



February 17, 2022

Board of Directors
Ventura Regional Sanitation District
Ventura, California

APPROVE, AND AUTHORIZE BOARD CHAIR TO SIGN, PROPOSED VRSD CONTRACT NO. 22-002 WITH SCS ENGINEERS FOR AIR MONITORING SERVICES AT THE TOLAND ROAD LANDFILL IN AN AMOUNT NOT TO EXCEED \$200,000

RECOMMENDATIONS

- A. Approve, and Authorize the Board Chair to sign, proposed VRSD Contract No. 22-002 with SCS Engineers for air monitoring services in an amount not to exceed \$200,000; and
- B. Authorize a budget appropriation of \$200,000 from the Toland Fund.

FISCAL IMPACT

The cost for services was not included in the FY 2022 Budget and will therefore require a budget appropriation from fund balance of the Toland Fund (01-100-52080).

BACKGROUND/ANALYSIS

On March 16, 2021, the Ventura County Board of Supervisors approved Toland Road Landfill Major Modification to CUP 3141, Case No. PL17-0121.

Two of the final conditions of approval of PL17-0121 require the District to conduct air and dust monitoring, report on the findings, and potentially alter operational plans at the Toland Road Landfill (TRL). Copies of Condition No. 55.b, Off Site Air Monitoring; and Condition No. 57, Dust Monitoring, are shown in Attachment 1.

To address the requirements of the above two conditions, staff initiated interactive discussions with three firms which undertake and/or administer these types of studies. Ultimately, the staff zeroed in on SCS Engineers (SCS) and negotiated a contract to provide comprehensive services (i.e., planning of study and implementation of air monitoring) to ensure the District's satisfaction of the Conditions 55.b. and 57.

Ventura Regional Sanitation District Resolution No. 89-13 provides for negotiated procurement by the District under Parts III and IV. In particular, under Section 302 of Part III, supplies, equipment, and services may be purchased by negotiated procurement approved by the Board of Directors where compelling economic or administrative

considerations warrant employment of alternate purchasing procedures. An instance of such a consideration would be where service has been previously rendered by a supplier who has thereby gained and exhibited unique and/or superior experience and/or expertise in relation to the District's operational requirements.

Also, under Section 403 of Part IV, consultant contracts may be entered into by negotiated procurement approved by the Board of Directors where compelling economic or administrative considerations warrant employment of alternate consultant selection procedures. Again, an example of this would be where the consultant has previously rendered work for the District and has consequently acquired unique and/or superior experience and/or expertise in relation to the District's requirements.

PROPOSAL

VRSD has entered into contracts in the past with SCS, which have resulted in positive outcomes. SCS is currently under contract with VRSD to do other environmental monitoring and reporting. Further, staff has determined that SCS is uniquely qualified for this contract and scope of work because they are currently performing similar services for Chiquita Canyon Landfill in Castaic based on conditions of approval in their CUP which are very similar to the District's CUP conditions 55.b. and 57.

Specifically, SCS would act on behalf of the District as its technical expert to develop the scope of services for both Air Monitoring and Dust Monitoring studies under the Community Air Monitoring Plan (CAMP) described in the agreement. The District and SCS will work with the residents near the TRL, Ventura County APCD and County Planning to finalize the scope of both studies. Following approval of the scope of the studies, SCS will administer and perform monitoring services, and prepare reports of the results.

Therefore, based on the foregoing, District staff recommends that the Board approve Contract No. 2022-002 with SCS.

This letter has been reviewed by Legal Counsel as to form.

If you should have any questions or need additional information, please contact me by phone at (805) 658-4679 or via email at RichardJones@vrsd.com.



RICHARD JONES, DIRECTOR OF OPERATIONS

APPROVED FOR FISCAL IMPACT:


Alvertina Rivera, Director of Finance

APPROVED FOR AGENDA:



Chris Theisen, General Manager

- Attachments:
1. Text of Conditions 55.b. and 57. Of PL17-0121 conditions of approval
 2. Contract 22-002 with SCS Engineers

55.b. Off Site Air Monitoring

Purpose: Further study to determine if ongoing landfill operations cause a significant gas discharge problem to nearby sensitive receptors ("significant discharge problem" shall mean discharge contaminants large enough to potentially cause a nuisance to offsite uses" per VCAPCD Rule 51 and/or H&SC 41700).

Requirement: Permittee, in consultation with APCD and up to three willing participants whose primary residence is located within 3,000 feet of Toland Road Landfill, shall develop the scope of the Air Monitoring Study. The scope should include roles and responsibilities of Permittee and participants, types of equipment, locations of monitoring equipment, methods of data collection, baseline conditions, standards of measurement, thresholds of significance, and cost estimate. The Air Monitoring will follow the established scope of work and will include the results of data collected over a 6-month period.

Documentation: The Permittee shall provide the final scope of work and Air Monitoring to APCD and County Planning Division for review upon completion.

Timing: Within six (6) months after the issuance of the Zoning Clearance for Use Inauguration, the Permittee shall provide copies of the final scope of the Air Monitoring. The 6-month air monitoring shall begin within six (6) months after submittal of the final scope and must include part of the summer and fall months, at a minimum, to capture high temperature and high wind events. The Air Monitoring findings shall be prepared and submitted within six (6) months after completion of the monitoring.

Monitoring and Reporting: County Planning Division and APCD will work with Permittee to review and finalize the Air Monitoring findings. Based on the Air Monitoring findings, any recommended changes for odor/landfill gas control will be incorporated in the Odor Control Plan and/or Landfill Operations Plan as they relate to landfill operations.

57. Dust Monitoring

Purpose: Further study to determine if ongoing landfill operations cause a significant dust problem ("significant amount of dust" shall mean a visible cloud of dust large enough to potentially cause a nuisance to offsite uses").

Requirement: Permittee, in consultation with APCD Monitoring Division staff and willing participants whose primary residence is located on Toland Road, shall agree upon the scope of the Dust Monitoring Study. The scope should include roles and responsibilities of Permittee and participants, types of equipment, locations of monitoring equipment, methods of data collection, baseline conditions, standards of measurement, and thresholds of significance. The Dust Monitoring Study will follow the established scope of work and will include the results of data collected over a contiguous 12-month period from three (3) dust/particulate monitors outside of the Toland Road Landfill property in the public right-of-way.

Documentation: The Permittee shall provide copies of the final scope of the Dust Monitoring Study to APCD and Planning Division. The Permittee shall provide the Dust Monitoring Study to APCD and Planning Division for review upon completion.

Timing: Within six (6) months after the issuance of the Zoning Clearance for Use Inauguration, the Permittee shall provide copies of the final scope of the Dust Monitoring Study. The 12-month monitoring shall begin within six (6) months after submittal of the final scope. The Dust Monitoring Study shall be prepared and submitted within six (6) months after completion of the monitoring.

Monitoring and Reporting: Planning Division and APCD Monitoring Division will work with Permittee to review and finalize the Dust Monitoring Study. Based on the Dust Monitoring Study, any recommended changes for dust control will be incorporated in the Dust Control Plan as they relate to landfill operations only.

Attachment 1

**VENTURA REGIONAL SANITATION DISTRICT
CONTRACT NO. 22-002**

**AGREEMENT FOR COMMUNITY AIR MONITORING SERVICES
BETWEEN
VENTURA REGIONAL SANITATION DISTRICT
AND
SCS ENGINEERS**

THIS AGREEMENT is made and entered into this ____ day of _____ 2022, by and between the VENTURA REGIONAL SANITATION DISTRICT, a public agency/regional sanitation district formed pursuant to California Health & Safety Code Section 4700 et seq. ("DISTRICT") and SCS ENGINEERS, a California Corporation ("CONTRACTOR"), 3900 Kilroy Airport Way, Ste. 100, Long Beach, CA 90806. Together, CONTRACTOR and DISTRICT shall be referred to herein as Parties.

RECITALS

- A. DISTRICT owns and operates a municipal solid waste disposal facility called the Toland Road Landfill ("Landfill"), 3500 Toland Road, Santa Paula, CA 93060.
- B. The Landfill is subject to the terms and conditions of approval issued by the Ventura County Board of Supervisors on March 16, 2021, as set forth in Conditional Use Permit No. PL17-0121 ("CUP"), which is attached as Exhibit A hereto and incorporated herein by reference.
- C. Two of the requirements or conditions of approval of the CUP involves the development of Off-Site Air Monitoring and Dust Monitoring plans and the implementation of the same in accordance with the timing provisions in CUP Conditions 55.b. and 57, respectively.
- D. The DISTRICT is thus in need of an environmental consultant/contractor with experience and expertise in air monitoring plan development and implementation of these type of conditions so that the DISTRICT may comply with the terms and conditions of the CUP requirements.
- E. CONTRACTOR represents that it has the expertise and experience to provide such community air monitoring services to the DISTRICT at the Toland Road Landfill.

AGREEMENT

ARTICLE 1: WORK STATEMENT/SCOPE OF SERVICES

- A. CONTRACTOR shall provide off-site air and dust monitoring planning and implementation services to the DISTRICT as more fully described in the STATEMENT OF WORK & RATE SHEET, which is attached as Exhibit "B" to this Agreement and incorporated herein by reference.
- B. CONTRACTOR shall use its best professional efforts in providing off-site air and dust monitoring services to DISTRICT and shall cooperate fully with DISTRICT and provide DISTRICT with all available information and assistance in relation to Exhibit "B."
- C. CONTRACTOR shall begin work, as needed, immediately after the Agreement is signed by both Parties.
- D. All work shall be done in a diligent and professional manner to DISTRICT's satisfaction.

ARTICLE 2: TERM OF CONTRACT

Unless otherwise earlier terminated, this Agreement shall continue in force until the services specified herein have been fully performed. Upon execution of this Agreement by both Parties, CONTRACTOR shall diligently pursue work to assure completion on a timely basis. Unless otherwise extended in writing by both Parties, this contract shall automatically terminate on June 30, 2025.

ARTICLE 3: INDEPENDENT CONTRACTOR RELATIONSHIP

- A. It is expressly understood between the Parties that no employee/employer relationship is intended, the relationship of CONTRACTOR to DISTRICT being that of an independent contractor. DISTRICT shall not be required to make any payroll deductions or provide Workers' Compensation Insurance coverage or health benefits to CONTRACTOR.
- B. CONTRACTOR is solely responsible for selecting the means, methods and procedures for performing its services hereunder as assigned by DISTRICT and for coordinating all portions of the work so the result will be satisfactory to the DISTRICT. CONTRACTOR will supply all tools and instrumentalities required to perform its services under this Agreement.
- C. CONTRACTOR, pursuant to this Agreement, is rendering professional services only and any payments made to it are compensation solely for such services as it may provide and render, and recommendations it may make in the performance of services.

ARTICLE 4: CONFIDENTIAL RELATIONSHIP AND OWNERSHIP OF DOCUMENTS

- A. CONTRACTOR agrees that all dealings of the Parties under this Agreement shall be confidential and no report, data, information or communication developed, prepared or assembled by CONTRACTOR under this Agreement, or any information made available to CONTRACTOR by DISTRICT, shall be revealed, disseminated or made available by CONTRACTOR to any person or entity other than DISTRICT without the prior written consent of DISTRICT. All data, calculations, drawings and other documents developed, prepared, completed or acquired by CONTRACTOR during the performance of its services hereunder shall be given or turned over to DISTRICT upon termination of this Agreement.
- B. CONTRACTOR shall provide copies of original source electronic files (i.e., Microsoft Word or Excel files, digital photos, videos, etc.) of all work completed as part of this Contract. Such files shall not be protected, encrypted or otherwise have their access restricted. Standard report deliverables (PDF/Excel) are included in the prices quoted in Exhibit A. Raw data files will be provided at an extra charge.
- C. Any and all documents, reports, surveys, data compilation, interview results or records produced pursuant to this Agreement by the CONTRACTOR shall be the property of the DISTRICT and under the ownership of the DISTRICT.

ARTICLE 5: PAYMENT TO CONTRACTOR

- A. In consideration of CONTRACTOR's performance of services as described herein, DISTRICT shall pay CONTRACTOR fees for its services according to the schedule of rates set forth in Exhibit "A" attached and incorporated by reference herein (i.e., "time and materials"). DISTRICT shall review and approve CONTRACTOR's invoices for accuracy and agree with CONTRACTOR on any adjustments that may be appropriate. Such approvals shall not be unreasonably withheld. DISTRICT shall pay CONTRACTOR for all approved work and materials within thirty (30) days of agreement on the amount of the invoice. In the event of disagreement with CONTRACTOR on adjustments or disallowances, said amounts and disputes shall be withheld until resolved. Upon

resolution of the disagreements, payment of the approved amount shall be made within thirty (30) days after deducting therefrom all previous payments and all sums to be retained under the terms of the agreement.

- B. Total fees or compensation to be paid by DISTRICT to CONTRACTOR for CONTRACTOR's services described herein shall not exceed \$200,000 without a mutually acceptable, written amendment hereto.

ARTICLE 6: DISTRICT'S RIGHTS

CONTRACTOR specifically acknowledges and agrees that DISTRICT may terminate CONTRACTOR's services at any time with or without cause, regardless of whether CONTRACTOR's services or the Project are completed. Any termination or any special instructions hereunder from DISTRICT shall be made in writing. In the event of such termination, CONTRACTOR shall have the right to expend additional time (not to exceed 10% of the total fees payable under this Agreement) to assemble the work in progress for the purpose of proper filing and closing the job. Such additional time shall not increase CONTRACTOR's total compensation beyond the maximum stated in Article 5.

ARTICLE 7: INDEMNIFICATION AND HOLD HARMLESS

CONTRACTOR agrees to defend, indemnify and hold harmless DISTRICT and its officers, and employees, from and against any and all liability, damages, costs, losses, claims and expenses, resulting from or connected with CONTRACTOR's negligent performance of this Agreement (including, but not limited to such liability, cost, damage, loss, claim or expense arising from the death of or injury to, or damage to property of CONTRACTOR, DISTRICT, or their respective employees or agents), except to the extent that such liability, damages, costs, losses, claims or expenses are caused by the negligent or wrongful acts or omissions of DISTRICT or any of its agents or employees.

ARTICLE 8: INSURANCE

CONTRACTOR shall provide and keep in effect during the term of this Agreement insurance as follows:

- A. Workers' Compensation and Employer's Liability policies in accordance with and as required by applicable laws.
- B. Commercial General Liability policies with combined single limit coverage of at least \$1,000,000 for any personal injury, death, or property damage.
- C. Comprehensive Automobile Liability policies with combined single limit coverage of at least \$1,000,000 for personal injury, death, or property damage.

CONTRACTOR shall provide certificates of such insurance to DISTRICT prior to the start of work. Said certificates shall specifically provide that: (1) DISTRICT is an additional insured for the coverage in Items B and C above; (2) any other insurance coverage applicable to the loss shall be deemed excess coverage and CONTRACTOR's insurance shall be primary for the coverage in Items B and C above; and (3) such insurance shall not be terminated or canceled without thirty (30) days' prior written notice having been given DISTRICT at its address set forth in this Agreement.

ARTICLE 9: ASSIGNMENT AND DELEGATION

This Agreement is a personal service contract and the contracted work hereunder shall not be assigned or delegated by CONTRACTOR to any person or entity without the prior written consent of DISTRICT.

ARTICLE 10: AUTHORITY TO EXECUTE AGREEMENT

Both DISTRICT and CONTRACTOR do covenant that each individual executing this Agreement on behalf of each Party is a person duly authorized and empowered to execute Agreements for such Party.

ARTICLE 11: NO WAIVER

No failure or delay by DISTRICT in asserting any of DISTRICT's rights and remedies as to any default of CONTRACTOR shall operate as a waiver of the default, of any subsequent or other default by CONTRACTOR, or of any of DISTRICT's rights or remedies. No such delay shall deprive DISTRICT of its right to institute and maintain any action or proceeding which may be necessary to protect, assert or enforce any rights or remedies arising out of this Agreement or the performance of this Agreement.

ARTICLE 12: PARTIAL INVALIDITY

If any term, covenant, condition, or provision of this Agreement is found by a court of competent jurisdiction to be invalid, void, or unenforceable, the remainder of the provisions hereof shall remain in full force and effect, and shall in no way be affected, impaired, or invalidated thereby.

ARTICLE 13: MODIFICATION

No alteration or amendment of the terms of this Agreement shall be valid unless made in writing and signed by the Parties. No oral understanding or agreement not incorporated herein shall be binding on any of the Parties.

ARTICLE 14: CALIFORNIA LAW; VENUE

This Agreement shall be interpreted and construed pursuant to the laws of the State of California. This Agreement shall be governed by the Uniform Commercial Code of the State of California, as amended. The Parties agree that should litigation arising from this Agreement be commenced within California, such litigation shall occur within a court of competent jurisdiction within the County of Ventura.

ARTICLE 15: COMPLIANCE WITH LAWS

CONTRACTOR shall be solely responsible for giving all notices and complying with all applicable laws, ordinances, rules, regulations, and lawful orders of any public authority relating to CONTRACTOR's work, the safety of the persons or property involved, and their protection from damage or injury.

ARTICLE 16: FORCE MAJEURE

Neither CONTRACTOR nor DISTRICT shall be liable or deemed to be in default for any delay or failure in performance under this Agreement due to interruption of services resulting, directly or indirectly, from acts of God, civil or military authority, acts of public enemy, war, strikes, labor disputes, shortages of suitable parts, materials, labor or transportation, or any similar cause beyond the reasonable control of CONTRACTOR or DISTRICT.

ARTICLE 17: DISPUTE RESOLUTION

In the event that CONTRACTOR and DISTRICT have a dispute concerning the payment of sums pursuant to their Contract, the Parties agree to be governed by Public Contracts Code Section 20104, et seq. In the event of such dispute, CONTRACTOR shall file a written claim with DISTRICT. DISTRICT shall respond in writing within forty-five (45) days or, within thirty (30) days request additional documentation and respond within fifteen (15) days after said request.

ARTICLE 18: NOTICES

All notices or other official correspondence relating to this Agreement shall be made by depositing the same as first-class, postage-paid mail addressed as follows:

To CONTRACTOR: Raymond H. Huff, REPA
Vice-President
SCS ENGINEERS
3900 Kilroy Airport Way, Ste. 100
Long Beach, CA 90806

To DISTRICT: Chris Theisen, General Manager
VENTURA REGIONAL SANITATION DISTRICT
1001 Partridge Drive, Suite 150
Ventura, CA 93003-0704

or to such other address as either Party may designate hereinafter in writing delivered to the other Party.
All notices shall be deemed to have been received three (3) days after mailing.

ARTICLE 19: EXECUTION IN COUNTERPARTS

This Agreement may be executed in one or more counterparts which, taken together, shall be deemed one and the same document. The Parties' signatures to this Agreement transmitted by facsimile or electronic mail transmission shall be deemed binding.

IN WITNESS WHEREOF, the parties have executed this Agreement on the day and year first set forth above.

VENTURA REGIONAL
SANITATION DISTRICT

SCS ENGINEERS

By _____
LAURA HERNANDEZ,
Chairperson of the Board

By _____
RAYMOND H. HUFF, REPA
Vice-President

By _____
JULIET RODRIGUEZ
Clerk of the Board

APPROVED AS TO FORM

ARNOLD, LAROCHELLE,
MATHEWS, VANCONAS & ZIRBEL, LLP

By _____
ROBERT N. KWONG
Legal Counsel for District

APPROVED AS TO ADMINISTRATION

By _____
CHRIS THEISEN
General Manager

EXHIBIT A

Toland Road Landfill
CUP PL17-0121
Page 1 of 43

Toland Road Landfill
CONDITIONAL USE PERMIT No. PL17-0121
(Modification of CUP 3141)

Conditions of Approval

APNs 041-0-140-090, 041-0-140-100, 041-0-140-235

The following conditions of approval supersede and replace all conditions imposed by the permits previously granted to authorize landfill activities on the project site.

Condition of Approval List

No.	Condition	No.	Condition
1	Project Description	32	Public Signage and Notification Program
2	Service Area Limitation	33	Hazardous Waste Diversion Program*
3	Days and Hours of Operation	34	Compliance with Ordinance No. 4445
4	Traffic Limitations	35	Recyclable Waste Diversion
5	Waste Disposal Limitation	36	Incoming Waste Reports
6	Requirements of Other Agencies	37	Traffic Impact Mitigation Fee
7	Landfill Closure and Post-Closure Maintenance	38	Local Road Maintenance Fund
8	Zoning Clearance for Use Inauguration	39	Landfill Noise Abatement Program*
9	Recorded Notice of Land Use Entitlement	40	Light and Glare Control*
10	Financial Responsibility for Compliance Monitoring and Enforcement	41	Biological Resources*
11	Defense and Indemnification	42	Cultural Resources*
12	Change of Permittee	43	Paleontological Resources*
13	Annual Site Safety Evaluation*	44	Landfill Truck Limitations during School Hours
14	Annual Status Report	45	Monitoring of Left Turns from SR126
15	Solid Waste Facility Permit and Joint Technical Document	46	No Routine Use of Sycamore Road Underpass
16	Transfer Truck Scale	47	Green Material, Wood Recycling, and Soil Reuse
17	Vector Control Plan	48	Commercial Vehicle Used Oil Recycling
18	Waste Discharge Requirements Compliance	49	Fire Code Permits
19	Wastewater Holding Tank	50	Fire Protection Program*
20	Portable Toilet Facilities	51	Internal Access Roads
21	Hazardous Materials (CUPA)	52	Adequate Fire Flow
22	Landfill Slope Design and Stability*	53	Smoking Prohibited
23	Grading Permits	54	Air Quality Permits Required
24	Groundwater Monitoring Program*	55.a	Nuisance Odors
25	Oxnard Aquifer Groundwater Depletion Offset	55.b	Off Site Air Monitoring
26	Limitations on Sewage Sludge	56	Dust Control Plan
27	Potable Water	57	Dust Control Monitoring
28	Landscaping	58	Traffic Calming
29	Road Litter and Illegal Dumping Control Program*	59	Conflicts with Other Laws, Regulations, Permits
30	Agricultural Pest Control Program	60	Approved Plans
31	Nuisance Bird Control Program		

* Denotes mitigation measure from 1996 Final Environmental Impact Report

1. Project Description

This permit authorizes the continued operation and maintenance of an existing municipal solid waste (MSW) Class III landfill and associated ancillary facilities within a 216.5-acre permit area. The authorized facility is designed to dispose of approximately 17 million tons of MSW in a canyon fill that will reach a maximum fill elevation of 1,435 feet above mean sea level and encompass approximately 91.4 acres. The geometry of each phase of fill placement and the configuration of the final surface of the waste accumulation upon facility closure shall be in conformance with the approved project plans incorporated herein as Condition of Approval No. 60. Consistent with Condition of Approval No. 4 below, this facility is authorized to receive up to 152 heavy truckloads of MSW per operating day.

The authorized ancillary facilities include the scale house, access roads, parking areas, gas collection system, detention basin and other drainage systems, water supply and sewage disposal systems, maintenance buildings and repair shop, greenwaste collection and processing structures and equipment, soil stockpile areas, material recycling facilities, and other structures and equipment deemed integral to the landfill operation by the Planning Director.

The waste cells that comprise the landfill accumulation shall be designed and constructed with an underlying barrier having a maximum permeability of 1×10^{-6} centimeters per second (cm/s). In addition, a minimum of 24 inches of soil shall be placed on the barrier prior to the placement of waste.

Only non-hazardous solid waste and inert waste (as defined by the California Code of Regulations, Title 27, Division 2, Subdivision 1, Chapter 3) may be accepted at this facility.

2. Service Area Limitation

Purpose: To ensure that the Toland Road Landfill remains available to serve the municipal solid waste disposal needs of the residents of Ventura County.

Requirement: Waste shall be transported to the landfill by transfer trucks from solid waste transfer stations or material recovery facilities, except that waste generated in the cities of Santa Paula and Fillmore and the unincorporated areas of the Santa Clara River Valley does not need to be transported via transfer station or material recovery facility. Only MSW (including biosolids) generated in Ventura County, including that delivered by self-haulers, shall be accepted for processing at the landfill except for existing (as of 1996) out-of-county patrons of in-county processing facilities. The Permittee shall take the following actions to implement this condition:

- Inspect incoming commercial vehicles to limit entry to those waste haulers authorized by the Local Enforcement Agency (LEA), the Ventura County Environmental Health Division.

- Enter into billing agreements exclusively with waste haulers that operate in Ventura County.
- Erect and maintain a sign at the facility entrance that informs the public that the facility is limited to accepting waste generated in Ventura County.
- Ask all self-haulers to disclose their point of origin and maintain a record of out-of-county customers. Issue a warning to each such self-hauler that they may be turned away upon their next visit to the facility.

Documentation: The Permittee shall maintain a record of out-of-county self-hauler arrivals and provide this record to the Planning Division upon request. The Permittee shall provide copies of all billing agreements to the Planning Division.

Timing: Prior to the issuance of a Zoning Clearance for Use Inauguration, the Permittee shall provide copies of all current billing agreements and self-hauler records to the Planning Division.

Monitoring: The County Planning Division, in coordination with the Local Enforcement Agency (LEA), will review the submitted information to ensure this condition is implemented. These agencies have the authority to initiate other actions to ensure the intent of this condition is satisfied.

3. Days and Hours of Operation

The landfill shall operate a maximum of six days per week (excluding Sundays) from 5:30am to 7:00pm. Receipt of waste for disposal is limited to the hours of 6:00am to 6:00pm. This facility can operate outside of these hours if authorized by an emergency declaration issued by CalRecycle (formerly the California Integrated Waste Management Board) or the LEA.

Operation of the leachate collection and disposal system, gas collection, equipment maintenance in the maintenance yard, or site security and safety actions are not subject to the above timing restrictions.

This condition of approval does not authorize operations outside of the hours of operation specified in the current Solid Waste Facilities Permit issued by the LEA.

In the event the landfill is closed unexpectedly for any reason, the permittee shall notify commercial haulers to the landfill by telephone as soon as possible.

4. Traffic Limitations

Purpose: In order to minimize adverse environmental effects resulting from landfill-related traffic, the number of vehicles arriving to and travelling from the facility on each operating day shall be limited.

Requirement: Vehicle arrivals at (and departures from) the landfill shall be limited as follows:

- A maximum of 152 heavy vehicles may arrive at the landfill during each operating day. For purposes of this requirement, the term “heavy vehicles” refers to waste transfer vehicles, waste packer trucks, water trucks and similar heavy duty trucks. Heavy vehicles that deliver soil cover materials to the landfill are not subject to this limitation.
- A maximum combined total of 210 heavy and light vehicles may arrive at the landfill on each operating day. Light vehicles are herein defined as automobiles and light duty trucks utilized by landfill staff, visitors and self-haulers.

The above limits can be temporarily exceeded in response to an emergency declaration issued by a Federal, State or local authority, such as CalRecycle or the LEA.

Documentation: The Permittee shall maintain a public record of all vehicle arrivals to the landfill on each operating day to be provided to the Planning Division and LEA for review upon request.

Timing: The record of vehicle arrivals shall be maintained through the operating life of the facility.

Monitoring: The Planning Division and LEA will review the arrival record for compliance with this condition. These agencies have the authority to take enforcement actions to ensure implementation of this condition.

5. Waste Disposal Limitation

The tonnage and volume of municipal solid waste that is authorized to be delivered to the landfill for processing on any one operating day is limited to that which can be transported in a maximum of 152 heavy trucks.

The total amount of municipal solid waste that may be disposed at the subject facility is limited by the total volume of landfill space in this facility as depicted on the approved plans (Condition of Approval 58). Disposal of waste will cease when the final closure surface of the landfill, as depicted in the approved plans, is reached.

6. Requirements of Other Agencies

The Permittee shall design, construct and operate the subject landfill in accordance with all applicable permitting requirements, permits and regulations of local, state and federal agencies. This includes obtaining, maintaining and complying with a valid Solid Waste Facilities Permit (SWFP), Waste Discharge Requirements (WDRs), and stormwater (NPDES) permits.

7. Preliminary Closure and Post-Closure Maintenance Plan

Purpose: To ensure that the landfill facility upon closure does not pose an ongoing risk to public health and safety or the environment.

Requirements: Landfill closure activities shall commence when the final closure surface is reached and the acceptance of waste for disposal has ceased.

The Permittee must satisfy all final closure requirements established by the LEA, CalRecycle, Regional Water Quality Control Board (RWQCB), County Public Works Agency-Solid Waste Management Department (SWMD) and the conditions of approval of this permit. The methods used and timing of all closure activities must be in conformance with all applicable Federal, State and Local laws and regulations (Laws and Regulations).

The site maintenance and monitoring activities required by the applicable Laws and Regulations shall continue to be performed by the Permittee after the site is deemed "closed" by the Planning Director. The Permittee shall maintain the financial assurances for site closure as required by the applicable Laws and Regulations.

The Permittee shall prepare a Preliminary Closure and Post Closure Maintenance Plan (PCPCMP) that describes and depicts all current landfill facilities, the proposed final configuration of the waste accumulation, the final condition of the surface of all lands utilized as part of the landfill operation, the monitoring and maintenance activities to be conducted after landfill closure and the amount of the proposed financial assurance.

Documentation: The Permittee shall submit to the Planning Division and the LEA, a PCPCMP for review and approval.

Timing: Prior to the issuance of a Zoning Clearance for Use Inauguration under this permit, the Permittee shall obtain the approval of the PCPCMP from the Planning Division and the LEA.

The permittee shall provide written notification to the Planning Director at least 6 months prior to the estimated date that the landfill will reach its authorized capacity.

Landfill closure requirements shall be satisfied within one year of the date that the last imported waste was accepted for disposal.

The site maintenance and monitoring activities identified in the PCPCMP shall continue for a minimum of thirty (30) years after the site is deemed "closed" by the Planning Director unless the LEA and CalRecycle (or successor agencies) determine at an earlier date that the landfill no longer poses a threat to the public health, safety and the environment. Until such a determination is made, the Permittee shall maintain the financial assurances for site closure required by the applicable Laws and Regulations.

Monitoring: Planning Division and LEA staff will review the submitted PCPCMP for conformance with the applicable Laws and Regulations prior to the issuance of the required Zoning Clearance. These agencies have the authority to take enforcement actions to ensure that this condition is implemented.

Note: The existing PCPCMP may be found adequate to satisfy this condition at the time this permit is granted. Any updates will require approval by the LEA and Planning Division.

8. Zoning Clearance for Use Inauguration

Purpose: To ensure that the conditions of approval of this permit, and all other regulatory requirements, necessary for the operation of the landfill are satisfied.

Requirements: The Permittee shall obtain a Zoning Clearance for Use Inauguration (ZCUI) in order to effectuate this modified CUP and initiate the revised operations authorized by this CUP.

Documentation: The Permittee shall submit information adequate to document that all conditions of approval of this permit have been satisfied and that all necessary permits or other authorizations required by other agencies have been obtained.

Timing: Prior to the issuance of a ZCUI, the Permittee shall obtain a determination from the Planning Division and LEA that the submitted documentation is adequate to demonstrate compliance with the terms and conditions of this permit and all other regulatory requirements.

The ZCUI must be obtained by the Permittee within one year of the granting of this modified CUP. This deadline can be extended, at the sole discretion of the Planning Director, for up to one additional year for good cause. Failure to obtain a ZCUI will result in the expiration of this permit.

Monitoring: The Planning Division and LEA will review the submitted information for adequacy to satisfy all regulatory requirements. These agencies have the authority to take enforcement actions to ensure that this condition is implemented.

Note: The ZCUI is required in order to effectuate this modified CUP.

9. Recorded Notice of Land Use Entitlement

Purpose: In order to inform current and future property owners, the Permittee shall record a completed “Notice of Land Use Entitlement” form and the conditions of approval of this CUP with the deed for the subject property.

Requirement: The Permittee shall sign, have notarized, and record with the Office of the County Recorder, a “Notice of Land Use Entitlement” using a form furnished by the Planning Division and the conditions of approval of this CUP, with the deed of the property that is subject to this CUP.

Documentation: The Permittee shall submit a copy of the recorded “Notice of Land Use Entitlement” form and conditions of this CUP to the Planning Division for review and approval.

Timing: Prior to the issuance of a Zoning Clearance for Use Inauguration, the Permittee shall obtain the approval of the recorded documents from the Planning Division.

Monitoring and Reporting: The Planning Division shall review the recorded documents for adequacy and shall maintain the copy of the documents in the project file.

10. Financial Responsibility for Compliance Monitoring and Enforcement

a. Cost Responsibility:

The Permittee shall bear the full costs of all County staff time, materials, and County-retained consultants/contractors associated with condition compliance review and monitoring, CEQA mitigation monitoring, other permit monitoring programs, and enforcement activities, actions, and processes conducted pursuant to the Ventura County Non-Coastal Zoning Ordinance (§ 8114-3) related to this CUP. Such condition compliance review, monitoring and enforcement activities may include, but are not limited to: periodic site inspections; preparation, review, and approval of studies and reports; review of permit conditions and related records; enforcement hearings and processes; drafting and implementing compliance agreements; and attending to the modification, suspension, or revocation of permits. Costs will be billed at the rates set forth in the Planning Division or other applicable County Fee Schedule, and at the contract rates of County-retained consultants/contractors, in effect at the time the costs are incurred.

b. Establishment of Revolving Compliance Account:

Within 10 calendar days of the effective date of the final decision to grant this CUP, the Permittee shall submit the following deposit and reimbursement agreement to the Planning Director:

Pursuant to the requirements of CUP No. 3141-3, the Resource Management Agency created Condition Compliance Case No. CC-10-0004 to cover the costs associated with condition compliance review, monitoring, and enforcement activities, and any duly-imposed civil administrative penalties, regarding the Toland Road Landfill, CUP 3141-3. The Planning Division will continue to use Condition Compliance Case No. CC-10-0004 to cover the costs associated with condition compliance review, monitoring, and enforcement activities described in subsection 10.a (above), and any duly-imposed civil administrative penalties regarding this CUP.

Within 10 calendar days of the effective date of the final decision to grant this CUP, the Permittee shall submit a new, updated, and completed reimbursement agreement for Condition Compliance Case No. CC10-0004, in a form provided by the Planning Division, obligating the Permittee to pay all condition compliance review, monitoring, and enforcement costs, and any civil administrative penalties, subject to the Permittee's right to challenge all such charges and penalties prior to payment.

Billing Process: The Permittee shall pay all Planning Division invoices within 30 days of receipt thereof. Failure to timely pay an invoice shall subject the Permittee to late fees and charges set forth in the Planning Division Fee Schedule, and shall be grounds for suspension, modification, or revocation of this CUP. The Permittee shall have the right to challenge any charge or penalty prior to payment.

c. Letter of Credit:

In order to secure payment by permittee of the cost of any performance demand by the County, the permittee shall provide the Planning Director with a single irrevocable letter of credit or other instrument or financial assurances acceptable to the Planning Director and County Counsel in the amount of \$500,000. This letter of credit shall remain in effect during the entire Operational Period of the landfill.

Note: The current letter of credit posted by the VRSD satisfies the requirement of Condition 10c above.

11. Defense and Indemnification

The Permittee shall defend, at the Permittee's sole expense with legal counsel acceptable to the County, against any and all claims, actions, or proceedings against the County, any other public agency with a governing body consisting of the members of the County Board of Supervisors, or any of their respective board members, officials, employees and agents (collectively, "Indemnified Parties") arising out of or in any way related to the County's issuance, administration, or enforcement of this CUP. The County shall promptly notify the Permittee of any such claim, action or proceeding and shall cooperate fully in the defense.

The Permittee shall also indemnify and hold harmless the Indemnified Parties from and against any and all losses, damages, awards, fines, expenses, penalties, judgments, settlements, or liabilities of whatever nature, including but not limited to court costs and attorney fees (collectively, "Liabilities"), arising out of or in any way related to any claim, action or proceeding arising out of or in any way related to the County's issuance, administration, or enforcement of this CUP regardless of how a court apportions any such Liabilities as between the Permittee, the County, and/or third parties.

Except with respect to claims, actions, proceedings, and Liabilities resulting from an Indemnified Party's sole active negligence or intentional misconduct, the Permittee shall also indemnify, defend (at Permittee's sole expense with legal counsel acceptable to County), and hold harmless the Indemnified Parties from and against any and all claims, actions, proceedings, and Liabilities arising out of, or in any way related to, the construction, maintenance, land use, or operations conducted pursuant to this CUP, regardless of how a court apportions any such Liabilities as between the Permittee, the County, and/or third parties. The County shall promptly notify the Permittee of any such claim, action, or proceeding and shall cooperate fully in the defense.

Neither the issuance of this CUP, nor compliance with the conditions hereof, shall relieve the Permittee from any responsibility otherwise imposed by law for damage to persons or property; nor shall the issuance of this CUP serve to impose any liability upon the Indemnified Parties for injury or damage to persons or property.

12. Change of Permittee

Purpose: To ensure that the Planning Division is properly and promptly notified of any change of Permittee.

Requirement: The Permittee shall file, as an initial notice with the Planning Director, the new name(s), address(es), telephone/FAX number(s), and email addresses of the new owner(s), lessee(s), operator(s) of the permitted uses, and the company officer(s). The Permittee shall provide the Planning Director with a final notice once the transfer of ownership and/or operational control has occurred.

Documentation: The initial notice must be submitted with the new Permittee's contact information. The final notice of transfer must include the effective date and time of the transfer and a letter signed by the new Property Owner(s), lessee(s), and/or operator(s) of the permitted uses acknowledging and agreeing to comply with all conditions of this CUP.

Timing: The Permittee shall provide written notice to the Planning Director 10 calendar days prior to the change of ownership or change of Permittee. The Permittee shall provide the final notice to the Planning Director within 15 calendar days of the effective date of the transfer.

Monitoring and Reporting: The Planning Division maintains notices submitted by the Permittee in the Project file and has the authority to periodically confirm the information consistent with the requirements of § 8114-3 of the Ventura County Non-Coastal Zoning Ordinance.

13. Annual Site Safety Evaluation

Purpose: In order to implement site safety mitigation measures identified in the Final Environmental Impact Report, which was certified by the Ventura Regional Sanitation District on June 13, 1996, (1996 FEIR) the Permittee shall annually conduct safety inspections.

Requirement: This Permittee shall retain a third-party (fully independent) California licensed certified industrial hygienist or licensed safety engineer to conduct an annual safety evaluation of the subject facility. This annual evaluation shall be comprehensive and address the safety of both facility personnel and the general public.

Documentation: The Permittee shall submit an annual site safety report to the Planning Division and the LEA for review and approval.

Timing: The required report shall be submitted no later than 30 calendar days after December 31 of the year for which the evaluation is prepared (i.e. January 30th of the following year).

Monitoring: The Planning Division and the LEA shall review the submitted report for adequacy. If determined to be not adequate, an amended report can be required. These agencies have the authority to take enforcement actions to ensure that this condition is implemented.

14. Annual Status Report

Purpose: In order to ensure that the landfill is operated in conformance with this permit and other applicable regulations, the Permittee shall report annually on the state of the operation.

Requirement: The Permittee shall prepare an annual status report that describes, in written and graphic form, the activities that have occurred over the past year and the conformance of the operation with the terms and conditions of this permit (Annual Status Report). At a minimum, the Annual Status Report shall describe the following:

- Events that took place at the landfill site, including those required to be reported by State law. These include the discovery of hazardous wastes, accidents, complaints and natural disasters.

- Hazardous waste diversion efforts required pursuant to Condition No. 33 of this permit.
- A summary of the customers that were turned away at the scales. This should be in the form of a detailed log that includes the date and reason for this action, and any information on the identity of the customer obtained by the Permittee.
- The total number of heavy trucks that delivered waste to the landfill over the subject year.
- The total number of light trucks (self-haulers) that delivered waste to the landfill over the subject year.
- The total waste delivered to the landfill in the subject year. A copy of reports submitted to other agencies should be provided.
- Implementation of the required Vector/Nuisance/Agricultural Pest and Bird Control Programs.
- Implementation of the required Onsite Litter and Roadway Litter/Illegal Dumping Control Programs.
- Equipment used or stored at the site as part of the landfill operation.
- Current water consumption and satisfaction of the Oxnard Aquifer Groundwater Depletion Offset.
- Existing and planned buildings and other facilities to be utilized as part of the landfill operation.
- The current topography of the landfill site. This information must be provided using an updated topographic map. This map must be labeled with the volume (in cubic yards) of waste material (including cover soil) already buried, the remaining volume of permitted landfill space, and an estimate of the remaining life of the facility at the current annual fill rate.
- Any notices of violation issued to the Permittee by a regulatory agency. The method and schedule of violation abatement should be disclosed.

Documentation: The Permittee shall submit the Annual Status Report to the Planning Division and LEA for review and approval.

Timing: The Annual Status Report for each operational year shall be submitted by the Permittee by March 1 of the following year.

Monitoring: The Planning Division and the LEA shall review the submitted report for adequacy. If determined to be not adequate, an amended report can be required. These agencies have the authority to take enforcement actions to ensure that this condition is implemented.

15. Solid Waste Facility Permit and Joint Technical Document

Purpose: To comply with all applicable requirements for landfills set forth in Division 30 of the Public Resources Code, titles 14 and 27 of the California Code of Regulations (CCR), Sections 21570 and 21650; and Section 4700 et.seq. of the Ventura County Ordinance Code.

Requirements: The Permittee shall prepare a revised Joint Technical Document (JTD) as part of an application for a revised Solid Waste Facility Permit (SWFP). This material shall demonstrate how all site conditions and operations will conform to State solid waste laws and regulations. In addition, the Permittee shall:

- Comply with all record keeping requirements specified in CCR, title 14, section 17414.
- Maintain, and make available for review to the LEA, all applicable records in one location.
- For a period of three years, submit a solid waste receipt questionnaire to report the volume and tonnage of waste received.

Documentation: The Permittee shall submit the revised JTD and SWFP application, along with all applicable review fees, to the LEA and all other reviewing agencies specified in CCR, title 27, section 21570 for review and approval.

Timing: Prior to the issuance of the Zoning Clearance for Use Inauguration (ZCUI) under this CUP, the Permittee shall obtain approval of a revised SWFP from the LEA and CalRecycle. Until such approval is obtained, the Planning Division will not issue the ZCUI and the Permittee shall operate the subject facility in accordance with the terms and conditions of the current CUP and current SWFP.

Monitoring and Reporting: The LEA and CalRecycle shall review the submitted JTD and SWFP application materials for adequacy and can require revisions prior to the approval of the JTD and the granting of a revised SWFP. Ongoing compliance with the terms of the SWFP will be accomplished through routine review of submitted documents and through periodic field inspections conducted by LEA staff.

16. Transfer Truck Scale

Purpose: To provide an accurate record of waste volume and tonnage received at the Toland Road Landfill.

Requirement: The Permittee shall install and maintain in operation a scale capable of weighing large transfer trucks that deliver waste to the facility.

Timing: Prior to the issuance of the Zoning Clearance for Use Inauguration, the required scale shall be installed and in operation.

Monitoring and Reporting: Ongoing compliance with this condition will be accomplished through routine review of Permittee-submitted documents and through periodic field inspections conducted by LEA staff.

Note: As of March 2021, the required scale has been installed and certified as accurate by County Weights and Measures.

17. Vector Control Plan

Purpose: To comply with title 14 of the California Code of Regulations, section 17410.4 and Ventura County Ordinance Code Section 4706, subdivision (c).

Requirement: The Permittee shall prepare and implement a Vector Control Plan. This Plan will document how the project site will be maintained in a condition that does not promote harborage and/or breeding of any vectors of disease, including but not limited to birds, rodents, flies, mosquitoes, or other harmful insects. All water impoundments shall be maintained in a manner which will not create mosquito breeding sources.

Documentation: Permittee shall submit the Vector Control Plan to the LEA for review and approval.

Timing: Prior to the issuance of the Zoning Clearance for Use Inauguration, the Permittee shall obtain the approval of the Vector Control Plan from the LEA.

Monitoring and Reporting: Effectiveness of the Vector Control Plan shall be evaluated and documented by LEA staff during site inspections. The LEA can require revisions in this plan and its implementation to address the site conditions encountered.

Note: As of March 2021, a Vector Control Plan has been submitted by the landfill operator (VRSD) and approved by the LEA.

18. Waste Discharge Requirements Compliance

Purpose: To protect public health and the environment and remain in compliance with State Law regarding contaminated water discharges.

Requirement: All areas of the project site shall be maintained, and the facility operated, in compliance with all Waste Discharge Requirements (WDR) established by the Los Angeles Regional Water Quality Control Board (RWQCB).

Documentation: The Permittee shall notify in writing the RWQCB of any proposed changes in facility design or operations. The Permittee shall also submit any applications for revised land use permits or solid waste facility permits to the RWQCB for review and comment. Implementation of the WDR shall be described in the Annual Status Report required pursuant to Condition of Approval No. 14.

Timing: Prior to the issuance of the Zoning Clearance for Use Inauguration, the Permittee shall provide documentation to the Planning Division that the RWQCB has been notified in accordance with this condition.

Monitoring and Reporting: The Planning Division will review the submitted documentation, including the Annual Status Report. Compliance with the WDR shall be monitored by the RWQCB through document review and site inspections.

Note: The landfill facility is currently (as of March 2021) in compliance with WDRs issued by the RWQCB.

19. Wastewater Holding Tank

Purpose: To protect water quality through compliance with local and state regulations pertaining to the design, installation and use of a wastewater holding tank.

Requirement: The Permittee shall maintain the holding tank, alarm system, all other components of the sewage system in good working order to prevent accidental spills that could degrade water quality and create a public nuisance. The holding tank shall be serviced, as needed, by a septic pumper truck registered and permitted by Ventura County Environmental Health Division (EHD). Only domestic waste as defined in the Ventura County General Plan and the Ventura County Building Code Ordinance shall be discharged into the on-site sewage disposal system. All septage wastes must be disposed of in a manner authorized by law.

Documentation: The Permittee shall maintain a record of all holding tank pumping activities and make this record available to the County EHD and LEA. The condition of the holding tank system shall be described in the Annual Status Report required by Condition of Approval 14.

Timing: The holding tank system shall be maintained in working order during the life of landfill operations.

Monitoring: Pumping records shall be maintained by the Permittee and available for inspection by LEA staff. LEA staff will receive and respond to any complaints related to unauthorized sewage releases.

20. Portable Toilet Facilities

Purpose: To comply with title 14 of California Code of Regulations, section 17409.2

Requirement: Sanitary facilities, consisting of an adequate number of toilets and hand washing facilities (with potable water from an approved source) shall be available to personnel at or in the immediate vicinity of the site as approved by the LEA.

Documentation: The Permittee shall provide a site plan that depicts the approximate location of portable toilet facilities to the EHD for review and approval.

Timing: Prior to the issuance of the Zoning Clearance for Use Inauguration, the Permittee shall obtain the approval of the submitted plan from the EHD. Adequate toilet facilities shall be available on the project site anytime employees, visitors or any other persons are on the project site.

Monitoring: LEA staff will verify the presence and condition of portable toilet facilities during field inspections. Pumping records shall be maintained and available for inspection by EHD staff.

Note: The landfill facility is currently (as of March 2021) being operated in compliance with this condition.

21. Hazardous Materials / Waste Management (CUPA Permit Required)

Purpose: To comply with the California Health and Safety Code (Division 20, Chapter 6.95, Article 1, Sections 25508 and 25508.2) and corresponding sections of the Ventura County Ordinance Code, and to ensure the safe storage, handling, and disposal of any potentially hazardous material and/or waste.

Requirement: The Permittee shall submit a hazardous materials business plan (HMBP) to the Environmental Health Division/Certified Unified Program Agency (Ventura CUPA) for storage of hazardous materials above reporting thresholds (200 cubic feet gas, 55 gallons liquid, 500 pounds solid). If hazardous wastes are generated, a hazardous waste identification number (EPA ID) issued by the California Department of Toxic Substances Control must be obtained and maintained in active status.

Documentation: A completed HMBP must be submitted to the Ventura CUPA electronically through the California Environmental Reporting System (CERS).

Timing: HMBP must be submitted through CERS annually, and whenever there is a change to the type or quantity of the hazardous material. EPA ID number must be renewed annually.

Monitoring and Reporting: Ongoing compliance with requirements shall be accomplished through field inspection by Ventura CUPA staff.

22. Landfill Slope Design and Stability

Purpose: To protect the public health and safety and implement the seismic safety mitigation measures identified in the certified 1996 FEIR.

Requirements:

Slope Design:

Prior to the construction of fill, cut, or waste prism slopes, steeper than 3:1 in gradient, a slope stability report, prepared by a registered civil engineer and engineering geologist shall be prepared and submitted to the Planning Director, County Public Works Agency and the LEA for review and approval. Final slopes shall possess a factor of safety of 1.5 under static and dynamic conditions. Should the factor of safety be less than 1.5, the report should provide construction recommendations to increase the factor of safety to 1.5. Final fill slopes shall not be steeper than 1.75:1 with a minimum of one 15-foot wide bench every 50 vertical feet of slope.

Side slope excavations shall include 25-foot benches every 50 vertical feet. Parameters developed by geosynthetic and geotechnical testing shall be utilized in the analysis of liner systems on side slopes. Residual strength parameters (repeated shearing) shall be utilized.

Clean fill slopes shall be setback a minimum distance of 20 feet from the property line.

Grading Requirements:

Excavation of the liner system or side slopes in the area of the bedrock feature identified by Fugro (1992) and subsequently not encountered by Environmental Solutions (1995) shall be observed (by a geotechnical engineer/engineering geologist) during excavation. A detailed excavation log shall be prepared by a registered geologist, engineering geologist and submitted to the Planning Director (and appropriate review agencies) for approval prior to placing the liner or fill against the excavation or side slope. Should geologic hazards be encountered, appropriate engineering methods and design changes

shall be employed to assure the landfill and its components remain in accordance with applicable regulations.

Utilization of expansive soils (either from excavation or import) as mixed soil type shall be verified by appropriate laboratory index tests on the mixed soil type to demonstrate the suitability of the material for the intended purpose. The results of the laboratory testing and recommendations to provide quality control and assurance during construction shall be submitted to the Planning Director and the Public Works Agency for approval prior to using the mixed soil type.

Slope Stability Inspections

That, at a minimum, quarterly, or as conditions warrant (e.g., after periods of heavy rainfall or earthquakes) as determined by the Planning Director (in consultation with appropriate review agencies), the permittee and a geotechnical engineer/engineering geologist shall visually inspect the refuse column, drainage and flood protection devices at the landfill and the access roads for cracks, settlement, or deterioration. A log of such inspections shall be made available at the request of any regulatory agency. This log shall indicate when the inspections were performed, who undertook the inspections, what were the results, and what remedial actions, if any, were recommended. If remedial actions are recommended, the Planning Director shall be notified and shall approve the recommendations in consultation with appropriate agencies prior to implementation.

Seismic Stability Inspections:

An additional inspection of the landfill site and gas/leachate collection system, and drainage and flood protection devices shall be conducted within 12 hours of: 1) A Richter Magnitude 5.0 or greater earthquake occurring within a 50 kilometer radius of the site; or 2) A Richter Magnitude 6.0 or greater earthquake occurring within a radius of 100 kilometers of the site. Follow up inspections, as specified below, shall also be conducted. The purpose of these inspections is to ensure that the landfill and gas/leachate collection system are fully functional and remain fully functional following the above referenced design events, including aftershocks.

Initial Inspection: The initial site inspection shall include visual inspection of all landfill slopes and surfaces for signs of cracking, slumping, settlement, sand boils and any other forms of permanent ground deformation. The initial site inspection shall also include inspection of the entire gas extraction, conveyance and destruction systems.

Follow up Inspections: The permittee shall also conduct other inspections as necessary to ensure that the entire gas control systems are and remain fully functional. If monitoring and/or inspection determines that liquids cannot flow to collection sumps, the liquids will be removed weekly via a vacuum pump.

Documentation and Timing:

The results of the initial Seismic Stability inspection shall be reported verbally to the EHD and Planning Directors within 24 hours and in writing within 10 days. The results of follow up inspections shall be submitted in writing to the EHD and Planning Directors within 10 days of the date of these inspections.

At a minimum, the permittee shall implement the provisions of all applicable Safety Plans as outlined in the Report of Disposal Site Information (RDSI) and Landfill Closure plans.

Monitoring: Planning and LEA (EHD) staff will review the submitted reports to ensure compliance with this condition. These agencies have the authority to take enforcement actions to ensure that this condition is implemented.

References:

Fugro, 1992. *Fault Exploration and Characterization Study*, (Volume 5, Tab C of the Administrative Record of the VRSD proceedings for the 1996 Toland Road Expansion Project).

Environmental Solutions, Inc., 1995. *Faulting and Seismicity Technical Report*, (Volume 3, Tab B of the Administrative Record of the VRSD proceedings for the 1996 Toland Road Expansion Project).

23. Grading Permits

Purpose: To ensure that grading conducted on the project site conforms with the requirements of the California Building Code.

Requirement: The Permittee shall prepare a grading plan and obtain a Grading Permit for any grading associated with the installation of buildings or other ancillary facilities at the landfill, unless determined by the Public Works Agency (PWA) that a permit is not required. If the volume of grading exceeds 1,000 cubic yards of combined cut and fill, the grading plan must be prepared by a licensed Civil Engineer. The Permittee shall have Geology and Soils Engineering reports prepared if required by PWA. The required grading plan shall incorporate the recommendations of any required report.

Documentation: A grading plan, grading permit application, and required reports shall be submitted to the PWA for review and approval.

Timing: Prior to the commencement of grading, the Permittee shall obtain either a Grading Permit or written documentation issued by PWA that such a permit is not required.

Monitoring: PWA staff will review the submitted documentation and issue a Grading Permit if established technical standards are met. The PWA will inspect the grading work and has the authority to require changes in the approved design. The PWA can also take enforcement actions if the work does not conform to the approved plans.

Note: This condition is applicable only to the grading associated with the installation of new buildings or similar structures.

24. Groundwater Monitoring Program

Purpose: In order to protect groundwater quality from potential contamination resulting from landfill operation, and to implement mitigation measures identified in the certified 1996 FEIR.

Requirement: The Permittee shall develop and implement a Groundwater Monitoring Program (GMP) in conformance with standards established by the RWQCB and the Groundwater Section of the County Public Works Agency (PWA). This program shall be designed to detect and respond to any potential impact on groundwater quality due to contamination by landfill leachate or other landfill constituents. The GMP shall include regular monitoring of groundwater quality and reporting of test results to the oversight agencies (i.e. RWQCB, PWA and the Planning Division) and to the United Water Conservation District.

Documentation: The Permittee shall submit a detailed report that describes in detail all of the actions to be taken as part of the GMP to the RWQCB, PWA, and Planning Division for review and approval.

Timing: Prior to the issuance of the Zoning Clearance for Use Inauguration, the Permittee shall obtain approval of the GMP report from the RWQCB, PWA and Planning Division. Once approved, the Permittee shall implement the GMP for the duration of landfill operations and the required post-closure monitoring and maintenance period.

Monitoring: The County of Ventura, pursuant to the specific authorization of Water Code section 13002 of the Porter-Cologne Water Quality Control Act, reserves the right to require water quality tests of up to four (4) samples drawn from any groundwater or leachate monitoring wells within any 12-month period. The scope of such tests shall be determined by the Planning Director. Tests shall be conducted by a consultant and laboratory selected by the Planning Director in consultation with the PWA.

The County also reserves the right to retain an independent consultant to review the results of the ongoing water quality monitoring reports submitted by the permittee to the oversight agencies.

The cost of any required tests or consultant services shall be the responsibility of the Permittee.

The RWQCB, PWA and Planning Division each have the authority to issue an abatement order to remediate any groundwater contamination identified through implementation of the GMP.

Note: The landfill facility is currently (as of March 2021) being operated in compliance with this condition.

25. Fox Canyon Aquifer Groundwater Depletion Offset

Purpose: In order to minimize the depletion of groundwater in storage in the Fox Canyon aquifer.

Requirement: The Permittee shall minimize the water usage at the Toland Road Landfill through the implementation of water conservation methods such as:

- Use of low-flow plumbing fixtures in all onsite facilities.
- Use of all-weather roads (surfaced with pavement or crushed rock) to reduce water use for dust control.
- Use of non-potable water for dust control and landscape irrigation, as may be allowed by Waste Discharge Requirements issued by the RWQCB.

The Permittee shall decrease the consumption of groundwater at the Bailard and Coastal landfills to the extent feasible. To the extent that these actions do not fully offset the increase in water demand related to the 1996 expansion of the Toland Road Landfill, the Permittee shall fund the purchase of available State Water Project water to be used to replenish groundwater supplies.

Documentation: The Permittee shall provide a water conservation report that describes the net usage of groundwater from the Fox Canyon aquifer to the Planning Division and Groundwater Section of the PWA for review.

Timing: Prior to the issuance of a Zoning Clearance for Use Inauguration, the permittee shall obtain the approval of the submitted report by the Planning Division and PWA as demonstrating the reduction of groundwater depletion to the extent feasible.

Monitoring: The Planning Division and Groundwater Section of the PWA shall review the submitted documentation for adequacy. The ongoing water conservation efforts will be reviewed as part of annual status reports submitted by the Permittee to these agencies.

Note: The landfill facility is currently (as of March 2021) being operated in compliance with this condition.

26. Limitations on Sewage Sludge

Sewage sludge shall only be accepted and disposed at the Toland Road Landfill in accordance with Waste Discharge Requirements issued by the RWQCB.

27. Potable Water

An adequate quantity of potable (drinking) water shall be provided to personnel on site. Proof of compliance shall be provided to the Planning Director prior to issuance of the Zoning Clearance for Use Inauguration.

Note: The landfill facility is currently (as of March 2021) being operated in compliance with this condition.

28. Landscaping

The Permittee shall maintain the existing landscaping at the Toland Road Landfill for the duration of the landfill operation. This landscaping shall be maintained in a condition compatible with the provisions of the Landfill Closure and Post-Closure Maintenance Plan.

Note: The landfill facility is currently (as of March 2021) being operated in compliance with this condition.

29. Road Litter and Illegal Dumping Control Program

Purpose: In order to minimize the adverse public health and nuisance effects of uncontrolled roadway litter and illegal dumping, and to implement mitigation measures identified in the certified 1996 FEIR.

Requirement: The Permittee shall develop and implement a Road Litter and Illegal Dumping Control Program. This program shall include the following components:

- At least once per week, the permittee shall inspect for, and clean up as necessary, all litter and illegal dumping which occurs on, or adjacent to Toland Road, and to points 1/4 mile east and west of its intersection with Highway 126, including the Hall Road/Sycamore Road intersection.
- The permittee shall develop procedures for responding to complaints regarding solid waste illegally dumped on properties located along Toland, Hall and Sycamore Roads.
- With respect to illegally dumped hazardous waste, the permittee shall, instead, be responsible for reporting the hazardous waste to EHD, County Fire Department and California Highway Patrol for the subsequent removal of the hazardous waste.

- The Permittee shall maintain a record of clean-up incidents and include that record in the required quarterly and annual status reports.
- Litter pick-up frequency and the extent of the road segments subject to the program may be increased at the discretion of the Planning Director.
- The Planning Director may decrease the litter pick-up frequency or road segments to be cleaned up based on evidence supplied by the permittee that such a decrease would not create a litter nuisance problem.
- This program shall include a covered vehicle program designed to minimize litter escaping from vehicles traveling to the site.
- A 24-hour telephone number should be provided to facilitate reporting of illegal dumping.
- Permittee has agreed to prepare and implement a High Wind Shutdown Procedure for Trash Operations, which includes, but is not limited to:
 - If speeds exceed 30 mph for a period of 30 minutes, operations will suspend.
 - If customer vehicles or staff equipment become dangerously unstable or obscured by wind-blown debris or dust (regardless of wind speed).
 - If potentially dangerous objects are picked up and become airborne (regardless of wind speed).
- Permittee will voluntarily train its staff in accordance with County, agricultural, food safety requirements such that they may be able to remove windblown trash from surrounding agricultural areas.

Documentation: The Permittee shall submit a Road Litter and Illegal Dumping Control Plan to the Planning Division and the LEA for review and approval.

Timing: Prior to the issuance of a Zoning Clearance for Use Inauguration, the Permittee shall obtain the approval of the required plan from the following oversight agencies: Caltrans, Agricultural Commissioner, PWA, Planning Division and the LEA.

Monitoring: The oversight agencies shall review the submitted plan for adequacy. The effectiveness of the required program will be monitored as part of the required Annual Status Report submitted by the Permittee.

30. Agricultural Pest Control Program

Purpose: In order to minimize the adverse effects of vectors and pests on agricultural production.

Requirements: The Permittee shall prepare and implement an Agricultural Pest Control Plan.

Documentation: The Permittee shall submit an Agricultural Pest Control Plan to the Agricultural Commissioner for review and approval.

Timing: Prior to the issuance of a Zoning Clearance for Use Inauguration, the Permittee shall obtain the approval of the required plan from the Agricultural Commissioner.

Monitoring: The Agricultural Commissioner shall review the required plan for adequacy. The effectiveness of the required program will be monitored as part of required Annual Status Report submitted by the Permittee.

Note: The landfill facility is currently (as of March 2021) being operated in compliance with this condition.

31. Nuisance Bird Control Program

Purpose: To minimize the public health and nuisance effects of bird accumulation at the working face of the landfill.

Requirements: The Permittee shall prepare and implement a Nuisance Bird Control Plan.

Documentation: The Permittee shall submit a Nuisance Bird Control Plan to the Planning Director and the LEA for review and approval.

Timing: Prior to the issuance of a Zoning Clearance for Use Inauguration, the Permittee shall obtain the approval of the required plan from the Planning Director and the LEA.

Monitoring: The Planning Director and LEA shall review the required plan for adequacy. The effectiveness of the required program will be monitored as part of required annual status report submitted by the Permittee.

Note: The landfill facility is currently (as of March 2021) being operated in compliance with this condition.

32. Public Signage and Notification Program

The Planning Director shall have the right to request new site signs, or modifications to existing site signs, in order to increase safety or provide additional information to the public and onsite workers.

At least twice a year, the Permittee shall send notice to its commercial account holders and publish a newspaper advertisement that advises potential landfill users of the following information:

- The hours which the landfill is open to the public.
- Schedule of charges.
- State laws that prohibit illegal dumping.
- A statement that loads are subject to detailed inspection for hazardous materials on a random basis.
- A statement of where hazardous materials can legally be disposed.
- The materials which the landfill can and cannot accept for disposal.

The required newspaper notice shall be reviewed and approved by the Planning Director prior to publication.

33. Hazardous Waste Diversion Program

Purpose: To minimize the amount of hazardous waste that is ultimately buried in the Toland Road Landfill and to implement mitigation measures identified in the certified 1996 FEIR. The purpose of this program is to divert easily removable hazardous waste from refuse delivered at the Toland Road Landfill, and from loads delivered to the active working face. This waste diversion program is incidental to the land filling of refuse. It is not the intent of this program to serve as a major hazardous waste diversion program which could compete with other, off-site programs and facilities. In addition, it is not the intent of this program that dedicated loads or partially dedicated loads of hazardous waste be brought to the landfill specifically to be able to utilize this waste diversion program.

Requirement: The Permittee shall prepare and implement a Hazardous Waste Diversion Plan. This plan shall include the following components:

- A description of the number of persons assigned, and the personnel hours dedicated, to the task of checking loads for the inclusion of hazardous waste. A minimum of one person trained in hazardous waste identification and disposal shall be on duty at each working face area when waste is received. The checking of waste loads for hazardous waste shall be the primary responsibility of these workers.
- A list of the types of hazardous waste materials that will be subject to removal from the waste load.
- A description of how hazardous waste will be collected, stored and transported from the site for disposal in accordance with State regulations.

- A provision for random truck inspections. At least 10 times per week, a refuse truck shall be randomly selected and its contents inspected in detail. The frequency of random inspections can be reduced by the Planning Director for good cause shown.
- Provisions for record keeping and agency notification of hazardous waste discovery events.
- A description of the progressive warnings and penalties issued to landfill customers caught delivering hazardous waste to the facility.
- A description of the training program for facility employees on the identification, safety measures, and reporting procedures for addressing the discovery of hazardous waste.

Documentation: The Permittee shall submit a Hazardous Waste Diversion Plan to the Planning Director and the LEA for review and approval.

Timing: Prior to the issuance of a Zoning Clearance for Use Inauguration, the Permittee shall obtain the approval of the required plan from the Planning Director and the LEA.

Monitoring: The Planning Director and LEA shall review the required plan for adequacy. The effectiveness of the required program will be monitored as part of required Annual Status Report submitted by the Permittee.

Note: The landfill facility is currently (as of March 2021) being operated in compliance with this condition.

34. Compliance with County Ordinance No. 4445

The Permittee shall meet the contract requirements of Ventura County Ordinance No. 4445 (Solid Waste Collection and Disposal, Waste Reduction and Waste Diversion Programs for Unincorporated Areas) as determined by the Ventura County Integrated Waste Management Department (IWMD).

35. Recyclable Waste Diversion

The Permittee shall cooperate with the County and the cities in the County in accomplishing maximum diversion of recyclable materials from landfill disposal, and shall take all reasonable measures to facilitate local implementation of Public Resources Code section 40000 et seq. (California Integrated Waste Management Act of 1989). These measures shall include, at a minimum, the following:

- a. Providing posted and written information to patrons of the landfill regarding the name, locations and rates of processors or facilities, by material type, which provide an alternative to disposal for recyclable materials or recyclable-rich loads.
- b. Maintenance of an appropriate data collection system, consisting of all equipment, hardware and accompanying software utilized for the purpose of assessing, collecting

- and accounting for landfill information required by applicable State law relating to disposal and diversion tonnages, waste types and sources of generation.
- c. Submittal of quarterly reports to the Director of the Solid Waste Management Department which characterize the incoming refuse received for the period by category, amount and originating city or County jurisdiction.

36. Incoming Waste Reports

On a quarterly basis, the permittee shall submit to the Planning Director and County IWMD a summary of the monthly refuse tonnage reports submitted to the LEA, CalRecycle and other public agencies. These summaries shall also be included in the Annual Status Report.

37. Traffic Impact Mitigation Fee

Purpose: To address the cumulative adverse impacts of traffic on the Regional Road Network. The Ventura County General Plan and Ventura County Ordinance Code, Division 8, Chapter 6 require that the Ventura County, Public Works Agency, Roads & Transportation Department (VCPWA-RT) collect a Traffic Impact Mitigation Fee (TIMF) from the Permittee.

Requirement: The Permittee shall deposit with the VCPWA-RT a TIMF. The trip generation rate and TIMF will be calculated based on the applicant's information. The applicant/permittee may choose to submit additional information or update the Traffic Study to supplement the information currently provided to establish the trip generation rate. The TIMF may be adjusted for inflation at the time of deposit in accordance with the latest version of the Engineering News Record Construction Cost Index. The existing and proposed landfill traffic volume based on the applicant-provided information is summarized in the following table.

Existing and Proposed Average Daily Landfill Traffic Volume

Daily Traffic	Heavy trucks	Medium trucks	Standard automobiles	Trips per vehicle	Average Daily Trips (ADT)
Existing	57	28	139	2	448
Proposed	67	0	0	2	134
Total =					582

TIMF due for the 134 new ADT are as follows:

County of Ventura: \$1,814.36

TIMF is \$13.54/ADT in the Fillmore Area District # 3.

134 ADT x \$13.54/ADT = \$1,814.36

City of Fillmore: \$8,553.22

Reciprocal TIMF is \$63.83/ADT in the City of Fillmore.

134 ADT x \$63.83/ADT = \$8,553.22

Note: *The trips generated by the project shall be used as a baseline level so that the TIMF may be computed for future increases to the trip generation. Based on the applicant's information, the existing baseline level is 448 Average Daily Trips (ADT). The additional ADT for the project is 134 ADT. Thus, the proposed baseline will be 582 ADT.*

Documentation: The Permittee shall come to the VCPWA-RT counter, fill out the TIMF form, and pay the TIMF. The Permittee shall provide a copy of the Conditions of Approval for the project. The fee will not be collected without sufficient documentation.

Timing: Prior to the issuance of the Zoning Clearance for Use Inauguration, all required TIMFs shall be paid to the County PWA. The TIMF due to the City of Fillmore is to be transferred to the City within 30 calendar days in accordance with the reciprocal traffic mitigation agreement between the City and the County of Ventura.

Monitoring and Reporting: The VCPWA-RT will collect the required TIMF and transfer the required funds to the City of Fillmore.

38. Local Road Maintenance Fund

Purpose: To ensure adequate funds are available to maintain the local roadways in the vicinity of the Toland Road Landfill.

Requirement: The Permittee shall submit a one-time fee of \$142,520.00 to pay the Permittee's pro-rata share of the cost to overlay Toland Road.

In addition, the Permittee shall pay an annual fee of \$14,252.00 during each year of landfill operation to fund road maintenance activities needed to address local roadway deterioration caused by landfill traffic. The Transportation Department shall review the road maintenance fee annually and increase or decrease the fee based on actual expenditures and the condition of area roadways.

Documentation: The Permittee shall submit the required fees to the Ventura County, Public Works Agency, Roads & Transportation Department (VCPWA-RT).

Timing: Prior to the issuance of the Zoning Clearance for Use Inauguration, the one-time fee and the annual fee for the current year shall be paid. Subsequent annual fees shall

be paid by January 31 of each year. [Note: This condition has been carried over from the previous CUP. The one-time fee was paid at the time CUP 3141-3 was granted in 1996]

Monitoring: The VCPWA-RT shall maintain a record of fee payments and shall document the reasons for any increase or decrease in the annual fee amount.

Note: The landfill facility is currently (as of March 2021) being operated in compliance with this condition.

39. Landfill Noise Abatement Program

Purpose: To prevent noise generated by landfill operations and related activities from reaching levels that constitute a nuisance in adjacent areas and to implement the intent of noise mitigation measures identified in the certified 1996 FEIR.

Requirements: The Permittee shall develop and implement a Noise Abatement Program that includes the following components:

- Design and operation of the landfill and associated facilities such that noise is not generated in excess of County General Plan Policy HAZ-9.2 standards.
- Install noise suppression equipment on landfill machinery and vehicles.
- Mandate that all landfill employees wear protective equipment to reduce their exposure to noise consistent with OSHA standards.
- Install noise shielding of landfill gas flares.

Documentation: The Permittee shall submit a Noise Abatement Plan to the Planning Director for review and approval.

Timing: Prior to the issuance of a Zoning Clearance for Use Inauguration, the Permittee shall obtain the approval of the required plan from the Planning Director.

Monitoring: The Planning Director shall review the submitted plan for adequacy. Planning will respond to noise complaints and can require the Permittee to conduct offsite noise monitoring and revise landfill operations to ensure that established noise limits are not exceeded.

Note: The landfill facility is currently (as of March 2021) being operated in compliance with this condition.

40. Light and Glare Control

Purpose: To minimize the transmission of landfill lighting onto offsite areas and to implement the intent of lighting and glare mitigation measures identified in the certified 1996 FEIR.

Requirements: The Permittee shall prepare and implement a Night-time Lighting Control Plan.

Documentation: The Permittee shall submit a Night-time Lighting Control Plan to the Planning Director for review and approval.

Timing: Prior to the issuance of a Zoning Clearance for Use Inauguration, the Permittee shall obtain the approval of the required plan from the Planning Director.

Monitoring: The Planning Director shall review the required plan for adequacy. The Planning Director shall respond to public complaints and has the authority to require changes in the lighting facilities on the site. The effectiveness of the required program will be monitored as part of the required Annual Status Report submitted by the Permittee.

Note: The landfill facility is currently (as of March 2021) being operated in compliance with this condition.

41. Biological Resources

Purpose: To prevent, to the extent feasible, adverse impacts on existing biological resources within and near the project area and to implement the intent of the biological resource mitigation measures identified in the certified 1996 FEIR.

Requirement: The Permittee shall prepare and implement a Biological Resource Protection Program. This program shall include the following components:

- Scalebroom Scrub Habitat: Delineation (including mapping) of all areas within the permit boundary (Toland Landfill) that meet the description for scalebroom scrub as described by Magney (1992). Said delineation (map) shall indicate this habitat as a sensitive area closed to vehicle access and a copy of map shall be maintained on file at both the Ventura Regional Sanitation District office and the Toland Landfill site. Should a portion of this area be included within the landfill footprint or associated areas of disturbance, Planning Director approval is required prior to surface area disturbance and the disturbed area shall be revegetated. Vehicle access to the scalebroom scrub habitat area shall otherwise be prohibited.
- Coastal Sage Scrub Habitat: Describe and delineate (map) all coastal sage scrub vegetation to the dominant plant association level (for example: areas of coastal sage scrub dominated by California Buckwheat [Eriogonum fasciculatum] and

California Sagebrush [*Artemisia californica*] shall be described and mapped as a distinct community from areas dominated by California sagebrush and Bush Sunflower [*Encelia californica*]).

- Replacement/Revegetation: Replace/revegetate areas of coastal sage scrub directly affected (disturbed and/or removed) by the landfill expansion with the same plant associations that were impacted.
- Revegetation Monitoring/Maintenance: Monitor and maintain the previously described replacement/revegetation (mitigation) planting for a period of at least 5 years after planting, consistent with the requirements of the approved Post-Closure Maintenance Plan.
- Inventory Nonvascular Plants and Protect Sensitive Taxa: Conduct surveys of the nonvascular plant flora by a qualified botanist/s at the Toland Landfill site to provide a complete inventory of what nonvascular taxa are present and develop a program for protecting said taxa from disturbance or develop appropriate mitigation measures.
- Inventory Invertebrates and Protect Sensitive Taxa: Conduct surveys of the invertebrate fauna by a qualified entomologist at the Toland Landfill site to provide a complete inventory of what invertebrate taxa are present and develop a program for protecting said taxa from disturbance or develop appropriate mitigation measures.
- Determine Presence and Project Effects on Los Angeles Pocket Mouse and Desert Woodrat: Conduct live-trapping according to minimum standards established by the California Department of Fish and Game (CDFG) (a minimum of three consecutive nights) to determine if and where Los Angeles Pocket Mouse and Desert Woodrat are present at Toland Landfill, prepare a map of the occupied habitats and develop a program to protect either species if found on site.
- Control Invasive Exotic Plants: - Develop and implement a program to eradicate and control invasive exotic plants in and on the landfill permit area and adjacent habitats located on permittee owned property.
- Revegetation Program Using Native Plants: Develop a program to use only locally indigenous plant material for revegetation and landscaping purposes consistent with the requirements of this condition and the requirements identified by the Planning Director.
- Protection of Springs and Wetlands: Establish a 100-foot wide setback/buffer around the 4 seeps identified in the certified 1996 FEIR and from O'Leary Creek for the O & M Facilities, except for existing access roads.

Documentation: The Permittee shall submit a Biological Resources Protection Plan to the Planning Director for review and approval.

Timing: Prior to the issuance of a Zoning Clearance for Use Inauguration, the Permittee shall obtain the approval of the required plan from the Planning Director.

Monitoring: The Planning Director shall review the required plan for adequacy. The effectiveness of the required program will be monitored as part of required Annual Status Report submitted by the Permittee. In addition, the revegetation of the site will be assured as part of the required post-closure maintenance of the landfill site.

Reference:

Magney, D.L., 1992. *Descriptions of Three New Southern California Vegetation Types: Southern Cactus Scrub, Southern Coastal Needlegrass Grassland, and Scalebroom Scrub.* *Crossosoma* 18(1):1-9, June

Note: The landfill facility is currently (as of March 2021) being operated in compliance with this condition.

42. Cultural Resources

Purpose: To minimize project related impacts on archaeological and cultural resources located within the permit area and to implement the intent of mitigation measures identified in the certified 1996 FEIR.

Requirements:

Archaeological sites:

- If any previously unidentified human remains or other cultural resources are discovered during facilities development or operation, work in the discovery area shall cease immediately to avoid or minimize any damage to the resource. Any human remains shall, as required by law, be reported promptly to the County Medical Examiner, as well as to the archaeological consultant.
- No further project-related activities in the discovery area shall be undertaken until a qualified archaeologist has evaluated the importance of the site and, if necessary, develop and implement appropriate data recovery. The archaeologist shall be allowed to redirect grading from the area of exposed resources until inspection, evaluation and recovery activities are completed.
- Any activity within 50 meters of site CA-VEN-1237, or between any access road and this site, shall be monitored by a qualified archaeologist. Activities shall include, but not be limited to, any brushing, clearing or blading of these areas,

including any easement areas, which would expose the ground surface or reveal cultural materials. In the event cultural material is exposed, the procedures outlined above shall be implemented.

Historic Sites:

- The permittee shall record, map and describe the three historical sites (105-KB-1,2, and 3) to ensure their locations can be accurately plotted on project map.
- Said information shall also be submitted to the Planning Director for review and approval prior to issuance of the Zoning Clearance for Use Inauguration.
- All ground clearing or other disturbance within 100 meters of the three historical sites shall be monitored by a qualified historical archaeologist. In the event cultural material is exposed, the procedures outlined above shall be implemented.

Documentation: The Permittee shall provide a letter or report that describes the ongoing conformance of the landfill operations with these requirements to the Planning Director for review and approval. *[Note: Documentation submitted at the time CUP 3141-3 was granted may satisfy this requirement.]*

Timing: Prior to the issuance of a Zoning Clearance for Use Inauguration, the Permittee shall obtain the approval of the required letter or report from the Planning Director.

Monitoring: The Planning Director shall review the required letter or report for adequacy. The effectiveness of the required program will be monitored as part of required annual status report submitted by the Permittee.

Note: The landfill facility is currently (as of March 2021) being operated in compliance with this condition.

43. Paleontological Resources

Purpose: To prevent, to the extent feasible, impacts on paleontological resources within the project area and to implement the intent of paleontological resource mitigation measures identified in the certified 1996 FEIR.

Requirement: The Permittee shall prepare and implement a Paleontological Resource Protection Program. This program shall include the following components:

- Paleontological monitoring during grading or other land altering activities in the Pico and Saugus Formations and the Las Posas Sand, including retaining a qualified paleontologist for said monitoring.

- Procedures for temporary redirection of grading away from exposed fossils to allow time for the qualified paleontologist to inspect, evaluate and recover (if appropriate) said fossils.
- Procedures for extended redirection of work from an area where paleontological resources are discovered, should the qualified paleontologist require work to be stopped until an appropriate data recovery program is developed and completed.
- Procedures for recovering, cleaning, cataloging, identifying and curating collected fossils. Said procedures shall include preparation of a report containing monitoring results with itemization of fossils found and place where the fossils were sent. Said report shall be submitted to the Planning Director for review and approval.
- Procedures for ensuring the landfill shall remain accessible to qualified geologists and paleontologists for study and/or collection of specimens exposed during the lifetime of the project.

Documentation: The Permittee shall submit a Paleontological Resource Protection Plan to the Planning Director for review and approval.

Timing: Prior to the issuance of a Zoning Clearance for Use Inauguration, the Permittee shall obtain the approval of the required plan from the Planning Director.

Monitoring: The Planning Director shall review the submitted plan for adequacy. The continued implementation of this program will be addressed in the required annual status report.

Note: The landfill facility is currently (as of March 2021) being operated in compliance with this condition.

44. Landfill Heavy Truck Limitations During School Hours

Landfill-related heavy truck traffic shall: (1) arrive at and depart from the project site only during normal landfill operating hours (i.e. 6:00 am to 6:00 pm, Monday through Saturday); and, (2) not make a left-turn from SR-126 onto Toland Road between 8:00 am and 8:30 am or between 2:30 pm and 3:00 pm in order to avoid arrivals and departures of children from the Santa Clara School.

While Element 1 above applies on all days the landfill is open, Element 2 only applies on days when the Santa Clara School is in session. In addition, Element 2 only applies to landfill-related heavy trucks operated by, or under contract with, the Ventura Regional Sanitation District (VRSD), or from customers with standing contracts at the Toland Landfill. Heavy trucks or minimum fee vehicles which are "cash" or non-contract vehicles are not subject to this condition.

The Planning Director may change the times of any of the above left-turn restrictions to match changes in the school district schedule if requested by the school district after consultation with VRSD.

Note: The landfill facility is currently (as of March 2021) being operated in compliance with this condition.

45. Monitoring of Left Turns by Landfill-Related Traffic from SR 126 onto Toland Road

VRSD shall install, operate, and maintain a video camera that monitors vehicular traffic at the intersection of SR-126 and Toland Road with emphasis on the left-turn lane. This video camera shall have a signal feed to VRSD. VRSD shall record the video feed during hours when left turns from SR-126 are prohibited, and keep a record of each day for at least 30 calendar days for review by any interested party, if requested. VRSD shall also create a written log of the date, time, truck, and driver's name of any truck which violates the left-turn prohibition set forth in this permit. The written log or the 30 calendar-day video log shall be made available for review by any interested party upon formal request.

If the video camera is placed on Santa Clara School District property, VRSD shall make available to the school district a video feed from the camera at no cost to the school district. If the camera is not located on school property, VRSD shall make a video feed available to the school district at the cost of installing and providing the feed.

VRSD has agreed to make the video feed of the left-hand turn pocket from SR-126 to Toland Road from one camera available to the Santa Clara Elementary School through an online log-in password.

All costs of installation, maintenance, operation and liability associated with the camera shall be borne by the VRSD.

Information about trucks violating the left-turn prohibition shall be included in the required Annual Status Report along with any corrective action taken.

This condition only applies to trucks operated by, or under contract with VRSD, or from customers with standing contracts at the Toland Landfill. Heavy trucks or minimum fee vehicles which are "cash" or non-contract vehicles are not subject to this condition

46. No Routine Use of Sycamore Road Underpass

Landfill-related heavy trucks shall not routinely use the SR-126 underpass at SR-126 and Sycamore Road. The underpass shall only be used by such trucks under extraordinary conditions such as accidents, road closures, emergencies, or equipment/truck failures, etc.

This condition only applies to landfill-related heavy trucks operated by, or under contract with, VRSD, or from customers with standing contracts at the Toland Landfill. Heavy trucks or minimum fee vehicles which are “cash” or non-contract vehicles are not subject to this condition.

Note: The landfill facility is currently (as of March 2021) being operated in compliance with this condition.

47. Green Material, Wood Recycling, and Soil Reuse

County Ordinance No. 4445 requires all materials on the *Director's List of Recyclables* to be recycled. Wood and/or green material generated by land-clearing activities on this 2.7-acre project site must be recycled or reused. In this instance, all full-sized trees scheduled for removal may be reused on site to enhance wildlife habitat and encourage biological diversity on the 216-acre Toland Landfill site. The material can also be transported to an authorized greenwaste facility in the County. Any soil not used on site during the construction and/or landscaping phases of this project must be reused; land filling as MSW is prohibited.

Note: The landfill facility is currently (as of March 2021) being operated in compliance with this condition.

48. Commercial Vehicle Used Oil Recycling

The permittee shall arrange for the recycling of all discarded recyclable materials, including motor oil, used oil filters, batteries and antifreeze removed from any commercial vehicles used, maintained, and/or repaired onsite during the operation of the subject facility.

49. Fire Code Permits

Purpose: To comply with the requirements of the Ventura County Fire Code.

Requirement: The Permittee shall obtain all applicable Fire Code permits.

Documentation: A signed copy of the Fire Code permit(s).

Timing: The Permittee shall submit a Fire Code permit application along with required documentation/plans to the Fire Prevention Bureau for approval before final occupancy, installation and/or use of any item/system requiring a Fire Code permit.

Monitoring and Reporting: A copy of the approved Fire Code permits shall be kept on file with the Fire Prevention Bureau. The Fire Prevention Bureau shall conduct a final inspection to ensure that the requirements of the Fire Code permit are installed according to the approved plans. Unless a modification is approved by the Fire Prevention Bureau,

the Permittee, and their successors in interest, shall maintain the conditions of the Fire Code permit for the life of the development.

Note: The landfill facility is currently (as of March 2021) being operated in compliance with this condition.

50. Fire Protection Program

Purpose: To protect the public health and safety and to implement the mitigation measures identified in the certified 1996 FEIR.

Requirements: The Permittee shall prepare and implement a Fire Protection Program that includes the following requirements:

- Fire extinguishers shall be installed in accordance with the National Fire Protection Association Pamphlet #10. The timing of installation and location of the extinguishers shall be subject to the review of the Fire Chief.
- Uniform Fire Code Permits shall be obtained for fuel storage and any other process as may require such permits.
- All internal combustion engines used in the operation of the project shall be equipped with approved spark arresters unless otherwise approved by the Fire District.
- All hazardous materials (new, in use, waste) storage and use shall comply with the California Fire Code.

Documentation: The Permittee shall submit a Fire Protection Plan to the Ventura County Fire Protection District (VCFPD) for review and approval.

Timing: Prior to the issuance of a Zoning Clearance for Use Inauguration, the permittee shall obtain the approval of the required plan from the VCFPD.

Monitoring: The VCFPD shall review the Fire Protection Plan for adequacy. Implementation of the approved plan will be ensured through periodic inspections of the landfill facility. The VCFPD retains the authority to impose additional measures on the landfill operation if required for fire safety.

Note: The landfill facility is currently (as of March 2021) being operated in compliance with this condition.

51. Internal Access Roads

Purpose: To ensure that adequate access for emergency vehicles is installed and maintained on the subject site.

Requirement: The Permittee shall prepare and implement an access plan for the subject facility. This plan shall include the following provisions for access roads leading to the refuse working face:

- Provide safe and continuous access to the working face.
- Provide a minimum of 30 feet of graded width.
- Provide dust control as specified in these conditions.
- Support all refuse and emergency vehicles.
- Shall have not less than 13 ft 6" of vertical clearance.
- Shall have not less than 10 ft of horizontal clearance from each edge of the road travelway.
- Shall not exceed a 10% grade.
- Shall have a minimum center line turning radius of 30 feet.

Documentation: The Permittee shall submit an access plan to the VCFPD for review and approval.

Timing: Prior to the issuance of a Zoning Clearance for Use Inauguration, the permittee shall obtain the approval of the required plan from the VCFPD. The specific design parameters, materials, and cross-sections of the paved roads shall be approved by the Fire Department prior to construction of the roads.

Monitoring: The VCFPD shall review the access plan for adequacy. Implementation of the approved plan will be ensured through periodic inspections of the landfill facility. The VCFPD retains the authority to impose additional measures on the landfill operation if required for fire safety.

Note: The landfill facility is currently (as of March 2021) being operated in compliance with this condition.

52. Adequate Fire Flow

Adequate on-site water for fire department use shall be provided by a domestic water purveyor or on-site storage tanks as approved by the VCFPD. The existing (20,000) gallon supply tanks are acceptable at this time. Any additional structures or relocation of any structures shall be reviewed by the VCFPD and may require alterations to the current water supply, as determined by the VCFPD.

Note: The landfill facility is currently (as of March 2021) being operated in compliance with this condition.

53. Smoking Prohibited

Smoking is PROHIBITED within the boundaries of the landfill, except within designated smoking areas approved by the fire department. A NO SMOKING policy shall be enacted by the permittee. NO SMOKING signs shall be posted.

Note: The landfill facility is currently (as of March 2021) being operated in compliance with this condition.

54. Air Quality Permits Required

Purpose: To ensure that project operations are conducted in compliance with all applicable Ventura County Air Pollution Control District (VCAPCD) Rules and Regulations, including Rule 10, (Permits Required) and Rule 74.17.1, (Municipal Solid Waste Landfills).

Requirement: Permits shall be obtained from the APCD to authorize the installation and operation of certain types of new or modified equipment. The Permittee shall obtain an Authority to Construct (ATC) prior to installation and a Permit to Operate (PTO) prior to operation. All APCD Permitting requirements shall be satisfied prior to the commencement of any operations. To contact APCD Permitting, please call at the Engineering Division at 805-645-1401 or by email at engineering@vcapcd.org.

Documentation: The Permittee shall submit the appropriate ATC/PTO applications and supporting documentation to APCD for review and approval.

Timing: Prior to the issuance of a Zoning Clearance for Use Inauguration to effectuate this CUP, the Permittee shall obtain written confirmation from the APCD that all required permits have been obtained. During the life of this landfill facility, prior to installation or operation of new or modified equipment, the Permittee shall obtain an ATC or PTO, or written confirmation that no permit is required, from the APCD.

Monitoring and Reporting: The APCD will review applications for ministerial air quality permits for adequacy and monitor compliance with issued permits through periodic

inspections. For each permitted project component, a copy of both the approved Authority to Construct and Permit to Operate shall be maintained as part of the project file.

Note: The landfill facility is currently (as of March 2021) being operated in compliance with this condition.

55.a. Nuisance Odors

Purpose: To ensure that discharge of air contaminants that may result from site operations are minimized to the extent feasible in order to avoid odors that constitute a public nuisance.

Requirement: The Permittee shall prepare and implement an Odor Control Plan to ensure that all operations are conducted in conformance with the Rules and Regulations of the VCAPCD, with emphasis on Rule 51, *Nuisance*.

Documentation: The Permittee shall submit an Odor Control Plan to the APCD for review and approval.

Timing: Prior to the issuance of the Zoning Clearance for Use Inauguration, the Permittee shall obtain approval of the Odor Control Plan from the APCD.

Monitoring: The APCD will monitor compliance by response to complaints filed via the APCD Complaint Hotline. APCD inspectors can be dispatched to investigate specific odor complaints in addition to verifying conformance with the approved plan during periodic APCD compliance inspections. A copy of the approved Odor Control Plan shall be kept as part of the project file.

Note: The landfill facility is currently (as of March 2021) being operated in compliance with this condition.

55.b. Off Site Air Monitoring

Purpose: Further study to determine if ongoing landfill operations cause a significant gas discharge problem to nearby sensitive receptors ("significant discharge problem" shall mean discharge contaminants large enough to potentially cause a nuisance to offsite uses" per VCAPCD Rule 51 and/or H&SC 41700).

Requirement: Permittee, in consultation with APCD and up to three willing participants whose primary residence is located within 3,000 feet of Toland Road Landfill, shall develop the scope of the Air Monitoring Study. The scope should include roles and responsibilities of Permittee and participants, types of equipment, locations of monitoring equipment, methods of data collection, baseline conditions, standards of measurement, thresholds of significance, and cost estimate. The Air Monitoring will follow the established scope of work and will include the results of data collected over a 6-month period.

Documentation: The Permittee shall provide the final scope of work and Air Monitoring to APCD and County Planning Division for review upon completion.

Timing: Within six (6) months after the issuance of the Zoning Clearance for Use Inauguration, the Permittee shall provide copies of the final scope of the Air Monitoring. The 6-month air monitoring shall begin within six (6) months after submittal of the final scope and must include part of the summer and fall months, at a minimum, to capture high temperature and high wind events. The Air Monitoring findings shall be prepared and submitted within six (6) months after completion of the monitoring.

Monitoring and Reporting: County Planning Division and APCD will work with Permittee to review and finalize the Air Monitoring findings. Based on the Air Monitoring findings, any recommended changes for odor/landfill gas control will be incorporated in the Odor Control Plan and/or Landfill Operations Plan as they relate to landfill operations.

56. Dust Control Plan

Purpose: In order to minimize the generation of dust emissions that impact the use of offsite lands.

Requirement: The Permittee shall prepare and implement a Dust Control Plan. This plan shall include all feasible dust control methods and mechanisms including, but not limited to the following:

- Use of daily cover other than soil (Alternative Daily Cover) to the extent authorized by the LEA.
- Seeding of inactive areas of the landfill.
- Paving high use roads on site.
- Frequent watering of unpaved roads and other unpaved areas.
- Use of dust stabilizers on unpaved inactive areas, storage piles, roads and work areas.
- Minimizing on-site activities during periods of high winds.
- Installing paved aprons at the intersection of unpaved roads with paved roads.
- Installation of windbreaks/barriers/fences.
- Prohibiting vehicles and other equipment from traveling on areas of the landfill not watered or otherwise treated for dust control.
- The speed limit on landfill/access roads shall be limited to 25 miles per hour on paved roads and 10 miles per hour on unpaved roads.
- Development of a plan to require covers on all full and empty open trucks hauling solid waste for disposal at the landfill, including but not limited to self-haul and landscape trucks.
- Vacuuming of paved access roads.
- Other appropriate controls.
- VRSD will increase all street sweeping operations from three days per week to five days per week.

Documentation: Permittee shall submit a Dust Control Plan and supporting documentation to the APCD for review and approval. The APCD shall conduct this review in consultation with the Agricultural Commissioner and the LEA.

Timing: Prior to the issuance of a Zoning Clearance for Use Inauguration, the Permittee shall obtain the approval of the Dust Control Plan from the APCD.

Reporting and Monitoring: The APCD will monitor compliance by response to complaints filed via the APCD Complaint Hotline. APCD inspectors can be dispatched to investigate specific dust complaints in addition to verifying conformance with the approved plan during periodic APCD compliance inspections. A copy of the approved Dust Control Plan shall be kept as part of the project file.

57. Dust Monitoring

Purpose: Further study to determine if ongoing landfill operations cause a significant dust problem ("significant amount of dust" shall mean a visible cloud of dust large enough to potentially cause a nuisance to offsite uses").

Requirement: Permittee, in consultation with APCD Monitoring Division staff and willing participants whose primary residence is located on Toland Road, shall agree upon the scope of the Dust Monitoring Study. The scope should include roles and responsibilities of Permittee and participants, types of equipment, locations of monitoring equipment, methods of data collection, baseline conditions, standards of measurement, and thresholds of significance. The Dust Monitoring Study will follow the established scope of work and will include the results of data collected over a contiguous 12-month period from three (3) dust/particulate monitors outside of the Toland Road Landfill property in the public right-of-way.

Documentation: The Permittee shall provide copies of the final scope of the Dust Monitoring Study to APCD and Planning Division. The Permittee shall provide the Dust Monitoring Study to APCD and Planning Division for review upon completion.

Timing: Within six (6) months after the issuance of the Zoning Clearance for Use Inauguration, the Permittee shall provide copies of the final scope of the Dust Monitoring Study. The 12-month monitoring shall begin within six (6) months after submittal of the final scope. The Dust Monitoring Study shall be prepared and submitted within six (6) months after completion of the monitoring.

Monitoring and Reporting: Planning Division and APCD Monitoring Division will work with Permittee to review and finalize the Dust Monitoring Study. Based on the Dust Monitoring Study, any recommended changes for dust control will be incorporated in the Dust Control Plan as they relate to landfill operations only.

58. Traffic Calming

Purpose: To support traffic law compliance on Toland Road and the Toland Road/SR 126 intersection.

Requirement: Permittee shall: (1) work with the appropriate County of Ventura agency to install, maintain, and operate a speed indicator and/or camera to support speed limit compliance by VRSD contract customers on Toland Road; and (2) initiate and manage the logistics for a joint effort with residents on Toland Road to meet with Ventura County and Caltrans to discuss the feasibility and implementation of traffic calming measures at the Toland Road and Highway 126 intersection.

Documentation: Permittee shall submit a work plan on how it will work with appropriate County and State agencies to discuss feasibility and implementation of the requirements listed above to the Planning Department for review and approval.

Timing: Within nine (9) months of the issuance of the Zoning Clearance for Use Inauguration, the Permittee shall complete the requirements listed above.

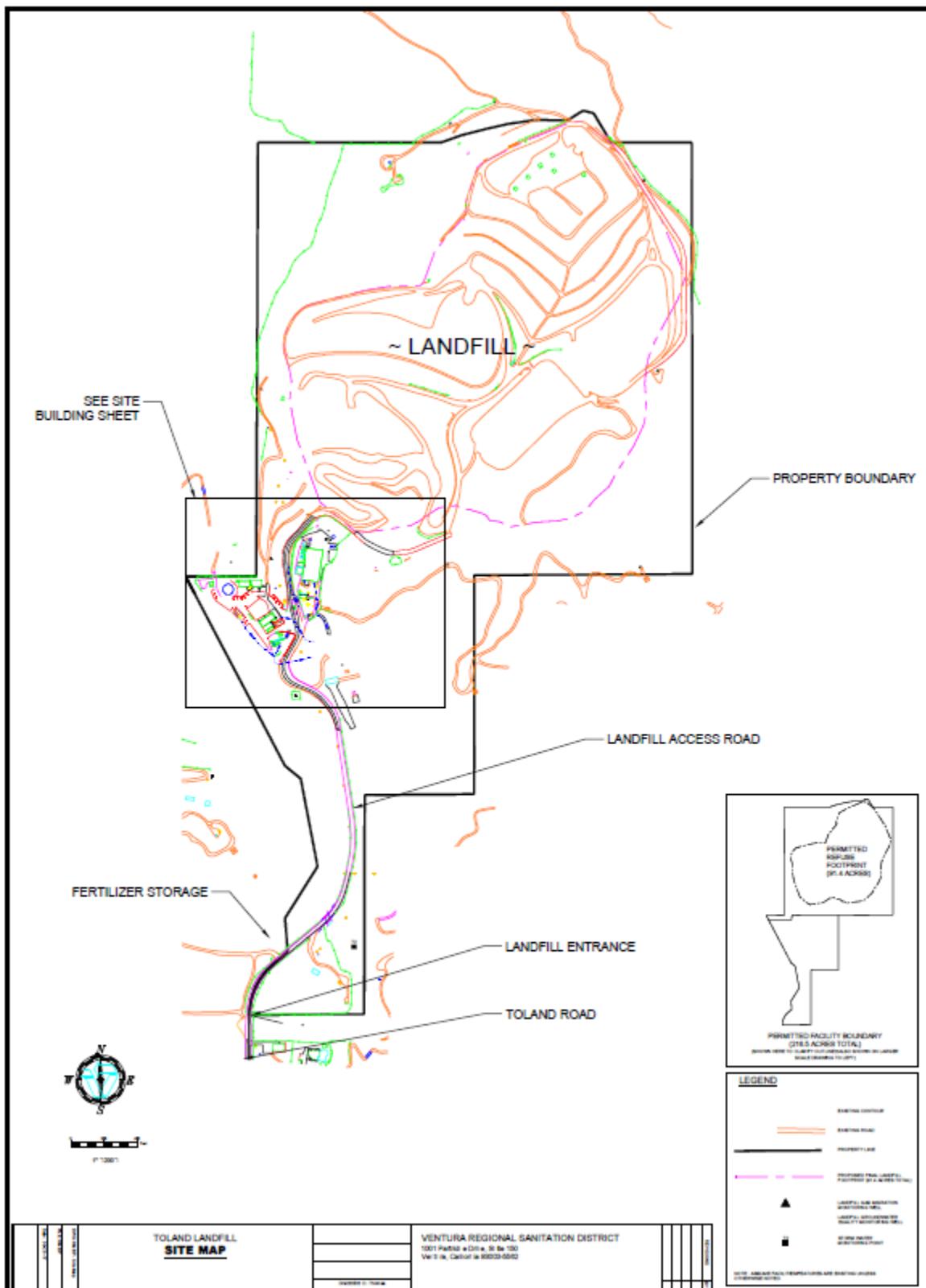
Monitoring and Reporting: Permittee shall submit notes and minutes of meetings with County representatives and Caltrans on the feasibility and implementation of requirements listed above.

59. Conflicts with Other Laws, Regulations and Permits

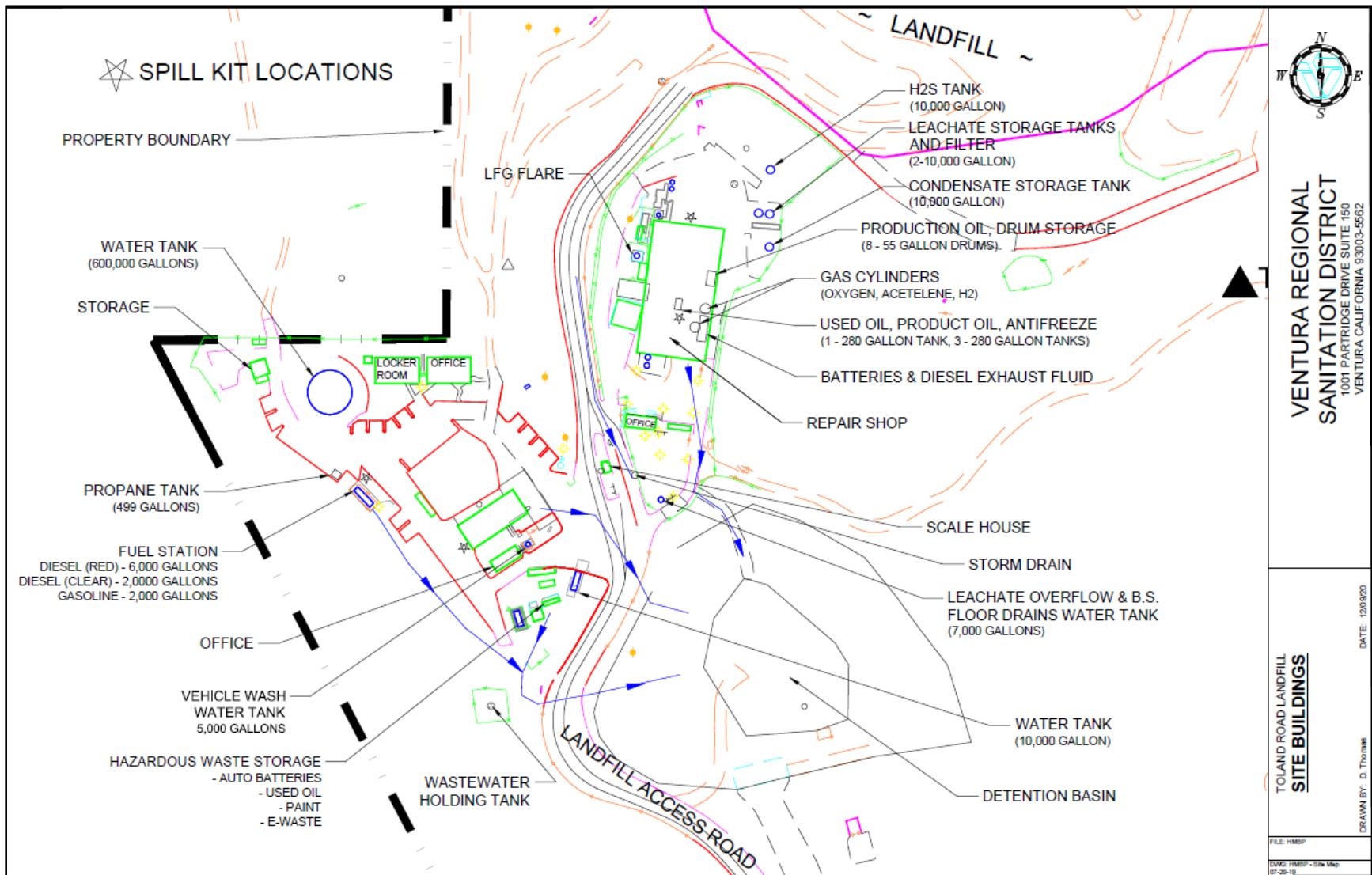
No condition of this permit shall be interpreted as permitting or requiring any violation of law, or any lawful rules or regulations or orders of an authorized governmental agency. In instances where more than one set of rules or regulations apply, the stricter rules or regulations shall take precedence

60. Approved Plans

The following maps and diagrams comprise the approved plans for the authorized landfill facility. These plans supersede and replace all other plans previously approved for this facility.



Item # 7



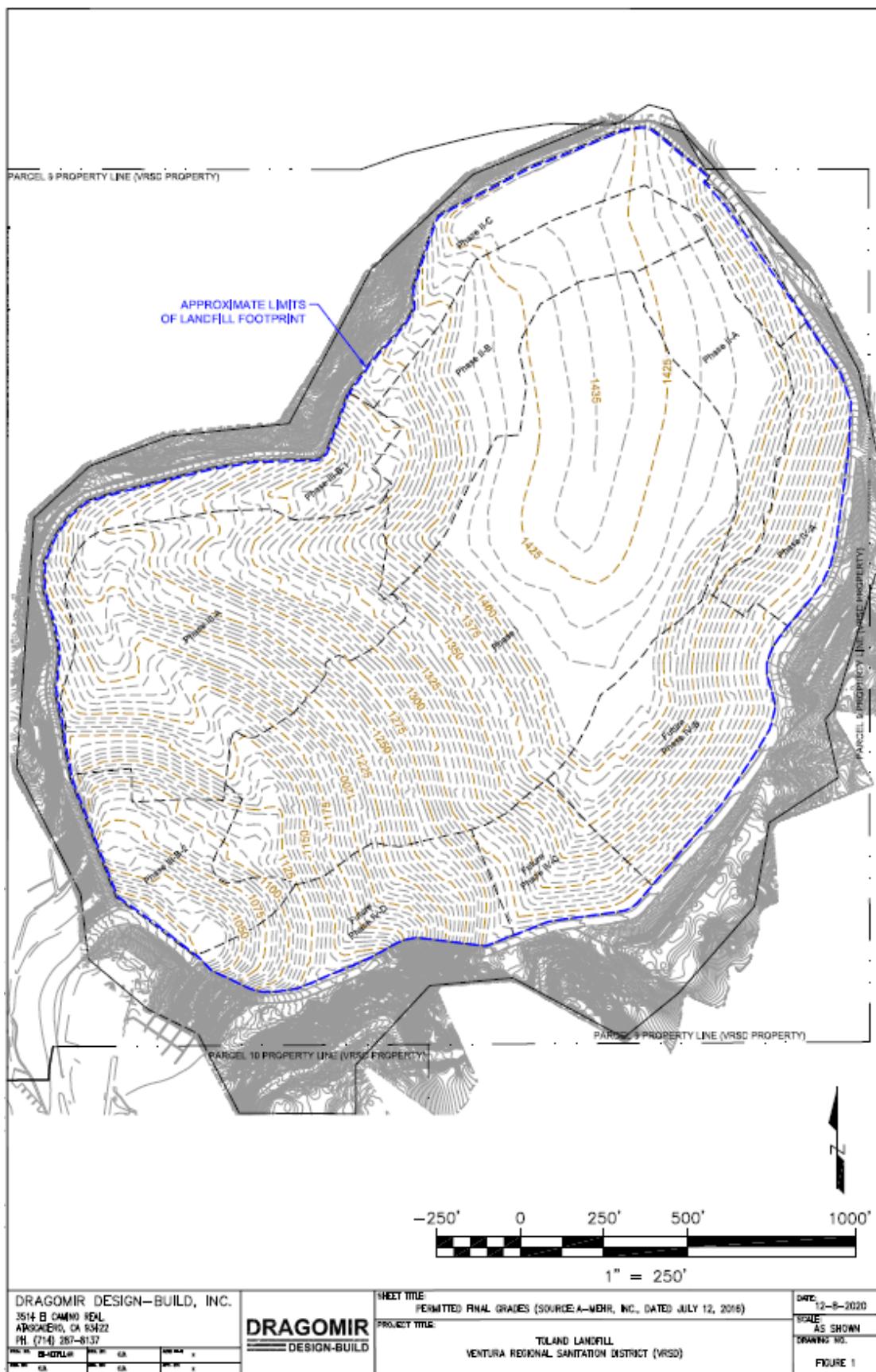


EXHIBIT B

SCOPE OF SERVICES & RATE SHEET

The following, subject to DISTRICT modification, deletion or addition, specifies the work statement and scope of work to be performed by CONTRACTOR for this Agreement and the rates to be charged in connection with CONTRACTOR's delivery of off-site air and dust monitoring services to the DISTRICT.

I. PROJECT DESCRIPTION

Prepare and complete a Community Air Monitoring Program ("CAMP") guidance document or plan which fully addresses the required air and dust monitoring elements of Conditions 55.b. and 57, respectively, as set forth in Exhibit A. Once the CAMP is completed and accepted in accordance with the applicable CUP condition language, CONTRACTOR shall implement the CAMP for both air and dust monitoring and provide any necessary findings to the DISTRICT and applicable regulatory agencies.

II. GENERAL CAMP PROJECT DESIGN & APPROACH

Contractor shall use existing air and dust sampling methodologies accepted by the Ventura County Air Pollution Control District ("APCD") and neighboring air pollution control or air quality management districts. Since CUP Condition 55.b. calls for air monitoring or ambient air monitoring that is in general accord with existing air pollution control regulations, reliance on South Coast Air Quality Management District ("SCAQMD") Rule 1150.1 should satisfy this regulatory purpose because SCAQMD Rule 1150.1 contains methodology, sampling procedures, and related analytical guidance that evaluates the potential impacts from municipal solid waste landfill operations to off-site receptors. For CUP Condition 57 (Dust Monitoring), Contractor shall prepare a dust monitoring study that involves the deployment of continuously operational dust monitoring stations at three locations as further specified in Condition 57, in addition to monitoring the perimeter of the TRL boundary in order to evaluate the source of potential dust-related impacts, if any.

III. SCOPE OF WORK

A. TASK 1: DEVELOPMENT OF A COMMUNITY AIR MONITORING PLAN (CAMP)

1. Contractor, on behalf of the DISTRICT, will work in a collaborative and iterative manner with APCD staff, County of Ventura, Resource Management Agency, Planning staff ("County Planning"), and the willing participants to develop a CAMP designed to meet the requirements of CUP Conditions 55.b. and 57.
2. Contractor shall design the CAMP to provide detail on the meteorological setting of TRL and surrounding communities, as well as detail on receptors within 3,000 feet of the landfill (55.b.) and parcels along Toland Road (57). This information will provide the basis for

proposed periodic ambient air monitoring locations and continuous dust monitoring stations.

3. Contractor shall design the CAMP to include the selection of proposed locations and sampling parameters for the ambient air study, as well as proposed locations for the dust monitoring study.
4. Contractor will conduct an inspection and survey of the area surrounding the TRL, review meteorological data, identify potential receptor locations, and assess access and security issues associated with any proposed locations, including availability of power for continuous monitoring stations. The monitoring locations will include community locations selected in accordance with applicable CUP conditions while avoiding other sources that could affect the integrity of the collected and reported data.
5. Contractor shall design the CAMP to designate at least one air monitoring station upwind and one station downwind of the TRL based on the most common wind conditions in order to obtain necessary background data on the TRL to compare to any off-site data.
6. The air monitoring study will utilize periodically-deployed sampling apparatus, on a monthly basis with the dust monitoring stations being automated, with data transmitted to an online database over wireless cellular modems.
7. Contractor shall include details of the proposed air monitoring study required under CUP Condition 55.b. regarding anticipated parameters on toxic organic compounds, hydrogen sulfide, as well as other municipal solid waste landfill gas indicator compounds.
8. In cooperation with the APCD staff, County Planning staff, and the willing participants, Contractor, on behalf of the DISTRCIT, will administer agreement on a procedure for evaluating the air monitoring data and assessing when, and if, such results might be considered significant under applicable federal, state, or local laws and regulations.
9. Contractor shall include details of the proposed dust monitoring study required under CUP Condition 57, and CAMP shall include monitoring parameters for the dust monitoring study stations -- particulates, specifically particulate matter less than 10 microns in diameter (PM10).
10. During development of the CAMP, Contractor will meet with APCD staff, County Planning staff, and willing participants to proactively identify proposed air monitoring station locations in the surrounding community.
11. Contractor agrees and understands that the CAMP is to be the result of an iterative process with APCD, County Planning, and willing participants for the determination of the scope of the required Air Monitoring and Dust Monitoring studies.

TASK 2: IMPLEMENTATION OF CAMP

Upon completion of Task 1, Contractor will undertake Task 2 when the DISTRICT issues a Notice to Proceed to Contractor. TASK 2 includes, but is not limited to, the following sub-tasks:

- (1) deployment and placement of air and dust monitoring devices per the CAMP;
- (2) conducting air monitoring and dust monitoring;
- (3) collecting air monitoring data and documenting the Air Monitoring findings;
- (4) completing the Dust Monitoring study;
- (5) finalizing Air Monitoring Study; and
- (6) modifying the District's Odor Control Plan, Landfill Operations Plan, and Dust Control Plan if changes are supported and justified by the Air Monitoring Findings or the Dust Monitoring Study.

Task 2 shall be completed within the time frame set forth in Conditions 55.b. and 57, respectively.

The final scope and cost of Task 2 shall depend upon the outcome of the final scope of the air monitoring and the dust monitoring studies in the CAMP as determined in Task 1. So, preliminarily, Task 2 is funded with an allowance of \$175,000.

IV. COST ESTIMATE for TASK 1

Description	Fee Basis	Fee
Task 1 – CAMP Development	Fixed	\$10,000
Allowance item for attendance at meetings	T&M	\$5,000
TOTAL		\$15,000

V. COST ESTIMATE for TASK 2

Task 2 will be initially funded as an allowance item of \$175,000, which represents the maximum expected amount required. The actual fee will be determined with VRSD staff prior to commencement of Task 2.

VI. TIME FOR COMPLETION OF TASKS

A. CONTRACTOR shall complete the following tasks within the time periods listed below based on the date of the DISTRICT's Notice to Proceed with Task 1:

1. Initial CAMP submittal within 3 Months of the date of the Notice to Proceed.
2. Final CAMP Submittal within 6 Months of the date of the Notice to Proceed.

B. CONTRACTOR shall complete the following tasks within the time periods listed below based on the date of the Notice to Proceed with Task 2:

Regarding Condition No. 55.b:

1. Commence 5-month Air Monitoring within 3 months
2. Complete Air Monitoring within 9 months
3. Submit initial Air Monitoring Findings within 12 months
4. Submit Final Air Monitoring Findings within 15 months
5. If indicated by the Air Monitoring Findings, modify the Toland Road Landfill Odor Control Plan and the Landfill Operations Plan within 16 months

Regarding Condition No. 57:

1. Commence 12-month Dust Monitoring within 3 months
2. Complete Dust Monitoring within 15 months
3. Submit initial Dust Monitoring Study within 18 months
4. Submit Final Dust Monitoring Study within 21 months
5. If indicated by the Dust Monitoring Study, modify the Toland Road Landfill, Dust Control Plan within 22 months