

# **JAMESTOWN LAND FILL**

## **REASON FOR INVESTIGATION**

Current members of the 2009-2010 Civil Grand Jury, who served on a previous year's jury, suggested this year's jury investigate the process of closure and sealing, as well as the current state of the site and project.

The Jamestown land fill was an active, ongoing activity for 21 years, spanning from 1974 to 1995 when it was closed. It was later sealed to prevent ground water contamination.

## **METHODOLOGY**

Members of the jury held meetings with individuals who were directly or indirectly involved with the closure and sealing project plans, the execution, and subsequent activity which has been underway since 2006. These meetings included the Public Works Department staff and County Counsel.

## **FACTS**

The Jamestown land fill, located on 54 acres off Campo Seco Road, was in operation for 21 years, from 1974 until 1995. The facility processed approximately 1700 tons a month of garbage for commercial and private interests.

In May, 2005, the site was closed permanently.

A request for bid for site sealing was initiated by the Public Works Department. The agencies involved were the California Regional Water Quality Control Board (RWQCB), the Public Works Department, County Engineering, Board of Supervisors and the contractor.

The initial sealing project started on August 14, 2004, and ended in May, 2005. The end date was five (5) months late versus what was originally expected and communicated.

The initial approved project cost of \$4.47M (4.47 Million Dollars) was exceeded, resulting in a cost overrun of \$1.3M (1.3 Million Dollars).

Following project completion, the quality monitors of the RWQCB and county staff reflected land fill seal failures along with significant soil erosion resulting from the clay cap failing due to slippage. This initial report was made in 2004. The "failure" was RWQCB Assessment.

A new activity consisting of problem assessment and recommended corrective action, rework and sealing was placed for bid and subsequently approved by the Public Works Department and the Board of Supervisors.

The extensive redesign, repair, and reseal activity was carried out by Geomatrix, the contract winner, over an extended period of time owing to dealing with multiple forms of seal failure causes and timelines.

The project was completed in late 2008 at an additional cost of \$8.8M (8.8 Million Dollars). The recommendations were derived from a joint effort of the RWQCB, Condor Earth Technologies, the contracted consultant firm, and Geomatrix.

To date, periodic checks of the land fill seal by Condor Earth Technologies and the RWQCB confirm the rework project has been successful. Appropriate reports and test results continue to confirm the integrity of the land fill seal and the surrounding water.

The initial fill sealing failure has resulted in penalties being assessed by the RWQCB against Tuolumne County. These penalties are expected to be forgiven once the RWQCB has read and approved the successful seal activity report. The following reports were submitted to the RWQCB; Closure Construction Certification Report in June, 2009, and Revised Final Post-Closure Maintenance Plan in August, 2009. To date, no assessed penalties have been paid by the county. The RWQCB approved the rescission of the penalties associated with the violations at the Jamestown Land Fill during their board meeting, March 18, 2010.

Given the initial project failure and subsequent costs to rectify the problems, a series of formal actions were undertaken by various county agencies, including County Counsel. These actions include litigation and claims to the insurance company to recover losses due to the failed project and rework. These are ongoing activities as of the date of this report.

### **FINDINGS**

1. The initial bid and project for land fill sealing was adopted in spite of objections by personnel with the county who felt the end result of the project would not be successful.
2. Acceptance of the initial sealing plan could have been supported by more aggressive consultation of the RWQCB members and other knowledgeable contractors.
3. Other land fill and sealing activity in other counties where aggressive terrain was involved was not researched aggressively. This could have been used to confirm or refute the feasibility of the initial plan adopted and funded by the County.

### **RECOMMENDATIONS**

1. For Finding 1, additional effort should be made to resolve conflicts and lack of project confidence expressed by engineering staff members.
2. For Findings 2 and 3, the experiences of both the RWQCB and other counties should be researched (known as best practice) as a due diligence action prior to releasing very costly projects, should they be necessary in the future.

### **COMMENDATIONS**

The Civil Grand Jury would like to express their appreciation to the numerous individuals and agencies we met with. This includes Craig Pedro, Peter Rei and Gretchen Olsen. All staff contacted was very open, cooperative and helpful with verbal responses and back-up documentation concerning the activities covered in this report.