRANSFER OWNERSHIP	○	○
PRC 44014(b) - OPER COMPLIES WITH TERMS	○	○
17210.3 - REQ FOR EMERGENCY WAIVER	○	○
17211.3 REQ FOR TEMP STIP. AGREEMENT	○	○
17211.4 - ISSUING STIP AGREEMENT (PEP)	○	○
17854 - COMP MAT HAND FACILITY PERMIT	○	○
17863 - REPORT OF COMP SITE INFO	○	○
17863.4 - ODOR IMPACT MINIMIZATION PLAN	○	○
18104 - REG PERMIT (Chipping & Grinding)	○	○
21640 - PERMIT REVIEW APPLICATION	○	○
FILING REQUIREMENTS - OPERATIONS		
17863.4 - ODOR IMPACT MINIMIZATION PLAN	○	○
18103.1 - ENF AGENCY NOTIF FILED	○	○
AGRICULTURAL MATERIAL COMPOSTING OPERATIONS		
17856(a) - AG COMP OPER - EA NOTIF RQMT	○	○
17856(b) - AG MAT COMP OP REQS/INSP FREQ	○	○
17856(c) - SALE/GIVE > 1K CU YDS PER YEAR, <12,500 CUBIC YDS OF GREEN MAT ON-SITE	○	○
RESEARCH COMPOST OPERATIONS		
17862(a) - MAXIMUM 5,000 CUBIC YDS ON SITE	○	○
17862(b) - IN VESSEL-LEA/EA APP > 5K CY	○	○
17862(c) - DESC RESEARCH/TIME FRAME	○	○
17862(d) - EA NOTIFICATION RENEWAL-2 YRS	○	○

CHIPPING AND GRINDING OPS AND FACILITIES	V	A
17862.1(a) - CG: 200 TPD-EA NOTICE	○	○
17862.1(b) - CG: 200-500 TPD REG PRMT	○	○
17862.1(c) - CG: > 500 TPD FULL PRMT	○	○
17862.1(d) - CG: CONTAM LIMIT SAMPLING	○	○
17862.1(e) - CG: CONTAM LIMIT	○	○
17862.1(f) - CG: STORAGE LMT / EXCEEDED	○	○
SITING AND DESIGN		
17865(a) - CLOSED LANDFILLS (Post Close Use)	○	○
17865(b) - INTERMED COVER (Foundation Stab)	○	○
17866 - GENERAL DESIGN REQUIREMENTS	○	○
GENERAL OPERATING STANDARDS		
17867(a)(1) - ANIMAL WASTE	○	○
17867(a)(2) - VECT/ODRS/LIT/HAZ/NUIS/NOIS/DST	○	○
17867(a)(3) - RANDOM LOAD CHECKS	○	○
17867(a)(4) - COMPOST CONTAMINATION	○	○
17867(a)(5) - UNAUTHORIZED ACCESS	○	○
17867(a)(6) - TRAFFIC CONTROL	○	○
17867(a)(7) - SIGNS	○	○
17867(a)(8) - FIRE PREV, PROT, CNTRL (temps)	○	○
17867(a)(9) - PHONE OR RADIO COMM	○	○
17867(a)(10) - PHYS CONTAM, REFUSE REM	○	○
17867(a)(11) - ENCL ACTIVITIES VENTILATED	○	○
17867(a)(12) - LECHATE CONTROL	○	○
17867(a)(13) - PHYS CONT PREV, REMOVED	○	○
17867(a)(14) - SITE ATTENDANT	○	○
17867.5 - PERSONNEL TRAINING	○	○
SAMPLING REQUIREMENTS (OPERATIONS THAT SELL OR GIVE AWAY > 1,000 CUBIC YARDS AND ALL FACILITIES)		
17868.1 SAMPLING REQUIREMENTS	○	○

MAXIMUM METAL CONCENTRATIONS	V	A
17868.2 - METAL CONCENTRATION EXCEEDED	○	○
PATHOGEN REDUCTION		
17868.3(a) - PATHOGEN LEVELS EXCEEDED	○	○
17868.3(b) - PATHOGEN LEVELS/TEMP MAINT	○	○
17868.3(c) - ALT METHODS APPROVED	○	○
17868.3(d) - TEMP MONITORING	○	○
GENERAL MATERIAL PROCESSING		
17868.5(a) - LOAD CHECKING/SORTING	○	○
17868.5(b) - PHYSICAL CONTAMINANTS	○	○
17868.5(c) - AG OPER METAL CONCENT	○	○
17868.5(d) - PERSONNEL TRAIN (1% contams)	○	○
17868.5(e) - RECORDS	○	○
RECORD KEEPING		
17869(a) - INSPECTION OF RECORDS	○	○
17869(b) - SPECIAL OCCURRENCES	○	○
17869(c) - PUBLIC COMPLAINTS	○	○
17869(d) - FEEDSTOCK AND COMPOST	○	○
17869(e) - LOAD CHECKS	○	○
17869(f) - ARTICLE 7 TEST RESULTS	○	○
17869(f)(1) - PATHOGEN REDUCTION MTHDS	○	○
17869(g) - RECORD OF SERIOUS INJURIES	○	○
17869(h) - TRAINING RECORDS	○	○
SITE RESTORATION		
17870(a) - NTC 30 DAYS PRIOR RESTORATION	○	○
17870(b) - PROTECT PUB HLTH, SAFETY, ENVIR	○	○
17870(c) - RESTORATION PROC PERFORMED	○	○
OTHER		
	○	○
	○	○

Comments: *(Note: for additional or continued comments use the CIWMB 03 or attach additional pages.)*

No odor complaints were received by CalRecycle staff while performing inspections in San Luis Obispo County this month. Prior to this inspection, on September 21, 2010, CalRecycle staff performed an odor survey along Corbett Canyon Road at 15:30, HWY 227 (near facility entrance) at 15:40, and at Patchet Road at 15:55. No off-site odors from the compost facility were observed. No compost facility equipment was operating at the time of the odor survey. On this inspection date, CalRecycle staff performed another odor survey of the same areas before entering and inspecting the facility. No off-site odors were observed. The operator has ceased accepting green material or constructing new compost windrows. The operator will complete the compost process with the existing windrows and cured piles (turn,

INSTRUCTIONS ON BACK Correct: ● Incorrect: ✓ ✓ ✓ EXAMPLE 123

Top White - CIWMB Middle Pink - LEA Bottom Yellow - Operator

CIWMB Form 93 - Compostable Materials Handling Operation and Facility Inspection Report

Enforcement Agency: CalRecycle (formerly CIWMB) Page 2 of 2

Facility Name: Cold Canyon Landfill Green Material

Facility File Number: 40-AA-0017 Inspection Date: 09/22/2010

Comments Continued:

screen, sample, remove), then suspend operations. CalRecycle staff will continue to monitor for odor while the remaining compost material is processed and removed.

The operator developed a site - specific Odor Impact Minimization Plan (OIMP) and continues to implement measures provided in the OIMP to minimize odors. In September 2009, the operator amended the facility's Odor Impact Minimization Plan (OIMP) to include additional odor control measures. On July 30, 2010, the operator submitted an updated OIMP to CalRecycle. An RCSI amendment application is being prepared by the operator to reflect the suspension of compost operations and the updated OIMP. **Please submit the application for RCSI amendment by October 29, 2010.** CalRecycle staff will continue to monitor odor complaints and the operator's progress to implement existing procedures in the OIMP and new odor control measures.

Notes:

1. Receipt of green material by the Cold Canyon Green Material Compost Facility has ceased. Compostable green material is being directed to the adjacent Cold Canyon Landfill.

2. No green material feedstock pile was observed at the facility.

3. The facility tub grinder has been moved to the Cold Canyon Landfill.

4. Dimensional wood waste is being stored at the compost processing area. The operator plans to grind the wood waste and send to co-generation facilities.

5. The operator is continuing screening of the large finished compost pile located adjacent to the feed stock processing area. Operator will sample for pathogens and metals prior to sale.

6. No new compost windrows have been constructed. Operator will continue to water, turn, monitor, and screen the remaining compost windrows on the lower and upper compost pads.

7. Active windrow compost operations will stop once the existing windrows have completed pathogen reduction, curing process, and screened for sale. At the time of this inspection, 9 windrows were observed at the lower compost pad.

8. Two trommel screens have been employed by the operator to expedite the screening of finished compost.

9. The portable misting system has been removed from the facility.

10. Two debris boxes filled with screened compost "overs" will be removed from the facility. Overs are being hauled to co-generation facilities.

11. Operator has stopped holding monthly meetings with facility neighbors.

12. Operator is continuing to work with the RWQCB on drainage and storm water control plans.

CalRecycle

Disposal Facility Inspection Report (52)

Enforcement Agency:	CalRecycle Enforcement Agency				
SWIS Facility File Number (99-xx-9999)		Inspection Date		Program Code	
40-AA-0004		9/22/2010		CalRecycle Enforcement Agency	
Time In	06:40	Time Out	08:15	Inspection Time	1.5 HR

Facility Name	Received By
Cold Canyon Landfill Solid Waste DS	Cold Canyon Landfill, Inc
Facility Location	**Owner Name**
2268 Carpenter Canyon Road, San Luis Obispo 93401	
Inspector	**Also Present (Name)**
Randy Friedlander	

THE ABOVE FACILITY WAS INSPECTED FOR COMPLIANCE WITH APPLICABLE SECTIONS OF THE DIVISION 30 OF THE PUBLIC RESOURCES CODE (PRC) AND TITLE 14 AND TITLE 27 CALIFORNIA CODE OF REGULATIONS (CCR)

	No Violations or Areas of Concern	
V	A	Regulations
X		20690 - Alternative Daily Cover
		Comments: CalRecycle staff inspected the active face waste cover at 6:40 a.m. on this date. Processed green waste utilized as Alternative Daily Cover was not adequately applied over waste as evidenced by voids, exposed waste, litter, and inconsistent thickness. Some portions of the applied ADC was 18 - 24 inches thick, and less than 6 inches in other areas. Numerous seagulls were observed scavenging waste that was not adequately covered. ADC must be placed over the entire working face at the end of each operating day or at more frequent intervals to control vectors, fires, odors, blowing litter, and scavenging without presenting a threat to human health and the environment. Title 27 CCR, 20690 requires processed green material ADC to be restricted to a minimum compacted thickness of 6 inches and average compacted thickness of less than or equal to 12 inches.

Inspection Report Comments:

1) Winterization efforts are on-going. Operator has cleaned out retention basins and is preparing wet-weather disposal area access. Storm water runoff and erosion controls are being checked/installed.
2) Received the Facility's Tonnage Report for September 2010 on October 4, 2010. The facility did not exceed its permitted daily tonnage for the reporting period.
3) The operator noted Special Occurrences on September 25, 26, 27, and 28 due to the blower shutting down at the PxP gas facility from excessive day-time heat and bearing malfunctions.

Natural Resources Agency

Arnold Schwarzenegger, Governor

CalRecycle

DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY

801 K STREET, MS 19-01, SACRAMENTO, CALIFORNIA 95814 • (916) 322-4027 • WWW.CALRECYCLE.CA.GOV

CERTIFIED MAIL
7008 1140 0002 3857 3098

July 2, 2010

Mr. Lacy Ballard, Site Manager
Cold Canyon Landfill, Inc.
2268 Carpenter Canyon Road
San Luis Obispo, CA 93401

SUBJECT: Notice of Intent to Include the Cold Canyon Landfill Green Material Compost Facility, Facility No. 40-AA-0017, on the Inventory of Solid Waste Facilities Which Violate State Minimum Standards

Dear Mr. Ballard:

A review of the monthly Enforcement Agency (EA) inspection reports of May 19, 2010, and June 10, 2010, for the Cold Canyon Landfill Green Material Compost Facility indicate that the following State Minimum Standard has been violated during that period:

- **Title 14, California Code of Regulations, Section 17867(a)(2) – Odor**

The Department of Resources Recycling and Recovery (DRRR or CalRecycle), is required to place on the Inventory of Solid Waste Facilities Which Violate State Minimum Standards (Inventory) facilities that have repeat violations of Title 27 or Title 14 of the California Code of Regulations.

DRRR STAFF IS PROPOSING TO INCLUDE THE COLD CANYON LANDFILL GREEN MATERIAL COMPOSTING FACILITY, FACILITY NO. 40-AA-0017, ON THE INVENTORY PURSUANT TO PUBLIC RESOURCES CODE SECTION 44104 FOR REPEAT VIOLATIONS OF THE ABOVE STATE MINIMUM STANDARD.

As the EA, the DRRR will continue to be responsible for inspecting your facility on a monthly basis and will also provide written documentation (inspection reports) regarding the compliance status of your facility with respect to the standard cited above. If the violation is corrected and documented on an inspection report within 90 days of receipt of this notice, the facility will not be included on the Inventory.

ORIGINAL PRINTED ON 100% POST CONSUMER CONTENT, PROCESSED CHLORINE FREE PAPER

If you have any questions regarding this action, please contact Randy Friedlander of my staff at (916) 341-6718 or me at (916) 341-6413.

Sincerely,

Jeff Hackett, Supervisor
MSW Facilities & EA Inspections & Enforcement B
Compliance Evaluation and Enforcement Division
Waste Compliance and Mitigation Program

* Please note that correspondence for staff of the Waste Compliance and Mitigation Program should continue to be sent to 1001 I Street, P.O. Box 4025, Sacramento, CA 95812. Correspondence specifically for the attention of the Director of CalRecycle should be sent to the address in the letterhead.

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County of San Luis Obispo
3433 Roberto Court
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Energy Enterprises
2275 Corbett Canyon Road
San Luis Obsipo, CA 93401-8322

Corral de Piedra Land Company, Owner
2490 Victoria Street
San Luis Obispo, CA 93401

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EXHIBIT I – APCD Notice

AIR POLLUTION
CONTROL DISTRICT
COUNTY OF SAN LUIS OBISPO

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

October 7, 2010

Lacy Ballard
Cold Canyon Landfill
2268 Carpenter Canyon Road
San Luis Obispo, CA 93401

SUBJECT: Initial Notification of Public Nuisance

Dear Mr. Ballard:

The Air Pollution Control District (APCD) has received three verified landfill odor complaints on September 28, 2010 and one verified dust complaint received on September 1, 2010.

APCD Rule 402 Nuisance and California Health and Safety Code Section 41700 prohibit the discharge of air contaminants which cause injury, detriment, nuisance or annoyance, or which endanger the comfort, repose, health or safety of any considerable number of persons or of the public or which have a natural tendency to cause injury or damage to business or property. The California Health & Safety Code specifies the penalty for violations of air pollution control laws can be by civil penalties up to $15,000.00 per day for each day of violation (Section 42402.1, 42402.1 and 42402.2). Copies are enclosed for your information.

According to our records, complaints regarding nuisance landfill odors and dust against Cold Canyon Landfill are close to exceeding the criteria for a nuisance as set forth in the APCD Enforcement Policy and Procedures for Violation of Nuisance Regulations (enclosed). Further incidents that cause a nuisance, as defined in the District policy, are likely to result in the District seeking enforcement action against Cold Canyon Landfill.

Please contact me or Tim Fuhs at (805) 781-5912 as soon as possible to arrange an office conference to discuss this matter. I recommend you bring a plan of action that will propose management solutions to resolve odor and dust issues. I will look forward to hearing from you.

Sincerely,

KAREN L. BROOKS
Manager, Compliance and Monitoring Division

cc: Ray Biering, District Counsel
John Nall, County Planning and Building
Randy Friedlander, CalRecycle

Enclosures: Rule 402 Nuisance
H&SC 41700
APCD Enforcement Policy and Procedures for Violation of Nuisance Regulations

H:\ENFORCE\PROGRAM(FORMS)\letters\nuisance\cclf_2010.doc

3433 Roberto Court • San Luis Obispo, CA 93401 • 805-781-5912 • FAX: 805-781-1002
info@slocleanair.org ❖ www.slocleanair.org

AIR POLLUTION CONTROL DISTRICT
COUNTY OF SAN LUIS OBISPO

CERTIFIED MAIL

March 5, 2010

Lacy Ballard
Waste Connections, Inc - Cold Canyon Landfill
2268 Carpenter Canyon Road
San Luis Obispo, CA 93401

SUBJECT: San Luis Obispo County Air Pollution Control District Notice of Violation Number 2593 and Associated Compliance Agreement

Dear Mr. Ballard:

Enclosed please find Notice of Violation Number 2593 for violation of California Health and Safety Code and the Rules and Regulations of the Air Pollution Control District (District). The violation occurred at 2268 Carpenter Canyon Road (Cold Canyon Landfill) in San Luis Obispo. The specific violation is listed below:

- Title 17 CCR Section 93115 Stationary Diesel IC Engine ATCM
  Operation of a diesel fueled stationary engine rated at 760 hp which does not meet the diesel emissions standards mandated by the Stationary Air Toxic Control Measure.

For this level of infraction, California Health and Safety Code Section 42402.a specifies a civil penalty of up to $1,000.00 per day for each day of violation. The above violation also carries additional requirements to ensure compliance with District Rules and Regulations.

In determining the amount of penalty appropriate to this specific case, several factors required by the Health and Safety Code were taken into consideration. These factors include, but are not limited to, the severity and duration of the violation, the frequency of past violations, the degree and speed of corrective action, if any, taken by the violator, and the economic benefit, if any, gained as a result of the violation.

After reviewing the information available in this matter, the Air Pollution Control District is willing to settle the violation with a **Compliance Agreement** as set forth below:

1. **No penalty shall be required if you comply with all of the conditions in Condition Number 5 below.**

   A) If there is a failure to comply with the particulate matter emission standards by the final compliance date of September 1, 2011, a civil penalty will be calculated and paid to the District based on the number of days from the date of this signed agreement to the final compliance date.

3433 Roberto Court • San Luis Obispo, CA 93401 • 805-781-5912 • FAX: 805-781-1002
•info@slocleanair.org ❖ www.slocleanair.org

B) If you fail to comply with conditions regarding increments of progress in Condition Number 5 below, a civil penalty of $1,000.00 per day for each condition violated shall be paid to the District.

2. Release of the alleged violator(s) from any and all claims for civil or criminal penalties arising out of the incident referred to in the above Notice of Violation.

3. The District reserves the right to rely upon the alleged violation and may offer proof thereof in connection with any petition for a variance, permit revocation, or abatement order before the District Hearing Board or in connection with the determination of the appropriate penalty in the event similar Notices of Violation are issued in the future.

4. The settlement shall not constitute an admission of liability nor shall any such admission be inferred in any administrative or judicial proceeding.

5. Waste Connections, Inc. - Cold Canyon Landfill will take the following corrective action and observe the following conditions:

A) The diesel engine powering the woodwaste grinder shall meet the following particulate matter emission standard on or before September 1, 2011:

1) 0.01 grams per brake horsepower-hour or 85% particulate emission reduction. This can be achieved for the current engine by installing a CARB certified Level 3 PM trap. (Note: This is not a Tier 3 engine but a particulate matter control device that is installed on an engine). The PM trap should be certified by the Air Resources Board. You can go to the CARB web site for a listing of current manufacturers at: www.arb.ca.gov/diesel/verdev/level3/level3.htm

or

2) Re-power the grinder with electric utility power.

B) The District strongly recommends investigating the feasibility of using electric utility power whenever possible. In the long run, this is the most efficient power source and will reduce the amount of greenhouse gases emitted to the atmosphere. In addition, the District will be looking at further controls on diesel engines to reduce ozone precursors in the future that this engine will not meet.

C) Pursuant to the enclosed NTA 670, submit an Authority to Construct (ATC) application for the wood waste grinding operation (to include the current engine) on or before April 16, 2010. On or before March 1, 2011 and prior to contracting or purchasing any new equipment submit an application to the District for an Authority to Construct (ATC) regarding option A.1 above, for review and approval. If choosing electrification an ATC is not required.

D) On or before March 1, 2011, if choosing to electrify, apply to PG&E. Submit verification of the application to the District.

E) On or before April 1, 2011, if choosing to install a PM trap, contract and order new equipment approved by the District. Submit verification of the purchase or order to the District.

F) Pursuant to District Rule 204, Requirements: If you choose to install a PM trap on your engine, your grinder will be limited to its previous permitted usage of 31,500 gallons per year.

In your decision making, you should also consider that diesel engines require expensive ARB Method 100 emissions testing for nitrogen oxides and carbon monoxide for every three years of operation.

Please sign your acknowledgment of the settlement as set forth below and **return it by April 1, 2010 to:**

San Luis Obispo County Air Pollution Control District
3433 Roberto Court
San Luis Obispo, CA 93401

Upon completion of the compliance agreement, you will be released from liability under the terms as set forth above. If this settlement is not accepted, or if alternate arrangements have not been made with the District within the time period set forth above, the offer will be revoked and the violation will be referred to our enforcement section or legal counsel for further prosecution.

Please call me or Tim Fuhs at (805) 781-5912 if you have any questions or need additional information regarding this matter.

Very truly yours,

KAREN L. BROOKS
Manager, Compliance and Monitoring

The foregoing terms and conditions of mutual settlement are hereby agreed and accepted.

Dated: _____ _____
Lacy Ballard, Site Manager

KLB/TJF/lmg

Enclosures: Notice of Violation Number 2593
Mutual Settlement Pamphlet

cc: Raymond A. Biering, District Counsel
Randy Freidlander, California Department of Resources Recycling and Recovery
John McKenzie, San Luis Obispo County Planning and Building
Tom Reilly, Waste Connections

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SAN LUIS OBISPO COUNTY
AIR POLLUTION CONTROL DISTRICT
3433 Roberto Court • San Luis Obispo, CA 93401
(805) 781-5912 • FAX: (805) 781-1002 • website: slocleanair.org

NOTICE OF VIOLATION

NP 2593

Name Cold Canyon Landfill Telephone 831.637.4515

Address

Re Premises or Operations at 2268 Carpenter Canyon Rd, SLO

You are hereby notified that pursuant to:

- ☐ Rule 202, H&SC 42300 *(No Permit/Authority to Construct)*
- ☐ Rule 401, H&SC 41701 *(Visible Emissions)*
  Opacity/Ringlemann _____ %/#
- ☐ Rule _____ H&SC _____
- ☐ Rule 206, H&SC 42301 *(Failure to meet permit conditions)*
- ☐ Rule 402, H&SC 41700 *(Public Nuisance)*
- ☐ Rule 701, 40 CFR, Part 61 *(NESHAPS - Asbestos)*
- ☒ Title 17 CCR 93115

An offense has been committed through the operation of a diesel fueled stationary engine rated at 760 hp which does not meet the diesel emission standards mandated by the Stationary Air Toxic Control Measure Title 17 CCR 93115

Point of observation Landfill

Weather _____ Wind _____

APCD Permit to Operate Number PERP 131272 (NOT VALID)

Emissions from: ☐ Basic ☐ Control ☐ Open Fire ☒ SLO CO DICE

Was source emitting in violation at end of observation? ☒ Yes ☐ No

Issued by Tim Fuhs Date 3/5/10

Time: Arrival _____ Departure _____ ☒ Issued by Certified Mail

Violation Date(s): 1/1/10 –

Please advise the Air Pollution Control Officer in writing by 4/1/10 - Comp plan *of corrective action on this violation and measures taken to prevent further occurrences. Your response does not preclude further legal action.*

Served to Lacy Pallardo Title Site Mngr

SIGNING THIS NOTICE IS NOT AN ADMISSION OF GUILT:

Signature CERT. MAIL Date 3/5/10

Complaint #	Status	Reviewer	Date Rec.	Date Closed
09-055 (1)	Closed	TJF	5/14/2009	5/15/2009

Site: 25-1 Cold Canyon Landfill
Facility: 146 Cold Canyon Landfill
Brief Description: UV- Dust
Description: Complainant dropped off list of complaints from CCLF. Two were listed as dust complaints, coming from the roads leading to the MRF and upper level.
Notes: Will survey these areas during windy, dry afternoons.

09-056 (1)	Closed	TJF	5/15/2009	5/15/2009

Site: 25-1 Cold Canyon Landfill
Facility: 146 Cold Canyon Landfill
Brief Description: UV- Dust
Description: Complainant stated that they observed dust at the landfill from the main road by the MRF.
Notes: I inspected the area and observed a water truck watering the trafficked areas of the landfill. I observed the area of concern from a vantage point off-site for 20 minutes. I noted 1 puff of dust during that time; however it did not go off-site and was less than 20% opacity. I called Bruce Rizzoli, Site Manager, and informed him of the dust complaint and my observation. He stated that he would inspect the area also and activate another water truck if needed.

09-063 (1)	Closed	TJF	6/4/2009	6/4/2009

Site: 25-1 Cold Canyon Landfill
Facility: 146 Cold Canyon Landfill
Brief Description: UV- Landfill odors
Description: Odors from the landfill are at my house.
Notes: Drove the area of Corbett Canyon. Briefly detected potential compost odors, however could not verify. Notified Bruce Rizzoli.

Complaint #	Status	Reviewer	Date Rec.	Date Closed
09-069 (1)	Closed	DKD	6/16/2009	6/16/2009

Site: 25-1 Cold Canyon Landfill
Facility: 146 Cold Canyon Landfill
Brief Description: UV- Compost odors
Description: Strong compost odors.
Notes: Forwarded to Randy Friedlander on 6/16/09.

09-112 (1)	Closed	MFE	8/27/2009	8/27/2009

Site: 25-1 Cold Canyon Landfill
Facility: 146 Cold Canyon Landfill
Brief Description: V- Fugitive dust
Description: There is a lot of fugitive dust from the lower level of the landfill.
Notes: From Patchett Lane I observed 3 "puffs" of fugitive dust from the lower area of the landfill. The winds were constant and from the west about 10-12 mph. Visible dust was not crossing the property line which was approximately 1/2 mile from the release point. Called Bruce Rizzoli who said that was where they were currently putting on tarps for the end of the day on the current day's solid waste. I could see tractors moving on the side closest to Hwy 227. He said he would go see what was going on and get the water truck on the areas.

09-113 (1)	Closed	TJF	8/27/2009	8/27/2009

Site: 25-1 Cold Canyon Landfill
Facility: 146 Cold Canyon Landfill
Brief Description: UV- Odor/ V- Dust
Description: Black smoke and terrible odor coming from the Cold Canyon Landfill.
Notes: Inspected the site and determined black smoke most likely dust from composting operation (finished compost turning). Rizzoli will attempt to dampen area but also try to avoid odors. I did not note foul odors. I did smell a pleasant odor of fresh compost. Wind was west at 2-3 mph. E-mailed info to CIWMB as a referral: Tim, Thanks for the heads-up. Jeff and I also received calls from Complainant this morning regarding the call he got from Complainant. I called Bruce Rizzoli, but caught him while he was busy. He was going to call me back, but he hasn't as of yet. I think the "Supress" that he is applying to the windrows is effective in locking up odor (ammonia/nitrogen compounds) when they screen it. I also have noticed a decrease in odors near the finished compost and in the grinding area. They're trying to grind sooner, so the feedstock pile doesn't go anaerobic like a yard waste bin that's been in the sun for a while. We'll follow-up and copy you on our findings. Thanks again

Complaint #	Status	Reviewer	Date Rec.	Date Closed

for keeping us informed. Randy. I spoke with Bruce Rizzoli. He mentioned that it is very warm in SLO (105) today and his compost material is very dry. He will add more water and turn rows another day. He said he checked his wind sock this morning at the time the complaints were called in (from Complainant). Wind was light 2-5 MPH, and finished compost dust was migrating vertically from the screen. I mentioned that perhaps he could try misting the dust down while screening. He will consider that and continue to monitor weather data to time screening/grinding better. Randy

09-117 (1)	Closed	MFE	9/1/2009	9/3/2009

Site: 25-1 Cold Canyon Landfill
Facility: 146 Cold Canyon Landfill
Brief Description: UV- Odors
Description: The odors from the landfill operations is pretty strong here. It seems like it is lasting a long time. I can't tell if it is odors from garbage or the composting.
Notes: I arrived at Patchett Rd at 1100 hours and did not detect any odors. I continued to the Complainant's residence and detected a very faint, sweet odor for about 5 seconds. Otherwise there were no odors detected. Winds were from the landfill at approximately 3-5mph. The Complainant said that the winds had just recently picked up and that it was pretty calm all morning. Then contacted Bruce Rizzoli at the landfill and informed him of the complaint. He said that a compost row had been turned earlier that morning for pathogen control. Rows must be turned 5 times during the composting process to meet state requirements for pathogen control. The first compost row was ready for spray application of a biological nitrogen fixing solution, but this did not happen this morning due to the need to turn the pile within 30 minutes of application. By the time he was ready to apply the solution the winds had increased so he decided not to do it for dust control reasons. During the inspection I noted that landfilling of garbage is occurring on a lower level adjacent to the composting area. Concrete and metal stockpiling is occurring on the top of the landfill so that limits the traffic along the upper roads. I observed fugitive dust from truck traffic on the roads and estimated opacity at 20%.

09-118 (1)	Closed	DKD	9/3/2009	9/3/2009

Site: 25-1 Cold Canyon Landfill
Facility: 146 Cold Canyon Landfill
Brief Description: UV- Landfill odor
Description: There is a strong odor from the Landfill- I cannot tell whether it is compost or refuse.
Notes: I investigated the area of Carpenter Canyon Road but did not note an excessive landfill odor along Hwy 227. I stopped at the intersection of Noyes Road and Hwy 227, and still did not note strong odors. I patrolled the area of Price Canyon and noted

Complaint #	Status	Reviewer	Date Rec.	Date Closed

very strong odors normally associated with the PXP facility while driving in a westerly direction. My nostrils burned with the windows down. The wind was blowing along the Price Canyon area then moving from the NW down along Carpenter Canyon.

09-120 (1)	Closed	MFE	9/4/2009	9/4/2009

Site: 25-1 Cold Canyon Landfill
Facility: 146 Cold Canyon Landfill
Brief Description: V- Compost and landfill odors
Description: There is a strong sour odor here now.
Notes: I detected a pungent odor at Patchett Rd at approximately 1000 hours. Winds were very light but were coming from the landfill area. I continued to the Complainant's house and detected the same odor intermittently, but very low intensity. This may have been a mixture of compost & garbage odors. Winds were from the landfill direction (NW). I also observed a plume of dark colored dust from the compost windrow area that went straight up and dissipated well before reaching any property line. Fuhs sent an email to Bruce Rizzoli and Randy Freedlander, IWMB notifying them of our findings.

09-128 (1)	Closed	TJF	9/25/2009	9/25/2009

Site: 25-1 Cold Canyon Landfill
Facility: 146 Cold Canyon Landfill
Brief Description: V- Compost odors
Description: The odors are bad again this morning and for the past couple days. I can see they are moving the compost.
Notes: Tim, Thanks for responding and your follow-up. I'll relay info to XXX. Randy-----Original Message-----From: tfuhs_apcd@co.slo.ca.us [mailto:tfuhs_apcd@co.slo.ca.us] Sent: Friday, September 25, 2009 2:52 PM To: Friedlander, Randy Cc: Hackett, Jeff Subject: RE: Cold Canyon Landfill Complaint 9/25Randy: Received an odor complaint this morning from Complainant, remarking of a strong compost odor. In speaking to XXX later, observed a large end dump type of truck/trailer dumping what looked like compost in the composting area of the landfill. May or may not be source of odor, but good observation. I was able to go out and did not note odor near Complainant's residence (wind had shifted to light SE), but did detect a strong composting type odor halfway between Noyes and the landfill on Hwy 227.This dissipated quickly by the time I left the area. Did not observe any turning or grinding. Did not contact landfill.

Complaint #	Status	Reviewer	Date Rec.	Date Closed
09-134 (1)	Closed	DKD	9/26/2009	9/28/2009

Site: 25-1 Cold Canyon Landfill
Facility: 146 Cold Canyon Landfill
Brief Description: UV- Odors
Description: Landfill received call from Complainant at 8:15 AM. Complained of landfill odors at her home.
Notes: No inspection as report received 4 hours after alleged odors. Per Bruce Rizzoli, there were no unusual events occurring at that time.

09-136 (1)	Closed	TJF	10/2/2009	10/2/2009

Site: 25-1 Cold Canyon Landfill
Facility: 146 Cold Canyon Landfill
Brief Description: V- Compost odors
Description: Landfill odors this morning.
Notes: Randy: Wanted to give you a heads up that I received a call from a Complainant on a street just west of the landfill called Tolosa, with a second e mail complaint coming into our office from another location east of the landfill along Hwy 227. The phone call came in this morning at about 0630, and I picked it up at about 0745. The Complainant described the odors as trash related so I investigated. Upon arriving at about 0810, I did observe a noticeable odor near Tolosa street west of the landfill. Winds were very calm to light from the south east. I contacted Bruce Rizzoli at his office as the odor appeared to be landfill related (greenwaste or trash-Could not ID). At the landfill office, I observed a light odor which Bruce identified as related to the greenwaste operation and not trash. No grinding was taking place, as Bruce R. indicated that grinding on Friday could produce odors in the ground pile by Monday when they start to dig into it. We both drove to the Tolosa area, which by that time the odors had diminished. Left the area and surveyed 227 east about 2 miles and detected no unusual odors. I will log the call from Tolosa this morning in our database since I was unable to ID the source at the landfill. Call me with any questions.

09-137 (1)	Closed	TJF	10/2/2009	10/2/2009

Site: 25-1 Cold Canyon Landfill
Facility: 146 Cold Canyon Landfill
Brief Description: UV- Compost odors
Description: Probably compost odors
Notes: Did not verify odors at Complainant's residence.

Complaint #	Status	Reviewer	Date Rec.	Date Closed
09-146 (1)	Closed	DKD	10/6/2009	10/6/2009

Site: 25-1 Cold Canyon Landfill
Facility: 146 Cold Canyon Landfill
Brief Description: V- Compost odors
Description: There is a strong odor from the land fill by my house.
Notes: I drove down wind of the Complainants's home. I noted a sour grape type odor, possibly compost, but no "trash" odors. I continued further south on Corbett Canyon Rd. with no other odors noted. I then proceeded to Carpenter Canyon Road. Near Tolosa Road I noted a strong odor, sort of sour and gassey. This location was upwind of the land fill and based upon wind direction did not appear to be caused by the land fill but rather PXP. south of Tolosa, I also noted a strong odor more like a animal feed yard. Alongside the road a number of cattle were penned, possibly creating this odor. No landfill odors were noted on Carpenter Canyon Rd. or Patchett Lane. Results of the findings were forwarded to the Complainant, Compost odors.

09-147 (1)	Closed	MFE	10/7/2009	10/9/2009

Site: 25-1 Cold Canyon Landfill
Facility: 146 Cold Canyon Landfill
Brief Description: V- Compost odors
Description: It smells really bad here right now and I am sure it is the landfill.
Notes: Composting/Greenwaste odors observed and documented by MFE-Source appeared to be grape pomace at the CCLF composting facility.

09-148 (1)	Closed	TJF	10/9/2009	10/9/2009

Site: 25-1 Cold Canyon Landfill
Facility: 146 Cold Canyon Landfill
Brief Description: UV- Landfill odors
Description: It smells again here at my house. It smells very strong this morning.
Notes: Inspected the Complainant's area and did not note any landfill related odors. Winds were calm with cool clear skies. Activity at the landfill noted: Turning compost rows, compacting landfill garbage face. Call by Complainant indicated another odor

Complaint #	Status	Reviewer	Date Rec.	Date Closed
	complaint east of the landfill along Vineyard Drive. At this location I observed a slight grape pumice type odor. No other unusual odors noted.			
09-149 (1)	Closed	TJF	10/9/2009	10/9/2009
Site:	25-1	Cold Canyon Landfill		
Facility:	146 Cold Canyon Landfill			
Brief Description:	Landfill odors: v compost			
Description:	From Complainant: Odor called in at 0900 from the area of Vineyard Drive			
Notes:	Inspected the Complainant's area and did not note any landfill related odors. Winds were calm with cool clear skies. Activity at the landfill noted: Turning compost rows, compacting landfill garbage face. Call by Complainant indicated another odor complaint east of the landfill along Vineyard Drive. At this location I observed a slight grape pomace type odor. No other unusual odors noted.			
09-152 (1)	Closed	TJF	10/17/2009	10/19/2009
Site:	25-1	Cold Canyon Landfill		
Facility:	146 Cold Canyon Landfill			
Brief Description:	UV- landfill odors			
Description:	My husband was driving down 227 and noticed a terrible stench from the landfill. I was south on 227			
Notes:	No landfill related odors along 227. Wind may have shifted odors from area. Complainant noted several garbage trucks lined up at the entrance waiting to go in. This may have been the odor source.			
09-153 (1)	Closed	RCH	10/19/2009	10/19/2009
Site:	25-1	Cold Canyon Landfill		
Facility:	146 Cold Canyon Landfill			
Brief Description:	UV- landfill odors			
Description:	I can smell the landfill again at my residence			
Notes:	Did not pick up message until 1030 hrs. Called Complainant and informed to call main number and leave message for enforcement staff as clerical will retrieve message and forward to live person.			

Complaint #	Status	Reviewer	Date Rec.	Date Closed
09-154 (1)	Closed	MFE	10/20/2009	10/20/2009

Site: 25-1 Cold Canyon Landfill
Facility: 146 Cold Canyon Landfill
Brief Description: V- Landfill/compost odors
Description: Bad odors on Hwy 227 between landfill and Patchett Rd
Notes: I arrived outside the landfill entrance at 1345 hours on Oct 20, 2009. I drove to Patchett Rd and turned in and traveled to the opposite end. I detected a very slight odor of trash and compost along Patchett Lane intermittently when I was directly down wind. Odor intensity was very low, a #1-2 on a 0-10 intensity scale. A water truck was spraying around the compost piles. Compost was being dumped from roll off bins on the level adjacent to the current, working solid waste area. The compactor was working the current solid waste area. There were visible dust emissions estimated at 10% opacity from truck travel on several of the landfill's roads. Visible dust was not crossing property lines. Was clear, approximately 65 degrees F. Winds were N/NNW from 3-5mph, gusting to 8mph.

09-155 (1)	Closed	MFE	10/22/2009	10/22/2009

Site: 25-1 Cold Canyon Landfill
Facility: 146 Cold Canyon Landfill
Brief Description: UV- Trash odors
Description: Complainant called the District to report he received an email at 2130 hours on October 21, 2009 from Complainant which reported: "It smells like a dump here at my house".
Notes: Sent email to Bruce Rizzoli. He reported nothing unusual was occurring at the time of complaint.

09-156 (1)	Closed	DKD	10/23/2009	10/24/2009

Site: 25-1 Cold Canyon Landfill
Facility: 146 Cold Canyon Landfill
Brief Description: UV- odors
Description: Strong landfill odors.
Notes: Complaint received after hours. Not verified.

Complaint #	Status	Reviewer	Date Rec.	Date Closed
09-157 (1)	Closed	DKD	10/24/2009	10/24/2009

Site: 25-1 Cold Canyon Landfill
Facility: 146 Cold Canyon Landfill
Brief Description: UV- odors
Description: Drove by land fill and noted odors when driving.
Notes: Complaint received during weekend standby duty. Drove by facility at approximately 11:30 on way to south county. Did not note any odors.

09-158 (1)	Closed	DKD	10/24/2009	10/24/2009

Site: 25-1 Cold Canyon Landfill
Facility: 146 Cold Canyon Landfill
Brief Description: UV- odors
Description: Putrid odors from landfill.
Notes: Complaint received during weekend standby duty. Drove by facility at approximately 11:30 on way to south county. Did not note any odors.

09-160 (1)	Closed	TJF	10/30/2009	10/30/2009

Site: 25-1 Cold Canyon Landfill
Facility: 146 Cold Canyon Landfill
Brief Description: V- compost odors
Description: It smells like the landfill at my house this morning
Notes: Verified slight greenwaste type odor at the Complainant's residence.

09-163 (1)	Closed	TJF	10/31/2009	11/2/2009

Site: 25-1 Cold Canyon Landfill
Facility: 146 Cold Canyon Landfill
Brief Description: UV- landfill odor
Description: There is a very bad landfill odor at the entrance to Patchett.
Notes: Inspected area 11/2/09 and did not observe landfill odor offsite.

Complaint #	Status	Reviewer	Date Rec.	Date Closed
09-167 (1)	Closed	DKD	11/10/2009	12/11/2009

Site: 25-1 Cold Canyon Landfill
Facility: 146 Cold Canyon Landfill
Brief Description: UV- odors
Description: I received a call last night at 8:00 PM and this morning at 8:00 AM from another person relating odors from the landfill. They are described as "minty" with undertones of refuse
Notes: At 9:00 AM I drove around the area of Carpenter and Corbett Canyons. I noted an odor more closely resembling sage or eucalyptus rather than mint. It did have a slight sweet component, not unlike pomace. The odor was not overbearing. It was located more prominently at the area of Carpenter Canyon, near Tolosa Place. There were very faint odors of refuse, but very faint with the sage like smell more prominent.

09-169 (1)	Closed	KLB	11/10/2009	11/13/2009

Site: 25-1 Cold Canyon Landfill
Facility: 146 Cold Canyon Landfill
Brief Description: UV- Landfill odor
Description: Trash odor
Notes: Unverified

09-170 (1)	Closed	KLB	11/12/2009	11/13/2009

Site: 25-1 Cold Canyon Landfill
Facility: 146 Cold Canyon Landfill
Brief Description: UV- landfill odor
Description: Trash odor.
Notes: Unverified.

09-171 (1)	Closed	MFE	11/17/2009	11/17/2009

Site: 25-1 Cold Canyon Landfill
Facility: 146 Cold Canyon Landfill
Brief Description: UV- Odors

Complaint #	Status	Reviewer	Date Rec.	Date Closed

Description: Complainant reported complaint from 2030 hours on 11/16/09. Complainant said odor on a scale of 1-10 was a #10 intensity when driving by the landfill entrance but much less at their house. They could not identify whether the odor was compost or trash related.

Notes: Complaint received 12 hours after odor was detected. Overnight low temperature at SLO Airport was 36 degrees. Emailed to Bruce Rizzoli.

09-173 (1)	Closed	MFE	11/17/2009	11/17/2009

Site: 25-1 Cold Canyon Landfill
Facility: 146 Cold Canyon Landfill
Brief Description: UV- Compost odors
Description: I just got the compost odor pretty strong at my house just now. I can see them working in the compost area and can hear the back up signals, etc. Just wanted to get this on the record. I left a message with Randy.
Notes: Emailed complaint to Bruce Rizzoli. I was driving on Hwy 227 south to Price Canyon Rd at approximately 0745 hours on 11/17/09. I detected a moderate compost/trash odor at that location. Overnight low temperature was 36 degrees at the SLO Airport.

09-181 (1)	Closed	TJF	11/25/2009	12/3/2009

Site: 25-1 Cold Canyon Landfill
Facility: 146 Cold Canyon Landfill
Brief Description: UV- landfill odors
Description: I was driving by the landfill and noticed very strong odors near the gate.
Notes: Due to length of time between complaint and receiving it form the standby phone (12 hours), no further action was taken.

09-182 (1)	Closed	TJF	11/27/2009	12/3/2009

Site: 25-1 Cold Canyon Landfill
Facility: 146 Cold Canyon Landfill
Brief Description: UV- landfill odors
Description: The landfill smells very strong near my house on Tolosa Place.
Notes: Inspected the area at about 0930 hrs. No odors were noted near the front gate to the landfill. At the Complainant's area, a very slight odor could be detected of hay and other agricultural odors. No landfill odors were noted.

Complaint #	Status	Reviewer	Date Rec.	Date Closed
09-183 (1)	Closed	MFE	12/3/2009	12/9/2009

Site: 25-1 Cold Canyon Landfill
Facility: 146 Cold Canyon Landfill
Brief Description: UV- odors
Description: There is a bad odor at my front door.
Notes: Arrived at Complainant's residence at 1035 hours on 12/3/09. I detected pockets of very faint, intermittent decaying organic matter odor. I could not determine if the odors were from trash, compost, greenwaste or grape pomace. Contacted Robert Hansen (835-8743) winemaker at SLO Wine Storage at 2195 Corbett Canyon Rd. We went to the grape pomace storage area approximately 100 yards west of the buildings. There was a moderate, pungent odor alongside of the building and it increased in strength as we got closer to approximately 50 yards of pomace. Some of the piles were crusty dry on top but some had the interior of the pile exposed which was wet. Hansen said the landfill had been taking it recently. Confirmed with Bruce Rizzoli by phone that they had been taking loads of pomace the past few days and incorporating it into their compost windrows. He said they had been grinding greewaste since 8:30am and had received the first load of trash at about 7:00 am. Was unable to determine the source of the odors detected at the Complainant's house.

09-188 (1)	Closed	MFE	12/8/2009	12/9/2009

Site: 25-1 Cold Canyon Landfill
Facility: 146 Cold Canyon Landfill
Brief Description: V-Compost odors
Description: There is a strong garbage odor at Hwy 227 and Patchett Rd. I am on my way home right now and I will wait for you.
Notes: I arrived at Hwy 227 & Patchett Rd at 1600 hours and met Complainant. I detected an intermittent pungent odor that smelled like decaying organic matter. Winds were from the landfill (NW) at 3-5mph. Intensity 2-3 on 1-10 scale. Called Bruce Rizzoli and he met me at same location. He also detected odor and said it was very minor and seemed like a "woody" smell and not offensive. We drove to the landfill and passed on the dirt road downwind of the trash cells and upwind of the compost areas. I detected a very slight rotten odor downwind of the trash face area closest to Hwy 227. This was not the odor I detected on Patchett Rd. Rizzoli said that yesterday was the last day of putting trash in that location for the season. New trash area slightly to the NE and slightly higher had just been opened today. This was called the winter area as there was access via an all weather road. This area had already been covered for the day. I did not detect any odors downwind of this area. Parked at an area upwind of the SW, upper compost area (see diagram). No odors were detected there. We walked between the upper and lower compost areas. I detected strong musty odors characteristic of woody decomposition downwind of several

Complaint #	Status	Reviewer	Date Rec.	Date Closed

fresh compost rows that were started on December 4, 2009 and had not yet been turned according to Rizzoli. This was not the odor I detected on Patchett Rd. Walked downwind of several compost rows on the SW edge of the upper compost area that were in the "pathogen" cycle according to Rizzoli. I did not detect any odors at that location. Rizzoli said those piles were scheduled to be turned tomorrow. These piles are sprayed with the nitrogen fixer. Then walked in a counter clockwise direction around the lower compost area. Immediately downwind of these piles I detected a strong pungent odor that matched the odor I detected on Patchett Rd. It had an odor component of decomposing grape pomace. Rizzoli said these 9 (nine) rows had all been turned earlier in the day and had approximately 30% grape pomace in them. Departed at 1645 hours. Called back at 1655 hours to report that the same odor from Patchett Rd. was now being detected at their residence. I did not verify this.

09-189 (1)	Closed	MFE	12/9/2009	12/9/2009

Site: 25-1 Cold Canyon Landfill
Facility: 146 Cold Canyon Landfill
Brief Description: V- Compost Odors
Description: There is a trash odor outside my house right now.
Notes: I arrived at Complainant's residence at 0955 hours and detected a moderate pungent odor that was the same as the compost odor I verified yesterday at the landfill. Winds were very light; from the SE 0-2mph. Temperature was approximately 55 degrees F. Contacted Bruce Rizzoli by phone and informed him of the complaint. He said they had started turning the "pathogen" rows earlier in the morning. I drove to Patchett Rd and verified that rows were being turned. This generated a large steam plume. Photo taken.

09-195 (1)	Closed		12/9/2009	12/11/2009

Site: 25-1 Cold Canyon Landfill
Facility: 146 Cold Canyon Landfill
Brief Description: V- Compost odors
Description: The landfill has been really smelly this past couple of days.
Notes: Inspector Mark Elliott was able to identify the odors as coming from the compost area of the landfill, with 30% grape pomace.

Complaint #	Status	Reviewer	Date Rec.	Date Closed
09-191 (1)	Closed	TJF	12/10/2009	12/11/2009

Site: 25-1 Cold Canyon Landfill
Facility: 146 Cold Canyon Landfill
Brief Description: V- Compost odors
Description: Odors were bad on Tuesday the 8th around 1 pm
Notes: Odors verified by Mark Elliot on site at the landfill Tuesday December 8th. Source identified as the compost area of the landfill which was comprised of 30% grape pomace.

09-193 (1)	Closed	TJF	12/10/2009	12/11/2009

Site: 25-1 Cold Canyon Landfill
Facility: 146 Cold Canyon Landfill
Brief Description: UV- landfill odors
Description: There was a bad landfill odor here along Tolosa Place this morning
Notes: I inspected the Corbett and Carpenter Canyon road areas at 1200 and 1400 hrs and did not note any landfill related odors.

09-194 (1)	Closed	TJF	12/10/2009	12/11/2009

Site: 25-1 Cold Canyon Landfill
Facility: 146 Cold Canyon Landfill
Brief Description: V- compost odors
Description: There were some very bad odors from the landfill this past week. It was very bad on Saturday and Tuesday of this week.
Notes: Inspector Mark Elliott identified the odors at the landfill as coming from the compost area, with 30% grape pomace in the compost.

09-192 (1)	Closed	TJF	12/11/2009	12/11/2009

Site: 25-1 Cold Canyon Landfill
Facility: 146 Cold Canyon Landfill
Brief Description: UV- landfill odors
Description: I smelled a bad odor near the entrance to the landfill this morning around 0900.
Notes: Inspected the area of Corbett and Carpenter Canyons at 1200 and 1400 hrs with no landfill associated odors noted.

Complaint #	Status	Reviewer	Date Rec.	Date Closed
09-196 (1)	Closed	MFE	12/17/2009	12/17/2009

Site: 25-1 Cold Canyon Landfill
Facility: 146 Cold Canyon Landfill
Brief Description: UV- Odors
Description: This morning about 7:15 there were some bad odors at my house. It seems the same as the past few times. The smell is still here now
Notes: Bruce Rizzoli said he arrived at the landfill at 0630 hours this morning. He did not detect any unusual odors on the way in. Rows were turned the previous day.

09-198 (1)	Closed	DKD	12/24/2009	12/24/2009

Site: 25-1 Cold Canyon Landfill
Facility: 146 Cold Canyon Landfill
Brief Description: V-compost odors
Description: There was an odor at my house around 7:45
Notes: Drove by the area- smelled like sage- more of a compost odor. Drove down Patchett Lane and noted materials being dumped- looked like grape pomace.

09-199 (1)	Closed	DKD	12/26/2009	12/26/2009

Site: 25-1 Cold Canyon Landfill
Facility: 146 Cold Canyon Landfill
Brief Description: UV- odors
Description: There is a odor from the landfill- It smells like trash but it is hard to tell.
Notes: I drove by the facility at 10:00 AM. The wind was coming from the SE direction at that time. I did not detect an odor of trash, but more of a cow manure odor near Tolosa Dr. This was similar to the odors noted on 12/24/09, except there was not as much "sage-like" odor. It did not smell like trash and was hardly noticeable.

Complaint #	Status	Reviewer	Date Rec.	Date Closed
10-002 (1)	Closed	TJF	1/2/2010	1/4/2010

Site: 25-1 Cold Canyon Landfill
Facility: 146 Cold Canyon Landfill
Brief Description: UV- Trash Odors
Description: There is a strong smell of trash at my house today. Complaint 09-202
Notes: Inspected this area: Wind east at 5 mph. Faint odor from landfill in the area that would be typical for the landfill. Inspected Monday AM with Bruce R. No unusual or strong odors noted. Last leachate fill was 1/3, then 12/29. No spreading Sat. Ponds were non-issues. Landfill active area had noticeable odor at face, but dissipated within 100 yards.

10-001 (1)	Closed	TJF	1/5/2010	1/5/2010

Site: 25-1 Cold Canyon Landfill
Facility: 146 Cold Canyon Landfill
Brief Description: UV- Trash Odors
Description: It smells like very strong trash at 2243 and 2245 Hwy 227.
Notes: Inspected this area: Wind east at 5 mph. Faint odor from landfill in the area that would be typical for the landfill. Inspected Monday AM with Bruce R. No unusual or strong odors noted. Last leachate fill was 1/3, then 12/29. No spreading Sat. Ponds were non-issues. Landfill active area had noticeable odor at face, but dissipated within 100 yards.

10-005 (1)	Closed	DKD	1/6/2010	1/6/2010

Site: 25-1 Cold Canyon Landfill
Facility: 146 Cold Canyon Landfill
Brief Description: UV- Trash odors
Description: There is a really strong smell this morning from the landfill. It smells like trash, different than usual.
Notes: At 0845 hours at Tolosa Place I detected odors that were somewhat "gassy" but did not seem to be typical of PXP. I drove down Price Canyon and noted odors from the harvesting of a cauliflower/broccoli field near Price Canyon Rd and 227 intersection. Wind at that time was blowing from Price Canyon. Information regarding this complaint and investigation was forwarded to Randy Friedlander and Bruce Rizzoli by Mark Elliott

Complaint #	Status	Reviewer	Date Rec.	Date Closed
10-007 (1)	Closed	MFE	1/6/2010	1/6/2010

Site: 25-1 Cold Canyon Landfill
Facility: 146 Cold Canyon Landfill
Brief Description: UV-Trash odors
Description: At 7am this morning there was a really bad wet trash odor. It was horrible. There was no wind at the time.
Notes: At 0845 hours at Tolosa Place I detected odors that were somewhat "gassy" but did not seem to be typical of PXP. I drove down Price Canyon and noted odors from the harvesting of a cauliflower/broccoli field near Price Canyon Rd and 227 intersection. Wind at that time was blowing from Price Canyon. Information regarding this complaint and investigation was forwarded to Randy Friedlander and Bruce Rizzoli by Mark Elliott

10-011 (1)	Closed	DKD	1/9/2010	1/11/2010

Site: 25-1 Cold Canyon Landfill
Facility: 146 Cold Canyon Landfill
Brief Description: UV- odors compost
Description: Composting odors- Christmas trees.
Notes: Forwarded to Randy Friedlander 1/11/10.

10-012 (1)	Closed	DKD	1/9/2010	1/11/2010

Site: 25-1 Cold Canyon Landfill
Facility: 146 Cold Canyon Landfill
Brief Description: UV-odors
Description: I was driving by the land fill and smelled a strong smell of garbage which continues to my home.
Notes: Contacted Bruce Rizzoli via e-mail on 1/11/10 for info of operations at that time. Complaint could not be verified as call was picked up next morning- Unverified. Dora, Wind speed was zero at the weather station located at the scale office. All of the landfill covers were placed by that time of the day and no land filling activities were happening. Bruce

Complaint #	Status	Reviewer	Date Rec.	Date Closed
10-013 (1)	Closed	DKD	1/9/2010	1/11/2010

Site: 25-1 Cold Canyon Landfill
Facility: 146 Cold Canyon Landfill
Brief Description: UV- odors
Description: Strong garbage smell from CCLF.
Notes: Contacted Bruce Rizzoli via e-mail on 1/11/10 for info of operations at that time. Complaint could not be verified as call was picked up next morning Unverified. Dora, Wind speed was zero at the weather station located at the scale office. All of the landfill covers were placed by that time of the day and no land filling activities were happening. Bruce

10-015 (1)	Closed	TJF	1/15/2010	1/15/2010

Site: 25-1 Cold Canyon Landfill
Facility: 146 Cold Canyon Landfill
Brief Description: UV- landfill odors
Description: It smells like garbage at my house today.
Notes: Inspected area: No landfill odors at Complainant's location. Strong compost (sour odor) near Patchett and east along 227. Notified Bruce Rizzoli and Randy Friedlander.

10-020 (1)	Closed	MFE	2/2/2010	2/2/2010

Site: 25-1 Cold Canyon Landfill
Facility: 146 Cold Canyon Landfill
Brief Description: V-Compost odors
Description: There have been strong odors at my house for about the past 5 minutes. It seems like a mix of compost & trash.
Notes: I arrived at Complainant's location at 1155 hours. Distinct odor of compost was detected intermittently. Winds from compost area 3-5mph towards Complainant. Proceeded to Patchett Rd and observed compost being turned on the upper level closest to Highway 227. Odors were not detected at this location. Complaint to Randy Friedlander by email.

Complaint #	Status	Reviewer	Date Rec.	Date Closed
10-037 (1)	Closed	MFE	3/24/2010	3/26/2010

Site: 25-1 Cold Canyon Landfill
Facility: 146 Cold Canyon Landfill
Brief Description: UV- odors
Description: Complainant first called this in at 0413 hours, then XXX called directly at 0448 hours.odor, #10 on a 1-10 intensity scale. Very toxic. Never smelled this chemical odor before. It is giving me a massive headache. It started about 0230 hours.is no wind and it is foggy.
Notes: I surveyed the area about 0930-1000 hours on 3/24/10 and did not detect any unusual odors. Winds were light, 3-5mph at the time from the NW. I left a message on Lacy Ballard's voice mail informing him of the complaint and to call me back. Friedlander later reported that the source of these odors were unknown.

10-038 (1)	Closed	MFE	3/24/2010	4/14/2010

Site: 25-1 Cold Canyon Landfill
Facility: 146 Cold Canyon Landfill
Brief Description: UV-odors
Description: Complainant called this in for the Complainant. Bad, stale, old grease smell woke her up a couple hours ago. It is giving her a headache. Never smelled before. It is foggy with no wind.
Notes: I surveyed the area about 0930-1000 hours on 3/24/10 and did not detect any unusual odors. Winds were light 3-5mph at the time from the NW. I left a message on Lacy Ballard's voice mail informing him of the complaint and to call me back. Friedlander later reported that the source of these odors were unknown.

10-041 (1)	Closed	MFE	3/24/2010	4/14/2010

Site: 25-1 Cold Canyon Landfill
Facility: 146 Cold Canyon Landfill
Brief Description: UV-odors
Description: This call came from Complainant. Burnt, rancid odor.
Notes: I surveyed the area about 0930-1000 hours on 3/24/10 and did not detect any unusual odors. Winds were light, 3-5mph at the time from the NW. I left a message on Lacy Ballard's voice mail informing him of the complaint and to call me back. Friedlander later reported that the source of these odors were unknown.

Complaint #	Status	Reviewer	Date Rec.	Date Closed
10-039 (1)	Closed	MFE	3/26/2010	4/14/2010

Site: 25-1 Cold Canyon Landfill
Facility: 146 Cold Canyon Landfill
Brief Description: UV- Odors
Description: Strange odors this morning. Can't tell exactly where they are coming from.
Notes: I surveyed the area about 0930-1000 hours on 3/24/10 and did not detect any unusual odors. I spoke to Complainant by phone at 1000 hours and they said the odors were gone now. Were light, 3-5mph at the time from the NW. I left a message on Lacy Ballard's voice mail informing him of the complaint and to call me back. He never did.

10-048 (1)	Closed	TJF	4/2/2010	4/2/2010

Site: 25-1 Cold Canyon Landfill
Facility: 146 Cold Canyon Landfill
Brief Description: UV- compost odors
Description: The landfill stinks very bad - A 10
Notes: E- mail received from Complainant: (Complainant) called a few minutes ago and they had very bad compost smells from 7:45 till 8:15 AM. She rated them a 10, the area was still, and the smell made her sick to her stomach ache, very irritating. It is kind of ironic that the smell was a 10 for her at the same time she was cleaning some horse stalls. E-Mail sent to Cal Recycle regarding complaint.

10-050 (1)	Closed	MFE	4/14/2010	4/14/2010

Site: 25-1 Cold Canyon Landfill
Facility: 146 Cold Canyon Landfill
Brief Description: V- compost odors
Description: There are odors here at my house right now. Might be from trash, but could be compost.
Notes: Arrived at Complainant's at 0850 hours. Winds calm, approximately 55 degrees F. Detected light compost odors on Tolosa Place and Highway 227 up to the landfill entrance. Proceeded to Patchett Rd. and did not detect any odors there. Observed tub grinder processing green waste. Steam plume going straight up.

Complaint #	Status	Reviewer	Date Rec.	Date Closed
10-098 (1)	Closed	TJF	6/24/2010	6/24/2010

Site: 25-1 Cold Canyon Landfill
Facility: 146 Cold Canyon Landfill
Brief Description: UV - Odors
Description: Landfill odors
Notes: Complaint was for June 18th ~ 8 pm

10-104 (1)	Closed	TJF	7/10/2010	7/12/2010

Site: 25-1 Cold Canyon Landfill
Facility: 146 Cold Canyon Landfill
Brief Description: UV- Dust
Description: Via E- mail received 7/12/10 @1130 hours. John, John & Tim, Just wanted to let you know the dust is blowing everywhere while I watch very large trucks towing large blue boxes on the CCL roads. It looks like the roads are still bone dry. This was noted at 10:45am on Saturday. Thanks,
Notes: Complaint was regarding Saturday, July 10, 2010. E- mail not opened until Monday July 12, 2010. Informed Lacy Ballard of the dust complaint. He said that he would contact site foreman and have the area watered.

10-133 (1)	Closed	DKD	8/31/2010	8/31/2010

Site: 25-1 Cold Canyon Landfill
Facility: 146 Cold Canyon Landfill
Brief Description: UV- dust
Description: There is a lot of dust at CCLF. It is not leaving the property, but they should be watering the turned rows, etc.
Notes: Not verified. Per Complainant, Tim Fuhs has called in the past and resolved the problem. He asked that we do the same thing today- no site visit really was required. Contacted CCLF. Lacy Ballard, the designated contact was not available, but I spoke with other staff who indicated they would review operations and take care of any problems.

Complaint #	Status	Reviewer	Date Rec.	Date Closed
10-135 (1)	Closed	TJF	9/1/2010	9/1/2010

Site: 25-1 Cold Canyon Landfill
Facility: 146 Cold Canyon Landfill
Brief Description: UV- landfill odors
Description: Landfill odors of about a 2 are near Complainant 's house across from the landfill front entrance
Notes: I drove out to the area and did not note any landfill related odors. Notified L. Ballard of the complaint. This was his e mail: Thanks for the info Tim. Nothing unusual that I have noticed. As for the compost, we are no longer producing any new rows just managing what is there currently. We will not have any active rows by the end of this month. We are also attempting to get as much of the finished product off site ASAP in order to eliminate any run off issues with the waterboard. Lacy Ballard John Smith Road Landfill & Cold Canyon Landfill Email: lacyb@wasteconnections.com Cell: 559-633-0524 Fax: 831-635-9621

10-137 (1)	Closed	MFE	9/1/2010	9/1/2010

Site: 25-1 Cold Canyon Landfill
Facility: 146 Cold Canyon Landfill
Brief Description: V- dust
Description: Dust from scraper and road dust.
Notes: Arrived at 1550 hours -excavator working on corner near 227- minor dust. Completed work. Main haul road produced no visible dust from truck travel when observing from Patchett Rd. Scraper driven on main roads did create VE in certain areas and loaders and other heavy equipment near open face and stockpiled green waste area. VE exceeded 40% a few times for 5-10 seconds; mostly <20%. Water truck was actively watering main road and working area.

10-139 (1)	Closed	TJF	9/7/2010	9/7/2010

Site: 25-1 Cold Canyon Landfill
Facility: 146 Cold Canyon Landfill
Brief Description: UV-dust
Description: It was dusty on both Saturday and Sunday (9/4 & 9/5). Saturday was a black dust from the compost area, and Sunday was dust from the landfill area.
Notes: When I notified the Complainant back on this, it was also mentioned that there was black dust on Saturday from the compost rows. Just a heads up to ensure adequate moisture during compost handling. The water truck was being used on Sunday. We were stripping a slope with a dozer for a project we are doing for the water board. This could have caused some dust in

Complaint #	Status	Reviewer	Date Rec.	Date Closed

an area that the water truck could not water. Nobody thought that excessive dust was created though. Lacy Ballard John Smith Road Landfill & Cold Canyon Landfill Email: lacyb@wasteconnections.com Cell: 559-633-0524 Fax: 831-635-9621-----Original Message-----From: tfuhs_apcd@co.slo.ca.us [mailto:tfuhs_apcd@co.slo.ca.us] Sent: Tuesday, September 07, 2010 9:24 AM To: Lacy Ballard Subject: Dust Complaint - Sunday 1400 Hrs. Lacy: The District received a dust complaint from Sunday afternoon. Can you please check with the operators and see if there were any issues over the weekend, and ensure that the water truck(s) were being used?

10-153 (1)	Closed	TJF	9/27/2010	9/27/2010

Site: 25-1 Cold Canyon Landfill
Facility: 146 Cold Canyon Landfill
Brief Description: UV- landfill odor and dust
Description: The landfill really smells. There is dust too from a scraper. They are turning with paddles and there is no water spray, so the dust blows onto my property.
Notes: Telephone conversation with Complainant: from scrapers is a daily occurrence. Now that the composting operation is winding down, I can smell the landfill almost everyday. It is coming from the active face during the day. After hours when they cover it with tarps, the smell goes away. I would like someone to come out in the afternoon and you can then see both the dust issue and the odor.

10-154 (1)	Closed	DKD	9/28/2010	9/29/2010

Site: 25-1 Cold Canyon Landfill
Facility: 146 Cold Canyon Landfill
Brief Description: V- Landfill odor
Description: I was driving down 227 and noted a strong odor by the land fill- between Tolosa Rd. and the facility entry. I live south of the site, but there was no odor there.
Notes: Landfill odors verified and e-mail sent to Lacy on 9/28/10 Lacy-District has received two verified complaints this morning of odors from the landfill. At approximately 10:00 AM and again at 11:15 AM, we received complaints of strong landfill odors on Hwy 227 between the area just north of Patchett Lane and Tolosa. I patrolled the area and was able to confirm these odors. In addition, I observed intermittent dust clouds at the facility, on the south west side. Dust was not leaving the site, but did exceed the 20% opacity limit per our regulations in the short time I watched. You tell me a little about your operations today - anything different? The dust seemed to be a whitish- powder type material. Where and what activity is that coming from? Look forward to your response. Response: Thanks for the info. As for the dust generation the description of "white powder

Complaint #	Status	Reviewer	Date Rec.	Date Closed

like" does not ring a bell to any specific activity that is out of the normal. Are soil is light in nature and silty but I would not think of it as a white powder type of dust generation. The one thing that is going on today that is out of the normal would be a construction company is using our facility to perform weight calibrations for a city road job. They are loading and unloading a grey somewhat powdery material into trucks and taking over the scales. We are also applying Hydro seed on our slopes today. During the mixing of the mulch, adhesive, and seed some dust could be generated. I will look into both sources and see if I can pinpoint a source. How would you describe the landfill odor that you confirmed? Was it specifically a garbage smell or a compost odor? Lacy Ballard John Smith Road Landfill & Cold Canyon Landfill

10-156 (1)	Closed	MFE	9/28/2010	9/28/2010

Site: 25-1 Cold Canyon Landfill
Facility: 146 Cold Canyon Landfill
Brief Description: V- Landfill/compost/pomace odors
Description: We just got back home and it smells like a feed lot here.
Notes: I arrived at Complainant's residence on Corbett Canyon at 1430 hours. I detected a rotting manure/garbage odor of moderate intensity. Winds were from the SSW, 5-7mph, variable high clouds and approximately 90 degrees F. I proceeded SE to 2482 Carpenter Canyon Rd and the odor had disappeared. I continued to Tiffany Ranch Rd. and did not detect any odors along that route. I proceeded to Patchett Lane and did not detect any odors at that location. Winds were still from the SSW but slightly diminished in speed at this location. Contacted Lacy Ballard at the CCLF Office and inspected the landfill operations. I inspected downwind of the current open face where solid waste was being spread and compacted. This had a pungent, rotten odor that smelled similar to what I detected offsite on Corbett Canyon Rd. The wind direction correlated with transporting these odors from the landfill to the Corbett Canyon Rd. location. Greenwaste grinding was taking place within 100 yards of the open face of the landfill. This had a sweet odor which I did not detect off site. Downwind of the compost screening area I detected a rotten manure type odor similar to what I noted offsite on Corbett Cyn Rd. The wind direction correlated with transporting these odors from the landfill to the Corbett Canyon Rd. location. No other odor sources were noted on the landfill property. There are large finished compost rows that will be screened according to Ballard. These rows did not appear to generate any significant odor. I could not get downwind of the materials separation and recycling facility. the inspection I observed several areas of intermittent fugitive dust from vehicle traffic on unpaved roadways and from water impact on dry ground from a water truck spraying water. I estimated the opacity from 20-40%. I suggested that the water truck make more frequent rounds before the road dries out too much.1515 hours I contacted Nathan Carlson and Robert Henson at Center of Effort Wines/SLO Wine Storage located at 2195/2199 Corbett Canyon Rd. This facility was processing fresh grapes with the pumace going into a stakeside truck on the south side of the building. On the east end of the property there was approximately 75 yards of this year's grape pumace on the ground. This material had a fruity, ethanol type odor

Complaint #	Status	Reviewer	Date Rec.	Date Closed

that may have contributed to the off site odors I detected earlier on Corbett Canyon Rd. The wind direction correlated with transporting these odors from the winery to the Corbett Canyon Rd. location.

10-157 (1)	Closed	DKD	9/28/2010	9/29/2010

Site: 25-1 Cold Canyon Landfill
Facility: 146 Cold Canyon Landfill
Brief Description: V- Landfill Odors
Description: It smells really bad here from the landfill.
Notes: Landfill odors verified and e-mail sent to Lacy on 9/28/10 Lacy-District has received two verified complaints this morning of odors from the landfill. At approximately 10:00 AM and again at 11:15 AM, we received complaints of strong landfill odors on Hwy 227 between the area just north of Patchett Lane and Tolosa. I patrolled the area and was able to confirm these odors. In addition, I observed intermittent dust clouds at the facility, on the south west side. Dust was not leaving the site, but did exceed the 20% opacity limit per our regulations in the short time I watched. You tell me a little about your operations today - anything different? The dust seemed to be a whitish- powder type material. Where and what activity is that coming from? Look forward to your response. Response: Thanks for the info. As for the dust generation the description of "white powder like" does not ring a bell to any specific activity that is out of the normal. Are soil is light in nature and silty but I would not think of it as a white powder type of dust generation. The one thing that is going on today that is out of the normal would be a construction company is using our facility to perform weight calibrations for a city road job. They are loading and unloading a grey somewhat powdery material into trucks and taking over the scales. We are also applying Hydro seed on our slopes today. During the mixing of the mulch, adhesive, and seed some dust could be generated. I will look into both sources and see if I can pinpoint a source.

10-163 (1)	Closed	MFE	10/5/2010	10/5/2010

Site: 25-1 Cold Canyon Landfill
Facility: 146 Cold Canyon Landfill
Brief Description: UV- Odors
Description: There are really bad odors from the landfill at my house right now. I smell things from there almost every day.
Notes: I drove down Corbet Cyn Rd to Tiffany Ranch Rd and back to the complainant's residence by 1615 hours and did not detect any odors. I contacted Complainant at the house and discussed the odor situation from the landfill and composting operation.

EXHIBIT J – RWQCB Notices

California Regional Water Quality Control Board

Central Coast Region

Linda S. Adams
Secretary for Environmental Protection

Internet Address: http://www.waterboards.ca.gov/centralcoast
895 Aerovista Place – Suite 101, San Luis Obispo, CA 93401-7906
Phone (805) 549-3147 • FAX (805) 543-0397

Arnold Schwarzenegger
Governor

November 4, 2010

February 11, 2010

RECEIVED
FEB 1 6 2010
S.L.O. CO PLANNING DEPT.

Mr. Bruce Rizzoli
District Landfill Manager
Cold Canyon Landfill
2268 Carpenter Canyon Road
San Luis Obispo, CA 93401

Dear Mr. Rizzoli:

LAND DISPOSAL PROGRAM: NOTICE OF VIOLATION FOR THE COLD CANYON LANDFILL, SAN LUIS OBISPO COUNTY

Central Coast Regional Water Quality Control Board (Water Board) staff inspected the Cold Canyon Landfill on January 21, 2010. This Notice of Violation is issued for 1) inadequate intermediate cover over waste in your dry weather disposal area, 2) inadequate capacity in your precipitation and drainage control systems, and 3) discharge of impacted storm water. Specification C.14 of Waste Discharge Requirements Order No. R3-2002-0065 for the Cold Canyon Landfill requires an intermediate soil cover over waste with exception of the active face. Specifications C.17 and C.18, require design, construction, and management of drainage facilities to accommodate 100 year, 24-hour rainstorm events. Additionally, Specification C.3 requires that a discharge may not cause or contribute to any surface water contamination, pollution, or nuisance.

INSPECTION SUMMARY

During our inspection on January 21, 2010 (inspection report attached with pictures) Water Board staff noted that your intermediate cover (dry weather disposal area) did not completely cover disposed waste. Additionally, Water Board staff observed impacted storm water discharges from your sedimentation/retention ponds (including compost pond); this discharge then flowed offsite. Although clean storm water may be discharged in a controlled manner, the discharge water had a tea-brown tint, slight odor, it generated foam under turbulent conditions, and contained fine-grained suspended sediments. The compost area runoff had the deepest tea-brown color, however the compost pond itself receives significant dillution from runoff from the back side of the landfill which does not come in contact with green waste compost. Additionally, Water Board staff observed the compost pond discharge was further diluted prior to travelling offsite. Landfill v-ditches, which collect runoff from slopes containing significant green waste compost, also contained tea-brown water, and the slope below the wet weather deck had some ponding with tea-brown tinted water prior to discharging to the adjacent v-ditch. The green waste impacted water prevented Water Board staff from determining if potential leachate seeps were also occurring.

On January 26, 2010, Water Board staff requested (by email) the following supplemental storm water runoff monitoring:

Monitoring Locations
1. Actual compost runoff from the compost pad (not the pond)
2. Main Sediment Retention Pond
3. Seepage from the slope along main road below wet weather deck (if not already covered, or stopped.
4. Two locations both just prior to offsite discharge locations and resulting from storm water runoff from the compost pond and the main sediment pond.

Monitoring Parameters
pH
turbidity/color
TOC (Total Organic Carbon)
COD (Chemical Oxygen Demand)
BOD (Biochemical Oxygen Demand)
TSS (Total Suspended Solids)
TDS (Total Dissolved Solids)
Nitrate, Ammonia, Total Nitrogen (all as N)
Phosphorous
CAM Metals
Phenols
Tannins and Lignans
Toxicity
[alpha]-Terpineol
Benzoic Acid
p-Cresol

Water Board staff was onsite on January 26, 2010 to observe the supplemental storm water sampling (inspection report with pictures attached) and we observed sampling at the following locations:

1. Actual compost runoff from the compost pad (not the pond)
2. Main Sediment Retention Pond Discharge
3. Furthest South 227 Offsite/Onsite Discharge Point (Receives Compost Pond Discharge)
4. Secondary Sediment Retention Pond Discharge

During the January 26, 2010 sampling inspection, Water Board staff observed that Cold Canyon Landfill staff repaired the slope below the wet weather pad and no ponding or seepage was observed; as such, no sample was taken. V-ditches still contained flowing water with a tea-brown tint consistent with observed green waste compost runoff and similar to the runoff observed during the January 21, 2010 inspection. The sediment/retention basins were discharging and the discharge water had a slight tea-brown tint, slight odor, it foamed under turbulent conditions, and contained some fine-grained suspended sediments. Based on conversations during the sampling inspection between Water Board staff and Cold Canyon personnel, laboratory results are to be expected by the middle of February. Thank you for the quick response to our email request for supplemental storm water runoff monitoring. Please submit a copy of laboratory results to the Water Board **no later than February 26, 2010**.

Additionally, since the green waste compost-impacted runoff from slopes makes it difficult, if not impossible to visually determine if potential landfill leachate seeps are occurring, all subsurface to surface slope seepage must be addressed per Monitoring and Reporting Program No. R3-

2002-0065, Contingency Response C.1 until the green waste compost slope impacts are resolved. Additionally, Cold Canyon Landfill must directly sample subsurface to surface seepage from slopes to drainage ways for the following monitoring parameters (please note the addition of volatile organic compounds [VOCs] using USEPA Method 8260B):

Monitoring Parameters
pH
turbidity/color
TOC (Total Organic Carbon)
COD (Chemical Oxygen Demand)
BOD (Biochemical Oxygen Demand)
TSS (Total Suspended Solids)
TDS (Total Dissolved Solids)
Nitrate, Ammonia, Total Nitrogen (all as N)
Phosphorous
CAM Metals
Phenols
Tannins and Lignans
Toxicity
[alpha]-Terpineol
Benzoic Acid
p-Cresol
VOCs

WATER BOARD REQUIREMENTS FOR A TECHNICAL REPORT

Please submit a technical report by **March 15, 2010**, containing, at a minimum, the following information:

1. Calculated drainage flows resulting from 100-year, 24-hour storm.
2. An evaluation of, and proposal for, drainage control system improvements to comply with 100-year, 24-hour design requirements. Include details on the planned improvements that will allow for appropriate management of structures to ensure that Cold Canyon Landfill will maintain both hydraulic and treatment capacity throughout the rainy season.
3. Design plans of current and planned compost pad drainage improvements with evaluation of expected drainage flows specific to the compost pad. Propose improvements, if necessary, to compost pad drainage control systems.
4. Verify and document that all compost rows and landfill areas drain through engineered drainage control systems.
5. An evaluation and proposal for the appropriate application rate for green waste compost on slopes to prevent impacts to storm water. Propose corrective actions that will mitigate existing green waste compost application issues/impacts.
6. An evaluation of existing cover condition and a proposal for wet weather intermediate cover design to comply with Specification C.14 of Waste Discharge Requirements Order No. R3-2002-0065.
7. An evaluation of, and a proposal for, improvements, if necessary, to your surface/storm water-monitoring program. Please evaluate your supplemental storm water monitoring results and review 40 CFR, Subchapter N, Part 445, Landfills Point Source Category.

The Water Board's requirement that Cold Canyon Landfill 1) submit supplemental storm water sampling laboratory results, 2) conduct subsurface to surface seepage monitoring, and 3)

submit a technical report is made pursuant to Section 13267 of the California Water Code. Pursuant to Section 13268 of the Water Code, a violation of Water Code Section 13267 requirement may subject you to civil liability of up to $1,000 per day for each day in which the violation occurs.

The Water Board needs the required information in order to evaluate your surface water discharge and ensure compliance with your Waste Discharge Requirements. You are required to submit this information because on January 21st and 26th impacted surface water was observed to be discharging from Cold Canyon Landfill, and based on the available information you are responsible for the discharge. Water Board staff discussed the evidence supporting this requirement above and attached in inspection reports dated 1-21-2010 and 1-26-2010. More detailed information is available in the Water Board's public file on this matter.

Any person aggrieved by this action of the Water Board may petition the State Water Board to review the action in accordance with Section 13320 of the California Water Code and Title 23, California Code of Regulations, Section 2050. The State Water Board, Office of Chief Counsel, P.O. Box 100 Sacramento, 95812 must receive the petition by 5:00 p.m., 30 days after the date of the order, except if the thirtieth day following the date of the order falls on a Saturday, Sunday, or state holiday, the petition must be received by 5:00 p.m. on the next business day. Copies of the law and regulations applicable to filing petitions may be found on the internet at http://www.waterboards.ca.gov/public_notices/petitions/water_quality or will be provided upon request.

If you have any questions regarding this Notice of Violation, please contact Martin Fletcher by phone at (805) 549-3694 or email at mfletcher@waterboards.ca.gov or Thea Tryon at (805) 542-4776.

Sincerely,

for Michael Thomas
Assistant Executive Officer

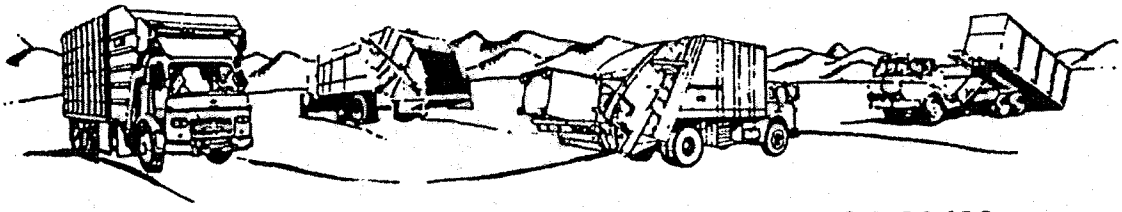
Attachment:
Inspection Report (January 21, 2010)
Inspection Report (January 26, 2010)

cc: (via hardcopy due to attachment size)
Mr. Thomas C. Reilly (Waste Connections Inc.)
Mr. Randy Friedlander (Department of Resources, Recycling and Recovery)
Mr. John McKenzie (San Luis Obispo County Department of Planning and Building)
Ms. Stephnie Wald (Central Coast Salmon Enhancement)
Mr. Bruce Falkenhagen (Spokesperson for Neighbors, Edna Group)
Mr. Gordon R. Hensley (San Luis Obispo Coastkeeper)
Mr. Jon Hoffman
Ms. Sue Barone

S:\Land Disposal\Land Disposal Facilities\PERMITTED SITES\Cold Canyon\LETTERS\Notice of Violation, 2-10-2010.doc

EXHIBIT K – Cold Cyn Request to IWMA

South County Sanitary Service



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RECEIVED
SEP 29 2010
COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PUBLIC WORKS

County of San Luis Obispo
Mary Whittlesey
Room 207
San Luis Obispo, CA 93408

September 20, 2010

Re: South County Sanitary, San Luis Garbage, Mission Country Disposal

Dear Mary,

For the last 12 years, Waste Connections has been composting greenwaste at the Cold Canyon Landfill and selling it to local users. On September 1, the composting operation was forced to close due to unrealistic odor standards enforced by the state.

Diverting greenwaste from the landfill is a key component to achieving our outstanding diversion rate. In the short term Cold Canyon Landfill has been grinding the curbside greenwaste material and using it as Alternative Daily Cover(ADC) at the landfill. This counts as AB939 diversion credit, but is not a good use of this resource. In addition the addition of organic material increases the generation of greenhouse gas and is contrary to the state's goal of reducing organics in the landfill by 50%

At the recent IWMA meeting the IWMA Board unanimous adopted the following:

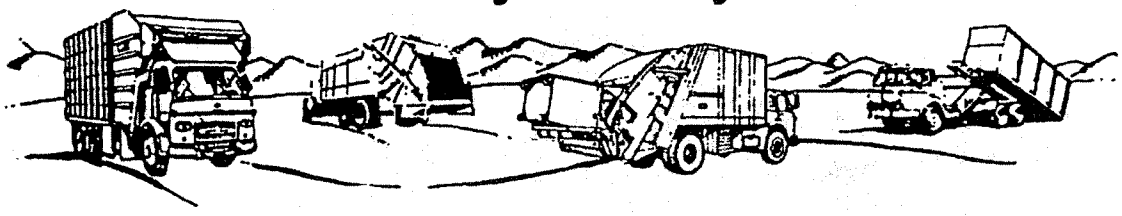
1. The IWMA Board supports Waste Connections short term actions to continue to divert greenwaste.

2. In addition the IWMA Board recommends the mid-term alternative of transferring the greenwaste to the composting facility in Santa Maria and if possible would like to include food waste. The Board recognizes that there will be a fiscal impact that could increase garbage bills by up to 4 percent and that all cities served by Waste Connections would need to participate.

3. Finally the IWMA Board would prefer a cost-effective long term solution that allows the composting of greenwaste and food waste within San Luis Obispo County."

November 4, 2010

South County Sanitary Service



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Waste Connections is ready to start working towards implementing the IWMA recommended mid-term alternative of sending the curbside collected greenwaste to Engel & Gray in Santa Maria. They have all the appropriate permits and are willing to take the material. Engel and Gray would charge $31 per ton (compared to the $18/ton you were paying at Cold Canyon) plus an addition cost of $17 per ton to load and transfer the greenwaste from Cold Canyon Landfill to Santa Maria. This would result in a 4% increase to the rates.

Our current franchise restricts rate increases to the cumulative US government COLA. I need some direction from council indicating they are willing to waive the rate restriction, per section 4.5 by "City Request to Direct Changes" in order to implement the mid-term alternative of sending the greenwaste to Santa Maria to be composted. All of the South County cities would need to be in agreement on a course of action in order for this to work. It appears that is the case with the recent IWMA vote. We would come back to the city with a standard Interim Year Rate Increase request per the rate manual.

Please let me know how you want to proceed. I'm more than happy to show up and discuss this with council members or committees.

Tom Martin, General Manager

WASTE CONNECTIONS INC.
Connect with the Future®

August 17, 2010

Christine Karl, IWMS
Permitting and LEA Support Services Branch, South
Waste Compliance and Mitigation Program
California Department of Resources Recycling & Recovery
1001 I Street/PO Box 4025 Sacramento CA 95812 MS10A-15

SUBJECT: **COLD CANYON LANDFILL, SWISS # 40-AA-0004 – NOTICE OF MINOR CHANGE IN OPERATIONS**

Dear Ms. Karl:

Per our conversation today, Cold Canyon Landfill is submitting this Notice of Minor Change in operations. Currently, greenwaste is being composted on adjacent property to the landfill under a separate compost permit. Starting immediately, greenwaste will be managed on the landfill by chipping/grinding for ADC use. Woodwaste and large branch greenwaste will continue to be managed at the compost facility by chipping/grinding and sale as biomass fuel.

This notice is being submitted in accordance with Section 21620 of Title 27 of the California Code of Regulations. This minor change in operations is:

- subject to the authority of the EA;
- consistent with State minimum standards;
- consistent with the terms and conditions in the current solid waste facilities permit; and
- does not conflict with the design and operation of the facility as provided in the current Joint Technical Document.

If you have any questions or need any additional information, please feel free to contact at (916) 608-8209, email: TomR@WasteConnections.com.

Sincerely,

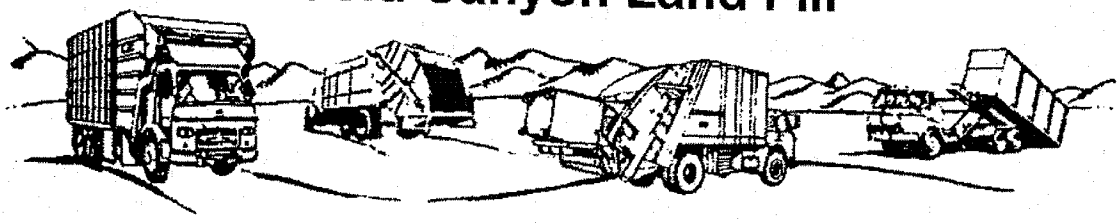
Thomas Reilly

Thomas Reilly, P.E.
CA Engineering / Corporate Compliance Manager

cc: Martin Fletcher, RWQCB
Lacy Ballard, CCL
Tom Martin, CCL
Jim Little, Waste Connections Inc.

EXHIBIT L – Cold Canyon – Letter of Intention

Cold Canyon Land Fill



2945 McMillan Avenue • Suite 136 • San Luis Obispo, CA 93401
805-549-8332

County of San Luis Obispo
John Nall

October 6, 2010

RE: Cold Canyon Landfill's composting intentions

The short term solution to suspension of our composting operation is to grind the incoming green waste material and use it as ADC on the landfill. The municipalities that we collect for have indicated that ADC use isn't the optimum solution. The mid term solution will be to truck the unground material to Engel & Gray compost facility in Santa Maria. The SLO County IWMA board has encouraged us to look at anaerobic digestion using food waste and green waste that generates biomethane that can be cleaned up and used as fuel in garbage trucks. That would occur inside a permitted building and would be the preferred long term solution. However, the municipalities will have to scrutinize the capital and operating costs in order to be comfortable with the rate increases pushed out to the public.

We plan on keeping the Cold Canyon Composting Permit active as a back up solution should ADC or Engel & Gray become non viable options. As you are aware, we have eliminated the request to expand the compost permit in the EIR and want to have the option of operating under the existing permit.

Tom Martin, Gen Mgr

EXHIBIT M - Section 22.74.160 of the Land Use Ordinance

4. **Notice of lien.** Upon confirmation of an assessment by the Board, the Code Enforcement Officer shall notify the owners by certified mail, return receipt requested, of the amount of the pending lien confirmed by the Board, and advise them that they may pay the account in full within 30 days to the Department, to avoid the lien being recorded against the property. If the lien amount is not paid by the date stated in the letter, the Code Enforcement Officer shall prepare and have a notice of lien recorded in the office of the County Recorder. The notice shall contain:

   a. A legal description, address and/or other description sufficient to identify the premises.

   b. A description of the proceeding under which the special assessment was made, including the order of the Board confirming the assessment.

   c. The amount of the assessment.

   d. A claim of lien upon the described premises.

5. **Lien.** Upon the recordation of a notice of lien, the amount claimed shall constitute a lien upon the described premises, in compliance with Government Code Section 25845. The lien shall be at a parity with the liens of State and County taxes.

6. **Collection with ordinary taxes.** After recordation, the Notice of Lien shall be delivered to the County Auditor, who will enter the amount of the lien on the assessment roll as a special assessment. Thereafter the amount set forth shall be collected at the same time and in the same manner as ordinary county taxes, and is subject to the same penalties and interest, and to the same procedures for foreclosure and sale in case of delinquency, as are provided for ordinary county taxes; all laws applicable to the levy, collection and enforcement of county taxes are hereby made applicable to the assessment.

[22.10.150]

22.74.160 - Permit Revocation

The Code Enforcement Officer may initiate proceedings to revoke the approval of any land use permit issued in compliance with this Title or the former zoning ordinance (Ordinance 603 and all amendments thereto) in any case where a use of land has been established or is conducted in a manner which violates or fails to observe the provisions of this Title or a condition of approval, as provided by this Section.

A. **Notice of Pending Revocation.** The Code Enforcement Officer shall notify the permittee of the intended revocation of the approval of a land use permit at least 10 days before a revocation hearing (Section 22.74.060 - Enforcement Hearings). The notice shall contain the following.

   1. A heading reading, "Notice of Revocation Hearing".

2. The provisions and/or conditions violated and the means to correct the violation(s), if any.

3. The date and place of the revocation hearing.

B. Revocation hearing. Before any action is taken to revoke an approved land use permit, a hearing shall be conducted in compliance with Section 22.74.060 (Enforcement Hearings). If the land use permit to be revoked is a Development Plan, or Conditional Use Permit, the revocation hearing shall be conducted by the Commission. If revocation of a Zoning Clearance, Plot Plan, Site Plan Review, Site Plan, Minor Use Permit or Departmental Review is being considered, the hearing shall be conducted by the Director acting as Zoning Administrator, in compliance with Section 22.70.020.B.

C. Action to revoke. If after the revocation hearing the Review Authority finds that grounds for revocation have been established, the Review Authority may:

1. Allow the permittee additional time to correct the violation or non-compliance; or

2. Modify conditions of approval on the basis of evidence presented at the hearing; or

3. Revoke the approved land use permit and order the discontinuance or removal of the approved use within a time specified by the Review Authority.

In the absence of an appeal in compliance with Subsection D., revocation shall become effective 14 days after the action of the Review Authority. Upon the effective date of revocation, the Code Enforcement Officer shall initiate nuisance abatement proceedings by preparing and serving a Notice of Nuisance in compliance with Section 22.74.150, with the time limit for action by the permittee specified in the notice being that set by the Review Authority in the revocation order.

D. Appeal. The permittee may appeal the decision of the Review Authority, and these appeals shall be processed in compliance with Section 22.70.050. Upon appeal, revocation does not take effect until affirmed by the appeal Review Authority identified by Section 22.70.050. After the hearing, the appeal Review Authority may affirm, modify or reverse the decision to revoke the permit. In the absence of an appeal, revocation shall take effect 14 days after the decision of the Review Authority.

E. Use after revocation. When an approved land use permit has been revoked, no further development or use of the property authorized by the revoked entitlement shall be continued, except in compliance with approval of a new land use permit and any other authorizations or permits required by this Code.

[Chapter amended 1988, Ord. 2339, 2345] *[22.10.160]*

EXHIBIT N – Cold Canyon OIMP

ODOR IMPACT MINIMIZATION PLAN

Cold Canyon Landfill Green Material Compost Facility

August 2010

Prepared for:
COLD CANYON LANDFILL, INC.
2268 Carpenter Canyon Road
San Luis Obispo, CA 93401

Prepared by:
INTEGRATED WASTE MANAGEMENT CONSULTING, LLC
19375 Lake City Road, Nevada City, CA 95959

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ODOR IMPACT MINIMIZATION PLAN
Cold Canyon Landfill Compost Facility

1.0 INTRODUCTION

Title 14, CCR Section 17863.4 requires that all compostable material handling operations and facilities prepare and maintain a site-specific Odor Impact Minimization Plan (OIMP). The following OIMP has been developed to meet regulatory requirements and to serve as a documentation of site-specific operating procedures designed to minimize the potential for nuisance-level off-site odors.

1.1 BACKGROUND INFORMATION

Project Name:	Cold Canyon Landfill Green Material Compost Facility
Project Location:	2268 Carpenter Canyon Road San Luis Obispo, CA 93401 Phone (805) 549-8332
Mailing Address:	Cold Canyon Landfill, Inc.* 2268 Carpenter Canyon Road San Luis Obispo, CA 93401
Landowner:	Corral de Piedra Land Company* 2268 Carpenter Canyon Road San Luis Obispo, CA 93401
Project Contacts:	Lacy Ballard Cold Canyon Landfill, Inc. 2268 Carpenter Canyon Road San Luis Obispo, CA 93401 Phone (805) 549-8363
Regulatory Contacts:	Department of Resources, Recycling & Recovery Enforcement Agency Section 1001 "I" Street Sacramento, CA 95812-4025 Phone (916) 341-6000

*Please note that both Corral de Piedra Land Company and Cold Canyon Landfill, Inc. are owned by Waste Connections, Inc.

2.0 ODOR IMPACT MINIMIZATION PLAN

The following provides specific information on compliance with §17863.4 (b) – (d). The text from Title 14 is presented in *italics* followed by the Facility's proposed method of compliance.

(b) Odor impact minimization plans shall provide guidance to on-site personnel by describing, at a minimum, the following items. If the operator will not be implementing any of these procedures, the plan shall explain why it is not necessary.

2.1 ODOR MONITORING PROTOCOL

(1) an odor monitoring protocol which describes the proximity of possible odor receptors and a method for assessing odor impacts at the locations of the possible odor receptors; and

The closest receptors will be the vehicles unloading green material feedstock at the composting facility; the Cold Canyon Processing Facility (located to the east); the abandoned vineyard (located to the southwest); the Cold Canyon Landfill (located to the west); and the on-site composting personnel who monitor and operate the compost facility daily.

The closest off-site receptors are four residences over 1000 feet away (one is located directly north, two are located southeast and the other is located to the south). In addition several residences are located further than 1000 feet away, in each direction.

The facility has become sensitive to ongoing complaints from nearby residences. The landfill has developed a relationship with the neighbors and has established an email odor monitoring system. Neighbors who smell the composting operation contact one of the closest neighbors, who tabulates the complaint and communicates it to the Landfill Manager. The landfill manger records each complaint as it comes in and notes existing meteorological conditions, and on-site operations (see Appendix E).

In addition to monitoring reported complaints, each day the operator evaluates on-site odors and evaluates planned operations for potential release of objectionable odors. Numerous operational practices have been implemented to minimize the release of objectionable odors.

Recent operational improvements have included:

- Changing the manner in which the facility receives and processes green material from a "batch" to a "continuous" composting process. In addition, the facility uses first-in, first-out processing.

- Co-processing wood and green material to increase available carbon and increase porosity.

- The facility has developed a one-page operational targets form which operators use to direct operations (i.e., moisture content, porosity, etc.)

- The facility has installed an odor neutralizing system on the discharge of the tub grinder, and the discharge of the Scarab.

  The facility is evaluating the use of a perimeter misting system by using a portable misting system that connects to various sections of perimeter mounted misting lines.

- The facility continues to experiment with topical application of odor neutralizers.

- The facility has developed process to reject particularly offensive loads. These loads are now sent directly to the landfill.

- The facility is holding regular (approximately monthly) community meetings with the neighbors. The community meetings are an open, candid forum for neighbors to discuss complaints.

- The facility has installed a second, recording weather station to more accurately gauge wind speed and direction at the windrow area.

Additional site-specific odor-minimization practices are detailed in Table 1.

The protocol for managing odors on-site is determined by the community meetings and the odor mitigation efforts to date. CCL is making every attempt to correlate odor complaints with on-site operations and current metrological complaints. An example of the Odor Correlation Chart is contained in Appendix E).

DESCRIPTION OF METEOROLOGICAL CONDITIONS

(2) a description of meteorological conditions effecting migration of odors and/or transport of odor causing material off-site. Seasonal variations affect wind velocity and direction shall also be described; and

The facility has two on-site weather monitoring stations to monitor wind speed and direction, temperature, and other meteorological functions. One is located at the scalehouse, the other at the northern corner of the windrow area. The weather system (by the windrows) is consulted

prior to scheduling major material handling activities. Daily records are logged to generate site-specific historical weather pattern information. In addition the facility has installed two windsocks (one at the compost facility and one on the top of the landfill) that provide real-time and highly visible indications of wind speed and direction.

Historical wind data from the San Luis Obispo McChesney Field Station (latitude 35°14'N, longitude 120°38'W, elevation 200 feet MSL), approximately 6 miles northwest of the site, indicates that the prevailing wind blows from the west 49.5 percent of the time. Calms occur 23.8 percent of the time. The most common seasonal variation is the Santa Ana wind conditions, which predominantly blow from the south. These conditions usually occur during the summer months lasting about a week.

COMPLAINT RESPONSE PROTOCOL

(3) a complaint response protocol; and

Facility management will use the following protocol in responding to citizen complaints.

Response to Citizen Complaints

In an effort to respond to the community, the odor complaint response protocol has been changed. The following describes the current procedure:

1. When the operator receives a complaint, it usually comes in the form of an email that is already copied to the LEA and County staff. Emails are logged so that the operator can try to correlate odor complaints with existing wind speed and direction as well as on-site activities.

2. The Operator documents the complaint(s) in the Site Operations Log and also in the Odor Correlation chart.

3. The Operator will assess the complaint and the nature of the source of the odor complaint and may respond (especially if there is a question). Some complaints concern the compost facility and some the landfill.

4. The Operator may implement one or more of the management practices (depending on the particular source of odor and the time of year) listed in Table 1.

5. Results and actions will be documented in the Site Operations Log, which serves as the Facility's permanent record.

DESIGN CONSIDERATIONS FOR MINIMIZING ODORS

(4) a description of design considerations and/or projected ranges of optimal operation to be employed in minimizing odor, including method and degree of aeration, moisture content of materials, feedstock characteristics, airborne emission production, process water distribution, pad and site drainage and permeability, equipment reliability, personnel training, weather event impacts, utility service interruptions, and site specific concerns; and

Method and Degree of Aeration

The facility uses a windrow method of composting. Windrows are formed with a front-end loader and "turned" with a specialized windrow turner. The windrow turner is able to accommodate rows 7 feet tall and 18 feet wide. The windrows are turned according to the practices listed on the "operational targets" form, unless adverse weather conditions prevent such turnings. In addition, a back-up windrow turner, is available if necessary.

Moisture Content of Materials

Most of the material received consists of mainly woody material (shrubs, trees, bushes, etc.) with a small percentage of materials that have high moisture content, like grass clippings. It has historically been necessary to add significant amounts of water to maintain the minimum amount of moisture for effective composting.

Feedstock Characteristics

The feedstock consists of green material, yard trimmings, and wood waste, as they are defined in 14 CCR §17852. Typically Central Coast Green Material is relatively brushy with seasonal amounts of leaves and grass. Water is added to achieve the desired moisture content. During the grape crush season, a small amount of grape pomace is also delivered to the facility. Grape pomace is generally higher in moisture content than the green material. Grape pomace is mixed rapidly with chipped green material upon receipt. In order to increase porosity and increase available carbon, chipped wood waste is also added to the windrows.

Airborne Emission Production

The main sources of dust and potentially odor-carrying particles at the facility are from material handling, grinding, windrow turning, screening, and traffic. Access roads to the site are compacted base rock and native soil and are properly maintained to minimize dust. A water truck is used to water active roadways and dirt areas at the site to help minimize dust. Proper moisture management during the compost process and in the compost products while onsite also will help to prevent dust generation. Because of these measures, the storage and transfer of feedstock does not increase ambient levels of dust around the site. These measures are also used around the active and inactive areas of the site used for storage and transfer. To the extent possible dust generating-activities will be scheduled based on current wind conditions.

Process Water Distribution

Process water is moved around the site using water trucks. In the future a spray bar may be added to the tub grinder to increase water distribution to the feedstock. A smaller misting system has been added to the tub grinder to allow the operator to add odor neutralizer to the discharge of the grinder. This process does not add significant amounts of moisture to the feedstock.

Pad and Site Drainage and Permeability

The compost facility is performed on cut native soil. Approximately 1-acre of the 12-acre site is a fill area, which was compacted at greater than 90 percent. The pad is graded to minimize ponding and drainage is directed to one of two sedimentation basins through intermediate drainage controls. In addition, the discharge points at each of the sediment basins are sampled in accordance to the landfill's Monitoring and Reporting Program R3-2002-0065 and the NPDES permits. Lastly, the facility goes through winter preparations annually to ensure drainage pathways function as designed. Typical winter preparation activities include filling in potential ponding areas, clearing of drainage ditches, sediment removal from the basin, constructing soil berms, etc.

Equipment Reliability

All equipment is maintained per the manufacturer recommendations. The landfill has a fulltime mechanic who does scheduled maintenance and repairs on the composting equipment. In the event of equipment breakdown, composting services can be contracted out or equipment could be rented to continue operations. The compost facility has an on-site back up windrow turner to the Scarab (a Wildcat Turner).

Personnel Training

Personnel assigned to the compost facility have been trained in subjects applicable to the compost site operation and maintenance, load checking procedures and heavy equipment operations. Monthly safety meetings occur on various topics to ensure proper and safe procedures are followed. All heavy equipment operators must go through a training period before they are able to run each different piece of machinery (loaders, roll-off, water truck, etc.). The training records and safety meeting attendance are kept on file in the landfill scalehouse office. In addition the three primary operators of the compost facility are trained in the parameters listed on the Operational Targets form (see Appendix D).

Weather Event Impacts

The only severe weather event impacts are heavy rainfall or high wind conditions that impede processing activities. There is an abundance of storage space in case event operations have to

temporarily cease due to adverse weather conditions. Under severe conditions, material can be landfilled in order to make additional space available for compost operations.

Utility Service Interruptions

All equipment is powered by diesel engines, except the reservoir transfer pump, which is powered electrically. A 6,000-gallon diesel tank is located near the landfill administration office. If power were to fail, a diesel powered CAT Transfer pump is available to use at the reservoir pond or a generator could be rented for the electrical transfer pump, if necessary.

Water Source

Water is available via on-site wells and a reservoir pond.

OPERATING PROCEDURES TO MINIMIZE ODOR

(5) a description of operating procedures for minimizing odor, including aeration, moisture management, feedstock quality, drainage controls, pad maintenance, wastewater pond controls, storage practices (e.g., storage time and pile geometry), contingency plans (i.e., equipment, water, power, and personnel) weather impacts, biofiltration, and tarping.

The Facility manages all odor-producing areas of the facility so as to minimize the development of conditions that could lead to odor problems. A key management tool in this effort will be the use of the recording weather station. Other possible management tools are summarized in Table 1.

Areas with the potential for odor generation include:

Feedstock Receiving Area. Incoming feedstocks can generate odors if they are stored for excessive periods of time. Feedstocks left unprocessed or un-mixed at the site can also generate significant odors, particularly during the rainy season. In order to minimize these potential odors, the Facility will process material regularly and within regulatory limits. The facility now uses a "continuous" process rather than a "batch" process as had been used in the past. If needed, odor neutralizer could be added to the feedstock receiving area.

Grinding. The facility recently switched to a coarser grind to facilitate respiration (by increasing porosity). The facility is currently using 4-inch by 6-inch screens when processing green waste, which allows for a coarser grind then previously used. An odor neutralizing system has been added to the discharge conveyor of the tub grinder. In addition, material is moved from the grinder to the windrow within a reasonable amount of time (typically within a day or two).

Aisles between Processing Areas. Aisles between processing areas and windrows can be sources of odor if raw, uncomposted, or improperly mixed material is left for excessive amounts of time without being exposed to the high temperatures of composting. The facility practices good housekeeping methods which include regular patrolling of all aisles to clean any spilled materials. Aisles can also be a source of odor if stormwater or process water is allowed to pond in potholes or other pad depressions. Any standing water that is discovered will be absorbed with chipped material (or other absorbent). Additionally, all surfaces from the receiving area through the composting pads are have been designed and graded so that storm water moves efficiently into the retention basin, which will minimize any potential ponding in raw feedstock areas.

Composting Piles. Although some odor is to be expected from the composting process, especially during turning events, unusual odors emanating from windrows typically indicate problems in the initial mixing, turning frequency, pile porosity, and/or moisture content of the pile. CCL strives to manage its windrows with appropriate carbon to nitrogen level, assure adequate initial mixing, and maintain adequate moisture within the piles (please see "Operational Targets" in Appendix D). Piles will be turned regularly on a prescribed schedule. Any unusual odors detected from the windrows will be corrected using the techniques described in Table 1.

Curing Piles. Curing piles have the potential to create odors if material that is not stable is moved to curing too soon. CCL cures material in the area by the screen plant. To date this has not been a significant source of odor.

Storm Water Retention Basin. The stormwater retention basin could cause odors if it were overloaded with sediment or nutrients. Sediment is minimized through pad design and regular pond maintenance.

Aeration

The facility relies on adequate porosity to allow for natural aeration. However, the larger particle size currently being used provides better porosity.

Moisture Management

The majority of the feedstocks processed at the facility are relatively low moisture content feedstocks. Grape pomace is higher in moisture, but is managed by blending it with processed green material rapidly after it is received. Most of the site is adequately graded to minimize ponding of water that could lead to odors.

Feedstock Quality

The CCL Facility only accepts clean, source separated green material. As these collection programs are relatively mature, contamination is relatively low.

Drainage Controls

The compost facility pads are graded to minimize ponding and drainage is directed to one of two sedimentation basins through intermediate drainage controls. In addition, the discharge points at each of the sediment basins are sampled in accordance to the landfill's Monitoring and Reporting Program R3-2002-0065 and the NPDES permits. Lastly, the facility is goes through winter preparations annually to ensure drainage pathways function as designed. Typical winter preparation activities include filling in potential ponding areas, clearing of drainage ditches, sediment removal from the basin, constructing soil berms, etc.

Pad Maintenance

The pad is maintained regularly on an as needed basis. Since the parent company of the compost facility is a landfill company they have the equipment and expertise on-site to do regular pad maintenance. As mentioned above the facility goes through annual winter preparations to assure the pad and drainage features are functioning as designed.

Wastewater Pond Controls

Regular maintenance of the stormwater and process water retention basins should minimize potential odors from these features. In extreme conditions, either or both retention basins could be treated chemically or aerated to reduce odors.

Storage Practices

The facility has transitioned from a "batch" process to a "continuous" one. What this means is that incoming green material is processed within a few days of receipt and processed material is moved rapidly to a windrow, This assures that the material is exposed to optimum composting conditions in a timely manner.

Odor Suppression. The facility currently uses a number of commercially available odor neutralizers. Most of these are applied via misters (either at the grinder, the turner, or via the portable misting system). In addition the facility occasionally applies odor neutralizer directly to the windrows (via a portable sprayer). Information on the odor neutralizers is contained in Appendix C.

CONTINGENCY PLANS

The following provides information on contingency planning for facility equipment, water, power, and personnel.

Equipment. All equipment is maintained per the manufacturer recommendations. The landfill has a fulltime mechanic who does scheduled maintenance and repairs on the composting equipment. In the event of equipment breakdown, composting services can be contracted out or equipment could be rented to continue operations. The compost facility does have an on-site back up turner to the Scarab (Wildcat Turner) and additional front-end loaders are also on-site as part of other operations.

Water. There is a dedicated 4,000-gallon water truck for the compost facility and an additional 4,000-gallon water truck at the landfill is available for use. Water is available at the reservoir pond through on-site wells and if necessary, the on-site wells at the landfill can be a source of water.

Power. All equipment is powered by diesel engines, except the reservoir transfer pump, which is powered electrically. A 9,000-gallon diesel tank is located adjacent to the Compost Facility. If power were to fail, a diesel powered CAT transfer pump is available to use at the reservoir pond or a generator could be rented for the electrical transfer pump, if necessary.

Personnel. Additional trained personnel could be made available from the landfill or resource recovery park operations.

Weather impacts. The only severe weather event impacts are heavy rainfall or high wind conditions that impede processing activities. There is an abundance of storage space in case daily operations have to temporarily cease due to adverse weather conditions.

Biofiltration. The facility has no provisions for biofilters.

Tarping. CCL does not anticipate the use of tarps as part of its regular operations.

PLAN REVISION

(c) The odor impact minimization plan shall be revised to reflect any changes, and a copy shall be provided to the enforcement agency, within 30 days of those changes.

A copy of this Odor Impact Minimization Plan will be kept at the Facility's on-site Administration office. The OIMP will be revised to reflect significant changes to operations that affect the OIMP.

TABLES

Table 1, describing sources of possible odor and potential management techniques, follows this page.

Table 1
Sources of Odor and Possible Management Techniques

Source of Odor	Possible cause	Management approach
Feedstock receiving (Green Material)	Material sitting too long prior to processing	Expedite material processing. Increase operating shifts. First in, first out, processing. Reduce size of processed material stockpiles. Create discrete feedstock stockpiles with greater surface to volume ratio. Consider blanketing odiferous materials with one-foot layer of woody overs (water lightly to reduce odor releases). Operate facility on a "continuous" processing basis. Process wood and green material together to increase porosity and available carbon.
Feedstock receiving	Material arrives with odors	Reject seriously odiferous loads when identified. All grape pomace will be mixed with processed green material and formed into a windrow as expeditiously as possible upon delivery to the site.
Grinding	Grinding volatizes particles, particle size is key for porosity	Grinder outfitted with adequate screens to produce desired porosity. Use neutralizer misting system when grinding. Grind wood and green material together to increase porosity.
Material processing (Mixing)	Mixing volatizes particles	Mist water or odor neutralizer at dust generation points.

Table 1 (Cont.)
Sources of Odor and Possible Management Techniques

Source of Odor	Possible cause	Management approach
Material Handling (Composting)	Material handling releases odorous gases Anaerobic conditions can form odorous compounds Ammonia odor (high nitrogen level) Sulfur odor (anaerobic conditions) Varying odors in pile Odors generated after turning Excessive temperature	Reduce handling activities during stagnant air conditions. Add odor neutralizer from Scarab while turning. Make sure rows are within operational parameters. Make piles on a bed of screened overs to increase airflow. Create piles which are sufficiently blended. Maintain adequate moisture in piles. Avoid over-watering piles. Increase turning frequency, check temperatures, check pH, increase porosity. Increase surface to volume ratios of active piles. Consider using "Pseudo-biofilter" to reduce emissions. Time turning events to favorable meteorological conditions. Turn during rain events to capture moisture and minimize odor releases. Consider adding a surface odor neutralizer to windrows after turning. Reduce or eliminate turning during stagnant air conditions.
Material processing (Screening)	Screening volatizes particles	Reduce screening activity during stagnant air conditions. Reduce screening activity when wind is in direction of sensitive receptors. Mist water or neutralizer at dust generation points.

Table 1 (Cont.)
Sources of Odor and Possible Management Techniques

Source of Odor	Possible cause	Management approach
Aisles	Storm water allowed to pond Uncomposted material in aisles	Absorb ponded water with wood chips/other absorbent, fill pothole. Clean aisles of spilled material. (Particularly at the end of each day). Remove and replace woody overs and spilled materials from unpaved areas on a regular basis. Mechanically sweep paved areas at the end of each day. Apply water and/or neutralizer to reduce dust conditions.
Curing piles	Excessive temperatures	Decrease pile size (height). Increase residence time prior to moving to curing. Move material from composting to curing during favorable weather conditions. Maintain marketing plan to keep material moving.
Retention basin	Standing water overloaded with nutrients or sediment	Install filter berm before pond; aerate and chlorinate as necessary.

Appendix A
TITLE 14 REGULATIONS REGARDING OIMPs

Title 14 regulations regarding Odor Impact Minimization Plans follow this page.

COMPOSTABLE MATERIALS HANDLING OPERATIONS AND FACILITIES REGULATORY REQUIREMENTS

April 4, 2003

Chapter 3.1 Compostable Materials Handling Operations and Facilities Regulatory Requirements

Article 1. General

Section 17863.4. Odor Impact Minimization Plan.

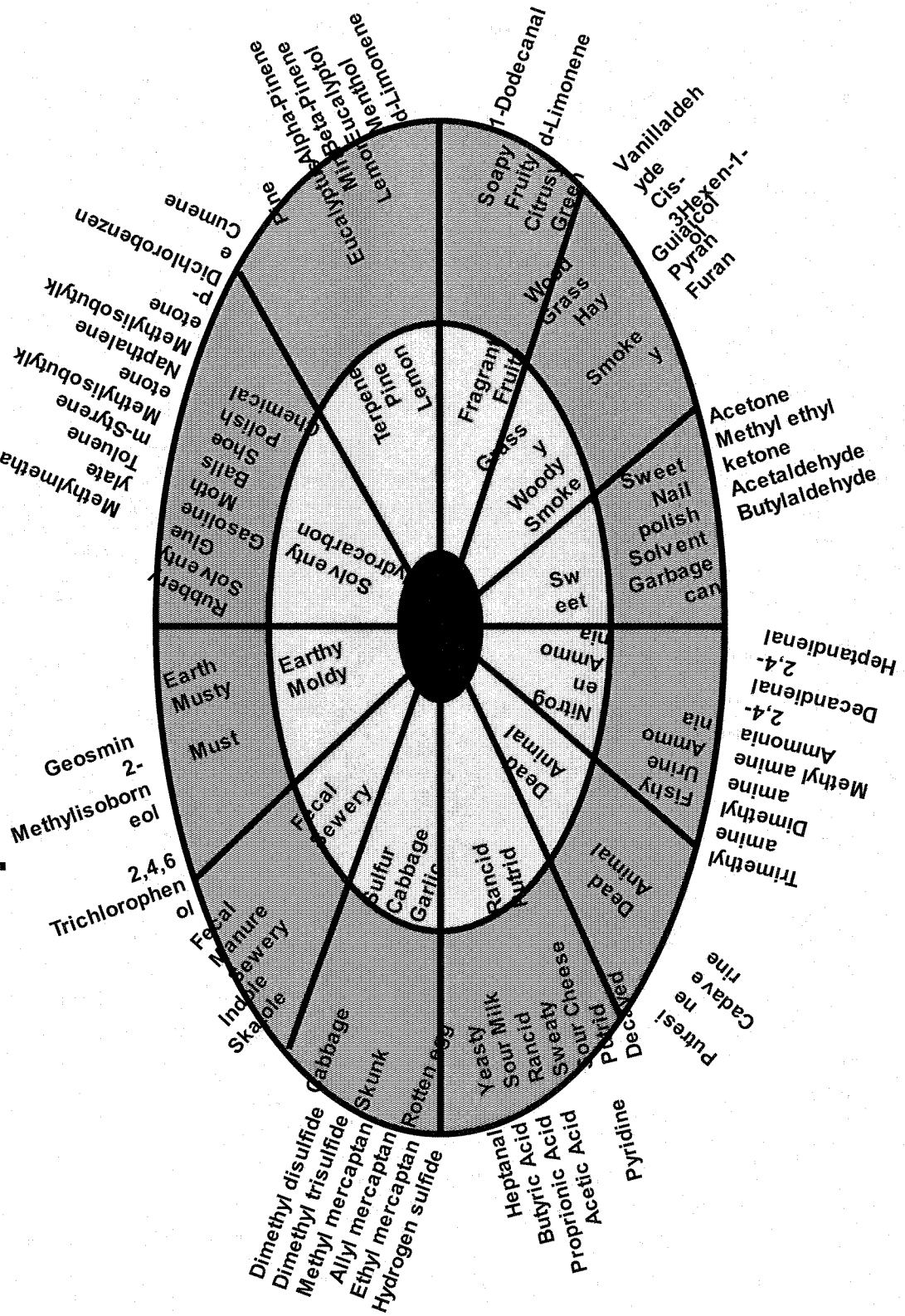
(a) All compostable material handling operations and facilities shall prepare, implement and maintain a site-specific odor impact minimization plan. A complete plan shall be submitted to the EA with the EA Notification or permit application.
(b) Odor impact minimization plans shall provide guidance to on-site operation personnel by describing, at a minimum, the following items. If the operator will not be implementing any of these procedures, the plan shall explain why it is not necessary.
(1) an odor monitoring protocol which describes the proximity of possible odor receptors and a method for assessing odor impacts at the locations of the possible odor receptors; and,
(2) a description of meteorological conditions effecting migration of odors and/or transport of odor-causing material off-site. Seasonal variations that effect wind velocity and direction shall also be described; and,
(3) a complaint response protocol; and,
(4) a description of design considerations and/or projected ranges of optimal operation to be employed in minimizing odor, including method and degree of aeration, moisture content of materials, feedstock characteristics, airborne emission production, process water distribution, pad and site drainage and permeability, equipment reliability, personnel training, weather event impacts, utility service interruptions, and site specific concerns; and,
(5) a description of operating procedures for minimizing odor, including aeration, moisture management, feedstock quality, drainage controls, pad maintenance, wastewater pond controls, storage practices (e.g., storage time and pile geometry), contingency plans (i.e., equipment, water, power, and personnel), biofiltration, and tarping.
(c) The odor impact minimization plan shall be revised to reflect any changes, and a copy shall be provided to the EA, within 30 days of those changes.
(d) The odor impact minimization plans shall be reviewed annually by the operator to determine if any revisions are necessary.
(e) The odor impact minimization plan shall be used by the EA to determine whether or not the operation or facility is following the procedures established by the operator. If the EA determines that the odor impact minimization plan is not being followed, EA may issue a Notice and Order (pursuant to section 18304) to require the operator to either comply with the odor impact minimization plan or to revise it.
(f) If the odor impact minimization plan is being followed, but odor impacts are still occurring, the EA may issue a Notice and Order (pursuant to section 18304) requiring the operator to take additional reasonable and feasible measures to minimize odors.

Authority cited: Sections 40502, 43020, 43021 and 43209.1 of the Public Resources Code
Reference: Sections 43020, 43021 and 43209.1 of the Public Resources Code.

Appendix B
COMPOST ODOR WHEEL

A Compost Odor Wheel, used to help determine the nature and therefore the cause of typical compost odors follows this page.

Compost Odor Wheel



By Paul Rosenfeld Ph.D.[1] and Mel Suffet Ph.D.[2]

[1] UCLA Institute of The Environment and Komex (310-948-1114; 310-574-FART; prosenfeld@losangeles.komex.com)

[2] UCLA Department of Environmental Science and Engineering (msuffet@ucla.edu)

Appendix C
INFORMATION ON ODOR NEUTRALIZERS

Information on odor neutralizer products used by CCL follow this page.

SL-6000 ODOR CONTROL

NCM ODOR CONTROL

425 Whitehead Avenue
South River, NJ 08882
Phone—800-957-6543
Fax– 732-238-5590

GENERAL DESCRIPTION:

SL 6000 contains no carcinogens. The product is biodegradable and does not bio-accumulate. The SL series of odor control products show no in vitro genetic toxicity. The LD_{50} is greater than 29,000 mg/kg. There is virtually no risk to aquatic life when wastewater treatment is handled safely and effectively. SL-6000 is a naturally derived, concentrated odor control treatment, which is biologically engineered through micro vaporization to neutralize, absorb and eliminate malodors associated with municipal and industrial garbage, composts, sewage and sludge. It contains proprietary inhibitors and dispersing agents for safe, effective use with NCM Odor Control systems; this also prevents damage to equipment and ensures proper operation of NCM dispersing systems. A complete toxicity panel has been independently performed on the SL 6000, confirming the properties on dermal, eye, skin and aquatic toxicity.

PROPERTIES:

Chemical composition . . . . . Essential Oils &Botanicals, Emulsifiers and Stabilizers proprietary neutralizer, fragrance
Appearance . . . . Low viscosity liquid
pH . . . . . 8.5 + / - 0.5
Specific Gravity . . . . . 1.012 (8.4 lbs/gallon)
Foam . . . . . .Moderate, fast breaking
Cloud Point . . . . . .125°F
For storage stability at elevated temperatures
Odor . . . . . .Neutralizing, characteristic
Non– Corrosive
CONEG compliant
Does not contain any HAP's.
Does not contain any RCRA or SARA III.
Non– ODP; does not contribute to Global Warming.

DIRECTIONS FOR USE:

This product is intended for use in high pressure, linear atomizing systems. Primary application is in landfills and transfer stations. Normal use dilution range is one part to between 500 and 1,000 parts of water. Other dilutions may be applicable depending on operating conditions. Your field representative will supply further use instruction.

HANDLING PRECAUTIONS:

CAUTION - FIRST AID

EYES: Flush with water for at least 15 minutes. If irritation persists, obtain medical attention. **SKIN:** Wash with plenty of water for 15 minutes. If irritation occurs and persists, obtain medical attention. **INHALATION:** Remove from exposure. If discomfort occurs and persists, obtain medical attention. **INGESTION:** Drink water to dilute. Obtain medical advice by phone.

KEEP OUT OF REACH OF CHILDREN

PACKAGING:

5 gal plastic pail - 41 lbs net / 44 lbs gross
55 gal plastic drum 473 lbs net / 490 lbs gross
275 gal tote bin 2365 lbs net / 2450 lbs gross

Appendix D
COMPOST OPERATIONAL TARGETS

The Operational Targets that CCL uses for its composting process follow this page

	RECEIVING	GRINDING	FORMING WINDROWS	WINDROWS DAY 1 - 30	WINDROWS DAY 31 - 60	WINDROWS DAY 61-90
C:N RATIO	Check via lab test quarterly to assure within range of 30:1	N/A	N/A	30:1	(Lower)	(Lower)
MOISTURE	N/A	N/A	50% or greater	50% or greater Water frequently to maintain 50% Calculate amount of water added	50% or greater Water frequently to maintain 50% Calculate amount of water added	Less than 50% O.K. towards screening Water frequently to maintain 50% Calculate amount of water added
BULK DENSITY	N/A	N/A	N/A	800 pounds per cubic yard or less	1000 pounds per cubic yard or less	1200 pounds per cubic yard or less
TEMPERATURE	N/A	N/A	N/A	140° - 160° F Turn if temps exceed 170°	140° - 160° F Turn if temps exceed 170°	140° - 160° F Turn if temps exceed 170°
HANDLING PROCEDURE	Process material as quickly as possible, preferably within 48 hours of arrival	Process material as quickly as possible, preferably within 48 hours of arrival Clean and scrape pad at end of grinding	Move all processed material into a windrow as soon as possible preferably within 48 hours It's O.K. to make a partial windrow	Turn if CO_2 is > than 15%, or if core temperatures are lower than the outer materials Make vertical cuts along pile edges - clean up sides with loader after turning	Turn windrows if CO_2 is >15%	Turn windrows if CO_2 is >15%
ODOR NEUTRALIZER SYSTEM	Shouldn't need as long as feedstocks processed within limits.	Use water or neutralizer when grinding	Use neutralizer system in direction wind is blowing when forming windrows	Use neutralizer system when turning Use neutralizer system in direction wind is blowing when forming windrows	Use neutralizer system when turning Use neutralizer system in direction wind is blowing when forming windrows	Use neutralizer system when turning Use neutralizer system in direction wind is blowing when forming windrows
PATHOGEN REDUCTION PROCESS	N/A	N/A	N/A	N/A	Start pathogen process here	Sample for Pathogen Reduction at end of process
WEATHER IMPACTS		Limit Material Handling during stagnant wind conditions, especially at the beginning & end of day	Limit Material Handling during stagnant wind conditions, especially at the beginning & end of day	Limit Material Handling during stagnant wind conditions, especially at the beginning & end of day	Limit Material Handling during stagnant wind conditions, especially at the beginning & end of day	Limit Material Handling during stagnant wind conditions, especially at the beginning & end of day

Appendix E
ODOR CORRELATION FORM

A Sample Form that CCL uses to try to correlate odor complaints with meteorological conditions and facility operations follows this page. The actual data is kept on an Excel Spreadsheet in the Administration office.

CORRELATION OF ODOR COMPLAINTS WITH OPERATIONS AND WIND SPEED/DIRECTION
Cold Canyon Compost Facility

Avg. Wind spd. Dom Dir.		TUESDAY 6/1 COMP	WIND DIR	WIND SPD	OPS	OPS	WEDNESDAY 6/2 COMP	WIND DIR	WIND SPD	OPS	OPS	OPS
AM	6:00		NE	3				-	0			
	7:00		NNE	7				ESE	1			
	8:00		NW	5	8:40am - 11:30am Grinding Green			-	0			
	9:00		NW	4		8:50am - 11:30am Building row 14		NE	4	8:50am - 12:00pm Turning Rows 4-9, 12, 13	8:30am - 11:30am Screening Compost	
	10:00		NW	6				NNW	6			
	11:00		SSW	11				NW	8			
PM	12:00		N	18				NW	14			
	1:00		NW	12	12:40pm - 2:50pm Grinding Green			NW	18			12:30pm - 1:30pm Start row 14
	2:00		NNW	9				NW	13			
	3:00		NW	11		12:30pm - 4:30pm Building row 14		NW	22		12:30pm - 4:00pm Screening Compost	2pm - 4pm Starting row 14
	4:00		NW	20				WNW	17			
	5:00		NNW	18				NW	18			
	6:00		WNW	19				NW	12			
	7:00		NW	10				NNW	16			
	8:00		NNW	1				N	6			
	9:00		N	5				N	3			

Complaint Key:

- = Compost odor identified by residents
- = Rotting garbage identified by residents
- = Operations
- =misc

Greenwaste Ops Key:

- =Turning
- = Screening
- = Grinding Green
- =Grinding Wood
- =misc
- =Build rows
- =Water Truck (Dust Control)
- Water Truck (Watering Rows)
- Hauling Row

EXHIBIT O – Public Health/Hoffman Letters

November 4, 2010

SAN LUIS OBISPO COUNTY HEALTH AGENCY

Public Health Department
2180 Johnson Avenue
San Luis Obispo, California 93401
805-781-5500 ▪ FAX 805-781-5543

Jeff Hamm
Health Agency Director

Penny Borenstein, M.D., M.P.H.
Health Officer

June 18, 2010

Jon Hoffmann
1044 Via Chula Robles
Arroyo Grande, CA 93420

Re: Cold Canyon Landfill

Dear Mr. Hoffmann:

Since our April 13, 2010 letter, Environmental Health Services has been evaluating the concerns expressed in your April 8, 2010 letter. Environmental Health Services has discussed your concerns with the State agencies responsible for regulating the Cold Canyon Landfill operations; primarily Cal Recycle and Regional Water Quality Control Board. In addition, the Health Agency epidemiologist discussed your concerns regarding the incidence of cancer with the Cancer Registry to determine if there has been any unusual incidence of cancer in areas surrounding the landfill. The primary focus of our discussions has been the potential health risks associated with the surface water runoff, groundwater contamination and odor complaints. The information that was gathered is inconclusive and suggests that more monitoring needs to be done to determine if the landfill operations are increasing health risks to the surrounding community. In order to determine if there are any health risks and to quantify them, a health risk assessment would need to be done. Health risk assessments are expensive and beyond the resource capacity of the Health Agency. The following is a brief summary of our discussions with the agencies involved regarding the issues you referred to in your letter of April 8, 2010.

Surface water runoff
Cold Canyon Landfill's groundwater monitoring network is designed to detect impacts to groundwater from the municipal waste disposal area and does not evaluate potential offsite groundwater impacts from surface water runoff. Cold Canyon Landfill is not permitted to discharge surface water runoff that is impacted by landfill operations. Based on surface water runoff monitoring results (January 26th) and onsite observations during inspections by the Regional Water Quality Control Board (January 21st and 26th), it appears that surface water runoff has been and continues to be impacted by the composting operation and the improper use of green waste on the landfill slopes. Cold Canyon Landfill is specifically required to notify the Regional Water Quality Control Board within 24 hours of an observed landfill leachate seep. Additionally, Cold Canyon Landfill is required by the Regional Water Quality Control Board to correct runoff issues regardless of the source.

As is common in these types of situations, it is difficult to determine what may be causing the loss of cattle and sheep and the disappearance of frogs and crickets. A well thought out plan for

correcting existing violations and preventing future impacts to off site surface runoff from the Cold Canyon Landfill property, along with monitoring the constituents of the runoff would be helpful in determining the potential risks posed by the runoff. Landfills by design are intended to have runoff and reduce percolation of water into the landfill. Although runoff can be discharged offsite it must be free of contaminants from the landfill waste. The Regional Water Quality Control Board intends to require future supplemental storm water monitoring to evaluate Cold Canyon Landfill's corrective actions towards addressing violations and eliminating impacts to surface waters.

Landfill operations polluting surrounding aquifers
Groundwater monitoring wells onsite periodically show low level volatile organic compounds, that are primarily attributed to landfill gas and the unlined landfill; in addition, trends in the levels of inorganic compounds in several wells are variable (some are increasing and some are decreasing). The contaminant levels found in groundwater onsite are inconclusive and have not been attributed to landfill leachate at this time. Finally, groundwater monitoring appears to show that contaminants are naturally dissipating onsite and not traveling offsite because the furthest down gradient wells are generally not detecting volatile organic compounds. No information was provided regarding sample results of drinking water at surrounding individual properties.

It appears that continued evaluation of groundwater monitoring is necessary to determine if the contamination of the groundwater onsite is affecting drinking water supplies and what might be the potential health impact. The Regional Water Quality Control Board is currently evaluating whether additional down gradient groundwater monitoring is necessary to determine impacts to down gradient water supply wells.

Cancer deaths
The Cancer Registry reviewed cancer deaths in the zip code surrounding the landfill and found no increased incidence of cancer when compared to similar areas.

Odor complaints
Cal Recycle, which is the responsible authority for odor investigations in connection with landfill utilization, reports that it has not been able to correlate resident reports of headaches with landfill odors caused by the compost operation.

To summarize, the information currently available regarding the landfill operations, groundwater monitoring and surface water runoff and their potential health effects is inconclusive. Further study would be necessary in order to determine if there are any health effects and to quantify them.

Sincerely,

Penny Borenstein, Health Officer, MD, MPH
Public Health Administrator

1044 Via Chua Robles
Arroyo Grande, CA. 93420
January 15, 2010

RECEIVED
JAN 19
S.L.O. CO PLANNING DEPT

John Nall
976 Osos Street, Room 300
San Luis Obispo, CA. 93408-2040

Ref: Toxic Effects of Composting Emissions

Hi John:

I was pleased to see your interest in resolving the odor problem at Cold Canyon Landfill at the January 12 neighborhood meeting. One of the concerns of neighbors is the impact of composting odors on health. A July, 2007 literature review titled COMPOST FACITITIES: OFF-SITE AIR EMISSIONS AND HEALTH was performed by the Cornell Waste Management Institute. A few of the results which have been documented by numerous journal publications and government reports are presented below.

Concentrations of bioaerosols are produced by outdoor composting facilities. Elevated concentrations of bioaerosols have been shown to occur at distances on the order of 650 to 1640 feet downwind of composting facilities. Many bioaerosols are known to cause symptoms and/or illness, including a wide range of adverse health effects and infection. Individuals may become sensitized to some bioaerosols through repeated exposure.

Compost workers show acute and chronic respiratory health effects, mucosal membrane irritation and skin diseases. Also inflammatory markers were elevated in workers.

Good compost management can help minimize odor impacts; however odors are generated even at well managed compost facilities resulting in symptoms such as nausea.

John, I hope that the county will work to provide a safe environment for the neighbors and workers of the landfill.

Sincerely,

Jon A. Hoffmann
Email: jhoffman@calpoly.edu

Cc: John McKenzie
976 Osos Street, Room 200
San Luis Obispo, CA. 93408-2040

Randy Friedlander
1001 "I" Street
P.O. Box 4025
Sacramento, CA. 95814-4025

1044 Via Chula Robles
Arroyo Grande, CA. 93420
February 18, 2010

John Nall
976 Osos Street, Room 300
San Luis Obispo, CA. 93408-2040

Ref: Toxic Effects of Landfills

Dear John:

In my January 15, 2010 letter to you I presented results of published literature which describe the effects of toxic emissions from composting facilities on the health of neighbors of these facilities. Since that letter I have found other published literature which states that landfills also produce bioaerosol and VOC toxins. These emissions are especially dangerous to those with respiratory problems like asthma, those on chemotherapy, and to those with other immune deficiency problems. The literature also states that landfills which accept treated human sewage sludge are of particular concern to neighbors of landfills because of biological aerosol emissions. CCL plans to accept treated human sewage sludge. NCM Odor Control has not provided me with literature documenting that the planned odor reduction will eliminate toxic emissions.

In addition to the toxic effects of airborne emissions from landfill and composting facilities, the literature is also clear that runoff from landfills carry toxins which wash downstream and pollute streams. Also these toxins can penetrate into the aquifers polluting freshwater sources.

John, there has been at least one death of a neighbor of Cold Canyon Landfill due to cancer and other neighbors have been or presently are on chemotherapy. High human cancer rates have been reported for neighbors of many other landfills like the Kettleman City landfill. Cancer in humans, the death of animals after landfill runoff, and the "dead zone" downstream of the landfill are all clues that serious problems exist at CCL. At this time we don't know if these health problems are a result of toxic runoff, or airborne toxins, or a combination of both.

State agencies have issued violations for the operation of CCL. Neighbors of the landfill have reported numerous complaints but County Code Enforcement, to my knowledge, has not issued a single violation. Is the County protecting CCL since the County does not have a viable alternative?

In light of the present and evolving literature on the toxic effects of landfills and compost facilities, the health problems of animals and humans for neighbors of CCL, and the past history of landfill violations it appears to me that it is not wise to permit continued operation of CCL. The basic problem is that CCL is located in the center of a community. It is the belief of neighbors of CCL that the county needs to begin serious planning for a remote landfill site along with the use of future material recovery facilities and transfer stations.

Sincerely,

Jon A. Hoffmann
Email: jhoffman@calpoly.edu

Cc: John McKenzie
976 Osos Street, Room 200
San Luis Obispo, CA. 93408-2040

Art Trinidade
County Code Enforcement
976 Osos Street
San Luis Obispo, CA. 93408

Adam Hill, Supervisor
1055 Monterey Street
San Luis Obispo, CA. 93408