

STATE OF CALIFORNIA
REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION

STAFF SUMMARY REPORT: Nate Veale
MEETING DATE: April 13, 2022

ITEM: 5A

**Highway 237 Landfill, America Center Drive, San Jose, Santa Clara County –
Update of Waste Discharge Requirements and Rescission of Order No. 01-029**

DISCUSSION:

This Revised Tentative Order would update the Waste Discharge Requirements (WDRs) for the closed Class III Highway 237 Landfill, located in northern San Jose at the intersection of Highway 237 and Gold Street. The Revised Tentative Order is attached as Appendix A. The Revised Tentative Order would rescind previous WDRs Order No. 2001-0029. The landfill stopped receiving waste and closed in 2002. Since then, multiple phases of construction atop the closed landfill have resulted in the now-completed America Center office building complex and hotel property.

The WDRs are being updated to reflect the 2002 landfill closure, changes in ownership, and the completion of the requirements contained in the previous WDRs. Additionally, the Revised Tentative Order will establish new requirements regarding upgrades made to the Landfill cover and gas collection system, groundwater investigations, the effects of sea-level rise, and updates to the landfill's self-monitoring program.

We posted the draft Order for public review and received helpful comments (Appendix B) from the consultant who represents the maintenance association named as a discharger in the Order. The comments focused on correcting some factual errors and inconsistencies regarding water bodies near the site, the site's closure and development, and the groundwater monitoring program. We accepted all the suggested edits. Staff also removed Provision 7 (requirement for Long-Term Flood Protection Report) from the Tentative Order because staff is working on new language for the requirement in the form of a General WDR Amendment for Bayfront Landfills. The new Amendment, when adopted, will apply to the Highway 237 Landfill.

APPENDICES:

- A. Revised Tentative Order
- B. Comments Received