

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION**

RESPONSE TO WRITTEN COMMENTS

on the Tentative Order for
City of Burlingame
Sanitary Solid Waste Disposal Site
Burlingame, San Mateo County

The Regional Water Board received written comments from CalRecycle on draft waste discharge requirements (Tentative Order) distributed for public comment on March 3, 2023. Regional Water Board staff have presented the comments below as they were submitted, ordered by the section (in bold) to which they relate. To request a copy of the written comments, please contact Nathan Veale at nathan.veale@waterboards.ca.gov or (510) 622-2336.

Revisions made to the Tentative Order in response to written comments are described below. The Revised Tentative Order also corrects typographical errors and contains minor editorial and formatting changes to the tentative order distributed for public comment.

Purpose of Order Update

CalRecycle Comment 1: *“Are there upgrades to the drainage system? Should that be included here? LFG monitoring system upgrades?”*

Response: We do not think Finding 3.a of the Tentative Order needs to be revised to indicate that a primary objective of the Order update is to acknowledge upgrades to the drainage system or landfill gas monitoring system. Findings 14 and 15 of the Revised Tentative Order discuss the drainage and landfill gas (LFG) collection and removal systems to the extent that they are relevant to the waste discharge requirements. As required by California Code of Regulations (CCR), Title 27, section 20950, and as discussed in the Revised Tentative Order, the City is currently preparing an amended Final Post-Closure Maintenance Plan (PCMP) with site details, including any system upgrades, as well as an operation and maintenance plan. These plans are required under CCR Title 27, section 21865, which assigns oversight authority to CalRecycle.

Landfill Operation

CalRecycle Comment 2: *“Verify depth of waste. Source - December 5, 2022 letter from SCS to CalRecycle: Existing waste below the TopGolf project varied in thickness from about 40 feet to a maximum of 53 feet thick at the locations of the borings advanced for the GLA Geotechnical Investigation.”*

Response: We agree that recent investigations indicate the maximum depth of waste across the landfill is approximately 53 feet. We revised Finding 6 of the Revised Tentative Order accordingly.

Construction and Closure

CalRecycle Comment 3: *“Should the changes to the cover be discussed? For example, the Neal Road has discussion on ClosureTurf (see finding 62). Some of the cap will need to be reconstructed. Is there need for discussion in WDRs on what RWQCB expects?”*

Response: We do not think the placement of synthetic turf needs to be discussed in Finding 12 (Final Cover Construction) of the Revised Tentative Order. The City plans to place synthetic turf on top of the erosion-resistant layer required by CCR Title 27, section 21090(a)(3). ClosureTurf is typically used as an engineered alternative to the erosion-resistant layer requirements; however, the synthetic turf proposed for this project does not replace that layer, but instead sits on top of it. As discussed in our Response to Comment 1 and the Revised Tentative Order, site details will be included in the amended Final PCMP expected to be submitted in 2023.

CalRecycle Comment 4: *“Draft Update? The updated PCMP has not been approved. The Final Closure/PCM plan must be updated to reflect the Topgolf Project. The last complete FC/PCMP is dated April 4, 1997. Can a provision be that an updated FC/PCMP is submitted?”*

Response: CCR Title 27, section 20950 requires dischargers implementing final closure of a waste management unit to submit Final Closure and Post-Closure Maintenance Plans (PCMP). The required contents of these plans are detailed in CCR Title 27, section 21769 (State Water Resources Control Board requirements) and section 21830 (CalRecycle requirements). We agree that the PCMP must be updated to reflect the proposed change in land use; however, we do not think that the Revised Tentative Order needs to include a specific requirement to submit an updated PCMP as this is already required by CCR Title 27, section 21865 under CalRecycle’s authority, and the Discharger is already preparing a revised PCMP at CalRecycle’s request. Furthermore, Specification 22 of the Revised Tentative Order requires the Discharger to comply with all applicable provisions of Title 27 that are not specifically referred to in the order. When Water Board staff review the revised PCMP (in accordance with Title 27, Section 21769(d)), we will ensure the plan addresses all applicable elements specified in Title 27, Section 21769(c).

CalRecycle Comment 5: *“The current LFG system proposal has not been approved by the Bay Area Air Quality Control District (BAAQMD), LEA or CalRecycle. BAAQMD, CalRecycle and LEA met to discuss. LEA coordinating updates/responses.”*

Response: This comment regarding Finding 14 is noted. We understand that other regulatory agencies are currently working with the City to finalize the LFG system upgrades. The Revised Tentative Order does not place any constraints on that approval process.

CalRecycle Comment 6: *“While above has updated (2023). Need to resolve.”*

Response: We revised Findings 14 and 15 of the Revised Tentative Order to correctly refer to the subject document as the amended Final PCMP, scheduled for submittal in 2023.

CalRecycle Comment 7: *“Is there more to consider? for example from Neal Rd WDR: Inspection and maintenance will include condition of the final cover, drainage features, groundwater monitoring wells, unsaturated monitoring points and access roads.”*

Response: Finding 15 is not intended to be an exhaustive list of activities required in the PCMP. CCR Title 27, sections 21769 and 21830 prescribe the required contents of that plan.

CalRecycle Comment 8: *“Should this be Final Cover (implying all aspects of cover) not just the vegetative cover? What about the synthetic turf?”*

Response: Finding 15 (Operation and Maintenance Plan) of the Revised Tentative Order refers to the vegetative layer because it is the uppermost and visible layer of the final cover. It is not necessary to refer to the proposed synthetic turf because, as stated in our Response to Comment 3, it would lie on top of the vegetative layer and would not be used as an engineered alternative to the vegetative layer. This Finding does not abrogate responsibility for maintaining the final cover.

CalRecycle Comment 9: *“Include LFG Monitoring System?”*

Response: CCR Title 27, Division 2, Chapter 3, Subchapter 4, Article 6 delegates authority for gas monitoring at closed disposal sites to CalRecycle; therefore, it is not necessary to add LFG monitoring systems to the list of Operation and Maintenance Plan contents in Finding 15 of the Revised Tentative Order.

Post-Closure Land Use and Proposed Development

CalRecycle Comment 10: *“Verify acres. Other docs have 15 acres. Source – December 5, 2022 letter from SCS to CalRecycle: The TopGolf project will cover an area of about 15 acres and incorporate a three-story structure at the southwest end of the existing range.”*

Response: We agree that recent investigations indicate the acreage of the landfill is approximately 15 acres. We revised Finding 16 of the Revised Tentative Order accordingly.

CalRecycle Comment 11: *“Verify depth. Source - December 5, 2022 letter from SCS to CalRecycle: With respect to Comment (a), the building piles are expected to be about 125 feet below the existing ground surface. The actual depth of the piles will depend on final design details and the results of the indicator test pile program.”*

Response: We revised Finding 16 of the Revised Tentative Order to reflect the currently proposed foundation pile depth of approximately 125 feet below grade.

Required Protective Measures for Development

CalRecycle Comment 12: *“is existing still applicable? rescinded order?”*

Response: We revised Finding 17 of the Revised Tentative Order to clarify that it rescinds the previous orders by deleting the phrase “continues the requirements from the existing waste discharge requirements.”

California Environmental Quality Act

CalRecycle Comment 13: *“Are there upgrades to the drainage system? Should that be included here? LFG monitoring system upgrades?”*

Response: See our Response to Comment 1.

Figure 2

CalRecycle Comment 14: *“This figure is not accepted. CalRecycle is requesting two additional LFG monitoring well locations. One between WWTP and LF. One between Lagoon and LF.”*

Response: We agree that Figure 2 is not necessary and deleted it from the Revised Tentative Order. Figure 1 shows the site location, boundaries of waste, and monitoring points for groundwater, leachate, and surface water.