

FILED  
 By the Board of Directors of  
 The Metropolitan Water District  
 of Southern California  
 at its meeting held



**MWD**

METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA

JUN 14 1994

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*[Signature]*  
 EXECUTIVE SECRETARY

May 23, 1994

To: Board of Directors (Water Problems Committee--Information)  
 (Legal and Claims Committee--Information)

From: General Manager and General Counsel

Subject: Resumption of Solid Waste Disposal at the Azusa Landfill

Report

Metropolitan has participated actively in litigation and public hearing processes over the past five years to prevent expansion of the 80 acre Azusa Landfill municipal waste disposal facility, to 302 acres. The Landfill is located in a sand and gravel pit that lies over a critical groundwater recharge area that is used to replenish the Main San Gabriel Valley Groundwater Basin. Nearly one million people within Metropolitan's service area rely on that basin for drinking water and other municipal water supplies. In addition Metropolitan has stored imported water in that Basin for several years and would like to expand that use further.

The litigation resulted in a 1991 State Water Resources Control Board Order that rescinded the Los Angeles Regional Water Quality Control Board's 1988 Order which had permitted the expansion. The Landfill owner, Browning Ferris Industries (BFI), exhausted its last legal challenge of the 1991 State Board Order early last month.

Metropolitan coordinated its participation in the litigation with that of its two member public agencies in the area, Upper San Gabriel Valley Municipal Water District and Three Valleys Municipal Water District, and with the Main San Gabriel Basin Watermaster and other local entities. That coordination has taken place through a joint endeavor identified as the Azusa Landfill Task Force (Task Force).

**Resumption of Waste Disposal**

BFI now seeks to resume placing wastes in the original 80 acre portion of the Landfill which received a waste discharge permit in 1960. That area does not have a protective liner and thus provides no natural or engineered protection against release of Landfill leachate to the groundwater. BFI apparently asserts that the State Board's

1991 Order did not affect the 1960 permit. However, that Order was based on BFI's representation that the original 80 acre area had been essentially filled and would be closed shortly. There is now room for 4.6 million tons of trash, evidently due to waste decomposition.

The State Board's 1991 Order expressly directed the Regional Board to consider what additional measures were appropriate to regulate the preexisting landfill area which BFI now seeks to reopen. However, the Regional Board has apparently not yet addressed that directive.

On Friday afternoon, May 5, the Regional Board advised Metropolitan by telefax that BFI had notified it of its intention to resume Azusa Landfill operations on May 10, to deposit 4.6 million cubic yards of additional municipal solid waste over the next seven years. The Regional Board also advised Metropolitan that the matter would be discussed at the Regional Board's regular meeting the following Monday morning, May 9, but that the Board would not act on it at the meeting.

A member of the Legal Department appeared at the Regional Board's meeting, in coordination with a letter prepared over the weekend by the Main San Gabriel Basin Watermaster on behalf of the Task Force, requesting that the Board stay any additional disposal of municipal solid waste until it received additional information at a public hearing on the matter. The presentation advised that disposal of the additional 4.6 million cubic yards of municipal waste posed a serious threat to the Basin's groundwater because it will contribute additional moisture, leachate, and overburden to the large amount of leachate producing waste already in the unlined Landfill.

A representative of BFI stated that its recent engineering studies indicate that the original 80 acre area can now hold a substantially larger amount of municipal waste than it had previously advised the Regional and State Boards. He also recognized that the U.S. Environmental Protection Agency (EPA) has identified BFI as a potentially responsible party for the San Gabriel Valley Superfund contamination in that area. Indeed, U.S. EPA documents indicate that the Landfill is a source of subsurface volatile organic chemical contamination. The Azusa Landfill Task Force has also identified a TDS plume emanating from the site which indicates leachate leakage from the Landfill.

The Board and its Executive Officer declined to issue any stay, asserting, instead that it had requested the State Board to advise it on the validity of BFI's waste

discharge permit for the 80 acre area. BFI rejected a voluntary 30 day stay proposed by the Board to allow resolution of the issues.

On May 19, the Watermaster requested the State Board to issue its own order prohibiting BFI from dumping additional municipal wastes in the Landfill until the State Board determines BFI's waste disposal authority. The Watermaster also advised the State Board that it is preparing a formal petition on the behalf of the Task Force to deal with the legal and factual issues more specifically.

Since BFI's present proposal appears to be a de facto expansion of the Landfill, which threatens additional contamination of the Basin's groundwater supplies, we intend to join in that petition, along with Metropolitan's two member public agencies in the area, as members of the Azusa Landfill Task Force.

#### Board Committee Assignments

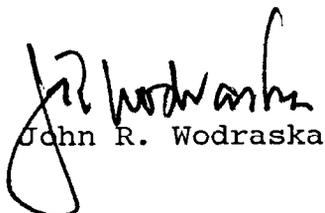
This letter was referred for information to:

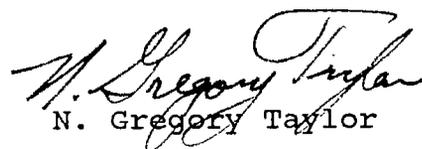
The Legal and Claims Committee because of its authority to study, advise and make recommendations with regard to litigation brought by or against the District, pursuant to Subsection (a) of Administrative Code Section 2461; and

The Water Problems Committee because of its authority to study, advise and make recommendations with regard to reuse and underground storage of water and use thereof, pursuant to Subsection (i) of Administrative Code Section 2481.

#### Recommendation

For information only.

  
John R. Wodraska

  
N. Gregory Taylor