

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS  
ACTION AGENDA SUMMARY

DEPT: ENVIRONMENTAL RESOURCES *KMW*

BOARD AGENDA # B-8

Urgent \_\_\_\_\_ Routine x

AGENDA DATE January 23, 2001

CEO Concurs with Recommendation YES opt NO \_\_\_\_\_  
(Information Attached)

4/5 Vote Required YES \_\_\_\_\_ NO ✓

SUBJECT:

ACCEPTANCE OF THE UPDATE ON THE WESTLEY TIRE FIRE SITE

STAFF  
RECOMMEN-  
DATIONS:

ACCEPT THE UPDATE ON THE WESTLEY TIRE FIRE SITE

FISCAL  
IMPACT:

There is no fiscal impact.

BOARD ACTION

No. 2001-50

On motion of Supervisor Blom, Seconded by Supervisor Paul,

and approved by the following vote, Mayfield, Blom, Simon, Caruso, and Chair Paul

Ayes: Supervisors: None

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

- 1) X Approved as recommended
  - 2) \_\_\_\_\_ Denied
  - 3) \_\_\_\_\_ Approved as amended
- Motion:

ATTEST: REAGAN M. WILSON, Clerk

Christina Ferraro  
By: Deputy

File No.

**DISCUSSION:** The Board requested staff to provide a monthly update on the status of the Westley Tire Fire Site (WTFS). Information for this update is based on conversations with staff from State Department of Toxic Substances Control (DTSC), Regional Water Quality Control Board (RWQCB), California Air Resources Control Board (Cal ARB), California Integrated Waste Management Board (CIWMB), and site visits by the Department of Environmental Resources (DER) staff. In addition, the "Draft Remedial Investigation Report" for the WTFS prepared by URS Corporation, for DTSC was used in updating the section titled Remedial Investigation Activities.

The Filbin Tire pile was ignited by lighting in September 1999. The U. S. Environmental Protection Agency (USEPA) extinguished the fire in October of 1999. DTSC, CIWMB and the RWQCB form a multi-departmental team which has been working together to facilitate the site remediation and clean-up, including determining the extent of the contamination and proposed methods of clean up. CIWMB has installed controls at the facility to prevent impacted run-off from leaving the WTFS. The CIWMB has also shredded and removed tires from the WTFS. The RWQCB ordered and provided oversight of the containment and removal of more than one million gallons of polluted fire-fighting wastewater and polluted storm water runoff during the 1999-2000 rainy season.

This report will be divided into six segments each includes historic, current and proposed activities. These six segments are Assessment of Long-Term Health Effects, Fire Prevention, Winterization, Modesto Energy Limited Partnership Facility, Remedial Investigation Activities, and Legislative Update Related to SB876.

**Assessment of Long-Term Health Effects:**

On December 15, 2000, Dr. John Walker, Public Health Officer, met with staff from the Health Services Agency, DER and County Counsel. Dr. Walker is reviewing the medical information and WTFS information and will present his findings at the February 27, 2001, WTFS Update.

**Fire Prevention:**

The local fire agency, West Stanislaus Fire Protection District (WSFPD) is in the process of re-assessing the fire risk based on the current status of the site. WSFPD in coordination with the Stanislaus County Fire Warden and other state and county agencies will be preparing a new fire prevention

plan. It is anticipated this plan will be completed by the March 2001 update.

**Winterization:**

The winterization of the site has been completed including the upstream watershed diversion. The drainage system has been reinstalled to divert rainwater around the site of the fire. Contamination has been removed from ponds 1, 3 and 4. The earthen dams separating ponds 2, 3 and 4 have been removed for the formation of one large pond. A small new pond was constructed to contain storm water runoff from Debris Pile 2. This small pond has a pump in place for removal of rainwater to temporary storage tanks. There are three 19,500-gallon storage tanks. Runoff water from Debris Pile 2 will be stored in these tanks for testing. Once DTSC has received the analytical results from the runoff water, they will determine the appropriate treatment and/or disposal.

**Modesto Energy Limited Partnership Facility (MELP):**

The MELP waste-tire-to-energy facility is currently shut down. Staff spoke with Stephen Artus and he reports that the company is currently in negotiations for possible start-up funding. Mr. Artus, UAE Energy Operations Corporation and Levine-Fricke are working with the RWQCB on the closure of the two lined ponds, Class II surface impounds, at the MELP site. Both the lower evaporation and upper spray ponds have been cleaned and backfilled. The RWQCB is waiting for the final soil sample results for the evaporation ponds before approving final closure. Once finalized, the existing Waste Discharge Requirements will be rescinded.

If new ponds were to be constructed, the responsible parties would need to submit a design plan to RWQCB for approval. The county would have no role at that time. The RWQCB would need to issue new Waste Discharge Requirements for the new pond(s) and the county would have an opportunity to comment.

According to the San Joaquin Valley Air Pollution Control District, MELP's permit to operate has been suspended due to non-payment of fees.

**Remedial Investigation Activities:**

The following information is from the "Draft Remedial Investigation Report Westley Tire Fire Site, Westley California" prepared by URS Corporation for the DTSC. URS' report is currently in draft form. Each

of the following state agencies: DTSC, CIWMB and the RWQCB will provide comments on the URS report. Comments will be incorporated into the final report. Then based on the final report DTSC will request URS to prepare a work plan for the next phase of the investigation and remediation. The proposed work plan will be reviewed and approved by the state agencies. Once approved, URS will perform the work specified in the work plan.

The purpose of this investigation and report was to evaluate the presence of potential contaminants and to determine the necessity for time-critical interim remedial actions to prevent off-site migration of contaminants. The activities reported below took place July 25, 2000 through September 25, 2000 with the draft report submitted to DTSC on December 4, 2000. The objectives of this investigation were to perform the following: an initial characterization of Debris Pile 2, an investigation of buried burn materials, a site-wide surface characterization, groundwater characterization and waste sampling and disposal.

#### Initial Characterization of Debris Pile 2:

A preliminary assessment was completed to determine the concentration of contaminants in Debris Pile 2. This assessment was performed using a long-reach excavator. Four, 15-foot diameter potholes were excavated in Debris Pile 2. All four potholes were excavated through the debris pile and into the native soil. Samples were selected from the soil, ash, or pyrolytic oil and were submitted for analysis to Advanced Technologies. The soil sample results from 0 to 15 feet contained zinc in quantities greater than the threshold for classification as a California hazardous waste. Other sample results were found to contain various contaminants, but did not exceed the California hazardous waste thresholds.

The following recommendation proposed by URS is subject to comment by DTSC, CIWMB and RWQCB. URS recommends an additional assessment of Debris Pile 2, at the 0 to 15 feet layer to determine which portions are required to be disposed of at a Class I facility.

#### Investigation of Buried Burn Materials:

URS and DTSC reviewed the aerial photographs taken in 1985, 1997 and 2000. Based on the results of this review, a geophysical survey was conducted at the WTFS. The geophysical study of the subsurface anomalies was conducted by Spectrum Geophysics (Spectrum) of Irvine, California. Spectrum used two different instruments to determine possible locations of buried materials. One instrument was used to identify the

possible locations and the other instrument was used to determine the approximate depth of the buried materials. As a result of this investigation six areas of possible buried materials were identified. The areas of possible buried materials are referred to as anomalies (see Attachment A for a summary each anomaly).

As a part of the anomaly investigation, excavations were done to confirm the type of buried material identified during geophysical study. Of those areas identified as anomalies, the excavations confirmed buried tires or tire debris in three of the six locations. In addition, two other locations may have buried tires or tire debris based on the geophysical results. Another area was identified as a possible location of buried tires or tire debris. This area is between the southwest portion of Debris Pile 2 and west of monitoring well GW02, including Pond 4.

The following recommendation proposed by URS is subject to comment by DTSC, CIWMB and RWQCB. URS recommends the removal and characterization (for proper disposal) of buried burned material discovered during this investigation

Site-Wide Surface Characterization:

Twenty surface samples were collected from various locations throughout the WTFS to assess the lateral extent of metal and semivolatile organic compounds, contamination resulting from the aerial deposition of ash from the tire fire. Each sample was submitted to Advanced Technologies for Title 22 metal analysis. Several samples were analyzed for leachable metals, dioxins, semivolatile organic compounds and polynuclear aromatic hydrocarbons.

One surface grab sample was collected from black ash material, which was discovered behind the MELP facility during the site-wide sampling activities.

Four background samples from various locations throughout the WTFS were collected to assess background metal concentrations in the soil. Background samples were collected from a depth of 6 to 12 inches below grade surface (bgs). A licensed surveyor surveyed and recorded each sample location. DTSC took an aerial photograph of the WTFS.

The soil analysis reported levels of metals well below residential preliminary remedial goals (PRG) and within background soil concentrations calculated from samples collected at the WTFS. PRGs are risk-based concentrations, derived from standardized equations combining

exposure information assumptions with USEPA toxicity data. They are considered by USEPA to be protective for humans (including sensitive groups) over a lifetime. However, PRGs are not always applicable to a particular site and do not address non-human health endpoints such as ecological impacts. The USEPA uses PRGs for site "screening" to help identify areas, contaminants, and conditions that do not require further federal attention at a particular site. Chemical concentrations above the PRG would not automatically designate a site as "dirty" or trigger a response action. However, exceeding a PRG suggests that further evaluation of the potential risks that may be posed by site contaminants is appropriate. Semivolatile organic compounds and polynuclear aromatic hydrocarbons were not reported in the soils. Dioxins were reported in the three soil samples. The results for each of the three samples were below the residential PRG and within background levels for this area.

The following recommendation proposed by URS is subject to comment by DTSC, CIWMB and RWQCB. At this time URS does not recommend any additional site-wide soil investigation activities.

Groundwater Characterization:

URS installed three ground water monitoring wells (see Attachment B for a summary of well results). One monitoring well was installed to allow for sampling in two different aquifers. A licensed surveyor surveyed and recorded the locations of each of the monitoring wells, including both the lateral and vertical data for each well. These wells were sampled on August 25, 2000, and analyzed for the following: volatile organic compounds, semivolatile organic compounds, polynuclear aromatic hydrocarbons, total recoverable petroleum hydrocarbons, pH and Title 22 metals (dissolved). On September 7, the four wells were re-sampled for general mineral analysis. All monitoring well samples contained the following: volatile organic compounds, semivolatile organic compounds, polynuclear aromatic hydrocarbons, and dissolved metals. Some contaminants above the State drinking water standards were found in each of the monitoring wells. Specific contaminants found in each monitoring well are listed in Attachment B. Some of the minerals found above the drinking water standards are believed to be naturally occurring or background for the area. Further monitoring will be required to determine if this is valid.

URS proposed the following recommendations, which are subject to comment by DTSC, CIWMB and RWQCB. URS is recommending additional groundwater sampling be conducted to further assess the impacts to groundwater. URS is also recommending the installation of

two additional monitoring wells, which would be drilled further down-canyon to assess the ground water conditions at the valley entrance.

### **Legislative Update related to SB 876**

Governor Davis signed Senate Bill 876, which extended and enhances California's waste tire program and improves monitoring to ensure that old tire are recycled or disposed properly. The press release date September 29, 2000 listed the following as a significant feature: \$6.5 million annually is earmarked for cleaning up illegal tire piles around the state, including remediation at the Westley and Tracy tire fire sites.

SB 876 requires the CIWMB to adopt a 5-year plan and update that plan every 2 years, to establish goals and priorities for the waste tire program and each program element. CIWMB is required to submit this plan on or before July 1, 2001 and every two years thereafter, to the appropriate policy and fiscal committees of the Legislature.

CIWMB will be holding a public meeting to present and discuss the 5-year plan for SB 876. Staff will be attending this public meeting. Agenda topics are Enforcement and Regulations; Cleanup, Abatement and Remedial Action; Research Promoting and Developing Alternatives to Landfill Disposal; Market Development; Hauler Program and Manifest System and an open discussion.

CIWMB staff's report plans to identify funding for the following specific purposes:

- Cleanup, abatement, removal or otherwise remediate tire stockpiles throughout the State.
- Develop and enforce regulations related to the storage of waste tires.
- Conduct studies and research directed at promoting and developing alternatives to the landfill disposal of tires.
- Assist in developing markets and new technologies for the use of used tires and waste tires.
- Implement and operate a waste and used tire hauler program.
- Evaluate the usefulness of providing financial incentives for citizens who report illegal disposal of waste tires as a means of enhancing local and statewide waste and used tire enforcement programs.
- Assist Office of Environmental Health Hazard Assessment in preparing a report regarding health effects of smoke from burning tires. These are the only monies (\$150,000) designated in SB876 for a health study. These monies go specifically to the Office of

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Environmental Health Hazard Assessment for a review of existing literature on the emission and toxic effects of tire smoke.

- Administer the collection, refund and audit of revenues in the fund.
- Create an emergency reserve of not more than one million dollars.
- Administrative overhead costs not to exceed 5% of the total annual revenue.
- Transfer \$333,000 to Farm and Ranch Solid Waste Cleanup Grant program.

POLICY

ISSUE:

This item is informational in nature. Its purpose is to keep the Board informed on an issue related to the Board's priority of a safe, healthy community.

STAFFING

IMPACT:

None.



## Attachment A Summary of Geophysical Survey

Using an excavator, six excavations were performed at the WTFS to delineate the location and extent of buried materials reported during the geophysical investigation.

Anomaly A-1 (Location North of Pond 1) was reported to be approximately 150 by 50 feet. Excavation E-1 located in the center of A-1, revealed no tires or other debris in the subsurface. The northeastern area of Anomaly A-1 had a higher resistivity, which is more consistent with buried materials. This area is believed to have a depth of approximately 16 feet below grade surface (bgs).

Anomaly A-2 (Location North of Monitoring Wells GW03A and GW03B) was reported to be approximately 450 by 100 feet. Excavation E-2 revealed tires and debris from 10 to 16.5 feet bgs. Approximately 200 feet of anomaly A-2 reported a high resistivity value, which is an indication of buried tires and debris with a maximum depth of 33 feet bgs.

Anomaly A-3 (Location South of Debris Pile 2) was reported to be approximately 75 by 50 feet. Two potholes were excavated in this area. Excavation E-3 revealed buried tire debris and soil to a depth of 10 feet bgs. Excavation E-6 revealed buried tire debris to a depth of 4 feet bgs.

Anomaly A-4 (West of Southern Portion of Debris Pile 2) was reported to be approximately 100 by 100 feet. There was visible surface debris in this area. Excavation E-5 revealed a hardpan layer from 0 to 1 bgs; concrete and brick debris mixed with soil from 1 to 3 feet bgs; and poorly graded medium sands with brick and concrete fragments from 3 feet bgs to the maximum depth of 8 bgs. No tire or tire debris was reported in this area. However, the resistivity indicates there may be buried tires in this location even though this was not confirmed during the excavation.

Anomaly A-5 (West of Boring GW04) was reported to be approximately 50 by 50 feet. Excavation E-4 revealed a hardpan layer from 0 to 1 foot bgs; concrete and brick debris mixed with soil from 1 to 3 feet bgs; tire debris and pyrolytic oil impacted soils from 3 to 8 bgs. Native soils were reached at 8 feet bgs.

Anomaly A-6 (West of Monitoring Well GW02, including Pond 4) was reported to be approximately 150 by 150 feet and is within the boundary of Pond 4. No excavation was done in this location. However, a geophysical study was done on the area between A-4 and A-6, and the results indicate that there may be buried tires in this area.

## Attachment B Summary of Monitoring Well Information

**GW01-** Location: North of Pond 1. Depth of Water as of 9/7/00: 26.05 below grade surface (bgs). GW01 contained contaminants exceeding State of California drinking water standards for bis (2-ethylhexyl) phthalate, 1,2-dichloroethane, benzene, specific conductance, manganese, nitrates as nitrogen, and total dissolved solids. Phthalates are common laboratory contaminants and may have originated from the bailers used to collect the samples.

**GW02-** Location: North of Debris Pile 2. Depth of Water as of 9/7/00: 41.95 bgs. GW02 contained contaminants exceeding State of California drinking water standards for bis (2-ethylhexyl) phthalate, 1,2-dichloroethane, antimony, beryllium, cadmium, specific conductance, nitrate as nitrogen, sulfate, and total dissolved solids. Phthalates are common laboratory contaminants and may have originated from the bailers used to collect the samples.

**GW03A/GW03B-** Location: Up-Canyon, South of Debris Pile 2. This is one monitoring well screened at two different groundwater depths.

Depth of Water as of 9/7/00: 20.45 bgs. This groundwater monitoring well contained contaminants exceeding State of California drinking water standards for bis (2-ethylhexyl) phthalate, toluene, selenium, specific conductance, nitrate as nitrogen, sulfate, and total dissolved solids. Phthalates are common laboratory contaminants and may have originated from the bailers used to collect the samples.

Depth of Water as of 9/7/00: 25.15 bgs. This groundwater monitoring well contained contaminants exceeding State of California drinking water standards for bis (2-ethylhexyl) phthalate, selenium, manganese, specific conductance, nitrate as nitrogen, sulfate, and total dissolved solids, chloride, and hardness. Phthalates are common laboratory contaminants and may have originated from the bailers used to collect the samples.