

## APPENDIX

The attached items are excerpted from a small sampling of Marin County's factual record about the Redwood Landfill. When examined overall, there is sufficient basis for the Marin County Board of Supervisors to review (or order the review of) the scope, conditions, and compliance with the 1958 land use permit in light of its primary requirement: that the operation "shall be conducted and shall conform in all particulars to all provisions of all applicable laws and ordinances. Failure to comply . . . will be cause for cancellation of this use permit."

- Exhibit 1**                    1958 Land Use Permit.
- Exhibit 2**                    1995 Solid Waste Facility Permit (showing limits of 2300 tons per day, 415 vehicles per day, and 210 permitted acres for disposal).
- Exhibit 3**                    1999 Stipulated Notice and Order In the Matter of Redwood Landfill before the Marin County Environmental Health Services (finding violations of Solid Waste Facility Permit for exceeding permitted amounts of solid waste materials and daily truck traffic).
- Exhibit 4**                    Self-Monitoring Report of September 2004 showing continuing, repeated violations of the 2300 tons per day and 415 vehicles per day permit requirements.
- Exhibit 5**                    Letter dated Feb. 24, 2005 from County of Marin Environmental Health Services admonishing the Redwood Landfill for exceeding the permitted daily average tonnage for two consecutive years (by 145 tons per day in 2003 and 336 tons per day in 2004).
- Exhibit 6**                    Letter dated May 4, 1998 from San Francisco Bay Regional Water Quality Control Board to Doug Diemer, Site Manager Redwood Landfill, Inc. (admonishing the Redwood Landfill for discharging 8.6 million gallons of leachate into San Antonio Creek without permission, such discharge including zinc, nickel and other constituents greatly exceeding effluent limitations).
- Exhibit 7**                    Excerpt from the Redwood Landfill Solid Waste Facilities Permit Revision Final EIR (July 2005) at 3.4-18 noting Redwood Landfill's failure to reconstruct the perimeter levee that "had been considered an important factor in ensuring landfill stability" in the 1994 FEIR and a condition of the 1995 Solid Waste Facility Permit; plus excerpt from 1994 FEIR referring to perimeter levee condition.
- Exhibit 8**                    Excerpt from the Redwood Landfill Solid Waste Facilities Permit Revision Final EIR (July 2005) at 3.4-14, 3.4-28, and 6.3-

20, citing California state law requirements of minimum five feet separation from groundwater and concluding that the Redwood Landfill violates this requirement and “is operating without a liner . . . with the lower refuse levels within groundwater.”

- Exhibit 9** Excerpt from the Redwood Landfill Solid Waste Facilities Permit Revision Final EIR (July 2005) at 2-39, 2-41, and 3.4-46, noting continuing need to remediate 11.5 acres of unpermitted waste disposal outside of the approved landfill footprint.
- Exhibit 10** Excerpt from the Redwood Landfill Solid Waste Facilities Permit Revision Final EIR (July 2005) at 2-10, noting that the 1995 Solid Waste Facility Permit allows landfill disposal in 210 acres but landfill has expanded to cover 222.5 acres (see also Exhibit 2).
- Exhibit 11** Letter dated Dec. 8, 2004 from County of Marin Environmental Health Services to Ramin Khany, Redwood Landfill, Inc. admonishing the landfill for changing slope design without permission.
- Exhibit 12** Email dated Feb. 17, 2005 from Regional Water Quality Control Board to Ramin Khany, Redwood Landfill, Inc. stating “there continues to be compliance issues at your facility with regards to soil stabilization . . . and storm water runoff from these areas are likely impacting surface waters.”
- Exhibit 13** Letter dated July 13, 2001 from Regional Water Quality Control Board to Whitney King, Redwood Landfill, Inc. noting landfill’s failure to abide by bi-annual sampling requirement for 8 required leachate-monitoring wells.
- Exhibit 14** Memorandum dated March 10, 2005 from County of Marin Environmental Health Services noting that it is “the landfill’s responsibility to control its landfill gas emissions and . . . the current flare is failing and consequently, the site may be out of compliance with air quality criteria.”
- Exhibit 15** Excerpt from the Redwood Landfill Solid Waste Facilities Permit Revision Final EIR (July 2005) at 6.3-74 to -76, noting site operations and activities outside of the current solid waste facility permit, the history of the landfill “consistently exceeding its permitted level of incoming traffic,” and “aspects of landfill design or operation that did not conform with current permits. . . . includ[ing] construction of the perimeter LCRS without integrated levee construction; air drying of sludge; and abandonment of the

N-Viro process for sludge processing.”

**Exhibit 16**

Excerpt from the Redwood Landfill Solid Waste Facilities Permit Revision Final EIR (July 2005) at 1-8, stating that landfill expansion’s consistency with the Marin Countywide Plan “must ultimately be determined by the Marin County Board of Supervisors and not in this EIR.”

# **Exhibit 1**



