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9 BEFORE THE
10 CALIFORNIA REGIONAL WATER RESOURCES CONTROL BOARD
11 FOR THE CENTRAL VALLEY REGION

12 In the Matter of:

DECLARATION OF PHIL GRAHAM

13 RECOLOGY, INC.

14 Recology Yuba Sutter

15 ACL Complaint No. R5-2015-0502
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18 I, Phil Graham, declare as follows:

19 1. I am the General Manager for Recology Ostrom Road with the responsibility of
20 overseeing the Feather River Organics composting operations at the Recology Yuba Sutter site in
21 Marysville, California. I have held this position since 2006. As part of my responsibilities at
22 Feather River Organics, I was responsible for overseeing the installation of the compost runoff
23 collection system at this facility. I also oversaw Recology's response to the rain events that
24 occurred at the site in December 2014.

25 2. Before my current position with Recology, I worked for Recology as the Site
26 Manager for Recology Ostrom Road. My responsibilities included providing operational support
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28 Declaration of Phil Graham
ACL Complaint No. R5-2015-0502

1 to the Feather River Organics composting facility. I held this position from 2000 to 2007. Before
2 that, I served as Recology's Regional Environmental Compliance Manager from 1998 to 2000.

3 3. Before joining Recology, I worked at EMCON Associates from 1985-1996, last
4 serving as a Senior Project Environmental Scientist and the Regional Health and Safety Manager.
5 I joined EMCON after graduating from the University of California, Davis in 1985 with a B.S. in
6 Environmental Planning and Management.

7 4. I have personal knowledge of all facts stated in this declaration and, if called as a
8 witness, could and would testify competently under oath.

9 **The Feather River Organics Facility**

10 5. The Recology Yuba Sutter site operated as a landfill for nearly 30 years, from
11 1967 to 1996. The site currently includes three closed landfill unites (LF-1, LF-2, and LF-3).
12 The Feather River Organics composting operation is conducted on top of one of the closed
13 landfill unites (LF-1), as well as a materials recovery facility, a vehicle maintenance yard,
14 administrative buildings and a storage area. The site also includes the former "Hog Farm" area,
15 which previously was operated as a confined animal feed lot where hogs were raised. This area is
16 not part of the composting operation and does not overlie a closed landfill unit. A site map is
17 included with this submission as Recology Exhibit 2. Photographs of the site are included within
18 this submission as Recology Exhibit 3.

19 6. The Feather Rivers Organics composting operation has been permitted by the City
20 of Marysville since 1997. It is currently permitted under the City's Use Permit UP-11-05, which
21 amended the original 1997 Use Permit UP 07-06 to allow the composting of both green waste and
22 food waste. In amending the use permit, the City conducted an environmental review under the
23 California Environmental Quality Act.

24 7. The Feather River Organics composting operation has also been permitted since
25 1998 by the California Integrated Waste Management Board (now referred to as the California
26 Department of Resources Recycling and Recovery, or "CalRecycle") under Solid Waste Facility
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1 Permit #58-AA-0015. This permit is also overseen by Yuba County Department of
2 Environmental Health, the local enforcement agency. Feather River Organics also holds a Permit
3 to Operate issued by the Feather River Air Quality Management District.

4 8. The Feather River Organics composting operation was previously authorized by
5 the Central Valley Regional Water Quality Control Board pursuant to a Waiver of Waste
6 Discharge Requirements, which expired pursuant to the operation of law in January 2003. The
7 Regional Board issued Waste Discharge Requirements for the Recology Yuba Sutter site in June
8 2003 (Regional Board Order R5-2003-0093, issued June 6, 2003). From June 2011 to February
9 2013, Recology and its consultants submitted a number of technical reports in response to various
10 requests from Regional Board staff for a Report of Waste Discharge so that the WDRs for the site
11 could be revised to include the Feather River Organics composting operations. This process
12 ultimately led to the issuance of a Cleanup and Abatement Order for the Recology Yuba Sutter
13 site to establish Recology's responsibilities and compliance deadlines.

14 9. On August 29, 2013, staff of the Central Valley Regional Water Quality Control
15 Board issued Cleanup & Abatement Order R5-2013-0704. Item #5 of the Order required
16 Recology, by October 1, 2014, to make improvements to the "compost pad" underneath the
17 Feather River Organics facility and overlying the closed landfill unit LF-1. Item #9 of the Order
18 required Recology to install a compost water collection system by the same deadline, October 1,
19 2014.

20 **The Installation and Operation of the Compost Water Collection System**

21 10. Recology has had a long-standing arrangement dating back more than twenty years
22 for the disposal of landfill leachate from the Recology Yuba Sutter site with the City of
23 Marysville, which owns and operates the local publicly owned treatment works (POTW). After
24 the issuance of the Cleanup and Abatement Order in August 2013, I had discussions with David
25 Lamon, the City Services Director for the City of Marysville, about the use of the City's sewer
26 system for the disposal of compost stormwater from the Feather River Organics facility. Mr.

1 Lamon confirmed that the disposal of compost stormwater to the City's sewer system would be
2 permissible.

3 11. During the late spring and summer of 2014, I had further discussions with Mr.
4 Lamon regarding the volume of compost stormwater that Recology could dispose of to the local
5 sewer system. In these discussions, Mr. Lamon advised Recology that the local POTW could
6 generally accommodate approximately 65,000 gallons per day during a storm event. Mr. Lamon
7 indicated that this figure was a general estimation of what the City's system could handle without
8 incident based on the historical peak daily discharges from the Recology Yuba Sutter site to the
9 POTW.

10 12. By October 1, 2014, pursuant to provisions #5 and #9 of the Cleanup & Abatement
11 Order, as amended, Recology completed improvements to the compost pad over the closed
12 landfill at LF-1 and it also completed the installation of a tank collection system for compost
13 stormwater. As installed, the system consisted of twelve 21,000-gallon storage tanks as well as
14 vaults and sumps for collecting the water and piping and pumping systems to convey the water to
15 the storage tanks and from one tank to another. Recology used its contractor Boston Pacific to
16 construct the compost stormwater collection system.

17 13. Recology also purchased and installed a weather station to obtain immediate
18 feedback based on actual rainfall amounts at the Site. This weather station was operational by
19 October 16, 2014. Daily readings from this weather station are included within this submission as
20 Recology Exhibit 33, hourly readings for December 3-4, 2014 are included as Recology Exhibit
21 34, and hourly readings for December 10-12, 2014 are included as Recology Exhibit 36.

22 14. As shown by daily readings, before the rain events of December 2014, there were
23 a number of smaller storm events in October and November 2014; during these events, Recology
24 tested and observed the performance of the site's compost stormwater collection system. The
25 system worked well in containing the compost stormwater and there were no overflows during
26 these events.

1 working with its consultants to provide the requested information and analysis, while at the same
2 time continuing to implement physical improvements to the site's collection system.

3 31. On December 11, 2014, another strong storm hit, which ultimately resulted in 3.45
4 inches of rain at the site in 24 hours (from approximately 4:00 a.m. on December 11, 2014 to 4:00
5 a.m. December 12, 2014), a figure that exceeds the 25-year, 24-hour standard of 3.16 inches. See
6 Recology Exhibit 36 (hourly rain data for December 10-12, 2014).

7 32. As with the December 3 storm, a significant amount of rain fell in a short period of
8 time. As shown by hourly rain data, during late morning and early afternoon of December 11,
9 more than an inch of rain fell within four hours (see entries 12/11-10:00 to 12/11-13:00). See
10 Recology Exhibit 36.

11 33. The peak hourly flow exceeded the pumping capacity of the north vaults and
12 resulted in an overflow during the afternoon of December 11 into the plastic-lined secondary
13 containment area that had been installed as a protective measure in the Hog Farm. The overflow
14 did not leave the plastic-lined secondary containment and therefore did not reach the remainder of
15 the Hog Farm area. As with the December 3 rain event, the overflow water was promptly
16 removed and pumped back into the collection system for disposal to the POTW or for on-site
17 beneficial use as make-up water in the composting process.

18 34. As noted above, the storm event on December 11-12, 2014 exceeded the 25-year,
19 24-hour standard of 3.16 inches, as approximately 3.45 inches of rain fell within 24 hours. But
20 following the overflow into the plastic-lined secondary containment during the afternoon of
21 December 11, all flows up to and including the 25-year, 24-hour standard were contained by the
22 collection system at the north vaults, after we made an adjustment to the operation of the back-up
23 pumps to improve the pumping capacity.

24 35. In addition, there was no overflow at the south area sumps and tanks during the
25 December 11-12 storm event.

1 36. As with the December 3 storm, Recology sought to maximize the disposal of
2 compost stormwater to the local sewer system as a result of the December 11-12 storm event and
3 we coordinated with City of Marysville staff to confirm that there were no substantial adverse
4 effects on the City's wastewater treatment plant and system.

5 37. In an effort to further ensure that the upgraded system had sufficient capacity, on
6 the evening of December 11, we ordered additional storage tanks. Two of the tanks arrived at the
7 site and were installed on the night of December 11 between 10:00 p.m. and midnight. An
8 additional five tanks arrived and were installed on December 12, bringing the system to a total of
9 39 21,000-gallon storage tanks for a capacity of 819,000 gallons.

10 38. The upgraded compost stormwater collection system as completed on December
11 12, 2014 is the same system that has been in place at the site since that time and as of the date of
12 this declaration.

13 39. In total, Recology has spent approximately \$460,000 on the compost water
14 collection system (excluding engineering and Recology's labor). Between December 3 and
15 December 12, Recology expended approximately \$184,000 in equipment, supplies and repairs to
16 upgrade the system (excluding engineering, consulting, and internal costs as well as ongoing
17 labor, supply, and maintenance costs).

18 40. Substantial rain events have occurred after the improvements to the compost
19 stormwater collection system were completed, and there were no problems with the capacity or
20 performance of the system. For example, as shown by the daily rain data for the site,
21 approximately 2.37 inches of rain fell from February 6-8, 2014 at the site. See Recology Exhibit
22 33. During this rain event, the system functioned properly and there were no problems or
23 overflows.

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40. Site personnel continue to closely monitor the performance of the system and we are willing and ready to make additional adjustments should they prove necessary in the event that any problems were to arise in the future.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Dated: March 17, 2015



Phil Graham