RESPONSE TO GRAND JURY REPORT FORM

Report Title: A LANDFILL THAT REFUSED TO DIE

Report Date: May 1, 2013

Response by: Trey Strickland **Title: Environmental Health Manager- Env. Health Division**

FINDINGS

- I (we) agree with the findings numbered: 4, 6
- I (we) disagree wholly or partially with the findings numbered: 1, 2, 3, 5

  (Attach a statement specifying any portions of the findings that are disputed; include an explanation of the reasons therefor.)

RECOMMENDATIONS

- Recommendations numbered n/a have been implemented.

  (Attach a summary describing the implemented actions.)

- Recommendations numbered n/a have not yet been implemented, but will be implemented in the future.

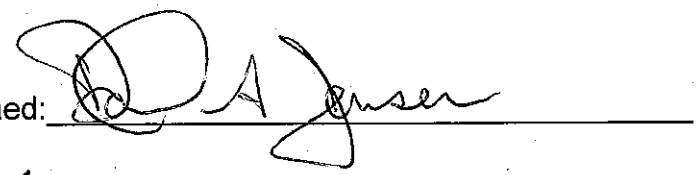
  (Attach a timeframe for the implementation.)

- Recommendations numbered n/a require further analysis.

  (Attach an explanation and the scope and parameters of an analysis or study, and a timeframe for the matter to be prepared for discussion by the officer or director of the agency or department being investigated or reviewed, including the governing body of the public agency when applicable. This timeframe shall not exceed six months from the date of publication of the grand jury report.)

- Recommendations numbered n/a will not be implemented because they are not warranted or are not reasonable.

  (Attach an explanation.)

Date: July 16, 2013 Signed: 

Number of pages attached 1

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Findings:

F1: The March 13, 2012 CalRecycle directive placed the Ukiah Landfill on its list of non-compliant sites and required the LEA to issue the March 30, 2012 Compliance Schedule. The LEA is required to follow a prescribed, progressive enforcement protocol to attain compliance.

F2: Both prescriptive clay caps and geosynthetic liner caps can be appropriate for closure. It is the City of Ukiah's responsibility to propose the cap design and engineer its proper installation. Oversight agencies will review the proposed design to determine its adequacy.

F3: City of Ukiah staff has proposed a general date of fall 2013 for the submittal of their Closure Plan and closure in summer 2014. However, the LEA has directed them to submit a revised Closure Plan several times in the past year, most recently by June 24, 2013. The LEA is concerned that continued delays will jeopardize beginning closure construction in summer 2014.

F5: Closure Cost estimates are developed by licensed engineers using available data. Though not exact, they should be considered reasonably accurate, not arbitrary.

Recommendations:

R1, R2, R3: The LEA agrees with the Recommendations in the Grand Jury report. However, the City of Ukiah, as the responsible party, is the sole entity that can implement the Recommendations.