

RECOLOGY WANTS RATE PAYERS TO PAY FOR MISMANAGEMENT

This summer a 2% increase in Recology's rates was approved by the six member agencies of the Regional Waste Management Authority (RWMA). Those agencies are Yuba and Sutter Counties and the cities of Marysville, Wheatland, Yuba City and Live Oak. The 2% increase isn't so bad, but there is more to come.

Recology was fined \$440,440, by the California Regional Water Quality Control Board on April 16, 2015 for not fully complying with an August 29, 2013 Cleanup and Abatement Order "to address issues that have resulted in storm water bench mark exceedances, landfill gas generation, migration of landfill gas into the groundwater and groundwater impacts." In other words, Recology was not properly containing the leachate created when storm water mixed with green waste and preventing the creation of landfill gas.

While some of the work required under the Cleanup and Abatement Order has been completed, Recology is faced with the cost of upgrading its composting and green waste area to ensure that leachate does not exceed allowable amounts and does not percolate into the landfill or flow off site. Recology wants the rate payers to pick up the bill and is offering to limit RWMA member agency rate payers to 81% of \$2.75 million cost. Recology is requesting approval of another rate increase of "around 2%" over a three-year period starting in 2016-17 year. The increase would be on top of the 2% increase which started on October 1 of this year. This year's 2% increase was more than the justified increase of 1.44%. The explanation for bumping the increase to 2% was to add additional funds to the "Rate Stabilization and Capitalization" fund for unforeseen improvements to the composting/green waste area.

Background: Recology closed the Marysville landfill site in 1997 and was issued Waste Discharge Regulations (WDRs) by the California Regional Water Quality Control Board, Central Valley Region, laying out the requirements for the landfill cover and requirements for monitoring groundwater and gases from the facility.

In January 2003, the Central Valley Water Quality Control Board issued Waste Discharge Regulations Order R5-2003-0093. This order specifically prohibits 1) the discharge of any waste at this site; 2) the discharge of solid or liquid waste or leachate to surface waters, surface water drainage courses or to groundwater; 3) the discharge of waste to ponded water from any source.

Since 2003, Recology has been issued several Notices of Violation of the 2003 Order by the Central Valley Water Control Board but has failed to comply with the 2003 regulations and with State Water codes which resulted in the Cleanup and Abatement Order. An email from Wendy Wyels, Supervisor, Compliance and Enforcement Section, Central Valley Regional Water Quality Control Board states: "Due to the lack of compliance with the 2003 WDRs, in 2013, Board staff negotiated a Cleanup and Abatement Order with

Recology; the purpose was to list the actions and timelines by which Recology would improve its leachate collection system and come back into compliance with its WDRs. Recology agreed to the Order. If Recology had implemented the work described in the Order, then there would not have been a fine.”

The Sutter County Taxpayers Association strongly objects to Recology asking rate payers to pay for a corrective project that was caused by Recology management not following the rules laid out by the Central Valley Water Quality Control Board in 2003. Rate payers should not have to pay for Recology’s mismanagement.”

An amendment to the Recology contract to make rate payers pay for the work is on the Yuba City City Council’s October 6 agenda. It will be on the agendas of the other RWMA agencies in the near future. SCTA encourages rate payers in all jurisdictions to attend and voice their opinion.

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