

5-15-1992

# Conflict of Interest in Landfill Site Approvals by the Regional Water Quality Control Board, San Francisco Bay Region

Senate Select Committee on State Procurement and Expenditure Practices

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CALIFORNIA LEGISLATURE  
SENATE SELECT COMMITTEE ON  
STATE PROCUREMENT AND  
EXPENDITURE PRACTICES  
SENATOR DANIEL BOATWRIGHT, CHAIRPERSON

Public Hearing on  
**CONFLICT OF INTEREST IN  
LANDFILL SITE APPROVALS BY THE  
REGIONAL WATER QUALITY CONTROL  
BOARD, SAN FRANCISCO BAY REGION**



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GOLDEN GATE UNIVERSITY

Friday, May 15, 1992  
9:00 a.m. - 1:00 p.m.  
Pittsburg City Council Chambers  
65 Civic Avenue  
Pittsburg, California

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PUBLIC HEARING  
BEFORE THE SENATE SELECT COMMITTEE  
ON STATE PROCUREMENT AND EXPENDITURES PRACTICES

In the Matter of: )  
Possible Conflict of Interest on the )  
Part of State Officers in the Approval )  
of the Keller Canyon Landfill and Other )  
Disposal Sites in the Bay Area. )

ORIGINAL

PITTSBURG CITY COUNCIL CHAMBERS  
65 CIVIC AVENUE  
PITTSBURG, CALIFORNIA

FRIDAY, MAY 15, 1993  
9:00 A.M.

Reported by: Clara Mae Mathis  
CSR No. 2382

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COMMITTEE MEMBERS PRESENT

Senator Daniel Boatwright, Chairman  
Senator Ruben S. Ayala, San Bernardino County  
Senator William Lockyer

STAFF MEMBERS PARTICIPATING

Alvin Gress, Legislative Counsel



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P R O C E E D I N G S

1  
2 CHAIRMAN BOATWRIGHT: Good morning. My name is Dan  
3 Boatwright. I'm Senator of the Seventh senatorial district of  
4 the State of California.

5 I would like to introduce to you to my right, Senator  
6 Ruben Ayala from San Bernardino County. We will shortly be  
7 jointed by Senator Lockyer from Alameda County.

8 I'd like to introduce also Alvin Gress who is the  
9 legislative counsel representing the State of California, my  
10 administrative assistant to this Committee, Mary Muele.

11 I would like to introduce some of the people who are here  
12 working, helping us today. Debbie Manning, sergeant with the  
13 Senate's Sergeants' Office, Raquel Lujano who's also a sergeant.  
14 Also a sergeant, in the back of the room is Wayne Karlstad. He  
15 also is with the Sergeant's Office of the Senate.

16 And our court reporter today is Clara Mae Mathis.

17 And so that sort of gets the preliminaries out of the  
18 way.

19 What I would like to do at this time is to ask if the  
20 following people are here. And that's Steven Ritchie?

21 MR. RITCHIE: I'm here.

22 CHAIRMAN BOATWRIGHT: Thank you.

23 Kirsten Ritchie?

24 MS. RITCHIE: Here.

25 CHAIRMAN BOATWRIGHT: Thank you.

1 Richard McMurtry?

2 MR. McMURTRY: Here.

3 CHAIRMAN BOATWRIGHT: All right.

4 George Leydia?

5 MR. LEYDIA: Here.

6 CHAIRMAN BOATWRIGHT: Curtis Scott?

7 MR. SCOTT: Here.

8 CHAIRMAN BOATWRIGHT: Larry Kolb?

9 MR. KOLB: Here.

10 CHAIRMAN BOATWRIGHT: And Patricia Schifferle?

11 Is she here yet?

12 Okay. What I would like to do now is to have the  
13 Legislative Counsel to ask those persons whose names were called  
14 if you would, please, come forward so you can hear. The counsel  
15 is going to advise you. You have certain rights, and he will  
16 advise you of those rights. So if you would all come forward,  
17 the people whose names I called, and you said were here.

18 MR. GRESS: Good morning, Ladies and gentlemen. I'm  
19 Alvin Gress from the Legislative Counsel's Office and serving as  
20 counsel to the Select Committee today.

21 Today we will ask that you all be sworn, and take the  
22 oath, and to testify on the record.

23 In connection with this legislative hearing and other  
24 legislative hearings, all witnesses appearing have certain  
25 rights, and at this point I would like to read a statement to

1 you concerning your rights, and then I'm going to ask the  
2 sergeant to pass out a written copy of this statement. The  
3 statement is Section 919410 of the Government Code which  
4 provides that a person sworn and examined before the Senate,  
5 Assembly, or Legislature Committee cannot be held to answer  
6 criminally or be subject criminally to penalty or forfeiture for  
7 any fact or act touching upon a matter which he or she is  
8 required to testify other than for perjury committed in  
9 testifying or contempt.

10           However, this Committee will not require your testimony.  
11 The Committee does not wish to be placed in a position where it  
12 can be claimed that you received immunity from any possible  
13 criminal prosecution because of your testimony before this  
14 Committee. Because you are not being given immunity from  
15 criminal prosecution, you have a constitutional right not to  
16 testify this Committee.

17           If you desire to waive this right and to testify  
18 voluntarily, you will be given that opportunity subject to the  
19 following conditions: (A) If you do not wish to answer any  
20 question, you will so state. (2) in the absence of such a  
21 statement, your answer to each question will be entirely  
22 voluntarily. (3) if you choose to testify, you will be sworn  
23 under oath and will therefore be subject to criminal prosecution  
24 for perjury committed in testifying.

25           If you choose to so testify voluntarily, you're reminded



1 that any self-incriminating statement you make can be used  
2 against you in a criminal proceedings.

3 CHAIRMAN BOATWRIGHT: Thank you.

4 What we have done is for your convenience, we have  
5 asked the City to provide a room, and the room is over here.  
6 It's a nice room. It has coffee, and if you want to use the  
7 telephone, they'll accommodate you. There are bathrooms.

8 What we ask is that wherever you go, kind of stick around  
9 so when the sergeant asks you to come for your testimony, you  
10 will be available. And so we're trying to accommodate you just  
11 as well as you can.

12 With this, Sergeant, would you show them where the room  
13 is, please. And then we will get back to you. This hearing  
14 will end at one o'clock under any circumstances.

15 And at this time, I would like to note that we are joined  
16 by Senator Bill Lockyer, as I said a few moments ago, from  
17 Alameda County. So thank you.

18 And Sergeant, would you show them where the bathrooms  
19 are and the other accommodations. Thank you.

20 I'm going to ask the Committee secretary to call the roll  
21 to establish the quorum at this point in time. Would you call  
22 the roll, please.

23 MS. MUELE: Senator Boatwright?

24 CHAIRMAN BOATWRIGHT: Here.

25 MS. MUELE: Senator Lockyer?

1 SENATOR LOCKYER: Here.

2 MS. MUELE: Senator Ayala?

3 SENATOR AYALA: Here.

4 MS. MUELE: Senator Greene.

5 (There was no response.)

6 CHAIRMAN BOATWRIGHT: A quorum being present, we will  
7 proceed as the Committee.

8 And I would like to at this time, since the witnesses are  
9 out of the room -- pardon me?

10 SERGEANT KARLSTAD: No, they're here.

11 CHAIRMAN BOATWRIGHT: I asked you to show the witnesses  
12 from the room. The witnesses are excluded from this hearing,  
13 Sergeant. Only the witness who is testifying will be in this  
14 room. This is a quasijudicial proceeding.

15 Would you do that now, please.

16 (Whereupon the witnesses left the council chambers.)

17 For the audience, that's almost necessary in order to  
18 have an independent recollection by each witness that testifies.  
19 Since they are going to be under oath, we want each witness'  
20 independent recollection and not what they may have sat here and  
21 heard some other witness say.

22 With that, I'm going to, for the record and for the  
23 people here this morning, to indicate what this particular  
24 hearing is about. The Senate Select Committee on State  
25 Procurement and Expenditure Practices is a general research

1 committee of the state Senate which was created in 1982 for the  
2 purpose of conducting investigative oversight hearings into the  
3 practices of state offices.

4           The Select Committee has the authority to hold hearings,  
5 subpoena witnesses, and to compel testimony by subpoena. We  
6 hope we don't have to do that.

7           Previous hearings by the Select Committee of  
8 investigative issues have been peace officer training practices,  
9 police brutality complaints, waste, corruption, and  
10 mismanagement of the state prisons and a \$17 million fraudulent  
11 telecommunication contract for state offices. The  
12 telecommunications hearings resulted in a Department of General  
13 Services employee being sent to prison for five years.

14           Many important pieces of legislation have come out of the  
15 these hearings. For example, the police training hearing  
16 inspired legislation to require racial sensitivity training for  
17 officers and to stiffen penalties for falsified police reports.

18           Hearings on prison corruption and the fraudulent  
19 telecommunications-contract motivated legislation to establish  
20 stronger conflict-of-interest prohibitions on state workers  
21 involved with the awarding of state contracts.

22           Now the purpose of today's hearing is to examine possible  
23 conflicts of interest by state officers involved in the approval  
24 of Keller Canyon landfill site and other waste disposal sites  
25 in the Bay Area. In doing so, we will also examine current

1 deficiencies in state conflict-of-interest laws regarding state  
2 officers and employees.

3           The situation that prompted this hearing has been a March  
4 1991 approval of the Keller Canyon landfill site of the  
5 San Francisco Bay Regional Water Quality Control Board. There  
6 are some circumstances surrounding the approval of this landfill  
7 site by that Board, specifically actions by the senior employees  
8 of the Board, that has led to the meeting and this examination.

9           The Committee will investigate a possible conflict of  
10 interest involving Steven Ritchie, who's the executive officer  
11 of the Board, whose wife, Kirsten Ritchie was the director of  
12 environmental compliance for Browning-Ferris Industries, BFI,  
13 during the time that the landfill site was approved by the  
14 Board. BFI is the owner of the Keller Canyon Landfill Company  
15 which is building the landfill.

16           We will also question Mr. Ritchie on other waste-disposal  
17 sites in which he participated in the decisions despite possible  
18 conflicts.

19           The Committee will also question Mr. Lawrence Kolb,  
20 assistant executive officer of the Board, who is a member of a  
21 committee of the Sierra Club Bay Chapter, which endorsed the  
22 Keller sites.

23           Specifically, the hearing will focus on the following  
24 issues related to key witnesses: (1) possible conflicts  
25 regarding incompatible activities by public officials as noted

2  
1 in Section 19990 of the Government Code; (2) possible conflicts  
2 involving a financial interest by public officials as noted in  
3 Section 87103 of the Government Code which necessitates  
4 disclosure and disqualification; (3) the method of recusement or  
5 disqualification for public officials in conflict-of-interest  
6 situations.

7 Now other witnesses who will appear today will be  
8 Kirsten Ritchie; Richard McMurtry, who is the Groundwater  
9 Protection Division chief of the Regional Board; George Ledia,  
10 who is the engineering geologist; and Curtis Scott, senior,  
11 engineer of the Regional Board.

12 All witnesses, of course, will be subjected to time  
13 constraints. We are going to end this hearing at one o'clock to  
14 accommodate Senator Ayala who is going back to San Bernardino  
15 County, and I will really want to tell you I appreciate his  
16 attendance. Senator Lockyer, who had other things today on his  
17 agenda, cancelled out this morning to be with us, and I want  
18 both of those Senators to know I appreciate their appearance.

19 Through the testimony that will be provided by these  
20 various witnesses, we will examine possible violations of and  
21 existing weaknesses in our conflict-of-interest laws affecting  
22 state officers and employees.

23 And with that, I would like for the sergeant to ask  
24 Kirsten Ritchie if she would come as our first witness, please.

25 Sergeant, when Patricia Schifferle comes in, would you

1 also ask her if she would wait outside somewhere in that room or  
2 anywhere she wants to, please.

3 (Kirsten Ritchie was escorted into the chambers.)

4 Mrs. Ritchie, counsel will now swear you in for your  
5 testimony.

6 MR. GRESS: The Government Code of the State of  
7 California contains provisions which set forth your rights as a  
8 witness before this Committee. You have been read those rights  
9 at the beginning of this hearing, and a copy of those provisions  
10 has been provided to you.

11 You understand the statements regarding your rights  
12 before this Committee?

13 MS. RITCHIE: I do.

14 MR. GRESS: Do you wish to testify voluntarily under the  
15 conditions presented?

16 MS. RITCHIE: Sure.

17 MR. GRESS: At this time I will administer the oath.  
18 Would you please raise your right hand.

19 Do you solemnly swear or affirm that the testimony you  
20 are about to give this Committee shall be the truth, the whole  
21 truth, and nothing but truth?

22 MS. RITCHIE: I do.

23 MR. GRESS: Please be seated.

24 KIRSTEN RITCHIE,  
25 having sworn to tell the truth, testified as follows:



EXAMINATION BY CHAIRMAN BOATWRIGHT

Q. Mrs. Ritchie, for the record, would you state your full name.

A. Kirsten Tede Ritchie. The middle name is spelled T-e-d-e.

Q. And by whom are you presently employed, or where do you presently work?

A. I'm presently employed by the Glass Packaging Institute located in Washington D.C. My office is in Oakland, California.

Q. And when did you commence your employment with the Western States Glass Recycling?

A. February 1st, 1992.

Q. And was that company in existence in California before you went to work for them?

A. The Glass Packaging Institute is the parent organization of the Western States Recycling Program. GPI was in existence prior but in Washington D.C. The Western States Glass Recycling Program was only created in February.

Q. So you were the first person, at least in California, to represent that organization; is that correct?

A. Yes.

Q. And I'm looking now -- and I need a sergeant -- at a fictitious name statement that was filed with Alameda County on March 3rd, 1992 which states the fictitious business name is Western States Glass Recycling Program, and it lists Kirsten

1 Tede Ritchie as one of the registered owners as an  
2 unincorporated association other than a partnership. Are you in  
3 fact one of the owners of the Western Glass packaging Institute  
4 as it exists in Oakland, California?

5 A. I would like to know which one you have, because we have  
6 been going back and forth with the City to try and get those  
7 straightened out.

8 CHAIRMAN BOATWRIGHT: Let the record show that the  
9 sergeant is showing the witness a fictitious name statement that  
10 was filed with the County of Alameda -- I believe it was March  
11 23rd, 1992.

12 A. Yes, I did file this, and from -- I was given the  
13 understanding that I'm the one representative of the  
14 organization here in Oakland. And since the only category they  
15 have is "owner," that is the category we listed. An  
16 unincorporated association. The Western States Recycling  
17 Program is a nonprofit organization, and that's why that  
18 category is checked off.

19 Q. Is it in fact -- is the Western Glass Institute in  
20 Washington D.C. a corporation?

21 A. It's a nonprofit corporation.

22 Q. Nonprofit corporation?

23 Q. I can't tell you exactly how that works out.

24 Q. Were you told by someone how to fill this out?

25 A. The clerk at the desk.

3  
1 Q. Are you, in fact, one of the owners of the Western States  
2 Glass Recycling Program for Oakland, California?

3 A. Since I guess the -- I'm not sure if the program has  
4 ownership.

5 Q. Let me ask you this: How are you paid?

6 A. I'm a salaried employee by the Glass Packaging Institute.  
7 I'm the executive director of the program.

8 Q. Your check comes out of Washington D.C.?

9 A. Yes.

10 Q. Where does the money come from that goes into Washington  
11 D.C. that results in you salary? Does it come from a landfill  
12 corporation?

13 A. No, not at all. The money comes from what's called the  
14 International -- I can't exactly remember the name right now.  
15 There was a trust fund that was set up in the mideighties  
16 whereby a nickel for each man hour worked in making glass  
17 containers in the glass plant was put into the fund to fund the  
18 activities of the Glass Packaging Institute in the areas of  
19 promoting glass containers and glass recycling.

20 So the money comes from that trust fund through GPI to  
21 pay my salary.

22 Q. And so far as you know, no money goes into the trust fund  
23 from landfill companies in the United States?

24 A. None that I know of.

25 Q. What is your annual salary at Western States Glass

3  
1 Recycling

2 A. Is that relevant to this?

3 Q. Yes, ma'am. It sure is.

4 A. My annual salary is \$75,000 a year.

5 Q. 75,000. All right. Do you also have benefits?

6 A. Yes.

7 Q. Does that include health?

8 A. Yes.

9 Q. Does that include dental?

10 A. Yes.

11 Q. Does that include vision?

12 A. I'm not is sure.

13 Q. Does it include days off?

14 A. Holidays, yes, and vacation.

15 Q. Holidays? How many days vacation a year?

16 A. Two weeks -- ten days.

17 Q. Do you get sick leave?

18 A. Yes.

19 Q. Do you have a retirement program?

20 A. There is one. I'm not eligible until I have been with  
21 the program at least a year.

22 Q. Okay. Prior to your working for the Western States Glass  
23 Recycling, for whom did you work?

24 A. Browning-Ferris Industries of California.

25 Q. And when did you terminate your employment with them?

1 A. January 35th.

2 Q. 1992?

3 A. 1992.

4 Q. When did you commence work for Browning-Ferris  
5 Industries? BFI, I'll call it.

6 A. It was late June 1989. I think the date was June 26th.  
7 1989.

8 Q. What was your education?

9 A. I have a bachelor's degrees in civil engineering from  
10 U.C. Berkeley, and I have a master's in civil engineering from  
11 San Jose State University.

12 Q. When you were working for BFI, what was your designation  
13 or title?

14 A. I had two titles. When I started working for BFI, my  
15 title was director of environmental affairs. I was in charge of  
16 the Vasco landfill. I was then promoted in June of 1990 to  
17 director of environmental compliance for Browning-Ferris  
18 Industries.

19 Q. And in your capacity working for BFI did you work on  
20 various landfills throughout the Bay Area?

21 A. Yes, I did.

22 Q. And I wonder if just from memory, you can tell me the  
23 name or names of those landfills.

24 A. I worked on the Vasco road sanitary landfill in  
25 Livermore. I had some association with the Newby Island

4  
1 landfill in San Jose. I worked a little bit on the Ox Mountain  
2 landfill in San Mateo, and also for a short while on the Keller  
3 landfill in Contra Costa County.

4 Q. Did you also work on the Apanolio landfill?

5 A. Not when I was with BFI. For your clarification, the Ox  
6 Mountain sanitary landfill has two landfills, one currently  
7 operating Los Trancos Canyon, and I was involved in that one  
8 relative to the environmental climate.

9 Q. What -- pardon me. I didn't understand what you said.

10 A. There are two canyons at Ox Mountain. Ox Mountain has an  
11 existing operating landfill know as the Los Trancos landfill.  
12 There is also a proposed expansion in Apanolio Canyon.

13 I was involved in the Los Trancos relative to climate  
14 issues, but not the Apanolio Canyon as far as I recall.

15 Q. When you were with BFI, did you ever work on the Apanolio  
16 landfill site?

17 A. Yes, I did.

18 Q. Is that when you were with Brian, Kangas, Foulk &  
19 Associates?

20 A. Yes, I did.

21 Q. So we will add that.

22 Were there any other landfill sites that you worked on  
23 other than Vasco Road and Newby Island, Ox Mountain, Keller, and  
24 Apanolio?

25 A. Not in the Bay Area. In other areas of California, yes.



1 Q. How about in Region II which is the Bay Area Water  
2 Quality Management District Region II? Did you work on other  
3 sites in Region II?

4 A. While I was in BFI? No.

5 Q. Not with BFI. We'll get to the others.

6 A. Not other landfills sites if that's what you're getting  
7 at.

8 Q. When you were working with BFI, you say not on other  
9 landfills. What other type of activity did you do for BFI then?

10 A. BFI has some other facilities in the Bay Area. They  
11 include the transportation and corporation yard for the San  
12 Mateo District. They include the corporation yard for the  
13 Holling Company in San Jose. They include the Nybian Recyclery.  
14 There is also the Pleasant Hill Bayshore corporation yard here  
15 which is a facility that I didn't really work on.

16 Q. Did you ever do any work on the Anglia fill?

17 A. No.

18 Q. You do you know the name Boyd Olney? Did you work with  
19 him on the Keller Canyon landfill siting for the BFI?

20 A. On the project. Not on the siting facility. On the  
21 project I did, yes.

22 Q. Was BFI's intent to get the landfill sited as a landfill?

23 A. I believe that's why they purchased it.

24 Q. Wasn't it your job to work on the siting of Keller Canyon  
25 landfill?

4  
1 A. When you say "siting," to me that's more the  
2 identification of the location. When BFI became involved in  
3 the project, it had already been identified and was going  
4 through the permitting process. I was working on permitting of  
5 that facility, not necessarily siting.

6 Q. Maybe I misused the term. So we'll say you worked on the  
7 permitting from the original Board, correct?

8 A. No.

9 Q. You didn't? Wasn't that the whole purpose of the work  
10 that BFI was doing to get regional permits? They couldn't open  
11 the landfill without regional permits, could they?

12 A. They needed a number of permits. I was brought on board  
13 shortly after BFI concluded initiations with Boyd Olney. The  
14 initiation permits required were the general planning permit as  
15 well as some rezoning applications, and I was involved in the  
16 project from -- it was summer of 1989 through to February,  
17 March, shortly after the Planning Commission made its decision  
18 to approve the project.

19 After that point in time, I was being considered for the  
20 regional position and was basically provided some small  
21 technical support for the next couple of months on the Keller  
22 Canyon project, and basically effective in the summer of 1990, I  
23 was no longer involved with Keller.

24 Q. You had substantial meetings up until then. For example,  
25 I'm looking at a meeting agenda of March 9th, 1990 in which you

4  
1 gave the report on the status of the Keller Canyon landfill  
2 project, Kirsten Ritchie, BFI, and present at that were John  
3 Anderson from CH2M Hill; Tim Bray, CH2M Hill, and he reported on  
4 the bottom liner system; is that not all correct?

5 A. Yes, that's correct.

6 Q. And so you did substantial work on the Keller Canyon  
7 landfill at least up until and through the summer of 1990?

8 A. That's what I just said.

9 Q. When did you quit all work on Keller Canyon landfill for  
10 BFI?

11 A. To the best of my recollection, it was the summer of  
12 1990. There may have been some things after that, but certainly  
13 I don't recall attending any meetings, particularly on Keller,  
14 reviewing anything much past that point.

15 Q. What was your rate of pay when you went to work for BFI?

16 A. Salary, \$50,000 a year.

17 Q. What was it when you ended your employment with them?

18 A. \$55,000.

19 Q. And to whom are you married?

20 A. Steven Ritchie.

21 Q. Steven Ritchie. All right. Now, before working for BFI,  
22 could you tell us who you worked for just immediately prior to  
23 BFI.

24 A. I worked for Dames & Moore, an international consulting  
25 company, with offices in San Diego. I worked in San Francisco.

1 Q. And what was the date you worked for Dames & Moore?

2 A. Dames & Moore? I worked from mid-1987 through when I  
3 took the employment with BFI which was in late June of 1989. I  
4 don't recall the date exactly that I started working with  
5 Dames & Moore.

6 Q. And what type of work does Dames & Moore do?

7 Q. They do primarily technical and environmental  
8 engineering. They are a consulting engineering firm.

9 Q. And do they do work as consulting engineers on landfill  
10 sites?

11 A. Yes, they do.

12 Q. Did they do work for BFI on their landfill sites??

13 A. No, they didn't. At least in this region that I am aware  
14 of.

15 Q. That you are aware of, huh?

16 A. They may have done some work for other BFI facilities in  
17 other states.

18 Q. Tell me some of the sites that they did work on if not  
19 for BFI.

20 A. We worked on the Camp Pendleton landfill located down in  
21 Southern California. We did some work -- we actually did a  
22 siting study for Kings County. In that sense we reviewed the  
23 landfill sites.

24 We did a siting study for San Diego County. There are a  
25 few more that are there, but I don't recall.

5  
1           They also did a fair amount of work in performing solid  
2 assessments tests, and that was, for the most part, another  
3 division. And I'm not really sure of the facilities.

4 Q.       So to the best of your knowledge, they did no work on  
5 landfills in the Bay Area?

6 A.       I can't -- I know we proposed on some. They may have  
7 been working on hazardous waste landfills.

8 A.       Hazardous waste? Is that subject to control of the  
9 Regional Water Quality Control Board? Hazardous waste siting?

10 A.       Yes, it is.

11 Q.       Did you do any work in the Bay Area on any land sites  
12 during the time you worked for Dames & Moore? In the Bay Area.

13 A.       What do you mean by land sites?

14 Q.       Landfills. As we commonly refer that term.

15 A.       Landfills. No, not that I recall.

16 Q.       Okay. Did you ever do any work on any landfills or  
17 anything else for Waste Management of North America?

18 A.       We did -- no, when I was at Dames & Moore towards the end  
19 of my tenure, we did submit a proposal to do an EIR for the  
20 Marsh Canyon landfill. Dames & Moore was not selected to do  
21 that EIR.

22           I don't recall doing any particular work. I think we  
23 tried, but I don't think we did any.

24 Q.       You did no work? Why?

25 A.       No.

5 1 Q. Now you say that you know Boyd Olney. He was the  
2 president of the Keller Canyon landfill at the time you were  
3 working for BFI, correct?

4 A. Correct.

5 Q. And you said that you did no work on that landfill?

6 A. Not that I recall.

7 Q. Did you ever -- did you have access to working out of  
8 Pleasant Hill Bayshore's offices? Or use those?

9 A. I never -- there would be times when I would be in the  
10 area, and I could stop by and maybe use the telephone or the fax  
11 machine, but there was no office there. No office was made  
12 available.

13 I was currently at that time officed out of the Livermore  
14 facility, the Vasco landfill in Livermore. There was no  
15 permanent office made available, either long-term or temporary.

16 Q. You did on occasion use the telephone for business calls?

17 A. Yes.

18 Q. Use their fax machine?

19 A. Yes.

20 Q. Did they also at times make a desk available to you so  
21 you could do some work?

22 A. For short periods of time, but never more than like a  
23 half hour or an hour or so.

24 Q. Were any moneys ever paid, so far as you know, by BFI to  
25 Acme to reimburse them for telephone calls, use of the fax



1 machine, use of the equipment, and the desk, or anything like  
2 that?

3 A. Not that I'm aware of.

4 Q. Before Dames & Moore -- and you said you went to work  
5 there in '87. For whom did you work?

6 A. I worked for Brian, Kangas, Foulk & Associates.

7 Q. And what was their type of work?

8 A. They were a civil engineering and design firm primarily  
9 for the land development business, residential and commercial  
10 construction.

11 Q. And what was your title there?

12 A. Project engineer I believe.

13 Q. And is that with when you worked on the Ox Mountain  
14 sanitary landfill and the Apanolio landfill site?

15 A. Yes.

16 Q. And when did you commence work for Brian, Kangas & Foulk?

17 A. And I believe it was mid-1985.

18 Q. And you worked there till what time in '87?

19 A. I think it was April, May or somewhere in there.

20 Q. Spring?

21 A. Yes.

22 Q. Spring of '87? All right.

23 And what was your rate of pay when you were working for  
24 Brian, Kangas & Foulk?

25 A. I think when I left, it was somewhere around \$38,000,

6  
1 \$40,000.

2 Q. And I think I asked you how much you made at Dames &  
3 Moore; did I not?

4 A. I don't think you did.

5 Q. How much did you make?

6 A. When I started I made the same as when I was at BKF. It  
7 was about 37. When I left I think it was about 45.

8 Q. When you went to work for BFI, how was it that you left  
9 Dames & Moore and went to work there? Did they call you up and  
10 ask you to go to work there? Or did you call down and ask to go  
11 to work?

12 How did that happen?

13 A. When I was at Dames & Moore, I had been brought on to  
14 basically try to help develop the solid waste business. Dames &  
15 Moore had been going into the hazardous waste field, and they  
16 wanted to branch out in that business.

17 Being there for a couple of years, it was frustrating.  
18 They did not have a long history of working in the solid waste  
19 field, and they weren't specialists.

20 I was also having to do five years in the consulting  
21 field feeling I really wanted to have a chance to see how  
22 industry really working. I worked in government. I worked in  
23 consulting, and I felt it was time to learn the other part of  
24 the circle.

25 And I had continued some relations with people at BFI.

1 At one time there was an interest expressed in going to work for  
2 them.

3 I can't recall if they called me and said, "Would you be  
4 interested?" Or if they did call and say, "Would you be  
5 interested?" and I said, "No, not immediately." And then after  
6 I had been with Dames & Moore for a year and a half, about a  
7 year later, I said, "Oh, yeah. Let's give it a shot."

8 So I made the overtures to go to work for them when I  
9 finally did.

10 Q. So I'm going to ask the sergeant now to show you a couple  
11 of telephone-call records from Brian, Kangas, Foulk & Associates  
12 and ask if you have ever seen these before. And one of them  
13 is -- it's page 1 of two pages, and the second page of two pages  
14 dated 20 November 1986.

15 Would you show this to the witness, please.

16 (The witness examined the document.)

17 A. I recognize the handwriting, you know. The details I  
18 can't be sure, but I was cc'd on it. And my boss was actually  
19 pretty good at distributing things.

20 Q. Do you have any reason to believe that's not a true and  
21 correct record?

22 A. No, I don't.

23 CHAIRMAN BOATWRIGHT: I would like those marked as an  
24 exhibit, please.

25 /////

6  
1 (TELEPHONE CALL RECORD DATED NOVEMBER 20,  
2 1986 was marked Exhibit No. 1.)

3 Q. Now I'm going to ask the sergeant to show you from Brian,  
4 Kangas, Foulk & Associates on their stationery dated February  
5 13, 1986 from Kirsten Ritchie to various persons, the subject  
6 was the Apanolio Canyon expansion. I want you to take a look  
7 and tell me if you have ever seen this before.

8 (The witness examined the document.)

9 A. Yes.

10 CHAIRMAN BOATWRIGHT: All right. That will be marked  
11 Exhibit No. 2.

12 (LETTER DATED FEBRUARY 13, 1986 was marked  
13 Exhibit No. 2.)

14 Q. You have previously seen and identified this fictitious  
15 name certificate. Look again and tell me if that's the one you  
16 saw before.

17 A. Yes.

18 CHAIRMAN BOATWRIGHT: Would you mark that as Exhibit  
19 No. 3, please.

20 (FICTITIOUS BUSINESS NAME STATEMENT  
21 was marked Exhibit No. 3)

22 Q. And I referred to a meeting, again on March 9th on the  
23 Keller Canyon landfill project where certain people were there,  
24 and your name appears giving a report on the status of the  
25 Keller Canyon landfill.

Take a look at that and tell me if that represents the

6  
1 meeting that you attended.

2 A. It could be. The -- I don't understand the observation  
3 at the end, and I don't recall having seen the agenda. But it  
4 could be that I did attend the meeting at CH2M Hill or wherever  
5 the office was.

6 Q. Speak into the microphone.

7 A. I don't recall particularly seeing the agenda.

8 CHAIRMAN BOATWRIGHT: Let me have it back, Sergeant,

9 Q. And do you recall attending a meeting around March 9th,  
10 1980 -- '90 -- at which John Anderson from CH2M Hill was there?

11 A. There were many meetings at CH2M Hill during the time I  
12 worked there.

13 Q. Do you recall specifically a meeting where Tim Bray of  
14 CH2M Hill reported on the bottom liner system?

15 A. Yes.

16 Q. All right.

17 CHAIRMAN BOATWRIGHT: I want this marked as Exhibit  
18 No. 4.

19 (MEETING AGENDA DATED MARCH 9, 1990 was  
20 marked Exhibit No. 4.)

21 Q. When we talk about the bottom liner system -- and I'm  
22 not necessarily referring to this; I'm referring to that  
23 term -- were you talking about the separation between waste and  
24 groundwater?

24 A. Not that I recall.

25 Q. Was that ever discussed by you with anyone?

6 1 A. It may have come up in conversation. It was not  
2 discussed in detail.

3 Q. Did you ever read any of the various reports that were  
4 compiled by BFI?

5 A. The various reports?

6 Q. Various reports.

7 A. There were a lot -- a number of different reports.

8 Q. I'm going to ask that you take a look at this document.  
9 You worked for BFI on Keller; did you not?

10 A. Yes.

11 Q. All right. And you were working for them on 24 October  
12 1989; were you not?

13 A. Yes.

14 Q. And you were working on Keller at that time; were you  
15 not?

16 A. Yes.

17 Q. I want you to take a look at this paper, specifically the  
18 area that's yellow-lined, and tell me if you have ever discussed  
19 the issue of five-foot separation between waste and groundwater  
20 with anyone or ever seen anything like this before.

21 (Witness examining document.)

22 A. I don't recall having seen this exact text.

23 Q. Right.

24 A. I do --

25 Q. The discussions about the subject matter, though, is what

1 I'm asking you about. Was that a big issue with BFI? The  
2 ground liner system?

3 A. There was the issue of what protection was necessary to  
4 achieve the proper separation.

5 Q. Right.

6 A. And BFI was relying -- along with Keller Landfill  
7 Company -- on their consultant, CH2M Hill, to develop a  
8 situation suitable to take care of that situation.

9 Q. So the answer to my question specifically, when I ask you  
10 if you were familiar with the issue between the requirement for  
11 a five-foot separation between groundwater and waste, you were  
12 familiar with that issue at Keller canyon landfill, and that was  
13 a big issue with BFI?

14 A. I wouldn't say it was a big issue with BFI. I mean it  
15 was an issue.

16 Q. Was there ever any discussion as to how much could be  
17 saved with that?

18 A. Not to my recollection.

19 Q. Did you ever work with Munsky & Associates to develop  
20 land-use economics on the Keller Canyon landfill?

21 A. The name sounds familiar. I don't recall any  
22 conversations.

23 Q. What specifically was your job on Keller Canyon landfill?

24 A. Initially, when I came on board with BFI, I think the  
25 reason there was some interest in having me work on this

1 particular project, (1) I had familiarity with Contra Costa  
2 County and (2) I had familiarity with how certain consulting  
3 firms work.

4 And there was a -- basically, BFI, it was a new  
5 acquisition, and they needed somebody who had some eyes and ears  
6 could understand some situations and make sure that the work  
7 that was being done on the project was of high quality and good  
8 value for the money. And that was basically, in part, my job.

9 And so I was the liason to the consulting team which was  
10 basically CH2M Hill.

11 Q. And you have never heard any discussion in your job for  
12 BFI with respect to this five-foot groundwater-to-waste  
13 separation, that complying with that would be more expensive  
14 than an engineered alternative?

15 A. At that point in time that I was working on the project,  
16 we were primarily focusing on the issues related to the general  
17 planning limit and local land-use concerns: transportation  
18 issues, vegetation issues, the issues that are associated with  
19 that.

20 The details relative to the engineering design were  
21 coming up in part, but really -- and I was involved on a  
22 somewhat of a general level. There was a lot of technical  
23 detail that happened on the project, I believe, after I was  
24 working on other projects.

25 Q. So you worked with Mr. Bray from CH2M Hill?



7  
1 A. Yes.

2 Q. And I want to tell you he was subpoenaed, but because of  
3 time constraints, we are not going to get to him today. But he  
4 will be back to testify on another day.

5 So it's your clear testimony that there was never any  
6 discussion with you about cost savings due to an engineered  
7 alternative to the five-foot separation that we have been  
8 discussing? Is that your testimony?

9 A. No, that's not my testimony.

10 Q. I'm asking you, then, very specifically did you ever have  
11 discussions with Mr. Hill, or Gil Shapiro, or any else  
12 representing CH2M Hill about the cost savings that would accrue  
13 to BFI at the Keller Canyon Landfill as a result of an  
14 engineered alternative to the five-foot separation between water  
15 and waste?

16 A. I never had conversations with Mr. Hill. I presume you  
17 mean Mr. Bray.

18 Q. Mr. Bray. Tim Bray.

19 A. And Gil Shapiro. And I said earlier, there could have  
20 very well been discussions. I don't recall the discussions  
21 being of any in-depth issue.

22 There were a lot of other issues we were working on at  
23 the time that had, potentially had, economic impacts on the  
24 development of the project. We could have discussions -- we may  
25 have had discussions -- if we did, they were very, very brief --

7  
1 on this particular issue.

2 Now, there are other issues relating to the liner and  
3 design of sidewalk, but the five-foot separation issue is one  
4 that I don't recall having any long, detailed discussion on.

5 Q. Did you ever discuss Keller Canyon landfill with your  
6 husband?

7 A. Discuss?

8 Q. Uh-huh. Discuss.

9 A. We would occasionally talk about it.

10 Q. Did you ever have any discussion with him about Vasco  
11 Road landfill?

12 A. Again, the level of discussion we have -- I worked out  
13 there. We had some discussion.

14 Q. The Newby Island landfill with your husband?

15 A. Potentially.

16 Q. Pardon me?

17 A. I was working on those projects, so they could have come  
18 up during conversation.

19 Q. Ox Mountain landfill? Discussions with your husband?

20 A. Probably.

21 Q. Apanolio landfill? Discussions with your husband?

22 A. Probably.

23 Q. And you have already said that yes, you did have  
24 discussions about Keller.

25 A. Uh-huh.

1 Q. Did you ever discuss with him about other work that you  
2 were doing for BFI rather than on Keller landfill?

3 A. Yes.

4 CHAIRMAN BOATWRIGHT: I am going to excuse you as a  
5 witness for the time being. You are still under subpoena. I'm  
6 not going to release you until one o'clock. I may want to  
7 recall you.

8 Sergeant, would you ask Steven Ritchie to come in.

9 Would you mark this as Exhibit No. 5.

10 (PAGE 4-16 OF A DOCUMENT was marked Exhibit  
11 No. 5.)

12 (Steven Ritchie was escorted into the chambers.)

13 MR. GRESS: Mr. Ritchie?

14 MR. RITCHIE: Yes.

15 MR. GRESS: I'm now going to give you the oath, but  
16 before I give you the oath, I would like to ask you several  
17 questions. The Government Code of the State of California  
18 contains provisions that set forth your rights as a witness  
19 before this Committee. You have been read those rights at the  
20 beginning of this hearing, and a copy of those provisions has  
21 been provided to you.

22 You understand these statements regarding your rights  
23 before this Committee?

24 MR. RITCHIE: Yes, I do.

25 MR. GRESS: Do you wish to testify voluntarily under the

8 1 conditions presented?

2 MR. RITCHIE: Yes, I do. Although I can't imagine a  
3 question I would not want to answer, but I suppose if one came  
4 up, I might.

5 MR. GRESS: Thank you very much.

6 At this time I will administer the oath. Would you  
7 please stand and raise your right hand.

8 Do you solemnly swear or affirm that the testimony you  
9 are about to give this Committee shall be the truth, the whole  
10 truth, and nothing but truth?

11 MR. RITCHIE: I do.

12 MR. GRESS: Please be seated.

13 STEVEN R. RITCHIE,

14 having been duly sworn to tell the truth, testified as follows:

15 EXAMINATION BY CHAIRMAN BOATWRIGHT

16 Q. Would you state for the record your full name, please.

17 A. My name is Steven R. Ritchie.

18 Q. And by whom are you employed?

19 A. I am employed by the California Regional Water Quality  
20 Control Board, San Francisco Bay Region.

21 Q. Is that Region II?

22 A. Yes.

23 Q. And what is your position?

24 A. I'm the executive officer of this Board.

25 Q. When did you assume the position of executive officer?

8  
1 A. I assumed the position on June 27th, 1988.

2 Q. And prior to assuming the position of executive officer,  
3 what position did you hold with the Regional Water Quality  
4 Control Board?

5 Immediately before assuming the position, I was the  
6 division chief of the Land Disposal Division.

7 Q. And when were you appointed chief of that Division?

8 A. It was about the 1st of February, 1987.

9 Q. And prior to becoming the chief of the Division of  
10 Industrial Waste or whatever it's referred to, landfill, what  
11 was your position with them prior to that time?

12 A. I was the section leader in charge of basic planning for  
13 the Regional Board.

14 Q. Were you at one time acting chief of the Division of Land  
15 Waste Regulation before you became the division chief?

16 A. Well, let's see. In '87 -- I'm trying to recall if that  
17 was an acting position or full at that time. It may have been  
18 acting for a period of a few months before it was formal.

19 Somebody mentioned it was at that time called the  
20 Industrial Division, and during that time it changed to the Land  
21 Disposal Division.

22 Q. And prior to becoming the acting division chief, what was  
23 your job title?

24 A. Section leader in charge of the Basic Planning Section.

25 Q. What are your duties as executive officer there?

1 A. As executive officer of the Board, I am the appointing  
2 authority of the Board. I have the personnel power of the  
3 Board. I'm an exempt employee that serves at the pleasure of  
4 the Board, and I'm responsible for the staff activities there.

5 I make recommendations to the Board on their actions on  
6 matters that I'm involved in. I have the ability in my position  
7 to -- particularly administratively now -- issue complaints for  
8 penalties which a discharger could agree to pay or, waive the  
9 right to a hearing, or ask for a hearing in front of the  
10 Regional Board.

11 Q. As executive officer, do you direct and control the  
12 activities of all the personnel in the Regional Board?

13 A. I do not directly. I have working under me Larry Kolb as  
14 assistant executive officer, and during this year I have a  
15 person on contract from EPA as an assistant executive officer.  
16 She commenced her duties in April.

17 And then below Larry and the other assistant CEO there  
18 are five division chiefs, and they manage their divisions. So I  
19 give overall direction to them. I do not manage the day-to-day  
20 affairs of all the individuals.

21 Q. It's my understanding that as part of your statement of  
22 authority that you supervise the line staff in charge of all  
23 water quality permits and regulations for all landfills within  
24 the Regional Board's jurisdiction; is that correct?

25 A. That's correct.

8 1 Q. And in the area of jurisdiction, Region II takes in what  
2 counties or area basically?

3 A. It largely covers the nine-county Bay Area region. It  
4 goes -- the boundary of the region is actually between Pittsburg  
5 and Antioch, where everything downstream from Pittsburg on down  
6 to the Golden Gate is our region, and it goes as far as north as  
7 St. Helena and Napa in that direction, and the line to the south  
8 is between Morgan Hill and San Jose. On the coast side, it's  
9 from roughly the mountains to Tomales Bay down to Sacramento.

10 Q. Does it have something to do with the drainage areas?

11 A. That's correct. Those lands are all the lands that are  
12 tributary to San Francisco Bay excluding everything east of  
13 Pittsburg.

14 Q. And as the executive officer of the Regional Board, I  
15 assume that you are familiar with the conflict-of-interest  
16 regulations that affect you; is that correct?

17 A. Yes, I am.

18 Q. And specifically the State Board has adopted and made  
19 them applicable to each of the regional boards'  
20 conflict-of-interest code and other conflict-of-interest  
21 regulations; is that correct?

22 A. Yes, that's right.

23 Q. And do you as executive officer in the Region I, you are  
24 categorized as a Category 1 disclosure; are you not?

25 A. I believe that's the case, yes.

9 1 Q. Well, you don't have any doubt about that?

2 A. There is a series of numbers.

3 Q. You're the highest. That's the "1". I assume it starts  
4 at "1." And it lists for Region II the executive officer.

5 And I'm going to ask the sergeant, would you hand --  
6 these are the conflict-of-interest regulations. I would like  
7 you to look at them and to tell me whether or not these seem to  
8 you to be those before they're marked.

9 (Witness examining documents.)

10 A. Yes.

11 CHAIRMAN BOATWRIGHT: All right. Would you mark those as  
12 Exhibit No. 6, please.

13 (CONFLICT-OF-INTEREST REGULATIONS were marked  
14 Exhibit 6.)

15 Q. And to whom are you married?

16 A. I'm married to Kirsten Ritchie.

17 Q. And when did you marry Kirsten Ritchie?

18 A. It was in 1984, and we always mix up the dates of May  
19 18th or May 19th.

20 Q. We're not worried about that. '84?

21 A. That's right.

22 Q. And she has been your wife ever since that time?

23 A. That's correct.

24 Q. And during the time that you have been married to her,  
25 she has held various employment outside the home?



9  
1 A. That's correct.

2 Q. And those jobs were held for salaries or remunerations;  
3 is that correct?

4 A. That's correct.

5 Q. And you are familiar with the persons -- person or  
6 persons -- that she worked for since the time that you married  
7 her?

8 A. That's correct.

9 Q. Your wife went to work for BFI in June of 1989; is that  
10 correct?

11 A. That's correct. >

12 Q. And BFI is Browning-Ferris Industries. I'm just saying  
13 BFI, but that's whom we are talking about, okay?

14 A. Okay.

15 Q. And they are the owners and developers of landfills in  
16 Region II?

17 A. Yes. >

18 Q. And their chief competitor is Waste Management of North  
19 America within that area?

20 A. Well, within this area, I don't know if that's totally  
21 true. But certainly nationwide it is. Within this area there  
22 are a lot of local landfills developed. I don't know if they  
23 are one of the competitors locally.

24 Q. They are one of the chief competitors?

25 A. Definitely, yes.

9  
1 Q. After your wife or shortly before, actually, she went to  
2 work for BFI -- I have in my possession a memo dated -- internal  
3 memo -- dated June 5th, 1989 from Steven R. Ritchie, executive  
4 officer, subject: BFI facilities, to LPK, GIG, RKM, RHW,  
5 initials, that states: My wife, Kirsten, is taking a job with  
6 BFI starting in the next couple of weeks. Effective now I will  
7 not work on any BFI-owned sites, including Apanolio Canyon and  
8 Vasco Road. Larry will act as executive officer on all  
9 BFI-owned sites.

10 Would you show this to him, please?

11 (Witness examining document)

12 (INTERNAL MEMO DATED JUNE 5, 1989 was marked  
13 Exhibit No. 7.)

14 Q. What was your purpose with this internal memo in sending  
15 it to these four initials?

16 A. My purpose in the internal memo was to make absolutely  
17 clear that I was recusing myself on matters related to BFI from  
18 that time forward.

19 Q. Is there a specific way that you as the executive officer  
20 of Region II of the Water Quality Board are supposed to recuse  
21 yourself?

22 A. I don't know if there is a specific process.  
23 Notification via memo, I believe, is adequate, and I recall at  
24 the time I passed that by our legal counsel as being a point  
25 that I thought I should do this way. And he had no objection to

1 that.

2 Q. Who was that?

3 A. That's the GGMS, our legal counsel.

4 Q. Did you notify the Board itself?

5 A. The cc on that memo is Jep Wade who was the chairman of  
6 the Board at that time. So that was my notification to the  
7 Board.

8 Q. Did you notify the State Water Quality Control Board?

9 A. Certainly verbally I did. I do not know if I put  
10 anything in writing to them.

11 Q. Did you notify BFI?

12 A. No, I did not notify BFI.

13 Q. The reason I asked you is as a matter of fact you  
14 continued after the date of this internal memo, June 5th, 1989,  
15 to receive correspondence addressed to you as executive officer  
16 on the BFI Keller Canyon landfill site; did you not?

17 A. I'm not aware of ever having received any correspondence.

18 Q. All right. Well, I'll show you some.

19 Referring to a letter of January 10, 1992 from the State  
20 Water Resources Control Board addressed to certain individuals  
21 including Mr. Steven Ritchie, setting forth "In the matter of  
22 the petition of the City of Pittsburg for review of waste  
23 discharge requirements for Keller Landfill Company, a subsidiary  
24 of Browning-Ferris Industries, et cetera -- a notice of hearing  
25 signed by Walt Pettit, executive director.

1           And I'm going to ask if you have seen this letter before.  
2 This is a copy of the letter.

3           (Witness examining document.)

4 A.       No, I don't believe I have ever seen this letter.

5 Q.       But it's addressed to you; is it not?    As one of the  
6 three parties?

7 A.       Yes.   Actually, virtually all the mail that comes to our  
8 office is addressed to me as executive officer which amounts to  
9 several feet a day.  It routinely goes to the person handling  
10 the matter.

11           CHAIRMAN BOATWRIGHT:  I want that marked.

12                               (LETTER DATED JANUARY 10, 1992 was marked  
13                               Exhibit No. 8.)

14 Q.       You also received a letter on October 2nd, 1990 from  
15 Keller Canyon Landfill Company with respect to Keller Canyon  
16 landfill request for waste discharge requirements?  I'm going to  
17 ask if you have seen this letter signed by Boyd Olney, Jr.,  
18 President of Keller Canyon Landfill Company, before in which in  
19 one of the paragraphs this states:  Thank you for your courtesy  
20 and cooperation in processing the application for waste  
21 discharge requirements.  Should you require any additional  
22 information or wish to discuss any aspects of this application,  
23 please contact Dr. Jill Shapiro or Mr. Tim Bray at CH2M Hill the  
24 project engineering firm.

25           Take a look at that.

1 (Witness examining document)

2 It's addressed to you; is it not?

3 A. Yes, to me and to Curtis Scott, but I have never seen  
4 this before.

5 CHAIRMAN BOATWRIGHT: I want this marked as Exhibit  
6 No. 9.

7 (LETTER DATED OCTOBER 2, 1990 was marked Exhibit No. 9.)

8 Q. Is it common that when things are addressed to you in  
9 your capacity of executive officer of the Regional Board that  
10 they don't get to you?

11 A. Yes, that's very common practice. As I said, previously,  
12 we get three to four feet worth of mail every day.

13 Q. Three to four feet?

14 A. Three to four feet. A stack this high (demonstrating) of  
15 mail every day. 99 percent of it, I would say, is addressed to  
16 me as executive officer. It's obviously impractical for me to  
17 go through that material. So it's routinely directed to the  
18 person involved rather than to me. I see only a small fraction  
19 of that directly.

20 Q. I will refer you to a letter from the California Fair  
21 Political Practice Commission dated November 15th, 1989 in which  
22 they are asked how -- one of the questions is how  
23 disqualification is effectuated and in which they state on  
24 page 2: Disqualification is accomplished by stating on the  
25 record the disqualifying financial interest or interests and

1 abstaining from participating in or attempting to influence  
2 those decisions.

3 I'm going to show you this communication at this time.

4 (Witness examining document)

5 CHAIRMAN BOATWRIGHT: I want that marked as Exhibit  
6 No. 10.

7 (LETTER DATED NOVEMBER 15, 1989 was marked  
8 Exhibit No. 10.)

9 Q. And you say that the attorney for the Board told you that  
10 the way you could effectuate recusement is by the way you did so  
11 in this internal memo addressed, not to individuals, but the  
12 Board by initials; is that correct?

13 A. The recusement was for all day-to-day staff activities,  
14 and that means the matter of record on that. There were no  
15 other documents produced on that.

16 The only other times the issue came up is when at Board  
17 hearings on that issue of BFI, normally as executive officer I  
18 would attend to the Board and provide comments and  
19 recommendations to them on BFI matters. I excused myself,  
20 usually left the room, occasionally just sat in the audience,  
21 watched, and the Board chairman knew that I had conflict of  
22 interest on those items.

23 Q. Well, as a matter of fact, are you familiar with state  
24 law in Government Code Section 87103 where financial interests  
25 and decisions by official ... this is law. Are you familiar

1 with it?

2 A. I'm not familiar with that particular section.

3 CHAIRMAN BOATWRIGHT: Let me read it to you, because it  
4 happens to be the law, and ignorance of the law is no excuse.

5 (Reading)

6 An official has a financial interest in a decision  
7 within the meaning of Section 87100 if it is reasonably  
8 foreseeable that the decision will have a material  
9 financial effect, distinguishable from its effect on the  
10 public generally, on the official or a member of his or  
11 her immediate family or on (A) any business entity in  
12 which the public official has a direct or indirect  
13 investment of \$1,000 or more, (B) any source of income  
14 .... leaving some out .... aggregating \$250 or more in  
15 value provided to, received by, or promised to the  
16 public official within 12 months prior to the time when  
17 the decision is made.

18 (End of reading)

19 I don't have to put that in the record, that's state law.

20 THE WITNESS: If I may, I was not familiar with the Code  
21 Section number, but I am familiar with that Code Section.

22 Q. So your wife went to work in June of 1989 for BFI.

23 A. Correct.

24 Q. You were aware that she was earning money as a result of  
25 going to work for BFI?

10  
1 A. That's correct.

2 Q. More than \$250 in any one year.

3 A. That's correct.

4 Q. \$50,000 a year sound about right?

5 A. About that, yes.

6 Q. Now you say that you recused yourself because of your  
7 wife's employment; is that correct?

8 A. Yes.

9 Q. Okay. I'm going to now refer to your statements of  
10 economic interest that you filed for certain years, and I'm  
11 going to start with 1987. And we have already had the testimony  
12 of your wife as to where she worked in 1987.

13 And when you originally filed the statement for 1987  
14 which was filed on April 1st, 1988, you did not report that your  
15 wife had any reportable income; is that correct?

16 A. I believe that's correct, yes.

17 Q. For the year 1988 when your wife was employed at that  
18 time also by Dames & Moore, you did not report on your statement  
19 at that time, Form 730 for 1988 which was filed April 2nd, 1989  
20 that she had any income; is that correct?

21 A. I believe that is correct, yes, sir.

22 Q. For the year 1989, part of that year she worked for BFI  
23 commencing in June. In your original statement for 1989 filed  
24 June 13th, 1990, you did not report that she had any income; is  
25 that correct?



1 A. That's correct.

2 Q. And it's my understanding that because of your failure to  
3 file -- and I could be wrong on this. I'm just asking. Was a  
4 complaint made to the FPCC by anyone as a result of your not  
5 showing your wife's income for these years?

6 A. Yes, there was.

7 Q. And after that complaint to the FPCC was filed in July of  
8 1991, you filed amended statements of economic interest in which  
9 you showed the income for your wife commencing in 1987 through  
10 1991; is that correct?

11 A. At least for starting 1989. I don't know if I went back  
12 as far as '87.

13 Q. I'll show you 1987. You tell me in if this is 1987.  
14 (Witness examining document)

15 A. Yes, that's correct.

16 Q. All right. I'm going to show you the original '87  
17 statement, '88 statement, '89 statement, and the '90 statement  
18 and ask you to tell me if these are copies of the original  
19 statements that you filed for those years.

20 (Witness examining documents)

21 A. Yes, they are.

22 CHAIRMAN BOATWRIGHT: Would you mark those as Exhibit  
23 No. 11 as a group.

24 (FORM 730, STATE OF ECONOMIC INTEREST, FOR  
25 87-88 AND 1989/90 were marked  
Exhibit No. 11.)

1 Mark his amended statements that he has already seen as  
2 Exhibit No. 12.

3 (AMENDED SCHEDULE D FOR 1987 was marked  
4 Exhibit No. 12.)

5 Q. I'm going to show you now a Statement of Economic  
6 Interest for 1991 and ask if that's a copy of your statement.

7 (Witness examining documents)

8 A. Yes, it is.

9 CHAIRMAN BOATWRIGHT: Mark that as Exhibit No. 13,  
10 please.

11 (FORM 730, STATEMENT OF ECONOMIC INTEREST FOR  
12 1991/92, was marked Exhibit No. 13.)

13 Q. And lastly in this series, dated May 21st, 1991, your  
14 correction to your 1990 conflict of interest statement. Would  
15 you tell me if this is a copy of the request you made to the  
16 FPCC or the State Water Board to correct your filing.

17 (Witness examining document.)

18 A. Yes, it is.

19 CHAIRMAN BOATWRIGHT: Mark that as Exhibit 14, please.

20 (1990 CONFLICT OF INTEREST STATEMENT was  
21 marked Exhibit No. 14.)

22 Q. Okay. So you say that in your memo of recusement you  
23 stated to these four initials that because your wife, Kirsten,  
24 is taking a job with BFI starting within the next couple of  
25 weeks, you will not act on any BFI-owned sites; is that correct?

1 A. That's correct.

2 Q. Did you act on any BFI sites while she was working for  
3 BFI?

4 A. No.

5 Q. I'm going to ask the sergeant to show you a letter dated  
6 October 31st, 1989 to the California Regional Water Quality  
7 Control Board -- from California Water Quality Control Board  
8 signed by you, Steven Ritchie, as executive officer, addressed  
9 to Mark Wolthausen, W-o-l-t-h-a-u-s-e-n, landfill manager,  
10 Browning-Ferris Industries on the Newby Island sanitary  
11 landfill, San Jose, California. I'm going to ask if you, in  
12 fact, signed the original of this letter.

13 (Witness examining document)

14 A. It appears that I did.

15 Q. That was after your recusement memo?

16 A. Yes, it is.

17 Q. Did your wife on October 31st 1989 work for BFI?

18 A. Yes, she did.

19 CHAIRMAN BOATWRIGHT: Mark that as Exhibit No. 15,  
20 please.

21 (LETTER DATED OCTOBER 31, 1989 was marked  
22 Exhibit No. 15.)

23 SENATOR AYALA: May I ask a question while you are  
24 looking through your papers here?

25 CHAIRMAN BOATWRIGHT: Sure.

1 /////  
2

3 EXAMINATION BY SENATOR AYALA

4 Q. Mr. Ritchie, I know you have a very demanding position as  
5 executive officer of Bay Area Regional Water Control Board, and  
6 you have indicated you get three or four feet high of  
7 correspondence every day. So you don't get a chance to see all  
8 of these?

9 A. That's correct.

10 Q. Who, then, has the responsibility of overseeing those  
11 letters that only you can act on? Who does that for you?

12 A. The letters that require me to act, there is a general  
13 direction to the person who opens the mail to route things that  
14 are clearly not addressed to me as just an address, but rather  
15 to me as a meaningful thing that I should deal with. Many of  
16 those are routed to me. If any staff person receives those,  
17 they will route them to me.

18 Q. So who is responsible for determining what you see and  
19 what you don't see?

20 A. Generally, that I have delegated to staff, to Marge, my  
21 executive assistant who deals out some of that mail. But in a  
22 large measure, standing instructions to all staff are to bring  
23 it to my attention physically if it's something that I need to  
24 see.

25 In general, I would say those include legislative  
requests, letters where they're not addressed to executive

1 officer, but rather "Dear Steve." Anything that requires a  
2 response from us typically signed by the executive officer.  
3 Those are all generally prepared by staff and routed on to the  
4 executive assistants.

5 Q. In the process, you don't see a lot of the correspondence  
6 that comes to your office?

7 A. 90 percent of it I never see at all.

8 Q. 90 percent you don't see at all?

9 A. No.

10 SENATOR AYALA: Thank you.

11 FURTHER EXAMINATION BY CHAIRMAN BOATWRIGHT

12 Q. Your wife testified that she had worked for Brian, Kangas  
13 & Foulk from 1986 until about the spring of 1989 shortly -- or  
14 January of '89. You're familiar with the fact that she worked  
15 for Brian, Kangas & Foulk?

16 A. That's right.

17 Q. And you know that Brian, Kangus & Foulk did work on  
18 landfill sites, that firm?

19 A. Yes, they did. I'm trying to recall. I don't believe  
20 she worked there until the spring of '89. I believe she worked  
21 there until spring of '87. She worked for Dames & Moore between  
22 '87 and '89.

23 Q. I'm sorry. It was May of '85 until '87.

24 A. Yes.

25 Q. All right. And during that time you -- during part of

1 that time you were acting chief of the Division of Industrial  
2 Waste?

3 A. That's correct.

4 Q. And as part of your duties, what did you do, for example,  
5 for them?

6 A. As division chief there I oversaw the work of -- I  
7 believe it was three sections of about four staff engineers and  
8 geologists each. They would -- things that we had in there were  
9 MPDS permits, discharge permits, for industrial facilities  
10 within the Region, the landfill activities regulated under the  
11 State Board Water Regulations for Landfills, the Resource  
12 Conservation Recovery Act activities, the basic clean-up  
13 activities, any activities, any kind of material concerning  
14 disposable land, other than wastewater or septic tanks.

15 Q. Your wife testified that she did work on these landfills  
16 -- Vasco Road, Newby Island, Ox Mountain, Apanolio, and Keller  
17 during the time that you were married to her. Did you ever  
18 discuss with your wife any of her work on any of these companies  
19 or for any of these companies on any of these projects?

20 A. No, I don't believe we ever did. I'm trying to think.  
21 There may have been a comment or two, particularly when I was  
22 recused, where she was frustrated with some of the people she  
23 was working with internally at BFI. But outside of that, we did  
24 not discuss anything related to those sites.

25 Q. You did substantial work in your various capacities on

1 Apanolio landfill?

2 A. I did some work on Apanolio during the period from about  
3 June of '88 till about June of '89. She had worked on Apanolio  
4 when she worked for Brian, Kangas & Foulk.

5 When she left there -- while she was working there and  
6 when she left there for a year thereafter -- I did no work on  
7 that. And then when that year had passed, then I was able to  
8 work on it without conflict for a period of time.

9 It was about a year until she went to work for BFI, and  
10 then I ruled myself again from the site.

11 Q. When did she leave Brian, Foulk & Kangas?

12 A. It was some time in 1987.

13 Q. And a year later you started doing work on Apanolio --

14 A. Yes.

15 Q. -- and Ox Mountain both.

16 A. Yes. By "doing work," that meant overseeing the staff  
17 activity. It was roughly about the time, I think, when I became  
18 executive officer, shortly there before when I could freely  
19 oversee work on the sites.

20 Q. Since your wife had specifically worked on these  
21 projects, and you must have known enough that you recused  
22 yourself, or at least you say you did, how did you accomplish  
23 your recusal? I don't see anything in the record that you ever  
24 recused yourself because your wife was working on these projects  
25 over which you had oversight.

1 A. In the case of Apanolio Canyon, I was division chief  
2 there. I do not recall if I wrote a memo on that or if I  
3 accomplished that by verbal instructions to staff. I believe I  
4 sent a memo to the executive officer, but I do not recall.

5 Q. Would you make that memo available within ten days of  
6 this date if you can find it.

7 A. If I could find it, I'd do that.

8 Q. I'll go to the Board. They'll keep a record of it I'm  
9 sure. I can find out from the Board if they have a copy of a  
10 letter that you sent to the Board recusing yourself from all  
11 items with respect to Brian, Kangas & Foulk.

12 A. I do not believe I sent anything to the Board I'm pretty  
13 sure, because the executive officer would be in the conduit  
14 between staff and the Board.

15 Q. Your recusement, I mean like this little memo to four  
16 people. You consider that to be recusement, huh?

17 A. That and the matter of --

18 Q. What's the name of your counsel?

19 A. Gary Grimm.

20 Q. G-r-i-m-m?

21 A. Yes.

22 Q. We will get him next time and put him on the record and  
23 see if he he thinks that's recusement. If that's the kind of  
24 attorneys they are hiring there, I want to know that.

25 I mean you were dealing with BFI. You said you gave them



2 1 the notice of recusement, correct?

2 A. I do not believe I did.

3 Q. You didn't give the State Water Resources Control Board  
4 any notice of recusement, did you?

5 A. That was verbal, yes.

6 Q. Who did you give it to verbally?

7 A. I know that I gave it to -- I don't if it was immediately  
8 then or shortly thereafter -- the executive director of the  
9 State Water Board.

10 A. What's his name.

11 Q. At that time it was James Beji.

12 Q. Have you ever recused yourself in any waste management  
13 issues?

14 A. No, I have not.

15 Q. You have owned waste management stock; have you not?

16 A. Yes, we did for a very short period of time.

17 Q. You acquired waste management stock, according to your  
18 1990 Economic Statement of Interest on May 21st and disposed of  
19 it on August 8th; is that correct?

20 A. That is correct.

21 Q. Have you written a letter of recusement with respect to  
22 waste management as a result of purchase of that stock?

23 A. No, I have not for two reasons. One is the stocks that  
24 my wife holds, they are basically her stocks. But I have  
25 reported them for the -- on the FPCC forms just to make sure the

1 record is clear on that.

2 Those stocks are managed by an investment firm, and so  
3 they have the ability to manage the portfolio. We were informed  
4 of it after the fact that they had purchased some Waste  
5 Management stock. After I finished ribbing my wife that they  
6 were buying the competition because that was a better stock, we  
7 then gave direction to the investment firm to dispose of that  
8 stock and not to purchase any more Waste Management, and I  
9 believe also the five major oil refinery stocks and also general  
10 semiconductor stocks which they bought regularly on a routine  
11 basis.

12 Q. Do you and your wife file a joint income tax return?

13 A. Yes, we do.

14 Q. Have you always done that?

15 A. Yes, we have.

16 Q. Do you declare your income as a single income rather than  
17 separately filing tax statements with the state?

18 A. Yes, we have.

19 Q. So you consider her income and your income to be  
20 community property in California?

21 A. The way we filed it, yes, we have.

22 Q. Well, if you're defrauding the government, let's find out  
23 right now. Is it community property or not? Are you filing  
24 correctly or not?

25 A. I believe we're filing correctly.

1 Q. Do you spend money that she brings into the family?

2 A. We have a joint checking account.

3 Q. You are familiar that this is a community-property state?

4 A. Yes.

5 Q. What was the amount of stock that was purchased in waste  
6 management?

7 A. It was approximately \$3800 give or take. Something like  
8 that.

9 Q. All right. Did you ever receive any dividends on that  
10 stock? Or stock splits? Or anything of that nature? Anything  
11 of value?

12 A. In looking back at the records, I believe there was a  
13 dividend in that period of about \$9.00.

14 Q. Okay. Did you make money on the sale, or did you lose  
15 money?

16 A. I think the actual net on that was about a hundred  
17 dollars.

18 Q. Did you gain a hundred dollars on the sale from the date  
19 you purchased it until you sold it?

20 A. That's correct.

21 Q. Okay. And, again, it's my understanding, at least, that  
22 you have not notified the State Water Resources Control Board  
23 that you could not act on waste management decisions for 12  
24 months within the date of disposal of the stock. You have not  
25 notified them of that?

3  
1 A. My understanding is that with respect to stocks, that the  
2 period while the investment lasts is the period in which there  
3 should be recusement, that there is not the same kind of  
4 year-long -- I don't believe that's in my wife's income.

5 Q. I would suggest that you check with your attorney and ask  
6 him in the case of Mayor Tom -- the former mayor of Richmond  
7 where he was fined \$50,000 by the FPPC because he owned stock --  
8 just a little bit of the billions of dollars of stock in  
9 Chevron. And he voted on a matter of Chevron in the City of  
10 Richmond and was fined -- I believe it was \$50,000. I think you  
11 had better look into that just for your own interests. And you  
12 are disqualified for 12 months after disposing of the stock,  
13 too.

14 A. We spoke with our attorney about that yesterday, and he  
15 informed us that the 12-month did not apply unless it was direct  
16 income, but for an investment, it was not at fault. I will  
17 check with him again.

18 Q. I think you had better, because if the investment was  
19 over a thousand dollars or if you earned dividends or value on  
20 the sale of the stock, or splits, or anything of that nature in  
21 excess of \$250 in one year, the law clearly applies. I will  
22 read that to you again. It's very specific.

23 A. Did you say the thousand dollars and earnings in excess  
24 of \$250?

25 Q. Let me read this to you again.

1 /////  
2

3 (Reading)

4 If an official has a financial interest in the  
5 decision within the meaning of Statute 87100, recusal,  
6 exemption, et cetera, if it's reasonably foreseeable that  
7 the decision will have a material financial effect  
8 distinguishable from its effect on the public generally  
9 on the official or a member of his or her immediate  
10 family -- so it doesn't matter if the stock is held by  
11 your wife. It's community property -- or, on quote, (A)  
12 a business entity in which the public official has a  
13 direct or indirect investment worth \$1,000 or more.

14 (End of reading)

15 I think you had better talk to your attorney down there  
16 again.

17 A. Excuse me. You also mentioned, though, and --

18 Q. No, any of those. Any one of those. Any one of those.  
19 I mean I'm trying to help you right now, because it appears to  
20 me that if you're relying, and this attorney is telling you  
21 this. He should check with the FPPC. He needs some help  
22 dramatically. Is he here today?

23 A. Yes, he is.

24 Q. Could he stand up?

25 (Mr. Mueller stood up.)

Sir, I really think you ought to check. The Code is

3  
4  
1 quite clear on this. There are lots of cases on this. The  
2 Johnson letter that I read as to how recusement is to be  
3 effectuated on the record. I really think -- and I'll tell you  
4 as a public official, as an elected official, and these other  
5 two I'm speaking for, I can guarantee you that we will not let  
6 employees hide behind attorneys simply because they give them in  
7 incorrect information.

8 The law is the law, and it's quite clear. I would  
9 suggest that you contact the FPPC for clarification if you are  
10 giving people such as Mr. Ritchie this type of advice. That is  
11 quite clear.

12 They fined -- can anyone think of the mayor --

13 SENATOR LOCKYER: Tom Corcoran.

14 CHAIRMAN BOATWRIGHT: Tom Corcoran was fined \$50,000 by  
15 the FPPC for voting because he held stock in Chevron.

16 MR. MUELLER: We're pretty familiar with the law. The  
17 way you have just enunciated it, if there was a source of  
18 income, there is a 12-month tail. I agree with that.

19 CHAIRMAN BOATWRIGHT: He must have misunderstood you  
20 there.

21 MR. MUELLER: Those are facts as I understand it. There  
22 is no question that there's a 12-month recusal here if, in fact,  
23 you have a source of income. We don't disagree with that.  
24 Those are not facts.

25 CHAIRMAN BOATWRIGHT: Welll, this can be investigated.

1 This means we can change the law. This Committee has changed  
2 the law many times through Committee bills.

3 And I think we have great respect in the Legislature. We  
4 are trying to clean things up throughout the state -- including  
5 the Legislature and some of the guys we are getting rid of -- as  
6 clean as we can. If it needs to be cleaned up so there is no  
7 hint of impropriety. We can do that, too.

8 Q. Mr. Ritchie, are you familiar with C&H Sugar in Crockett?

9 A. Yes, I am.

10 Q. Does C&H Sugar in Crockett have to get permits from the  
11 Regional Board in order to operate a wastewater disposal  
12 landfill or sludge? Anything of that nature?

13 A. Yes, they do. They hold an FEP permit for discharged  
14 waste, and they have some historical land disposal activities.

15 Q. I'm sorry. I can't hear you. Can you speak into the  
16 microphone.

17 A. They also had, some at least, old land disposal  
18 activities which may not require the permit. I don't know.

19 Q. Are they technically a landfill?

20 A. As I said, they may have a landfill onsite. I don't know  
21 for sure.

22 Q. Do they also accept and create sludge?

23 A. Yes, I'm sure they do as a byproduct of some of their  
24 processes.

25 Q. Did you ever own stock in Castle & Cook?

1 A. Yes, we did.

2 Q. Did you ever own stock in Alexander & Baldwin?

3 A. Yes, we did.

4 Q. And in the years 1987, '88, '89, '90, and '91 Statement  
5 of Economic Interest, you show ownership of stock in Alexander &  
6 Baldwin, correct?

7 A. Yes.

8 Q. And for 1990 you show ownershp in Castle & Cook?

9 A. Yes.

10 Q. And after that, the purchaser of Castle & Cook, Dole, you  
11 show stock.

12 A. That's correct.

13 Q. They are successor to Castle & Cook?

14 A. Yes, they are successor.

15 Q. And I can tell only like your statement in '87 like your  
16 Alexander & Baldwin you value between \$10,000 and \$100,000. Do  
17 you know specifically the value of the stock between those  
18 ranges?

19 A. I don't know specifically, but I assume it was much  
20 closer to 10,000 than a hundred thousand.

21 Q. I'll tell I what I'm going to have to do, and I will do  
22 this. I'm going to have to subpoena your tax records for these  
23 years. Because I think you are going to be too vague in telling  
24 us how much income you've earned in various stocks, and this  
25 Committee must make a determination as to whether or not your



4  
1 investment was in excess of a thousand dollars.

2 A. I'd be happy to send those to you.

3 Q. And also whether or not your return from these  
4 investments amounted to more than \$250 in any year.

5 A. Yes, I can provide that very specific information.

6 Q. Do you recall if in any of these years holding this stock  
7 that your dividends, or returns, or splits, or anything of value  
8 to you accruing from the Alexander & Baldwin stock exceeded \$250  
9 in any one year?

10 A. I don't know. I wouldn't be surprised if it did, but I  
11 don't for sure.

12 Q. Well, the value of your stock was over \$10,000?

13 A. During that one year I imagine it was slightly more than  
14 \$10,000.

15 Q. And you are familiar with Section 87100 of the Government  
16 Code which essentially states that a public official is  
17 prohibited from making -- participating, or making, or in any  
18 way attempting to influence a governmental decision in which he  
19 has a financial interest?

20 A. Yes, I'm familiar with that.

21 Q. All right. How much wastewater does C&H generate at  
22 their Crockett plant per day?

23 A. I really don't know.

24 Q. Does about 28.5 million gallons per day sound about  
25 right?

1 A. That could be accurate including water.

2 Q. Is their wastewater -- their wastewater discharged into  
3 the Carcinez Straits or into the jurisdiction of Regional Board  
4 II?

5 A. Yes, it is.

6 Q. And are they subject to the regulations and control of  
7 jurisdiction of Regional Board with respect to their wastewater  
8 treatment plant and their landfill?

9 A. Yes, they are.

10 Q. And what is your education?

11 A. I have a bachelor of science in civil engineering from  
12 Stanford and master of science in civil engineering from  
13 Stanford.

14 Q. And in acquiring stock, however you acquire it, you are  
15 familiar with the stock because you reported on your Statement  
16 of Economic Interest, right?

17 A. I'm familiar with the ownership of that.

18 Q. And you were familiar with the fact that Castle & Cook  
19 has an interest in C&H Sugar?

20 A. I do know that.

21 Q. Were you aware of that Alexander & Baldwin had an  
22 interest in C&H Sugar?

23 A. I was, yes.

24 Q. Unfortunately, the law requires that we all know,  
25 however, that they have an interest. And Castle & Cook and

5  
1 Alexander & Baldwin are among the five majority owners of C&H  
2 Sugar out of 13 sugar producers? You weren't aware of that?

3 A. I was unaware of that.

4 Q. When did you find out that?

5 A. I found out that two days ago when a reporter called me  
6 to ask me about that very information.

7 Q. Have you ever met with a gentleman by the name of John C.  
8 Couch?

9 A. The name does not ring a bell.

10 Q. Never met that person?

11 A. The name does not ring a bell.

12 Q. Have you, since 1987, either made or participated in  
13 making decisions affecting C&H sugar?

14 A. Yes, I have.

15 Q. And as a matter of fact, specifically on April 18th, 1991  
16 in a letter to David Humm, H-u-m-m, of C&H Sugar, you  
17 specifically chose not to enforce violations of Order 89-121,  
18 Provision D.10 against C&G Sugar?

19 A. I don't know. I'd have to see a letter on that.

20 Q. I'm going to show you a letter dated April 18th, 1991 to  
21 David Humm that which appears to have your signature, and would  
22 you tell me if that's your signature and if you signed the  
23 original.

24 A. Yes that's my signature, and I did sign the letter.

25 CHAIRMAN BOATWRIGHT: I'd like that marked as Exhibit

5  
1 No. 16.

2  
3 (LETTER DATED APRIL 18, 1991 was marked  
4 Exhibit No. 16.)

5 Q. You also participated in the development and the approval  
6 of a waste discharge order to permit C&H Sugar to continue its  
7 operations although it did not meet current policy regarding the  
8 policy regarding storage water runoff which was contaminated as  
9 a result of industrial operations; is that correct?

10 A. That is correct.

11 Q. And that was done on or about July 19th, 1989; is that  
12 correct?

13 A. That could be. I don't know about the date.

14 Q. I'm going to show you the cover letter to the tentative  
15 order and ask if this is your executive officer summary report  
16 on that waiver.

17 MR. MUELLER: Mr. Chairman, for the record, would you  
18 tell us what Exhibit 16 consisted of.

19 CHAIRMAN BOATWRIGHT: Yes, I'm sorry.

20 Q. Is that correct?

21 A. Yes, that's correct. That's the executive officer  
22 summary report which is the cover page for any item that goes to  
23 our Board for decision. The EOSR is the summary sheet on the  
24 item.

25 Q. And that is the one that permitted C&H to continue  
operations though they did not meet current policy with regard

1 to stormwater runoff contaminated as a result of industrial  
2 operations? I have that here.

3 A. Actually, that would be the executive officer summary  
4 report stating that they do not currently comply on that.

5 Q. And you granted the waiver?

6 A. No, we did not particularly grant a waiver. What we did  
7 do is waive developing of a project to segregate their  
8 stormwater. So I believe we gave them directions to continue  
9 that project to develop that.

10 Q. Would you look at that and tell me if that was a  
11 tentative order that was adopted.

12 A. Yes, it is.

13 CHAIRMAN BOATWRIGHT: All right. Let's have that marked  
14 as Exhibit 17.

15 (EXECUTIVE OFFICER SUMMARY REPORT ON PERMIT  
16 REISSUANCE was marked Exhibit No. 17.)

17 Q. Without this permit and the tentative order that was  
18 adopted by the Board on or about December 19th, 1989, C&H Sugar  
19 could not have continued to operate its plant, correct?

20 A. Actually, that's not necessarily correct. NPDES current  
21 regulations provide that if an order expires that, given the  
22 five-year time line, administratively it is extended until  
23 action by the regulating agency provided they have submitted an  
24 application.

25 So if the Board had not adopted that, they would still be

5 1 able to continue in operation.

2 Q. For how long?

3 A. The federal regulations, I believe, can allow that to go  
4 on for an indefinite period of time if that's the case.

5 Q. So you cannot stop someone who is contaminating the Bay  
6 as a result of having a permit to discharge waste? You can't  
7 stop them if they are contaminating the waters? You can't issue  
8 an order stopping them?

9 A. We can issue an order to that effect, but if the Board is  
10 silent on the matter, then it is administratively continued  
11 automatically.

12 Q. But it was your choice here not to do that?

13 A. That's correct. Although I would say that their  
14 discharge is similar to other industrial discharges, and our  
15 standard practice and order is to give them the effluent limits  
16 they have to meet and give them tasks to clear up and resolve  
17 issues such as their stormwater in this case.

18 Q. I'm going to refer back to Exhibit 16 and read that. The  
19 Senators wanted to hear that.

20 It says, (reading)

21 Subject: Incomplete compliance monitoring during  
22 Christmas plant shutdown C&H Sugar Company, Crockett  
23 Refinery.

24 Dear Mr. Humm: You reported in your January 10,  
25 1991 self-monitoring report for December 1990 that due to

5 1 the refinery shutdown over the Christmas holidays, some  
2 compliance samples were not collected. Based on the  
3 review of the SMR, a total of 30 compliance  
4 grab/composite samples were not collected, and 12 days of  
5 continuous pH readings were missed. These missing data  
6 involved outfalls E-001, E-002, and E003, and receiving  
7 water stations (see enclosed memo to File No.  
8 2213.1006).

9 Technically, this is a violation of Provision D.10  
10 of Order No. 89-121 which requires compliance with the  
11 self-monitoring program. But considering the compliance  
12 history for this facility, and that this was a major  
13 refinery shutdown, we will not pursue enforcement for  
14 this violation.

15 However, for future holiday shutdowns, you should  
16 arrange for personnel at the plant to analyze effluent  
17 samples from E-002 as required by the self-monitoring  
18 program. As you are aware, Crockett Valona Sanitary  
19 District contributes about 30 percent of the wastewater  
20 to the secondary treatment plant which discharges  
21 through outfall E-002. This sanitary wastewater is  
22 unaffected by the C&H refinery shutdown.

23 If you have any questions, please call Lila Tang.

24 (End of Reading)

25 And the phone number, signed Steven R. Ritchie.

1           And that's what we refer to as the waiver of a violation  
2 in this letter, correct?

3           A.       That's correct.

4           CHAIRMAN BOATWRIGHT:   Senator Ayala?

5   EXAMINATION BY SENATOR AYALA

6           Q.       In terms of the discharge from C&H, you mentioned the  
7 fact that you waived those discrepancies because of the federal  
8 regulations allowing them to continue, give them a waiver on  
9 that.  Didn't you apply the Porter-Cologne Act that controls  
10 discharges from whomever?

11          A.       Yes, we did.  To make sure the record is clear on that  
12 point, their facility includes process wastewater from their  
13 industrial processes and contaminated storm water or  
14 potentially contaminated storm water.

15                 They acknowledged their facility over time had  
16 developed the treating capability to treat their wastewater.  So  
17 most of the effort in the past years has been at controlling  
18 those point sources and making sure they meet their effluent  
19 limits.

20                 Just recently we have started to regulate, both under  
21 federal law and state law, storm water runoff to San Francisco  
22 Bay, and that is the issue here relative to C&H.  It was  
23 potentially contaminated runoff that we did not require  
24 immediate compliance, but rather they were taking undertaking a  
25 storm water segregation project to clean that run off.



6  
1 Q. So was that in compliance with the Porter Cologne Act at  
2 that point?

3 A. I would say they were in generally compliance. I think  
4 that other letter mentioned their generally good compliance  
5 record.

6 The issue of cleaning up contaminated runoff is one which  
7 is a major new expenditure step for many industries and many  
8 communities as well, so at this point they were not in  
9 compliance with the Porter Cologne Act.

10 Any discharge of any kind of pollutants where it would  
11 have an unreasonable effect on sanitation needs is a violation  
12 of the Act.

13 Q. But you waived that in spite of that.

14 A. Well, I wouldn't say we waived that. I would say we gave  
15 them directions to clean up that issue. It's a very difficult  
16 test to show whether or not you are causing unreasonable effects  
17 on beneficial uses.

18 SENATOR AYALA: Thank you.

19 THE WITNESS: Senator Boatwright, I would also like to  
20 clarify on the letter regarding the testing violations that they  
21 did. The relationship between C&H and the Crockett Velona  
22 Sanitary district is that they share a treatment facility. It  
23 is operated by an outside firm, and C&H, as part of the  
24 agreement, does the actual compliance effluent monitoring.

25 When they shut down the plant, the industrial plant, for

6 1 that two-week period, of course, the people didn't move out of  
2 the town, and so the sanitary effluent plant continued to be  
3 operated during that period and operated effectively as far as  
4 we believe the case to be by the outside firm. So the one thing  
5 that was not done -- it was an oversight on their part to not  
6 make arrangements for the effluent testing at that time, but the  
7 plant did continue to operate properly.

8 FURTHER EXAMINATION BY CHAIRMAN BOATWRIGHT

9 Q. Since 1986 has C&H ever been cited for any violations?

10 A. There was -- I'm not sure what the -- I believe it might  
11 have been in 1986 the Regional Board -- there was a proposed  
12 enforcement action against C&H for discharge of waste, and there  
13 was a proposed penalty. And I believe the Board declined to  
14 issue the penalty in that case. It was either in 19 -- I am  
15 sure it was 1986, yes.

16 Q. Actually, I guess, the answer to my question is no  
17 enforcement action has ever been taken in 1986 or since then  
18 against C&H Sugar.

19 A. I do not recall that any enforcement action has been  
20 issued. They have a couple of pending violations we are still  
21 considering.

22 Q. As a matter of fact, I guess you have had some complaints  
23 just recently, haven't you, in the last couple of weeks as a  
24 result of odors and perhaps malfunctioning in the sewage  
25 treatment plant?

6 1 A. A person with C&H that I had a conversation with  
2 yesterday did indicate there were some odor complaints at the  
3 facility. I did not get more information on that.

4 She had had a conversation with the Bay Air Quality  
5 Management District on that.

7 6 Q. Have any persons called the Regional Water Board  
7 complaining?

8 A. I don't know.

9 7 Q. You're still doing work with respect to C&H sugar on  
10 complaints and things of that nature?

11 A. Yes, I am, although the issue that you raised regarding  
12 conflict, I don't know if there is a conflict now. Actually,  
13 the stock was actually sold on May 1st, so consistent with the  
14 discussion previously between you and counsel, I need to  
15 evaluate the situation further to find out if there is a  
16 conflict of interest.

17 Q. So you sold in both Dole and Alexander & Baldwin.

18 A. Yes, we are currently buying a -- or just finished buying  
19 a house, so we directed the investment firm to arrange for the  
20 money for the down payment out of the sale of stock. Those were  
21 two of the stocks they chose to sell.

22 A. Do you have a margin account with any investment broker?

23 A. No, not right now.

24 Q. Have you had in the past?

25 A. We did for a period of time, I believe, in 1989.

7 1 Q. Did you show that on your Statement of Economic Interest  
2 as a loan?

3 A. I'm sure I did not.

4 Q. You did not?

5 A. No. We opened the margin account. It was immediately  
6 paid off, and there was no use of the margin account.

7 Q. But you had a margin account?

8 A. Yes.

9 Q. That was operative for a short period of time?

10 A. Yes.

11 Q. And you did not declare that as a loan?

12 A. No.

13 Q. Incidentally, do you have some stock in Sierra Pacific  
14 Resources that you showed in 1990, correct?

15 A. Yes.

16 Q. What happened to those stock?

17 A. That is still owned.

18 Q. Okay. The reason I say that, I didn't see them in your  
19 1991 Statement of Economic Interest.

20 A. It was there. If that was not, that was an oversight on  
21 my part. We still own that stock.

22 Q. On the landfill, the Apanolio landfill, that was owned by  
23 BFI, one of the things that was discussed was whether or not BFI  
24 would be required to evaluate landfill alternatives outside of  
25 San Mateo County as part of their environmental impact statement

1 process; is that correct?

2 A. That may be correct. I believe it is.

3 Q. And you did work on that particular project I believe you  
4 stated?

5 A. Yes, for a short period of time.

6 Q. And you don't recall anything involving their request for  
7 a metallurgy analysis, and it was finally granted to them? You  
8 don't recall that at all?

9 A. I don't recall any details to that effect.

10 Q. So there is no misunderstanding, you state that -- and we  
11 have gone into the Newby Island -- that you didn't do any work  
12 on the Apanolio Creek project after your wife went to work in  
13 June of 1989 for BFI; is that correct?

14 A. That's correct. And to step back onto the Newby Island  
15 case, if I signed it -- it was my signature, no question. I  
16 signed that letter in error. That should not have been been  
17 before me.

18 It may have been part of a number of letters left with  
19 me, and the staff person should have realized that I should not  
20 be signing a letter to that effect.

21 Q. I'm going to show you a letter dated November 9th, 1988  
22 which is approximately about eight months before your wife went  
23 to work for BFI at \$50,000 a year, in which you signed this  
24 letter with respect to the Apanolio Canyon matter. And you  
25 address this matter to BFI.

1           And this is November 9th, 1988. And just tell me if this  
2 is your signature on the copy of this letter. That's all I need  
3 to know.

4           (Witness examining document)

5 A.       Yes, this is.

6           CHAIRMAN BOATWRIGHT: All right. I'd like this marked as  
7 Exhibit No. 18.

8   (LETTER DATED NOVEMBER 9, 1988 was marked  
9   Exhibit No. 18.)

10 Q.       Let's see here. Also I'm going to show you -- I think I  
11 will if I can find it in this stuff -- a letter dated August  
12 1st, 1989 which is after your wife went to work for BFI, a  
13 letter to the chairman of the Regional Board, Mr. Wade and to  
14 the chairman of the State Water Resources Control Board, Mr.  
15 Maughan, status report on Committee activities for the proposed  
16 Apanalio Canyon landfill in San Mateo County and ask you to look  
17 at the signature page where it says, "Sincerely, for Steve  
18 Ritchie, colon, Larry Kolb, acting executive officer" and tell  
19 me if that does state or say "Steve Ritchie" or not.

20 A.       Yes. Actually, what it says is "Sincerely, Larry Kolb,  
21 acting executive officer." And then what is written is "for  
22 Steve Ritchie." So it is not clear if the letter is signed for  
23 me or if he is acting as executive officer for me.

24 Q.       I guess the letter can speak for itself.

25           CHAIRMAN BOATWRIGHT: Would you mark that as Exhibit

1 No. 19, please.

2 (LETTER DATED AUGUST 1, 1989 was marked  
3 Exhibit 19.)

4 Q. And I think now, we had previously said that one of the  
5 principal competitors to BFI is Waste Management North America;  
6 is that correct?

7 A. Yes.

8 Q. And in 1989 this is competitor of BFI, Waste Management,  
9 was attempting to gain regulatory permission to the Regional  
10 Board to extend its Durham Road landfill in Alameda County; is  
11 that correct?

12 A. That's correct.

13 Q. I'm going to show you a letter dated July 7th, 1989 on  
14 the Durham Road landfill addressed to Mr. Crosetti, Waste  
15 Management of North America, and it appears on page 4 to have  
16 your signature. Would you tell me if that's your signature.

17 A. Yes, it is.

18 CHAIRMAN BOATWRIGHT: All right. Mark that as Exhibit  
19 No. 20.

20 (LETTER DATED JULY 7, 1989 was marked Exhibit  
21 No. 20.)

22 Q. Okay. And referring to that letter, one of the things  
23 that it refers to here is they were asking for relief from the  
24 five-foot separation between waste and the highest anticipated  
25 elevation of groundwater -- is that correct -- at the Durham

1 Road facility?

2 A. It could be.

3 Q. Let him read the letter.

4 (Witness examining document)

5 A. Okay.

6 Q. Do you have my question in mind.

7 A. Well, the question had to do with the five-foot  
8 separation of groundwater that is discussed in the letter. In  
9 fact, what we say there is their proposal to meet the five-foot  
10 separation requirement did not appear to be appropriate to us,  
11 and we asked them to investigate further alternatives.

12 Q. They were asking for a waiver of the five-foot separation  
13 requirements specified in Section 2530(c) of Subchapter 15 for  
14 the five-foot difference between the highest anticipated  
15 elevation of the underlying groundwater and waste. They were  
16 asking for a waiver and an engineered alternative; is that  
17 correct?

18 A. Yes, that's correct.

19 Q. And that was rejected in your letter of July 7th, 1989,  
20 correct?

21 A. It was their proposal to meet that was rejected, and we  
22 asked them to investigate additional alternatives.

23 Q. Let me read this, then.

24 (Reading on page 2)

25 The ROWD demonstrates that the proposed expansion



8  
1 does not meet the siting criteria specified in Section  
2 2530(c) of Subchapter 15 which requires all new  
3 landfills be sited, designed, constructed, and  
4 operated to ensure that wastes will be a minimum of five  
5 feet above the highest anticipated elevation of  
6 underlying groundwater. Regional Board staff disagrees  
7 with Waste Management's conclusion that the proposed  
8 engineered alternative for the expansion area (which  
9 includes excavation of five feet of native soil and  
10 development of the base of the landfill below the  
11 existing water table) will provide a higher level of  
12 groundwater protection than the prescriptive standard  
13 requiring five-foot separation of wastes and the highest  
14 anticipated groundwater.

15 (End of reading)

16 That is in there; is that not correct?

17 A. That's correct.

18 Q. And the same request for a waiver of that five-foot  
19 separation was made by BFI on the Keller Canyon landfill; is  
20 that correct?

21 A. I understand that's correct.

22 Q. Where do you reside? What city?

23 A. I live in Oakland.

24 Q. I take it that you read local newspapers?

25 A. Yes.

8  
1 Q. And are you today saying that you're unaware that one of  
2 the requests from BFI on Keller Canyon landfill was a waiver of  
3 the five-foot separation and engineered alternative?

4 A. I did say I understood that to be the case, because I  
5 was, while not participating, I did observe the hearing that BFI  
6 had for Keller Canyon before the Regional Board, and that was an  
7 issue that was identified in one of the presentations at the  
8 time.

9 Q. And that requirement for the five-foot separation was  
10 waived by the Regional Board?

11 A. I believe it was, yes.

12 Q. You believe it was?

13 A. Yes.

14 Q. Was it waived or not waived?

15 A. Since I have had absolutely no involvement in the case I  
16 really -- I believe it was. I have not read the order. I have  
17 not done anything on the matter.

18 Q. Did you ever discuss -- ever discuss with any of the  
19 employees at the Regional Board, after your letter of  
20 recusement, Keller Canyon landfill?

21 A. The only discussion I have had on Keller Canyon landfill  
22 has been only recently, and that is to be informed on policy  
23 issues that are being raised by the State Board staff in the  
24 appeal process. By "policy issues," I mean where they might be  
25 applicable to other landfills.

1           Outside of those two recent conversations with staff  
2 within the last couple of months, I have never had a  
3 conversation with any staff member or any employees of BFI  
4 regarding Keller Canyon landfill.

5       Q.       Did you ever have a discussion with your wife regarding  
6 Keller Canyon landfill?

7       A.       The only exception on Keller Canyon would be, as I said,  
8 previously, she would inform of me of disagreements with other  
9 employees working on the project. But on the actual issues, the  
10 substance of Keller Canyon, no.

11       Q.       If in fact there was a waiver of the five-foot  
12 requirement on Keller, would you say that your decision with  
13 respect to Durham Road and Keller were different treatments of  
14 basically the same request?

15       A.       Actually, since you raise the issue, I am looking at a  
16 copy of the waste discharge requirements that the Board adopted  
17 for Durham Road, and I see in here that there is a statement  
18 that "The Board finds it infeasible under the site criteria  
19 specified and provided by the separation." And the requirement  
20 is to submit an engineered alternative pursuant to it. So this  
21 is as recommended by staff and me to the Board, and the way the  
22 Board adopted it.

23           Since they previously were rejecting the alternative they  
24 proposed there and asked them to look further at it, and in this  
25 we are providing that they submit an engineered alternative

1 which is in effect a waiver from the five-foot requirement.

2 Q. If, in fact, the waiver of the five-foot requirement  
3 saved Keller Canyon landfill \$20 million, and I believe there is  
4 an Exhibit on that, referring to Exhibit No. 5. And that is  
5 already marked here, and this comes with part of the exhibits  
6 that were submitted by BFI to the Regional Board.

7 The statement is (Reading)

8 A five-foot separation would also be unnecessarily  
9 burdensome because as shown above, and underdrain is  
10 necessary in any case, and the extra thickness of soil  
11 between the liner and the underdrain would provide no  
12 demonstrable water quality protection benefits. The  
13 added costs of placing an extra three feet of soil are  
14 estimated at \$7 million for construction and \$12.9  
15 million in lost air space that would otherwise be  
16 available for waste disposal.

17 If that is in fact true, and the waiver was made, and  
18 that is the BFI statement, then it would seem, at least based on  
19 its face, that Durham Road landfill -- I believe it's in  
20 Hayward.

21 A. Fremont.

22 Q. Fremont. In Alameda County -- and Keller Canyon were  
23 treated differently.

24 A. As I just mentioned, looking at the requirements adopted  
25 for Durham Road indicated that the five-foot separation would

1 be feasible, and an engineered alternative needed to be  
2 developed, as was developed, for Keller Canyon.

3 Q. When in actuality they were required to put in a  
4 five-foot separation in Durham Road; were they not?

5 A. No, they were not able to achieve five-foot separation.  
6 Subsequent to that letter and the final order that the Board  
7 adopted, we said that the five-foot separation is infeasible,  
8 and therefore an engineered alternative must be developed. I  
9 don't know what it is. I have not been to the site.

10 Q. You are not doing any work on that now yourself?

11 A. No, I am not aware of what they have done with the site.  
12 It's still under my direction and authority as executive  
13 officer, but I'm not aware of the details of that site.

14 Q. Let me ask you. Since Waste Management is the major  
15 competitor of BFI, do you feel that you're within the  
16 recusement, at least the intent, direct or indirect statement of  
17 the Code Section, that you should recuse yourself in acting on a  
18 major competitor's landfill at the same time your wife is  
19 working for BFI?

20 A. I have not believed that it is necessary for me to recuse  
21 myself. I don't believe that a significant conflict exists  
22 because of that.

23 Q. Well, doesn't that decision help BFI preserve a \$20  
24 million profit, according to their figures at least? I'm just  
25 using their figures.

9  
1 A. Well, I would not relate it to that at all. As I  
2 mentioned previously when you asked about as a major competitor  
3 in this area, in reality, within counties is where the  
4 competition actually arises. As Contra Costa County has  
5 learned, it's difficult to move garbage across county lines.  
6 And so the competitive nature that might exist in these cases  
7 has not existed that I have observed.

8 Q. Well, the competitive aspect may be true, but if you  
9 preserve income for either BFI and diminished income for Waste  
10 Management, whether it's done in one county or several, that  
11 certainly has an impact on your wife's ability to retain her  
12 job and everyone else that works for BFI; isn't that true?

13 A. You could argue that way, but I think the amount of  
14 income for the companies is so large that these decisions, while  
15 important to them, do not affect the ability to stay employed.

16 Q. Even after your memo to the four people, there continue  
17 to be what were called executive officer summaries given to the  
18 San Francisco Bay Regional Water Quality Control Board regarding  
19 Keller Canyon. Those were called executive officer summary  
20 reports; were they not?

21 A. Yes, those are, as I said, the standard cover sheet for  
22 all the items that the Board receives.

23 Q. Would you think that would be misleading to the public or  
24 anyone else who didn't know, because perhaps you had not recused  
25 yourself on the public record? You were still working on Keller

9  
1 Canyon landfill?

2 A. I don't believe it would be, no.

3 Q. So if I showed up and read the executive officer summary  
4 and wherein you recommended water quality certification of  
5 Keller Canyon, I wouldn't think that was your recommendation?

6 A. I wouldn't think so.

7 Q. Well, let's take a look at it and see what it looks like.  
8 I'm going to show you an executive officer summary report dated  
9 June 19th, 1991 to the Regional Board wherein the executive  
10 officer summary report recommendation is adoption of the  
11 tentative resolution which is attached and which gives to Keller  
12 Canyon the certification that's necessary to operate.

13 And if you can, while you're looking at that, show me  
14 where there is a declaration that that's not the executive  
15 officer's recommended report as stated.

16 (Witness examining document)

17 A. Yes, in this case, as a matter of the water quality  
18 certification intended resolution, the executive officer summary  
19 report, the executive officer makes a recommendation. In this  
20 case, I was not acting as executive officer. Another person was  
21 acting as executive officer.

22 The Board has an executive officer at all times whether  
23 it's me or someone else. The transmittal material that we sent  
24 to the Board very clearly indicated to them that I was not  
25 acting on it because of the conflict, and at the Board meeting

1 where it was acted upon, I removed myself because of the  
2 conflict, and Richard McMurtry acted at that Board meeting where  
3 this was acted upon.

4 Q. Let's come back now to my original question. A person  
5 going to this hearing where this tentative recommendation was  
6 adopted by the Board, can you show me anyplace on there where it  
7 says "Acting Executive Officer" or "Larry Kolb," or anything  
8 other than "executive officer"? And you are the executive  
9 officer.

10 A. It does not state that anywhere on this document. At the  
11 hearing it was stated for the record.

12 Q. Is this disseminated to the public?

13 A. These are transmitted to the Board I believe before the  
14 Board meeting, and copies of them are available to the public.  
15 And if the public requests one, they can have one mailed to  
16 them.

17 Q. Including the press?

18 A. Including the press.

19 Q. Is there any place on there that indicates that anyone is  
20 acting as executive officer rather than this being the executive  
21 officer's report?

22 A. Not on this document.

23 CHAIRMAN BOATWRIGHT: I want that market as exhibit next  
24 in order.

25 (EXECUTIVE OFFICER SUMMARY REPORT, MEETING



1 DATE OF JUNE 19, 1991 was marked Exhibit  
2 No. 21.)

3 CHAIRMAN BOATWRIGHT: For the members, what it is what I  
4 referred to was the executive officer summary report. The  
5 meeting date was June 19th. The subject is Browning-Ferris  
6 Industries, Keller Canyon landfill, recommendation on water  
7 quality certification to the State Board executive director.  
8 Chronology, the Regional Board has not previously considered  
9 this item.

10 And then it goes ahead with the discussion, and the last  
11 paragraph says, (Reading)

12 The attached Tentative Resolution (Appendix A)  
13 recommends that the executive director of the State Water  
14 Resources Control Board grant water quality certification  
15 for the project.

16 Recommendation: Adoption of the tentative  
17 resolution.

18 (End of reading)

19 And then it has attached thereto the actual  
20 recommendation, and strangely enough -- I'm sorry I missed  
21 this -- but on the last page, page 16, it states, (Reading)

22 I, Steven R. Ritchie, executive officer, hereby  
23 certify the foregoing as a full, true, and correct copy  
24 of the resolution adopted by the California Regional  
25 Water Quality Control Board, San Francisco Bay Region,

1 on -- that's blank. Steven R. Ritchie, executive  
2 officer.

3 (End of reading)

4 Since this is already there, I might show you that.

5 THE WITNESS: If I may, Senator.

6 CHAIRMAN BOATWRIGHT: Yes.

7 THE WITNESS: That clause and certification that the  
8 Board had actually taken a particular action is boiler plate in  
9 all of our orders, and because of your computers, people modify  
10 orders and leave things they are not going to change as they  
11 are.

12 That particular one was left that way. It was changed at  
13 the hearing on the record.

14 Q. BY CHAIRMAN BOATWRIGHT: Well, that brings me back to my  
15 point. People who are getting copies of this -- and you said  
16 they were available to the public and the press -- saw your name  
17 on there. They had no idea. You didn't distribute this memo to  
18 the press, did you, that you sent to the four people with  
19 initials?

20 A. Right.

21 Q. Did you give that to the press?

22 A. No, I did not, but all of the press that I know and  
23 everyone that I know in the business or staff, outside people,  
24 and the public were all aware of the common knowledge of the  
25 conflict. For example, press calls to the office are handled

1 either by the executive officer or the assistant executive  
2 officer. All press calls related to any BFI matter were all  
3 clearly directed to the assistant executive officer, and all  
4 members of the press were fully aware that I was not able to act  
5 relative to BFI.

6 Q. Well, now, I showed you one when you where you signed it  
7 on Newby Island after your wife went to work for BFI, and you  
8 admit that.

9 A. That was a mistake. I sign probably on the order of 10  
10 to 15 letters a day, day in and day out.

11 Q. Did you sign any more after BFI -- after your wife went  
12 to work there?

13 A. I do not believe I did. I was surprised to see that.  
14 That's why I was surprised to see it. If I had paid closer  
15 attention, which I did not at that time, I would never have  
16 signed that letter.

17 Q. Well, I'm referring to Exhibit 15. The letter to BFI is  
18 clearly addressed to BFI and clearly states Newby Island, and it  
19 seems to clearly have your signature and you said it did.

20 A. Yes, it does. I signed that in error. I'm absolutely  
21 positive of it. I must have been in a hurry and didn't look at  
22 the cover page. I don't know why I did that, but I did.

23 If there are any others, I would be extremely surprised.

24 CHAIRMAN BOATWRIGHT: Senator Lockyer.

25 EXAMINATION BY SENATOR LOCKYER

1 Q. Tell us a little more about that particular letter. Who  
2 would have prepared it? Under what circumstances?

3 A. I believe I mentioned William Hurley there at the end.  
4 William Hurley is a staff member who works for the Board. He's  
5 worked at landfills for a significant period of time, and Newby  
6 was one that he worked on.

7 He would have prepared the letter in response to a  
8 submittal by BFI in that case. The way it's worded looks  
9 like -- there are a lot of standard clauses in our orders that  
10 say you have to do something to the approval of the executive  
11 officer. And so when those reports are presented to be  
12 approved, the standard practice is to prepare a letter for  
13 approval to say, "Yes, it's hereby approved."

14 Q. It does say, "You are authorized to fill" signed by you.

15 A. Yes.

16 Q. Is that what you would call boiler plate?

17 A. Well, in this case, the issue and questionnaire -- may I  
18 have the letter so I can speak to it specifically? Okay. In  
19 this case Newby Island, I assume because it talks about Area II,  
20 Subarea IV, all landfills are divided into areas. This talks  
21 about an as-built verification report basically verifying that  
22 they have constructed the liner in that area according to the  
23 standards applied in their waste discharge requirements.

24 Probably the way the requirements are written they cannot  
25 fill the areas of the landfill that are generally approved by

1 the Board until the executive officer signs off on the  
2 construction details that they have actually provided. So in  
3 this case they demonstrated that they had constructed the liner  
4 for the area, and the Board had approved that at the staff  
5 level. We were giving them the go-ahead to place garbage on top  
6 of that liner.

7 Q. You will note that paragraph in the letter starts: You  
8 are authorized to fill and so on pursuant to regulations.

9 A. Correct.

10 Q. I assume that letter has legal significance in permitting  
11 their disposal?

12 A. Yes, it does.

13 Q. As I recall your testimony, Mr. Ritchie, you didn't  
14 recall actually having signed this letter.

15 A. I don't recall it, but I see my signature. And that's my  
16 signature.

17 Q. And even having seen it, you still don't recall?

18 A. No, if I had -- I must have been in a hurry, other things  
19 in front of me, and this letter needed to get out. Bill  
20 prepared the letter without really thinking about use of BFI,  
21 and Steve should not be involved, and stuck it under my nose,  
22 and said, "We need to get this out." And I signed it.

23 Q. Was he one of the folks with his initial on the recusal  
24 letter?

25 A. No. His supervisor, Richard McMurtry, was one of the

1 people who signed off on it. Richard -- under normal Board  
2 practice, Richard would have reviewed this letter and signed off  
3 on it before it came to me. Richard should have noticed this  
4 unless he was not available at the time.

5 Q. Would there be some documentation of his signoff on a  
6 memo like that?

7 A. It depends. Normally there is a document, a routing  
8 slip, on the front that shows everybody that signed off on it.  
9 There are cases where either someone is not there, or a matter  
10 of urgency has come up, and the letter needs to be moved through  
11 more rapidly than normal for whatever reason.

12 In this case, there may or may not be such a document in  
13 existence.

14 Q. Would you characterize this sort of letter as routine or  
15 less than routine?

16 A. This is a very routine letter.

17 Q. You would issue numerous of those during the course of a  
18 year?

19 A. Yes. Any of the landfills, as I said -- generally,  
20 landfills are constructed cellwise. They don't all hold up one.  
21 And so most of our waste landfills include some kind of clause  
22 like that verifying that this cell was constructed properly.  
23 Therefore, you can start using it.

24 Q. How many would you think you would see during the course  
25 of a month or a year?

1 A. During the year, oh, I would probably see half a dozen.  
2 Maybe ten.

3 Q. Can you tell us who the name might be mentioned on the  
4 very top line that says Neal?

5 A. Neal. The only Neal I know related to all this is Neal  
6 Wise, employee of --

7 Q. BFI?

8 A. Yes.

9 SENATOR LOCKYER: Thank you. I think that's all the  
10 questions I have.

11 But I just thought of some other ones.

12 CHAIRMAN BOATWRIGHT: Go ahead.

13 Q. It appears that in response to the subpoena, you brought  
14 a stack of diaries or something?

15 A. Yes, these are my calendars for the last four years.

16 Q. Okay. Have you had a chance to actually review them due  
17 to the question posed in the subpoena letter?

18 A. Yes, I have reviewed them throughout this, and the only  
19 mention of anything related to BFI that I'm aware of in  
20 connection with those calendars is the April 27th, 1989 meeting  
21 between myself and the staff member who was working on Apanolio  
22 Canyon at that time.

23 Q. Who was that person?

24 A. His name was Ken Tyson.

25 Q. And that's noted in your diary?

1 A. Yes. The notation, I believe, reads "KGT regarding  
2 Apanolio Canyon."

3 Q. And there are no other '89 through 92 entries of that  
4 sort or any others that would indicate a discussion with a  
5 representative of BFI or Keller Canyon landfill?

6 A. No.

7 Q. Could you jump back to investments for a moment. You  
8 mentioned, I believe, it was largely your wife's stock. Am I  
9 saying that correctly?

10 A. Yes. The way that our stock holdings have accrued, my  
11 wife's father has three children and has trust accounts for all  
12 three children. And annually these persons on their birthdays  
13 are handed part of the trust account to each of them, and that's  
14 usually in the form of a stock holding which is just moved from  
15 one account to another account.

16 We have not been active stock purchasers. It has all  
17 been handled that way. And then within the last -- since early  
18 1990, it was placed in the hands of this investment firm. I  
19 believe with other members of the family as well. And they, for  
20 some percentage of the gain throughout the year, managed the  
21 portfolio and invested in various stocks.

22 Q. Who's the investment manager?

23 A. The investment firm is Campbell Cooper Thwait?

24 Q. Where are they?

25 A. They are based in New York City.



1 Q. Is there someone locally that you would deal with? Or is  
2 it all in New York?

3 A. They are the fund managers. The account itself, the  
4 actual activity, is carried on through Sutro, so there is a  
5 broker here in Sutro who we would be in contact with.

6 Q. Do you recall the name of the broker?

7 A. Yes. His name is Michael Grandin, G-r-a-n-d-i-n.

8 Q. And now, who would discuss these investment opportunities  
9 with him? Would you do that or --

10 A. Kirsten is the only one who has contact with Michael.

11 Q. You don't do that at all?

12 A. No, I do not.

13 Q. Does she ask you for suggestions or advice about what she  
14 might pass on to him?

15 A. We talk about it. But Michael does not make the  
16 decision. The decisions are made by the people at Campbell  
17 Cooper Thwait, and the agreement is for this certain percentage.  
18 that is all in their hands.

19 The Waste Management stock was purchased, and the  
20 direction was don't buy any of the BFI. Don't buy any of the  
21 five oil companies that are active in this area. And don't buy  
22 any semiautomatic conductors because we don't need the conflict.

23 Q. Were those recommendations from you or independently on  
24 Kirsten's part? Who decided that those should be the  
25 restrictions?

1 A. When we received the purchase slip noting the purchase of  
2 Waste Management, as I said, I had a good laugh at her expense,  
3 but then we talked about what should we do or not do. And  
4 that's when she said, who are the people with whom this would be  
5 a really problem for me in terms of conflict? And that was when  
6 we came up with this list of people who we realized were  
7 significant.

8 If another purchase came up where it was somebody where  
9 there were water-quality issues which were really big, I  
10 wouldn't have a problem recusing myself on those.

11 Q. Did you have any general direction to your investment  
12 adviser, Sutro, that they should check with one of you first  
13 before making any investments?

14 A. No. As I said, the Sutro activity was controlled by  
15 Campbell, Cooper & Thwait. We were informed of it after the  
16 fact. We have no control.

17 Q. You were wondering about their investments after the  
18 fact?

19 A. We would learn typically within a week or so.

20 Q. How would they know that you didn't want them to buy oil  
21 company stock?

22 A. Those were actually at that time, back in '90,  
23 instructions which were given verbally by my wife to Michael I  
24 believe.

25 Q. This is the fellow in San Francisco?

1 A. Yes. And I believe that was passed to Campbell, Cooper &  
2 Thwait because it hasn't arisen.

3 Q. Is there any explanation which you can provide for the  
4 failure to disclose the income on your statement of conflict of  
5 interest?

6 A. The only explanation I can come to for myself is that  
7 simply -- I think it's back at about the third or fourth  
8 schedule attachment is where it gets to spousal income, and  
9 because personally and directly I had always made it absolutely  
10 clear about my conflicts or potential conflicts with my wife.

11 For example when they she worked at Dames & Moore, we had  
12 a very clear agreement, since a big client of theirs was  
13 Chevron, that she would not be involved with any Chevron  
14 activity. Because it was important for me to stay within the  
15 regulations.

16 It was an common-knowledge thing. We told people  
17 publicly and openly all the time about the conflict so that  
18 people would be aware not to put us in a difficult position.  
19 The only conclusion I can come to is having done that, I felt  
20 very good about having discharged my responsibility in that area  
21 and didn't seek it out in other places.

22 My failure to put it on the conflict-of-interest form, I  
23 didn't read far enough in, and that is, you know, clearly an  
24 error on my part. Now I have corrected it, and it will not be  
25 an issue in the future.

1 Q. You filled out the forms personally?

2 A. Yes.

3 Q. They are in your handwriting?

4 A. Yes.

5 Q. And on that which calls for spousal income to be  
6 declared, you thought you had maybe done that indirectly?

7 A. Yes. It's something that, as I said, I would never make  
8 a secret of the fact that I left it off this. I couldn't think  
9 of why I would have. I looked at the form.

10 The only explanation I can think of -- this is an  
11 explanation, not an excuse -- is that I believe Schedule A is  
12 Investments. Schedule B is real property, something to that  
13 effect. Schedule C is entitled "Other Income." And I was more  
14 worried about getting those other things and reading that I  
15 could see, gee, they are they are getting farther afield in  
16 terms of other kinds of things, and we don't have any more  
17 arcane kinds of investments than the few stocks. And so I  
18 didn't read past "Other Income." That's the only conclusion I  
19 can reach as to why I failed to do it.

20 Q. Was there anything else that you wanted to add to the  
21 record? Do you have any comments?

22 A. As far as general comments, I have made it very, very  
23 clear, as I said, to all parties that there is a conflict with  
24 my wife on BFI and Dames & Moore possibly, whether it be some  
25 nexus with Brian Kangas, all kinds of different activities, and

1 we have agreed that it's important for her to pursue her career.  
2 So that's a reality we have to live with, and we believe we have  
3 successfully lived with it. And our consciences are extremely  
4 clear on this matter. I think there's what I would really say  
5 as more of a general comment.

6 CHAIRMAN BOATWRIGHT: Thank you, Senator Lockyer.

7 FURTHER EXAMINATION BY CHAIRMAN BOATWRIGHT

8 Q. Sir, I just might -- I'm trying to help you here a  
9 little. I guess on Schedule A, Investments, I'm going to read  
10 you something that I think you have been overlooking because on  
11 income, I don't know if you made \$250 in any one year from your  
12 investments, but if you haven't, you had better get another  
13 investment counselor with the amount of stock you have.

14 I'm going to read I something that's at the bottom of  
15 Schedule A, Investments. And it's been there ever since  
16 I have been filling them out.

17 (Reading)

18 Note: If you're completing an annual -- which this  
19 statement is -- or leaving off a statement you must  
20 report on Schedule D any salary, commission, distribution  
21 or other income -- \$250 or more -- from investments  
22 listed on Schedule A received by you or your spouse.

23 (End of reading)

24 I would suggest that you probably have had more than \$250  
25 income from your investments each year.

1 A. That's in total investment on any individual stock  
2 holding.

3 Q. Well, I would even interpret it most liberally and say  
4 \$250 in any year, any dividends, stock splits. And surely in  
5 that time some of them must have split I would suggest anyhow.  
6 Or \$250 in dividends on your \$10,000 investments that you list  
7 here, and there are some \$10,000 investments.

8 For example -- I'm just looking at this one for '87,  
9 Hotel Investors between 10,000 and a hundred thousand,  
10 W. R. Grace, 10,000 to a hundred thousand, Sierra Pacific  
11 Resources, pretty good utility company, 10,000 to a hundred  
12 thousand dollars.

13 So I'm not going to go through them, but I would suggest  
14 that you may have income, from even any single investment, of  
15 \$250.

16 A. I would definitely look very closely.

17 Q. And I think -- you know, you're the top line officer, the  
18 very top person, who works for the Regional Quality Water Board,  
19 and there are other people under you who also have to file  
20 these. I don't know who your people are all looking to for  
21 advice, but I would suggest that, for example, you should take a  
22 look. You may be in violation of those sections. I'm not sure,  
23 but you may very well be.

24 A. I will look very closely at that. I appreciate being  
25 informed of that.

3  
1 SENATOR BOATWRIGHT: Senator Ayala?

2 EXAMINATION BY SENATOR AYALA

3 Q. Mr. Ritchie, earlier when I asked you, in response to one  
4 of my questions, you indicated that staff has had the  
5 responsibility of what letters or documents you see and which  
6 ones you don't. Now, in terms of request for a waiver or a  
7 variance, especially a major request, shouldn't you be fully  
8 aware of which ones are approved and which are not by your  
9 Board? It seems to me that you responded several times that you  
10 were not aware of a waiver to some project.

11 My understanding is that the Durham Road landfill in  
12 Alameda was concluded differently than perhaps Keller Canyon  
13 landfill under a similar request, and you are not aware of one  
14 or the other as I understood your response to the Chairman.

15 A. With Keller, I am definitely not aware until hearing  
16 about it at this hearing.

17 Q. You are not aware of any Keller involvement by your  
18 Board?

19 A. No, I'm aware of my Board's involvement there, but it  
20 would have been improper for me to say anything one way or the  
21 other about the propriety of an action.

22 Q. You don't know the disposition of that request by the  
23 Board?

24 A. I was at the hearing, so I did hear them adopt the  
25 requirements, and the five-foot separation issue did come up

1 there.

2 Q. But weren't these two landfills covered by the same  
3 requests under the same conditions?

4 A. As I said, looking at the actual requirements that were  
5 adopted for Durham Road, the findings stated that -- this is the  
6 finding by the Board, finding of fact, and their finding was  
7 the need for the five-foot separation for groundwater in Durham  
8 Road was infeasible. Therefore, the extension was granted  
9 provided that an engineered alternative to the five-foot  
10 separation could be developed.

11 The alternative engineered language in the landfill  
12 regulations is wording to the effect that if it's infeasible to  
13 accomplish more than the standards, and there is an engineered  
14 alternative which will achieve the same goal as the standard,  
15 that engineered alternative can be approved.

16 So in the case of Keller Canyon, it appeared they  
17 couldn't meet it, so they looked at whatever wider range of  
18 construction to be the engineered alternative.

19 In the case of Durham Road, it says there will be an  
20 engineered alternative. This document did not specify what it  
21 was.

22 Q. My question was you're familiar with any and all  
23 determinations by your Board as it pertains to a request for  
24 waivers, or variances, or whatever they request for these  
25 landfills?



1 A. Yes. Not when it comes in the door first in the mail,  
2 but yes, sir, I am during the process.

3 Q. You are familiar with the ultimate results of the Board?

4 A. Yes.

5 Q. You know what they approved or didn't approve in any and  
6 all variances or waivers?

7 A. Yes, ultimately, by going, you know, through the  
8 waste-discharge requirements. In the case of Keller, I have  
9 never read the waste-discharge requirements, so I don't know  
10 what they say.

11 Q. Thank you.

12 SENATOR BOATWRIGHT: Because of some time restraints, we  
13 have to terminate this at one o'clock.

14 If you would, without me having to subpoena them since  
15 you are here, if you would make available your federal and state  
16 income tax records for the years '87 and 88-89 any and '91, that  
17 would be sufficient. I'll just take your word that what you  
18 send me is correct.

19 MR. RITCHIE: Okay. Thanks.

20 CHAIRMAN BOATWRIGHT: All right, Senator Lockyer?

21 FURTHER EXAMINATION BY SENATOR LOCKYER

22 Q. Were there any other staff members, during your time of  
23 employment at the Regional Board, that had to recuse themselves  
24 with respect to any items they had worked on?

25 A. I do not recall it ever happening before at our Board or

4 1 at any of the other boards in fact.

2 Q. Other boards?

3 A. The other water quality boards in the state.

4 Q. How would you you know?

5 A. Well, we meet as executive officers monthly and share  
6 information. Certainly on a large issue like BFI, it's been  
7 clear to everybody that I'm recused, and nobody has ever  
8 mentioned any other situations. There may be spousal  
9 arrangements for small issues that have come up.

10 Q. Do you recall at any of those monthly meetings a specific  
11 discussion of recusal in your case?

12 A. The only specific discussions came up when there was a  
13 difficult issue on BFI facing the State Water Board that was  
14 coming from Los Angeles Region, and the chairman of the State  
15 Board was going to meet with us to talk about issues, and I  
16 think it was discussed in conversation. I did not participate  
17 in that.

18 But if the case was discussed, I didn't participate other  
19 than saying that, of course, I have gotten out of the BFI stuff  
20 because of my wife's involvement. And that's the only time that  
21 I discussed that.

22 Q. Can you tell us when that meeting was?

23 A. That probably would have been sometime in 1990. Give or  
24 take.

25 Q. Do you recall conflicts affecting your board members

1 during your tenure there?

2 A. Yes. Two of my board members in particular hold stock in  
3 a couple of oil companies and so -- one in Exxon, and one in  
4 Chevron, and one in East Bay MUD bonds, and so they have recused  
5 themselves on those matters.

6 In addition, we now have a member on the board who is an  
7 attorney, and his law firm has a large and varied practice. He  
8 has been very careful about recusing himself where the firm has  
9 been a client. That's become a problem because they have a  
10 large number of clients.

11 Q. Who advises those board members of how recusal works, and  
12 what the nature of the process is, and all the requirements?

13 A. The advisers -- Gary Grimm, the board's counsel with  
14 assistance from the Office of Chief Counsel for the State Board  
15 in Sacramento. Just recently within the last three or four  
16 months, he has advised them to state the particular legal  
17 purpose for the recusal on certain items because we had a case  
18 where one of the Board members said, "Well, I'm abstaining on  
19 this for conflict reasons." And they need to be more explicit  
20 on that as to why they are abstaining. So that direction has  
21 been given recently.

22 Q. How long ago?

23 A. Oh, within the last three on or four months.

24 Q. Was Mr. Grimm the same person who was advising you about  
25 how you should handle these matters?

4 1 A. That's correct.

2 Q. And did you ask his direction and guidance prior to  
3 sending in your recusal memo?

4 A. I believe, as I said previously, I said, "This is what  
5 I'm doing, Gary, to make sure it's clear on the record that I'm  
6 not involved in BFI matters."

7 And he said, "Yes, that's appropriate." Something to  
8 that effect.

9 As a matter of fact, we are now discussing, since my wife  
10 has left BFI's employment, at what time would it be proper for  
11 me to commence being active on BFI. Should it be one year past  
12 the date she left? Or whatever.

13 Q. Were there Board-member conflicts, to your recollection,  
14 prior -- while you were serving there -- prior to your own  
15 conflict occurring?

16 A. Yes, there were occasions where Board members have had to  
17 recuse themselves on other things. I have worked with the Board  
18 generally for about 15 years, and there were other cases.

19 Q. And the issue was not that unfamiliar to you when you  
20 bumped into the matter more personally?

21 A. Right. One of the fellows owned a restaurant who bought  
22 it from an egg ranch that we were regulating. That was the  
23 first time I saw it.

24 Q. When would that have been?

25 A. Probably about '81.

1 SENATOR LOCKYER: Thank you.

2 CHAIRMAN BOATWRIGHT: Senator Ayala, do you have any  
3 further questions?"

4 FURTHER EXAMINATION BY SENATOR AYALA

5 Q. I was just going to inquire if management, and your  
6 staff, or others come under the same regulations that you do  
7 when investing in stock like like Castle & Cook and all of the  
8 other -- Sierra Pacific Resources -- others -- Alexander &  
9 Baldwin, do they come under the same restrictions that you do  
10 when dealing with these matters?

11 A. Yes, they come under the same restrictions as I do as  
12 well down to the, I think, senior engineering level.

13 Q. And are you aware of any of those folks that own stock in  
14 these different companies that could have a conflict of interest  
15 in those activities?

16 A. I consider myself very fortunate to have married my wife,  
17 and she has a large income from her parents. The other people  
18 on our staff, state employees, don't make a lot of money, so  
19 those opportunities aren't coming their way.

20 Q. That's not a criteria that they haven't made a lot of  
21 money.

22 A. No, it's not. But they don't have a lot of disposable  
23 income to invest in general, so I'm not aware of other cases  
24 where conflicts have arisen.

25 SENATOR AYALA: Thank you.

4 1 CHAIRMAN BOATWRIGHT: Okay, Mr. Ritchie, you are excused.  
2 Thank you very much.

3 Mr. Kolb.

4 (Mr. Lawrence Kolb was escorted into the council  
5 chambers.)

6 MR. GRESS: Mr. Kolb, the Government Code of the State of  
7 California contains provisions that set forth your rights as a  
8 witness before this Committee. You have been read those rights  
9 at the beginning of the hearing, and copies have recently been  
10 provided to you.

5 11 Do you understand these statements regarding your rights  
12 before this Committee?

13 THE WITNESS: Yes, I do.

14 MR. GRESS: Do you wish to testify voluntarily under the  
15 provisions presented?

16 THE WITNESS: Yes, I do.

17 MR. GRESS: At this time I will now administer the oath.  
18 Would you please raise your right hand.

19 Do you solemnly swear or affirm that the testimony you  
20 are about to give this Committee shall be the truth, the whole  
21 truth, and nothing but truth?

22 THE WITNESS: I do.

23 MR. GRESS: Please be seated.

24 LAWRENCE PAUL KOLB,  
25 having been called as a witness by the Committee, and having

5 1 sworn to tell the truth, testified as follows:

2 EXAMINATION BY CHAIRMAN BOATWRIGHT

3 Q. What is your full name, please

4 A. My name is Lawrence Paul Kolb.

5 Q. And by whom are you employed?

6 A. The San Francisco Bay Regional Water Quality Control  
7 Board.

8 Q. What is your title?

9 A. My title is assistant executive officer.

10 Q. And what are your specific duties?

11 A. I am generally responsible for the internal  
12 administrative functions of the Board which currently involve  
13 overseeing all the programs of the Board that relate to  
14 groundwater protection.

15 Q. And if the executive officer recuses himself,  
16 Mr. Ritchie, do you assume the duties of the executive officer?

17 A. Yes, I do.

18 Q. And what was your prior employment, prior to becoming  
19 executive officer specifically?

20 A. I have worked for the Regional Board since 1973. 19  
21 years. And I started there as an engineer and became a senior  
22 engineer, and a supervising engineer, and so forth.

23 Q. Okay. And were you notified by Mr. Ritchie sometime in  
24 1989 that he was no longer going to work on BFI landfill sites?

25 A. I remember Mr. Ritchie notifying me, and he sent a memo

1 around the office. I don't remember the exact time of it, but  
2 it was about that time.

3 Q. I'm going to show you Exhibit No. 7 and ask if you have  
4 seen that before, and tell me if you're one of the initials  
5 identified on there.

6 A. Yes, I did see this at this time.

7 Q. And was that distributed to you as one of the initials?

8 A. Yes, it was.

9 Q. Did you some way or another knowledge receipt of that  
10 memo?

11 A. I did so in the sense that I would have mentioned it to  
12 Steve.

13 Q. You didn't sign or initial anything and make it part of  
14 any public record?

15 A. I don't recall doing that.

16 Q. Have people ever recused themselves on issues before and  
17 notified you?

18 A. No, they have not.

19 Q. So this was the first recusement that you have had known  
20 and been involved in at the Regional Board?

21 A. That's right.

22 Q. And when you -- after this date took over with respect to  
23 BFI matters as the acting executive officer of the Regional  
24 Water Quality Board, I assume that you took over the complete  
25 organization, management and all other duties overseeing staff



5 1 review of BFI's landfills including in Keller Canyon?

2 A. Yes, I did.

3 Q. And did you help shape the Regional Board's staff's  
4 recommendation about the Keller dump?

5 Q. I would say that my role was more to be generally in  
6 charge of the staff review, and when the staff review was  
7 complete, I concurred with that staff review and so recommended  
8 it to the Board.

9 Q. Did Mr. Ritchie, after this memo of June 5th, 1989, ever  
10 participate prior to this time on any BFI matters?

11 A. You mean after the memo was issued?

12 Q. Right.

13 A. No, he did not.

14 Q. Did you ever discuss with him any matters pertaining to  
15 BFI after his recusement or his letter of recusement?

16 A. We did not really have discussions on that subject.  
17 There were a couple of instances in which I inadvertantly  
18 mentioned something to do with BFI on which he told me, "I can't  
19 talk about it."

20 Q. Did he ever discuss with you his wife's working for BFI

21 A. No. I mean I knew she was working for BFI, but he never  
22 initiated any discussion of a BFI site or made any mention of  
23 what she was doing in her job capacity.

24 Q. Did you ever discuss with his wife, after this memo, any  
25 BFI matters?

1 A. Not to my recollection.

2 Q. Never talked to her at all about Keller by telephone or  
3 otherwise?

4 A. I am certain that I never talked to her about Keller in  
5 any way whatsoever.

6 Q. Are you aware, as of this time, that she worked on the  
7 Keller site?

8 A. No, I wasn't. Actually, I had the impression she wasn't  
9 working on Keller. I didn't really know what she was doing,  
10 which sites she was working on.

11 As you know, BFI has several sites in our region.

12 Q. What are some of the sites in your region owned by BFI?

13 A. They own Ox Mountain; they own Apanolio Canyon; they own  
14 Durham Road; they own Newby Island; and they own Keller Canyon.

15 Q. Did you ever discuss with Mrs. Ritchie any of those sites  
16 at any time?

17 A. Not that I can recall. There was a long and protracted  
18 Regional Board involvement with Apanolio Canyon, which was a BFI  
19 site which the regional board rejected on my recommendation,  
20 and that went on for so long that I can't remember all the  
21 discussions. But I'm sure I have never had a substantive  
22 discussion on any of these sites with Mrs. Ritchie.

23 Q. Is Apanolio operating at this time?

24 A. It is not because the Regional Board denied it.

25 Q. Did they ever operate?

6 1 A. They never did.

2 Q. How about Ox Mountain?

3 A. Ox Mountain is an operating landfill. It is the next  
4 canyon over.

5 Q. From Apanolio, right?

6 A. That's correct.

7 Q. In San Mateo County.

8 A. That's correct.

9 Q. And Newby Island? Did you do any work on Newby Island?

10 A. I was involved in Newby Island many years ago. I don't  
11 recall during this period of recusement having anything to do  
12 with the Newby Island.

13 Q. How about Vasco Road?

14 A. On Vasco Road I think I may have signed a piece of  
15 correspondence or two. On Vasco Road. But I never went to a  
16 meeting, and I can't recall having any discussions.

17 Q. So as far as the field work, your people would go out in  
18 the field and come back, and I guess you would have meetings  
19 with them on the Keller Canyon site?

20 A. That's right.

21 Q. And eventually a decision was made to permit Keller  
22 Canyon?

23 A. That's correct.

24 Q. Who made the recommendation of the siting to the Regional  
25 Board?

6  
1 A. I did.

2 Q. I'm going to show you Exhibit No. 21, including the last  
3 page. Recommendation of the adopting of tentative resolution.  
4 This is for the meeting date of June 19th, executive officer  
5 summary report. It has at the very back Steven Ritchie,  
6 executive officer certifying the report as full, true, and  
7 correct. Steven Ritchie, executive officer.

8 Are you telling me he had nothing to do with that?

9 A. I am indeed. I am telling you he had nothing to do with  
10 that. Nothing.

11 Q. How does his name appear on that last page?

12 A. As a clerical screw-up. And he was -- I don't remember  
13 on this one. We had done that a couple of other times, and he  
14 was upset. But he had nothing to do with it.

15 Q. So he was upset enough to discuss it with you?

16 A. Yes. He said, "Keep my name off of anything to do with  
17 Keller Canyon and BFI because it looks bad."

18 Q. So he did know. That was one discussion with him on  
19 Keller Canyon.

20 A. That signature block was put on by error. He was  
21 correcting me for an oversight.

22 Q. I thought I had asked you if you ever had a discussion  
23 with him on Keller Canyon, and you said, "No."

24 A. You got me. I did have a discussion on this subject, but  
25 in terms --

1 Q. I just want the truth, and I just want your best  
2 recollection.

3 A. This is my best recollection.

4 Q. Could I have that back. (Referring to Exhibit No. 21)  
5 Are you a member of Sierra Club?

6 A. Yes, I am.

7 Q. Of which chapter?

8 A. I live in Oakland, so that's the San Francisco Bay  
9 Chapter?

10 Q. How long have you been a member of the Sierra Club,  
11 San Francisco Bay Chapter?

12 A. I think since 1968.

13 Q. Have you ever had held a position with the Sierra Club or  
14 any of its chapters?

15 A. Yes, I have. In the late seventies I was -- in the  
16 midseventies I remember I was chairman of the Willard  
17 Subcommittee. And then in the late seventies I was chairman for  
18 one year of the Conservation Committee. And more recently I  
19 have been on an internal committee, not connected the  
20 conservation issues, called the Staff Management Committee  
21 which is essentially the internal personnel committee which is  
22 involved with the paid staff of the Sierra Club. The Bay  
23 Chapter has eight, or nine, or ten people who are paid staff for  
24 that chapter.

25 Q. Are you still a member of the Conservation Committee?

6 1 A. I'm not a member of the Conservation Committee.

2 Q. When did you terminate that membership?

3 A. I'm a little fuzzy or how you become a member of the  
4 Conservation Committee, but I will say that in the last ten  
5 years I have gone two maybe two monthly meetings of that  
6 Committee. So I'm sure they don't consider me a member of the  
7 Conservation Committee.

8 Q. Did the Sierra Club Conservation Committee ever take a  
9 position on Keller Canyon dump?

10 A. It's my understanding that the Committee did. I had  
11 nothing to do with it.

12 Q. Do you know when they did?

13 A. I know it was before the Regional Board acted. And the  
14 Regional Board acted in early 1991. And at that point I know  
15 that the Chapter had taken a position on Keller Canyon.

16 Q. Did you ever talk to anyone in the Sierra Club  
17 supporting Keller Canyon prior to their taking that position?

18 A. No, I did not.

19 Q. Where you present at the meeting where the Conservation  
20 Committee took a position of support?

21 A. No, I was not.

22 Q. Was anyone representing the Regional Board there at your  
23 request?

24 A. I have no recollection of either being at a meeting or of  
25 asking somebody working for the Regional Board to be at a

6 1 meeting where a position was taken on the Keller Canyon  
2 landfill.

3 Q. And I believe it was your statement they took their  
4 position before the Regional Board permitted Keller Canyon?

5 A. Yes. I believe at the Regional Board meeting someone  
6 from the Sierra Club said they endorsed that site.

7 Q. Now, it's my understanding that you attended a fairly  
8 recent meeting of the Sierra Club Conservation Committee; is  
9 that correct?

10 A. That's correct?

11 A. About March 5th of this year?

12 A. That's correct.

13 Q. And who accompanied you to that meeting?

14 A. I was invited by the Conservation Committee and went by  
15 myself.

16 Q. Did Mr. Gordon go with you? Scott Gordon?

17 A. No. When I walked into the room he was there, though.

18 Q. Was Mr. McMurtry of your staff with you?

19 A. No.

20 Q. Was he there?

21 A. No.

22 Q. And what was the purpose of the meeting that you went to  
23 on March 5th, 1992?

24 A. I was asked to -- this was, I should say, about a year  
25 after our Board had approved the Keller Canyon dump, which was

7  
1 to go to say that the action was no longer before our Board. So  
2 the purpose of action was to inquire what were the bases for the  
3 Regional Board's action one year earlier in approving this dump.

4 Q. Was there a proposal before the Board on March 5th by the  
5 Delta Group of the Sierra Club to ask them to revoke their  
6 endorsement of the Keller Canyon landfill?

7 A. That was my understanding of what was before the  
8 Conservation Committee.

9 Q. You spoke against that, did you?

10 A. I did not.

11 Q. You didn't speak against a draft proposal that was before  
12 them that night that have put the Sierra Club Bay Chapter  
13 Conservation Committee in a neutral position? You didn't speak  
14 against that resolution?

15 A. I did not. I was invited to clarify what the Regional  
16 Board had done. I did that. I made it clear that I was  
17 representing the Regional Board at that meeting and not speaking  
18 as a Conservation Committee member or Sierra Club member.

19 And I specifically remember not saying anything. It's  
20 not my place in that meeting to be telling the Sierra Club  
21 Conservation Committee what they should or shouldn't do, and I  
22 did not do that.

23 Q. Who asked you from the Regional Board to go? You said  
24 you were there as a representative of the Regional Board.

25 Who requested you to go?



7  
1 A. I think the invitation came from the Conservation  
2 Committee, although I cannot remember specifically which person  
3 it was. It might have been David Kamm or it might have been  
4 David Nesbitt.

5 Q. And you did not speak against this resolution?

6 A. I would say, first, that attending a public meeting in  
7 connection with items that the Regional Board is involved with  
8 is a routine part of the working for the Board. I have done it  
9 many times.

10 The burden of my testimony was that I felt that the  
11 Board's decision was justified and that the design for waste  
12 containment at Keller Canyon was a good and workable design.  
13 That was the beginning and ending of what I said about the dump.

14 I think that would logically lead that Committee to maybe  
15 say that their past position was okay, but that wasn't what I  
16 was recommending. And I wasn't there to make that point.

17 Q. Did you introduce yourself as a former chairperson of  
18 this Committee you were appearing before?

19 A. Yes, I did. I mentioned that I had been involved in  
20 Sierra Club actions a number of times before, and I wanted to  
21 make it clear that I wasn't doing that tonight. I was here  
22 wearing my Regional Board hat.

23 In a fact, I remember using those words specifically,  
24 that I wasn't there to as a fellow Sierra Club member; I was  
25 working as a state employee.

7 1 Q. Did you remind them that you were chair of the Management  
2 Committee which oversees the Sierra Club personnel matters?

3 A. No, I didn't.

4 Q. You didn't mention that at all?

5 A. I can't recall mentioning that.

6 Q. Did you specifically say that this really came down to a  
7 fight between two large waste-disposal companies -- BFI and  
8 Waste Management?

9 A. I commented to the effect that my experience on  
10 garbage-dump siting is that it is a really sleazy business, and  
11 I strongly believe that. I think that these two nationwide  
12 companies blanket the political landscape with money, and I  
13 don't like it.

14 Yes, I said that.

15 Q. But that's your work, isn't it? Isn't that what you're  
16 supposed to do is work with these people?

17 A. There's a saying in this business that the only thing  
18 that smells worse than garbage is the politics of garbage, and I  
19 don't like it.

20 Q. But you work in it, don't you? You take money from the  
21 State of California to work in this field?

22 A. I do my best.

23 Q. What's your salary?

24 A. About \$69,000.

25 Q. \$69,000 a year, right?

7  
1 A. Right.

2 Q. And part of your duties is to site garbage dumps?

3 A. Yes.

4 Q. For BFI?

5 A. For anybody.

6 Q. For BFI?

7 A. Including BFI.

8 Q. I'm not familiar with the Anybody Company. I'm asking  
9 about BFI.

10 A. For BFI.

11 Q. For Waste Management of North America?

12 A. For Waste Management of North America.

13 Q. And you specifically referred to those two companies  
14 before the Sierra Club Conservation Committee that this was  
15 basically a fight between two big companies?

16 A. I think that whenever one company -- when they're in the  
17 same market, one company is subverting the other, and I do  
18 believe that on this site -- and I sure saw it on Apanolio  
19 Canyon which our Board at that time was working against BFI,  
20 gave BFI a major defeat at my recommendation, but secretly  
21 helping that process was Waste Management in the background.

22 Q. Now could we come back to my question.

23 A. Yes.

24 CHAIRMAN BOATWRIGHT: Could you read my question back,  
25 please.

7  
1 (The reporter read the question.)

2 CHAIRMAN BOATWRIGHT: That's the one.

3 A. I don't recall my exact words, but I did make that  
4 comment that I felt that was there was that dimension going on  
5 in this debate. I still feel that way.

6 Q. Did you specifically refer to and attempt to discount  
7 issues of instability and leakage raised in a State Board staff  
8 memorandum? Did you refer to that and speak to that issue?

9 A. I don't recall how I spoke to that.

10 Q. Did you refer to it at all?

11 I'm talking about the Harry Schueller memo.

12 A. I don't recall being that specific. I did describe in  
13 some detail the nature of the containment design that was  
14 proposed to the Board and approved, and I did discuss some of  
15 the issues before the State Board including the five-foot  
16 separation.

17 I don't recall getting into the detail of what the State  
18 Board had said in any particular memo.

19 Q. Did you state that you believe Keller Canyon landfill to  
20 be, quote, the best dump design ever approved, unquote?

21 A. Yes, I said that, and I do believe it. Of the sites that  
22 have come before the Board since I've been working in garbage  
23 dumps, I think this is the best containment design I have ever  
24 seen.

25 Q. Do you recall the letter from me to the Chair of the

8  
1 Regional Board dated February 27th, 1991 in which I raised  
2 concerns about the tentative waste discharge order the Board is  
3 considering for the Keller hillside dump, and I stated,

4 (Reading)

5 As you are aware, California law and regulations  
6 require, quote, all new landfills, waste piles, and  
7 surface impoundments shall be designed, and constructed,  
8 and operated to ensure that waste will be a minimum of  
9 five feet above the highest anticipated elevation of the  
10 underlying groundwater. Further, Section 13050, Sub 1,  
11 13050-M, and the Water Code require that the disposal of  
12 waste shall not create a condition of the pollution or a  
13 nuisance.

14 Despite these requirements, I understand the  
15 tentative waste discharge requirements do not require a  
16 five-foot separation, allow garbage to be deposited in a  
17 low-mouth area, and rely on a containment berm resting on  
18 landslide materials.

19 The City of Pittsburg informs me that the FIA has  
20 filed documents stating a five-separation would also be  
21 unnecessarily burdensome, and the added cost of  
22 placing an extra three foot of soil is estimated \$7  
23 million in construction, 12.9 million in lost air space  
24 that would otherwise be available for waste disposal.

25 (End of reading)

1 And then the report.

2 And do you recall that letter?

3 A. I do recall that letter.

4 CHAIRMAN BOATWRIGHT: I would like to have this, then,  
5 marked as the exhibit next in order. That's Exhibit No. 22.

6 (LETTER DATED FEBRUARY 27, 1991 was marked  
7 Exhibit No. 22.)

8 Do you recall the letter that was sent to me from  
9 Lawrence B. Kolb, assistant executive officer that was addressed  
10 to me on March 19th, 1991 answering that letter I just read in  
11 part and in which you stated (Reading)

12 We believe that the proposed design will provide  
13 better groundwater protection than simply meeting the  
14 five-foot waste and groundwater separation requirement.  
15 The State Lands Disposal Regulations, Chapter 15  
16 specifically allow such designs where they will provide  
17 equivalent water-quality protection.

18 Furthermore, the technical reports that you refer  
19 to are design details that are best addressed as  
20 design proceeds.

21 (End of reading)

22 Do you recall this letter?

23 A. I do.

24 Q. And attached thereto is an internal memo to you from  
25 George Leyvia, the engineering geologist; do you recall that?

1 A. I do.

2 Q. I'd like to have this marked as the next exhibit.

3 (LETTER DATED MARCH 19, 1991 was marked  
4 Exhibit No. 23.)

5 Q. You refer to design details, and I wrote you a  
6 letter back. It referred to the report which you did not yet  
7 have in making your decision, and that was dealing with leachate  
8 management plan, earthquake plan, a monitoring definition plan,  
9 and a post-closure maintenance plan. And at that time when the  
10 tentative waste-discharge order was issued, those referenced  
11 items had not yet been addressed; isn't that true?

12 A. That's correct.

13 Q. I'd like this marked as next exhibit.

14  
15 (Letter dated March 22, 1991 was marked  
16 Exhibit No. 24.)

17 I have a here memorandum from Harry Schueller, chief of  
18 the Division of Clean Water Programs, State Water Resources  
19 Control Board, with respect to the petition of the City of  
20 Pittsburg on the Keller Canyon landfill, and it's addressed to  
21 William R. Atwater. And it's dated December 5th, 1991.

22 It's my understanding that you have seen this, but I'm  
23 going to show it to you and see if you have seen this.

24 (Witness examining document.)

25 A. Yes, I have seen that.

8 1 CHAIRMAN BOATWRIGHT: All right.

2 Mark that as the next exhibit.

3 (LETTER DATED December 5th, 1991 was marked  
4 Exhibit No. 25.)

5 Q. In referring to Mr. Schueller's memorandum -- and this is  
6 the chief of the Division of Clean Water Programs -- and in here  
7 he raises many, what I consider, very serious situations, and he  
8 says here.

9 (Reading)

10 The most important issue on page 2 relates to the  
11 potential for settlement of slope instability of the  
12 proposed site. Additional issues we have identified are:

13 (1) The presence or absence of a five-foot  
14 separation between waste and groundwaters required by  
15 Section 2530-C of Chapter 15.

16 (2) Adequacy of the proposed liner designed to  
17 prevent leakage of waste or leaching and,

18 (3) The adequacy of the groundwater monitoring.

19 (End of reading)

20 You're familiar with those issues that they have  
21 identified and he considered very important?

22 A. Yes, I am. And I would note that they have now resolved  
23 those issues. A draft order was issued a couple of days ago  
24 which basically said the five-foot separation alternative as  
25 provided and approved by the original Board is adequate.



8  
1 Q. That's the Board. I'm talking about the expert whom they  
2 overruled. And they overruled him; did they not?

3 A. This was coming from the technical staff of the state  
4 board. The Board itself is not active in this matter.

5 Q. This is the person who is the very chief, who has several  
6 degrees in engineering and things of that nature, who's  
7 responsible for reviewing the petition and all of the supporting  
8 documents, and he did write this memo, didn't he?

9 A. Yes, he did.

10 Q. Have you ever seen anything he wrote that said, "I take  
11 back what I said in this memo. Harry Schueller?"

12 A. You mean has Harry Schueller --

13 Q. Yes, has Harry Schueller?

14 A. No, I think not.

15 Q. Right. And I'm referring again to page 2 where he  
16 states:

17 (Reading)

18 We have reviewed the data supplied by BFI through  
19 October 15th, 1991 and have concluded that evidence in  
20 the record suggests that there is a potential for  
21 inducement of slope instability due to the proposed  
22 excavation and grading at the site. The Regional Board  
23 order did not address this issue.

24 We have concluded that the data are insufficient  
25 and inadequately presented to assess the support for

9 1 petitioner's contention relative to the differential  
2 settlement. Our review indicates that no detailed  
3 analysis of either the stability of the site or of the  
4 potential differential settlement was done by BFI.

5 Without this information, it is impossible to  
6 determine if the site is suitable for a Class II  
7 landfill.

8 (End of reading)

9 And he put that in his memo, didn't he?

10 A. Yes, he did.

11 Q. And with respect to the five-foot separation, he states  
12 on page 2

13 (Reading)

14 Chapter 15 requires that new landfills be sited,  
15 designed, constructed, and operated to ensure  
16 that waste will be a minimum of five feet above the  
17 highest anticipated elevation of underlying groundwater.

18 There is no substantial evidence that supports the  
19 conclusion of the Regional Board that it is not feasible  
20 to maintain the minimal five-foot separation at the  
21 proposed landfill. The Regional Board did not analyze  
22 the subdrain to determine if it alone constituted an  
23 engineered alternative to the required five-foot  
24 separation.

25 (End of reading)

1           And he wrote that; did he not?

2   A.       Yes, he did.

3   Q.       And he cites literature by Dr. Rudy Bonapart, consultant  
4   to the BFI which indicates that there is a potential for the  
5   proposed composite liners to leak at some time in the future.

6           When you read this memorandum, did this give you any  
7   cause at all for concern?

8   A.       Yes, it did. It appeared that we had some educating to  
9   do as a minimum. I would note that the draft order put out by  
10   that same staff, the Regional Board, has been upheld on the  
11   issue of liners, the issue of five-foot separation, the issue of  
12   differential settlement.

13           The only issue on which our Board's order was modified is  
14   the slope stability. And the information was presented to guide  
15   the state board on it, that was not available to the Regional  
16   Board at the time of this hearing. That was all developed after  
17   the Board acted.

18   Q.       As a matter of fact, you acted on the basis that BFI told  
19   you there was an upward hydraulic gradient in the canyon floor  
20   area, and that the groundwater in that area moves upward toward  
21   the land's surface as opposed to downward. Isn't that what you  
22   were acting on at the time?

23   A.       I don't remember what our assumptions were on groundwater  
24   movement.

25   Q.       Well, he says -- I'm reading that BFI contended that.

1 And he says: (Reading)

2 Our review of the record indicates that of the  
3 entire 244 acre landfill, less than 50 percent of the  
4 naturally occurring groundwater beneath the landfill  
5 actually moves to that upward hydraulic gradient area.  
6 Groundwater movement within bedrock is to areas downgrade  
7 from the proposed landfill; therefore we have concluded  
8 that the upward gradient will not prevent migration  
9 of liquids from the landfill.

10 (End of reading)

11 A. Let me just clarify that that would only be relevant if  
12 the thing leaked in the first place. The whole point of the  
13 liner design is to see that that question was -- never needed to  
14 be resolved.

15 Q. Well, he disagreed, anyway, with the conclusion of BFI  
16 and your conclusion at the Regional Board; did he not?

17 A. At that time he did.

18 Q. Have you spoken to him at this time to see if he doesn't  
19 any longer hold this opinion?

20 A. I have not, but I have seen the order put out from his  
21 unit. I assume he agrees with it.

22 Q. But that's an assumption on your part.

23 A. The same assumption I made that he agreed with what he  
24 signed. I have no reason to guess otherwise.

25 Q. Well, do you always agree with everything you sign?

9  
1 A. Yes.

2 Q. Do you think Mr. Ritchie always agrees with everything he  
3 signs.

4 A. Yes.

5 Q. I guess he would agree, then, in October of 1989 when his  
6 wife worked for BFI, and he wrote a letter to Newby Island,  
7 which happened to be a BFI site, permitting them. I guess he  
8 would agree with that, then, wouldn't he?

9 May I have that document?

10 So if your statement is true -- I'm going to show you a  
11 letter marked Exhibit No. 15 dated October 31st, 1989 addressed  
12 to BFI permitting Newby Island sanitary landfill signed by Mr.  
13 Ritchie, after he had recused himself, and ask you if you have  
14 read that document.

15 (Witness examining document.)

16 A. I have not.

17 Q. But it's your contention that you and Mr. Ritchie agree  
18 with everything you sign, right?

19 A. Well, let me put it this way. I never sign anything I  
20 don't agree with. There may have been instances where I don't  
21 understand it well enough, and I should understand it better.  
22 But no, I don't sign things I don't agree with. And I don't  
23 think Mr. Ritchie does, either.

24 Q. So he would agree with that, then?

25 A. You would have to ask Mr. Ritchie.

1 Q. In your opinion?

2 A. In my opinion, he would.

3 Q. I guess really what we're talking about is if the Keller  
4 Canyon is eventually sited over Mr. Schueller's objection, that  
5 I guess we really won't know who's right until sometime down the  
6 road. And I suppose if it leaks, then we will know that you  
7 people weren't right, and at the time of closure, four years  
8 down the road, they will know you're right, right?

9 A. That's correct. The monitoring program is intended to  
10 let us know much earlier than that if there is leakage.

11 Q. You have off-site monitoring wells?

12 A. I'm not familiar with the details of the monitoring  
13 program on the downgrade side of the site.

14 Q. But you just said that it would let us know ahead of  
15 time.

16 A. Well, what you want to know right away are monitoring  
17 wells that are just below the toe berm, and you know those  
18 exist. Those would be the earliest indicators that you get.  
19 Yes, I know those do exist.

20 As far as as going downgradient, do they cross the  
21 property line? I don't think they do.

22 Q. Do sometimes on landfill sites, underground migration of  
23 water occur and only show up after it's offsite? Never onsite?

24 A. That could happen, but the intent of the monitoring wells  
25 is to put them down in places where you are likely to pick it

0 1 up. That's not to say they're perfect, but that's the whole  
2 intent of doing it. You can catch it before it leaves the site.

3 There are instances, including one at Antioch, when only  
4 the offsite monitoring wells showed there was offsite migration,  
5 and the onsite didn't catch it.

6 Are you familiar with any in the State of California like  
7 that?

8 A. Senator, I think what you're saying is entirely possible.

9 Q. So if in, a fact, there is migration that is heading  
10 offsite, and the garbage is already there, how can you stop it?

11 A. We think it could be stopped at this particular site, and  
12 I wish I could say that for all the sites. In this particular  
13 site there is relatively little water moving through that  
14 canyon. It's an inherently dry area. It's gets on the order of  
15 13 inches of rain a year.

16 And the underflow is quite small, so we think it would be  
17 feasible to pump any groundwater out of the ground and clean it  
18 up up through activated carbons.

19 Q. There are landslides in this canyon?

20 A. Yes, there are. 15,000 years old, but they do exist.

21 Q. Are there some fairly recent ones? You say that last one  
22 is 15,000 years old?

23 A. To geologists, that's recent.

24 Q. Aren't there some more recent than that? Landslides in  
25 this canyon?

1 A. Not to my knowledge.

2 Q. I'll check that out.

3 Senator Lockyer?

4 EXAMINATION BY MR. LOCKYER

5 Q. Mr. Kolb, are you acquainted with a prominent attorney in  
6 this area. Ted Colbin?

7 A. No, I'm not.

8 CHAIRMAN BOATWRIGHT: Senator Ayala, do you have any  
9 questions?

10 SENATOR AYALA: No questions.

11 FURTHER EXAMINATION BY CHAIRMAN BOATWRIGHT

12 Q. I asked you to bring notes with respect to various  
13 meetings, and I'm going to ask you if you have reviewed those  
14 notes prior to bringing them here.

15 A. Yes, I have.

16 Q. Do you find any meetings in there at all with Kirsten  
17 Ritchie? Anywhere in those records ever?

18 A. They are not in my notes and not in my memory.

19 Q. I have only got a little bit, and I want to get to  
20 another witness here.

21 Have you ever talked to Mr. Schueller at all about this  
22 site?

23 A. No, I have not.

24 Q. Somewhere -- and I will find it. I have got to jog my  
25 memory -- there was a statement made coming -- and I believe it



1 was a letter by you to the state board to the effect that the  
2 opposition to the Keller landfill was just a political action on  
3 the part of politicians. Did you sign a letter to that effect?

4 A. No, I'm sure I never have signed such a letter. The  
5 Regional Board would not write a letter like that.

6 Q. Well, I will find that, believe me, and I will start  
7 looking for it.

8 You're excused.

9 And bring in Ms. Schifferle. And I'm going to look for  
10 that letter.

11 (Ms. Schifferle was escorted into the council chambers.)

12 MR. GRESS: Good afternoon. I'm Alvin Gress, Committee  
13 counsel, and we are swearing the witnesses under oath to testify  
14 in front of the Committee today.

15 Were you present at the beginning of the hearing when I  
16 read Section 9410 of the Government Code to the witnesses  
17 advising them of their rights?

18 THE WITNESS: No, I apologize. I was not.

19 MR. GRESS: Sergeant, would you give a copy of this to  
20 Miss Shifferle and ask her to look it over. And then I have two  
21 questions I would like to ask you prior to giving you the oath.

22 (The witness examined the document.)

23 MR. GRESS: Do you understand the statements regarding  
24 your rights before this Committee?

25 THE WITNESS: Yes, I do.

1 MR. GRESS: Do you wish to testify voluntarily under the  
2 conditions presented in Section 9410?

3 THE WITNESS: Yes, I do.

4 MR. GRESS: At this time I will administer the oath.  
5 Will you please stand and raise your right hand.

6 Do you solemnly swear or affirm that the testimony that  
7 you are about to give before this Committee shall be the truth,  
8 the whole truth, and nothing but truth?

9 THE WITNESS: I do.

10 MR. GRESS: Please be seated.

11 PATRICIA ANN SHIFFERLE,

12 having sworn to tell the truth, testified as follows:

13 EXAMINATION BY CHAIRMAN BOATWRIGHT

14 Q. State your full name please.

15 A. Patricia Ann Schifferle.

16 Q. And are you a member of the Sierra Club at all?

17 A. Yes, I am.

18 Q. What chapter or however you denominate them? Tell us the  
19 chapter.

20 A. You know -- forgive me for this -- but I'm in the  
21 San Francisco Bay Chapter, and I believe that as a member, I'm  
22 automatically a part of that chapter.

23 Q. Okay. What I'm going to ask you about specifically is  
24 the Keller Canyon landfill, and it's my understanding that you,  
25 because of your concerns about the environmental aspect of

1 Keller Canyon and its approval by the Regional Board and the Bay  
2 Chapter's Conservation Committee approving or supporting Keller  
3 Canyon, that you went there on March 4th of this year with a  
4 resolution that you were hoping they would adopt that would put  
5 them in a neutral position; is that correct basically?

6 A. I was hired as a consultant through attorneys through the  
7 City of Pittsburg. I have been working on this project across  
8 some time. And I believe the date was March 5th on which the  
9 Sierra Club considered a resolution by the Delta Chapter, and I  
10 was requested by the Delta chapter to go there, and answer  
11 technical questions and participate in the process.

12 Q. I'm going to show you what is stated to be draft  
13 resolution and ask if this is a copy of the resolution you were  
14 asking that they adopt that would put them them in a neutral  
15 position?

16 (The witness examined the document.)

17 A. Yes, this is the draft resolution that was presented by  
18 the Delta Chapter to San Francisco Bay Chapter of the Sierra  
19 Club.

20 Would you mark that please as next in order.

21  
22 (DRAFT RESOLUTION BY THE SIERRA CLUB was  
23 marked Exhibit No. 26.)

24 Q. And you were appearing, then, for what we call the Delta  
25 Chapter of the Sierra Club?

1 A. Mr. Chairman, I want to be very clear about this. I went  
2 there on behalf the City of Pittsburgh, and I -- the way the  
3 Sierra Club rules work, as I understand them, members of the Bay  
4 Conservation Chapter, of which the Delta Group is a  
5 participating member, could make presentations before the Sierra  
6 Club.

7 I was requested, merely as a technical person, to be  
8 there to assist them. So I wasn't representing the Delta Group,  
9 and I wasn't representing the Sierra Club. I was there as a  
10 help to them. The Delta group has worked with the City of  
11 Pittsburg and has opposed the Keller --

12 Q. The reason I say this, I'm reading a letter here dated  
13 March 6th to the mayor of Pittsburg in which he stated on March  
14 5th, 1992, (Reading)

15 At the request of the Delta Group, the Sierra Club  
16 San Francisco Bay Chapter, I sent the Sierra Club a  
17 confirmation of this meeting to provide technical  
18 assistance, et cetera.

19 A. That is true.

20 Q. You said here at the request of the Delta Group you were  
21 appearing.

22 A. Yes, that is true. I just want to make sure that I  
23 wasn't misrepresenting it.

24 Q. But it was at their request you were appearing?

25 A. Yes.

1 Q. And I guess -- you say the Delta Group sought to have the  
2 Conservation Committee investigate the serious concerns raised  
3 by Harry Schueller about existing water programs for the State  
4 Water Resources Control Board and present this solution to the  
5 Committee.

6 A. That is correct.

7 Q. And you had read Harry Schueller's memo?

8 A. Yes.

9 Q. And in here you refer to the parts of the memo that I  
10 have already read to the audience and Committee with respect to  
11 the slope and stability, and with respect to upward hydraulic  
12 gradient on water contamination, and various other things that I  
13 have raised concerns about.

14 A. Yes.

15 Q. Now, did you, in fact, go and present this resolution?

16 A. Again, Mr. Chairman, I just want to be accurate. The  
17 Delta Group presented that resolution. I was there and, yes,  
18 that resolution was was presented that day by the Delta Group.

19 Q. Who was there from the Delta Group besides you?

20 A. The chairman of the group is Tim Donahue, and he made the  
21 presentation. And I also joined with him in that presentation.

22 Q. Were there any persons there representing BFI,  
23 Browning-Ferris Industries?

24 A. At least Scott Gordon was there. There could have been  
25 additional members there.

1 Q. Who's Scott Gordon?

2 A. He's the attorney for Browning-Ferris Industries.

3 Q. All right. Was Larry Kolb there?

4 A. Yes, Mr. Kolb was there.

5 Q. Was anyone else there that you -- or identified  
6 themselves as being from the Regional Water Board?

7 A. I believe also Richard -- I have to look up his last  
8 name.

9 Q. Would you look it up, please.

10 A. He was also there.

11 Q. Richard who? McMurtry?

12 A. Yes, McMurtry.

13 Q. He was there?

14 A. He did not speak, however.

15 Q. He did not speak. Did you see Mr. Kolb come in? Or were  
16 you there when he came in?

17 A. Mr. Chairman, I arrived at around nine o'clock, and at  
18 that time Mr. Kolb was there. I don't know if I can recall  
19 whether Richard McMurtry had been there as well.

20 Realize, Mr. Chairman, we did not present this case until  
21 about 11:15 that night.

22 Q. Did Mr. Kolb speak on this proposed resolution?

23 A. Again, it was late in the evening, and Mr. Kolb made the  
24 presentation, if you will, to the Sierra Club to continue their  
25 support position. By and large, Mr. Gordon merely introduced

1 himself.

2 Q. So Mr. Kolb did speak on the matter?

3 A. Yes.

4 Q. What did he say that you can recall?

5 A. Mr. Kolb started out his presentation indicating that he  
6 was the past chairman of the Conservation Committee and that he  
7 had been a long-time Sierra Club member, and that he was -- but  
8 tonight he was there not there as a member of the Sierra Club  
9 but as a representative of the Regional Water Quality Control  
10 Board.

11 He then proceeded to discuss the project. He made -- he  
12 never discussed the technical issues involved. He continued to  
13 say the project -- the concerns raised by the State Board staff  
14 were merely the result of an orchestrated campaign between two  
15 competing dump proposals. He alleged that Waste Management had  
16 been influential in this campaign, and he alleged that Waste  
17 Management had been influential in another campaign at Apanolio  
18 Creek.

19 He felt that the -- he did not address directly the  
20 landslides, instability, and leakage problems, and he alleged  
21 that the state board were merely responding to an orchestrated  
22 campaign. I requested several times -- this was somewhat a  
23 controlled situation -- I requested several times to have him  
24 direct his comments to the instability, settlement issues, and  
25 leakage issues, and he constantly referred back to the fact that

12 1 those were not serious concerns.

2 He felt this was the best dump design he had ever seen.  
3 I think the quotes he said he wouldn't even have -- I have to  
4 look at my notes. But he said he wasn't a representative of  
5 Browning-Ferris Industries, but this was the best dump that he  
6 had ever seen, and that wasn't saying much because they had  
7 previously not had very strict rules.

8 Q. Do you have written notes on this? You may refer to  
9 them. I think that might be better.

10 A. Okay. Well, I don't know exactly what you would like.

11 Q. What we are looking for?

12 A. The quotes that I have from my notes.

13 Q. That's what I'm asking for.

14 A. I did summarize it in my letter to the mayor.

15 Q. Let's go to your quotes.

16 A. This is my handwritten notes. "I wouldn't let my dog  
17 work for these people."

18 Q. Who's "these people"?

19 A. This is Browning-Ferris Industries actually.

20 Q. All right.

21 A. He says, "Waste Management was in the Apanolio fight.

22 This is part of a well-financed campaign by Waste Management to  
23 get disapproval of this project. He says that Waste Management  
24 is conducting an all-out blitz. He felt that the State Board  
25 staff were misguided in their comments.



1 Q. Was that Mr. Schueller specifically?

2 A. He didn't say Mr. Schueller's name; he just said state  
3 board's staff.

4 Q. That's the only memo I saw on this.

5 A. Right.

6 Q. That's who it is.

7 A. He said there was no need for new studies. The dump will  
8 contain a leachate. Every part of the project can be monitored.  
9 The rocks point downward. The leachate will keep away unusable  
10 groundwater. BFI handed the consultants their wallets and told  
11 them to do the best job.

12 Q. Let me ask you right here. He said that all of the  
13 leachate or the groundwater would go upward? He said that that  
14 night?

15 A. Yes.

16 Q. Read that again. What did he say?

17 A. He said -- he said -- this is a -- you have got to  
18 understand. I have worked for the Legislature for a number of  
19 years. I have never heard these kinds of statements coming.

20 He said the rocks point downward.

21 Q. What did he say, now, about the migration of water?

22 A. The leachate will seep away into unusable groundwater.

23 Even the technical documents don't support this  
24 conclusion, but at any rate, that's what he said about that.

25 Q. Go ahead. I'm sorry.

1 A. BFI handed the consultants their wallets and told them to  
2 do the best job. He said this complies with Chapter 15, and  
3 this is the best dump ever approved. That isn't saying much.  
4 Before there were no liners, no toe berms.

5 He said this is similar to March Creek Canyon, and there  
6 are no other alternatives that had been safe other than putting  
7 garbage in the desert. State board staff is misinformed, and he  
8 went into some more about Waste Management funding --

9 Q. Now I'm going to ask you a question. Did he at any time  
10 make any statement to the effect that the state board staff  
11 memorandum -- and the only one I have ever seen was  
12 Mr. Schueller -- was merely a request for more studies and a  
13 response to political pressure?

14 A. That was basically his contention.

15 Q. Did he state at any time -- look at your notes -- that  
16 that was a response to political pressure?

17 A. Yes, he said that --

18 Q. Read your notes on that.

19 A. (Reading)

20 This is a well-financed campaign by Waste  
21 Management Company. The County approved this project.  
22 Waste Management is conducting an all-out blitz. This is  
23 part of a well-orchestrated campaign. They want more  
24 studies. The state board staff is responding to this  
25 well-orchestrated campaign, and the state board staff is

2 1           misinformed that all liners leak.

2                   (End of reading)

3           The State Board staff -- I have again State Board staff  
4 want more studies. This dump --

5 Q.       What we're going to do -- and we'll return the originals.  
6 I'm going to have your notes marked as an exhibit. And make a  
7 copy and return these to this lady, Miss Schifferle.

8           Those are your complete notes? All right. We will mark  
9 those as the next exhibit.

10                           (HANDWRITTEN NOTES TAKEN BY PATRICIA  
11                           SHIFFERLE AT SIERRA CLUB MEETING OF MARCH 5,  
                          1992 were marked Exhibit No. 27.)

12 Q.       Did Mr. Kolb seem to be in any way objective with respect  
13 to his comments? In your opinion?

14 Q.       I have never felt Mr. Kolb responded to technical issues.  
15 He seemed to be very unprofessional in how he presented the  
16 case.

17 Q.       The reason I'm asking you is in Exhibit 26, the draft  
18 resolution, there were specific items that you referred to here,  
19 and we are talking to the instability of the slope, the berm,  
20 due to proposed excavation and grading, the BFI contention  
21 contrary to the State Water Board, upward hydraulic gradient.  
22 All these things here that you specifically listed as a concern  
23 for going neutral based on the statement memorandum, did he  
24 address specifically any of those at all?

25 A.       No. He just said that the facility did not leak. He

1 kept recasting the debate that went on for some time. He  
2 constantly said again and again that Waste Management was behind  
3 this, and that the State Board was merely responding to a  
4 well-orchestrated campaign.

5 And I asked him specifically several times to respond to  
6 these complaints, that they were serious concerns, and he would  
7 not specifically reply. I asked him specifically about  
8 stability. I asked him specifically about settlement. In each  
9 of these cases he deflected the discussion away.

10 Q. Never answered?

11 A. Never answered.

12 CHAIRMAN BOATWRIGHT: Senator Lockyer?

13 EXAMINATION BY SENATOR LOCKYER

14 Q. If you could help me understand your comments a little  
15 better. It sounded like you were just reciting some disparaging  
16 comments about both companies; am I correct on that?

17 A. No, it was my judgment that if I was to tell you what  
18 took place, he put forward his credentials as being a bona fide  
19 Sierra Club member, then went on to say he was working for the  
20 Regional Board. And then to bolster those credentials, he went  
21 and made disparaging remarks about both waste companies.

22 Those disparaging remarks were about Browning-Ferris  
23 Industries to indicate he wasn't on the side of Browning-Ferris  
24 Industries. Those were the comments and disparaging remarks  
25 that he made.

1           He accused me -- well, he seemed to say that the entire  
2 City of Pittsburg was being funded by Waste Management, that  
3 their concerns were not legitimate.

4 Q.       Did he have anything reason for that?

5 A.       I don't believe so. I previously worked with the  
6 Wilderness Society, and I was aware of what was going on in  
7 Apanolia. There were serious concerns there as well.

8           So it seemed to be recasting all these concerns about  
9 groundwater contamination, leakage, impacts to major surface  
10 water supplies, and groundwater supplies as being nothing more  
11 than --

12 Q.       When did this meeting take place?

13 A.       March 5th.

14 Q.       Of --

15 A.       This year.

16 Q.       Of this year? And so he didn't want to talk about his  
17 boss's wife's former employer in terms of quality of work?

18 A.       They never discussed those issues.

19           CHAIRMAN BOATWRIGHT: I might just state -- I don't know  
20 if there are any people here, but the concern of the public  
21 is -- the people who live below there, is one of possible  
22 failure of the toe berm, and if you read the Schueller document,  
23 you will see he really does -- because of the excavation and the  
24 instability of the underlying soil, he addresses all this as  
25 real, serious concerns about possible future failure of the toe

1 berm. Other things he talks about may be down water migration.

2 Because in his memo you will recall he pointed out that  
3 BFI was wrong that there is down -- down-slope migration of  
4 water instead of all up-slope on the 244 acres, so I think  
5 someone is missing the boat here if he thinks this is Waste  
6 Management, or BFI, or the City of Pittsburg.

7 Something that hasn't been mentioned here are the people  
8 who live right below this proposed dump. And basically we are  
9 talking about a damn that will have waste behind it where water  
10 will collect, and the possibility that the berm will break, and  
11 all this stuff, if it's not safely done, will come down. And  
12 the Schueller memo has not yet been addressed by anyone, his  
13 concern.

14 And so I have a distinct feeling that Mr. Schueller has  
15 been overruled somewhere along the line. I have never spoken to  
16 him. All of my communications with staff have been by letter,  
17 and your comments that there are political pressures, I don't  
18 know where they're coming from. They are not coming from me,  
19 Senator Lockyer, or Senator Ayala. That I can absolutely assure  
20 you.

21 My concern is for the safety of the people who live in  
22 that area, and I still haven't seen a satisfactory answer to  
23 Mr. Schueller's very real and documented concern. And I  
24 understand he is the recognized expert in the State of  
25 California on the subjects he was writing on. He is the chief

3 1 of that Division for the entire state.

2 Would you mark that her notes as the exhibit, please.

3 Thank you, Miss Schifferle, very much.

4 It's one o'clock, and we started at 9:00. We're going to  
5 end at 1:00. Those of you in Sacramento who know me, we started  
6 in on time, and we are going to do that here.

7 And unfortunately there are a couple of other witnesses I  
8 would like to have gotten to. I won't be able to.

9 Mr. McMurtry for example. I think we have heard from the  
10 primary forces. That's Mr. Ritchie, Mrs. Ritchie, and Mr. Kolb,  
11 and I'm not going to draw any conclusions.

12 That's not our function. Our function is to out of this,  
13 come up with whether we can strengthen the law. I think all  
14 three of us will have some recommendations that we can make to  
15 the Legislature. In the past, they have invariably adopted the  
16 recommendations of the Committee.

17 I think there needs to be, I think, some real teeth put  
18 into the recusement law. How it's done, if it's not done, what  
19 the penalty is, and also to clarify some of the  
20 conflict-of-interest laws.

21 That basically, for the people here, is the reason for  
22 this hearing. We are not here to pass judgment. We are here to  
23 legislate.

4 24 So with that, Senator Ayala, do you have anything you  
25 would like to say?

1           SENATOR AYALA: It's very informative, of course, but I  
2 wonder what the recommendation of Mr. Schueller is, who turned  
3 him down, and why? And we will have to find out why his  
4 recommendation was not followed.

5           CHAIRMAN BOATWRIGHT: I have been attempting to do that,  
6 and basically, I have written to the Waste Board. I have  
7 written to the Water Board, Mr. Maughan, and basically, as you  
8 say, they have just ignored his recommendations. And he is the  
9 expert.

10           There is another process that they have to go through  
11 before final approval, but I'm not too hopeful because of the  
12 way things are steam-rolled.

13           SENATOR AYALA: Does this gentleman work for the Regional  
14 Water Control Board?

15           CHAIRMAN BOATWRIGHT: He works for the State. He is the  
16 chief of the Division on Permitting for the State Water  
17 Resources Control Board.

18           SENATOR AYALA: For the State Board.

19           CHAIRMAN BOATWRIGHT: And they review and pass on the  
20 regional board's order and get a state order. And there will be  
21 a meeting later this month, I believe it is, where they will  
22 pass on the final order.

23           And I'll keep informed.

24           With that, we stand adjourned.

25           (The meeting of the Senate Select Committee on State



4 1 Procurement and Expenditure Practices was adjourned at  
2 1:00 p.m.)

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**EXHIBITS**



Exhibit #

JOB NO. 86229-0



**BRIAN • KANGAS • FOULK & ASSOCIATES**  
CONSULTING ENGINEERS • PLANNERS • SURVEYORS  
520 Price Ave. • Redwood City, CA. 94063 • (415) 365-0412 / (408) 733-8460  
 1885 Oak Park Blvd., Suite D • Pleasant Hill, CA. 94523 • (415) 837-6202

# TELEPHONE CALL RECORD

DATE 20 NOVEMBER '86

PLACED CALL

TIME 8:40 AM

RECEIVED CALL

PROJECT OX Mtn. SANITARY LANDFILL - APANOLIO CANYON SITE

TONY Gschwend OF BKF&A SPOKE WITH LEE GANNON  
NAME NAME  
OF CALIFORNIA WASTE MANAGEMENT BOARD (916) 322-2659  
COMPANY TELEPHONE NO.

ITEM DISCUSSED/ACTION REQUIRED

- ① LORRAINE LEW CALLED @ 8 AM TO INDICATE LEE HAD SOME QUESTIONS REGARDING STATUS OF BAAPCD PERMITS.
- ② LEE HAD QUESTIONS REGARDING STATUS OF PERMITS FOR BOTH CANYONS... AND THAT CWMB MEMBERS NEED STATUS REPORT.
- ③ I ADVISED LEE OF THE FOLLOWING:
  - ① BFI HAS PERMIT No. 65651-1 FOR OPERATION OF EARTH MOVING AND COMPACTION EQUIPMENT AT THE OX MOUNTAIN SANITARY LANDFILL (DATED MAY 16, 1978).
  - ② WITH REGARD TO METHANE CONTROL & COLLECTION SYSTEM: BFI HAS A SIGNED AGREEMENT W/ PALMER AND CAPITAL TO DEVISE A METHANE GAS COLLECTION AND INDUSTRIAL POWER GENERATION SYSTEM. A PRELIMINARY OPERATIONAL PLAN HAS BEEN SUBMITTED TO BAAQMD IN ACCORDANCE W/ RULE 34

DISTRIBUTION: LIND VALBUSSA  
BRUCE MURPHY  
LORRAINE LEW  
VICARIAL DISTRICT

CONTINUED:

YES PAGE 1 OF 2

NO

JOB NO. 86229-0



**BRIAN • KANGAS • FOULK & ASSOCIATES**  
CONSULTING ENGINEERS • PLANNERS • SURVEYORS  
540 Price Ave. • Redwood City, CA. 94063 • (415) 365-0412 / (408) 733-8490  
 1885 Oak Park Blvd, Suite D • Pleasant Hill, CA. 94523 • (415) 937-6202

# TELEPHONE CALL RECORD

DATE 20 NOVEMBER '86

PLACED CALL

TIME \_\_\_\_\_

RECEIVED CALL

PROJECT \_\_\_\_\_

\_\_\_\_\_ OF BKF&A SPOKE WITH \_\_\_\_\_

NAME \_\_\_\_\_ NAME \_\_\_\_\_

OF \_\_\_\_\_

COMPANY

TELEPHONE NO.

ITEM DISCUSSED/ACTION REQUIRED \_\_\_\_\_

REGULATIONS. LINDO WILL PROVIDE A COPY OF THE PLAN AND ALL APPLICABLE PERMIT APPLICATIONS WHICH ARE ON FILE W/ BAAQMD. LINDO ALSO INDICATED THE SITE IS IN CONFORMANCE W/ RULE 34 AND THAT WE ARE STILL PROCESSING W/ BAAQMD.

@ 9:40<sup>AM</sup> 11/20/86 I ADVISED LINDO WE WILL NEED TO PROVIDE THE BAAQMD SUPPORT DOCUMENTATION TO LEE GANNON & BE PREPARED TO PROVIDE AN ORAL UPDATE @ 12/10/86 MEETING.

DISTRIBUTION: \_\_\_\_\_

CONTINUED:

YES

NO PAGE 2 OF 2

Exhibit # 2



**BRIAN KANGAS · JULK & ASSOCIATES**  
CONSULTING ENGINEERS · PLANNERS · SURVEYORS  
595 Price Avenue · Redwood City, CA 94063 · Tel. (415) 385-0412

MEMORANDUM

DATE: February 13, 1986  
JOB NO.: 82268-0  
TO: Files  
FROM: Kirsten Ritchie  
SUBJECT: Apanolio Canyon Expansion

cc: Lino Valbusa  
Joanne Cox  
Gil Torres  
John Blubaugh  
Lorraine Lew  
Dan Rhoades  
Norm Crawford  
Mike Cabak  
Bruce Murphy  
Jerome Fishpaw  
Tony Gschwend

FEB 21 10 57 AM '86  
ENVIRONMENTAL  
HEALTH

\* Attached is a copy of my meeting notes from the February 13, 1986 meeting at BFI.

\* Key comments and questions which need to be addressed:

1. STORM DRAIN SYSTEM

- o Transition areas from non-yielding bedrock to yielding cement-treated base are critical.
- o Construction inspection control is an essential element.
- o Earthquake impacts -- design to handle them.
- o Slope stability in areas where cement-treated base is used needs to be analyzed.
- o Water Rights?
- o Should surface runoff from landfill face be separated from the main storm drain facilities?
- o What is the best way to insure water quality will not be impaired -- in light of the fact that the creek is a potential drinking water source?
- o What is the existing creek water quality? Analyze the organic and inorganic compounds.
- o Prepare a detailed erosion control plan.
- o What about the possibility of water stagnation in the sedimentation basins and peak reduction ponds?
- o Compare impacts of the 10-yr and 100-yr storms.
- o Determine impact of storms larger than 100-yr.
- o What is the maximum probable storm?
- o What are the potential downstream erosion impacts due to changes in sediment composition leaving the site.
- o Will longitudinal loading on pipes occur?



2. GROUNDWATER

- o Will reduction in pore pressure due to use of hydraugers for groundwater removal impact slope stability?
- o How extensive does collection system have to be?
- o What is the contingency plan if groundwater collection system is contaminated by leachate?
- o Will groundwater supply be diminished as a result of the proposal?
- o Design collection system so clogging will not occur and prevent downgradient movement of groundwater.

3. LEACHATE

- o Keep it away from groundwater and stormwater !!!
- o What should be done with the leachate?
  - ...Recirculation
  - ...Disposal at treatment facility, etc.
- o How extensive is the collection system?
- o Holding capacity?

4. GENERAL

- o Prepare a staging plan (Stage I, Stage II, ... , Ultimate).
- o Develop an operations and maintenance plan.
- o A quality control and assurance plan is needed.
- o Detail possible source control measures for erosion.
- o What is the constructability of the impermeable barrier using on-site materials?

\* Action Items

1. RWQCB AND SWRCB:

- o Investigate water rights for property owners downstream from the project.

2. PURCELL, RHOADES & ASSOCIATES:

- o Determine the impact of pore pressure reduction caused by use of hydraugers.
- o Determine the extensiveness of groundwater and leachate collection systems (size also).
- o Design the gravel blankets for groundwater and leachate collection.
- o Develop leachate removal/collection/reuse recommendations.
- o Determine the depth/location of bedrock for placement of the storm drain.
- o Develop the staging plan with BKF & A.
- o Prepare the operations and maintenance plan.
- o Prepare a statement of failure mechanisms related to 48" CMP placed beneath Los Trancos Canyon Landfill.

3. HYDROCOMP:

- o Determine the probable maximum storm flows.
- o Prepare erosion control recommendations.
- o Detail the sedimentation basin(s) schemes - pros and cons.
- o Determine the downstream erosion impacts.
- o Analyze possibility of stagnation of water in sedimentation basins and peak reduction ponds.
- o Analyze impacts of storms greater than 100 yr.
- o Develop energy dissipator size(s).

4. CRJG & ASSOCIATES:

- o Determine the foundation requirements.
- o Prepare the transition zone analysis for storm drain.
- o Perform earthquake loading analysis.
- o Respond to longitudinal loading question.
- o State overburden assumptions.

5. BFI:

- o Perform creek and groundwater analysis -- on and off-site.
- o Document existing downstream conditions with photography.

6. BKF & ASSOCIATES:

- o Determine feasibility of separation of surface and main storm drain systems.
- o Plan preliminary location of facilities -- Storm drain (trunk and laterals), sedimentation basins, peak reduction ponds, energy dissipators, etc.
- o Develop staging plan with Purcell, Rhoades & Associates.
- o Prepare preliminary agendas/tentative dates for future meetings/workshops.
- o Prepare discussion/working papers.



MEETING AGENDA  
APANOLIO CANYON EXPANSION  
STORM DRAINAGE DESIGN CONCEPT  
FEBRUARY 13, 1986

1. INTRODUCTION OF DESIGN TEAM

- A. Purcell, Rhoades & Associates - Project Management,  
Geotechnical Investigation

Dan Rhoades  
Bruce Murphy

- B. Cabak-Randall-Jasper-Griffiths & Associates - Structural  
Engineering

Mike Cabak  
Jerome Fishpaw

- C. Hydrocomp - Hydrology and Hydraulics

Norm Crawford  
Lisa Anich  
Allen Bradley

- D. Brian-Kangas-Foulk & Associates - Civil Engineering

Tony Gschwend  
Kirsten Ritchie

2. OVERVIEW OF ISSUES

- A. Groundwater / Drinking Water

1. EIR discussion (see attached excerpts)
2. Drinking water from Apanolio Creek - source of information
3. San Mateo County Environmental Health Dept. input

- B. Storm Drain System

1. Preliminary Design (see attached figures)
  - a. Size
  - b. Joints, Expansion/Contraction
  - c. Overburden (Minimum, Maximum)
  - d. Bedding
  - e. Hydraulics
  - f. Sediment Control
2. Constructability
3. Maintainability
4. Inspection and Construction Control

3. QUESTIONS/COMMENTS

4. ADJOURN TO LOS TRANCOS CANYON FOR FIELD REVIEW

APPALOCCO CANYON EXPANSION  
10<sup>00</sup> AM @ BFI OFFICES

JOB NO. 82268-0

FEB 13, 1986

ATTENDANCE:

LORRAINE LEW

DAN RHODES

TONY GSCHEWAND

EMILE GIACCHINO

JOANNE COX

LIND UMBUSA

JEROME FISHPAW

BRUCE MURPHY

MIKE CABAK

NORM CRAWFORD

GIL TORRES

JOHN BLUBAUGH (@ 10:50)

KIRSTEN RITHE

---

INTRODUCTIONS

MOVED TO ITEM 2B. STORM DRAIN SYSTEM

TONY DESCRIBED STORM DRAIN SYSTEM

MIKE: DESIGN - 2 OPTIONS

1) AS OUTLINED IN DIAGRAM

2) PCP DESIGNED TO HANDLE THE LOAD & BACKFILL

WITH TAMPED SAND TO CARRY HORIZONTAL &  
LATERAL PRESSURES

JOHN: WHAT ABOUT ARCHING EFFECT, ESPECIALLY WITH  
IMPERVIOUS LAYER ON TOP?

MIKE: ALMOST INSIGNIFICANT CONSIDERING 500' LOAD  
TYPE USED ALSO DEPENDS ON CONSTRUCTION  
METHOD, IE. HOW MUCH <sup>INSTALLED</sup> AT ONE TIME

JOHN: TRANSITION AREAS WILL BE CRITICAL (STRESS CONCENTRATION POINT)

BRUCE: IN BEDROCK - FRESH BEDROCK LOCATION (AUGAR RE

DOES NOT ALLOW ANY MOVEMENT WHICH MAY ENCOURAGE  
ARLTING

MIKE: SCHEMATIC SHOULD SHOW TRANSITION LOAD CLOSER  
TO ACTUAL LOCATION - PROBABLY ~~DOWN~~ UNDER ONLY  
100' OF FILL

GIL - CONFIGURATION OF LEAKHATE COLLECTION IN PLAN  
VIEW?

TONY - BRANCHING NETWORK → FINGERS TOWARDS  
MAIN COLLECTION BLANKET

JOHN - 70 YR SITE, ∴ LIKELIHOOD OF GETTING 100  
YR <sup>STORM</sup> IS PRETTY GOOD

NORM - ALTHOUGH DESIGN IS FOR 100 YR, SED BASINS  
WILL HOLD MORE (PMP ~ 3-5 x 100 YR)

PIPE

JOHN - ASSUME <sub>n</sub> WILL BE CONTINUOUS → FRICTION

FACTORS COULD CREATE HIGH PRESSURE

LOADS FROM WATER ON PIPE. HYDRAULIC

JUMP IN PIPE?

NORM - FLOW IN PIPE IS SUPER-CRITICAL. JUMP WOULD

OCCUR IN ENERGY DISSIPATOR AFTER WATER

LEAVES PIPE. (E.D. = CONCRETE BAFFLE

STRUCTURE)

TOBY - WE HOPE TO GET QUESTIONS/COMMENTS ON PRELIM PROPOSAL

JOHN - REDUCTION OF PORE PRESSURE IN REFUSES

SOIL FROM PULLING OUT OF GROUNDWATER?  
ALONG CANYON FLANKS?  
WATER RIGHTS QUESTION?

GIL - HOW MUCH GROUNDWATER ARE YOU ANTICIPATING

BRUCE - SUMMER FLOWS ARE 3-4 CFS, WHICH  
IS PROBABLY ALL GROUNDWATER

GIL - HOW EXTENSIVE WILL HYDRAULIC, GRAVEL  
BLANKET HAVE TO BE?

DAN - DIFFICULT TO PINPOINT AT THIS TIME -

SYSTEM SHOULD BE DESIGNED TO HANDLE

EACH SEEP AS IT IS FOUND IN FIELD

GIL - FRACTURING A PROBLEM?

BRUCE - SECONDARY PERMEABILITY, MOST OF

SEEPS WILL COME OUT OF WELL DEFINED  
JOINTED AREA

JOHN - EARTHQUAKES? STRUCTURAL & SLOPE STABILITY?

BRUCE - HAVE NOT RUN SLOPE SEISMIC STABILITY AT

THIS TIME → CURRENTLY DOING IT FOR

LOS TRANCOS. SLOPES, ESPECIALLY BEDROCK

IS PRETTY STABLE → SOME LANDSLIDING ON

JOHN - MONITORING?

BRUCE - CURRENTLY MEASURING WATER LEVELS THROUGHOUT LANDFILL, & MONITORING QUALITY AT DOWNSTREAM WELL

JOHN - WHAT HAPPENS IF YOU GET LEACHATE IN PAST IMPERMEABLE BARRIER

DAN - USING GROUT CUTOFF WALLS TO CONTROL

JOHN - HAVE PLAN TO ISOLATE LOCATION. WHAT <sup>DO</sup> TO, ONCE LOCATION IS IDENTIFIED IS THE QUESTION.

GIL - IT IS A CHALLENGING PROPOSAL

JOHN - WILL CATCH DITCH BE CERTAIN DISTANCE ABOVE FILL AT ALL TIMES TO COLLECT STORM WATER?

TONY - YES

JOHN - WHAT ABOUT SURFACE WATER DO LANDFILL

LINDA - CARRIED THROUGH GUNNITE CHANNELS -

THIS IS RUN OFF THAT DOES NOT COME TOUCH REFUSE BUT RUNS OFF COVERED AREAS

ITEM 2A - DRINKING WATER QUESTION

JOANNE - LAST 2 WKS RECEIVED INFO THAT PEOPLE  
AT LOWER END OF CREEK USE WATER  
FOR DOMESTIC USE

CREEK → DOMESTIC & IRRIGATION (NURSERIES)  
GROUNDWATER → " "

LOBBAINNE & JOANNE VISITED CREEK ON MONDAY

2 DAMS ON CREEK - 1) IRRIGATION

2) FEEDS TO BEBEAR

USED FOR DRINKING  
WATER & IRRIGATION

BRUCE - ANALYZED CREEK WATER (2 SAMPLES)

DID NOT TEST FOR E. COLI, BUT  
WITHIN

ALL ITEMS WERE BELOW STATE  
STANDARDS

JOHN - WHAT ABOUT WATER RIGHTS QUESTION

JOANNE - HAS NOT DONE DETAILED RESEARCH

WATER SAMPLES TAKEN IN SEPT & AUGUST (SEE  
PR REPORT).

JOANNE - PILARCITOS CREEK IDENTIFIED IN BASIN

PLAN AS DRINKING WATER SUPPLY &

∴ TRIBUTARIES ALSO CONSIDERED FOR



THERE IS A DEMONSTRATED USE, RWQCB WILL APPROACH THIS ISSUE VERY CAUTIOUSLY.

QUALITY OF CREEK WATER APPEARS TO BE VERY GOOD AND THIS IS AN <sup>ISSUE ALSO.</sup>

NO LANDFILL IN CA IS SITED ABOVE DRINKING WATER SOURCE. WATER RIGHTS WILL BE AN ISSUE. UNTIL 1950, PILICARTIOS CREEK SUPPLIED <sup>SOME</sup> WATER FOR HALF MOON BAY

JOHN - 34-YR RAINFALL RECORD IS NOT TERRIBLY LONG

NORM - WITH 34-YR RECORD, PRETTY GOOD SENSE OF THE RAINFALL / RUNOFF MEAN

JOHN - MAY DRY UP GROUNDWATER SOURCE

NORM - NET WATER AMOUNT WILL BE THE SAME, BUT THE PATTERN WILL BE DIFFERENT

GIL - WILL THERE BE SUBMITTAL & TIME SCHEDULE

TODAY - YES, TIME SCHEDULE IS UNCLEAR, ESP IN LIGHT OF DRINKING WATER QUESTIONS. WE WILL KEEP YOU POSTED.

BULK OF OTHER ISSUES ARE ESSENTIALLY

SUBMITTAL WILL BE COMPLETE

JOHN - IMPERMEABLE PERMEABILITY & SOURCE OF CLAY

BRUCE -  $1 \times 10^{-6}$  cm/sec  $\rightarrow$  ON-SITE MATERIALS & BENTONITE ADDITIONS WHEN NECESSARY

GILL - RANGE OF THICKNESS? + 1" CLAY LAYER

DAV - 5', IMMEDIATELY UNDER LEACHATE COLLECTION. RELATIVELY UNIFORM THROUGHOUT.

JOHN - WHERE ARE CHLORIDES COMING FROM NDEM. PICKED UP IN GROUNDWATER FLOW PATH. NATURAL EROSION PROCESS IN SOIL.

JOHNNE - CAN YOU DO ON-SITE COMPACTION TESTS NOW

BRUCE - WE ARE DOING THAT NOW AT LOS TRANCOS GETTING THE DESIRED PERMEABILITIES

JOHN - WORSE STRESS PROBLEMS ON PIPE FOUND IN RIGID FOUNDATION. DOES NOT LIKE HARD, RIGID FOUNDATIONS, PREFERENCES YIELDING LIKE SAND

LEAVING TRENCH TO CONCRETE TREATED BASE (WHICH YIELDS) THERE COULD BE SUBSTANTIAL

DEFLECTION. (DEFLECTION JOINT !!) ALSO COMPACT FILL & THEN RETRENCH

PERHAPS

STRAIN GAUGES

PERHAPS SHOULD BE INSTALLED TO DETERMINE ACTUAL LOADING CONDITIONS

MIKE - WOULD LIKE TO DO SOMETHING LIKE

THAT FOR FUTURE DATA. ALSO MEASUREMENTS OF OVERBURDEN PRESSURES

JOHN - WOULD LIKE TO SEE STRUCTURAL DETAILS

& FAILURE MODES OF LOS TRANCOS PIPE

(CURRENTLY DOING SEWAGE TREATMENT DESIGN'S

WHICH HAS WATER QUALITY INTERESTS)

- WOULD LIKE TO BE INFORMED AS WE

GO ALONG.

- NEED TO AGREE ON DESIGN ASSUMPTIONS

GIL - DETAILS OF IMP. BARRIER, HYDRANGERS, COLLECTION, INSTALLABILITY, CONSTRUCTABILITY, LINER?

JOHN / JOANNE - WILL BE FOLLOWING UP ON

WATER RIGHTS ISSUES

LINO - WANTS TO BE GOOD NEIGHBORS - BUT ALSO SOME PEOPLE BOUGHT THE PROPERTY AFTER THEY

LIND- WOULD LIKE TO HAVE MORE MEETINGS  
AS WE GO ALONG.

JOHN- <sup>WOULD BE</sup> IDEAL TO MONITOR RESIDENTS GROUNDWATER  
WELLS.

LIND- WANT TO DO THIS, WILL ALSO BE MONITORING  
THIS SPRING/SUMMER

DAN- COULD SUBMIT INITIAL DRAFT OF  
GEO TECH REPORT WITH MODIFICATIONS  
BASED ON INFO DISCUSSED TODAY. ACTUAL  
GEO SECTION WILL NOT BE CHANGED,  
ONLY DESIGN CONCEPTS

GIL- STAGING PLAN

DAN- NOT YET DETAILED

JOHN- O & M PLAN WILL BE NEEDED

TONY- ALL THESE WILL BE PART OF SUBMITTAL

JOANNE- QUALITY CONTROL & ASSURANCE PLAN (FOR  
70%  
YR)  
TO BE SUBMITTED ALSO.

DAN- 100YR/24 HR STORM RETENTION QUESTION.

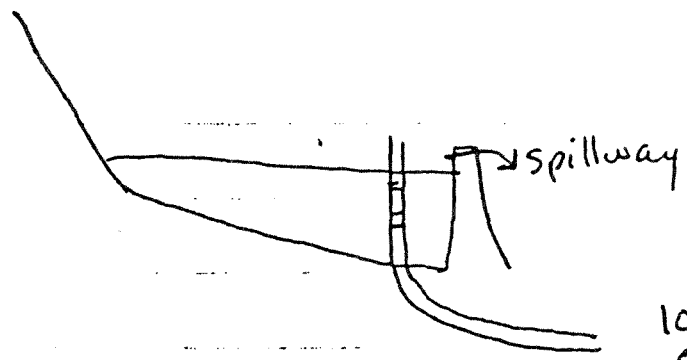
GIL - IS CURRENT THINKING TO DEVELOP COMPREHENSIVE EROSION CONTROL PLAN - THIS SEEMS REASONABLE

NORM - YES, ESP. CONSIDERING THE ECONOMICS INVOLVED

JDHU - BED TRANSPORT?

NORM -  $\sim 1/2$  FT/SEC UPPER POND,  $\frac{10}{2}$  FT/SEC <sup>STORM</sup> <sub>LOW</sub> FLOW

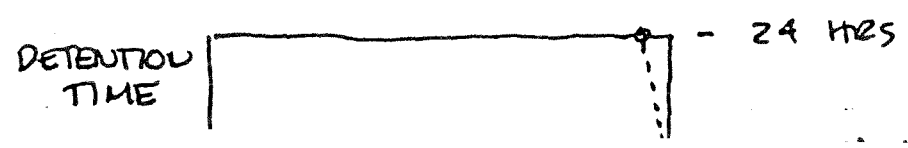
JDHU - SHOULDN'T BE MUCH PROBLEM THEN TO GET SED DROP OUT.



low flow outlet 1/24 pond volume each hour

IN 34 YRS THERE WERE 42 TIMES THE SPILLWAY WOULD OPERATE.  $\frac{42 \text{ DAYS}}{365} \Rightarrow 99\frac{1}{2}\%$  THE

WATER IS HELD FOR 24 HOURS OR LONGER. WHEN SPILLS OCCUR, DETENTION TIME IS REDUCED



JOHN - WHAT ABOUT FILLING OF PONDS WITH  
SEDIMENT?

NORM - DEGREE IS NOT TOO GREAT RELATED  
TO OVERALL POND SIZE, I.E. POND  
WILL NOT FILL UP WITH SILT DURING  
STORM

JOHN - WHAT ARE VELOCITIES INTO SED  
BASINS?

NORM - LOOKING AT BRINGING IN WATER  
LOW INTO PONDS → MIGHT  
ACT MORE AS A SILLING BASIN

JOANNE - STAGNATION IN SED BASINS?

NORM - LOW FLOW OUTLETS - MIN CAPACITY =  
(LOW FLOW) (STORM CONDITIONS)  
5-10 CFS, 1/24 FLOW RATE = 22 CFS

CAN'T THINK OF WATER QUALITY PROBLEMS  
ASSOCIATED WITH HOLDING WATER THAT  
TIME

JOHN - LOWERING DO → BUT STARTING WITH HIGH DO

JOANNE - ALSO ALGAE FORMATION. BUT WITH LOW  
FLOWS ALMOST FLOWING STRAIGHT  
THROUGH

NORM - HAVEN'T DECIDED IF WE ARE GOING TO HAVE PERMANENT PONDING

JDAUNE - PERMANENT PONDS WOULD ENCOURAGE ALGAE GROWTH

JOHN - DOESN'T EXPECT MUCH SEDIMENT AT LOWER END BECAUSE UPSTREAM PONDS WILL COLLECT A GREAT DEAL OF SEDIMENT. NATURAL CREEK WON'T EXIST TO ERODE

JDAUNE - UPSTREAM REDUC. PONDS - DO NOT WANT TO ACT AS PERC. PONDS

NORM - PONDS STAVE OFF HIGH PEAKS OF FLOOD HYDROGRAPH. WILL NOT PERMANENT HOLD WATER. PONDING FOR PEAK REDUC. WILL BE LESS THAN 1 HOUR. WILL NOT ACT AS PERC SOURCE & ARE LOCATED ON NATURAL GROUND, NOT THE FILL AREA

JOHN - 10 YR<sup>1</sup> STORM FLOWS? MAY SEE PONDS OPERATING YEARLY

NORM - IN REPORT => PROBABLY USE 1" RAINFALL

JDAUNE - MAX PROBABLE STORM FLOWS?

NORM - NOT FOR THIS BASIN, BUT IS POSSIBLE TO

JOANNE - CONCERNED THAT PONDS WILL NOT BE BUILT EVERY YEAR IF NOT CONTINUAL NEEDED

GIL - WOULD LIKE DETAILED INFO ON EROSION CONTROL MEASURES → ESP AS TO HOW THEY DEAL WITH SED COMPOSITION. ALSO ANALYSES OF VARIOUS SED BASIN SCHEMES AND HOW THEY REDUCE SED LOADS

JOHN - WHAT ABOUT DOWNSTREAM BED EROSION DUE TO REDUCE SEDIMENT? WILL AFFECT DOWNSTREAM PROPERTIES

JOHN - SED COMPOSITION WILL CHANGE  
‡ DEGRADATION MAY OCCUR

JOHN - TAKE LOTS OF PICTURES OF THE CREEK BEFORE ANY CONSTRUCTION STARTS TO PROTECT YOURSELF FROM FUTURE LAWSUITS

GIL - DRAINAGE BLANKET MATERIAL

PAV - CLASS 2 FILTER ROCK - WOULD HAVE TO IMPORT

PAV - OUR APPROACH APPEARS TO BE REASONABLE



LONGITUDINAL LOADS ON PIPES?

GIL - SET-UP TENTATIVE SCHEDULE FOR MEETINGS

JOANNE - WHY WAS WELL ANALYSIS DONE ON DICKES  
CANYON WELL RATHER THAN GOSSETT'S  
APACHE CANYON WELL?

JOMO - STRUCTURAL PROBLEMS NOT THAT GREAT =>  
JUST FIGURE OUT LOADS & DESIGN FOR  
THAT.

HYDROLOGY & HYDRAULICS TAKEN CARE OF  
"HYDROLOGY & HYDRAULICS OF SMALL UNYIELDING DAMS" -  
PAMPHLET PUT OUT BY SAFETY & DAMS  
(JIM FITZPATRICK)

"DESIGN OF SMALL DAMS" -> BUREAU OF RECLAMATION

SCHEDULING:

- 2 DAY CONSECUTIVE WORKSHOPS
- DESIGN TEAM, GOV. MEMBERS COMING &  
GOING AS APPROPRIATE (REQUIRES STICKING TO SCH.)
- SEND OUT PRELIM AGENDA & INFORMATION
- FIRST SESSION => TONY WILL PUT IT TOGETHER FOR  
COMMENT (TENTATIVE AGENDA) (BY OF NEXT WK FOR BEG  
WITHIN 1 MONTH)

• MTG'S MAY ALSO BRING IN OTHER PEOPLE E.G.  
CANYON RESIDENTS, OTHER RWQCB MEMBERS, E

JOHNNE- MUST PROTECT WATER TO HIGHEST STANDARD AS  
IT IS A POTENTIAL DRINKING WATER SOURCE

LIND- WOULD LIKE TO GET IT PERMITTED BY WINTER,  
CONSTRUCTION STARTED SPRING 1987, FILLING  
START MID 1988

JOHN- FIND OUT WHO MAY HANDLE APPEAL AT STATE  
LEVEL & KEEP THEM ABREAST OF WHAT IS  
HAPPENING

Apartido Party of

13 Feb 87.

Name	Representing	Telephone
Joanna Cox	TMOCCB	415-464-4212
John Blybaugh	SWRCB	916-322-6550
JEROME J. SHAW	CRJ6	415-324-0691
Michael R. CABAK	" "	415-324-0691
Dan Rhoades	P.R.A.	408-262-5833
Emile Guichard	BFI	415 592 2411
LINO HANSEN	BEF	(415) 592-2411
Bruce J. Murphy	PRA	415-932-1177
NORM CRAWFORD	Hydrocomp	415-948-3519
KIRSTEN RITCHE	BKFA	415-365-0412
TONY GSCWEND	"	"
LORRAINE LELU	ENV HEALTH	363-4723
SIL TORRES	SWCCB	(916) 322-3067

OFFICE OF THE ALAMEDA COUNTY CLERK  
 COUNTY COURTHOUSE, 1225 Fallon Street  
 Oakland, CA 94612-4280 Telephone 272-6797

# 3

FILING STAMP ONLY

**FILED**  
 ALAMEDA COUNTY

MAR 03 1992

RENE C. DAVIDSON, County Clerk  
 By *Alameda County*

FILE NUMBER 177295

**FILING FEE**

2.00 - FOR FIRST BUSINESS NAME ON STATEMENT  
 5.00 - FOR EACH ADDITIONAL BUSINESS NAME FILED ON SAME STATEMENT AND DOING BUSINESS AT THE SAME LOCATION  
 5.00 - FOR EACH ADDITIONAL OWNER IN EXCESS OF ONE OWNER

NOTICE — THIS FICTITIOUS NAME STATEMENT EXPIRES FIVE YEARS FROM THE DATE IT WAS FILED IN THE OFFICE OF THE COUNTY CLERK. A NEW FICTITIOUS BUSINESS NAME STATEMENT MUST BE FILED BEFORE THAT TIME. THE FILING OF THIS STATEMENT DOES NOT OF ITSELF AUTHORIZE THE USE IN THIS STATE OF A FICTITIOUS BUSINESS NAME IN VIOLATION OF THE RIGHTS OF ANOTHER UNDER FEDERAL, STATE, OR COMMON LAW (SEE SECTION 14400 ET SEQ., BUSINESS AND PROFESSIONS CODE)

Submit Original and 3 copies.  
 Provide self addressed stamped envelope, if mailed.  
 Move carbons before mailing.

**SEE REVERSE SIDE FOR INSTRUCTIONS**

FIRST FILING       RENEWAL FILING

**FICTITIOUS BUSINESS NAME STATEMENT**

**THE NAME[S] OF THE BUSINESS[ES]:**

\* WESTERN STATES GLASS RECYCLING PROGRAM  
 (Please Type or Print Fictitious Business Name[s] on Line Above)

\* \* LOCATED AT: 678 13TH STREET, SUITE 202  
 (Street Address of Business — If No Street Address Assigned — Give Exact Location of Business Plus P.O. Box or Rural Route)

IN: OAKLAND, CA 94612  
 (City and Zip)

**IS [ARE] HEREBY REGISTERED BY THE FOLLOWING OWNER(S):**

\* \* \* #1 KIRSTEN TEDE RITCHIE  
 (Full Name — Type/Print)

#2 GLASS PACKAGING INSTITUTE  
 (Full Name — Type/Print)

1212 MOUNTAIN BLVD  
 (Residence Address or state of incorporation if incorporated)

1801 K ST. N.W., SUITE 1105-L  
 (Residence Address or state of incorporation if incorporated)

OAKLAND, CA 94611  
 (City and Zip)

WASHINGTON, D.C. 20006  
 (City and Zip)

#3  
 (Full Name — Type/Print)

#4  
 (Full Name — Type/Print)

(Residence Address or state of incorporation if incorporated)

(Residence Address or state of incorporation if incorporated)

(City and Zip) (City and Zip)

(If More Than 4 Registrants — Attach Additional Sheet Showing Owner Information)

\* \* \* \* This business is conducted by:  an Individual     Individuals — Husband and Wife     a General Partnership  
 a Limited Partnership     a Corporation     a Business Trust     Co-Partners     a Joint Venture  
 an Unincorporated Association — other than a Partnership     Other (Specify) \_\_\_\_\_

\* \* \* \* The Registrant commenced to transact business under the fictitious business name or names listed above on 3/3/92

SIGNATURE OF REGISTRANT: Kirsten Tedde Ritchie

(Print name of person signing and, if a Corporate Officer, also state title)

This statement was filed with the County Clerk of Alameda County on date indicated by file stamp above.

MAR 4 1992

3928  
03/03/92 21:18:11  
27.11



Ex. #4

MEETING AGENDA

KELLER CANYON LANDFILL COMPANY

March 9, 1990

- 1. Status of Keller Canyon Landfill Project - Kirsten Ritchie, BFI
- 2. Progress since last meeting - John Anderson, CH2M HILL
- 3. Design Issues - Tim Bray, CH2M HILL

Bottom Liner system: as previously discussed

Final Cover

Leachate Disposal

- 4. Status of Regulations - RWQCB

Subchapter 15 & Subtitle D: Revisions, critical provisions

Aug 1, 1990

Participants

CH2M Hill, Jill Sapiro 652-2426

BFI, Gary Johnson, (713) 870-8100  
(Houston)  
T/A



Exhibit #5

- Upward gradients that occur along the bottom of the canyon would cause groundwater to move up onto earthfill placed over the discharge areas

Adding extra fill to the canyon floor, or increasing the thickness of the clay liner, would not promote attainment of the performance standard for water quality protection, because saturated conditions would still exist at or near the base of the clay liner. The mere existence of a 5-foot unsaturated zone does not provide a demonstrable protection to water quality, as recognized in the Statement of Reasons (Preamble, p. 13). Therefore, an engineered alternative is the only available method of attaining the performance goal of water quality protection. This is true not only for the Landfill site, but of all other sites being considered in Contra Costa County as well.

A 5-foot separation would also be unnecessarily burdensome, because (as shown above) an underdrain is necessary in any case, and the extra thickness of soil between the liner and the underdrain would provide no demonstrable water quality protection benefits. The added costs of placing an extra 3 feet of soil are estimated at \$7 million for construction, and \$12.9 million in lost airspace that would otherwise be available for waste disposal.

#### 4.2.2 HYDROGEOLOGIC CONSTRUCTION CONSIDERATIONS

The results of the hydrogeological investigation indicate that at certain locations within the Landfill footprint, groundwater levels may rise to the base of the Landfill. This can occur at locations where seeps have been observed in the canyon and at locations where relatively deep excavations will be required before liner placement. At these locations, the separation between the groundwater surface and the base of the refuse may be less than 5 feet, so that an engineered alternative that provides equivalent water-quality protection will be required.

Existing water levels and water budget calculations were used to predict the general areas where a subdrain will be needed. Design of the underdrain was determined in part by the configuration of the Landfill and the hydrogeologic conditions of the site. The exact extent and configuration of the underdrain will be determined during final design and modified as necessary based on field observations during construction.

Groundwater currently discharges at the ground surface from weathered and fractured bedrock in the upper end of the canyon and from alluvial and very old landslide debris near the toe of the Landfill. These areas are expected to supply most of the discharge to the subdrain, although some discharge may be captured where the subdrain intercepts weathered and fractured bedrock along the side slopes and upper reaches of the canyon. Lesser amounts of groundwater may discharge to the subdrain from sandstone beds below the zone of weathering.





THIS REGULATION, WHICH WAS ADOPTED PURSUANT TO THE POLITICAL REFORM ACT IS SUBMITTED FOR PROCEDURAL REVIEW (See instructions on reverse)

STATE OF CALIFORNIA  
STD Form 400 (Rev. 8/85)

FACE SHEET AND PUBLICATION ONLY

Cxk #6

1989 MAR 23 10:00  
OFFICE OF  
ADMINISTRATIVE LAW

FOR FILING ADMINISTRATIVE REGULATIONS WITH THE OFFICE OF ADMINISTRATIVE LAW

CERTIFICATION: I hereby certify that the attached are true and correct copies of regulations adopted, amended or repealed by this agency and that the information specified on this Face Sheet is true and correct.

ENDORSED FILED  
IN THE OFFICE OF

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MARCH FONG EU  
SECRETARY OF STATE  
OF CALIFORNIA

ENDORSED  
APPROVED FOR FILING  
APR 12 1989

Office of Administrative Law

State Water Resources Control Board

AGENCY  
*James W. Baetge*  
James W. Baetge  
AGENCY OFFICER WITH RULEMAKING AUTHORITY  
Executive Director

Date: 3-21-89

For use by Secretary of State on

1. AGENCY CONTACT PERSON FOR THIS FILING (See instructions) TITLE TELEPHONE  
James W. Baetge Executive Director (916) 445-3085

2. Type of filing, (check one)  30-day Review  Emergency  Certificate of Compliance (Complete Part 4 below)  
 Regulatory changes resulting from Govt. Code 11349.7 review (Complete Part 6 below)  
 Nonsubstantive changes with nonregulatory effect  Printing Error Correction

3. a. Specify California Administrative Code title and sections as follows:

Title 23 SECTIONS ADDED: 645 AMENDED:  
SECTIONS AMENDED:  
SECTIONS REPEALED:

b. The following sections listed in 3a contain modifications to the text originally made available to the public:

4. CERTIFICATE OF COMPLIANCE (Government Code Section 11346.1(e): The above-named agency officer certifies that this agency complied with the provisions of Government Code Sections 11346.4-11346.8. (Check one)  
 prior to the emergency adoption  
 within 120 days of the effective date of the emergency adoption of the above-referenced regulations.

5. Is this filing a resubmittal of a previously disapproved or withdrawn regulation?  
 No  Yes, if yes, give date(s) of prior submittal(s) to OAL:

6. Is the filing submitted to carry out amendments or repeals identified in the statement of review completion submitted as a result of agency's review of regulations administered by it as of June 30, 1980?  
 No  Yes, if yes, give date statement was submitted to OAL:

7. If these regulations required prior review and approval or concurrence by any of the following agencies, check appropriate box(es):  
 Fair Political Practices Commission (Include FPPC approval stamp)  Building Standards Commission (Attach approval)  
 State Fire Marshall (Attach approval)  Department of Finance (Attach properly signed Std. 399)  
 Other (SPECIFY AGENCY)

8. a. PUBLICATION DATE OF NOTICE IN CALIFORNIA ADMINISTRATIVE NOTICE REGISTER 7/3/87  
b. DATE OF FINAL AGENCY ACTION 9/17/87  
c. DATES OF AVAILABILITY OF MODIFIED REGULATIONS IN GOV. CODE SEC. 11346.8(d)

9. Effective date of regulatory changes: (See Government Code Section 11346.2 and instructions on reverse)  
a.  Effective 30th day after filing with the Secretary of State.  
b.  Effective upon filing with the Secretary of State.  
c.  Effective on \_\_\_\_\_ as required or allowed by the following statute(s):  
d.  Effective on \_\_\_\_\_ (Designate effective date earlier than 30 days after filing with the Secretary of State pursuant to Govt. Code Sect. 11346.2(d).)  
Attach request demonstrating good cause for early effective date. Request subject to OAL approval.  
e.  Effective on \_\_\_\_\_ (Designate effective date later than the normal effective date for the type of order filed.)

WITH THE SECRETARY OF STATE

(Pursuant to Government Code Section 11380.11)

AMEND Title 23, Art. 6, Ch. 3, Subch. 1 to read:

CONFLICT OF INTEREST CODE FOR THE  
STATE WATER RESOURCES CONTROL BOARD

The Political Reform Act, Government Code Sections 81000, et seq., requires state and local government agencies to adopt and promulgate Conflict of Interest Codes. The Fair Political Practices Commission has adopted a regulation, 2 Cal. Adm. Code Section 18730, which contains the terms of a standard Conflict of Interest Code, which can be incorporated by reference, and which may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act after public notice and hearings. Therefore, the terms of 2 Cal. Adm. Code Section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission, along with the attached Appendix in which officials and employees are designated and disclosure categories are set forth, (are hereby incorporated by reference and constitute the Conflict of Interest Code of the State Water Resources Control Board, except as provided below.)

Pursuant to Section 4(A) of the standard Code, designated employees shall file statements of economic interests with the agency. Upon receipt of the statements of the State Board Executive Director and the State Board Members, the agency shall make and retain a copy and forward the original of these statements to the Fair Political Practices Commission.

DO NOT WRITE IN THIS SPACE

Amend the List of Designated Positions in the Appendix to Section 645, Chapter 1, Title 23 to read:

CONFLICT OF INTEREST CODE  
FOR THE  
STATE WATER RESOURCES CONTROL BOARD

APPENDIX

<u>Designated Positions</u>	<u>Disclosure Categories</u>
I. STATE WATER RESOURCES CONTROL BOARD	
A. Executive	
1. State Board Members	1
X 2. <u>Executive Director</u>	1
3. <u>Chief Deputy Executive Directors</u>	1
4. <u>Chief, Program Control Unit</u>	1
5. <u>Affirmative Action Officer</u>	1
6. <u>Labor Relations Officer</u>	1
B. <u>Legal and Technical Services Division of Water Quality</u>	
X 1. Division Chief	1
2. <u>Chief, Counsel and All Attorneys Land Disposal Branch</u>	1
3. <u>Chief, Technical Branch Regulatory and Monitoring Branch</u>	1
4. <u>Chief, Hydrogeology Section Planning and Standards Branch</u>	1
5. <u>Supervisor, Technical Support Section</u>	1
6. <u>Supervisor, Regulatory Section</u>	1
7. <u>Supervisor, Land Disposal Section/ Assistant Division Chief</u>	1
8. <u>Supervisor, Planning Section</u>	1
9. <u>Supervisor, Standards Development Section</u>	1

C. <u>Division of Audit and Administration</u>	
<u>Administrative Services</u>	
1. Division Chief	2
2. <u>State Assistance Program Chief,</u> <u>Personnel and Administrative</u> <u>Services Branch</u>	2
3. <u>Chief, Contracts and Business</u> <u>Management Branch</u>	2
4. <u>Program Analysis and Data Management</u> <u>Branch Chief Professional Staff,</u> <u>Business Services Office</u>	2
5. <u>Fiscal and Personnel Management Branch</u> <u>Chief Professional Staff, Contracts</u> <u>Office</u>	2
D. Division of Water Rights	
1. Division Chief	1
2. <u>Lead Program Manager Chief, Special</u> <u>Programs</u>	1
3. <u>Chief, Adjudication Section Administration</u> <u>of Water Rights</u>	3/4 1
4. Chief, Application Section	3,4
5. Chief, Hearing Section	3
6. Chief, License Section	3
7. <u>Chief, Environmental Unit</u> <u>Supervisor Section</u>	3
8. <u>Chief, Bay-Delta Section</u>	1
E. <u>Division of Water Quality Loans and</u> <u>Grants</u>	
1. Division Chief	1 5,6,7,8,9
2. Assistant Division Chief, <u>Facilities</u> <u>Planning Engineering Branch</u>	1 5,6,7,8,9
3. Assistant Division Chief, <u>Construction</u> <u>and Grants Administration Branch</u>	1 5,6,7,8,9
4. Supervisors, <u>Evaluation Facilities</u> <u>and Planning Sections A and B</u>	1 5,6,7,8

- 5. Supervisor, Environmental Evaluation Project Eligibility Review Section 8 5,6,7,8
- 6. Supervisor, Technical Support Section 5,6,7,8
- 7. Supervisor, Construction and Payments Grants Reimbursement Section 5,6,7
- 8. Supervisor, Grants Administration Section 5,6,7,8
- 9. Supervisor, Operator Training and Certification Operation Section 5,6,7,9
- 10. Senior Engineer Supervisor, Wastewater Operator Certification Training 9
- 11. Principal Engineer, Program Support Branch 5,6,7,8,9

F. Special Projects Office of the Chief Counsel

- 1. Chief/ Special Projects Counsel 1
- 2. Program Managers All Attorneys 1

G. Office of Legislative and Public Affairs

- 1. Chief 1
- 2. Information Officer 1

II. REGIONAL WATER QUALITY CONTROL BOARDS

- A. All Regional Board Members 1
- B. Region 1
  - 1. Executive Officer 1
  - 2. Assistant Executive Officer 1
  - 3. Northern District Supervisor 1
  - 4. Southern District Supervisor 1
  - 5. Non-Point Source Discharge Section Supervisor 1
  - 6. Surveillance and Monitoring Supervisor 1
  - 7. Site Mitigation Supervisor 1

C. Region 2

1. Executive Officer 1
2. Assistant Executive Officer 1
3. NORTH Bay Supervisor Chief, Municipal Division 1
4. SOUTH Bay Supervisor Chief, Industrial Division 1
5. Section Leader/ Field Inspection Chief, Toxics Cleanup Division 1
6. Section Leader/ Marina/ Mapa/ Sonoma Chief, South Bay Division 1
7. Section Leader/ Contra Costa/ Solano Chief, Planning Division 1
8. Section Leader/ Santa Clara/ San Mateo BaySide Chief, Administrative Division 1
9. Section Leaders, San Francisco/ San Mateo CoastSide Municipal Division 1
10. Section Leaders, Alameda Industrial Division 1
11. Section Leaders, Toxics Cleanup Division 1
12. Section Leaders, South Bay Division 1

D. Region 3

1. Executive Officer 1
2. Supervising Water Resource Control Engineer Assistant Executive Officer 1
3. Chief, District A RCRA/Subchapter 15/ TPCA/Calderon 1
4. Chief, District B Planning/Surveillance/Monitoring/Pretreatment 1
5. Chief, Regulations/Enforcement 1
6. Chief, Underground Tanks/AB 1803 1

E. Region 4

1. Executive Officer	1
2. Assistant Regional Executive Officer	1
3. <u>Supervisor, Reports and Enforcement and Surveillance Section Chief, Toxics</u>	1
4. <u>Supervisor, Regulation and Special Projects and Grants Section Chief, Ground Water</u>	1
5. <u>Section Chief, Reports and Enforcement Surface Water</u>	1
6. <u>Section Unit Chief, Surveillance</u>	1
7. <u>Section Unit Chief, Regulation Landfills</u>	1
8. <u>Unit Chief, Underground Tanks</u>	1
9. <u>Unit Chief, Hazardous Waste</u>	1
10. <u>Unit Chief, AB 1803-1</u>	1
11. <u>Unit Chief, AB 1803-2</u>	1
12. <u>Unit Chief, Planning</u>	1
13. <u>Unit Chiefs, Regulatory Units</u>	1

F. Region 5

1. Executive Officer	1
2. Assistant Regional Executive Officer	1
3. Supervisor, Fresno Office	1
4. <u>Supervisor, Regulatory Section Redding Office</u>	1
5. <u>Supervisor, Agriculture, Grants and Administration Regional Activities Branch</u>	1
6. <u>All Engineers in Shasta Cascade Regulatory Unit Supervisor, Regulatory Branches</u>	1



7. All Engineers in Sol San Joaquin Valley  
Regulatory Unit Supervisor, Ground Water  
Protection and Investigation Branch 1
8. All Engineers in Sol San Joaquin Valley  
Regulatory Unit Chief, North Mountain  
Regulatory Section 1
9. All Land and Water Use Analysis in the  
Agricultural Regulatory Unit Chief,  
Central Regulatory Section 1
10. All Engineers in the Agriculture  
Silviculture and Planning Regulatory  
Unit Chief, Sierra Regulatory Section 1
11. All Engineers in Delta Regulatory Unit  
Chief, South Delta Regulatory Section 1
12. All Engineers in Sierra Regulatory Unit  
Chief, North Valley Regulatory Section 1
13. All Engineers in Central Sacramento  
Regulatory Unit Chief, San Joaquin  
Regulatory Section 1
14. Chief, Environmental/Technical Support  
Section 1
15. Chief, Standards, Policies and Special  
Studies Section 1
16. Chief, Agricultural Investigations  
and Planning Section 1
17. Chief, Agricultural Regulatory Section 1
18. Chief, Waste Discharge to Land Section 1
19. Chief, Toxic Pits, RCRA Section 1
20. Chief, Toxics Field Support, Lab  
Contracts Site Investigation Section 1
21. Chief, South San Joaquin Valley  
Regulatory Section 1
22. Chief, North San Joaquin Valley  
Regulatory Section 1
23. Chief, Agricultural Wastes, Planning,  
Technical Support Section 1

- 24. Chief, Geotechnical Support, Hazardous Waste Sites, UIC, Oil Fields, Refineries Section 1
  - 25. Chief, Toxic Investigation and Ground Water Protection Section 1
  - 26. Chief, AB 1803 1
  - 27. Supervisor, Ground Water, Hydrogeology, Technical Support 1
- G. Region 6
- 1. Executive Officer 1
  - 2. Assistant Executive Officer 1
  - 3. North Lahontan Basin Supervisor Supervisor, Lake Tahoe Office 1
  - 4. All Engineers in Regulation Units of North and South Lahontan Basins Supervisor, Victorville Office 1
  - 5. South Lahontan Basin Senior Engineer Chief, Enforcement and Regulations Sections, Victorville Office 1
  - 6. Chief, Planning and Special Investigations Special Projects and Investigations Branch, Lake Tahoe Office Chief, Plans and Policy Branch, Lake Tahoe Office 1
  - 7. Chief, Regulation and Enforcement Branch Lake Tahoe Office Chief, Special Projects and Investigations Branch, Lake Tahoe Office 1
  - 8. Chief, Regulation and Enforcement Branch, Lake Tahoe Office 1
- H. Region 7
- 1. Executive Officer 1
  - 2. Assistant Executive Officer 1
  - 3. Supervisor/ Operations Chief, Operations and Compliance Branch 1

- 4. Supervisor, Water Quality, Investigations and Laboratory Services Chief, Surveillance & Investigations Branch 1
- 5. Chief, Toxic & Hazardous Waste Management Branch 1
- 6. Regional Specialists 1
- I. Region 8
  - 1. Executive Officer 1
  - 2. Assistant Executive Officer 1
  - 3. Supervisor, Regulation Enforcement Chief, Regulations Section 1
  - 4. Chief, Municipal Surveillance Section 1
  - 5. Chief, Ground Water Investigation Section 1
  - 6. Chief, Pollutant Investigation Section 1
  - 7. Chief, Planning Section 1
  - 8. Chief, Industrial Surveillance Section 1
  - 9. Chief, Subchapter 15/Landfill 1
- J. Region 9
  - 1. Executive Officer 1
  - 2. Assistant Executive Officer 1
  - 3. Supervisor, Requirements and Enforcement Section Chief, Permits and Requirements Unit 1
  - 4. All Engineers in Requirements and Enforcement Section Chief, Surveillance and Enforcement Unit 1
  - 5. Supervisor, Surveillance and Monitoring Section Chief, Planning and Technical Assistance Unit 1
  - 6. All Engineers Staff, in Surveillance and Monitoring Section Enforcement Unit 1

- 7. All Staff, in Permits and Requirement Unit 1
- 8. All Staff, Special Investigations and Assignments Unit 1
- K. Consultant\* 1

\*Consultants shall be included in the list of designated employees and shall disclose pursuant to the broadest disclosure category in the code subject to the following limitation:

The executive director or executive officer may determine in writing that a particular consultant, although a "designated position", is hired to perform a range of duties that is limited in scope and thus is not required to fully comply with the disclosure requirements described in this section. Such written determination shall include a description of the consultant's duties and, based upon that description, a statement of the extent of disclosure requirements. The executive director's or executive officer's determination is a public record and shall be retained for public inspection in the same manner and location as this conflict of interest code.

## DISCLOSURE CATEGORIES

### Category 1

- (a) All investments, interest in real property and income.
- (b) Any business entity in which the individual is a director, officer, partner, trustee, employee, or holds any position of management.

### Category 2

- (a) Any source of income and any investment in a business entity, which source of income or business entity is of a type which contracts with the State Board or a Regional Board to provide services, supplies, materials, machinery or equipment.
- (b) His or her status as a director, officer, partner, trustee, employee, or holder of a position of management in any business entity which is of a type which contracts with the State Board or a Regional Board to provide services, supplies, materials, machinery or equipment.
- (c) All interests in real property.

### Category 3

- (a) Any source of income and any investment in a business entity which source of income or business entity holds a water right entitlement from the State Board as well as any source of income and any investment in a business entity which is an applicant for a water right entitlement from the State Board.
- (b) His or her status as a director, officer, partner, trustee, employee, or holder of a position of management in any business entity which holds or which is an applicant for a water right entitlement from the State Board.
- (c) Any interest in real property for which the application for a water right entitlement has been made or for which a water right entitlement has been obtained.

### Category 4

- (a) Any source of income and any investment in a business entity which source of income or business entity is a party to a court reference proceeding or is a claimant of a right in a statutory adjudication proceeding.
- (b) His or her status as a director, officer, partner, trustee, employee, or holder of a position of management in any business entity which is a party to a court reference proceeding or which is a claimant of a right in a statutory

- (c) Any interest in real property with respect to which water rights are being adjudicated in a court reference proceeding or in a statutory adjudication proceeding.

Category 5

- (a) Any source of income and any investment in a business entity which source of income or business entity engages in the design of municipal wastewater treatment facilities.
- (b) His or her status as a director, officer, partner, trustee, employee, or holder of a position of management in any business entity which engages in the design of municipal wastewater treatment facilities.

Category 6

- (a) Any source of income and any investment in a business entity which source of income or business entity engages in construction of municipal wastewater facilities.
- (b) His or her status as a director, officer, partner, trustee, employee, or holder of a position of management in any business entity which engages in construction of municipal wastewater treatment facilities.

Category 7

- (a) Any source of income and any investment in a business entity which source of income or business entity manufactures equipment for use in municipal wastewater treatment facilities.
- (b) His or her status as a director, officer, partner, trustee, employee, or holder of a position of management in any business entity which manufactures equipment for use in municipal wastewater treatment facilities.

Category 8

- (a) Any source of and any investment in a business entity which source of income or business entity provides research, planning or environmental impact reporting services related to water supply or water quality.
- (b) His or her status as director, officer, partner, trustee, employee, or holder of a position of management in any business entity provides research, planning or environmental impact reporting services related to water supply or water quality.

(THIS IS THE LAST PAGE OF THE CONFLICT OF INTEREST CODE FOR  
THE STATE WATER RESOURCES CONTROL BOARD)

CERTIFICATION OF FPPC APPROVAL

Pursuant to Government Code  
Section 87303, the conflict of  
interest code for the State  
Water Resources Control Board  
was approved on

3/8/89

by the Executive  
Director of the  
Fair Political  
Practices  
Commission.



By: [Signature]  
Effective Pursuant to G.C. 11346.2

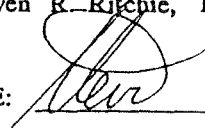
Regional Water Quality Control Board  
**SAN FRANCISCO BAY REGION**  
**Internal Memo**

*Exhibit 7*

TO: LPK, GJG, RKM, RHW

FROM: Steven R. Ritchie, Executive Officer

DATE: June 5, 1989

SIGNATURE:  \_\_\_\_\_

SUBJECT: BFI Facilities

My wife, Kirsten, is taking a job with BFI starting in the next couple of weeks. Effective now I will not work on any BFI-owned sites, including Apanolio Canyon and Vasco Road. Larry will act as Executive Officer on all BFI-owned sites.

cc: Jep Wade





## STATE WATER RESOURCES CONTROL BOARD

PAUL R. BONDERSON BUILDING  
901 P STREET  
P.O. BOX 100  
SACRAMENTO, CA 95812-0100  
(916) 657-0941



Post-It™ brand fax transmittal memo 7871 # of pages > 10

To	From SWRCB
Co.	Co.
Dept.	Phone #
Fax #	Fax #

January 10, 1992

Mr. J. William Yeates  
Remy & Thomas  
Attorneys at Law  
629 J Street, Fourth Floor  
Sacramento, CA 95814

Mr. Scott Gordon  
Bruen & Gordon  
1990 North California Boulevard, Suite 1020  
Walnut Creek, CA 94596

Mr. Steven Ritchie, Executive Officer  
California Regional Water Quality Control Board,  
San Francisco Bay Region  
2101 Webster Street, Suite 500  
Oakland, CA 94612

IN THE MATTER OF THE PETITION OF THE CITY OF PITTSBURG FOR REVIEW OF WASTE DISCHARGE REQUIREMENTS FOR THE KELLER CANYON LANDFILL COMPANY, A SUBSIDIARY OF BROWNING-FERRIS INDUSTRIES, CONTAINED IN ORDER NO. 91-052 OF THE CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD, SAN FRANCISCO BAY REGION. OUR FILE NOS. A-741.

## NOTICE OF PREHEARING CONFERENCE

The State Water Resources Control Board's (State Water Board) regulations allow the Executive Director to schedule a prehearing conference whenever he determines that such a prehearing conference may help in resolving any adjudicatory matter before the State Water Board (23 C.C.R. 648.8). I have determined that such a prehearing conference may assist the Board's staff in their review of this matter. Accordingly, you are hereby notified that a prehearing conference is scheduled in this matter.

DATE: Wednesday, January 22, 1992

TIME: 9:00 a.m.

LOCATION: Division of Clean Water Programs,  
2014 T Street  
Sacramento, California

January 10, 1992

TOPICS: Discussion will include, but not be limited to, the following matters:

Petitioner's technical analysis of slope stability at the Keller Canyon landfill site (offered as a supplement to the record before the Regional Board).

Discharger's technical report rebutting Petitioner's supplementary submittal.

The technical report on this matter prepared by the staff of the State Water Board's Division of Clean Water Programs.

Any technical reports submitted to the Regional Board by the Discharger since the adoption of Order No. 91-052 pursuant to the terms of that Order.

Such other matters as may assist the staff of the State Water Board in resolving the technical issues identified by the parties and the staff.

In preparation for the conference, the parties are directed to distribute copies of any technical report responding to material offered by other parties and any other technical materials for consideration in the State Water Board's review of this matter to the State Water Board, the Regional Board, and the other parties as soon as possible before the conference; the Regional Board is directed to identify all technical reports submitted to it by the Discharger pursuant to Order No. 91-052 and distribute copies thereof to the State Water Board and the Petitioner before the conference.

If you have any questions about this matter please contact me or John W. Richards of the State Water Board's Office of the Chief Counsel at (916) 657-2075.

Sincerely,

  
Walt Pettit  
Executive Director

cc: Mr. Harry Schueller, Chief  
Ms. Charlene Herbst  
Division of Clean Water Programs  
State Water Resources Control Board  
P.O. Box 944212  
Sacramento, CA 94244-2120



**Keller Canyon  
Landfill Company**

A subsidiary of  
ROWNING-FERRIS INDUSTRIES

REC-100-1000-2

EX # 9

October 2, 1990

SFO 26898.PA.RW

Mr. Steven Ritchie, Executive Director  
Mr. Curtis Scott, Senior Engineer, Land Disposal  
Regional Water Quality Control Board, San Francisco Bay Region  
1800 Harrison St., Suite 700  
Oakland, California 94612

Subject: Keller Canyon Landfill, Request for Waste Discharge Requirements

Dear Mr. Ritchie and Mr. Scott:

Keller Canyon Landfill Company (KCLC) is requesting Regional Water Quality Control Board Waste Discharge Requirements for the Keller Canyon Landfill in Contra Costa County. Pursuant to the provisions of Title 23 CCR Subchapter 15, KCLC is submitting the enclosed Report of Waste Discharge, together with the appropriate fees.

Keller Canyon Landfill is proposed as a 244-acre Class II landfill, located in a canyon in the hills south of the City of Pittsburg. The property controlled by the landfill sponsor, KCLC, totals 2,628 acres, of which the landfill and its appurtenant facilities will occupy only 375 acres. The remaining 2,253 acres will be maintained as open space buffer area used for cattle grazing. The site is located less than one mile south of Highway 4 east of Bailey Road.

As demonstrated in the Report of Waste Discharge, the landfill has been planned and designed to meet or exceed the requirements of Subchapter 15 for a Class II landfill. The Executive Summary contains a description of how the landfill complies with Articles 3, 4, and 5 of Subchapter 15.

Thank you for your courtesy and cooperation in processing this application for Waste Discharge Requirements. Should you require any additional information or wish to discuss any aspect of this application, please contact Dr. Jill Shapiro or Mr. Tim Bray at CH2M HILL, the project engineering firm. Either Dr. Shapiro or Mr.

Steven Ritchie and Curtis Scott  
Page 2  
SFO 26898.PA.RW  
October 2, 1990

Bray can be contacted at (415) 652-2426. They will be delighted to arrange a site tour should you or any of your staff wish to see the site personally.

Sincerely,

*Boyd M. Olney, Jr.*

Boyd M. Olney, Jr., President  
Keller Canyon Landfill Company

Enclosures

CC: Thomas Bruen, Esq., Titchell Maltzman  
Scott Gordon, Esq., Titchell Maltzman  
Gary Johnson, Browning Ferris Industries, Inc.  
Jill Shapiro, CH2M HILL  
John Anderson, CH2M HILL  
Tim Bray, CH2M HILL



# California Fair Political Practices Commission

Ex # 10

November 15, 1989

Honorable Jim Johnson  
Chairman, County Board of Supervisors  
County Government Center  
San Luis Obispo, CA 93408

Re: Your Request for Advice  
Our File No. A-89-500

Dear Mr. Johnson:

This is in response to your request for advice regarding your responsibilities as Chairman of the San Luis Obispo County Board of Supervisors under the conflict-of-interest provisions of the Political Reform Act (the "Act").<sup>1</sup> We make no comments as to past conduct but only address those decisions you will be called upon to make in the near future. (Regulation 18329(b)(8)(A), copy enclosed.)

This letter confirms telephone advice provided to you on October 4, 1989. Additionally, this letter answers your request for reconsideration of the advice provided to you at that time and revisits the telephone advice provided to you on October 5, 1989.

### QUESTIONS

1. You own real property and have other financial interests within the county. Under the Act, are you prohibited from participating in the adoption of a growth control ordinance?
2. If disqualification is required, how do you disqualify yourself from participating in the decision?

### CONCLUSIONS

1. Based on the facts provided, passage of a growth control ordinance will have a reasonably foreseeable material financial effect, distinguishable from the effect on the public generally, on your financial interests. Accordingly, you must disqualify from participating in the decision.

<sup>1</sup> Government Code Sections 81000-91015. All statutory references are to the Government Code unless otherwise indicated. Commission regulations appear at 2 California Code of Regulations Section 18000, et seq. All references to regulations are to Title 2, Division 6 of the California Code of Regulations.

File No. A-89-500  
Page 2

2. Disqualification is accomplished by stating, on the record, the ~~disqualifying financial interest or interests, and abstaining from participating in or attempting to influence those decisions.~~

#### FACTS

You are the Chairman of the San Luis Obispo County Board of Supervisors. Prior to your election to this office you were active in construction and land development. Some of those projects continue at this time. You currently have an interest in two parcels situated in unincorporated areas of the County of San Luis Obispo.

One of your land holdings consists of a 50-percent interest in a limited partnership of which you are the general partner. This partnership, Johnson Investments, Ltd., was formed for the exclusive purpose of developing and selling the "Laguna Hills Project," a large tract of land adjoining the City of San Luis Obispo. The partnership owns a 1/11th interest in the current holdings of the project, which presently consist of approximately 500 acres of land. You estimate the value of the land in its undeveloped condition to be approximately \$2,000,000 to \$2,500,000.

Approximately 450 of these acres are zoned agricultural and cannot be subdivided. The remaining 50 acres are zoned suburban-residential and could be subdivided into one-acre parcels. These 50 acres have been proposed for annexation to the city of San Luis Obispo for the purpose of rezoning and developing the land as a residential-golf course project. If annexed and developed, the value of the land would increase to approximately \$25,000,000. If annexation is denied, the company intends to apply to the county for development.

You also own 10 acres in the unincorporated southern part of the county. Your personal residence and another residence occupied by your son-in-law and daughter are situated on this parcel. The property is used as a successful working avocado orchard. Current zoning permits the division of this property into two five-acre parcels. However, a lot division would probably be denied by the county because of the agricultural use of the property.

You estimate that the total population of the county is approximately 208,000 persons, 88,000 of whom reside in the unincorporated areas of the county. There are approximately 34,000 vacant parcels of land in the unincorporated area, ranging from residential lots to very large agricultural parcels. Under current zoning, approximately 24,000 of these parcels could be subdivided into a total of approximately 100,000 parcels.

The county board of supervisors has been under pressure to enact a county-wide growth control ordinance. In June of 1988,

File No. A-89-500  
Page 3

the San Luis Obispo County Board of Supervisors appointed a blue-ribbon committee to propose the framework of a growth management ordinance.

Acting on the recommendations of the committee, on August 23, 1989, the board of supervisors enacted an urgency interim growth control ordinance which would be in effect for a period of 45 days. A vote on the adoption of the ordinance as a one-year interim growth control ordinance was scheduled for October 4, 1989. The ordinance would limit building permits for new residences to a 2.5 percent annual growth rate and would prohibit subdivision of existing parcels in the unincorporated areas of the county except within urban and village reserve lines. Passage of the ordinance requires a 4/5 vote by the board of supervisors.

You are concerned that, as the board addresses the adoption of a county-wide growth control ordinance, you may be disqualified from participating in the decisionmaking process because of a conflict of interest.

#### ANALYSIS

##### 1. Conflict of Interest

Section 87100 prohibits public officials from making, participating in, or using their official position to influence any governmental decision in which they have a financial interest. As chairman of the county board of supervisors, you are a public official. (Section 82048.)

An official has a financial interest in a decision if it is reasonably foreseeable that the decision will have a material financial effect, distinguishable from its effect on the public generally, on the official or a member of his or her immediate family or on:

(a) Any business entity in which the public official has a direct or indirect investment worth one thousand dollars (\$1,000) or more.

(b) Any real property in which the public official has a direct or indirect interest worth one thousand dollars (\$1,000) or more.

(c) Any source of income, other than gifts and other than loans by a commercial lending institution in the regular course of business on terms available to the public without regard to official status, aggregating two hundred fifty dollars (\$250) or more in value provided to, received by or promised to the public official within 12 months prior to the time when the decision is made.



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(d) Any business entity in which the public official is a director, officer, partner, trustee, employee, or holds any position of management.

(e) Any donor of, or any intermediary or agent for a donor of, a gift or gifts aggregating two hundred fifty dollars (\$250) or more in value provided to, received by, or promised to the public official within 12 months prior to the time when the decision is made.

Section 87103(a)-(e).

You have investment interests in Johnson Investments and in the company which plans to develop the Laguna Hills Project. Each of these interests has a value in excess of \$1,000. Your ownership interest in your residence undoubtedly has a value in excess of \$1,000. Accordingly, you may not participate in any decision which will have a reasonably foreseeable material financial effect, distinguishable from the effect on the public generally, on Johnson Investments, the company which plans to develop the Laguna Hills Project, or your home.

The effect of a decision is reasonably foreseeable if there is a substantial likelihood that it will occur. To be foreseeable, the effect of a decision must be more than a mere possibility; however certainty is not required. Downey Cares v. Downey Development Com. (1987) 196 Cal. App. 3d 983, 989-991; Witt v. Morrow (1977) 70 Cal. App. 3d 817, 822; In re Thorner (1975) 1 FPPC Ops. 198, copy enclosed.) The Act seeks to prevent more than actual conflicts of interest, it seeks to prevent even the appearance of a possible conflict of interest. (Witt v. Morrow, supra, at 823.)

You have stated that the partnership in which you hold one half of a 1/11 interest has an interest in developing a subdivision on 50 of the 500 acres it owns. While the hope is to annex this property to the city for purposes of development, if the annexation does not occur, the plan is to seek approval of the subdivision from the county. The ordinance specifically limits approval of new subdivisions. Accordingly, it is reasonably foreseeable that adoption of the ordinance would prevent the development of the 50 acres owned by the partnership in which you hold a 1/22 interest.

Where the effect of a decision is foreseeable and material, a public official must abstain from participating in the decision. For a business entity indirectly involved in a decision, the effect of the decision is material if the decision will result in an increase or decrease in the value of assets or liabilities of \$10,000 or more. (Regulation 18702.2(g)(3), copy enclosed.)

Adoption of a growth control ordinance would have a material financial effect upon your interests. If annexation is denied,

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the growth control ordinance would prevent development of the 500 acres in which you hold an interest. Presumably, the value of the land intended for subdivision, which is an asset of the company in which you hold a 1/22 interest, would increase or decrease in value by \$10,000 or more depending upon whether or not the 50-acre parcel is available for subdivision. Thus, because your economic interests will be materially affected by any decision related to a growth control ordinance, you must disqualify from participating in these decisions unless an exception applies to your facts.

Even when the effect of a decision is foreseeable and material, a public official may participate in a decision if the effect on his or her interests is not distinguishable from the effect on the public generally. (Section 87102, Regulation 18703, copy enclosed.) The "public" consists of all persons residing, owning property, or doing business in the jurisdiction of the agency in question. (In re Legan (1985) 9 FPPC Ops. 1, 15, copy enclosed.) In your case, the public is the entire population of the county. Consequently, for the public generally exception to apply, any decision would have to affect a significant segment of the population of the county in substantially the same manner as it would affect you. (Dowd Advice Letter, No. A-88-214; Burnham Advice Letter, No. A-86-210, copies enclosed.)

The Commission has never adopted a strict arithmetic test for determining what constitutes a significant segment of the public. However, in order to apply the public generally exception, the population affected must be large in number and heterogeneous in nature. (In re Ferraro (1978) 4 FPPC Ops. 62; Flynn Advice Letter, No. I-88-430, copies enclosed.) Additionally, the group affected by the decision must be affected in a substantially similar way.

In Legan, supra, a county board of supervisors was considering a modification to a provision of the county's general plan which, if adopted, would increase the number of dwelling units which could be built on certain large parcels of undeveloped property. Because of the nature of the amendment, only parcels of 40 acres or more would be affected by the proposed change. In total, 742 parcels were in excess of 40 acres. This represented 0.9 percent or less of all the parcels in the unincorporated area of the county and less than 0.25 percent of all the parcels in the county. Kaiser aluminum, Mr. Legan's employer, owned 1,001 acres in the affected area, 967 of which consisted of four parcels of 40 acres or more which would be impacted by the proposed amendment. Kaiser had no plans to subdivide the land.

In analyzing whether the public generally exception applied, the Commission reasoned as follows:

Of all the Hillside property, only 738 parcels of 40 acres or more may be affected in substantially the same manner as Kaiser's four parcels. We have no information regarding this group of parcels

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except that all are 40 acres or more and would have their density limitations doubled by the proposed action. Assuming that each parcel has a separate owner, only 738 property owners among 383,000 property owners in the county may be affected in substantially the same manner as Kaiser. The other 4,029 Hillside property owners will be unaffected by the Hillside Density Amendment and, hence, not in "substantially the same manner" as Kaiser. Consequently, the 4,773 hillside parcel owners are not the group upon which we must focus.

The only group which will be affected in substantially the same manner as Kaiser is the owners of the other 738 Hillside parcels of 40 acres or more. This group has neither the numerical size nor the heterogeneity to constitute a significant segment of the public....

Legan, supra, at page 14, emphasis added.

It follows from the above that, for the public generally exception to apply to your facts, the growth control ordinance would have to affect a significant segment of owners of parcels who are similarly situated to you, and it would have to affect them in substantially the same manner as it would affect you. We do not have any facts to indicate that this is the case. We conclude, then, that the public generally exception does not apply to your facts.

In his request for reconsideration of our advice, your attorney, Mr. Stephen N. Cool, refers our attention to Consumers Union v. California Milk Producers Advisory Board (1978) 82 Cal. App. 3d 433 in support of the proposition that the "public generally" exception should apply in this instance. We concur with Mr. Cool's summation of the court's holding that regulatory board members whose financial interests were directly affected by their decisions were not precluded from voting on matters before the board. However, because you are not a member of the board of an industry, trade or profession, this case is inapplicable to your facts.

In Consumers Union the court discussed the applicability of the public generally exception to members of a trade, industry, or profession. The court found that, when an agency is required or expressly authorized by law to draw its members from that particular trade, industry or profession, industry board members may participate in governmental decisions that affect their financial interests if such decisions would similarly affect others in the same industry, trade or profession. This conclusion was based on a Commission regulation which provided a specific exemption in such circumstances. Thus, in this particular setting, the public were the members of the industry, trade or profession.

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The Commission has reached a similar conclusion with regard to members of an industry, trade or profession. In re Callanan, Sands and Hill (1978) 4 FPPC Ops. 33 (copy enclosed) the Commission considered the possible conflict of interest of Members of the Board of Funeral Directors and Embalmers. The decision in question involved a determination of whether or not funeral directors should be required to obtain consent from the next of kin prior to embalming. This decision would affect virtually all members of the funeral industry but would not directly and peculiarly affect an interest of any industry board member in a manner different from other funeral directors. To the contrary, the effect on each industry board member would be similar to the effect on most members of the funeral industry. For this reason, the Commission concluded that the three board members were not disqualified from participating in the decision. Since three of the Board members were required to be licensed funeral directors, the funeral industry was tantamount to the "public generally" for purposes of determining whether such persons must be disqualified from participating in Funeral Board matters.

Mr. Cool further refers our attention to Commission Opinions which he believes support the proposition that the public generally exception should apply to your facts. We disagree.<sup>2</sup>

In Oglesby the Commission considered whether a member of the redevelopment agency could participate in the decision to adopt the redevelopment plan. The chairman of the redevelopment agency owned three properties within the project area, several blocks from the proposed civic center. These included his real estate office and two rental properties. The chairman's real estate business included participation in the board of realtors multiple listing service. By reason of such participation, he could offer properties listed in the service to his customers, including properties in the redevelopment area.

The Commission concluded that the proposed redevelopment plan would have a foreseeable material financial effect on the chairman's real estate business which coupled with his interest in real property, required his disqualification.

In Gillmor the Commission again considered the disqualification requirements for a mayor who owned commercial real property in the vicinity of land to be rezoned. Because of his financial interest in the decision, the Commission advised that disqualification was required. Moreover, at footnote 5, the Commission clearly stated that individuals affected by a rezoning decision do not constitute the public generally or a significant

<sup>2</sup> Specifically, we are directed to In re Oglesby (1975) 1 FPPC 71; In re Gillmor (1977) 3 FPPC Ops. 38; In re Ferraro (1978) 4 FPPC Ops. 62; and In re Callanan, Sands and Hill (1978) 4 FPPC Ops. 33, copies enclosed.

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segment thereof. Moreover, even if they did, the extent of Mayor Gillmor's holdings would clearly distinguish the effect of the rezoning decision on those holdings from its effect on the interests of others with holdings in the area.

In Ferraro the Commission did find that owners of three or fewer rental units would not be affected by rent control decisions in a manner distinguishable from the effect upon a significant segment of the public. This is so, the Commission concluded, because the small landlord may just rent a room in his home, may have inherited a home from relatives or may have retained ownership of his old home when he moved to a new one. His interest is likely to be incidental and not relied upon as a major source of income. While those owning large numbers of rental units could be considered part of an "industry," owners of a small number of units were not a part of the rental property industry but rather were a diverse segment of the population representing all occupations and interests and whose only common bond was the ownership of rental property. Thus, the public generally applied to owners of three or fewer rental units.

Clearly the above authorities are inapplicable to your facts. Owners of 50-acre parcels of land capable of subdivision do not constitute an industry nor are they representative of the public generally. As in Gillmor, supra, the extent of your holdings distinguishes the effect of the growth control ordinance on your holdings from its effect on the interests of others with smaller holdings in the area. Consequently, the public generally exception is inapplicable to your particular situation.

We turn now to the telephone advice provided to you on October 5, 1989. At that time you asked whether you could participate in decisions related to the allocation of housing units in the Southern area of the county. You were advised that participation in such decisions was permissible as long as they did not affect any interest in real property you might have. Upon reconsideration and with greater familiarity with the facts, we conclude that participation in any matter related to the growth control ordinance is impermissible. We reach such a conclusion because allocation of housing units within the limitations of the proposed ordinance would have a reasonably foreseeable material financial effect, as discussed above, upon the 50 acres in which you hold an interest.

Briefly stated, you own an interest in a business entity which specifically intends to subdivide a large parcel of undeveloped property. The decisions you have referred to will not have a similar effect upon a significant segment of the public. Accordingly, we conclude that passage of the growth control ordinance will affect your economic interests in a manner which is distinguishable from the effect upon the public generally and you must abstain from participating in decisions related to passage of the proposed growth control ordinance. Having reached this

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conclusion, we need not address whether your home is also a basis for disqualification.

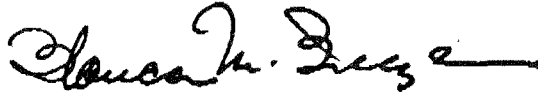
2. Disqualification

When a public official determines that he or she is required to disqualify from participating in a decision, the public official may not participate in discussions or vote on the issues or otherwise use his position to influence the decision. (Regulation 18700.1, copy enclosed.) (To abstain from participation, the official must disclose his or her disqualifying financial interests on the record and then refrain from participating in or attempting to influence the decision. (Regulation 18700(b)(5), copy enclosed.) In general, a disqualified official may not vote on the decision, make or second a motion, engage in debate, ask questions, or otherwise take part in the decisionmaking process. However, statements to the press or general public, outside of the meeting of the board of supervisors, are not prohibited. (Regulation 18700.1(a).)

I trust this letter responds to your inquiry. Should you have any further questions please address the matter to us in writing so that we may have a clearer grasp of the facts before we provide you with advice.

Sincerely,

Kathryn E. Donovan  
General Counsel



By: Blanca M. Breeze  
Counsel, Legal Division

KED:BMB:plh

Enclosures



Ex. # 11

# FORM 730

## Statement of Economic Interests For Designated Employees

SWRDS  
Date Received by Filing Officer/Official  
TRAINING BRANCH  
APR 1 12 55 PM '88

A PUBLIC DOCUMENT  
1987 - 88

(Type or Print in Ink)

NAME <u>Steven R. Ritchie</u>	
STATE DEPARTMENT AND UNIT OR LOCAL AGENCY <u>RWQCB, SF Bay Region</u>	POSITION TITLE <u>Industrial Division Chief</u>
MAILING ADDRESS <u>1111 Jackson St, Rm 6000 Oakland, CA 94607</u>	DAYTIME TELEPHONE NUMBER <u>(415) 464-0432</u>

CHECK THE APPROPRIATE BOX(ES):

**ASSUMING OFFICE STATEMENT:** (Check the box below if you have recently assumed a position designated in your agency's Conflict of Interest Code.)

- You have assumed your position on \_\_\_\_\_. You must file a statement no later than 30 days after this date. You must disclose on Schedules A, B, C and G all reportable interests held on the date you assumed your position if required by your disclosure category. You are not required to complete Schedules D, E, F and H at this time.

**ANNUAL STATEMENT:** (Required to be filed for each year that you hold your designated position.)

- You are required to file a Statement no later than April 1, 1988 disclosing all reportable interests held or received during the period from January 1, 1987 through December 31, 1987. (See Page 2 for exception to period covered.)

**LEAVING OFFICE STATEMENT:** (Required to be filed when you leave your designated position.)

- You are leaving or have left your position on \_\_\_\_\_ and must file a Statement no later than 30 days after that date. You must disclose all reportable interests held or received during the period from January 1, \_\_\_\_\_ through the date you left your designated position.

**INITIAL STATEMENT:** (Check the box below ONLY if your position has been recently designated or if you are filing under a new Conflict of Interest Code for your agency.)

- The Conflict of Interest Code for your agency became effective or your position was newly designated on \_\_\_\_\_. You must file a Statement no later than 30 days after this date. You must disclose on Schedules A, B, C and G all reportable interests held on the date your agency's code became effective. You are not required to complete Schedules D, E, F and H at this time.

**CANDIDATE STATEMENT:** (If required by the Conflict of Interest Code of the jurisdiction in which you are seeking office)

- The Conflict of Interest Code specifies the types of interests you must disclose. You may be required to complete Schedules A, B, C and G.



**THE FOLLOWING SUMMARY MUST BE COMPLETED BY ALL FILERS**

(Do not complete this summary until you have carefully reviewed all instructions for each schedule)

**SCHEDULE A -- INVESTMENTS (Other Than Those Held by A Business Entity or Trust)**

COMPLETED AND ATTACHED       NO REPORTABLE INTERESTS       SCHEDULE NOT APPLICABLE TO MY DISCLOSURE CATEGORY.

**SCHEDULE B -- INTERESTS IN REAL PROPERTY (Other Than Those Held by A Business Entity or Trust)**

COMPLETED AND ATTACHED       NO REPORTABLE INTERESTS       SCHEDULE NOT APPLICABLE TO MY DISCLOSURE CATEGORY.

**SCHEDULE C -- INTERESTS IN REAL PROPERTY AND INVESTMENTS HELD BY BUSINESS ENTITIES OR TRUSTS**

COMPLETED AND ATTACHED       NO REPORTABLE INTERESTS       SCHEDULE NOT APPLICABLE TO MY DISCLOSURE CATEGORY.

**SCHEDULE D -- INCOME (Other Than Loans and Gifts)**

COMPLETED AND ATTACHED       NO REPORTABLE INTERESTS       SCHEDULE NOT APPLICABLE TO THIS TYPE OF STATEMENT OR TO MY DISCLOSURE CATEGORY.

**SCHEDULE E -- INCOME - LOANS (Received Or Outstanding During The Period Covered)**

COMPLETED AND ATTACHED       NO REPORTABLE INTERESTS       SCHEDULE NOT APPLICABLE TO THIS TYPE OF STATEMENT OR TO MY DISCLOSURE CATEGORY.

**SCHEDULE F -- INCOME - GIFTS**

COMPLETED AND ATTACHED       NO REPORTABLE INTERESTS       SCHEDULE NOT APPLICABLE TO THIS TYPE OF STATEMENT OR TO MY DISCLOSURE CATEGORY.

**SCHEDULE G -- BUSINESS POSITIONS**

COMPLETED AND ATTACHED       NO REPORTABLE INTERESTS       SCHEDULE NOT APPLICABLE TO MY DISCLOSURE CATEGORY.

**SCHEDULE H -- COMMISSION INCOME, INCOME AND LOANS TO BUSINESS ENTITIES AND INCOME FROM RENTAL PROPERTY**

COMPLETED AND ATTACHED       NO REPORTABLE INTERESTS       SCHEDULE NOT APPLICABLE TO THIS TYPE OF STATEMENT OR TO MY DISCLOSURE CATEGORY.

**VERIFICATION**

I have used all reasonable diligence in preparing this Statement. I have reviewed the Statement and to the best of my knowledge the information contained herein and in the attached schedules is true and complete.

I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on April 11, 1988 at Oakland, CA  
SIGNATURE [Signature] (Date) (Place)

NAME Steven R. Ritchie

**Schedule A -- Investments**  
**(Other Than Those Held By a Business Entity or Trust)**  
**(SEE INSTRUCTIONS ON PRECEDING PAGE)**

NAME OF BUSINESS ENTITY <i>Helmerich &amp; Payne</i>		VALUE <input checked="" type="checkbox"/> \$1,000-\$10,000 <input type="checkbox"/> \$10,001-\$100,000 <input type="checkbox"/> Over \$100,000  Ownership Interest <input checked="" type="checkbox"/> Less than 10% <input type="checkbox"/> 10% or greater*
NATURE OF INVESTMENT, E.G., COMMON STOCK, PARTNERSHIP INTEREST <i>common stock</i>	If Acquired Or Disposed During The Reporting Period You Must Indicate:	
GENERAL DESCRIPTION OF BUSINESS ACTIVITY <i>agriculture &amp; real estate</i>	Date Acquired: _____ Date Disposed: _____	
NAME OF BUSINESS ENTITY <i>Hotel Investors</i>		VALUE <input type="checkbox"/> \$1,000-\$10,000 <input checked="" type="checkbox"/> \$10,001-\$100,000 <input type="checkbox"/> Over \$100,000  Ownership Interest <input checked="" type="checkbox"/> Less than 10% <input type="checkbox"/> 10% or greater*
NATURE OF INVESTMENT, E.G., COMMON STOCK, PARTNERSHIP INTEREST <i>common stock</i>	If Acquired Or Disposed During The Reporting Period You Must Indicate:	
GENERAL DESCRIPTION OF BUSINESS ACTIVITY <i>hotel management</i>	Date Acquired: _____ Date Disposed: _____	
NAME OF BUSINESS ENTITY <i>Homestake Mining</i>		VALUE <input checked="" type="checkbox"/> \$1,000-\$10,000 <input type="checkbox"/> \$10,001-\$100,000 <input type="checkbox"/> Over \$100,000  Ownership Interest <input checked="" type="checkbox"/> Less than 10% <input type="checkbox"/> 10% or greater*
NATURE OF INVESTMENT, E.G., COMMON STOCK, PARTNERSHIP INTEREST <i>common stock</i>	If Acquired Or Disposed During The Reporting Period You Must Indicate:	
GENERAL DESCRIPTION OF BUSINESS ACTIVITY <i>mining</i>	Date Acquired: _____ Date Disposed: _____	
NAME OF BUSINESS ENTITY <i>Mobil Corp.</i>		VALUE <input checked="" type="checkbox"/> \$1,000-\$10,000 <input type="checkbox"/> \$10,001-\$100,000 <input type="checkbox"/> Over \$100,000  Ownership Interest <input checked="" type="checkbox"/> Less than 10% <input type="checkbox"/> 10% or greater*
NATURE OF INVESTMENT, E.G., COMMON STOCK, PARTNERSHIP INTEREST <i>common stock</i>	If Acquired Or Disposed During The Reporting Period You Must Indicate:	
GENERAL DESCRIPTION OF BUSINESS ACTIVITY <i>oil production</i>	Date Acquired: _____ Date Disposed: _____	
NAME OF BUSINESS ENTITY <i>Rockefeller Center Properties</i>		VALUE <input checked="" type="checkbox"/> \$1,000-\$10,000 <input type="checkbox"/> \$10,001-\$100,000 <input type="checkbox"/> Over \$100,000  Ownership Interest <input checked="" type="checkbox"/> Less than 10% <input type="checkbox"/> 10% or greater*
NATURE OF INVESTMENT, E.G., COMMON STOCK, PARTNERSHIP INTEREST <i>common stock</i>	If Acquired Or Disposed During The Reporting Period You Must Indicate:	
GENERAL DESCRIPTION OF BUSINESS ACTIVITY <i>property management</i>	Date Acquired: _____ Date Disposed: _____	

NOTE: IF YOU ARE COMPLETING AN ANNUAL OR LEAVING OFFICE STATEMENT, YOU MUST REPORT ON SCHEDULE D ANY SALARY, COMMISSION, DISTRIBUTION OR OTHER INCOME (\$250 OR MORE) FROM INVESTMENTS LISTED ON SCHEDULE A RECEIVED BY YOU OR YOUR SPOUSE.

\* If you have checked this box, you must report on Schedule C any interests in real property and investments held by the business entity. In addition, if you are completing an Annual or Leaving Office Statement, and if your pro rata share of the gross income from any one source was \$10,000 or more, you must report the name of that source on Schedule H-2.

If additional space is needed check box and attach an additional Schedule A.

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NAME Steven R. Ritchie

**Schedule A -- Investments**  
**(Other Than Those Held By a Business Entity or Trust)**  
**(SEE INSTRUCTIONS ON PRECEDING PAGE)**

NAME OF BUSINESS ENTITY <i>American Express</i>		VALUE <input checked="" type="checkbox"/> \$1,000-\$10,000 <input type="checkbox"/> \$10,001-\$100,000 <input type="checkbox"/> Over \$100,000
NATURE OF INVESTMENT, E.G., COMMON STOCK, PARTNERSHIP INTEREST <i>Common stock</i>	If Acquired Or Disposed During The Reporting Period You Must Indicate:	Ownership Interest <input checked="" type="checkbox"/> Less than 10% <input type="checkbox"/> 10% or greater*
GENERAL DESCRIPTION OF BUSINESS ACTIVITY <i>travel &amp; financial</i>	Date Acquired: <u>12/30/87</u> Date Disposed: _____	
NAME OF BUSINESS ENTITY <i>Bethlehem Steel</i>		VALUE <input checked="" type="checkbox"/> \$1,000-\$10,000 <input type="checkbox"/> \$10,001-\$100,000 <input type="checkbox"/> Over \$100,000
NATURE OF INVESTMENT, E.G., COMMON STOCK, PARTNERSHIP INTEREST <i>common stock</i>	If Acquired Or Disposed During The Reporting Period You Must Indicate:	Ownership Interest <input checked="" type="checkbox"/> Less than 10% <input type="checkbox"/> 10% or greater*
GENERAL DESCRIPTION OF BUSINESS ACTIVITY <i>steel manufacturing</i>	Date Acquired: _____ Date Disposed: _____	
NAME OF BUSINESS ENTITY <i>Fluor</i>		VALUE <input checked="" type="checkbox"/> \$1,000-\$10,000 <input type="checkbox"/> \$10,001-\$100,000 <input type="checkbox"/> Over \$100,000
NATURE OF INVESTMENT, E.G., COMMON STOCK, PARTNERSHIP INTEREST <i>Common stock</i>	If Acquired Or Disposed During The Reporting Period You Must Indicate:	Ownership Interest <input checked="" type="checkbox"/> Less than 10% <input type="checkbox"/> 10% or greater*
GENERAL DESCRIPTION OF BUSINESS ACTIVITY <i>construction</i>	Date Acquired: _____ Date Disposed: _____	
NAME OF BUSINESS ENTITY <i>W.R. Grace</i>		VALUE <input type="checkbox"/> \$1,000-\$10,000 <input checked="" type="checkbox"/> \$10,001-\$100,000 <input type="checkbox"/> Over \$100,000
NATURE OF INVESTMENT, E.G., COMMON STOCK, PARTNERSHIP INTEREST <i>common stock</i>	If Acquired Or Disposed During The Reporting Period You Must Indicate:	Ownership Interest <input checked="" type="checkbox"/> Less than 10% <input type="checkbox"/> 10% or greater*
GENERAL DESCRIPTION OF BUSINESS ACTIVITY <i>food service, chemicals</i>	Date Acquired: _____ Date Disposed: _____	
NAME OF BUSINESS ENTITY <i>H.J. Heinz</i>		VALUE <input checked="" type="checkbox"/> \$1,000-\$10,000 <input type="checkbox"/> \$10,001-\$100,000 <input type="checkbox"/> Over \$100,000
NATURE OF INVESTMENT, E.G., COMMON STOCK, PARTNERSHIP INTEREST <i>Common stock</i>	If Acquired Or Disposed During The Reporting Period You Must Indicate:	Ownership Interest <input checked="" type="checkbox"/> Less than 10% <input type="checkbox"/> 10% or greater*
GENERAL DESCRIPTION OF BUSINESS ACTIVITY <i>food products</i>	Date Acquired: _____ Date Disposed: _____	

NOTE: IF YOU ARE COMPLETING AN ANNUAL OR LEAVING OFFICE STATEMENT, YOU MUST REPORT ON SCHEDULE D ANY SALARY, COMMISSION, DISTRIBUTION OR OTHER INCOME (\$250 OR MORE) FROM INVESTMENTS LISTED ON SCHEDULE A RECEIVED BY YOU OR YOUR SPOUSE.

\* If you have checked this box, you must report on Schedule C any interests in real property and investments held by the business entity. In addition, if you are completing an Annual or Leaving Office Statement, and if your pro rata share of the gross income from any one source was \$10,000 or more, you must report the name of that source on Schedule H-2.

If additional space is needed check box and attach an additional Schedule A.

2044

NAME Steven R. Ritchie

**Schedule A -- Investments**  
**(Other Than Those Held By a Business Entity or Trust)**  
**(SEE INSTRUCTIONS ON PRECEDING PAGE)**

NAME OF BUSINESS ENTITY <i>Putnam International Equity Fund</i>		VALUE <input checked="" type="checkbox"/> \$1,000-\$10,000 <input type="checkbox"/> \$10,001-\$100,000 <input type="checkbox"/> Over \$100,000
NATURE OF INVESTMENT, E.G., COMMON STOCK, PARTNERSHIP INTEREST <i>Common stock</i>	If Acquired Or Disposed During The Reporting Period You Must Indicate: Date Acquired: _____ Date Disposed: _____	Ownership Interest <input checked="" type="checkbox"/> Less than 10% <input type="checkbox"/> 10% or greater*
GENERAL DESCRIPTION OF BUSINESS ACTIVITY <i>mutual fund</i>		
NAME OF BUSINESS ENTITY <i>American Capital Comstock Fund</i>		VALUE <input checked="" type="checkbox"/> \$1,000-\$10,000 <input type="checkbox"/> \$10,001-\$100,000 <input type="checkbox"/> Over \$100,000
NATURE OF INVESTMENT, E.G., COMMON STOCK, PARTNERSHIP INTEREST <i>Common stock</i>	If Acquired Or Disposed During The Reporting Period You Must Indicate: Date Acquired: _____ Date Disposed: _____	Ownership Interest <input checked="" type="checkbox"/> Less than 10% <input type="checkbox"/> 10% or greater*
GENERAL DESCRIPTION OF BUSINESS ACTIVITY <i>mutual fund</i>		
NAME OF BUSINESS ENTITY <i>Sierra Pacific Resources</i>		VALUE <input type="checkbox"/> \$1,000-\$10,000 <input checked="" type="checkbox"/> \$10,001-\$100,000 <input type="checkbox"/> Over \$100,000
NATURE OF INVESTMENT, E.G., COMMON STOCK, PARTNERSHIP INTEREST <i>Common stock</i>	If Acquired Or Disposed During The Reporting Period You Must Indicate: Date Acquired: _____ Date Disposed: _____	Ownership Interest <input checked="" type="checkbox"/> Less than 10% <input type="checkbox"/> 10% or greater*
GENERAL DESCRIPTION OF BUSINESS ACTIVITY <i>utility company</i>		
NAME OF BUSINESS ENTITY <i>Alexander &amp; Baldwin</i>		VALUE <input checked="" type="checkbox"/> \$1,000-\$10,000 <input type="checkbox"/> \$10,001-\$100,000 <input type="checkbox"/> Over \$100,000
NATURE OF INVESTMENT, E.G., COMMON STOCK, PARTNERSHIP INTEREST <i>Common stock</i>	If Acquired Or Disposed During The Reporting Period You Must Indicate: Date Acquired: _____ Date Disposed: _____	Ownership Interest <input checked="" type="checkbox"/> Less than 10% <input type="checkbox"/> 10% or greater*
GENERAL DESCRIPTION OF BUSINESS ACTIVITY <i>shipping</i>		
NAME OF BUSINESS ENTITY <i>Amax</i>		VALUE <input checked="" type="checkbox"/> \$1,000-\$10,000 <input type="checkbox"/> \$10,001-\$100,000 <input type="checkbox"/> Over \$100,000
NATURE OF INVESTMENT, E.G., COMMON STOCK, PARTNERSHIP INTEREST <i>Common stock</i>	If Acquired Or Disposed During The Reporting Period You Must Indicate: Date Acquired: _____ Date Disposed: _____	Ownership Interest <input checked="" type="checkbox"/> Less than 10% <input type="checkbox"/> 10% or greater*
GENERAL DESCRIPTION OF BUSINESS ACTIVITY		

NOTE: IF YOU ARE COMPLETING AN ANNUAL OR LEAVING OFFICE STATEMENT, YOU MUST REPORT ON SCHEDULE D ANY SALARY, COMMISSION, DISTRIBUTION OR OTHER INCOME (\$250 OR MORE) FROM INVESTMENTS LISTED ON SCHEDULE A RECEIVED BY YOU OR YOUR SPOUSE.

\* If you have checked this box, you must report on Schedule C any interests in real property and investments held by the business entity. In addition, if you are completing an Annual or Leaving Office Statement, and if your pro rata share of the gross income from any one source was \$10,000 or more, you must report the name of that source on Schedule H-2.

If additional space is needed check box and attach an additional Schedule A.

NAME Steven R. Ritchie

**Schedule A -- Investments**  
**(Other Than Those Held By a Business Entity or Trust)**  
**(SEE INSTRUCTIONS ON PRECEDING PAGE)**

NAME OF BUSINESS ENTITY <i>Texaco</i>		VALUE <input checked="" type="checkbox"/> \$1,000-\$10,000 <input type="checkbox"/> \$10,001-\$100,000 <input type="checkbox"/> Over \$100,000  Ownership Interest <input checked="" type="checkbox"/> Less than 10% <input type="checkbox"/> 10% or greater*
NATURE OF INVESTMENT, E.G., COMMON STOCK, PARTNERSHIP INTEREST <i>common stock</i>	If Acquired Or Disposed During The Reporting Period You Must Indicate:	
GENERAL DESCRIPTION OF BUSINESS ACTIVITY <i>oil production</i>	Date Acquired: _____ Date Disposed: _____	
NAME OF BUSINESS ENTITY		VALUE <input type="checkbox"/> \$1,000-\$10,000 <input type="checkbox"/> \$10,001-\$100,000 <input type="checkbox"/> Over \$100,000  Ownership Interest <input type="checkbox"/> Less than 10% <input type="checkbox"/> 10% or greater*
NATURE OF INVESTMENT, E.G., COMMON STOCK, PARTNERSHIP INTEREST	If Acquired Or Disposed During The Reporting Period You Must Indicate:	
GENERAL DESCRIPTION OF BUSINESS ACTIVITY	Date Acquired: _____ Date Disposed: _____	
NAME OF BUSINESS ENTITY		VALUE <input type="checkbox"/> \$1,000-\$10,000 <input type="checkbox"/> \$10,001-\$100,000 <input type="checkbox"/> Over \$100,000  Ownership Interest <input type="checkbox"/> Less than 10% <input type="checkbox"/> 10% or greater*
NATURE OF INVESTMENT, E.G., COMMON STOCK, PARTNERSHIP INTEREST	If Acquired Or Disposed During The Reporting Period You Must Indicate:	
GENERAL DESCRIPTION OF BUSINESS ACTIVITY	Date Acquired: _____ Date Disposed: _____	
NAME OF BUSINESS ENTITY		VALUE <input type="checkbox"/> \$1,000-\$10,000 <input type="checkbox"/> \$10,001-\$100,000 <input type="checkbox"/> Over \$100,000  Ownership Interest <input type="checkbox"/> Less than 10% <input type="checkbox"/> 10% or greater*
NATURE OF INVESTMENT, E.G., COMMON STOCK, PARTNERSHIP INTEREST	If Acquired Or Disposed During The Reporting Period You Must Indicate:	
GENERAL DESCRIPTION OF BUSINESS ACTIVITY	Date Acquired: _____ Date Disposed: _____	
NAME OF BUSINESS ENTITY		VALUE <input type="checkbox"/> \$1,000-\$10,000 <input type="checkbox"/> \$10,001-\$100,000 <input type="checkbox"/> Over \$100,000  Ownership Interest <input type="checkbox"/> Less than 10% <input type="checkbox"/> 10% or greater*
NATURE OF INVESTMENT, E.G., COMMON STOCK, PARTNERSHIP INTEREST	If Acquired Or Disposed During The Reporting Period You Must Indicate:	
GENERAL DESCRIPTION OF BUSINESS ACTIVITY	Date Acquired: _____ Date Disposed: _____	
NAME OF BUSINESS ENTITY		VALUE <input type="checkbox"/> \$1,000-\$10,000 <input type="checkbox"/> \$10,001-\$100,000 <input type="checkbox"/> Over \$100,000  Ownership Interest <input type="checkbox"/> Less than 10% <input type="checkbox"/> 10% or greater*
NATURE OF INVESTMENT, E.G., COMMON STOCK, PARTNERSHIP INTEREST	If Acquired Or Disposed During The Reporting Period You Must Indicate:	
GENERAL DESCRIPTION OF BUSINESS ACTIVITY	Date Acquired: _____ Date Disposed: _____	

NOTE: IF YOU ARE COMPLETING AN ANNUAL OR LEAVING OFFICE STATEMENT, YOU MUST REPORT ON SCHEDULE D ANY SALARY, COMMISSION, DISTRIBUTION OR OTHER INCOME (\$250 OR MORE) FROM INVESTMENTS LISTED ON SCHEDULE A RECEIVED BY YOU OR YOUR SPOUSE.

\* If you have checked this box, you must report on Schedule C any interests in real property and investments held by the business entity. In addition, if you are completing an Annual or Leaving Office Statement, and if your pro rata share of the gross income from any one source was \$10,000 or more, you must report the name of that source on Schedule H-2.

If additional space is needed check box and attach an additional Schedule A.

NAME STEVEN R. RITCHIE

**Schedule A -- Investments**  
**(Which Are Not Held By A Business Entity Or Trust)**

(SEE PAGES 9 & 10 OF THE INFORMATION MANUAL FOR INSTRUCTIONS AND EXAMPLES)

NAME OF BUSINESS ENTITY <i>Pacific Bank</i>		VALUE <input checked="" type="checkbox"/> \$1,000-\$10,000 <input type="checkbox"/> \$10,001-\$100,000 <input type="checkbox"/> Over \$100,000
NATURE OF INVESTMENT, E.G., COMMON STOCK, PARTNERSHIP INTEREST <i>Common Stock</i>	If Acquired Or Disposed During The Reporting Period You Must Indicate Month, Day And Year:	Ownership Interest <input checked="" type="checkbox"/> Less than 10% <input type="checkbox"/> 10% or greater*
GENERAL DESCRIPTION OF BUSINESS ACTIVITY <i>Banking</i>	Date Acquired: _____ Date Disposed: _____	
NAME OF BUSINESS ENTITY		VALUE <input type="checkbox"/> \$1,000-\$10,000 <input type="checkbox"/> \$10,001-\$100,000 <input type="checkbox"/> Over \$100,000
NATURE OF INVESTMENT, E.G., COMMON STOCK, PARTNERSHIP INTEREST	If Acquired Or Disposed During The Reporting Period You Must Indicate Month, Day And Year:	Ownership Interest <input type="checkbox"/> Less than 10% <input type="checkbox"/> 10% or greater*
GENERAL DESCRIPTION OF BUSINESS ACTIVITY	Date Acquired: _____ Date Disposed: _____	
NAME OF BUSINESS ENTITY		VALUE <input type="checkbox"/> \$1,000-\$10,000 <input type="checkbox"/> \$10,001-\$100,000 <input type="checkbox"/> Over \$100,000
NATURE OF INVESTMENT, E.G., COMMON STOCK, PARTNERSHIP INTEREST	If Acquired Or Disposed During The Reporting Period You Must Indicate Month, Day And Year:	Ownership Interest <input type="checkbox"/> Less than 10% <input type="checkbox"/> 10% or greater*
GENERAL DESCRIPTION OF BUSINESS ACTIVITY	Date Acquired: _____ Date Disposed: _____	
NAME OF BUSINESS ENTITY		VALUE <input type="checkbox"/> \$1,000-\$10,000 <input type="checkbox"/> \$10,001-\$100,000 <input type="checkbox"/> Over \$100,000
NATURE OF INVESTMENT, E.G., COMMON STOCK, PARTNERSHIP INTEREST	If Acquired Or Disposed During The Reporting Period You Must Indicate Month, Day And Year:	Ownership Interest <input type="checkbox"/> Less than 10% <input type="checkbox"/> 10% or greater*
GENERAL DESCRIPTION OF BUSINESS ACTIVITY	Date Acquired: _____ Date Disposed: _____	

NOTE: YOU MAY BE REQUIRED TO REPORT ON SCHEDULE D ANY SALARY, COMMISSION, DISTRIBUTION OR OTHER INCOME (\$250 OR MORE) FROM ANY INVESTMENT LISTED ON SCHEDULE A RECEIVED BY YOU OR YOUR SPOUSE.

\* If you have checked this box, you must report on Schedules C-1 and C-2 any interests in real property and investments held by the business entity. In addition, if your pro rata share of the gross income from any one source was \$10,000 or more, you must report the name of that source on Schedule H-2.

If additional space is needed, check box and attach an additional Schedule A.

SWRCS  
PERSONNEL  
TRAINING BRANCH

APR 3 8 08 AM '89

# FORM 730

## Statement of Economic Interests For Designated Employees

A PUBLIC DOCUMENT

1988 - 89

SWRCS  
PERSONNEL  
Date Received by Filing Officer/  
TRAINING Official

MAR 31 9 59 AM '89

(Type or Print in Ink)

NAME

STEVEN R. RITCHIE

STATE DEPARTMENT AND UNIT OR LOCAL AGENCY

SAN FRANCISCO BAY REGIONAL WATER QUALITY

POSITION TITLE

EXECUTIVE OFFICER

MAILING ADDRESS

1111 JACKSON ST., RM. 6000, OAKLAND, CA 94607

DAYTIME TELEPHONE NUMBER

(415) 464-4516

APR 3 8 08 AM '89  
PERSONNEL  
TRAINING BRANCH

CHECK THE APPROPRIATE BOX(ES):

**ASSUMING OFFICE STATEMENT:** (Check the box below if you have recently assumed a position designated in your agency's Conflict of Interest Code.)

- You have assumed your position on \_\_\_\_\_ You must file a statement no later than 30 days after this date. You must disclose on Schedules A, B, C and G all reportable investments, interests in real property and business positions required by your disclosure category held on the date you assumed your position. You are not required to complete Schedules D, E, F and H at this time.

**ANNUAL STATEMENT:** (Required to be filed for each year that you hold your designated position.)

- You are required to file a statement no later than APR 1 1989 disclosing all reportable investments, interests in real property, business positions and income held or received during the period from January 1, 1988 through December 31, 1988 (See page 2 of the Manual for exceptions to the reporting period.)

**LEAVING OFFICE STATEMENT:** (Required to be filed when you leave your designated position.)

- You are leaving or have left your position on \_\_\_\_\_ and must file a statement no later than 30 days after that date. You must disclose all reportable investments, interests in real property, business positions and income held or received during the period from January 1, 1988 through the date you left your designated position.

**INITIAL STATEMENT:** (Check the box below ONLY if your position has been recently designated or if you are filing under a new Conflict of Interest Code for your agency.)

- The conflict of interest code for your agency became effective or your position was newly designated on \_\_\_\_\_. You must file a statement no later than 30 days after this date. You must disclose on Schedules A, B, C and G all reportable investments, interests in real property, and business positions held on the date your agency's code or your designation became effective. You are not required to complete Schedules D, E, F and H at this time.

**CANDIDATE STATEMENT:** (If required by the conflict of interest code of the jurisdiction in which you are seeking elective office.)

- The conflict of interest code specifies the types of interests you must disclose. You may be required to complete Schedules A, B, C and G.

**THE FOLLOWING SUMMARY MUST BE COMPLETED BY ALL FILERS**

*(Do not complete this summary until you have carefully reviewed the instructions for each schedule on pages 9 through 27 of the information manual)*

**SCHEDULE A -- INVESTMENTS (Other Than Those Held by a Business Entity or Trust)**

COMPLETED AND ATTACHED     NO REPORTABLE INTERESTS     SCHEDULE NOT APPLICABLE TO MY DISCLOSURE CATEGORY

**SCHEDULE B -- INTERESTS IN REAL PROPERTY  
(Other Than Those Held by a Business Entity or Trust)**

COMPLETED AND ATTACHED     NO REPORTABLE INTERESTS     SCHEDULE NOT APPLICABLE TO MY DISCLOSURE CATEGORY

**SCHEDULE C-1 -- INTERESTS IN REAL PROPERTY HELD BY A BUSINESS ENTITY OR TRUST**

COMPLETED AND ATTACHED     NO REPORTABLE INTERESTS     SCHEDULE NOT APPLICABLE TO MY DISCLOSURE CATEGORY

**SCHEDULE C-2 -- INVESTMENTS HELD BY A BUSINESS ENTITY OR TRUST**

COMPLETED AND ATTACHED     NO REPORTABLE INTERESTS     SCHEDULE NOT APPLICABLE TO MY DISCLOSURE CATEGORY

**SCHEDULE D -- INCOME (Other Than Loans and Gifts)**

COMPLETED AND ATTACHED     NO REPORTABLE INTERESTS     SCHEDULE NOT APPLICABLE TO THIS TYPE OF STATEMENT OR TO MY DISCLOSURE CATEGORY

**SCHEDULE E -- INCOME - LOANS (Received or Outstanding During the Reporting Period)**

COMPLETED AND ATTACHED     NO REPORTABLE INTERESTS     SCHEDULE NOT APPLICABLE TO THIS TYPE OF STATEMENT OR TO MY DISCLOSURE CATEGORY

**SCHEDULE F -- INCOME - GIFTS**

COMPLETED AND ATTACHED     NO REPORTABLE INTERESTS     SCHEDULE NOT APPLICABLE TO THIS TYPE OF STATEMENT OR TO MY DISCLOSURE CATEGORY

**SCHEDULE G -- BUSINESS POSITIONS**

COMPLETED AND ATTACHED     NO REPORTABLE INTERESTS     SCHEDULE NOT APPLICABLE TO MY DISCLOSURE CATEGORY

**SCHEDULE H -- COMMISSION INCOME, INCOME AND LOANS TO BUSINESS ENTITIES OR TRUSTS AND INCOME FROM RENTAL PROPERTY**

COMPLETED AND ATTACHED     NO REPORTABLE INTERESTS     SCHEDULE NOT APPLICABLE TO THIS TYPE OF STATEMENT OR TO MY DISCLOSURE CATEGORY

**VERIFICATION**

I have used all reasonable diligence in preparing this statement. I have reviewed the statement and to the best of my knowledge the information contained herein and in the attached schedules is true and complete.

I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on 4/3, 1989, at OAKLAND CA

SIGNATURE [Signature]

(City and State)



NAME Steven R. Ritchie

**Schedule A -- Investments**  
 (Other Than Those Held by a Business Entity or Trust)  
 (SEE PAGES 9 & 10 OF THE INFORMATION MANUAL)

NAME OF BUSINESS ENTITY <i>Alexander &amp; Baldwin</i>		VALUE <input type="checkbox"/> \$1,000-\$10,000 <input checked="" type="checkbox"/> \$10,001-\$100,000 <input type="checkbox"/> Over \$100,000
NATURE OF INVESTMENT, E.G. COMMON STOCK, PARTNERSHIP INTEREST <i>Common Stock</i>	If Acquired Or Disposed During The Reporting Period You Must Indicate:	Ownership Interest <input checked="" type="checkbox"/> Less than 10% <input type="checkbox"/> 10% or greater*
GENERAL DESCRIPTION OF BUSINESS ACTIVITY <i>shipping</i>	Date Acquired: _____ Date Disposed: _____	
NAME OF BUSINESS ENTITY <i>Amax</i>		VALUE <input checked="" type="checkbox"/> \$1,000-\$10,000 <input type="checkbox"/> \$10,001-\$100,000 <input type="checkbox"/> Over \$100,000
NATURE OF INVESTMENT, E.G. COMMON STOCK, PARTNERSHIP INTEREST <i>Common Stock</i>	If Acquired Or Disposed During The Reporting Period You Must Indicate:	Ownership Interest <input checked="" type="checkbox"/> Less than 10% <input type="checkbox"/> 10% or greater*
GENERAL DESCRIPTION OF BUSINESS ACTIVITY <i>mining</i>	Date Acquired: _____ Date Disposed: _____	
NAME OF BUSINESS ENTITY <i>American Express</i>		VALUE <input checked="" type="checkbox"/> \$1,000-\$10,000 <input type="checkbox"/> \$10,001-\$100,000 <input type="checkbox"/> Over \$100,000
NATURE OF INVESTMENT, E.G. COMMON STOCK, PARTNERSHIP INTEREST <i>Common Stock</i>	If Acquired Or Disposed During The Reporting Period You Must Indicate:	Ownership Interest <input checked="" type="checkbox"/> Less than 10% <input type="checkbox"/> 10% or greater*
GENERAL DESCRIPTION OF BUSINESS ACTIVITY <i>travel</i>	Date Acquired: _____ Date Disposed: _____	
NAME OF BUSINESS ENTITY <i>Bethlehem Steel</i>		VALUE <input checked="" type="checkbox"/> \$1,000-\$10,000 <input type="checkbox"/> \$10,001-\$100,000 <input type="checkbox"/> Over \$100,000
NATURE OF INVESTMENT, E.G. COMMON STOCK, PARTNERSHIP INTEREST <i>Common Stock</i>	If Acquired Or Disposed During The Reporting Period You Must Indicate:	Ownership Interest <input checked="" type="checkbox"/> Less than 10% <input type="checkbox"/> 10% or greater*
GENERAL DESCRIPTION OF BUSINESS ACTIVITY <i>steel manufacturing</i>	Date Acquired: _____ Date Disposed: _____	

NOTE: IF YOU ARE COMPLETING AN ANNUAL OR LEAVING OFFICE STATEMENT, YOU MUST REPORT ON SCHEDULE D ANY SALARY, COMMISSION, DISTRIBUTION OR OTHER INCOME (\$250 OR MORE) FROM ANY INVESTMENT LISTED ON SCHEDULE A RECEIVED BY YOU OR YOUR SPOUSE.

\* If you have checked this box, you must report on Schedules C-1 and C-2 any interests in real property and investments held by the business entity. In addition, if you are completing an annual or leaving office statement, and if your pro rata share of the gross income from any one source was \$10,000 or more, you must report the name of that source on Schedule H-2.

If additional space is needed, use the continuation sheet on the reverse.

NAME Steven R. Ritchie

Schedule A -- Investments  
Continuation Sheet

NAME OF BUSINESS ENTITY <u>Fluor</u>		VALUE <input checked="" type="checkbox"/> \$1,000-\$10,000 <input type="checkbox"/> \$10,001-\$100,000 <input type="checkbox"/> Over \$100,000  Ownership Interest <input checked="" type="checkbox"/> Less than 10% <input type="checkbox"/> 10% or greater*
NATURE OF INVESTMENT, E.G. COMMON STOCK, PARTNERSHIP INTEREST <u>Common Stock</u>	If Acquired Or Disposed During The Reporting Period You Must Indicate:	
GENERAL DESCRIPTION OF BUSINESS ACTIVITY <u>mining</u>	Date Acquired: _____ Date Disposed: _____	
NAME OF BUSINESS ENTITY <u>W.R. Grace</u>		VALUE <input type="checkbox"/> \$1,000-\$10,000 <input checked="" type="checkbox"/> \$10,001-\$100,000 <input type="checkbox"/> Over \$100,000  Ownership Interest <input checked="" type="checkbox"/> Less than 10% <input type="checkbox"/> 10% or greater*
NATURE OF INVESTMENT, E.G. COMMON STOCK, PARTNERSHIP INTEREST <u>Common Stock</u>	If Acquired Or Disposed During The Reporting Period You Must Indicate:	
GENERAL DESCRIPTION OF BUSINESS ACTIVITY <u>chemicals</u>	Date Acquired: _____ Date Disposed: _____	
NAME OF BUSINESS ENTITY <u>H.J. Heinz</u>		VALUE <input type="checkbox"/> \$1,000-\$10,000 <input checked="" type="checkbox"/> \$10,001-\$100,000 <input type="checkbox"/> Over \$100,000  Ownership Interest <input checked="" type="checkbox"/> Less than 10% <input type="checkbox"/> 10% or greater*
NATURE OF INVESTMENT, E.G. COMMON STOCK, PARTNERSHIP INTEREST <u>Common Stock</u>	If Acquired Or Disposed During The Reporting Period You Must Indicate:	
GENERAL DESCRIPTION OF BUSINESS ACTIVITY <u>Food products</u>	Date Acquired: _____ Date Disposed: _____	
NAME OF BUSINESS ENTITY <u>Helmerich &amp; Payne</u>		VALUE <input checked="" type="checkbox"/> \$1,000-\$10,000 <input type="checkbox"/> \$10,001-\$100,000 <input type="checkbox"/> Over \$100,000  Ownership Interest <input checked="" type="checkbox"/> Less than 10% <input type="checkbox"/> 10% or greater*
NATURE OF INVESTMENT, E.G. COMMON STOCK, PARTNERSHIP INTEREST <u>Common Stock</u>	If Acquired Or Disposed During The Reporting Period You Must Indicate:	
GENERAL DESCRIPTION OF BUSINESS ACTIVITY <u>property development</u>	Date Acquired: _____ Date Disposed: _____	
NAME OF BUSINESS ENTITY <u>Honestake Mining</u>		VALUE <input checked="" type="checkbox"/> \$1,000-\$10,000 <input type="checkbox"/> \$10,001-\$100,000 <input type="checkbox"/> Over \$100,000  Ownership Interest <input checked="" type="checkbox"/> Less than 10% <input type="checkbox"/> 10% or greater*
NATURE OF INVESTMENT, E.G. COMMON STOCK, PARTNERSHIP INTEREST <u>Common Stock</u>	If Acquired Or Disposed During The Reporting Period You Must Indicate:	
GENERAL DESCRIPTION OF BUSINESS ACTIVITY <u>mining</u>	Date Acquired: _____ Date Disposed: _____	

NOTE: IF YOU ARE COMPLETING AN ANNUAL OR LEAVING OFFICE STATEMENT, YOU MUST REPORT ON SCHEDULE D ANY SALARY, COMMISSION, DISTRIBUTION OR OTHER INCOME (\$250 OR MORE) FROM ANY INVESTMENT LISTED ON SCHEDULE A RECEIVED BY YOU OR YOUR SPOUSE.

\* If you have checked this box, you must report on Schedules C-1 and C-2 any interests in real property and investments held by the business entity. In addition, if you are completing an annual or leaving office statement, and if your pro rata share of the gross income from any one source was \$10,000 or more, you must report the name of that source on Schedule H-2

If additional space is needed, check box and attach an additional Schedule A.

NAME Steven R. Ritchie

Schedule A -- Investments  
Continuation Sheet

NAME OF BUSINESS ENTITY <u>Hotel Investors</u>		VALUE <input checked="" type="checkbox"/> \$1,000-\$10,000 <input type="checkbox"/> \$10,001-\$100,000 <input type="checkbox"/> Over \$100,000  Ownership Interest <input checked="" type="checkbox"/> Less than 10% <input type="checkbox"/> 10% or greater*
NATURE OF INVESTMENT, I. G. COMMON STOCK, PARTNERSHIP INTEREST <u>Common Stock</u>	If Acquired Or Disposed During The Reporting Period You Must Indicate.	
GENERAL DESCRIPTION OF BUSINESS ACTIVITY <u>property management</u>	Date Acquired: _____ Date Disposed: _____	
NAME OF BUSINESS ENTITY <u>Mobil Corp.</u>		VALUE <input checked="" type="checkbox"/> \$1,000-\$10,000 <input type="checkbox"/> \$10,001-\$100,000 <input type="checkbox"/> Over \$100,000  Ownership Interest <input checked="" type="checkbox"/> Less than 10% <input type="checkbox"/> 10% or greater*
NATURE OF INVESTMENT, I. G. COMMON STOCK, PARTNERSHIP INTEREST <u>Common Stock</u>	If Acquired Or Disposed During The Reporting Period You Must Indicate:	
GENERAL DESCRIPTION OF BUSINESS ACTIVITY <u>petroleum</u>	Date Acquired: _____ Date Disposed: _____	
NAME OF BUSINESS ENTITY <u>Rockefeller Center Properties</u>		VALUE <input checked="" type="checkbox"/> \$1,000-\$10,000 <input type="checkbox"/> \$10,001-\$100,000 <input type="checkbox"/> Over \$100,000  Ownership Interest <input checked="" type="checkbox"/> Less than 10% <input type="checkbox"/> 10% or greater*
NATURE OF INVESTMENT, I. G. COMMON STOCK, PARTNERSHIP INTEREST <u>Common Stock</u>	If Acquired Or Disposed During The Reporting Period You Must Indicate:	
GENERAL DESCRIPTION OF BUSINESS ACTIVITY <u>property management</u>	Date Acquired: _____ Date Disposed: _____	
NAME OF BUSINESS ENTITY <u>Sierra Pacific Resources</u>		VALUE <input type="checkbox"/> \$1,000-\$10,000 <input checked="" type="checkbox"/> \$10,001-\$100,000 <input type="checkbox"/> Over \$100,000  Ownership Interest <input checked="" type="checkbox"/> Less than 10% <input type="checkbox"/> 10% or greater*
NATURE OF INVESTMENT, I. G. COMMON STOCK, PARTNERSHIP INTEREST <u>Common Stock</u>	If Acquired Or Disposed During The Reporting Period You Must Indicate:	
GENERAL DESCRIPTION OF BUSINESS ACTIVITY <u>public utility</u>	Date Acquired: _____ Date Disposed: _____	
NAME OF BUSINESS ENTITY <u>Texaco</u>		VALUE <input checked="" type="checkbox"/> \$1,000-\$10,000 <input type="checkbox"/> \$10,001-\$100,000 <input type="checkbox"/> Over \$100,000  Ownership Interest <input checked="" type="checkbox"/> Less than 10% <input type="checkbox"/> 10% or greater*
NATURE OF INVESTMENT, I. G. COMMON STOCK, PARTNERSHIP INTEREST <u>Common Stock</u>	If Acquired Or Disposed During The Reporting Period You Must Indicate:	
GENERAL DESCRIPTION OF BUSINESS ACTIVITY <u>petroleum</u>	Date Acquired: _____ Date Disposed: <u>4/7/88</u>	

NOTE: IF YOU ARE COMPLETING AN ANNUAL OR LEAVING OFFICE STATEMENT, YOU MUST REPORT ON SCHEDULE D ANY SALARY, COMMISSION, DISTRIBUTION OR OTHER INCOME (\$250 OR MORE) FROM ANY INVESTMENT LISTED ON SCHEDULE A RECEIVED BY YOU OR YOUR SPOUSE.

\* If you have checked this box, you must report on Schedules C-1 and C-2 any interests in real property and investments held by the business entity. In addition, if you are completing an annual or leaving office statement, and if your pro rata share of the gross income from any one source was \$10,000 or more, you must report the name of that source on Schedule H-2

If additional space is needed, check box and attach an additional Schedule A.

**FORM 730**  
**Statement of Economic Interests**  
**For Designated Employees**

A PUBLIC DOCUMENT  
1989/90

**IMPORTANT:**  
Statement must be date stamped  
when received by filing  
officer/filing official

JUN 1990

(Type or Print in Ink)

NAME OF FILER

STEVEN R. RITCHIE

NAME OF AGENCY

REGIONAL WATER QUALITY CONTROL BOARD, SAN FRANCISCO BAY REGION

MAILING ADDRESS

1800 HARRISON ST. SUITE 700 OAKLAND, CA 94612

DAYTIME TELEPHONE NUMBER

(415) 464-0516

CHECK THE APPROPRIATE BOX(ES):

**ASSUMING OFFICE STATEMENT:** (Check the box below if you have recently assumed a position designated in your agency's Conflict of Interest Code.)

- You have assumed your position on \_\_\_\_\_ You must file a statement no later than 30 days after this date. You must disclose on Schedules A, B, C-1, C-2, and G all reportable investments, interests in real property and business positions required by your disclosure category, held on the date you assumed your position. In addition, you must disclose on Schedules D, E, F, H-1, H-2 and H-3 income from all reportable sources received during the 12 months prior to the date you assumed office.

**ANNUAL STATEMENT:** (Required to be filed for each year that you hold your designated position.)

- You are required to file a statement no later than \_\_\_\_\_ disclosing all reportable investments, interests in real property and business positions held and income received during the period from January 1, 1989 through December 31, 1989. (See page 2 of the Manual for exceptions to the reporting period.)

**LEAVING OFFICE STATEMENT:** (Required to be filed when you leave your designated position.)

- You are leaving or have left your position on \_\_\_\_\_ and must file a statement no later than 30 days after that date. You must disclose all reportable investments, interests in real property and business positions held and income received during the period from January 1, 1989 through the date you left your designated position.

**INITIAL STATEMENT:** (Check the box below ONLY if your position has been recently designated or if you are filing under a new Conflict of Interest Code for your agency.)

- The conflict of interest code for your agency became effective or your position was newly designated on \_\_\_\_\_. You must file a statement no later than 30 days after this date. You must disclose on Schedules A, B, C-1, C-2 and G all reportable investments, interests in real property, and business positions held on the date your agency's code or your designation became effective. In addition, you must disclose on Schedules D, E, F, and H-1, H-2 and H-3 income from all reportable sources received during the 12 months prior to the date your agency's code or your designation became effective.

**CANDIDATE STATEMENT:** (If required by the conflict of interest code of the jurisdiction in which you are seeking elective office.)

- The conflict of interest code specifies the types of interests you must disclose. You may be required to complete Schedules A, B, C-1, C-2 and G.

**THE FOLLOWING SUMMARY MUST BE COMPLETED BY ALL FILERS**

(Do not complete this summary until you have carefully reviewed the instructions for each schedule on pages 9 through 27 of the information manual)

**SCHEDULE A -- INVESTMENTS (Which Are Not Held By A Business Entity Or Trust)**

COMPLETED AND ATTACHED     NO REPORTABLE INTERESTS     SCHEDULE DOES NOT APPLY TO MY DISCLOSURE CATEGORY

**SCHEDULE B -- INTERESTS IN REAL PROPERTY (Which Are Not Held By A Business Entity Or Trust)**

COMPLETED AND ATTACHED     NO REPORTABLE INTERESTS     SCHEDULE DOES NOT APPLY TO MY DISCLOSURE CATEGORY

**SCHEDULE C-1 -- INTERESTS IN REAL PROPERTY HELD BY A BUSINESS ENTITY OR TRUST**

COMPLETED AND ATTACHED     NO REPORTABLE INTERESTS     SCHEDULE DOES NOT APPLY TO MY DISCLOSURE CATEGORY

**SCHEDULE C-2 -- INVESTMENTS HELD BY A BUSINESS ENTITY OR TRUST**

COMPLETED AND ATTACHED     NO REPORTABLE INTERESTS     SCHEDULE DOES NOT APPLY TO MY DISCLOSURE CATEGORY

**SCHEDULE D -- INCOME (Other Than Loans And Gifts)**

COMPLETED AND ATTACHED     NO REPORTABLE INTERESTS     SCHEDULE DOES NOT APPLY TO MY DISCLOSURE CATEGORY

**SCHEDULE E -- INCOME - LOANS (Received Or Outstanding During The Reporting Period)**

COMPLETED AND ATTACHED     NO REPORTABLE INTERESTS     SCHEDULE DOES NOT APPLY TO MY DISCLOSURE CATEGORY

**SCHEDULE F -- INCOME - GIFTS**

COMPLETED AND ATTACHED     NO REPORTABLE INTERESTS     SCHEDULE DOES NOT APPLY TO MY DISCLOSURE CATEGORY

**SCHEDULE G -- BUSINESS POSITIONS**

COMPLETED AND ATTACHED     NO REPORTABLE INTERESTS     SCHEDULE DOES NOT APPLY TO MY DISCLOSURE CATEGORY

**SCHEDULE H -- COMMISSION INCOME, INCOME AND LOANS TO BUSINESS ENTITIES OR TRUSTS AND INCOME FROM RENTAL PROPERTY**

COMPLETED AND ATTACHED     NO REPORTABLE INTERESTS     SCHEDULE DOES NOT APPLY TO MY DISCLOSURE CATEGORY


**VERIFICATION**

I have used all reasonable diligence in preparing this statement. I have reviewed the statement and to the best of my knowledge the information contained herein and in the attached schedules is true and complete.

I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on June 13, 1990, at Oakland CA  
(Date) (City and State)

SIGNATURE



NAME STEVEN R. RITCHIE

**Schedule A -- Investments**  
**(Which Are Not Held By A Business Entity Or Trust)**

(SEE PAGES 9 & 10 OF THE INFORMATION MANUAL FOR INSTRUCTIONS AND EXAMPLES)

NAME OF BUSINESS ENTITY <i>Alexander &amp; Baldwin</i>		VALUE <input type="checkbox"/> \$1,000-\$10,000 <input checked="" type="checkbox"/> \$10,001-\$100,000 <input type="checkbox"/> Over \$100,000
NATURE OF INVESTMENT, E.G., COMMON STOCK, PARTNERSHIP INTEREST <i>Common Stock</i>	If Acquired Or Disposed During The Reporting Period You Must Indicate Month, Day And Year:	Ownership Interest <input checked="" type="checkbox"/> Less than 10% <input type="checkbox"/> 10% or greater*
GENERAL DESCRIPTION OF BUSINESS ACTIVITY <i>Shipping</i>	Date Acquired: _____ Date Disposed: _____	
NAME OF BUSINESS ENTITY <i>Amax</i>		VALUE <input checked="" type="checkbox"/> \$1,000-\$10,000 <input type="checkbox"/> \$10,001-\$100,000 <input type="checkbox"/> Over \$100,000
NATURE OF INVESTMENT, E.G., COMMON STOCK, PARTNERSHIP INTEREST <i>Common Stock</i>	If Acquired Or Disposed During The Reporting Period You Must Indicate Month, Day And Year:	Ownership Interest <input checked="" type="checkbox"/> Less than 10% <input type="checkbox"/> 10% or greater*
GENERAL DESCRIPTION OF BUSINESS ACTIVITY <i>Mining</i>	Date Acquired: _____ Date Disposed: _____	
NAME OF BUSINESS ENTITY <i>America Express</i>		VALUE <input checked="" type="checkbox"/> \$1,000-\$10,000 <input type="checkbox"/> \$10,001-\$100,000 <input type="checkbox"/> Over \$100,000
NATURE OF INVESTMENT, E.G., COMMON STOCK, PARTNERSHIP INTEREST <i>Common Stock</i>	If Acquired Or Disposed During The Reporting Period You Must Indicate Month, Day And Year:	Ownership Interest <input checked="" type="checkbox"/> Less than 10% <input type="checkbox"/> 10% or greater*
GENERAL DESCRIPTION OF BUSINESS ACTIVITY <i>Travel</i>	Date Acquired: _____ Date Disposed: _____	
NAME OF BUSINESS ENTITY <i>Bethlehem Steel</i>		VALUE <input checked="" type="checkbox"/> \$1,000-\$10,000 <input type="checkbox"/> \$10,001-\$100,000 <input type="checkbox"/> Over \$100,000
NATURE OF INVESTMENT, E.G., COMMON STOCK, PARTNERSHIP INTEREST <i>Common Stock</i>	If Acquired Or Disposed During The Reporting Period You Must Indicate Month, Day And Year:	Ownership Interest <input checked="" type="checkbox"/> Less than 10% <input type="checkbox"/> 10% or greater*
GENERAL DESCRIPTION OF BUSINESS ACTIVITY <i>Steel</i>	Date Acquired: _____ Date Disposed: _____	

NOTE: YOU MAY BE REQUIRED TO REPORT ON SCHEDULE D ANY SALARY, COMMISSION, DISTRIBUTION OR OTHER INCOME (\$250 OR MORE) FROM ANY INVESTMENT LISTED ON SCHEDULE A RECEIVED BY YOU OR YOUR SPOUSE.

\* If you have checked this box, you must report on Schedules C-1 and C-2 any interests in real property and investments held by the business entity. In addition, if your pro rata share of the gross income from any one source was \$10,000 or more, you must report the name of that source on Schedule H-2.

If additional space is needed, check box and attach an additional Schedule A.

NAME STEVEN R RITCHIE

**Schedule A -- Investments**  
(Which Are Not Held By A Business Entity Or Trust)

(SEE PAGES 9 & 10 OF THE INFORMATION MANUAL FOR INSTRUCTIONS AND EXAMPLES)

NAME OF BUSINESS ENTITY <i>Fluor Corp.</i>		VALUE <input checked="" type="checkbox"/> \$1,000-\$10,000 <input type="checkbox"/> \$10,001-\$100,000 <input type="checkbox"/> Over \$100,000
NATURE OF INVESTMENT, E.G., COMMON STOCK, PARTNERSHIP INTEREST <i>Common Stock</i>	If Acquired Or Disposed During The Reporting Period You Must Indicate Month, Day And Year:	Ownership Interest <input checked="" type="checkbox"/> Less than 10% <input type="checkbox"/> 10% or greater*
GENERAL DESCRIPTION OF BUSINESS ACTIVITY <i>Engineering, Mining</i>	Date Acquired: _____ Date Disposed: _____	
NAME OF BUSINESS ENTITY <i>W.R. Grace</i>		VALUE <input type="checkbox"/> \$1,000-\$10,000 <input checked="" type="checkbox"/> \$10,001-\$100,000 <input type="checkbox"/> Over \$100,000
NATURE OF INVESTMENT, E.G., COMMON STOCK, PARTNERSHIP INTEREST <i>Common Stock</i>	If Acquired Or Disposed During The Reporting Period You Must Indicate Month, Day And Year:	Ownership Interest <input checked="" type="checkbox"/> Less than 10% <input type="checkbox"/> 10% or greater*
GENERAL DESCRIPTION OF BUSINESS ACTIVITY <i>Chemical</i>	Date Acquired: _____ Date Disposed: _____	
NAME OF BUSINESS ENTITY <i>Heinz</i>		VALUE <input checked="" type="checkbox"/> \$1,000-\$10,000 <input type="checkbox"/> \$10,001-\$100,000 <input type="checkbox"/> Over \$100,000
NATURE OF INVESTMENT, E.G., COMMON STOCK, PARTNERSHIP INTEREST <i>Common Stock</i>	If Acquired Or Disposed During The Reporting Period You Must Indicate Month, Day And Year:	Ownership Interest <input checked="" type="checkbox"/> Less than 10% <input type="checkbox"/> 10% or greater*
GENERAL DESCRIPTION OF BUSINESS ACTIVITY <i>Food</i>	Date Acquired: _____ Date Disposed: _____	
NAME OF BUSINESS ENTITY <i>Helmerich &amp; Payne</i>		VALUE <input checked="" type="checkbox"/> \$1,000-\$10,000 <input type="checkbox"/> \$10,001-\$100,000 <input type="checkbox"/> Over \$100,000
NATURE OF INVESTMENT, E.G., COMMON STOCK, PARTNERSHIP INTEREST <i>Common Stock</i>	If Acquired Or Disposed During The Reporting Period You Must Indicate Month, Day And Year:	Ownership Interest <input checked="" type="checkbox"/> Less than 10% <input type="checkbox"/> 10% or greater*
GENERAL DESCRIPTION OF BUSINESS ACTIVITY <i>Real Estate</i>	Date Acquired: _____ Date Disposed: _____	

NOTE: YOU MAY BE REQUIRED TO REPORT ON SCHEDULE D ANY SALARY, COMMISSION, DISTRIBUTION OR OTHER INCOME (\$250 OR MORE) FROM ANY INVESTMENT LISTED ON SCHEDULE A RECEIVED BY YOU OR YOUR SPOUSE.

\* If you have checked this box, you must report on Schedules C-1 and C-2 any interests in real property and investments held by the business entity. In addition, if your pro rata share of the gross income from any one source was \$10,000 or more, you must report the name of that source on Schedule H-2.

If additional space is needed, check box and attach an additional Schedule A.

NAME STEVEN R. RITCHIE

**Schedule A -- Investments**  
(Which Are Not Held By A Business Entity Or Trust)

(SEE PAGES 9 & 10 OF THE INFORMATION MANUAL FOR INSTRUCTIONS AND EXAMPLES)

NAME OF BUSINESS ENTITY <i>Homestake Mining</i>		VALUE <input checked="" type="checkbox"/> \$1,000-\$10,000 <input type="checkbox"/> \$10,001-\$100,000 <input type="checkbox"/> Over \$100,000  Ownership Interest <input checked="" type="checkbox"/> Less than 10% <input type="checkbox"/> 10% or greater*
NATURE OF INVESTMENT, E.G., COMMON STOCK, PARTNERSHIP INTEREST <i>Common Stock</i>	If Acquired Or Disposed During The Reporting Period You Must Indicate Month, Day And Year:  Date Acquired: _____ Date Disposed: _____	
GENERAL DESCRIPTION OF BUSINESS ACTIVITY <i>Mining</i>		
NAME OF BUSINESS ENTITY <i>Hotel Investors</i>		VALUE <input checked="" type="checkbox"/> \$1,000-\$10,000 <input type="checkbox"/> \$10,001-\$100,000 <input type="checkbox"/> Over \$100,000  Ownership Interest <input checked="" type="checkbox"/> Less than 10% <input type="checkbox"/> 10% or greater*
NATURE OF INVESTMENT, E.G., COMMON STOCK, PARTNERSHIP INTEREST <i>Common Stocks</i>	If Acquired Or Disposed During The Reporting Period You Must Indicate Month, Day And Year:  Date Acquired: _____ Date Disposed: _____	
GENERAL DESCRIPTION OF BUSINESS ACTIVITY <i>Real Estate</i>		
NAME OF BUSINESS ENTITY <i>Mobil Corp.</i>		VALUE <input checked="" type="checkbox"/> \$1,000-\$10,000 <input type="checkbox"/> \$10,001-\$100,000 <input type="checkbox"/> Over \$100,000  Ownership Interest <input checked="" type="checkbox"/> Less than 10% <input type="checkbox"/> 10% or greater*
NATURE OF INVESTMENT, E.G., COMMON STOCK, PARTNERSHIP INTEREST <i>Common Stock</i>	If Acquired Or Disposed During The Reporting Period You Must Indicate Month, Day And Year:  Date Acquired: _____ Date Disposed: _____	
GENERAL DESCRIPTION OF BUSINESS ACTIVITY <i>Petroleum</i>		
NAME OF BUSINESS ENTITY <i>Rockefeller Center Properties</i>		VALUE <input checked="" type="checkbox"/> \$1,000-\$10,000 <input type="checkbox"/> \$10,001-\$100,000 <input type="checkbox"/> Over \$100,000  Ownership Interest <input checked="" type="checkbox"/> Less than 10% <input type="checkbox"/> 10% or greater*
NATURE OF INVESTMENT, E.G., COMMON STOCK, PARTNERSHIP INTEREST <i>Common Stock</i>	If Acquired Or Disposed During The Reporting Period You Must Indicate Month, Day And Year:  Date Acquired: _____ Date Disposed: _____	
GENERAL DESCRIPTION OF BUSINESS ACTIVITY <i>Real Estate</i>		

NOTE: YOU MAY BE REQUIRED TO REPORT ON SCHEDULE D ANY SALARY, COMMISSION, DISTRIBUTION OR OTHER INCOME (\$250 OR MORE) FROM ANY INVESTMENT LISTED ON SCHEDULE A RECEIVED BY YOU OR YOUR SPOUSE.

\* If you have checked this box, you must report on Schedules C-1 and C-2 any interests in real property and investments held by the business entity. In addition, if your pro rata share of the gross income from any one source was \$10,000 or more, you must report the name of that source on Schedule H-2.

If additional space is needed, check box and attach an additional Schedule A.





E<sup>2</sup> 11

**FORM 730**  
**Statement of Economic Interests**  
**For Designated Employees**

**IMPORTANT:**  
Statement must be date stamped  
when received by filing  
officer/filing official

A PUBLIC DOCUMENT  
1989/90

JUN 1989

(Type or Print in Ink)

NAME OF FILER

STEVEN R. RITCHIE

NAME OF AGENCY

REGIONAL WATER QUALITY CONTROL BOARD SAN FRANCISCO BAY REGION

MAILING ADDRESS

1700 HARRISON ST. SUITE 700 OAKLAND CA 94612

DAYTIME TELEPHONE NUMBER

(415) 464-0576

CHECK THE APPROPRIATE BOX(ES):

**ASSUMING OFFICE STATEMENT:** (Check the box below if you have recently assumed a position designated in your agency's Conflict of Interest Code.)

- You have assumed your position on \_\_\_\_\_ . You must file a statement no later than 30 days after this date. You must disclose on Schedules A, B, C-1, C-2, and G all reportable investments, interests in real property and business positions required by your disclosure category, held on the date you assumed your position. In addition, you must disclose on Schedules D, E, F, H-1, H-2 and H-3 income from all reportable sources received during the 12 months prior to the date you assumed office.

**ANNUAL STATEMENT:** (Required to be filed for each year that you hold your designated position.)

- You are required to file a statement no later than \_\_\_\_\_ disclosing all reportable investments, interests in real property and business positions held and income received during the period from January 1, 1989 through December 31, 1989. (See page 2 of the Manual for exceptions to the reporting period.)

**LEAVING OFFICE STATEMENT:** (Required to be filed when you leave your designated position.)

- You are leaving or have left your position on \_\_\_\_\_ and must file a statement no later than 30 days after that date. You must disclose all reportable investments, interests in real property and business positions held and income received during the period from January 1, 1989 through the date you left your designated position.

**INITIAL STATEMENT:** (Check the box below ONLY if your position has been recently designated or if you are filing under a new Conflict of Interest Code for your agency.)

- The conflict of interest code for your agency became effective or your position was newly designated on \_\_\_\_\_. You must file a statement no later than 30 days after this date. You must disclose on Schedules A, B, C-1, C-2 and G all reportable investments, interests in real property, and business positions held on the date your agency's code or your designation became effective. In addition, you must disclose on Schedules D, E, F, and H-1, H-2 and H-3 income from all reportable sources received during the 12 months prior to the date your agency's code or your designation became effective.

**CANDIDATE STATEMENT:** (If required by the conflict of interest code of the jurisdiction in which you are seeking elective office.)

- The conflict of interest code specifies the types of interests you must disclose. You may be required to complete Schedules A, B, C-1, C-2 and G.

**THE FOLLOWING SUMMARY MUST BE COMPLETED BY ALL FILERS**

*(Do not complete this summary until you have carefully reviewed the instructions for each schedule on pages 9 through 27 of the information manual)*

**SCHEDULE A -- INVESTMENTS (Which Are Not Held By A Business Entity Or Trust)**

COMPLETED AND ATTACHED     NO REPORTABLE INTERESTS     SCHEDULE DOES NOT APPLY TO MY DISCLOSURE CATEGORY

**SCHEDULE B -- INTERESTS IN REAL PROPERTY (Which Are Not Held By A Business Entity Or Trust)**

COMPLETED AND ATTACHED     NO REPORTABLE INTERESTS     SCHEDULE DOES NOT APPLY TO MY DISCLOSURE CATEGORY

**SCHEDULE C-1 -- INTERESTS IN REAL PROPERTY HELD BY A BUSINESS ENTITY OR TRUST**

COMPLETED AND ATTACHED     NO REPORTABLE INTERESTS     SCHEDULE DOES NOT APPLY TO MY DISCLOSURE CATEGORY

**SCHEDULE C-2 -- INVESTMENTS HELD BY A BUSINESS ENTITY OR TRUST**

COMPLETED AND ATTACHED     NO REPORTABLE INTERESTS     SCHEDULE DOES NOT APPLY TO MY DISCLOSURE CATEGORY

**SCHEDULE D -- INCOME (Other Than Loans And Gifts)**

COMPLETED AND ATTACHED     NO REPORTABLE INTERESTS     SCHEDULE DOES NOT APPLY TO MY DISCLOSURE CATEGORY

**SCHEDULE E -- INCOME - LOANS (Received Or Outstanding During The Reporting Period)**

COMPLETED AND ATTACHED     NO REPORTABLE INTERESTS     SCHEDULE DOES NOT APPLY TO MY DISCLOSURE CATEGORY

**SCHEDULE F -- INCOME - GIFTS**

COMPLETED AND ATTACHED     NO REPORTABLE INTERESTS     SCHEDULE DOES NOT APPLY TO MY DISCLOSURE CATEGORY

**SCHEDULE G -- BUSINESS POSITIONS**

COMPLETED AND ATTACHED     NO REPORTABLE INTERESTS     SCHEDULE DOES NOT APPLY TO MY DISCLOSURE CATEGORY

**SCHEDULE H -- COMMISSION INCOME, INCOME AND LOANS TO BUSINESS ENTITIES OR TRUSTS AND INCOME FROM RENTAL PROPERTY**

COMPLETED AND ATTACHED     NO REPORTABLE INTERESTS     SCHEDULE DOES NOT APPLY TO MY DISCLOSURE CATEGORY

**VERIFICATION**

I have used all reasonable diligence in preparing this statement. I have reviewed the statement and to the best of my knowledge the information contained herein and in the attached schedules is true and complete.

I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on June 13, 19 90, at Oakland CA  
(Date) (City and State)

SIGNATURE [Signature]

NAME STEVEN R. RITCHIE

**Schedule A – Investments**  
 (Which Are Not Held By A Business Entity Or Trust)

(SEE PAGES 9 & 10 OF THE INFORMATION MANUAL FOR INSTRUCTIONS AND EXAMPLES)

NAME OF BUSINESS ENTITY <i>Alexander &amp; Baldwin</i>		VALUE <input type="checkbox"/> \$1,000-\$10,000 <input checked="" type="checkbox"/> \$10,001-\$100,000 <input type="checkbox"/> Over \$100,000
NATURE OF INVESTMENT, E.G., COMMON STOCK, PARTNERSHIP INTEREST <i>Common Stock</i>	If Acquired Or Disposed During The Reporting Period You Must Indicate Month, Day And Year: Date Acquired: _____ Date Disposed: _____	Ownership Interest <input checked="" type="checkbox"/> Less than 10% <input type="checkbox"/> 10% or greater*
GENERAL DESCRIPTION OF BUSINESS ACTIVITY <i>Shipping</i>		
NAME OF BUSINESS ENTITY <i>Anax</i>		VALUE <input checked="" type="checkbox"/> \$1,000-\$10,000 <input type="checkbox"/> \$10,001-\$100,000 <input type="checkbox"/> Over \$100,000
NATURE OF INVESTMENT, E.G., COMMON STOCK, PARTNERSHIP INTEREST <i>Common Stock</i>	If Acquired Or Disposed During The Reporting Period You Must Indicate Month, Day And Year: Date Acquired: _____ Date Disposed: _____	Ownership Interest <input checked="" type="checkbox"/> Less than 10% <input type="checkbox"/> 10% or greater*
GENERAL DESCRIPTION OF BUSINESS ACTIVITY <i>Mining</i>		
NAME OF BUSINESS ENTITY <i>America Express</i>		VALUE <input checked="" type="checkbox"/> \$1,000-\$10,000 <input type="checkbox"/> \$10,001-\$100,000 <input type="checkbox"/> Over \$100,000
NATURE OF INVESTMENT, E.G., COMMON STOCK, PARTNERSHIP INTEREST <i>Common Stock</i>	If Acquired Or Disposed During The Reporting Period You Must Indicate Month, Day And Year: Date Acquired: _____ Date Disposed: _____	Ownership Interest <input checked="" type="checkbox"/> Less than 10% <input type="checkbox"/> 10% or greater*
GENERAL DESCRIPTION OF BUSINESS ACTIVITY <i>Travel</i>		
NAME OF BUSINESS ENTITY <i>Bethlehem Steel</i>		VALUE <input checked="" type="checkbox"/> \$1,000-\$10,000 <input type="checkbox"/> \$10,001-\$100,000 <input type="checkbox"/> Over \$100,000
NATURE OF INVESTMENT, E.G., COMMON STOCK, PARTNERSHIP INTEREST <i>Common Stock</i>	If Acquired Or Disposed During The Reporting Period You Must Indicate Month, Day And Year: Date Acquired: _____ Date Disposed: _____	Ownership Interest <input checked="" type="checkbox"/> Less than 10% <input type="checkbox"/> 10% or greater*
GENERAL DESCRIPTION OF BUSINESS ACTIVITY <i>Steel</i>		

NOTE: YOU MAY BE REQUIRED TO REPORT ON SCHEDULE D ANY SALARY, COMMISSION, DISTRIBUTION OR OTHER INCOME (\$250 OR MORE) FROM ANY INVESTMENT LISTED ON SCHEDULE A RECEIVED BY YOU OR YOUR SPOUSE.

\* If you have checked this box, you must report on Schedules C-1 and C-2 any interests in real property and investments held by the business entity. In addition, if your pro rata share of the gross income from any one source was \$10,000 or more, you must report the name of that source on Schedule H-2.

If additional space is needed, check box and attach an additional Schedule A.

NAME STEVEN R. RITCHE

**Schedule A – Investments**  
(Which Are Not Held By A Business Entity Or Trust)

(SEE PAGES 9 & 10 OF THE INFORMATION MANUAL FOR INSTRUCTIONS AND EXAMPLES)

NAME OF BUSINESS ENTITY <i>Fluor Corp.</i>		VALUE <input checked="" type="checkbox"/> \$1,000-\$10,000 <input type="checkbox"/> \$10,001-\$100,000 <input type="checkbox"/> Over \$100,000
NATURE OF INVESTMENT, E.G., COMMON STOCK, PARTNERSHIP INTEREST <i>Common Stock</i>	If Acquired Or Disposed During The Reporting Period You Must Indicate Month, Day And Year:	Ownership Interest <input checked="" type="checkbox"/> Less than 10% <input type="checkbox"/> 10% or greater*
GENERAL DESCRIPTION OF BUSINESS ACTIVITY <i>Engineering, Mining</i>	Date Acquired: _____ Date Disposed: _____	
NAME OF BUSINESS ENTITY <i>W.R. Grace</i>		VALUE <input type="checkbox"/> \$1,000-\$10,000 <input checked="" type="checkbox"/> \$10,001-\$100,000 <input type="checkbox"/> Over \$100,000
NATURE OF INVESTMENT, E.G., COMMON STOCK, PARTNERSHIP INTEREST <i>Common Stock</i>	If Acquired Or Disposed During The Reporting Period You Must Indicate Month, Day And Year:	Ownership Interest <input checked="" type="checkbox"/> Less than 10% <input type="checkbox"/> 10% or greater*
GENERAL DESCRIPTION OF BUSINESS ACTIVITY <i>Chemical</i>	Date Acquired: _____ Date Disposed: _____	
NAME OF BUSINESS ENTITY <i>Heinz</i>		VALUE <input checked="" type="checkbox"/> \$1,000-\$10,000 <input type="checkbox"/> \$10,001-\$100,000 <input type="checkbox"/> Over \$100,000
NATURE OF INVESTMENT, E.G., COMMON STOCK, PARTNERSHIP INTEREST <i>Common Stock</i>	If Acquired Or Disposed During The Reporting Period You Must Indicate Month, Day And Year:	Ownership Interest <input checked="" type="checkbox"/> Less than 10% <input type="checkbox"/> 10% or greater*
GENERAL DESCRIPTION OF BUSINESS ACTIVITY <i>Ford</i>	Date Acquired: _____ Date Disposed: _____	
NAME OF BUSINESS ENTITY <i>Helmreich &amp; Payne</i>		VALUE <input checked="" type="checkbox"/> \$1,000-\$10,000 <input type="checkbox"/> \$10,001-\$100,000 <input type="checkbox"/> Over \$100,000
NATURE OF INVESTMENT, E.G., COMMON STOCK, PARTNERSHIP INTEREST <i>Common Stock</i>	If Acquired Or Disposed During The Reporting Period You Must Indicate Month, Day And Year:	Ownership Interest <input checked="" type="checkbox"/> Less than 10% <input type="checkbox"/> 10% or greater*
GENERAL DESCRIPTION OF BUSINESS ACTIVITY <i>Real Estate</i>	Date Acquired: _____ Date Disposed: _____	

NOTE: YOU MAY BE REQUIRED TO REPORT ON SCHEDULE D ANY SALARY, COMMISSION, DISTRIBUTION OR OTHER INCOME (\$250 OR MORE) FROM ANY INVESTMENT LISTED ON SCHEDULE A RECEIVED BY YOU OR YOUR SPOUSE.

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If additional space is needed, check box and attach an additional Schedule A.

NAME STEVEN R. RITCHIE

**Schedule A – Investments**  
(Which Are Not Held By A Business Entity Or Trust)

(SEE PAGES 9 & 10 OF THE INFORMATION MANUAL FOR INSTRUCTIONS AND EXAMPLES)

NAME OF BUSINESS ENTITY <i>Homestake Mining</i>		VALUE <input checked="" type="checkbox"/> \$1,000-\$10,000 <input type="checkbox"/> \$10,001-\$100,000 <input type="checkbox"/> Over \$100,000
NATURE OF INVESTMENT, E.G., COMMON STOCK, PARTNERSHIP INTEREST <i>Common Stock</i>	If Acquired Or Disposed During The Reporting Period You Must Indicate Month, Day And Year: Date Acquired: _____ Date Disposed: _____	Ownership Interest <input checked="" type="checkbox"/> Less than 10% <input type="checkbox"/> 10% or greater*
GENERAL DESCRIPTION OF BUSINESS ACTIVITY <i>Mining</i>		
NAME OF BUSINESS ENTITY <i>Hotel Investors</i>		VALUE <input checked="" type="checkbox"/> \$1,000-\$10,000 <input type="checkbox"/> \$10,001-\$100,000 <input type="checkbox"/> Over \$100,000
NATURE OF INVESTMENT, E.G., COMMON STOCK, PARTNERSHIP INTEREST <i>Common Stock</i>	If Acquired Or Disposed During The Reporting Period You Must Indicate Month, Day And Year: Date Acquired: _____ Date Disposed: _____	Ownership Interest <input checked="" type="checkbox"/> Less than 10% <input type="checkbox"/> 10% or greater*
GENERAL DESCRIPTION OF BUSINESS ACTIVITY <i>Real Estate</i>		
NAME OF BUSINESS ENTITY <i>Mobil Corp.</i>		VALUE <input checked="" type="checkbox"/> \$1,000-\$10,000 <input type="checkbox"/> \$10,001-\$100,000 <input type="checkbox"/> Over \$100,000
NATURE OF INVESTMENT, E.G., COMMON STOCK, PARTNERSHIP INTEREST <i>Common Stock</i>	If Acquired Or Disposed During The Reporting Period You Must Indicate Month, Day And Year: Date Acquired: _____ Date Disposed: _____	Ownership Interest <input checked="" type="checkbox"/> Less than 10% <input type="checkbox"/> 10% or greater*
GENERAL DESCRIPTION OF BUSINESS ACTIVITY <i>Petroleum</i>		
NAME OF BUSINESS ENTITY <i>Rockefeller Center Properties</i>		VALUE <input checked="" type="checkbox"/> \$1,000-\$10,000 <input type="checkbox"/> \$10,001-\$100,000 <input type="checkbox"/> Over \$100,000
NATURE OF INVESTMENT, E.G., COMMON STOCK, PARTNERSHIP INTEREST <i>Common Stock</i>	If Acquired Or Disposed During The Reporting Period You Must Indicate Month, Day And Year: Date Acquired: _____ Date Disposed: _____	Ownership Interest <input checked="" type="checkbox"/> Less than 10% <input type="checkbox"/> 10% or greater*
GENERAL DESCRIPTION OF BUSINESS ACTIVITY <i>Real Estate</i>		

NOTE: YOU MAY BE REQUIRED TO REPORT ON SCHEDULE D ANY SALARY, COMMISSION, DISTRIBUTION OR OTHER INCOME (\$250 OR MORE) FROM ANY INVESTMENT LISTED ON SCHEDULE A RECEIVED BY YOU OR YOUR SPOUSE.

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NAME STEVEN R RITCHIE

**Schedule A -- Investments**  
(Which Are Not Held By A Business Entity Or Trust)

(SEE PAGES 9 & 10 OF THE INFORMATION MANUAL FOR INSTRUCTIONS AND EXAMPLES)

NAME OF BUSINESS ENTITY <i>Pacific Bank</i>		VALUE <input checked="" type="checkbox"/> \$1,000-\$10,000 <input type="checkbox"/> \$10,001-\$100,000 <input type="checkbox"/> Over \$100,000
NATURE OF INVESTMENT, E.G., COMMON STOCK, PARTNERSHIP INTEREST <i>Common Stock</i>	If Acquired Or Disposed During The Reporting Period You Must Indicate Month, Day And Year: Date Acquired: _____ Date Disposed: _____	Ownership Interest <input checked="" type="checkbox"/> Less than 10% <input type="checkbox"/> 10% or greater*
GENERAL DESCRIPTION OF BUSINESS ACTIVITY <i>Banking</i>		
NAME OF BUSINESS ENTITY		VALUE <input type="checkbox"/> \$1,000-\$10,000 <input type="checkbox"/> \$10,001-\$100,000 <input type="checkbox"/> Over \$100,000
NATURE OF INVESTMENT, E.G., COMMON STOCK, PARTNERSHIP INTEREST	If Acquired Or Disposed During The Reporting Period You Must Indicate Month, Day And Year: Date Acquired: _____ Date Disposed: _____	Ownership Interest <input type="checkbox"/> Less than 10% <input type="checkbox"/> 10% or greater*
GENERAL DESCRIPTION OF BUSINESS ACTIVITY		
NAME OF BUSINESS ENTITY		VALUE <input type="checkbox"/> \$1,000-\$10,000 <input type="checkbox"/> \$10,001-\$100,000 <input type="checkbox"/> Over \$100,000
NATURE OF INVESTMENT, E.G., COMMON STOCK, PARTNERSHIP INTEREST	If Acquired Or Disposed During The Reporting Period You Must Indicate Month, Day And Year: Date Acquired: _____ Date Disposed: _____	Ownership Interest <input type="checkbox"/> Less than 10% <input type="checkbox"/> 10% or greater*
GENERAL DESCRIPTION OF BUSINESS ACTIVITY		
NAME OF BUSINESS ENTITY		VALUE <input type="checkbox"/> \$1,000-\$10,000 <input type="checkbox"/> \$10,001-\$100,000 <input type="checkbox"/> Over \$100,000
NATURE OF INVESTMENT, E.G., COMMON STOCK, PARTNERSHIP INTEREST	If Acquired Or Disposed During The Reporting Period You Must Indicate Month, Day And Year: Date Acquired: _____ Date Disposed: _____	Ownership Interest <input type="checkbox"/> Less than 10% <input type="checkbox"/> 10% or greater*
GENERAL DESCRIPTION OF BUSINESS ACTIVITY		

NOTE: YOU MAY BE REQUIRED TO REPORT ON SCHEDULE D ANY SALARY, COMMISSION, DISTRIBUTION OR OTHER INCOME (\$250 OR MORE) FROM ANY INVESTMENT LISTED ON SCHEDULE A RECEIVED BY YOU OR YOUR SPOUSE.

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If additional space is needed, check box and attach an additional Schedule A.

**FORM 730**  
**Statement of Economic Interests**  
**For Designated Employees**

**IMPORTANT:**  
Statement must be date stamped  
when received by filing  
officer/filing official

A PUBLIC DOCUMENT  
1990/91

(Type or Print in Ink)

NAME OF FILER

STEVEN R. RITCHEIE

NAME OF AGENCY

REGIONAL WATER QUALITY CONTROL BOARD

POSITION TITLE

EXECUTIVE OFFICER

MAILING ADDRESS

2101 WEBSTER ST. SUITE 500 OAKLAND, CA 94612

DAYTIME TELEPHONE NUMBER

(415) 464-0576

CHECK THE APPROPRIATE BOX(ES):

**ASSUMING OFFICE STATEMENT:** (Check the box below if you have recently assumed a position designated in your agency's Conflict of Interest Code.)

- You have assumed your position on \_\_\_\_\_ . You must file a statement no later than 30 days after this date. You must disclose on Schedules A, B, C-1, C-2, and G all reportable investments, interests in real property and business positions required by your disclosure category, held on the date you assumed your position. *In addition, you must disclose on Schedules D, E, F, H-1, H-2 and H-3 income from all reportable sources received during the 12 months prior to the date you assumed office.*

**ANNUAL STATEMENT:** (Required to be filed for each year that you hold your designated position.)

- You are required to file a statement no later than 4-1-91 disclosing all reportable investments, interests in real property and business positions held and income received during the period from *January 1, 1990 through December 31, 1990.* (See page 2 of the Manual for exceptions to the reporting period.)

**LEAVING OFFICE STATEMENT:** (Required to be filed when you leave your designated position.)

- You are leaving or have left your position on \_\_\_\_\_ and must file a statement no later than 30 days after that date. You must disclose all reportable investments, interests in real property and business positions held and income received during the period from *January 1, 1990 through the date you left your designated position.*

**INITIAL STATEMENT:** (Check the box below ONLY if your position has been recently designated or if you are filing under a new Conflict of Interest Code for your agency.)

- The conflict of interest code for your agency became effective or your position was newly designated on \_\_\_\_\_ . You must file a statement no later than 30 days after this date. You must disclose on Schedules A, B, C-1, C-2 and G all reportable investments, interests in real property, and business positions held on the date your agency's code or your designation became effective. *In addition, you must disclose on Schedules D, E, F, and H-1, H-2 and H-3 income from all reportable sources received during the 12 months prior to the date your agency's code or your designation became effective.*

**CANDIDATE STATEMENT:** (If required by the conflict of interest code of the jurisdiction in which you are seeking elective office.)

- The conflict of interest code specifies the types of interests you must disclose. You may be required to complete Schedules A, B, C-1, C-2 and G.



**THE FOLLOWING SUMMARY MUST BE COMPLETED BY ALL FILERS**

*(Do not complete this summary until you have carefully reviewed the instructions for each schedule on pages 9 through 27 of the information manual)*

**SCHEDULE A -- INVESTMENTS (Which Are Not Held By A Business Entity Or Trust)**

COMPLETED AND ATTACHED     NO REPORTABLE INTERESTS     SCHEDULE DOES NOT APPLY TO MY DISCLOSURE CATEGORY

**SCHEDULE B -- INTERESTS IN REAL PROPERTY (Which Are Not Held By A Business Entity Or Trust)**

COMPLETED AND ATTACHED     NO REPORTABLE INTERESTS     SCHEDULE DOES NOT APPLY TO MY DISCLOSURE CATEGORY

**SCHEDULE C-1 -- INTERESTS IN REAL PROPERTY HELD BY A BUSINESS ENTITY OR TRUST**

COMPLETED AND ATTACHED     NO REPORTABLE INTERESTS     SCHEDULE DOES NOT APPLY TO MY DISCLOSURE CATEGORY

**SCHEDULE C-2 -- INVESTMENTS HELD BY A BUSINESS ENTITY OR TRUST**

COMPLETED AND ATTACHED     NO REPORTABLE INTERESTS     SCHEDULE DOES NOT APPLY TO MY DISCLOSURE CATEGORY

**SCHEDULE D -- INCOME (Other Than Loans And Gifts )**

COMPLETED AND ATTACHED     NO REPORTABLE INTERESTS     SCHEDULE DOES NOT APPLY TO MY DISCLOSURE CATEGORY

**SCHEDULE E -- INCOME - LOANS (Received Or Outstanding During The Reporting Period)**

COMPLETED AND ATTACHED     NO REPORTABLE INTERESTS     SCHEDULE DOES NOT APPLY TO MY DISCLOSURE CATEGORY

**SCHEDULE F -- INCOME - GIFTS**

COMPLETED AND ATTACHED     NO REPORTABLE INTERESTS     SCHEDULE DOES NOT APPLY TO MY DISCLOSURE CATEGORY

**SCHEDULE G -- BUSINESS POSITIONS**

COMPLETED AND ATTACHED     NO REPORTABLE INTERESTS     SCHEDULE DOES NOT APPLY TO MY DISCLOSURE CATEGORY

**SCHEDULE H -- COMMISSION INCOME, INCOME AND LOANS TO BUSINESS ENTITIES OR TRUSTS AND INCOME FROM RENTAL PROPERTY**

COMPLETED AND ATTACHED     NO REPORTABLE INTERESTS     SCHEDULE DOES NOT APPLY TO MY DISCLOSURE CATEGORY

**VERIFICATION**

I have used all reasonable diligence in preparing this statement. I have reviewed the statement and to the best of my knowledge the information contained herein and in the attached schedules is true and complete.

I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on 3/29, 19 91, at Fairfield CA  
(Date) (City and State)

SIGNATURE [Signature]

NAME STEVEN R. RITCHIE

**Schedule A -- Investments**  
(Which Are Not Held By A Business Entity Or Trust)

(SEE PAGES 9 & 10 OF THE INFORMATION MANUAL FOR INSTRUCTIONS AND EXAMPLES)

NAME OF BUSINESS ENTITY <u>CF Income Partners</u>		VALUE <input checked="" type="checkbox"/> \$1,000-\$10,000 <input type="checkbox"/> \$10,001-\$100,000 <input type="checkbox"/> Over \$100,000
NATURE OF INVESTMENT, E.G., COMMON STOCK, PARTNERSHIP INTEREST <u>Partnership</u>	If Acquired Or Disposed During The Reporting Period You Must Indicate Month, Day And Year: Date Acquired: <u>3/23/90</u> Date Disposed: <u>4/1/90</u>	Ownership Interest <input checked="" type="checkbox"/> Less than 10% <input type="checkbox"/> 10% or greater*
GENERAL DESCRIPTION OF BUSINESS ACTIVITY <u>Real Estate</u>		
NAME OF BUSINESS ENTITY <u>American International Group</u>		VALUE <input checked="" type="checkbox"/> \$1,000-\$10,000 <input type="checkbox"/> \$10,001-\$100,000 <input type="checkbox"/> Over \$100,000
NATURE OF INVESTMENT, E.G., COMMON STOCK, PARTNERSHIP INTEREST <u>Common Stock</u>	If Acquired Or Disposed During The Reporting Period You Must Indicate Month, Day And Year: Date Acquired: <u>4/1/90</u> Date Disposed: _____	Ownership Interest <input checked="" type="checkbox"/> Less than 10% <input type="checkbox"/> 10% or greater*
GENERAL DESCRIPTION OF BUSINESS ACTIVITY <u>Entertainment</u>		
NAME OF BUSINESS ENTITY <u>AT&amp;T</u>		VALUE <input checked="" type="checkbox"/> \$1,000-\$10,000 <input type="checkbox"/> \$10,001-\$100,000 <input type="checkbox"/> Over \$100,000
NATURE OF INVESTMENT, E.G., COMMON STOCK, PARTNERSHIP INTEREST <u>Common Stock</u>	If Acquired Or Disposed During The Reporting Period You Must Indicate Month, Day And Year: Date Acquired: <u>4/1/90</u> Date Disposed: <u>12/19/90</u>	Ownership Interest <input checked="" type="checkbox"/> Less than 10% <input type="checkbox"/> 10% or greater*
GENERAL DESCRIPTION OF BUSINESS ACTIVITY <u>Tele communications</u>		
NAME OF BUSINESS ENTITY <u>Walt Disney</u>		VALUE <input checked="" type="checkbox"/> \$1,000-\$10,000 <input type="checkbox"/> \$10,001-\$100,000 <input type="checkbox"/> Over \$100,000
NATURE OF INVESTMENT, E.G., COMMON STOCK, PARTNERSHIP INTEREST <u>Common Stock</u>	If Acquired Or Disposed During The Reporting Period You Must Indicate Month, Day And Year: Date Acquired: <u>4/1/90</u> Date Disposed: _____	Ownership Interest <input checked="" type="checkbox"/> Less than 10% <input type="checkbox"/> 10% or greater*
GENERAL DESCRIPTION OF BUSINESS ACTIVITY <u>Entertainment</u>		

NOTE: YOU MAY BE REQUIRED TO REPORT ON SCHEDULE D ANY SALARY, COMMISSION, DISTRIBUTION OR OTHER INCOME (\$250 OR MORE) FROM ANY INVESTMENT LISTED ON SCHEDULE A RECEIVED BY YOU OR YOUR SPOUSE.

\* If you have checked this box, you must report on Schedules C-1 and C-2 any interests in real property and investments held by the business entity. In addition, if your pro rata share of the gross income from any one source was \$10,000 or more, you must report the name of that source on Schedule H-2.

If additional space is needed, check box and attach an additional Schedule A.

NAME STEVEN R. RITCHIE

**Schedule A -- Investments**  
(Which Are Not Held By A Business Entity Or Trust)

(SEE PAGES 9 & 10 OF THE INFORMATION MANUAL FOR INSTRUCTIONS AND EXAMPLES)

NAME OF BUSINESS ENTITY <i>Federal National Mortgage Assn.</i>		VALUE <input checked="" type="checkbox"/> \$1,000-\$10,000 <input type="checkbox"/> \$10,001-\$100,000 <input type="checkbox"/> Over \$100,000
NATURE OF INVESTMENT, E.G., COMMON STOCK, PARTNERSHIP INTEREST <i>Common Stock</i>	If Acquired Or Disposed During The Reporting Period You Must Indicate Month, Day And Year: Date Acquired: <u>4/11/90</u> Date Disposed: _____	Ownership Interest <input checked="" type="checkbox"/> Less than 10% <input type="checkbox"/> 10% or greater*
GENERAL DESCRIPTION OF BUSINESS ACTIVITY <i>Mortgages</i>		
NAME OF BUSINESS ENTITY <i>Merck</i>		VALUE <input checked="" type="checkbox"/> \$1,000-\$10,000 <input type="checkbox"/> \$10,001-\$100,000 <input type="checkbox"/> Over \$100,000
NATURE OF INVESTMENT, E.G., COMMON STOCK, PARTNERSHIP INTEREST <i>Common Stock</i>	If Acquired Or Disposed During The Reporting Period You Must Indicate Month, Day And Year: Date Acquired: <u>4/11/90</u> Date Disposed: _____	Ownership Interest <input checked="" type="checkbox"/> Less than 10% <input type="checkbox"/> 10% or greater*
GENERAL DESCRIPTION OF BUSINESS ACTIVITY <i>Chemicals</i>		
NAME OF BUSINESS ENTITY <i>Philip Morris</i>		VALUE <input checked="" type="checkbox"/> \$1,000-\$10,000 <input type="checkbox"/> \$10,001-\$100,000 <input type="checkbox"/> Over \$100,000
NATURE OF INVESTMENT, E.G., COMMON STOCK, PARTNERSHIP INTEREST <i>Common Stock</i>	If Acquired Or Disposed During The Reporting Period You Must Indicate Month, Day And Year: Date Acquired: <u>4/11/90</u> Date Disposed: <u>4/12/90</u>	Ownership Interest <input checked="" type="checkbox"/> Less than 10% <input type="checkbox"/> 10% or greater*
GENERAL DESCRIPTION OF BUSINESS ACTIVITY <i>Cigarettes, Food</i>		
NAME OF BUSINESS ENTITY <i>Rural Television</i>		VALUE <input checked="" type="checkbox"/> \$1,000-\$10,000 <input type="checkbox"/> \$10,001-\$100,000 <input type="checkbox"/> Over \$100,000
NATURE OF INVESTMENT, E.G., COMMON STOCK, PARTNERSHIP INTEREST <i>Common Stock</i>	If Acquired Or Disposed During The Reporting Period You Must Indicate Month, Day And Year: Date Acquired: <u>4/11/90</u> Date Disposed: _____	Ownership Interest <input checked="" type="checkbox"/> Less than 10% <input type="checkbox"/> 10% or greater*
GENERAL DESCRIPTION OF BUSINESS ACTIVITY <i>Telecommunications</i>		

NOTE: YOU MAY BE REQUIRED TO REPORT ON SCHEDULE D ANY SALARY, COMMISSION, DISTRIBUTION OR OTHER INCOME (\$250 OR MORE) FROM ANY INVESTMENT LISTED ON SCHEDULE A RECEIVED BY YOU OR YOUR SPOUSE.

\* If you have checked this box, you must report on Schedules C-1 and C-2 any interests in real property and investments held by the business entity. In addition, if your pro rata share of the gross income from any one source was \$10,000 or more, you must report the name of that source on Schedule H-2.

If additional space is needed, check box and attach an additional Schedule A.

NAME STEVEN R. RITCHIE

**Schedule A -- Investments**  
(Which Are Not Held By A Business Entity Or Trust)

(SEE PAGES 9 & 10 OF THE INFORMATION MANUAL FOR INSTRUCTIONS AND EXAMPLES)

NAME OF BUSINESS ENTITY <i>Student Loan Marketing</i>		VALUE <input checked="" type="checkbox"/> \$1,000-\$10,000 <input type="checkbox"/> \$10,001-\$100,000 <input type="checkbox"/> Over \$100,000
NATURE OF INVESTMENT, E.G. COMMON STOCK, PARTNERSHIP INTEREST <i>Common Stock</i>	If Acquired Or Disposed During The Reporting Period You Must Indicate Month, Day And Year: Date Acquired: <u>4/10/90</u> Date Disposed: _____	Ownership Interest <input checked="" type="checkbox"/> Less than 10% <input type="checkbox"/> 10% or greater*
GENERAL DESCRIPTION OF BUSINESS ACTIVITY <i>Finance</i>		
NAME OF BUSINESS ENTITY <i>Waste Management</i>		VALUE <input checked="" type="checkbox"/> \$1,000-\$10,000 <input type="checkbox"/> \$10,001-\$100,000 <input type="checkbox"/> Over \$100,000
NATURE OF INVESTMENT, E.G. COMMON STOCK, PARTNERSHIP INTEREST <i>Common Stock</i>	If Acquired Or Disposed During The Reporting Period You Must Indicate Month, Day And Year: Date Acquired: <u>5/2/90</u> Date Disposed: <u>8/2/90</u>	Ownership Interest <input checked="" type="checkbox"/> Less than 10% <input type="checkbox"/> 10% or greater*
GENERAL DESCRIPTION OF BUSINESS ACTIVITY <i>Garbage</i>		
NAME OF BUSINESS ENTITY <i>Microsoft</i>		VALUE <input checked="" type="checkbox"/> \$1,000-\$10,000 <input type="checkbox"/> \$10,001-\$100,000 <input type="checkbox"/> Over \$100,000
NATURE OF INVESTMENT, E.G. COMMON STOCK, PARTNERSHIP INTEREST <i>Common Stock</i>	If Acquired Or Disposed During The Reporting Period You Must Indicate Month, Day And Year: Date Acquired: <u>7/10/90</u> Date Disposed: _____	Ownership Interest <input checked="" type="checkbox"/> Less than 10% <input type="checkbox"/> 10% or greater*
GENERAL DESCRIPTION OF BUSINESS ACTIVITY <i>Computer Software</i>		
NAME OF BUSINESS ENTITY <i>Bio-gen</i>		VALUE <input checked="" type="checkbox"/> \$1,000-\$10,000 <input type="checkbox"/> \$10,001-\$100,000 <input type="checkbox"/> Over \$100,000
NATURE OF INVESTMENT, E.G. COMMON STOCK, PARTNERSHIP INTEREST <i>Common Stock</i>	If Acquired Or Disposed During The Reporting Period You Must Indicate Month, Day And Year: Date Acquired: <u>8/2/90</u> Date Disposed: _____	Ownership Interest <input checked="" type="checkbox"/> Less than 10% <input type="checkbox"/> 10% or greater*
GENERAL DESCRIPTION OF BUSINESS ACTIVITY <i>Biotechnical Research</i>		

NOTE: YOU MAY BE REQUIRED TO REPORT ON SCHEDULE D ANY SALARY, COMMISSION, DISTRIBUTION OR OTHER INCOME (\$250 OR MORE) FROM ANY INVESTMENT LISTED ON SCHEDULE A RECEIVED BY YOU OR YOUR SPOUSE.

\* If you have checked this box, you must report on Schedules C-1 and C-2 any interests in real property and investments held by the business entity. In addition, if your pro rata share of the gross income from any one source was \$10,000 or more, you must report the name of that source on Schedule H-2.

If additional space is needed, check box and attach an additional Schedule A.

NAME STEVEN R. RITCHIE

**Schedule A – Investments**  
(Which Are Not Held By A Business Entity Or Trust)

(SEE PAGES 9 & 10 OF THE INFORMATION MANUAL FOR INSTRUCTIONS AND EXAMPLES)

NAME OF BUSINESS ENTITY <i>Home Depot</i>		VALUE <input checked="" type="checkbox"/> \$1,000-\$10,000 <input type="checkbox"/> \$10,001-\$100,000 <input type="checkbox"/> Over \$100,000
NATURE OF INVESTMENT, E.G., COMMON STOCK, PARTNERSHIP INTEREST <i>Common Stock</i>	If Acquired Or Disposed During The Reporting Period You Must Indicate Month, Day And Year: Date Acquired: <u>8/12/90</u> Date Disposed: _____	Ownership Interest <input checked="" type="checkbox"/> Less than 10% <input type="checkbox"/> 10% or greater*
GENERAL DESCRIPTION OF BUSINESS ACTIVITY <i>Retail Sales</i>		

NAME OF BUSINESS ENTITY <i>Castle &amp; Cooke</i>		VALUE <input type="checkbox"/> \$1,000-\$10,000 <input checked="" type="checkbox"/> \$10,001-\$100,000 <input type="checkbox"/> Over \$100,000
NATURE OF INVESTMENT, E.G., COMMON STOCK, PARTNERSHIP INTEREST <i>Common Stock</i>	If Acquired Or Disposed During The Reporting Period You Must Indicate Month, Day And Year: Date Acquired: <u>11/8/90</u> Date Disposed: _____	Ownership Interest <input checked="" type="checkbox"/> Less than 10% <input type="checkbox"/> 10% or greater*
GENERAL DESCRIPTION OF BUSINESS ACTIVITY <i>Food + Real Estate</i>		

NAME OF BUSINESS ENTITY <i>Novell</i>		VALUE <input checked="" type="checkbox"/> \$1,000-\$10,000 <input type="checkbox"/> \$10,001-\$100,000 <input type="checkbox"/> Over \$100,000
NATURE OF INVESTMENT, E.G., COMMON STOCK, PARTNERSHIP INTEREST <i>Common Stock</i>	If Acquired Or Disposed During The Reporting Period You Must Indicate Month, Day And Year: Date Acquired: <u>12/26/90</u> Date Disposed: _____	Ownership Interest <input checked="" type="checkbox"/> Less than 10% <input type="checkbox"/> 10% or greater*
GENERAL DESCRIPTION OF BUSINESS ACTIVITY		

NAME OF BUSINESS ENTITY <i>American Express</i>		VALUE <input checked="" type="checkbox"/> \$1,000-\$10,000 <input type="checkbox"/> \$10,001-\$100,000 <input type="checkbox"/> Over \$100,000
NATURE OF INVESTMENT, E.G., COMMON STOCK, PARTNERSHIP INTEREST <i>Common Stock</i>	If Acquired Or Disposed During The Reporting Period You Must Indicate Month, Day And Year: Date Acquired: _____ Date Disposed: <u>4/10/90</u>	Ownership Interest <input checked="" type="checkbox"/> Less than 10% <input type="checkbox"/> 10% or greater*
GENERAL DESCRIPTION OF BUSINESS ACTIVITY <i>Travel</i>		

NOTE: YOU MAY BE REQUIRED TO REPORT ON SCHEDULE D ANY SALARY, COMMISSION, DISTRIBUTION OR OTHER INCOME (\$250 OR MORE) FROM ANY INVESTMENT LISTED ON SCHEDULE A RECEIVED BY YOU OR YOUR SPOUSE.

\* If you have checked this box, you must report on Schedules C-1 and C-2 any interests in real property and investments held by the business entity. In addition, if your pro rata share of the gross income from any one source was \$10,000 or more, you must report the name of that source on Schedule H-2.

If additional space is needed, check box and attach an additional Schedule A.

NAME STEVEN R. RITCHIE

**Schedule A -- Investments**  
(Which Are Not Held By A Business Entity Or Trust)

(SEE PAGES 9 & 10 OF THE INFORMATION MANUAL FOR INSTRUCTIONS AND EXAMPLES)

NAME OF BUSINESS ENTITY <i>Sierra Pacific Resources</i>		VALUE <input type="checkbox"/> \$1,000-\$10,000 <input checked="" type="checkbox"/> \$10,001-\$100,000 <input type="checkbox"/> Over \$100,000
NATURE OF INVESTMENT, E.G., COMMON STOCK, PARTNERSHIP INTEREST <i>Common Stock</i>	If Acquired Or Disposed During The Reporting Period You Must Indicate Month, Day And Year:	Ownership Interest <input checked="" type="checkbox"/> Less than 10% <input type="checkbox"/> 10% or greater*
GENERAL DESCRIPTION OF BUSINESS ACTIVITY <i>Power Utility</i>	Date Acquired: _____ Date Disposed: _____	
NAME OF BUSINESS ENTITY <i>Bethlehem Steel</i>		VALUE <input checked="" type="checkbox"/> \$1,000-\$10,000 <input type="checkbox"/> \$10,001-\$100,000 <input type="checkbox"/> Over \$100,000
NATURE OF INVESTMENT, E.G., COMMON STOCK, PARTNERSHIP INTEREST <i>Common Stock</i>	If Acquired Or Disposed During The Reporting Period You Must Indicate Month, Day And Year:	Ownership Interest <input checked="" type="checkbox"/> Less than 10% <input type="checkbox"/> 10% or greater*
GENERAL DESCRIPTION OF BUSINESS ACTIVITY <i>Steel Manufacturing</i>	Date Acquired: _____ Date Disposed: <u>4/10/90</u>	
NAME OF BUSINESS ENTITY <i>W.R. Grace</i>		VALUE <input type="checkbox"/> \$1,000-\$10,000 <input checked="" type="checkbox"/> \$10,001-\$100,000 <input type="checkbox"/> Over \$100,000
NATURE OF INVESTMENT, E.G., COMMON STOCK, PARTNERSHIP INTEREST <i>Common Stock</i>	If Acquired Or Disposed During The Reporting Period You Must Indicate Month, Day And Year:	Ownership Interest <input checked="" type="checkbox"/> Less than 10% <input type="checkbox"/> 10% or greater*
GENERAL DESCRIPTION OF BUSINESS ACTIVITY <i>Chemicals</i>	Date Acquired: _____ Date Disposed: <u>4/10/90</u>	
NAME OF BUSINESS ENTITY <i>Honestake Mining</i>		VALUE <input checked="" type="checkbox"/> \$1,000-\$10,000 <input type="checkbox"/> \$10,001-\$100,000 <input type="checkbox"/> Over \$100,000
NATURE OF INVESTMENT, E.G., COMMON STOCK, PARTNERSHIP INTEREST <i>Common Stock</i>	If Acquired Or Disposed During The Reporting Period You Must Indicate Month, Day And Year:	Ownership Interest <input checked="" type="checkbox"/> Less than 10% <input type="checkbox"/> 10% or greater*
GENERAL DESCRIPTION OF BUSINESS ACTIVITY <i>Mining</i>	Date Acquired: _____ Date Disposed: <u>4/10/90</u>	

NOTE: YOU MAY BE REQUIRED TO REPORT ON SCHEDULE D ANY SALARY, COMMISSION, DISTRIBUTION OR OTHER INCOME (\$250 OR MORE) FROM ANY INVESTMENT LISTED ON SCHEDULE A RECEIVED BY YOU OR YOUR SPOUSE.

\* If you have checked this box, you must report on Schedules C-1 and C-2 any interests in real property and investments held by the business entity. In addition, if your pro rata share of the gross income from any one source was \$10,000 or more, you must report the name of that source on Schedule H-2.

If additional space is needed, check box and attach an additional Schedule A.

NAME STEVEN R. RITCHIE

**Schedule A -- Investments**  
(Which Are Not Held By A Business Entity Or Trust)

(SEE PAGES 9 & 10 OF THE INFORMATION MANUAL FOR INSTRUCTIONS AND EXAMPLES)

NAME OF BUSINESS ENTITY <i>Hotel Investors</i>		VALUE <input checked="" type="checkbox"/> \$1,000-\$10,000 <input type="checkbox"/> \$10,001-\$100,000 <input type="checkbox"/> Over \$100,000  Ownership Interest <input checked="" type="checkbox"/> Less than 10% <input type="checkbox"/> 10% or greater*
NATURE OF INVESTMENT, E.G., COMMON STOCK, PARTNERSHIP INTEREST <i>Common Stock</i>	If Acquired Or Disposed During The Reporting Period You Must Indicate Month, Day And Year:  Date Acquired: _____ Date Disposed: <u>4/15/91</u>	
GENERAL DESCRIPTION OF BUSINESS ACTIVITY <i>Real Estate</i>		
NAME OF BUSINESS ENTITY <i>Rockefeller Center Properties</i>		VALUE <input checked="" type="checkbox"/> \$1,000-\$10,000 <input type="checkbox"/> \$10,001-\$100,000 <input type="checkbox"/> Over \$100,000  Ownership Interest <input checked="" type="checkbox"/> Less than 10% <input type="checkbox"/> 10% or greater*
NATURE OF INVESTMENT, E.G., COMMON STOCK, PARTNERSHIP INTEREST <i>Common Stock</i>	If Acquired Or Disposed During The Reporting Period You Must Indicate Month, Day And Year:  Date Acquired: _____ Date Disposed: <u>4/15/90</u>	
GENERAL DESCRIPTION OF BUSINESS ACTIVITY <i>Real Estate Management</i>		
NAME OF BUSINESS ENTITY <i>Amex</i>		VALUE <input checked="" type="checkbox"/> \$1,000-\$10,000 <input type="checkbox"/> \$10,001-\$100,000 <input type="checkbox"/> Over \$100,000  Ownership Interest <input checked="" type="checkbox"/> Less than 10% <input type="checkbox"/> 10% or greater*
NATURE OF INVESTMENT, E.G., COMMON STOCK, PARTNERSHIP INTEREST <i>Common Stock</i>	If Acquired Or Disposed During The Reporting Period You Must Indicate Month, Day And Year:  Date Acquired: _____ Date Disposed: <u>11/1/85</u>	
GENERAL DESCRIPTION OF BUSINESS ACTIVITY <i>Mining</i>		
NAME OF BUSINESS ENTITY <i>Alexander &amp; Bellini</i>		VALUE <input checked="" type="checkbox"/> \$1,000-\$10,000 <input type="checkbox"/> \$10,001-\$100,000 <input type="checkbox"/> Over \$100,000  Ownership Interest <input type="checkbox"/> Less than 10% <input type="checkbox"/> 10% or greater*
NATURE OF INVESTMENT, E.G., COMMON STOCK, PARTNERSHIP INTEREST <i>Common Stock</i>	If Acquired Or Disposed During The Reporting Period You Must Indicate Month, Day And Year:  Date Acquired: _____ Date Disposed: _____	
GENERAL DESCRIPTION OF BUSINESS ACTIVITY <i>Clipping</i>		

NOTE: YOU MAY BE REQUIRED TO REPORT ON SCHEDULE D ANY SALARY, COMMISSION, DISTRIBUTION OR OTHER INCOME (\$250 OR MORE) FROM ANY INVESTMENT LISTED ON SCHEDULE A RECEIVED BY YOU OR YOUR SPOUSE.

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If additional space is needed, check box and attach an additional Schedule A.

NAME STEVEN P. RITCHIE

**Schedule A – Investments**  
(Which Are Not Held By A Business Entity Or Trust)

(SEE PAGES 9 & 10 OF THE INFORMATION MANUAL FOR INSTRUCTIONS AND EXAMPLES)

NAME OF BUSINESS ENTITY <u>Fluor</u>		VALUE <input checked="" type="checkbox"/> \$1,000-\$10,000 <input type="checkbox"/> \$10,001-\$100,000 <input type="checkbox"/> Over \$100,000
NATURE OF INVESTMENT, E.G., COMMON STOCK, PARTNERSHIP INTEREST <u>Common Stock</u>	If Acquired Or Disposed During The Reporting Period You Must Indicate Month, Day And Year:	Ownership Interest <input checked="" type="checkbox"/> Less than 10% <input type="checkbox"/> 10% or greater*
GENERAL DESCRIPTION OF BUSINESS ACTIVITY <u>Engineering/Ministry</u>	Date Acquired: _____ Date Disposed: _____	
NAME OF BUSINESS ENTITY <u>H. J. Heinz</u>		VALUE <input type="checkbox"/> \$1,000-\$10,000 <input checked="" type="checkbox"/> \$10,001-\$100,000 <input type="checkbox"/> Over \$100,000
NATURE OF INVESTMENT, E.G., COMMON STOCK, PARTNERSHIP INTEREST <u>Common Stock</u>	If Acquired Or Disposed During The Reporting Period You Must Indicate Month, Day And Year:	Ownership Interest <input checked="" type="checkbox"/> Less than 10% <input type="checkbox"/> 10% or greater*
GENERAL DESCRIPTION OF BUSINESS ACTIVITY <u>Food</u>	Date Acquired: _____ Date Disposed: _____	
NAME OF BUSINESS ENTITY <u>Helmerich &amp; Payne</u>		VALUE <input checked="" type="checkbox"/> \$1,000-\$10,000 <input type="checkbox"/> \$10,001-\$100,000 <input type="checkbox"/> Over \$100,000
NATURE OF INVESTMENT, E.G., COMMON STOCK, PARTNERSHIP INTEREST <u>Common Stock</u>	If Acquired Or Disposed During The Reporting Period You Must Indicate Month, Day And Year:	Ownership Interest <input checked="" type="checkbox"/> Less than 10% <input type="checkbox"/> 10% or greater*
GENERAL DESCRIPTION OF BUSINESS ACTIVITY <u>Real Estate</u>	Date Acquired: _____ Date Disposed: _____	
NAME OF BUSINESS ENTITY <u>Mobil</u>		VALUE <input checked="" type="checkbox"/> \$1,000-\$10,000 <input type="checkbox"/> \$10,001-\$100,000 <input type="checkbox"/> Over \$100,000
NATURE OF INVESTMENT, E.G., COMMON STOCK, PARTNERSHIP INTEREST <u>Common Stock</u>	If Acquired Or Disposed During The Reporting Period You Must Indicate Month, Day And Year:	Ownership Interest <input checked="" type="checkbox"/> Less than 10% <input type="checkbox"/> 10% or greater*
GENERAL DESCRIPTION OF BUSINESS ACTIVITY <u>Oil</u>	Date Acquired: _____ Date Disposed: _____	

NOTE: YOU MAY BE REQUIRED TO REPORT ON SCHEDULE D ANY SALARY, COMMISSION, DISTRIBUTION OR OTHER INCOME (\$250 OR MORE) FROM ANY INVESTMENT LISTED ON SCHEDULE A RECEIVED BY YOU OR YOUR SPOUSE.

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If additional space is needed, check box and attach an additional Schedule A.



NAME STEVEN R. RITCHE

**IMPORTANT**

Effective January 1, 1991, new prohibitions and limitations will be imposed on gifts and honoraria received by elected state and local officials, state agency officials, members of state boards and commissions, and certain employees of state agencies. These new provisions are discussed at the front of the 1990-91 Information Manual for Form 730 in the section entitled "1991 Legislative Changes."

**WARNING:** These new prohibitions and limitations do not affect the requirements for disclosing gifts and honoraria received.

**Schedule D -- Income**

(Other Than Loans And Gifts)

(SEE PAGES 15 AND 16 OF THE INFORMATION MANUAL FOR INSTRUCTIONS AND EXAMPLES)

**GROSS INCOME RECEIVED:**

NAME OF THE SOURCE OF INCOME <i>Browning Ferris Industries</i>	<input type="checkbox"/> \$250 - \$1,000  <input type="checkbox"/> \$1,001 - \$10,000  <input checked="" type="checkbox"/> Over \$10,000
ADDRESS <i>150 Almaden Blvd. San Jose CA</i>	
NATURE OF BUSINESS ACTIVITY, IF ANY <i>Garbage Management</i>	
DESCRIPTION OF THE CONSIDERATION FOR WHICH INCOME WAS RECEIVED <i>Spouse's Income</i>	
NAME OF THE SOURCE OF INCOME	<input type="checkbox"/> \$250 - \$1,000  <input type="checkbox"/> \$1,001 - \$10,000  <input type="checkbox"/> Over \$10,000
ADDRESS	
NATURE OF BUSINESS ACTIVITY, IF ANY	
DESCRIPTION OF THE CONSIDERATION FOR WHICH INCOME WAS RECEIVED	
NAME OF THE SOURCE OF INCOME	<input type="checkbox"/> \$250 - \$1,000  <input type="checkbox"/> \$1,001 - \$10,000  <input type="checkbox"/> Over \$10,000
ADDRESS	
NATURE OF BUSINESS ACTIVITY, IF ANY	
DESCRIPTION OF THE CONSIDERATION FOR WHICH INCOME WAS RECEIVED	

If additional space is needed, check box and attach an additional Schedule D.

R/R #12

NAME Steven Ritchie

CITY, COUNTY OR AGENCY \_\_\_\_\_

PERIOD COVERED 1/1/87 - 12/31/87

**IMPORTANT:**  
Statement must be date stamped  
when received

~~1988~~  
1987

**AMENDMENT - Schedule D -- Income  
(Other Than Loans And Gifts)**

**GROSS INCOME RECEIVED:**

NAME OF THE SOURCE OF INCOME <u>Kirsten T Ritchie (spouse)</u>	<input type="checkbox"/> \$250 - \$1,000
ADDRESS <u>Desires &amp; Moore</u> <u>221 Main St. Suite 600 San Francisco, CA 94105</u>	<input type="checkbox"/> \$1,001 - \$10,000
NATURE OF BUSINESS ACTIVITY, IF ANY <u>Consulting Engineer</u>	<input checked="" type="checkbox"/> Over \$10,000
DESCRIPTION OF THE CONSIDERATION FOR WHICH INCOME WAS RECEIVED <u>employment after 4/87</u>	
NAME OF THE SOURCE OF INCOME <u>Kirsten T. Ritchie (spouse)</u>	<input type="checkbox"/> \$250 - \$1,000
ADDRESS <u>Brown, Karger, &amp; Fink</u> <u>Redwood City, CA</u>	<input type="checkbox"/> \$1,001 - \$10,000
NATURE OF BUSINESS ACTIVITY, IF ANY <u>Consulting Engineer</u>	<input checked="" type="checkbox"/> Over \$10,000
DESCRIPTION OF THE CONSIDERATION FOR WHICH INCOME WAS RECEIVED <u>employment before 4/87</u>	

**VERIFICATION**

I have used all reasonable diligence in preparing this statement. I have reviewed the statement and to the best of my knowledge the information contained herein and in the attached schedules is true and complete.

I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on 7/18 (Date), 19 91 (Year), at Oakland, CA (City and State)

SIGNATURE [Signature]

If additional space is needed, check box and attach an additional Schedule D.

NAME Steven Pichie

CITY, COUNTY OR AGENCY \_\_\_\_\_

PERIOD COVERED 1/1/87 - 12/31/87

**IMPORTANT:**  
Statement must be date stamped  
when received

1988  
1987 AMENDMENT - Schedule D -- Income  
(Other Than Loans And Gifts)

GROSS INCOME RECEIVED:

NAME OF THE SOURCE OF INCOME <u>Kristen T. Pichie (spouse)</u>	<input type="checkbox"/> \$250 - \$1,000
ADDRESS <u>Dennis + Moore</u> <u>221 Alameda St Suite 600 San Francisco, CA 94102</u>	<input type="checkbox"/> \$1,001 - \$10,000
NATURE OF BUSINESS ACTIVITY/IF ANY <u>Consulting Engineer</u>	<input checked="" type="checkbox"/> Over \$10,000
DESCRIPTION OF THE CONSIDERATION FOR WHICH INCOME WAS RECEIVED <u>Employment</u>	
NAME OF THE SOURCE OF INCOME	<input type="checkbox"/> \$250 - \$1,000
ADDRESS	<input type="checkbox"/> \$1,001 - \$10,000
NATURE OF BUSINESS ACTIVITY, IF ANY	<input type="checkbox"/> Over \$10,000
DESCRIPTION OF THE CONSIDERATION FOR WHICH INCOME WAS RECEIVED	

**VERIFICATION**

I have used all reasonable diligence in preparing this statement. I have reviewed the statement and to the best of my knowledge the information contained herein and in the attached schedules is true and complete.

I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on 7/18, 19 91, at Oakland, CA  
(Date) (Year) (City and State)

SIGNATURE [Signature]

If additional space is needed, check box and attach an additional Schedule D.

7/23/91 sent orig. to Jerry Johnson  
cases to Fresno Towers

NAME Steven Ritchie  
CITY, COUNTY OR AGENCY \_\_\_\_\_  
PERIOD COVERED 1/1/89 - 12/31/89

**IMPORTANT:**  
Statement must be date stamped  
when received

**1989** AMENDMENT - Schedule D - Income  
(Other Than Loans And Gifts)

GROSS INCOME RECEIVED:

NAME OF THE SOURCE OF INCOME <u>Kirsten T. Ritchie (Spouse)</u>	<input type="checkbox"/> \$250 - \$1,000 <input type="checkbox"/> \$1,001 - \$10,000 <input checked="" type="checkbox"/> Over \$10,000
ADDRESS <u>Browning Ferris Industries 120 Alameda Blvd. #100</u> <u><del>1111 Alameda Blvd.</del> San Jose, CA 95113</u>	
NATURE OF BUSINESS ACTIVITY, IF ANY <u>Waste Disposal</u>	
DESCRIPTION OF THE CONSIDERATION FOR WHICH INCOME WAS RECEIVED <u>employment after 6/89</u>	
NAME OF THE SOURCE OF INCOME <u>Kirsten T. Ritchie (Spouse)</u>	<input type="checkbox"/> \$250 - \$1,000 <input type="checkbox"/> \$1,001 - \$10,000 <input checked="" type="checkbox"/> Over \$10,000
ADDRESS <u>Daniel C. Moore</u> <u>221 Main St. Suite 600 San Francisco, CA 94105</u>	
NATURE OF BUSINESS ACTIVITY, IF ANY <u>Consulting Engineers</u>	
DESCRIPTION OF THE CONSIDERATION FOR WHICH INCOME WAS RECEIVED <u>employment until 6/89</u>	

**VERIFICATION**

I have used all reasonable diligence in preparing this statement. I have reviewed the statement and to the best of my knowledge the information contained herein and in the attached schedules is true and complete.

I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on 7/18, 19 91, at Oakland CA  
(Date) (Year) (City and State)

SIGNATURE [Signature]

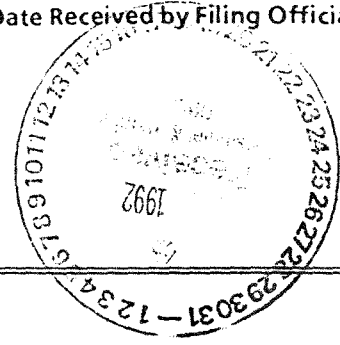
If additional space is needed, check box and attach an additional Schedule D.



Cx. # 13

**FORM 730**  
**Statement of Economic Interests**  
**For Designated Employees**

Date Received by Filing Official



A PUBLIC DOCUMENT  
1991/92

(Type or Print in Ink)

NAME OF FILER

STEVEN R. RITCHIE

NAME OF AGENCY

SAN FRANCISCO BAY REGIONAL WATER QUALITY CONTROL BOARD

POSITION TITLE

EXECUTIVE OFFICER

MAILING ADDRESS

2101 WEBSTER ST., SUITE 500  
OAKLAND, CA 94612

DAYTIME TELEPHONE NUMBER

(510) 464-0516

CHECK THE APPROPRIATE BOX(ES):

**ASSUMING OFFICE STATEMENT:**

- Date \_\_\_\_\_ Positions subject to State Senate confirmation -- File no later than 30 days after your appointment.
- Date \_\_\_\_\_ All other positions -- File no later than 30 days after you assume office.

You must disclose on Schedules A, B, C-1, C-2, and G all reportable investments, interests in real property and business positions required by your disclosure category, held on the date you assumed your position. *In addition, you must disclose on Schedules D, D-1, E, F, H-1, H-2 and H-3 income from all reportable sources received during the 12 months prior to the date you assumed office.*

**ANNUAL STATEMENT:** (Required to be filed for each year that you hold your designated position.)

You are required to file a statement no later than 4/1/92 disclosing all reportable investments, interests in real property and business positions held and income received during the period from January 1, 1991 through December 31, 1991.

**LEAVING OFFICE STATEMENT:** (Required to be filed when you leave your designated position.)

- You are leaving or have left your position on \_\_\_\_\_ and must file a statement no later than 30 days after that date. You must disclose all reportable investments, interests in real property and business positions held and income received during the period from *January 1, 1991 through the date you left your designated position.*

**INITIAL STATEMENT:** (Check the box below ONLY if your position has been recently designated or if you are filing under a new Conflict of Interest Code for your agency.)

- The conflict of interest code for your agency became effective or your position was newly designated on \_\_\_\_\_. You must file a statement no later than 30 days after this date. You must disclose on Schedules A, B, C-1, C-2 and G all reportable investments, interests in real property, and business positions held on the date your agency's code or your designation became effective. *In addition, you must disclose on Schedules D, D-1, E, F, and H-1, H-2 and H-3 income from all reportable sources received during the 12 months prior to the date your agency's code or your designation became effective.*

**CANDIDATE STATEMENT:** (If required by the conflict of interest code of the jurisdiction in which you are seeking elective office.)

- The conflict of interest code specifies the types of interests you must disclose. You may be required to complete Schedules A, B, C-1, C-2 and G.

**THE FOLLOWING SUMMARY MUST BE COMPLETED BY ALL FILERS**

*(Do not complete this summary until you have carefully reviewed the instructions for each schedule)*

**SCHEDULE A -- INVESTMENTS (Which Are Not Held By A Business Entity Or Trust)**

COMPLETED AND ATTACHED     NO REPORTABLE INTERESTS     SCHEDULE DOES NOT APPLY TO MY DISCLOSURE CATEGORY

**SCHEDULE B -- INTERESTS IN REAL PROPERTY (Which Are Not Held By A Business Entity Or Trust)**

COMPLETED AND ATTACHED     NO REPORTABLE INTERESTS     SCHEDULE DOES NOT APPLY TO MY DISCLOSURE CATEGORY

**SCHEDULE C-1 -- INTERESTS IN REAL PROPERTY HELD BY A BUSINESS ENTITY OR TRUST**

COMPLETED AND ATTACHED     NO REPORTABLE INTERESTS     SCHEDULE DOES NOT APPLY TO MY DISCLOSURE CATEGORY

**SCHEDULE C-2 -- INVESTMENTS HELD BY A BUSINESS ENTITY OR TRUST**

COMPLETED AND ATTACHED     NO REPORTABLE INTERESTS     SCHEDULE DOES NOT APPLY TO MY DISCLOSURE CATEGORY

**SCHEDULE D -- INCOME (Other Than Loans And Gifts)**

COMPLETED AND ATTACHED     NO REPORTABLE INTERESTS     SCHEDULE DOES NOT APPLY TO MY DISCLOSURE CATEGORY

**SCHEDULE D-1 -- INCOME - TRAVEL PAYMENTS, ADVANCES, REIMBURSEMENTS**

COMPLETED AND ATTACHED     NO REPORTABLE INTERESTS     SCHEDULE DOES NOT APPLY TO MY DISCLOSURE CATEGORY

**SCHEDULE E -- INCOME - LOANS (Received Or Outstanding During The Reporting Period)**

COMPLETED AND ATTACHED     NO REPORTABLE INTERESTS     SCHEDULE DOES NOT APPLY TO MY DISCLOSURE CATEGORY

**SCHEDULE F -- INCOME - GIFTS**

COMPLETED AND ATTACHED     NO REPORTABLE INTERESTS     SCHEDULE DOES NOT APPLY TO MY DISCLOSURE CATEGORY

**SCHEDULE G -- BUSINESS POSITIONS**

COMPLETED AND ATTACHED     NO REPORTABLE INTERESTS     SCHEDULE DOES NOT APPLY TO MY DISCLOSURE CATEGORY

**SCHEDULE H-1 -- COMMISSION INCOME RECEIVED BY BROKERS, AGENTS AND SALESPERSONS**

COMPLETED AND ATTACHED     NO REPORTABLE INTERESTS     SCHEDULE DOES NOT APPLY TO MY DISCLOSURE CATEGORY

**SCHEDULE H-2 -- INCOME AND LOANS TO BUSINESS ENTITIES OR TRUSTS**

COMPLETED AND ATTACHED     NO REPORTABLE INTERESTS     SCHEDULE DOES NOT APPLY TO MY DISCLOSURE CATEGORY

**SCHEDULE H-3 -- INCOME FROM RENTAL PROPERTY**

COMPLETED AND ATTACHED     NO REPORTABLE INTERESTS     SCHEDULE DOES NOT APPLY TO MY DISCLOSURE CATEGORY

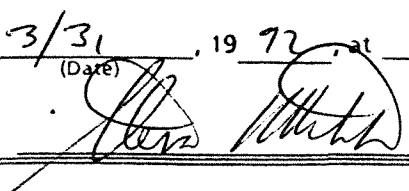
**VERIFICATION**

I have used all reasonable diligence in preparing this statement. I have reviewed the statement and to the best of my knowledge the information contained herein and in the attached schedules is true and complete.

I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on 3/31, 19 72, at Oakland, CA  
(Date) (City and State)

SIGNATURE



NAME Steven R Ritchie

**Schedule A - Investments**  
(Which Are Not Held By A Business Entity Or Trust)

(SEE INSTRUCTIONS ON PRECEDING PAGE)

NAME OF BUSINESS ENTITY <i>Alexander &amp; Baldwin</i>		VALUE <input checked="" type="checkbox"/> \$1,000-\$10,000 <input type="checkbox"/> \$10,001-\$100,000 <input type="checkbox"/> Over \$100,000
NATURE OF INVESTMENT, E.G., COMMON STOCK, PARTNERSHIP INTEREST <i>Comm Stock</i>	If Acquired Or Disposed During The Reporting Period, You Must Indicate Month, Day And Year:	Ownership Interest <input checked="" type="checkbox"/> Less than 10% <input type="checkbox"/> 10% or greater*
GENERAL DESCRIPTION OF BUSINESS ACTIVITY <i>Shipping</i>	Date Acquired: _____ Date Disposed: _____	
NAME OF BUSINESS ENTITY <i>American International</i>		VALUE <input checked="" type="checkbox"/> \$1,000-\$10,000 <input type="checkbox"/> \$10,001-\$100,000 <input type="checkbox"/> Over \$100,000
NATURE OF INVESTMENT, E.G., COMMON STOCK, PARTNERSHIP INTEREST <i>Comm Stock</i>	If Acquired Or Disposed During The Reporting Period, You Must Indicate Month, Day And Year:	Ownership Interest <input checked="" type="checkbox"/> Less than 10% <input type="checkbox"/> 10% or greater*
GENERAL DESCRIPTION OF BUSINESS ACTIVITY <i>Real Estate</i>	Date Acquired: _____ Date Disposed: <u>10/16/91</u>	
NAME OF BUSINESS ENTITY <i>Amgen Inc.</i>		VALUE <input type="checkbox"/> \$1,000-\$10,000 <input checked="" type="checkbox"/> \$10,001-\$100,000 <input type="checkbox"/> Over \$100,000
NATURE OF INVESTMENT, E.G., COMMON STOCK, PARTNERSHIP INTEREST <i>Comm Stock</i>	If Acquired Or Disposed During The Reporting Period, You Must Indicate Month, Day And Year:	Ownership Interest <input checked="" type="checkbox"/> Less than 10% <input type="checkbox"/> 10% or greater*
GENERAL DESCRIPTION OF BUSINESS ACTIVITY <i>Biotechnology</i>	Date Acquired: <u>3/25/91</u> Date Disposed: _____	
NAME OF BUSINESS ENTITY <i>Biogen Inc.</i>		VALUE <input checked="" type="checkbox"/> \$1,000-\$10,000 <input type="checkbox"/> \$10,001-\$100,000 <input type="checkbox"/> Over \$100,000
NATURE OF INVESTMENT, E.G., COMMON STOCK, PARTNERSHIP INTEREST <i>Comm Stock</i>	If Acquired Or Disposed During The Reporting Period, You Must Indicate Month, Day And Year:	Ownership Interest <input checked="" type="checkbox"/> Less than 10% <input type="checkbox"/> 10% or greater*
GENERAL DESCRIPTION OF BUSINESS ACTIVITY <i>Biotechnology</i>	Date Acquired: _____ Date Disposed: _____	

NOTE: YOU MAY BE REQUIRED TO REPORT ON SCHEDULE D ANY SALARY, COMMISSION, DISTRIBUTION OR OTHER INCOME (\$250 OR MORE) RECEIVED BY YOU OR YOUR SPOUSE FROM ANY BUSINESS ENTITY LISTED ON SCHEDULE A.

\*If you have checked this box, you must report on Schedules C-1 and C-2 any interests in real property and investments held by the business entity. In addition, if your pro rata share of the gross income from any one source was \$10,000 or more, you may be required to report the name of that source on Schedule H-2.

If additional space is needed, check box and attach an additional Schedule A.



NAME Steven R. Ritchie

**Schedule A - Investments**  
(Which Are Not Held By A Business Entity Or Trust)

(SEE INSTRUCTIONS ON PRECEDING PAGE)

NAME OF BUSINESS ENTITY <i>Coca Cola Co.</i>		VALUE <input checked="" type="checkbox"/> \$1,000-\$10,000 <input type="checkbox"/> \$10,001-\$100,000 <input type="checkbox"/> Over \$100,000
NATURE OF INVESTMENT, E.G., COMMON STOCK, PARTNERSHIP INTEREST <i>Common Stock</i>	If Acquired Or Disposed During The Reporting Period, You Must Indicate Month, Day And Year: Date Acquired: <u>8/13/91</u> Date Disposed: _____	Ownership Interest <input checked="" type="checkbox"/> Less than 10% <input type="checkbox"/> 10% or greater*
GENERAL DESCRIPTION OF BUSINESS ACTIVITY <i>Beverage</i>		
NAME OF BUSINESS ENTITY <i>Dole Food Co., Inc</i>		VALUE <input type="checkbox"/> \$1,000-\$10,000 <input checked="" type="checkbox"/> \$10,001-\$100,000 <input type="checkbox"/> Over \$100,000
NATURE OF INVESTMENT, E.G., COMMON STOCK, PARTNERSHIP INTEREST <i>Common Stock</i>	If Acquired Or Disposed During The Reporting Period, You Must Indicate Month, Day And Year: Date Acquired: _____ Date Disposed: _____	Ownership Interest <input type="checkbox"/> Less than 10% <input type="checkbox"/> 10% or greater*
GENERAL DESCRIPTION OF BUSINESS ACTIVITY <i>Food</i>		
NAME OF BUSINESS ENTITY <i>Fed. Nat. Mortgage Assn</i>		VALUE <input checked="" type="checkbox"/> \$1,000-\$10,000 <input type="checkbox"/> \$10,001-\$100,000 <input type="checkbox"/> Over \$100,000
NATURE OF INVESTMENT, E.G., COMMON STOCK, PARTNERSHIP INTEREST <i>Common Stock</i>	If Acquired Or Disposed During The Reporting Period, You Must Indicate Month, Day And Year: Date Acquired: _____ Date Disposed: _____	Ownership Interest <input checked="" type="checkbox"/> Less than 10% <input type="checkbox"/> 10% or greater*
GENERAL DESCRIPTION OF BUSINESS ACTIVITY <i>Real Estate</i>		
NAME OF BUSINESS ENTITY <i>General Mills Inc.</i>		VALUE <input checked="" type="checkbox"/> \$1,000-\$10,000 <input type="checkbox"/> \$10,001-\$100,000 <input type="checkbox"/> Over \$100,000
NATURE OF INVESTMENT, E.G., COMMON STOCK, PARTNERSHIP INTEREST <i>Common Stock</i>	If Acquired Or Disposed During The Reporting Period, You Must Indicate Month, Day And Year: Date Acquired: <u>8/13/91</u> Date Disposed: _____	Ownership Interest <input checked="" type="checkbox"/> Less than 10% <input type="checkbox"/> 10% or greater*
GENERAL DESCRIPTION OF BUSINESS ACTIVITY <i>Food</i>		

NOTE: YOU MAY BE REQUIRED TO REPORT ON SCHEDULE D ANY SALARY, COMMISSION, DISTRIBUTION OR OTHER INCOME (\$250 OR MORE) RECEIVED BY YOU OR YOUR SPOUSE FROM ANY BUSINESS ENTITY LISTED ON SCHEDULE A.

\*If you have checked this box, you must report on Schedules C-1 and C-2 any interests in real property and investments held by the business entity. In addition, if your pro rata share of the gross income from any one source was \$10,000 or more, you may be required to report the name of that source on Schedule H-2.

If additional space is needed, check box and attach an additional Schedule A.

2078

NAME Steven R. Ritzlie

**Schedule A - Investments**  
(Which Are Not Held By A Business Entity Or Trust)

(SEE INSTRUCTIONS ON PRECEDING PAGE)

NAME OF BUSINESS ENTITY <u>Boeing</u>		VALUE <input checked="" type="checkbox"/> \$1,000-\$10,000 <input type="checkbox"/> \$10,001-\$100,000 <input type="checkbox"/> Over \$100,000
NATURE OF INVESTMENT, E.G., COMMON STOCK, PARTNERSHIP INTEREST <u>Common Stock</u>	If Acquired Or Disposed During The Reporting Period, You Must Indicate Month, Day And Year: Date Acquired: <u>1/28/91</u> Date Disposed: <u>5/22/91</u>	Ownership Interest <input checked="" type="checkbox"/> Less than 10% <input type="checkbox"/> 10% or greater*
GENERAL DESCRIPTION OF BUSINESS ACTIVITY <u>Aviation</u>		
NAME OF BUSINESS ENTITY <u>Bristol Myers Squibb</u>		VALUE <input checked="" type="checkbox"/> \$1,000-\$10,000 <input type="checkbox"/> \$10,001-\$100,000 <input type="checkbox"/> Over \$100,000
NATURE OF INVESTMENT, E.G., COMMON STOCK, PARTNERSHIP INTEREST <u>Common Stock</u>	If Acquired Or Disposed During The Reporting Period, You Must Indicate Month, Day And Year: Date Acquired: <u>9/12/91</u> Date Disposed: _____	Ownership Interest <input checked="" type="checkbox"/> Less than 10% <input type="checkbox"/> 10% or greater*
GENERAL DESCRIPTION OF BUSINESS ACTIVITY <u>Pharmaceutical</u>		
NAME OF BUSINESS ENTITY <u>Campbell Soup</u>		VALUE <input checked="" type="checkbox"/> \$1,000-\$10,000 <input type="checkbox"/> \$10,001-\$100,000 <input type="checkbox"/> Over \$100,000
NATURE OF INVESTMENT, E.G., COMMON STOCK, PARTNERSHIP INTEREST <u>Common Stock</u>	If Acquired Or Disposed During The Reporting Period, You Must Indicate Month, Day And Year: Date Acquired: _____ Date Disposed: _____	Ownership Interest <input checked="" type="checkbox"/> Less than 10% <input type="checkbox"/> 10% or greater*
GENERAL DESCRIPTION OF BUSINESS ACTIVITY <u>Food</u>		
NAME OF BUSINESS ENTITY <u>Centocor Inc.</u>		VALUE <input checked="" type="checkbox"/> \$1,000-\$10,000 <input type="checkbox"/> \$10,001-\$100,000 <input type="checkbox"/> Over \$100,000
NATURE OF INVESTMENT, E.G., COMMON STOCK, PARTNERSHIP INTEREST <u>Common Stock</u>	If Acquired Or Disposed During The Reporting Period, You Must Indicate Month, Day And Year: Date Acquired: <u>12/26/91</u> Date Disposed: _____	Ownership Interest <input checked="" type="checkbox"/> Less than 10% <input type="checkbox"/> 10% or greater*
GENERAL DESCRIPTION OF BUSINESS ACTIVITY		

NOTE: YOU MAY BE REQUIRED TO REPORT ON SCHEDULE D ANY SALARY, COMMISSION, DISTRIBUTION OR OTHER INCOME (\$250 OR MORE) RECEIVED BY YOU OR YOUR SPOUSE FROM ANY BUSINESS ENTITY LISTED ON SCHEDULE A.

\*If you have checked this box, you must report on Schedules C-1 and C-2 any interests in real property and investments held by the business entity. In addition, if your pro rata share of the gross income from any one source was \$10,000 or more, you may be required to report the name of that source on Schedule H-2.

If additional space is needed, check box and attach an additional Schedule A.

3018

NAME Stera R. Ritchie

**Schedule A - Investments**  
(Which Are Not Held By A Business Entity Or Trust)

(SEE INSTRUCTIONS ON PRECEDING PAGE)

NAME OF BUSINESS ENTITY <i>Walt Disney Co.</i>		VALUE <input checked="" type="checkbox"/> \$1,000-\$10,000 <input type="checkbox"/> \$10,001-\$100,000 <input type="checkbox"/> Over \$100,000
NATURE OF INVESTMENT, E.G., COMMON STOCK, PARTNERSHIP INTEREST <i>Comm Stock</i>	If Acquired Or Disposed During The Reporting Period, You Must Indicate Month, Day And Year:	Ownership Interest <input checked="" type="checkbox"/> Less than 10% <input type="checkbox"/> 10% or greater*
GENERAL DESCRIPTION OF BUSINESS ACTIVITY <i>Entertainment</i>	Date Acquired: <del>1/1/91</del> Date Disposed: <u>11/5/91</u>	
NAME OF BUSINESS ENTITY <i>H. J. Heinz Co.</i>		VALUE <input type="checkbox"/> \$1,000-\$10,000 <input checked="" type="checkbox"/> \$10,001-\$100,000 <input type="checkbox"/> Over \$100,000
NATURE OF INVESTMENT, E.G., COMMON STOCK, PARTNERSHIP INTEREST <i>Comm Stock</i>	If Acquired Or Disposed During The Reporting Period, You Must Indicate Month, Day And Year:	Ownership Interest <input checked="" type="checkbox"/> Less than 10% <input type="checkbox"/> 10% or greater*
GENERAL DESCRIPTION OF BUSINESS ACTIVITY <i>Food</i>	Date Acquired: _____ Date Disposed: _____	
NAME OF BUSINESS ENTITY <i>Home Depot Inc.</i>		VALUE <input type="checkbox"/> \$1,000-\$10,000 <input checked="" type="checkbox"/> \$10,001-\$100,000 <input type="checkbox"/> Over \$100,000
NATURE OF INVESTMENT, E.G., COMMON STOCK, PARTNERSHIP INTEREST <i>Comm Stock</i>	If Acquired Or Disposed During The Reporting Period, You Must Indicate Month, Day And Year:	Ownership Interest <input checked="" type="checkbox"/> Less than 10% <input type="checkbox"/> 10% or greater*
GENERAL DESCRIPTION OF BUSINESS ACTIVITY <i>Retail Stores</i>	Date Acquired: _____ Date Disposed: _____	
NAME OF BUSINESS ENTITY <i>Fluor</i>		VALUE <input checked="" type="checkbox"/> \$1,000-\$10,000 <input type="checkbox"/> \$10,001-\$100,000 <input type="checkbox"/> Over \$100,000
NATURE OF INVESTMENT, E.G., COMMON STOCK, PARTNERSHIP INTEREST <i>Comm Stock</i>	If Acquired Or Disposed During The Reporting Period, You Must Indicate Month, Day And Year:	Ownership Interest <input checked="" type="checkbox"/> Less than 10% <input type="checkbox"/> 10% or greater*
GENERAL DESCRIPTION OF BUSINESS ACTIVITY <i>Mining &amp; Engineering</i>	Date Acquired: _____ Date Disposed: <u>9/5/91</u>	

NOTE: YOU MAY BE REQUIRED TO REPORT ON SCHEDULE D ANY SALARY, COMMISSION, DISTRIBUTION OR OTHER INCOME (\$250 OR MORE) RECEIVED BY YOU OR YOUR SPOUSE FROM ANY BUSINESS ENTITY LISTED ON SCHEDULE A.

\*If you have checked this box, you must report on Schedules C-1 and C-2 any interests in real property and investments held by the business entity. In addition, if your pro rata share of the gross income from any one source was \$10,000 or more, you may be required to report the name of that source on Schedule H-2.

If additional space is needed, check box and attach an additional Schedule A.

4018

NAME Steve R. Ritchie

**Schedule A - Investments**  
(Which Are Not Held By A Business Entity Or Trust)

(SEE INSTRUCTIONS ON PRECEDING PAGE)

NAME OF BUSINESS ENTITY <i>Helmerich and Payne</i>		VALUE <input checked="" type="checkbox"/> \$1,000-\$10,000 <input type="checkbox"/> \$10,001-\$100,000 <input type="checkbox"/> Over \$100,000
NATURE OF INVESTMENT, E.G., COMMON STOCK, PARTNERSHIP INTEREST <i>Common Stock</i>	If Acquired Or Disposed During The Reporting Period, You Must Indicate Month, Day And Year: Date Acquired: _____ Date Disposed: <u>1/28/91</u>	Ownership Interest <input checked="" type="checkbox"/> Less than 10% <input type="checkbox"/> 10% or greater*
GENERAL DESCRIPTION OF BUSINESS ACTIVITY <i>Real Estate</i>		
NAME OF BUSINESS ENTITY <i>Johnson and Johnson</i>		VALUE <input type="checkbox"/> \$1,000-\$10,000 <input checked="" type="checkbox"/> \$10,001-\$100,000 <input type="checkbox"/> Over \$100,000
NATURE OF INVESTMENT, E.G., COMMON STOCK, PARTNERSHIP INTEREST <i>Common Stock</i>	If Acquired Or Disposed During The Reporting Period, You Must Indicate Month, Day And Year: Date Acquired: <u>9/12/91</u> Date Disposed: _____	Ownership Interest <input checked="" type="checkbox"/> Less than 10% <input type="checkbox"/> 10% or greater*
GENERAL DESCRIPTION OF BUSINESS ACTIVITY <i>Medical Supplies</i>		
NAME OF BUSINESS ENTITY <i>Medical Care International</i>		VALUE <input checked="" type="checkbox"/> \$1,000-\$10,000 <input type="checkbox"/> \$10,001-\$100,000 <input type="checkbox"/> Over \$100,000
NATURE OF INVESTMENT, E.G., COMMON STOCK, PARTNERSHIP INTEREST <i>Common Stock</i>	If Acquired Or Disposed During The Reporting Period, You Must Indicate Month, Day And Year: Date Acquired: <u>10/23/91</u> Date Disposed: _____	Ownership Interest <input checked="" type="checkbox"/> Less than 10% <input type="checkbox"/> 10% or greater*
GENERAL DESCRIPTION OF BUSINESS ACTIVITY <i>Hospital Supply</i>		
NAME OF BUSINESS ENTITY <i>Merck and Co.</i>		VALUE <input checked="" type="checkbox"/> \$1,000-\$10,000 <input type="checkbox"/> \$10,001-\$100,000 <input type="checkbox"/> Over \$100,000
NATURE OF INVESTMENT, E.G., COMMON STOCK, PARTNERSHIP INTEREST <i>Common Stock</i>	If Acquired Or Disposed During The Reporting Period, You Must Indicate Month, Day And Year: Date Acquired: _____ Date Disposed: _____	Ownership Interest <input checked="" type="checkbox"/> Less than 10% <input type="checkbox"/> 10% or greater*
GENERAL DESCRIPTION OF BUSINESS ACTIVITY <i>Chemicals</i>		

NOTE: YOU MAY BE REQUIRED TO REPORT ON SCHEDULE D ANY SALARY, COMMISSION, DISTRIBUTION OR OTHER INCOME (\$250 OR MORE) RECEIVED BY YOU OR YOUR SPOUSE FROM ANY BUSINESS ENTITY LISTED ON SCHEDULE A.

\*If you have checked this box, you must report on Schedules C-1 and C-2 any interests in real property and investments held by the business entity. In addition, if your pro rata share of the gross income from any one source was \$10,000 or more, you may be required to report the name of that source on Schedule H-2.

If additional space is needed, check box and attach an additional Schedule A.

518

NAME Steve R Ritchie

**Schedule A - Investments**  
(Which Are Not Held By A Business Entity Or Trust)

(SEE INSTRUCTIONS ON PRECEDING PAGE)

NAME OF BUSINESS ENTITY <i>Microsoft Corp.</i>		VALUE <input type="checkbox"/> \$1,000-\$10,000 <input checked="" type="checkbox"/> \$10,001-\$100,000 <input type="checkbox"/> Over \$100,000
NATURE OF INVESTMENT, E.G., COMMON STOCK, PARTNERSHIP INTEREST <i>Common Stock</i>	If Acquired Or Disposed During The Reporting Period, You Must Indicate Month, Day And Year: Date Acquired: _____ Date Disposed: _____	Ownership Interest <input checked="" type="checkbox"/> Less than 10% <input type="checkbox"/> 10% or greater*
GENERAL DESCRIPTION OF BUSINESS ACTIVITY <i>Software</i>		
NAME OF BUSINESS ENTITY <i>Mobil Corp.</i>		VALUE <input checked="" type="checkbox"/> \$1,000-\$10,000 <input type="checkbox"/> \$10,001-\$100,000 <input type="checkbox"/> Over \$100,000
NATURE OF INVESTMENT, E.G., COMMON STOCK, PARTNERSHIP INTEREST <i>Common Stock</i>	If Acquired Or Disposed During The Reporting Period, You Must Indicate Month, Day And Year: Date Acquired: _____ Date Disposed: _____	Ownership Interest <input checked="" type="checkbox"/> Less than 10% <input type="checkbox"/> 10% or greater*
GENERAL DESCRIPTION OF BUSINESS ACTIVITY <i>Petroleum</i>		
NAME OF BUSINESS ENTITY <i>Novell, Inc.</i>		VALUE <input type="checkbox"/> \$1,000-\$10,000 <input checked="" type="checkbox"/> \$10,001-\$100,000 <input type="checkbox"/> Over \$100,000
NATURE OF INVESTMENT, E.G., COMMON STOCK, PARTNERSHIP INTEREST <i>Common Stock</i>	If Acquired Or Disposed During The Reporting Period, You Must Indicate Month, Day And Year: Date Acquired: _____ Date Disposed: _____	Ownership Interest <input checked="" type="checkbox"/> Less than 10% <input type="checkbox"/> 10% or greater*
GENERAL DESCRIPTION OF BUSINESS ACTIVITY <i>Software</i>		
NAME OF BUSINESS ENTITY <i>Pfizer Inc.</i>		VALUE <input checked="" type="checkbox"/> \$1,000-\$10,000 <input type="checkbox"/> \$10,001-\$100,000 <input type="checkbox"/> Over \$100,000
NATURE OF INVESTMENT, E.G., COMMON STOCK, PARTNERSHIP INTEREST <i>Common Stock</i>	If Acquired Or Disposed During The Reporting Period, You Must Indicate Month, Day And Year: Date Acquired: _____ Date Disposed: _____	Ownership Interest <input checked="" type="checkbox"/> Less than 10% <input type="checkbox"/> 10% or greater*
GENERAL DESCRIPTION OF BUSINESS ACTIVITY <i>Pharmaceutical</i>		

NOTE: YOU MAY BE REQUIRED TO REPORT ON SCHEDULE D ANY SALARY, COMMISSION, DISTRIBUTION OR OTHER INCOME (\$250 OR MORE) RECEIVED BY YOU OR YOUR SPOUSE FROM ANY BUSINESS ENTITY LISTED ON SCHEDULE A.

\*If you have checked this box, you must report on Schedules C-1 and C-2 any interests in real property and investments held by the business entity. In addition, if your pro rata share of the gross income from any one source was \$10,000 or more, you may be required to report the name of that source on Schedule H-2.

If additional space is needed, check box and attach an additional Schedule A.

6 of 8

NAME Steven R Ritchie

**Schedule A - Investments**  
(Which Are Not Held By A Business Entity Or Trust)

(SEE INSTRUCTIONS ON PRECEDING PAGE)

NAME OF BUSINESS ENTITY <u>Price Co.</u>		VALUE <input type="checkbox"/> \$1,000-\$10,000 <input checked="" type="checkbox"/> \$10,001-\$100,000 <input type="checkbox"/> Over \$100,000
NATURE OF INVESTMENT, E.G., COMMON STOCK, PARTNERSHIP INTEREST <u>Common Stock</u>	If Acquired Or Disposed During The Reporting Period, You Must Indicate Month, Day And Year: Date Acquired: _____ Date Disposed: _____	Ownership Interest <input checked="" type="checkbox"/> Less than 10% <input type="checkbox"/> 10% or greater*
GENERAL DESCRIPTION OF BUSINESS ACTIVITY		
NAME OF BUSINESS ENTITY <u>Racal Telecom</u>		VALUE <input checked="" type="checkbox"/> \$1,000-\$10,000 <input type="checkbox"/> \$10,001-\$100,000 <input type="checkbox"/> Over \$100,000
NATURE OF INVESTMENT, E.G., COMMON STOCK, PARTNERSHIP INTEREST <u>Common Stock</u>	If Acquired Or Disposed During The Reporting Period, You Must Indicate Month, Day And Year: Date Acquired: _____ Date Disposed: <u>5/22/91</u>	Ownership Interest <input checked="" type="checkbox"/> Less than 10% <input type="checkbox"/> 10% or greater*
GENERAL DESCRIPTION OF BUSINESS ACTIVITY <u>Telecommunications</u>		
NAME OF BUSINESS ENTITY <u>Student Loan Marketing</u>		VALUE <input checked="" type="checkbox"/> \$1,000-\$10,000 <input type="checkbox"/> \$10,001-\$100,000 <input type="checkbox"/> Over \$100,000
NATURE OF INVESTMENT, E.G., COMMON STOCK, PARTNERSHIP INTEREST <u>Common Stock</u>	If Acquired Or Disposed During The Reporting Period, You Must Indicate Month, Day And Year : Date Acquired: _____ Date Disposed: _____	Ownership Interest <input checked="" type="checkbox"/> Less than 10% <input type="checkbox"/> 10% or greater*
GENERAL DESCRIPTION OF BUSINESS ACTIVITY <u>Student loans</u>		
NAME OF BUSINESS ENTITY <u>Surgical Care Affiliates</u>		VALUE <input checked="" type="checkbox"/> \$1,000-\$10,000 <input type="checkbox"/> \$10,001-\$100,000 <input type="checkbox"/> Over \$100,000
NATURE OF INVESTMENT, E.G., COMMON STOCK, PARTNERSHIP INTEREST <u>Common Stock</u>	If Acquired Or Disposed During The Reporting Period, You Must Indicate Month, Day And Year: Date Acquired: _____ Date Disposed: _____	Ownership Interest <input checked="" type="checkbox"/> Less than 10% <input type="checkbox"/> 10% or greater*
GENERAL DESCRIPTION OF BUSINESS ACTIVITY <u>Medical</u>		

NOTE: YOU MAY BE REQUIRED TO REPORT ON SCHEDULE D ANY SALARY, COMMISSION, DISTRIBUTION OR OTHER INCOME (\$250 OR MORE) RECEIVED BY YOU OR YOUR SPOUSE FROM ANY BUSINESS ENTITY LISTED ON SCHEDULE A.

\*If you have checked this box, you must report on Schedules C-1 and C-2 any interests in real property and investments held by the business entity. In addition, if your pro rata share of the gross income from any one source was \$10,000 or more, you may be required to report the name of that source on Schedule H-2.

If additional space is needed, check box and attach an additional Schedule A.

NAME Steve R. Ritchie

**Schedule A - Investments**  
(Which Are Not Held By A Business Entity Or Trust)

(SEE INSTRUCTIONS ON PRECEDING PAGE)

NAME OF BUSINESS ENTITY <i>Telefonos de Mexico SA</i>		VALUE <input checked="" type="checkbox"/> \$1,000-\$10,000 <input type="checkbox"/> \$10,001-\$100,000 <input type="checkbox"/> Over \$100,000
NATURE OF INVESTMENT, E.G., COMMON STOCK, PARTNERSHIP INTEREST <i>Common Stock</i>	If Acquired Or Disposed During The Reporting Period, You Must Indicate Month, Day And Year: Date Acquired: <u>8/13/91</u> Date Disposed: _____	Ownership Interest <input checked="" type="checkbox"/> Less than 10% <input type="checkbox"/> 10% or greater*
GENERAL DESCRIPTION OF BUSINESS ACTIVITY <i>Telecommunications</i>		
NAME OF BUSINESS ENTITY <i>Wal-Mart Stores</i>		VALUE <input checked="" type="checkbox"/> \$1,000-\$10,000 <input type="checkbox"/> \$10,001-\$100,000 <input type="checkbox"/> Over \$100,000
NATURE OF INVESTMENT, E.G., COMMON STOCK, PARTNERSHIP INTEREST <i>Common Stock</i>	If Acquired Or Disposed During The Reporting Period, You Must Indicate Month, Day And Year: Date Acquired: <u>8/13/91</u> Date Disposed: _____	Ownership Interest <input type="checkbox"/> Less than 10% <input type="checkbox"/> 10% or greater*
GENERAL DESCRIPTION OF BUSINESS ACTIVITY <i>Retail Sales</i>		
NAME OF BUSINESS ENTITY <i>GMAC</i>		VALUE <input checked="" type="checkbox"/> \$1,000-\$10,000 <input type="checkbox"/> \$10,001-\$100,000 <input type="checkbox"/> Over \$100,000
NATURE OF INVESTMENT, E.G., COMMON STOCK, PARTNERSHIP INTEREST <i>Bonds</i>	If Acquired Or Disposed During The Reporting Period, You Must Indicate Month, Day And Year: Date Acquired: _____ Date Disposed: _____	Ownership Interest <input checked="" type="checkbox"/> Less than 10% <input type="checkbox"/> 10% or greater*
GENERAL DESCRIPTION OF BUSINESS ACTIVITY <i>Finance</i>		
NAME OF BUSINESS ENTITY		VALUE <input type="checkbox"/> \$1,000-\$10,000 <input type="checkbox"/> \$10,001-\$100,000 <input type="checkbox"/> Over \$100,000
NATURE OF INVESTMENT, E.G., COMMON STOCK, PARTNERSHIP INTEREST	If Acquired Or Disposed During The Reporting Period, You Must Indicate Month, Day And Year: Date Acquired: _____ Date Disposed: _____	Ownership Interest <input type="checkbox"/> Less than 10% <input type="checkbox"/> 10% or greater*
GENERAL DESCRIPTION OF BUSINESS ACTIVITY		

NOTE: YOU MAY BE REQUIRED TO REPORT ON SCHEDULE D ANY SALARY, COMMISSION, DISTRIBUTION OR OTHER INCOME (\$250 OR MORE) RECEIVED BY YOU OR YOUR SPOUSE FROM ANY BUSINESS ENTITY LISTED ON SCHEDULE A.

\*If you have checked this box, you must report on Schedules C-1 and C-2 any interests in real property and investments held by the business entity. In addition, if your pro rata share of the gross income from any one source was \$10,000 or more, you may be required to report the name of that source on Schedule H-2.

If additional space is needed, check box and attach an additional Schedule A.

NAME STEVEN R. RITCHIE

**Schedule D - Income**  
(Other Than Loans, Gifts And Honoraria)

(SEE INSTRUCTIONS ON PRECEDING PAGE)

GROSS INCOME RECEIVED:

NAME OF THE SOURCE OF INCOME <u>BROWNING FERRIS INDUSTRIES</u>	<input type="checkbox"/> \$250 - \$1,000 <input type="checkbox"/> \$1,001 - \$10,000 <input checked="" type="checkbox"/> Over \$10,000
ADDRESS <u>150 ALMADEN, SUITE 900</u> <u>SAN JOSE, CA 95713</u>	
NATURE OF BUSINESS ACTIVITY, IF ANY <u>WASTE MANAGEMENT</u>	
DESCRIPTION OF THE CONSIDERATION FOR WHICH INCOME WAS RECEIVED <u>SPOUSE'S SALARY</u>	
NAME OF THE SOURCE OF INCOME	<input type="checkbox"/> \$250 - \$1,000 <input type="checkbox"/> \$1,001 - \$10,000 <input type="checkbox"/> Over \$10,000
ADDRESS	
NATURE OF BUSINESS ACTIVITY, IF ANY	
DESCRIPTION OF THE CONSIDERATION FOR WHICH INCOME WAS RECEIVED	
NAME OF THE SOURCE OF INCOME	<input type="checkbox"/> \$250 - \$1,000 <input type="checkbox"/> \$1,001 - \$10,000 <input type="checkbox"/> Over \$10,000
ADDRESS	
NATURE OF BUSINESS ACTIVITY, IF ANY	
DESCRIPTION OF THE CONSIDERATION FOR WHICH INCOME WAS RECEIVED	
NAME OF THE SOURCE OF INCOME	<input type="checkbox"/> \$250 - \$1,000 <input type="checkbox"/> \$1,001 - \$10,000 <input type="checkbox"/> Over \$10,000
ADDRESS	
NATURE OF BUSINESS ACTIVITY, IF ANY	
DESCRIPTION OF THE CONSIDERATION FOR WHICH INCOME WAS RECEIVED	

If additional space is needed, check box and attach an additional Schedule D.





MEMORANDUM

*C.R. #14*

California Regional Water Quality Control Board - San Francisco Bay


2101 Webster Street, Suite 500, Oakland, CA 94612 ATSS 561-1255

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TO: Keeper of Conflict of Interest Records

Date: May 21, 1991

FROM:

  
Steven R. Ritchie  
Executive Officer

SUBJECT: 1990 CONFLICT OF INTEREST STATEMENT

This memo is to correct an error in my 1990 Conflict of Interest Statement.

I neglected to include my spouse's income from Browning-Ferris Industries in my 1990 Conflict of Interest Statement. She became employed by Browning-Ferris Industries in approximately June 1989. This would correct that statement to show the income received from her employment there during that period of time which was approximately \$25,000.



Ex. # 15

*Deal*

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
SAN FRANCISCO BAY REGION  
1111 JACKSON STREET, ROOM 6040  
OAKLAND 94607

Phone: Area Code 415  
464-1255



Date: October 31, 1989  
File No: 2189.8047 (WBH)

Mr. Mark Wolthausen  
Landfill Manager  
Browning-Ferris Industries  
P.O. Box 360049  
Milpitas, California 95035

Subject: As Built Verification, Geotechnical Observation and  
Laboratory Test Data, Area 2, Subarea 4, Newby  
Island Sanitary Landfill, San Jose

Dear Mr. Wolthausen:

Regional Board staff have reviewed the subject As Built Verification Report, which you submitted regarding the bottom liner for the Area 2, Subarea 4, landfill expansion at Newby Island. Staff have determined that based on the information submitted, the construction of the clay liner is consistent with the requirements specified in Subchapter 15, Chapter 3, of Title 23 of the California Code of Regulations (Subchapter 15) and Waste Discharge Requirements Order # 87-152.

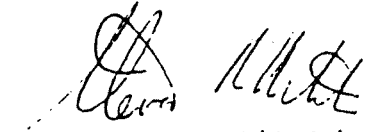
Therefore, you are hereby authorized to dispose Class 3 Municipal Solid Waste in the Area 2, Subarea 3 landfill expansion once installation of the leachate collection and removal system is completed. Operation of this expansion area must be consistent with the requirements set forth in Subchapter 15 and Waste Discharge Requirements Order # 87-152.

Also, as discussed in my letter of March 2, 1989, prior to discharge of any ponded storm water runoff from the site, the following water quality analyses are required to confirm that no constituents of concern are present:

- 1) EPA Analytical Method 601
- 2) EPA Analytical Method 602
- 3) A 96 hour acute toxicity static renewal bioassay using rainbow trout.
- 4) Total Dissolved Solids.

You are requested to report these data to this office prior to any discharge. If you have questions regarding these matters, please contact William Hurley at (415) 464-0903.

Sincerely,

  
Steven R. Ritchie  
Executive Officer

cc: Mr. Bruce Murphy, Purcell, Rhoades and Associates  
Mr. Douglas Barlow, City of San Jose  
Mr. Don Dier, California Waste Management Board

## CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD

SAN FRANCISCO BAY REGION  
2101 WEBSTER STREET, SUITE 500  
OAKLAND, CA 94612

Phone: Area Code 415  
464-1255



April 18, 1991

File No. 2119.1006 (LWT)

Mr. David Humm  
Technical Manager  
California and Hawaiian Sugar Company  
Crockett Refinery  
Crockett, CA 94525

Subject: Incomplete Compliance Monitoring During Christmas Plant Shutdown  
California & Hawaiian Sugar Co., Crockett Refinery  
NPDES No. CA0005240

Dear Mr. Humm:

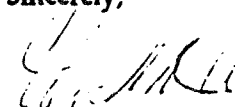
You reported in your January 10, 1991 Self-Monitoring Report (SMR) for December 1990 that due to the refinery shutdown over the Christmas holidays, some compliance samples were not collected. Based on our review of the SMR, a total of 30 compliance grab/composite samples were not collected, and 12 days of continuous pH readings were missed. These missing data involved outfalls E-001, E-002, and E-003, and receiving water stations (see enclosed Memo to File No. 2213.1006).

Technically, this is a violation of Provision D.10 of Order No. 89-121 which requires compliance with the self-monitoring program. But considering the compliance history for this facility and that this was a major refinery shutdown, we will not pursue enforcement for this violation.

However, for future holiday shutdowns, you should arrange for personnel to collect and analyze effluent samples from E-002 as required by the self-monitoring program. As you are aware, Crockett Valona Sanitary District contributes about 30 percent of the wastewater to the secondary treatment plant which discharges through outfall E-002. This sanitary wastewater is unaffected by the C&H refinery shutdown.

If you have any questions, please call Lila Tang at (415)464-0884.

Sincerely,

  
Steven R. Ritchie  
Executive Officer

Enclosure

copy to: Sandra Stevens, C&H Sugar  
EPA Region IX - Permits and Compliance Branch (W-5)



Ex # 17

UNCONTESTED

STATE OF CALIFORNIA  
CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
SAN FRANCISCO BAY REGION

EXECUTIVE OFFICER SUMMARY REPORT  
MEETING DATE: July 19, 1989

ITEM: 11

SUBJECT: CALIFORNIA AND HAWAIIAN SUGAR COMPANY AND CROCKETT - VALONA  
SANITARY DISTRICT, CONTRA COSTA COUNTY - PERMIT REISSUANCE

CHRONOLOGY: March 21, 1984 - NPDES Permit Reissued

DISCUSSION: The California and Hawaiian Sugar Company (C&H) owns and operates a plant which refines raw cane sugar and packages the white sugar. The discharge streams from this plant are primarily cooling water, and waste sugar water which is treated in a sanitary wastewater treatment plant which also receives sewage from the Crockett-Valona Sanitary District (the District). For this reason, this NPDES permit is held jointly by C&H and the District.

C&H has several stormwater discharges from material receiving and storage areas within the sugar refinery. These discharges have been permitted in the past, but will not comply with current policies regarding stormwater runoff contaminated as a result of industrial operations. C&H is in the process of constructing facilities to divert these contaminated stormwaters to their wastewater treatment system. This Tentative Order contains a two year deadline for completion of these projects.

This Tentative Order also contains the Basin Plan Table 4-1 metals limits, and a requirement for a Best Management Practices Plan.

RECOMMEN- I recommend adoption of the tentative order.  
DATION:

File No. 2119.1006

- Appendices: A. Tentative Order  
B. Public Hearing Notice



CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
SAN FRANCISCO BAY REGION

ORDER NO. 89-  
NPDES PERMIT NO. CA0005240  
WASTE DISCHARGE REQUIREMENTS FOR:

CALIFORNIA AND HAWAIIAN SUGAR COMPANY  
CROCKETT, CONTRA COSTA COUNTY

AND

CROCKETT-VALONA SANITARY DISTRICT  
CROCKETT, CONTRA COSTA COUNTY

The California Regional Water Quality Control Board, San Francisco Bay Region, hereinafter Board, finds that:

1. California and Hawaiian Sugar Company (hereinafter C&H) and the Crockett-Valona Sanitary District (hereinafter the District) jointly filed an application for NPDES permit reissuance dated August 30, 1988. This NPDES permit application covers wastewaters generated by the C&H cane sugar refinery, the District's sewerage system and the plant that treats and disposes of the combined waste.
2. C&H and the District (hereinafter the Dischargers) entered into a Joint-use Agreement for the Dischargers' treatment plant on November 9, 1976.
3. The District is responsible for collection and handling sewage within its sewer system. Sewage is comminuted and degrittied before the District pumps it to the Dischargers' treatment plant. All the grit thus removed is hauled to a permitted Class II disposal site.
4. C&H is responsible for waste discharged at its sugar refinery and for operation of the Dischargers' treatment plant and outfall, as well as the additional discharge points from the sugar refinery.
5. Sludge from the wastewater treatment plant and other solid waste from the C&H sugar refinery is disposed of at a landfill on C&H property. C&H has filed a Report of Waste Discharge on this landfill in January of 1989. As of the date of this Order, no Waste Discharge Requirements have been issued for this landfill.
6. C&H discharges industrial and sanitary wastes containing pollutants into Carquinez and an unnamed tidal stream tributary thereto, both waters of the United States, as follows:
  - a. Waste 001 consists of 27.4 million gallons per day (mgd) of once through cooling water used in barometric condensers on vacuum pans, condensed vapors from vacuum pans, cooling water for evaporators and steam turbine heat exchangers. It also includes brine and rinse water from zeolite units and boiler blowdown water and roof drain water and is discharged through a diffuser at

the bottom of Carquinez Strait which extends to approximately 200 feet offshore at a depth of 47 feet.

- b. Waste 002 consists of 1.2 mgd of effluent from the biological treatment of process waste from the C&H sugar refinery and domestic waste from the District. Wastes from the sugar refinery include waste sugar solutions, bone charcoal washings, waste filter aid slurries, refinery equipment washdowns, rail car washings, boiler water treatment waters (silica removal), clarifier insolubles and scums. The treated effluent is discharged through a 47 foot deep submerged outfall and diffuser to Carquinez Strait, 637 feet from shore directly below the Carquinez Bridge.
- c. Waste 003 consists of 0.02 mgd of boiler house waste including seal and cooling waters from pump glands, fan bearings, air compressor and brine and rinse waters from zeolite softeners. Some of Waste 001 may be diverted through a valved connection to Waste 003 for pH adjustment provided compliance with the temperature requirement is maintained.
- d. Waste 004 consists of about 100 gallons per day of water from the refinery rail car scale pit which accumulates from rinsing the exterior top hatches of rail cars carrying bulk granulated sugar. This waste also includes some stormwater run-off from the refinery yard. Waste 004 will be permanently diverted to the wastewater treatment plant by January 1, 1990.
- e. Waste 005 consists of about 100 gallons per day of wastewater effluent from an oil and grease separator at a steam cleaning wash rack. This waste also includes some storm water from the refinery yard and community.
- g. Waste 007 consists of about 100 gallons per day of wastewater from the truckloading station and includes water from hydraulic operators, loading spout washing, scale pit drainage and some run-off. Waste 007 is currently inactive, but may be used in the future.
- h. Waste 008 consists of stormwaters from the refinery yard and small quantities from a steam cleaning rack and fire hose washing.
- i. Waste 009 consists of effluent from the oil separator on the drains from the raw sugar dock. These drains discharge primarily stormwater.

Within twenty four (24) months of the issuance date of this Order, pursuant to Provision 4. of this Order, all wastewater flows from outfalls 004 through 009 will be diverted to the Crockett-Valona Sanitary District sewer lines or C&H wastewater treatment plant lines whenever washing or steam cleaning operations are being carried out, during the first rainstorm of each winter season and at any other time that these streams may contain constituents of concern. Some or all of some of these flows will be permanently diverted to the wastewater treatment plant. Detailed plans for the diversions of these waste

streams to treatment will be submitted for approval by the Executive Officer of the Regional Board within six months of the date of adoption of this Order.

7. C&H is exempt from the requirements 5.A(1)a and 5.A(2) of the State Thermal Plan (Water Quality Control Plan for Control of Temperature in the Coastal and Interstate Waters and Enclosed Bays and Estuaries of California) based upon State Water Resources Control Board Resolution 75-72 issued July 17, 1975 and the U.S. Environmental Protection Agency's concurrence by letter of September 2, 1975.
8. The Board adopted a revised Water Quality Control Plan for the San Francisco Bay Basin (Basin Plan) on December 16, 1986.
9. The beneficial uses of Carquinez Strait and contiguous waters are:
  - a. Recreation (contact and non-contact).
  - b. Fish migration and spawning
  - c. Habitat for wildlife and estuarine organisms including some rare and endangered species.
  - d. Industrial service and process water supply.
  - e. Esthetic enjoyment.
  - f. Navigation.
  - g. Commercial and sport fishing.
10. Effluent limitations established in 40 CFR 409.20, Subpart B, Crystalline Cane Sugar Refining Subcategory are applicable to the discharge. The discharger's Biological Oxygen Demand and Total Suspended Solids Effluent Limits are set according to this Federal guideline proportional to the 4300 tons per day of raw sugar melt which is processed, as reported in the application for NPDES permit renewal.
11. Effluent limitations and toxic effluent standards established pursuant to Section 301, 304, and 307 of the Clean Water Act and amendments thereto are applicable to the discharge.
12. The issuance of waste discharge requirements for this discharge is exempt from the provisions of Chapter 3 (commencing with Section 21000 of Division 13 of the Public Resources Code in accordance with Water Code Section 13389.
13. The Board has notified the discharger and interested agencies and persons of its intent to prescribe waste discharge requirements for the discharge and has provided them with an opportunity to submit their written views and recommendations.
14. The Board, in a public meeting, heard and considered all comments pertaining to the discharge.

IT IS HEREBY ORDERED THAT the discharger in order to meet the provisions contained in Division 7 of the California Water Code and regulations adopted thereunder, and the provisions of the Federal Water Pollution Control Act and regulations and guidelines adopted thereunder, shall comply with the following:

A. Effluent Limitations

1. Effluent discharge shall not exceed the following total mass emission rates:

a. Total mass emission rate of BOD<sub>5</sub> contributed by Wastes 001\*, 002, 003, 004, 005 and 007 shall be determined by summing the calculated industrial effluent guideline limits for C&H with the calculated municipal limits for the District as follows:

Limit	=	C&H	+	District
Limit (monthly average lbs/day)	=	3700	+	30 mg/l x District flow (mgd) x 8.34
Limit (monthly average kg/day)	=	1700	+	30 mg/l x District flow (mgd) x 3.79
Limit (daily max. lbs/day)	=	10,000	+	60 mg/l x District flow (mgd) x 8.34
Limit (daily max. kg/day)	=	4600	+	60 mg/l x District flow (mgd) x 3.79

\*BOD value for Waste 001 shall be increase above intake water BOD value.

b. Total mass emission rate of Total Suspended Solids contributed by Wastes 002, 003, 004, 005, and 007 shall be determined by summing the calculated industrial effluent guideline limits for C&H with the calculated municipal limits for the District as follows:

Limit	=	C&H	+	District
Limit (monthly average lbs/day)	=	770	+	30 mg/l x District flow (mgd) x 8.34
Limit (monthly average kg/day)	=	350	+	30 mg/l x District flow (mgd) x 3.79
Limit (daily max. lbs/day)	=	2300	+	60 mg/l x District flow (mgd) x 8.34
Limit (daily max. kg/day)	=	1,000	+	60 mg/l x District flow (mgd) x 3.79

2. The discharge of an effluent containing oil and grease in excess of the following limits is prohibited:

<u>Waste</u>	<u>Units</u>	<u>Monthly Average</u>	<u>Maximum Daily</u>
a. Waste 002	mg/l	10	20
b. Waste 003	mg/l	10	20
c. Waste 004	mg/l	10	20
d. Waste 005	mg/l	10	20
e. Waste 007	mg/l	10	20
f. Waste 008	mg/l	10	20
g. Waste 009	mg/l	10	20

3. The wastes 001 and 002 shall not have a pH of less than 6.0 nor greater than 9.0.
4. The wastes 003, 004, 005, 007, 008, and 009 shall not have pH of less than 6.5 nor greater than 8.5.
5. In a flow-through bioassay, waste 002 shall meet the following limit of toxicity: the survival of test fishes of two compliance species, stickleback and either rainbow trout or fathead minnow, in 96 hour bioassays of the effluent as discharged shall be a value of not less than 50% survival.
6. In any representative set of samples, waste 003 as discharged shall meet the following limit of toxicity: the survival of test fishes in 96-hour bioassays of the effluent as discharged shall achieve a median of 90% survival for three consecutive samples.
7. The discharge of waste 002 shall not contain a chlorine residual of greater than 0.0 mg/l.

8. Representative samples of Waste 002 shall not exceed the following limits:

<u>Constituent</u>	<u>Units</u>	<u>Daily Maximum</u>
Arsenic	ug/l	200
Cadmium	ug/l	30
Chromium (VI) (1)	ug/l	110
Copper	ug/l	200
Cyanide	ug/l	25
Lead	ug/l	56
Mercury	ug/l	1
Nickel	ug/l	71
Silver	ug/l	23
Zinc	ug/l	580
Phenols	ug/l	500
PAHs	ug/l	150

- (1) The discharger may at their option meet this limit as total chromium.

9. Representative samples of Waste 002 shall not exceed the following limits:

<u>Constituent</u>	<u>Units</u>	<u>Monthly Average</u>	<u>Daily Maximum</u>
Total Identifiable Chlorinated Hydrocarbons (1)	ug/l	2	4

- (1) Total Identifiable Chlorinated Hydrocarbons shall be measured by summing the individual concentrations of DDT, DDD, DDE, aldrin, BHC, chlordane, endrin, heptachlor, lindane, dieldrin, polychlorinated biphenyls, and other identifiable chlorinated hydrocarbons.



3. Elevated temperature waste discharges either individually or combined with other discharges shall not create a zone, defined by water temperatures of more than 1°F above natural receiving water temperature, which exceeds 25 percent of the cross-sectional area of Carquinez Strait at any point.
4. No discharge shall cause a surface water temperature rise greater than 4°F above the natural temperature of the receiving waters at any time or place.
5. The discharge shall not cause a violation of any applicable water quality standard for receiving waters adopted by the Board or the State Water Resources Control Board as required by the Clean Water Act and regulations adopted thereunder. If more stringent applicable water quality standards are promulgated or approved pursuant to Section 303 of the Clean Water Act, or amendments thereto, the Board will revise and modify this Order in accordance with such more stringent standards.

C. Sludge Requirements

1. Permanent sludge storage or disposal activities are not authorized by this permit. A report of Waste Discharge shall be filed and the site brought into compliance with all applicable regulations prior to commencing any such activity. The discharge of sludge, to any location, shall be in accordance with Title 23, Chapter 3, Subchapter 15 of the California Code of Regulations.
2. The treatment, disposal, storage, or processing of sludge shall not create a pollution or nuisance as defined in Section 13050(1) and (m) of the California Water Code.
3. The treatment, disposal, storage, or processing of sewage sludge shall not cause waste material to be in any position where it is, or can be, carried from the sludge treatment, disposal, storage, or processing site and be deposited in waters of the State.
4. Any sludge treatment, disposal, storage, or processing site shall have facilities adequate to divert surface runoff from adjacent areas, to protect boundaries of the site from erosion, and to prevent any conditions that would cause drainage from the materials in the disposal site to escape from the site. Adequate protection is defined as protected from at least a 100 year storm and from the highest tidal stage that may occur.
5. The direct or indirect discharge of sludge waste to waters of the State is prohibited.

D. Provisions

1. Neither the treatment nor the discharge of pollutants shall create a nuisance as defined in the California Water Code.



2. This Order supercedes Order No. 84-8 which is hereby rescinded.
3. The discharger shall submit plans and time schedules within six months of the date of adoption of this Order for installation of facilities to divert the flows of Wastes 004 through 009 to the wastewater treatment plant. This work shall be completed within twenty four months of the date of adoption of this Order. Thereafter, if any washing, cleaning, steam cleaning or other activity contributing wastewater to these outfall systems occurs, the outfalls shall be diverted to the wastewater treatment plant. During the first rainstorm of the winter and during the entire dry season, the outfalls shall be diverted to the wastewater treatment plant.
4. The discharger shall review and update annually its spill cleanup and containment contingency plan as required by Regional Board Resolution No. 74-10. The discharge of pollutants in violation of this Order where the discharger has failed to develop and/or implement a contingency plan will be basis for considering such discharge a willful and negligent violation of this Order pursuant to Section 13387 of the California Water Code.
5. The discharger shall develop and submit a Best Management Practices (BMP) program to the Board by January 1, 1990. The BMP program shall be consistent with the EPA regulations 40 CFR 125, Subpart K and the general guidance contained in the "NPDES Best Management Guidance Document", EPA Report No. 600/9-79-045, December 1979 (revised June 1981). A BMP program acceptable to the Executive Officer shall be implemented by July 1, 1990.
6. This Order includes the attached "Standard Provisions, Reporting Requirements and Definitions" dated December 1986, except for items B.2, and C.8.
7. The discharger shall notify the Regional Board if any activity has occurred or will occur which would result in the discharge of any toxic pollutant which is not limited by this Order.
8. This permit may be modified prior to the expiration date to include effluent limitations for toxic constituents determined to be present in significant amounts in the discharge.
9. This Order shall serve as a National Pollutant Discharge Elimination System permit pursuant to Section 402 of the Federal Water Pollution Control Act, or amendments thereto, and shall take effect at the end of ten days from the date of hearing provided the Regional Administrator, U.S. Environmental Protection Agency, has no objections.
10. The discharger shall comply with the self-monitoring program as adopted by this Board and as may be amended by the Executive Officer.

11. This Order expires on \_\_\_\_\_, 1994, and the discharger must file a Report of Waste Discharge in accordance with Title 23, California Administrative Code, not later than 180 days in advance-of such date as application for issuance of new waste discharge requirements.

I, Steven R. Ritchie, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, San Francisco Bay Region, on \_\_\_\_\_, 1989.

STEVEN R. RITCHIE  
Executive Officer

Attachments:

Standard Provisions, Reporting Requirements & Definitions - December, 1986  
Self-Monitoring Program  
Location Map  
Wastewater Flow Diagrams

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
SAN FRANCISCO BAY REGION

SELF-MONITORING PROGRAM  
FOR

CALIFORNIA AND HAWAIIAN SUGAR COMPANY

AND

CROCKETT-VALONA SANITARY DISTRICT

NPDES NO. CA0005240

ORDER NO.

CONSISTS OF

PART A, dated 12/86

AND

PART B

Part B

I. DESCRIPTION OF SAMPLING STATIONS

A. INFLUENT AND INTAKE

<u>Station</u>	<u>Description</u>
I-1	At any point in the salt water intake system prior to any usage or treatment of intake water.
I-2	At any point in the wastewater conveyance system from Crockett-Valona Sanitary District to the C&H - District Treatment Plant where flow measurements are representative of the flow rates of wastewater delivered by Crockett-Valona Sanitary District.
I-3	At any point in the wastewater conveyance system where the flow measurements are representative of the flow rates of Waste 001 diverted for discharge as part of Waste 003.

B. EFFLUENT

<u>Station</u>	<u>Description</u>
E-001	At any point in the Waste 001 outfall between the point of discharge and the point at which all waste tributary to that outfall is present.
E-002	At any point in the Waste 002 outfall between the point of discharge and the point at which all fully treated waste tributary to that outfall is present.
E-002-D	At a point in the disinfection facilities at which adequate contact with the disinfectant has been achieved.
E-003	At any point in the Waste 003 outfall between the point of discharge and the point at which all waste tributary to that outfall is present.
E-004	A point located at the discharge side of the pump which is periodically used to dewater the rail car weigh pit. Samples

should not be collected from the weigh pit itself.

- E-005 At any point in the Waste 005 outfall between the point of discharge and the point at which all waste tributary to that outfall is present.
- E-007 At any point in the Waste 007 outfall between the point of discharge and the point at which all waste tributary to that outfall is present.
- E-008 At any point in the Waste 008 outfall between the point of discharge and the point at which all waste tributary to that outfall is present.
- E-009 At any point in the Waste 009 outfall between the point of discharge and the point at which all waste tributary to that outfall is present.

C. RECEIVING WATERS

<u>Station</u>	<u>Description</u>
C-10	At a point in Carquinez Strait, located in the boil caused by Waste 001.
C-20	At a point in Carquinez Strait located at the edge of the wharf at the intersection of a line extended northerly from the outfall for Waste 003.
C-RE	At a point in Carquinez Strait, located at the edge of the wharf at its easterly end.
C-RW	At a point in Carquinez Strait, located at the edge of the wharf at its westerly end.

II. SCHEDULE OF SAMPLING AND ANALYSIS

- A. The schedule of sampling and analysis shall be that given in Table I.

B. Because the plant operates on a 10 days on and 4 days down 14 day cycle, samples should be collected in a well-ordered pattern, as defined below. Day 1 will be the first day of the 10 days on, with day 14 being the last day of the 4 days shutdown.

<u>Sampling frequency</u>	<u>Day(s) of cycle to be sampled</u>
D	1,2,3,4,5,6,7,8,9,10,11,12,13,14
5/W	1,2,3,4,5,6,7,8,9,10
2/W	2,4,7,9
W	2,7
2W	2
2/M	2
M	2
3M	2

I, Steven R. Ritchie, Executive, hereby certify that the foregoing Self-Monitoring Program:

1. Has been developed in order to obtain data and document compliance with waste discharge requirements established in Regional Board Order No. 89- .
2. Is effective on the date shown below.
3. May be reviewed at any time subsequent to the effective date upon written notice from the Executive Officer or request from the discharger, and revisions will be ordered by the Executive Officer.

STEVEN R. RITCHIE  
Executive Officer

Effective Date:

1989

Attachments:  
Table I

**TABLE 1**  
**SCHEDULE FOR SAMPLING, MEASUREMENTS, AND ANALYSIS**

Sampling Station	I-1	I-2	I-3	E-001	E-002	E-002 D	E-003	E-004	E-005
TYPE OF SAMPLE	C-24	Cont		C-24 G	C-24 G	G	C-24 G	G	G
Flow Rate (mgd)	D	D	(2) D	cont	cont		W	M	Q
BOD, 5-day, 20°C, (mg/l & kg/day)	2/W			2/W	W		W	M	Q
Chlorine Residual & Dos- age (mg/l & kg/day) (5)					cont or 2H				
Settleable Matter (ml/l-hr. & cu. ft./day)					W				
Total Suspended Matter (mg/l & kg/day)					W		W	M	Q
Oil and Grease (mg/l & kg/day)					(1) W		(1) W		Q
Coliform (Total or Fecal) (MPN/100 ml) per req't						3 D/W			
Fish Tox'y 96-hr. TL <sub>50</sub> & Surv'l in undiluted waste					2W		M		
Ammonia Nitrogen (mg/l & kg/day)									
Nitrate Nitrogen (mg/l & kg/day)									
Nitrite Nitrogen (mg/l & kg/day)									
Total Organic Nitrogen (mg/l & kg/day)									
Total Phosphate (mg/l & kg/day)									
Turbidity (Jackson Turbidity Units)									
pH (units)					5/W	cont		cont	M
Dissolved Oxygen (mg/l and % Saturation)									Q
Temperature (°C)					5/W		W		
Apparent Color (color units)									
Becchi Disc (inches)									
Sulfides (if DO < 5.0 mg/l) Total & Dissolved (mg/l)						M			
Arsenic (mg/l & kg/day)						M			
Cadmium (mg/l & kg/day)						M			
Chromium, Total (mg/l & kg/day)						M			
Copper (mg/l & kg/day)						M			
Cyanide (mg/l & kg/day)						M			
Silver (mg/l & kg/day)						M			
Lead (mg/l & kg/day)						M			









## LEGEND FOR TABLE

### TYPES OF SAMPLES

G = grab sample  
C-24 = composite sample - 24-hour  
O = observation  
Cont = continuous

### FREQUENCY OF SAMPLING

E = each occurrence  
D = once each day  
W = once each week  
M = once each month  
5 D/W = 5 days per week  
3 D/W = 3 days per week  
2 D/W = 2 days per week  
Q = every 3 months  
Y = once a year

### TYPES OF STATIONS

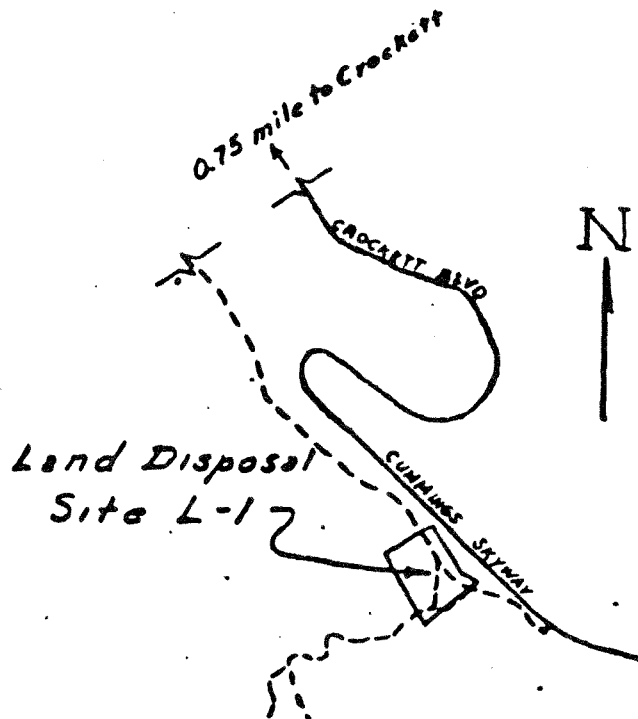
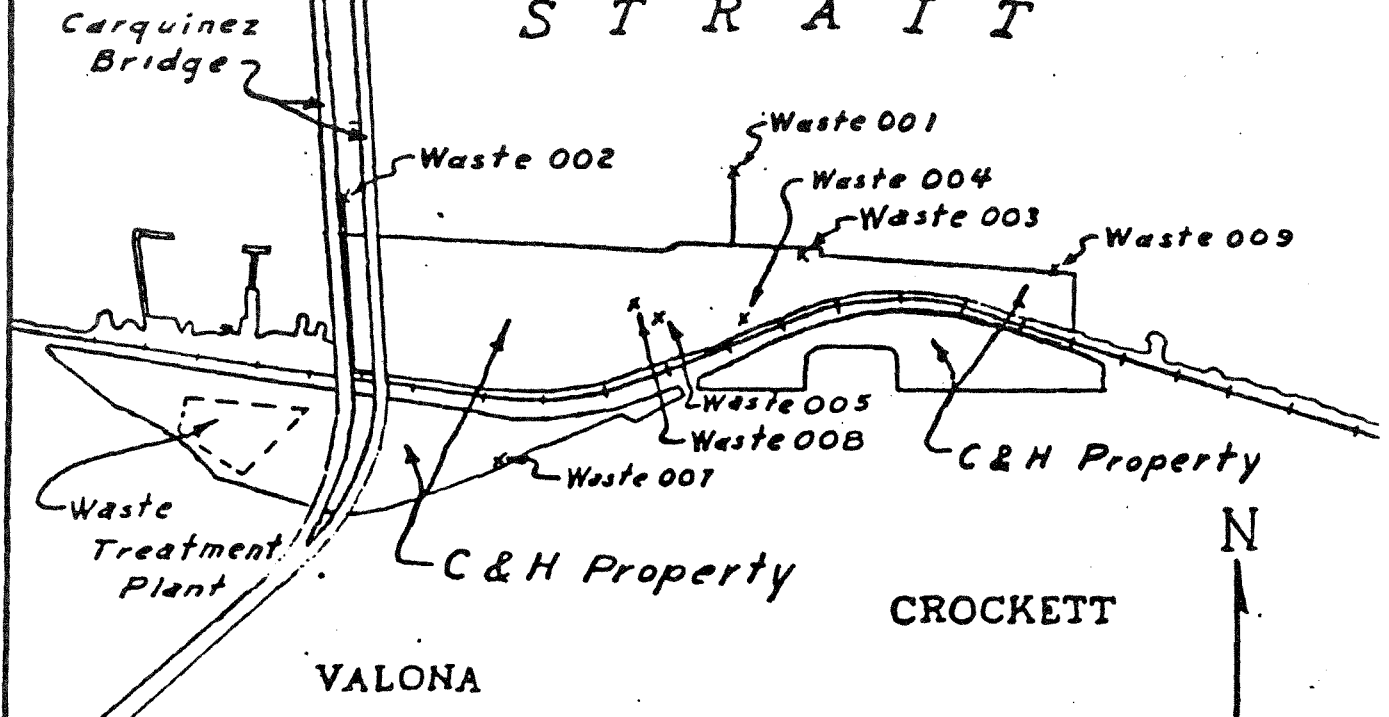
I = intake and/or water supply stations and Waste 001 diversion station  
E = waste effluent stations  
C = receiving water stations  
L = basin and/or pond levee stations

### FOOTNOTES

1. Separately collect and analyze at 8 hour intervals three grab samples for oil and grease on each sampling day. Report the arithmetic average of these as the value for that day, and use it to calculate the kg/day discharge rate. Alternately, the samples may be combined for analysis if their volume is proportional to flow rate at time collected within  $\pm 5\%$  and if the samples and their containers are handled in accordance with the procedures of Standard Methods for oil and grease samples. This means that glass container used for sample collection or mixing shall be thoroughly rinsed with solvent as soon as possible after use, and the solvent rinsing shall be added to the composite wastewater sample for extraction and analysis.
2. Daily, Monthly or Quarterly Estimate.
3. Receiving water standard observations are excused if effluent not turbid, discolored, oily, and no floating matter.
4. During wet weather period, take sample during first daylight storm of each calendar quarter.
5. Dosage shall be reported in lbs/day on a daily basis. Chlorine residual after adequate contact and prior to de-chlorination shall be monitored continuously or every 2 hours and reported as a daily grab. Final chlorine residual shall be reported using the attached form "A" or equivalent.



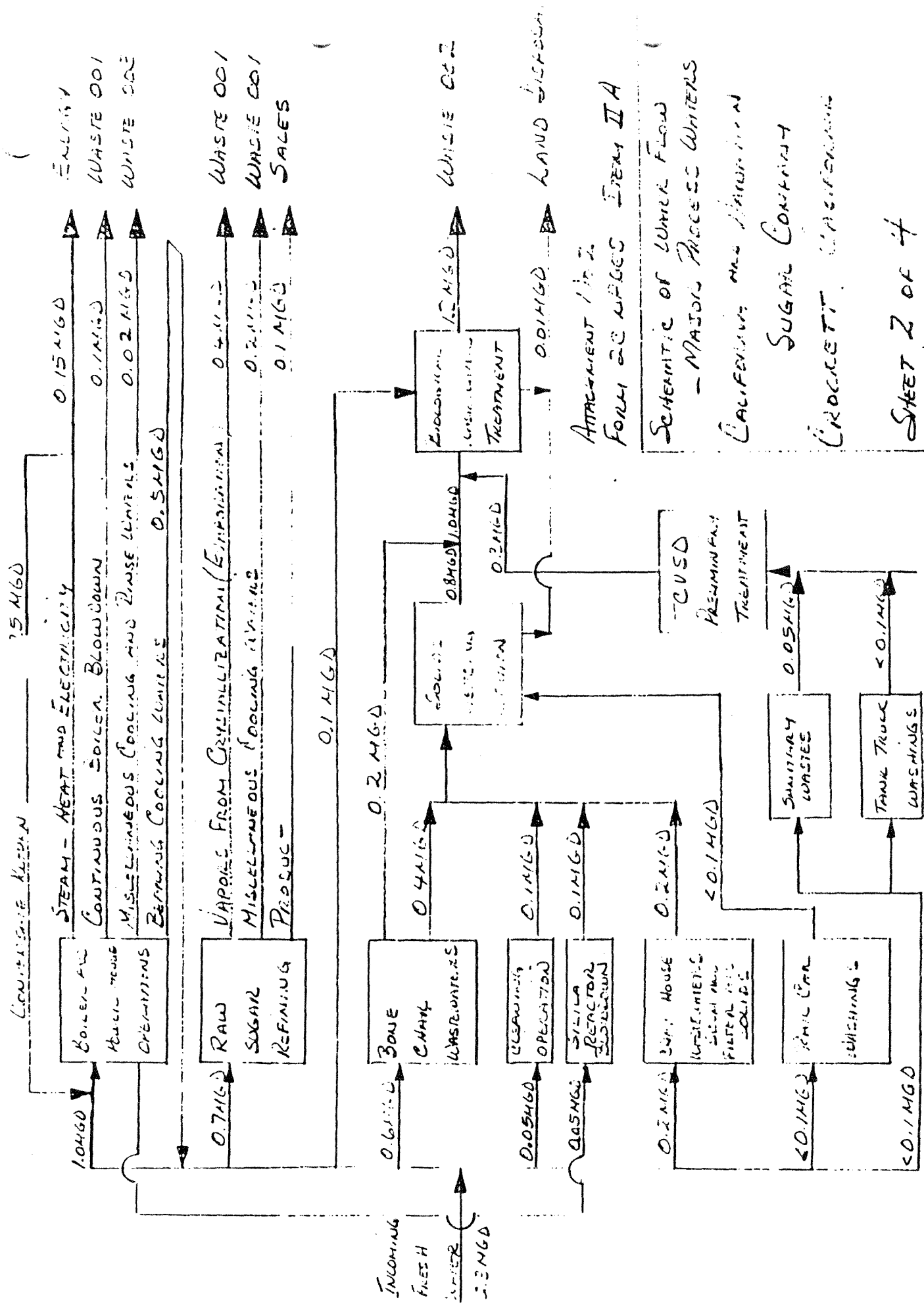
# CARQUINEZ STRAIT



STATE OF CALIFORNIA  
REGIONAL WATER QUALITY CONTROL BOARD  
SAN FRANCISCO BAY REGION

Attachment A  
C&H Sugar Co. & Crockett-  
Valona Sanitary District

DRAWN BY: DATE: 2-24-1968



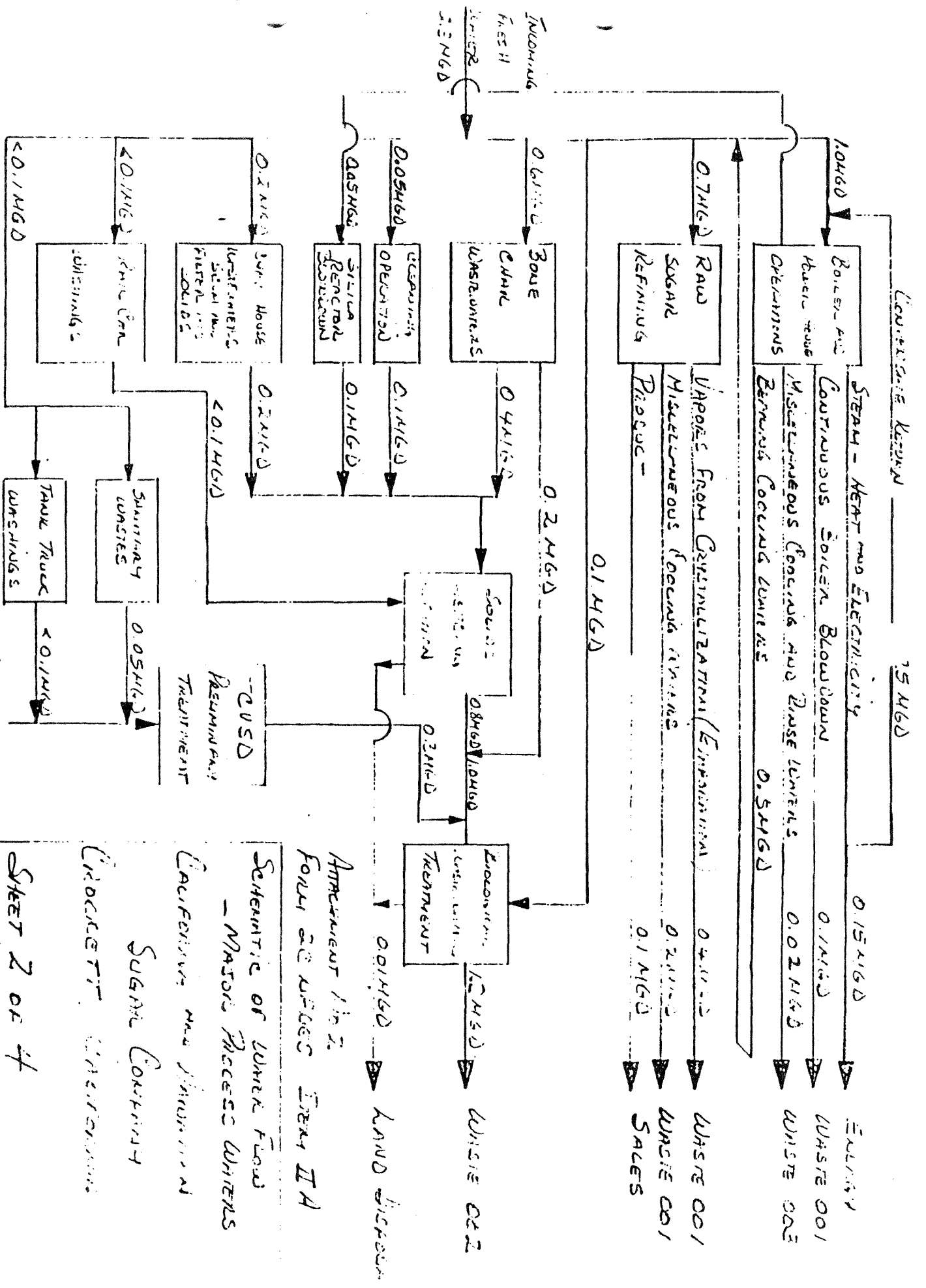
Attachment 1 in 2  
Form 20 Pages Item IA

Schematic of Water Flow  
- Major Process Unit  
California and Hawaiian  
SUGAR COMPANY  
CROCKETT, CALIFORNIA

Sheet 2 of 4

CAD 009134503- August 1988

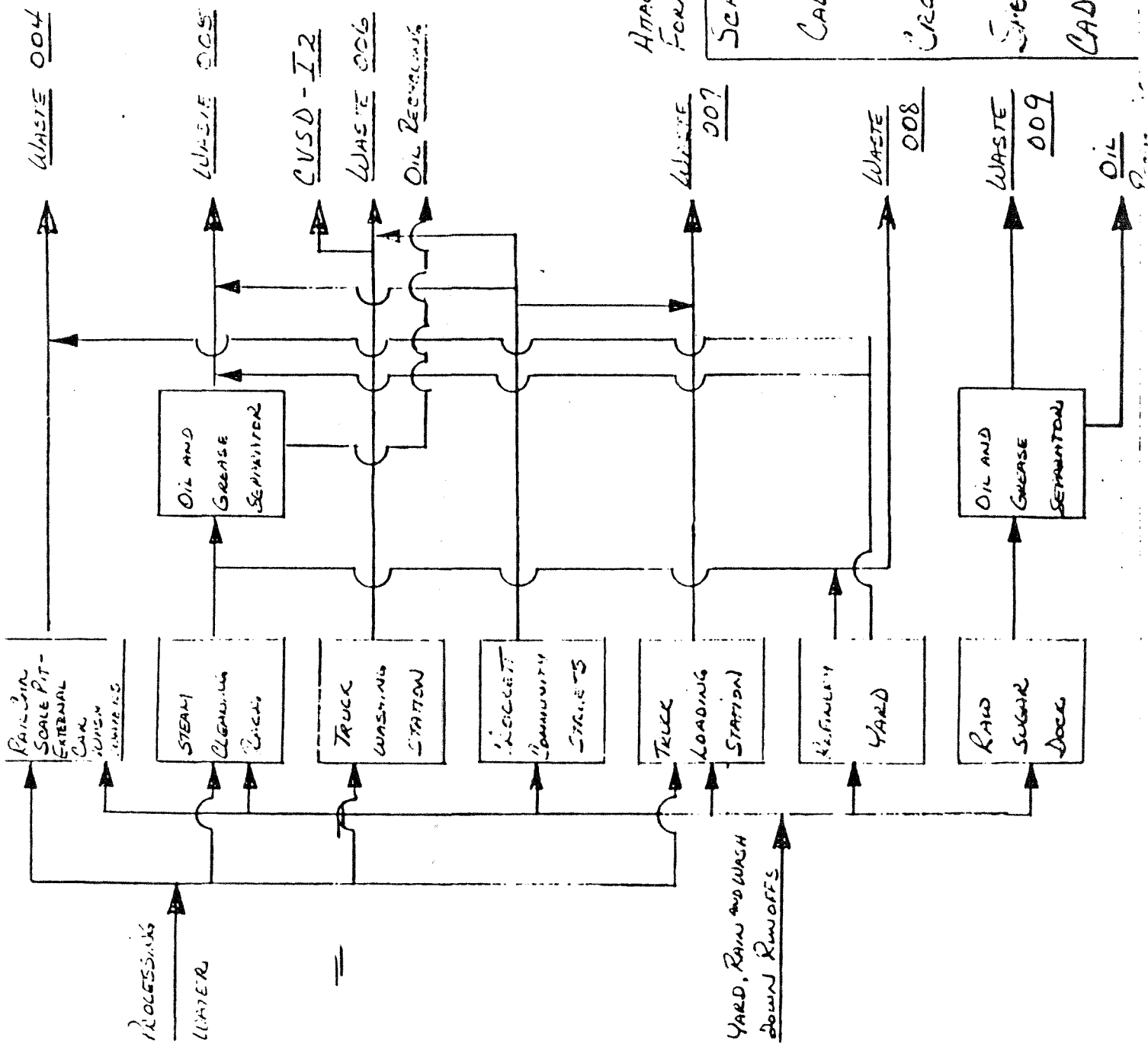
From Crockett  
Collection System



from Crockett  
P... ..

APPENDIX A  
SCHEMATIC OF WATER FLOW  
- MAJOR PROCESS UNITS  
CALIFORNIA AND HAWAIIAN  
SUGAR COMPANY  
CROCKETT, CALIFORNIA

SHEET 2 OF 4  
AND DISPOSITIONS AND NOTES



ATTACHMENT NO 2  
 FORM 20 W.F.C.S. - ITEM III A

SCHEMATIC OF WATER FLOW  
 - WINDOR DISCHARGES -

CALIFORNIA AND HAWAIIAN

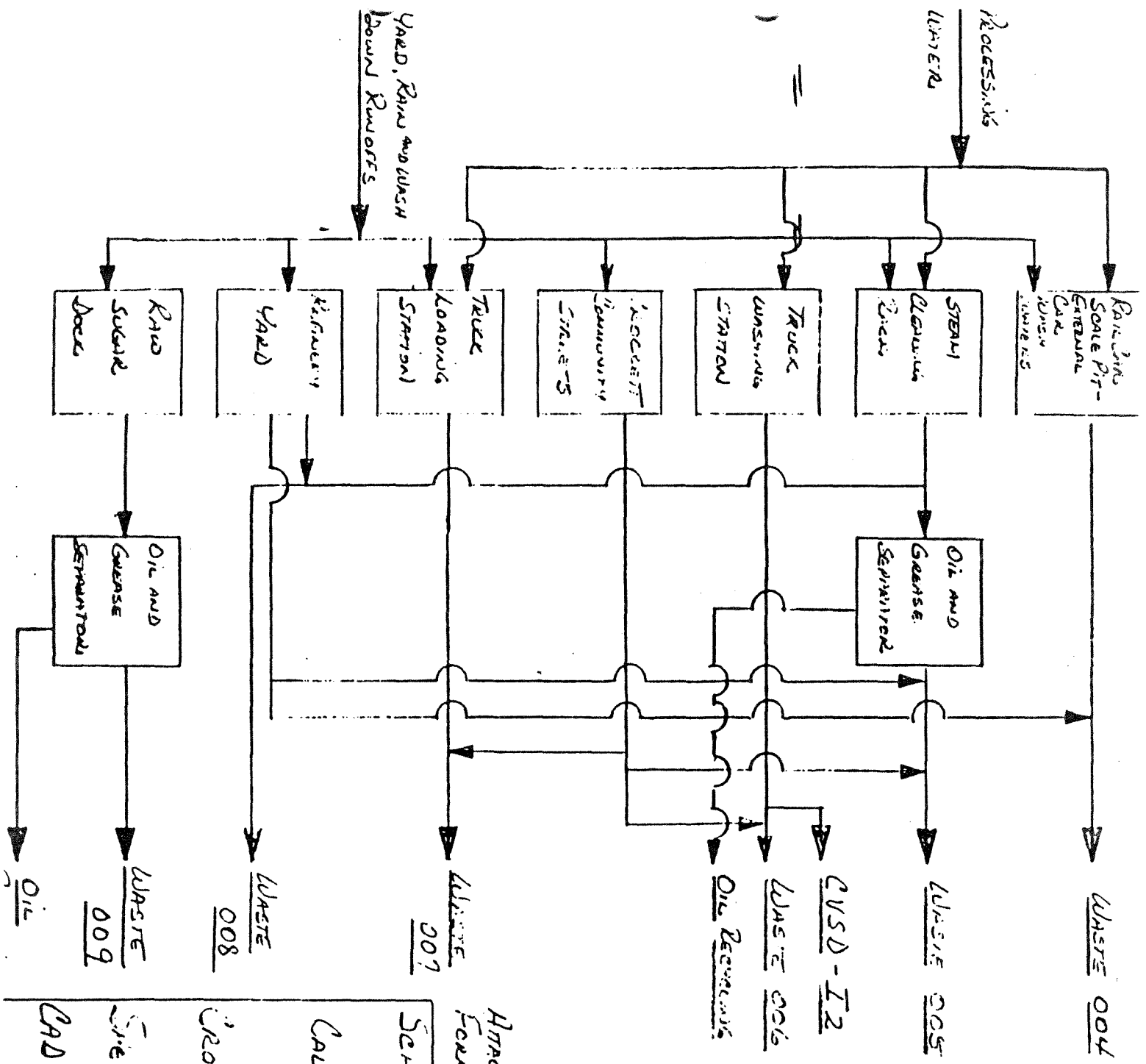
SUGAR COMPANY

CROCKETT, CALIFORNIA

SHEET 4 OF 4

CAD 009134503 - AUGUST 1988





APPENDIX II  
 FORM 26 APPENDIX - ITEM II A

SCHEMATIC OF WATER FLOW  
 -YARD DISCHARGES-  
 CALIFORNIA AND HAWAIIAN  
 SUGAR COMPANY

PROJECT, DISCHARGES

SHEET 4 OF 4

HAD 009134503 - AUGUST 1988

APPENDIX B.

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
SAN FRANCISCO BAY REGION  
1111 JACKSON STREET, OAKLAND, CA 94607

NOTICE OF PUBLIC HEARING  
FOR

NPDES PERMIT REISSUANCE

FOR  
CALIFORNIA AND HAWAIIAN SUGAR COMPANY  
AND  
CROCKETT-VALONA SANITARY DISTRICT  
CROCKETT, CONTRA COSTA COUNTY

The California Regional Water Quality Control Board, San Francisco Bay Region, will hold a public hearing at a meeting which will commence at the time and place indicated:

DATE: July 19, 1989

TIME: 9:30 am

PLACE: Assembly Room, First Floor, State Building  
1111 Jackson, Oakland

The Regional Board will consider reissuance of the National Pollutant Discharge Elimination System (NPDES) permit which is jointly held by the California and Hawaiian Sugar Company and the Crockett-Valona Sanitary District.

The Board's staff has prepared a tentative order for permit reissuance. The tentative order contains the Basin Plan heavy metal limits and a requirement for a Best Management Practices plan.

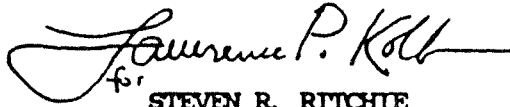
Persons wishing to file written comments on, or objections to, the amendment of this NPDES permit are requested to do so within fifteen days after the date of this Notice so that comments may be considered in preparing this matter for presentation to the Regional Board. Interested persons are invited to attend and express their views on this matter at the Public Hearing.

The Regional Board will hear oral comment, but requests that written copies of testimony to be presented at the hearing should be furnished to the Board by July 3, 1988.

The Tentative Order, comments received, and related documents may be inspected and copied at the Regional Board office. Please bring the foregoing to the attention of any persons known to you who would be interested in this matter. If you have any questions regarding this matter, please contact Dale C. Bowyer at (415) 464-4267.

5/31/89

DATED



for

STEVEN R. RITCHIE  
Executive Officer



4 12

**APPENDIX A.**



CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
SAN FRANCISCO BAY REGION

ORDER NO. 89-121  
NPDES PERMIT NO. CA0005240  
WASTE DISCHARGE REQUIREMENTS FOR:

CALIFORNIA AND HAWAIIAN SUGAR COMPANY  
CROCKETT, CONTRA COSTA COUNTY

AND

CROCKETT-VALONA SANITARY DISTRICT  
CROCKETT, CONTRA COSTA COUNTY

The California Regional Water Quality Control Board, San Francisco Bay Region, hereinafter Board, finds that:

1. California and Hawaiian Sugar Company (hereinafter C&H) and the Crockett-Valona Sanitary District (hereinafter the District) jointly filed an application for NPDES permit reissuance dated August 30, 1988. This NPDES permit application covers wastewaters generated by the C&H cane sugar refinery, the District's sewerage system and the plant that treats and disposes of the combined waste.
2. C&H and the District (hereinafter the Dischargers) entered into a Joint-use Agreement for the Dischargers' treatment plant on November 9, 1976.
3. The District is responsible for collection and handling sewage within its sewer system. Sewage is comminuted and degrittied before the District pumps it to the Dischargers' treatment plant. All the grit thus removed is hauled to a permitted Class II disposal site.
4. C&H is responsible for waste discharged at its sugar refinery and for operation of the Dischargers' treatment plant and outfall, as well as the additional discharge points from the sugar refinery.
5. Sludge from the wastewater treatment plant and other solid waste from the C&H sugar refinery is disposed of at a landfill on C&H property. C&H has filed a Report of Waste Discharge on this landfill in January of 1989. As of the date of this Order, no Waste Discharge Requirements have been issued for this landfill.
6. C&H discharges industrial and sanitary wastes containing pollutants into Carquinez and an unnamed tidal stream tributary thereto, both waters of the United States, as follows:
  - a. Waste 001 consists of 27.4 million gallons per day (mgd) of once through cooling water used in barometric condensers on vacuum pans, condensed vapors from vacuum pans, cooling water for evaporators and steam turbine heat exchangers. It also includes brine and rinse water from zeolite units and boiler blowdown water and roof drain water and is discharged through a diffuser at



the bottom of Carquinez Strait which extends to approximately 200 feet offshore at a depth of 47 feet.

- b. Waste 002 consists of 1.2 mgd of effluent from the biological treatment of process waste from the C&H sugar refinery and domestic waste from the District. Wastes from the sugar refinery include waste sugar solutions, bone charcoal washings, waste filter aid slurries, refinery equipment washdowns, rail car washings, boiler water treatment waters (silica removal), clarifier insolubles and scums. The treated effluent is discharged through a 47 foot deep submerged outfall and diffuser to Carquinez Strait, 637 feet from shore directly below the Carquinez Bridge.
- c. Waste 003 consists of 0.02 mgd of boiler house waste including seal and cooling waters from pump glands, fan bearings, air compressor and brine and rinse waters from zeolite softeners. Some of Waste 001 may be diverted through a valved connection to Waste 003 for pH adjustment provided compliance with the temperature requirement is maintained.
- d. Waste 004 consists of about 100 gallons per day of water from the refinery rail car scale pit which accumulates from rinsing the exterior top hatches of rail cars carrying bulk granulated sugar. This waste also includes some stormwater run-off from the refinery yard. Waste 004 will be permanently diverted to the wastewater treatment plant by January 1, 1990.
- e. Waste 005 consists of about 100 gallons per day of wastewater effluent from an oil and grease separator at a steam cleaning wash rack. This waste also includes some storm water from the refinery yard and community.
- g. Waste 007 consists of about 100 gallons per day of wastewater from the truckloading station and includes water from hydraulic operators, loading spout washing, scale pit drainage and some run-off. Waste 007 is currently inactive, but may be used in the future.
- h. Waste 008 consists of stormwaters from the refinery yard and small quantities from a steam cleaning rack and fire hose washing.
- i. Waste 009 consists of effluent from the oil separator on the drains from the raw sugar dock. These drains discharge primarily stormwater.

Within twenty four (24) months of the issuance date of this Order, pursuant to Provision 4. of this Order, all wastewater flows from outfalls 004 through 009 will be diverted to the Crockett-Valona Sanitary District sewer lines or C&H wastewater treatment plant lines whenever washing or steam cleaning operations are being carried out, during the first rainstorm of each winter season and at any other time that these streams may contain constituents of concern. Some or all of some of these flows will be permanently diverted to the wastewater treatment plant. Detailed plans for the diversions of these waste

streams to treatment will be submitted for approval by the Executive Officer of the Regional Board within six months of the date of adoption of this Order.

7. C&H is exempt from the requirements 5.A(1)a and 5.A(2) of the State Thermal Plan (Water Quality Control Plan for Control of Temperature in the Coastal and Interstate Waters and Enclosed Bays and Estuaries of California) based upon State Water Resources Control Board Resolution 75-72 issued July 17, 1975 and the U.S. Environmental Protection Agency's concurrence by letter of September 2, 1975.
8. The Board adopted a revised Water Quality Control Plan for the San Francisco Bay Basin (Basin Plan) on December 16, 1986.
9. The beneficial uses of Carquinez Strait and contiguous waters are:
  - a. Recreation (contact and non-contact).
  - b. Fish migration and spawning
  - c. Habitat for wildlife and estuarine organisms including some rare and endangered species.
  - d. Industrial service and process water supply.
  - e. Esthetic enjoyment.
  - f. Navigation.
  - g. Commercial and sport fishing.
10. Effluent limitations established in 40 CFR 409.20, Subpart B, Crystalline Cane Sugar Refining Subcategory are applicable to the discharge. The discharger's Biological Oxygen Demand and Total Suspended Solids Effluent Limits are set according to this Federal guideline proportional to the 4300 tons per day of raw sugar melt which is processed, as reported in the application for NPDES permit renewal.
11. Effluent limitations and toxic effluent standards established pursuant to Section 301, 304, and 307 of the Clean Water Act and amendments thereto are applicable to the discharge.
12. The issuance of waste discharge requirements for this discharge is exempt from the provisions of Chapter 3 (commencing with Section 21000 of Division 13 of the Public Resources Code in accordance with Water Code Section 13389.
13. The Board has notified the discharger and interested agencies and persons of its intent to prescribe waste discharge requirements for the discharge and has provided them with an opportunity to submit their written views and recommendations.
14. The Board, in a public meeting, heard and considered all comments pertaining to the discharge.

IT IS HEREBY ORDERED THAT the discharger in order to meet the provisions contained in Division 7 of the California Water Code and regulations adopted thereunder, and the provisions of the Federal Water Pollution Control Act and regulations and guidelines adopted thereunder, shall comply with the following:

A. Effluent Limitations

1. Effluent discharge shall not exceed the following total mass emission rates:

a. Total mass emission rate of BOD<sub>5</sub> contributed by Wastes 001\*, 002, 003, 004, 005 and 007 shall be determined by summing the calculated industrial effluent guideline limits for C&H with the calculated municipal limits for the District as follows:

$$\begin{aligned} \text{Limit} &= \text{C\&H} + \text{District} \\ \text{Limit (monthly average lbs/day)} &= 3700 + 30 \text{ mg/l} \times \text{District flow (mgd)} \times 8.34 \\ \text{Limit (monthly average kg/day)} &= 1700 + 30 \text{ mg/l} \times \text{District flow (mgd)} \times 3.79 \\ \text{Limit (daily max. lbs/day)} &= 10,000 + 60 \text{ mg/l} \times \text{District flow (mgd)} \times 8.34 \\ \text{Limit (daily max. kg/day)} &= 4600 + 60 \text{ mg/l} \times \text{District flow (mgd)} \times 3.79 \end{aligned}$$

\*BOD value for Waste 001 shall be increase above intake water BOD value.

b. Total mass emission rate of Total Suspended Solids contributed by Wastes 002, 003, 004, 005, and 007 shall be determined by summing the calculated industrial effluent guideline limits for C&H with the calculated municipal limits for the District as follows:

$$\begin{aligned} \text{Limit} &= \text{C\&H} + \text{District} \\ \text{Limit (monthly average lbs/day)} &= 770 + 30 \text{ mg/l} \times \text{District flow (mgd)} \times 8.34 \\ \text{Limit (monthly average kg/day)} &= 350 + 30 \text{ mg/l} \times \text{District flow (mgd)} \times 3.79 \\ \text{Limit (daily max. lbs/day)} &= 2300 + 60 \text{ mg/l} \times \text{District flow (mgd)} \times 8.34 \\ \text{Limit (daily max. kg/day)} &= 1,000 + 60 \text{ mg/l} \times \text{District flow (mgd)} \times 3.79 \end{aligned}$$

2. The discharge of an effluent containing oil and grease in excess of the following limits is prohibited:

<u>Waste</u>	<u>Units</u>	<u>Monthly Average</u>	<u>Maximum Daily</u>
a. Waste 002	mg/l	10	20
b. Waste 003	mg/l	10	20
c. Waste 004	mg/l	10	20
d. Waste 005	mg/l	10	20
e. Waste 007	mg/l	10	20
f. Waste 008	mg/l	10	20
g. Waste 009	mg/l	10	20

3. The wastes 001 and 002 shall not have a pH of less than 6.0 nor greater than 9.0.
4. The wastes 003, 004, 005, 007, 008, and 009 shall not have pH of less than 6.5 nor greater than 8.5.
5. In a flow-through bioassay, waste 002 shall meet the following limit of toxicity: the survival of test fishes of two compliance species, stickleback and either rainbow trout or fathead minnow, in 96 hour bioassays of the effluent as discharged shall be a value of not less than 50% survival.
6. In any representative set of samples, waste 003 as discharged shall meet the following limit of toxicity: the survival of test fishes in 96-hour bioassays of the effluent as discharged shall achieve a median of 90% survival for three consecutive samples.
7. The discharge of waste 002 shall not contain a chlorine residual of greater than 0.0 mg/l.

8. Representative samples of Waste 002 shall not exceed the following limits:

<u>Constituent</u>	<u>Units</u>	<u>Daily Maximum</u>
Arsenic	ug/l	200
Cadmium	ug/l	30
Chromium (VI) (1)	ug/l	110
Copper	ug/l	200
Cyanide	ug/l	25
Lead	ug/l	56
Mercury	ug/l	1
Nickel	ug/l	71
Silver	ug/l	23
Zinc	ug/l	580
Phenols	ug/l	500
PAHs	ug/l	150

- (1) The discharger may at their option meet this limit as total chromium.

9. Representative samples of Waste 002 shall not exceed the following limits:

<u>Constituent</u>	<u>Units</u>	<u>Monthly Average</u>	<u>Daily Maximum</u>
Total Identifiable Chlorinated Hydrocarbons (1)	ug/l	2	4

- (1) Total Identifiable Chlorinated Hydrocarbons shall be measured by summing the individual concentrations of DDT, DDD, DDE, aldrin, EHC, chlordane, endrin, heptachlor, lindane, dieldrin, polychlorinated biphenyls, and other identifiable chlorinated hydrocarbons.

10. The total coliform bacteria of Waste 002 for a median of five consecutive effluent samples shall not exceed 240 MPN per 100 milliliters. Any single sample shall not exceed 10,000 MPN per 100 ml when verified by a repeat sample taken within 48 hours.

B. Receiving Water Limitations

1. The discharge of waste shall not cause the following conditions to exist in waters of the State at any place:
  - a. Floating, suspended, or deposited macroscopic particulate matter or foam;
  - b. Bottom deposits or aquatic growths;
  - c. Alteration of temperature, turbidity, or apparent color beyond present natural background levels;
  - d. Visible, floating, suspended, or deposited oil or other products of petroleum origin;
  - e. Toxic or other deleterious substances to be present in concentrations or quantities which will cause deleterious effects on aquatic biota, wildlife, or waterfowl, or which render any of these unfit for human consumption either at levels created in the receiving waters or as a result of biological concentration.
  
2. The discharge of waste shall not cause the following limits to be exceeded in waters of the State in any place within one foot of the water surface:
  - a. Dissolved oxygen                      7.0 mg/l minimum. When natural factors cause lesser concentration(s) than that specified above, then this discharge shall not cause further reduction in the concentration of dissolved oxygen.
  
  - b. Dissolved Sulfide                      0.1 mg/l maximum.
  
  - c. pH    Variation from natural ambient pH by more than 0.5 pH units.
  
  - d. Un-ionized                                0.025 mg/l Annual Median  
    Ammonia as N                            0.16 mg/l Maximum

3. Elevated temperature waste discharges either individually or combined with other discharges shall not create a zone, defined by water temperatures of more than 1 F above natural receiving water temperature, which exceeds 25 percent of the cross-sectional area of Carquinez Strait at any point.
4. No discharge shall cause a surface water temperature rise greater than 4 F above the natural temperature of the receiving waters at any time or place.
5. The discharge shall not cause a violation of any applicable water quality standard for receiving waters adopted by the Board or the State Water Resources Control Board as required by the Clean Water Act and regulations adopted thereunder. If more stringent applicable water quality standards are promulgated or approved pursuant to Section 303 of the Clean Water Act, or amendments thereto, the Board will revise and modify this Order in accordance with such more stringent standards.

C. Sludge Requirements

1. Permanent sludge storage or disposal activities are not authorized by this permit. A report of Waste Discharge shall be filed and the site brought into compliance with all applicable regulations prior to commencing any such activity. The discharge of sludge, to any location, shall be in accordance with Title 23, Chapter 3, Subchapter 15 of the California Code of Regulations.
2. The treatment, disposal, storage, or processing of sludge shall not create a pollution or nuisance as defined in Section 13050(1) and (m) of the California Water Code.
3. The treatment, disposal, storage, or processing of sewage sludge shall not cause waste material to be in any position where it is, or can be, carried from the sludge treatment, disposal, storage, or processing site and be deposited in waters of the State.
4. Any sludge treatment, disposal, storage, or processing site shall have facilities adequate to divert surface runoff from adjacent areas, to protect boundaries of the site from erosion, and to prevent any conditions that would cause drainage from the materials in the disposal site to escape from the site. Adequate protection is defined as protected from at least a 100 year storm and from the highest tidal stage that may occur.
5. The direct or indirect discharge of sludge waste to waters of the State is prohibited.

D. Provisions

1. Neither the treatment nor the discharge of pollutants shall create a nuisance as defined in the California Water Code.

2. This Order supercedes Order No. 84-8 which is hereby rescinded.
3. The discharger shall submit plans and time schedules within six months of the date of adoption of this Order for installation of facilities to divert the flows of Wastes 004 through 009 to the wastewater treatment plant. This work shall be completed within twenty four months of the date of adoption of this Order. Thereafter, if any washing, cleaning, steam cleaning or other activity contributing wastewater to these outfall systems occurs, the outfalls shall be diverted to the wastewater treatment plant. During the first rainstorm of the winter and during the entire dry season, the outfalls shall be diverted to the wastewater treatment plant.
4. The discharger shall review and update annually its spill cleanup and containment contingency plan as required by Regional Board Resolution No. 74-10. The discharge of pollutants in violation of this Order where the discharger has failed to develop and/or implement a contingency plan will be basis for considering such discharge a willful and negligent violation of this Order pursuant to Section 13387 of the California Water Code.
5. The discharger shall develop and submit a Best Management Practices (BMP) program to the Board by January 1, 1990. The BMP program shall be consistent with the EPA regulations 40 CFR 125, Subpart K and the general guidance contained in the "NPDES Best Management Guidance Document", EPA Report No. 600/9-79-045, December 1979 (revised June 1981). A BMP program acceptable to the Executive Officer shall be implemented by July 1, 1990.
6. This Order includes the attached "Standard Provisions, Reporting Requirements and Definitions" dated December 1986, except for items B.2, and C.8.
7. The discharger shall notify the Regional Board if any activity has occurred or will occur which would result in the discharge of any toxic pollutant which is not limited by this Order.
8. This permit may be modified prior to the expiration date to include effluent limitations for toxic constituents determined to be present in significant amounts in the discharge.
9. This Order shall serve as a National Pollutant Discharge Elimination System permit pursuant to Section 402 of the Federal Water Pollution Control Act, or amendments thereto, and shall take effect at the end of ten days from the date of hearing provided the Regional Administrator, U.S. Environmental Protection Agency, has no objections.
10. The discharger shall comply with the self-monitoring program as adopted by this Board and as may be amended by the Executive Officer.



11. This Order expires on July 19, 1994, and the discharger must file a Report of Waste Discharge in accordance with Title 23, California Administrative Code, not later than 180 days in advance of such date as application for issuance of new waste discharge requirements.

I, Steven R. Ritchie, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, San Francisco Bay Region, on July 19, 1989.



STEVEN R. RITCHIE  
Executive Officer

Attachments:

Standard Provisions, Reporting Requirements & Definitions - December, 1986  
Self-Monitoring Program  
Location Map  
Wastewater Flow Diagrams

## CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD

SAN FRANCISCO BAY REGION  
1111 JACKSON STREET, ROOM 6040  
OAKLAND 94607

Phone: Area Code 415  
464-1255



Eq. #118

November 9, 1988  
File No. 2179.7117(KJT)

Mr. Lino Valbusa  
Browning-Ferris Industries  
P.O. Box 1068  
San Carlos, CA 94070

Dear Mr. Valbusa:

This letter provides a summary of the status of your application for Water Quality Certification (WQC) and Waste Discharge Requirements (WDR) for the proposed Apanolio Canyon Class III landfill.

In general, we support the concept of your proposed enhancement of Corindo Los Trancos Creek as part of the mitigation plan, but believe that additional hydrologic analyses and other design details must be clarified, and wetland values and water rights issues resolved, before we can present the mitigation plan to the Board for their consideration. Until the information necessary to resolve these issues has been submitted we consider your Report of Waste Discharge and application for Water Quality Certification to be incomplete.

Completion of your application for Water Quality Certification will require submission of the Final Environmental Impact Statement (EIS) as required by this Regional Board's Wetlands Policy Implementation Guidelines (Wetland Guidelines), and our July 20, 1987 letter. Additionally, the Wetland Guidelines require that you submit documentation of your coordination with the State and Federal fish and wildlife agencies regarding the adequacy of the proposed mitigation plan and we have not received any comments from these agencies that indicate that they were consulted, and are in agreement, with the evaluation of wetland values and the values of the proposed mitigation measures. In fact, the comments we have from the various concerned agencies clearly state that virtually all of the agencies disagree with your evaluation of the wetland values and the values assigned by your consultant to the proposed mitigation measures.

You have significantly modified the mitigation plan, in response to comments on the Draft EIS, to include mitigation measures that you may not be able to implement. The August 30, 1988 Supplement to the mitigation plan proposes to create four surface water ponds in Corindo Los Trancos Canyon to store water for release into Corindo Los Trancos and Apanolio Creek to enhance the habitat values of Corindo Los Trancos Creek and maintain the summer flows in Apanolio Creek; as well as to provide wildlife habitat. The diversion and storage of water from Corindo Los Trancos Creek can only be legally done if you obtain a water rights permit from the State Water Resources Control Board. Therefore, I will not recommend that the Regional Board consider this portion of the mitigation plan until and unless you obtain the water rights permit to divert and store the water as proposed in your mitigation plan. Your application for certification will be considered incomplete until you submit a copy of a water rights permit that allows you to implement the mitigation plan you are proposing.

The Regional Board staff supports the concept of your proposed mitigation to enhance Corindo Los Trancos Creek by providing a minimum flow of 0.5 CFS all year and would like to continue to work with you to ensure that this remains part of the mitigation plan. This is also the only mitigation measure being proposed by you that responds to our previous comments by providing an assurance that the mitigation measures will remain effective for as long as the adverse impacts of the project remain. The staff believes it would be prudent for you to apply for the water rights to divert and store as much water as physically possible within Corindo Los Trancos and Apanolio Canyons to further supplement the flows of these two creeks during the dry weather season. We recommend that you coordinate with ourselves and other concerned agencies to find a balance between the water needs of the various mitigation proposals to provide adequate water for riparian and fish habitat values, to ensure scouring of the creeks to prevent siltation of the spawning sediments, and to provide storage and recharge to maintain streamflow and replace lost groundwater resources.

The staff will complete a more thorough review of the entire mitigation plan, which includes the May 4, 1988 plan and the August 30, 1988 Supplement, and will be submitting comments to the Corps of Engineers when the entire mitigation plan has been finalized and issued for public comments either as the Final EIS or the next Draft EIS whichever the Corps decides to issue. The two documents cited above, which now comprise the mitigation plan, do not respond to our March 11, 1988 and July 20, 1988 comments on the original mitigation plan and the Draft EIS.

\* The mitigation plan is still very conceptual and does not provide adequate details on the existing conditions or the proposed mitigation measures. The mitigation plan does not provide mitigation for the loss of groundwater resources or the loss of recharge of groundwater to the lower canyon aquifer. The mitigation plan erroneously states that these issues will be addressed by your geotechnical consultant as part of the contingency plan. The mitigation plan is supposed to address the actual adverse impacts of the project whereas the contingency plan is designed to mitigate potential impacts that may result from the project. The project will eliminate groundwater resources and recharge for groundwater resources downgradient of the project and the mitigation plan must provide compensation for these lost beneficial uses of the waters of the State. The contingency plan must provide assurance that any additional beneficial uses of the waters of the State, that could be lost due to a failure of the landfill design, will be replaced.

\* The mitigation plan should also provide a very thorough hydrologic analysis of the Corindo Los Trancos watershed to demonstrate that there is adequate water available for diversion and storage to accomplish the proposed mitigation measures. This analysis will probably also have to be part of your application for the water rights to divert and store water. You should also begin preparation of much more detailed mitigation plans that clearly show the location of each mitigation measure. Photo documentation and detailed maps, at a scale of a least 1 inch equals 10 feet, of each mitigation location should be prepared. The Final mitigation plan must be of sufficient detail to be used for implementation of the mitigation measures and document the existing conditions and the details of the proposed mitigation measure. An example of this would be specific details (plan and section) on the proposed "instream improvements" in Pilarcitos and other creeks to enhance the fish habitat values instead of a broad general statement regarding the improvement of pool and riffle ratios. These detailed plans are not necessary for the Board's consideration of the mitigation plan but will have to be submitted and approved before any construction activities begin.

We are still very concerned about your running out of disposal capacity at Corindo Los Trancos Landfill before Apanolio Canyon can be permitted and constructed. Approval to begin waste disposal operations must be granted by the Board based upon the submittal and approval of the as built certification report demonstrating compliance with the WDR that would be adopted by the Board. The staff still believes that you will run out of capacity before the new landfill can accept waste for disposal. We do not agree with your continual revision of the remaining capacity to show that the site will reach capacity at the exact same time as your estimate of when Apanolio Canyon can accept waste for disposal. Your estimates have failed to realistically estimate the time needed to obtain the necessary permits and to comply with all the regulatory requirements and we believe that you have underestimated the time needed to construct the landfill and obtain Board approval to begin waste disposal operations. In the event the Board issues requirements for this site, initiation of disposal operations will be allowed only after receipt of documentation of compliance with the terms of the requirements.

Mr. Lino Valbusa

4

November 9, 1988

Based upon the fact that the Final EIS is not available for you to complete your WQC application, and it is not likely to be available much before the first of next year, I do not anticipate this case to be presented to the Regional Board for their consideration until at least the February 1989 Board meeting. Additionally, since you must first obtain a water rights permit before we can consider your mitigation plan, this may cause additional delays. ||

Please call Ken Theisen at (415)464-1308 if you have any questions regarding this letter.

Sincerely,



Steven R. Ritchie  
Executive Officer

cc: Assemblyman Duplissea  
Assemblywoman Speier  
Debra Bringelson, c/o Senator Morgan's Office  
Colonel Galen Yanagihara, District Engineer, U.S. Army C.O.E.  
Karen Miller, U.S. F.W.S.  
Brian Hunter, CA Dept. of Fish and Game  
Tom Yocum, U.S. EPA  
Diane Windham, Nat'l Marine Fisheries  
Anthony J. Gschwend, Brian, Kangas, Foulk & Associates  
Jesse Diaz, SWRCB  
Ross Swenerton, SWRCB/DWR  
John Hicks, Purcell, Rhoades & Associates  
Edgar B. Washburn, Washburn and Kemp  
Cliff Rechtschaffen, Attorney General's Office  
David L. Nichols, San Mateo County Manager  
Sandra Anfang, Half Moon Bay Library  
Tom Dolan, Meredith/Boli & Associates  
Gilbert & Ferne Gosset

## CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD

SAN FRANCISCO BAY REGION  
1111 JACKSON STREET, ROOM 6040  
OAKLAND 94607

Phone: Area Code 415  
464-1255



Q.#19  
August 1, 1989  
File No. 2179.7117(RJT)

Mr. Jephtha Wade, Chairman  
San Francisco Bay  
Regional Water Quality Control Board  
1111 Jackson St., Room 6000  
Oakland, CA 94607

Mr. W. Don Maughan, Chairman  
State Water Resources Control Board  
P.O. Box 100  
Sacramento, CA 95801

RE: W. WADE

RE: W. MAUGHAN

Dear Messrs. Wade and Maughan:

YOUNTVILLE

The purpose of this letter is to provide you with a status report on our permitting activities for the proposed Apanolio Canyon Landfill in San Mateo County.

I have tentatively scheduled Regional Board consideration of Water Quality Certification (WQC) and Waste Discharge Requirements (WDR) for this project for the October 1989 meeting. This schedule assumes the County will have by that time adopted a Negative Declaration and issued final approval for the project. I intend to recommend that Regional Board approval be contingent upon securing the Water Rights Permit needed to enable implementation of the proposed Mitigation Plan.

The Regional Board staff believes that at this time sufficient information about the project and associated mitigation measures has been submitted, as part of the application for WQC and WDR, in order to begin preparation of the case for consideration by the Regional Board, given the conditions noted below. The applications for WQC and WDR, include the 1984 Final Environmental Impact Report (EIR) for the landfill project, the April 1989 Final Environmental Impact Statement (EIS), and the June 19, 1989 Final Mitigation Plan which identify the adverse impacts of the project on waters of the State and propose specific mitigation measures to offset these adverse impacts.

Two issues that still concern the staff involve the discharger's ability to implement the proposed mitigation measures. The first issue involves additional County CEQA action and the issuance of the final approval by the County for the mitigation measures associated with the landfill project. The County has already adopted a Final EIR and granted final permit approval, for the landfill project. The only changes to the project since this approval by the County have involved the identification of specific mitigation measures to mitigate identified adverse impacts to the environment. However, the construction activities associated with the implementation of the specific mitigation measures have not been approved by the County and were not addressed in the 1984 Final EIR.

The implementation of the mitigation plan will result in the enhancement of the environment rather than cause adverse impacts, and the Final EIS and mitigation plan identify the specific mitigation measures that will be implemented if the project is approved. Therefore, the County plans on issuing a Negative Declaration under CEQA, with the Final EIS and mitigation plan as the supporting initial study, to ensure compliance with CEQA for their final permit approval to allow the implementation of the mitigation plan.

The staff fully supports the anticipated County action under CEQA and the granting of the final permit approval. Since the Regional Board, as a responsible agency, must depend on documents adopted according to the requirements of CEQA for any permit action or for granting WQC, the completion of the anticipated County action under CEQA will allow the Board to use all available environmental review documents in their consideration of the case. The staff believes that the 1984 Final EIR, together with the 1989 Final EIS and the Final Mitigation Plan dated June 19, 1989, provide adequate information about the project and associated mitigation measures.

The second issue that concerns the staff is the discharger's ability to obtain a water rights permit from the SWRCB for the portions of the mitigation plan that include the diversion and storage of water. The discharger has submitted a hydrologic analysis of both Apanolio Canyon and Corindo Los Trancos Canyon and it appears that there is adequate water available for the implementation of the proposed mitigation plan. However, the Regional Board staff is not fully aware of how the proposed diversions may affect downstream users and how the issue of water rights would be dealt with. It appears that since the diversions are proposed only during the wet season this may not be water that has been allocated to someone else.

I intend to proceed with the presentation of the Apanolio Canyon case to the Regional Board for their consideration, on the basis that implementation of the project would be contingent upon a water rights permit being issued by the SWRCB that would allow the diversion and storage of water, as discussed above. In other words, construction activities and discharge would not commence until the water rights permit is issued. Without the diversion and storage of water in both Apanolio and Corindo Los Trancos drainage basins, and the resulting augmentation of flow in both creeks, this project would have adverse impacts on beneficial uses of waters of the State that would not be mitigated. These impacts would cause the loss of fisheries resources in Apanolio Creek and a significant reduction in summer streamflow downstream of the proposed landfill which would have adverse impacts on other beneficial uses of the creek.

August 1, 1989

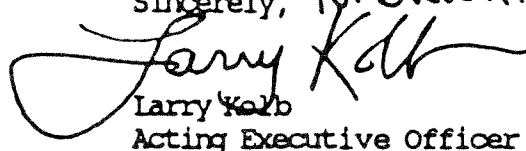
Therefore, if water rights could not be granted that allow for the implementation of the proposed mitigation plan the discharger would have to come back to the Regional Board with additional mitigation measures, acceptable to the Board, that would provide equivalent mitigation.

In conclusion, I am prepared to recommend that the Regional Board consider granting WQC and adopting WDR for the proposed project, upon the adoption by the County of the Final EIS and Final Mitigation Plan as part of their final approval of the project and on the condition that implementation of the project be contingent upon issuance of a water rights permit by the SWRCB for the diversion and storage of water. With the legal right to implement the mitigation plan, the Regional Board staff considers the proposed mitigation measures to be adequate to replace lost beneficial uses of the waters of the State and to be in compliance with the Regional Board's Basin Plan Wetland Fill Policy.

The staff is currently revising the tentative WDR issued earlier and preparing a tentative resolution for WQC for presentation to the Board upon completion of the County process discussed above. The County has indicated that it will take approximately 30 to 60 days, from when a completed application has been submitted to them, to complete the Negative Declaration process and to issue their final permit approval for the mitigation plan elements of the landfill project. The discharger has informed the staff that the application will be submitted to the County no later than August 10, 1989. Therefore, it appears that the October 18, 1989 Regional Board meeting would be the earliest meeting at which the Board could consider this case.

Please call myself at (415) 464-1307 or Ken Theisen at (415) 464-1357 if you have any questions regarding this letter.

Sincerely, for Steve Ritchie;

  
Larry Kolb  
Acting Executive Officer

cc: Lino Valbusa, BFI  
Paul Scannel, San Mateo County  
Assemblyman Ted Lempert  
Assemblywoman Jackie Speier  
Senator Becky Morgan  
Karen Miller, U.S. FWS  
Carl Wilcox, CA Dept. of Fish and Game  
Phil Oshida, U.S. EPA  
Jesse Diaz, SWRCB  
Cliff Rechtschaffen, Attorney General's Office  
Sandra Anfang, Half Moon Bay Library  
Tom Dolan, Meredith Boli & Associates  
Gilbert Fern Gosset  
Jesse Adams, SWMB





## CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD

SAN FRANCISCO BAY REGION

1111 JACKSON STREET, ROOM 2040  
OAKLAND 94607Phone: Area Code 415  
464-1255Date: July 7, 1989  
File No: 2199.9029D(WBH)

By #20

Mr. Michael Crosetti  
District Landfill Manager  
Waste Management of North America  
2000 Embarcadero - Oakland, CA 94606

Subject: Report of Waste Discharge (ROWD) - Durham Road Landfill  
Fremont, California

Mr. Crosetti:

Regional Board staff have completed review of the December 1, 1987 and March 1, 1988 submittals which constitute the subject report of waste discharge. This letter transmits the Board staff's major comments regarding the ROWD.

#### Presentation of Information

Staff found that the format for presentation of site characteristics left some issues unclear and accessing information difficult at best. The introduction to the March, 1988 Addendum to the ROWD describes the presentation format as being the "most expedient" even though "in some circumstances, it results in a slightly uneven presentation". Clearly, continuity and clarity of presentation should be a foremost consideration during preparation of a ROWD (see Section 2595(b), Subchapter 15, Chapter 3, Title 23 of the California Administrative Code).

To supplement the December 1, 1987 ROWD submittal, a hydrogeologic investigation (January - March, 1988) was conducted to provide additional site characterization. The Addendum to the ROWD did not present or interpret the results of this site investigation in conjunction with previously collected data.

The transmittal letter which accompanied the March 1, 1988 Addendum states that "some portions of the earlier (December 1, 1987) submittal are apparently contradicted by data contained in the Addendum". The ROWD does not identify these apparent contradictions or present any interpretation of the discrepancies.

Section 2595(f)(4) of Subchapter 15, requires that the ROWD present the results of soil testing for determination of the physical and chemical properties of soils. Appendix B.8.5 of the December 1, 1987 ROWD appears to present only selective results of soil sampling data from Woodward Clyde's soil testing program.

updated Waste Discharge Requirements Order (WDR), to be considered by the Board, will contain a time schedule for bringing the existing landfill into compliance with these Subchapter 15 requirements.

The ROWD did not address the significant mound of leachate which has accumulated within the existing landfill area. The updated WDR will also require submittal of a leachate management plan. This leachate management plan should be incorporated into the engineered alternative to the siting criteria.

#### Waste Management Unit Characterization - Expansion Area

The ROWD demonstrates that the proposed expansion area does not meet the siting criteria specified in Section 2530(c) of Subchapter 15, which requires all new landfills be sited, designed, constructed and operated to ensure that wastes will be a minimum of 5 feet above the highest anticipated elevation of underlying ground water. Regional Board staff disagree with Waste Management's conclusion that the proposed engineered alternative for the expansion area (which includes excavation of five feet of native soil and development of the base of the landfill below the existing water table) will provide a higher level of ground water protection than the prescriptive standard requiring five foot separation of wastes and the highest anticipated elevation of ground water. Additionally, the ROWD does not adequately demonstrate that it is infeasible to develop the expansion area to comply with the siting requirements of Section 2530(c) of Subchapter 15. We believe it would be appropriate to arrange a meeting at this time to further clarify staff's position on this matter. You should be prepared to discuss the submitted economic feasibility study at such a meeting and we suggest that a conceptual third alternative be submitted at that time. This alternative should provide for construction of an appropriate liner and leachate collection and removal system above the existing grade, without excavation of native soil.

#### Detection Monitoring Program

The ground water monitoring network does not consist of a sufficient number of wells to yield ground water samples that are representative of the quality of the ground water passing the points of compliance as specified in Section 2555(b) of Subchapter 15. Under most circumstances the spacial distribution between compliance point monitoring wells should not exceed 500 feet. Additionally, compliance point wells should be located in close proximity to the base of waste disposal units to provide

for immediate detection of waste constituents which may migrate from the site.

All leachate wells need to be sampled and analyzed using EPA Analytical Methods 608 and 625 during the next quarterly sampling event, to determine whether the current monitoring program needs to be expanded to include these analytical methods. If this one time sampling event demonstrates that 608 and 625 constituents are not present in the leachate, the monitoring program will not need to be expanded to include these analytical methods. The analytical results of the leachate sampling described above, shall be submitted to the Regional Board no later than September 1, 1989. This request for technical information is pursuant to Section 13267 of the California Water Code. Failure to respond or late response to this request may subject you to civil liability imposed by the Board to a maximum amount of \$1,000 per day. Any extensions of the time deadlines set forth above must be confirmed in writing by Board staff.

The ROWD proposes statistical analysis of future water quality data by the Gaussian Tolerance Limits Method. Subchapter 15, Section 2555 (h) specifies Cochran's Approximation to the Behrens-Fisher Students' T-Test for statistical analysis of indicator parameters, unless the Regional Board acknowledges use of an equivalent statistical method in the discharger's waste discharge requirements. Guidance from the State Water Resource Control Board, regarding suitable alternatives to the Students' T-Test should be forthcoming. Until the State Board issues such guidance, if the discharger chooses to utilize the Gaussian Tolerance Limits Method, the results of this analytical method must be presented and interpreted in conjunction with the results of a Students' T-Test analysis.

#### Slope Stability Analysis

The static condition stability analysis presented in the ROWD, identifies a critical failure surface with minimum factor of safety of 1.25. It is not clear whether or not this 1.25 factor of safety represents a temporary condition during construction operations. Under static conditions, the minimum acceptable factor of safety is 1.5. If the 1.25 safety factor is only associated with the construction phase of the expansion it may be acceptable. This matter needs clarification.

Also, the ROWD states that a horizontal ground acceleration of 0.230 g, when applied to the critical failure surface, would result in a safety factor of 1.0. However, the maximum probable peak ground acceleration in the vicinity of the landfill was determined to be 0.34 g, which results in a factor of safety less than one. The minimum acceptable factor of safety under seismic conditions is 1.15 g, and therefore the landfill design

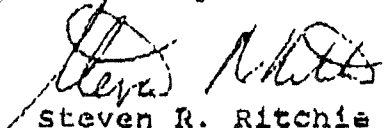
will need to be modified to provide adequate stability.

#### Final Comments

Because of the delayed review of the ROWD due to Regional Board staff limitations and because some of the ROWD information deficiencies have been subsequently obtained from the generally satisfactory self-monitoring reports, it will not be necessary for Waste Management, Inc. to resubmit these information requirements to complete the ROWD. However, due to its uneven presentation of site characteristics and the difficulty in accessing information contained in the ROWD, the ROWD will not be considered an acceptable reference as a means of complying with future Regional Board requests for information. If a future submittal refers to this ROWD, the relevant information should be restated in that report. Again, this ROWD is not an acceptable workplan proposal for development of the expansion area.

If you have any questions regarding these matters, please call William Hurley at (415) 464-0903.

Sincerely,



Steven R. Ritchie  
Executive Officer

cc: Mr. Kenneth J. Slamon, Jr, City of Fremont/LEA

EX. #21

RECEIVED JUN 12 1991

STATE OF CALIFORNIA  
REGIONAL WATER QUALITY CONTROL BOARD  
SAN FRANCISCO BAY REGION

EXECUTIVE OFFICER SUMMARY REPORT  
MEETING DATE: June 19, 1991

ITEM: 20

SUBJECT: Browning-Ferris Industries, Keller Canyon Landfill Wetland Fill, Contra Costa County - Recommendation on Water Quality Certification to the State Board Executive Director

CHRONOLOGY: The Regional Board has not previously considered this item.

DISCUSSION: Keller Canyon Landfill Company (KCLC), a subsidiary of Browning-Ferris Industries, has applied for Water Quality Certification for Keller Canyon Landfill for the filling of 3.37 acres of Corps jurisdiction area. KCLC proposes a Class II landfill on 244 acres south of the City of Pittsburg. The landfill construction would result in the discharge of fill into 1.92 acres of wetlands and 1.45 acres of open water, for a total of 3.37 acres.

The mitigation plan proposed includes 7.21 acres of wetlands and open water. Areas of water will be replaced at a ratio of one to one and wetlands will be replaced at a ratio of three to one. A complex of seasonal freshwater wetlands and open water would be constructed at the northern end of Canyon 2, east of Keller Canyon, and a pair of smaller wetland habitat areas would be constructed in Lawlor Canyon. A stock pond would also be repaired to produce wetland habitat in Canyon 2 and associated riparian habitat enhancement would take place in Lawlor Canyon.

The attached Tentative Resolution (Appendix A) recommends that the Executive Director of the State Water Resources Control Board grant Water Quality Certification for the project.

RECOMMENDATION

Adoption of the Tentative Resolution.

File No. 2118.03(JDW)

Appendices:

- A - Tentative Resolution
- B - Staff Report
- C - Location Map

Ex. # 21

RECEIVED JUN 12 1991

STATE OF CALIFORNIA  
REGIONAL WATER QUALITY CONTROL BOARD  
SAN FRANCISCO BAY REGION

EXECUTIVE OFFICER SUMMARY REPORT  
MEETING DATE: June 19, 1991

ITEM: 20

SUBJECT: Browning-Ferris Industries, Keller Canyon Landfill Wetland Fill, Contra Costa County - Recommendation on Water Quality Certification to the State Board Executive Director

CHRONOLOGY: The Regional Board has not previously considered this item.

DISCUSSION: Keller Canyon Landfill Company (KCLC), a subsidiary of Browning-Ferris Industries, has applied for Water Quality Certification for Keller Canyon Landfill for the filling of 3.37 acres of Corps jurisdiction area. KCLC proposes a Class II landfill on 244 acres south of the City of Pittsburg. The landfill construction would result in the discharge of fill into 1.92 acres of wetlands and 1.45 acres of open water, for a total of 3.37 acres.

The mitigation plan proposed includes 7.21 acres of wetlands and open water. Areas of water will be replaced at a ratio of one to one and wetlands will be replaced at a ratio of three to one. A complex of seasonal freshwater wetlands and open water would be constructed at the northern end of Canyon 2, east of Keller Canyon, and a pair of smaller wetland habitat areas would be constructed in Lawlor Canyon. A stock pond would also be repaired to produce wetland habitat in Canyon 2 and associated riparian habitat enhancement would take place in Lawlor Canyon.

The attached Tentative Resolution (Appendix A) recommends that the Executive Director of the State Water Resources Control Board grant Water Quality Certification for the project.

RECOMMENDATION: Adoption of the Tentative Resolution.

File No. 2118.03(JDW)

- Appendices:  
A - Tentative Resolution  
B - Staff Report  
C - Location Map

APPENDIX A





CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
SAN FRANCISCO BAY REGION

RESOLUTION NO. 91-\_\_\_

RECOMMENDATION FOR WATER QUALITY CERTIFICATION  
FOR  
BROWNING-FERRIS INDUSTRIES, KELLER CANYON LANDFILL COMPANY  
WETLAND AND OPEN WATER FILL  
CONTRA COSTA COUNTY

WHEREAS, the Keller Canyon Landfill Company, has applied to the State for Water Quality Certification under Section 401 of the Clean Water Act for the filling of 3.37 acres of wetland during the construction of the Keller Canyon Landfill; and

WHEREAS, these wetlands are in the area of the proposed landfill and will be filled in the course of the landfill construction, and are waters of the State and of the United States; and

WHEREAS, the Regional Board under Section 401 of the Clean Water Act reviews applications to determine if the proposed activity will meet State water quality objectives for Water Quality Certification for the proposed activity; and

WHEREAS, Water Quality Certification (WQC) is a certification for an activity that requires a federal license or permit that there is reasonable assurance that the activity which may result in discharge to waters of the United States will not violate water quality objectives (Title 23, California Code of Regulations, Section 3830 et. seq.); and

WHEREAS, Keller Canyon Landfill Company submitted an application for water quality certification on April 23, 1991, and the Regional Board Executive Officer found it complete on June 10, 1991; and

WHEREAS, the California Environmental Quality Act (CEQA) requires all projects approved by State agencies to be in full compliance with CEQA, and requires a lead agency to prepare an appropriate environmental document (EIR or Negative Declaration) for such projects; and

WHEREAS, the County of Contra Costa has certified a final Environmental Impact Report on February 13, 1991 in accordance with the California Environmental Quality Act (CEQA, Public Resources Code Section 21000 et seq.). The proposed landfill and landfill activity, as approved by the County, could cause significant effects on water quality and may degrade the water quality unless appropriate mitigation measures are taken. Potential impacts to the water quality could occur as a result of:

- o Earthquake damage or failure of leachate collection system;
- o Earthquake damage or failure of sediment pond;
- o Downstream inundation in the event of sediment pond failure;
- o Slope instability or failure as a result of water saturation of embankments;
- o Potential degradation of surface water quality as a result of increased sediment load and/or erosion;
- o Potential groundwater contamination due to contact with leachate;
- o Potential downstream impacts to aquatic biota from accidental discharge of contaminated water;
- o Alteration of existing surface and groundwater flow;
- o Depletion of surface flow and loss of perennial stream;
- o Wetlands and open water fill.

WHEREAS, the Board has considered the Keller Canyon Landfill FEIR and the mitigation measures described therein relating to the protection of surface water and groundwater quality. In the Keller Canyon FEIR, the following mitigation measures were recommended for the protection of surface water and groundwater quality:

- o Construction of a surface and subsurface drainage system to accommodate drainage affected by development of the site.
- o The monitoring of surface water flows and augmentation through recharge, if necessary.
- o Design of sedimentation ponds to withstand the Maximum Credible Earthquake.
- o Project excavation should coincide with low flow periods. Sediment within sedimentation ponds should be removed at least annually to prevent decrease in their holding capacity.
- o Onsite monitoring of groundwater levels would be conducted to project impact on storage and flow. A recharge program should be implemented if there are demonstrated to be impacts on groundwater use.
- o Implementation of erosion and sedimentation control techniques, timing of landfill construction to coincide with dry season, road berms, covering areas of high erosion potential, diverting and controlling water runoff, and reseeding exposed areas.
- o Downslope sedimentation ponds would be designed to handle the peak annual yield.
- o Seismic design of the landfill to withstand the MCE on the Clayton.
- o Avoidance of leachate contamination of groundwater through a tiered design. (1) Leachate formation would be limited by a surface water drainage system and daily cover. (2) Leachate containment would be provided by a double liner system consisting of a clay liner or by a synthetic liner of at least 60-mil thickness. (3) A leachate collection system would be developed, composed of a layer of permeable distribution material below the base of refuse, a piping system and collection

- o to channel the leachate to leachate management facility.
- o A monitoring well system would be designed to detect potential leaks, off-site. Wells could be converted to extraction wells in the event of leachate migration.
- o Surface water quality would be monitored per RWQCB requirements.
- o Samples from groundwater monitoring wells would be analyzed quarterly.
- o Mitigation measures imposed in the Leachate Control and Engineering construction section of the FEIR. These include barriers, sedimentation ponds, drainage control and sump pumps.
- o Surface drainage around the site should be visually inspected regularly.
- o Creation of wetlands and open water.

WHEREAS, the Board finds the preceding impacts, as outlined in the documents "FINDINGS IN SUPPORT OF A REZONING, WILLIAMSON ACT CANCELLATION, MINOR SUBDIVISION, AND ISSUANCE OF A LAND USE PERMIT FOR REFUSE DISPOSAL FOR THE KELLER CANYON LANDFILL PROJECT", July 24, 1990, and PRE-DISCHARGE NOTIFICATION NATIONWIDE PERMIT NO. 26 REPORT, October 10, 1990, are mitigated or avoided by a series of design measures to control erosion and assure containment of waste and leachate through the use of liners, leachate collection and removal systems, groundwater control, limits on the physical dimensions of the fill and the creation of new, additional wetlands and open water. The mitigation measures are described in the Report of Waste Discharge for the Keller Canyon Landfill, Contra Costa County Land Use Permit 2020-89 and by the Provision of Order No. 91-052 for the Keller Canyon Landfill, in the application submitted by Keller Canyon Landfill Company for water quality certification, and are set forth above.

WHEREAS, the 1.92 acres of wetlands proposed to be filled contain areas composed of hydric soils that are periodically inundated with surface and groundwater at a frequency and duration sufficient to support, and under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions, and is therefore defined as a wetland according to 40 CFR 122.2; and

WHEREAS, these areas covered by wetland and riparian vegetation, provide valuable habitat for resident and migratory birds of a wide variety of species as well as provide wildlife habitat; and

WHEREAS, Keller Canyon Landfill Company has submitted an alternatives analysis that partially addresses the requirements of Section 404(b)(1) of the Clean Water Act and the Regional Board has utilized this alternatives analysis in their consideration of the case; and

WHEREAS, Section 13142.5 of the California Water Code requires that the "highest priority shall be given to improving or eliminating discharges that adversely affect Wetlands, estuaries, and other biologically sensitive areas"; and

WHEREAS, Senate Concurrent Resolution No. 23 states that "It is the intent of the legislature to preserve, protect, restore, and enhance California's wetlands and the multiple resources which depend on them for the benefit of the people of the State"; and

WHEREAS, the discharge of fill material into the wetlands of the project site will cause a condition of pollution to exist in these waters of the State by altering the quality and quantity of water in the area, that is needed to support wetland beneficial uses, to a degree that will eliminate the beneficial uses of these waters of the State; and

WHEREAS, Keller Canyon Landfill Company has proposed mitigation measures, as part of the application for Water Quality Certification and the Environmental Impact Report, to offset the loss of beneficial uses of waters of the State, resulting from the discharge of fill material into the wetlands of the State at the project site; and

WHEREAS, the proposed mitigation involves the creation of 5.76 acres of seasonal wetlands and 1.45 acres of open water and the enhancement of 0.85 acres of seasonal wetland to replace the loss of 1.92 acres of wetlands and 1.45 acres of open water which will be filled by the construction of Keller Canyon Landfill; and

WHEREAS, the proposed wetlands are considered in-kind habitat replacement for the wetlands that will be lost due to the project on a greater than acre for acre basis; and

WHEREAS, the proposed mitigation plan will ensure that this project will not result in a net loss of wetland values or acreage; now

BE IT THEREFORE RESOLVED, that this Regional Board recommends that the Executive Director of the State Water Resources Control Board grant Water Quality Certification pursuant to Section 401 of the Clean Water Act and State regulations in Title 23 California Code of Regulations Section 3830 et. seq., for the Keller Canyon Landfill Wetland Fill Project, with the provisions that

1. Ownership of the mitigation site shall not be transferred to another entity until the USFWS, EPA and CDFG concur that the proposed mitigation site has met the goals of the mitigation plan.

BE IT FURTHER RESOLVED, that this Regional Board directs the Executive Officer to transmit this resolution to the Executive Director of the State Water Resources Control Board.

I, Steven R. Ritchie, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of a Resolution adopted by the California Regional Water Quality Control Board, San Francisco Bay Region, on \_\_\_\_\_

---

Steven R. Ritchie  
Executive Officer



*Cy. 27*

- PLEASE REPLY TO
- SACRAMENTO ADDRESS  
ROOM 3088, STATE CAPITOL  
SACRAMENTO 95814  
TELEPHONE (916) 443-6083
  - CENTRAL COUNTY  
1000 BURNETT AVENUE  
SUITE 130  
CONCORD 94520  
TELEPHONE (415) 689-1973
  - EAST COUNTY  
430 W. THIRD STREET  
ANTIOCH 94509  
TELEPHONE (415) 734-3011
  - WEST COUNTY  
2580 MACDONALD AVE.  
RICHMOND 94804  
TELEPHONE (415) 836-2620
  - SAN RAMON VALLEY  
2680 BISHOP DRIVE  
SUITE 105  
SAN RAMON 94583  
TELEPHONE (415) 830-2871

# Senate California Legislature

**DANIEL E. BOATWRIGHT  
CHAIRMAN**

**Committee on Business and Professions**

MEMBER:  
BANKING AND COMMERCE COMMITTEE  
BONDED INDENTEDNESS AND  
METHODS OF FINANCING COMMITTEE  
ELECTIONS AND REAPPORTIONMENT  
COMMITTEE  
REVENUE AND TAXATION COMMITTEE  
JOINT COMMITTEE ON PRISON  
CONSTRUCTION AND OPERATIONS  
CALIFORNIA PUBLIC PROCUREMENT  
ADVISORY BOARD  
SELECT COMMITTEE ON TOURISM  
AND AVIATION  
CHAIRMAN:  
SELECT COMMITTEE ON  
STATE PROCUREMENT AND  
EXPENDITURE PRACTICES  
CHAIRMAN:  
SENATE SUBCOMMITTEE  
ON SPORTS  
REPRESENTING:  
SEVENTH SENATORIAL DISTRICT  
CONTRA COSTA COUNTY

February 27, 1991



Honorable Marion Otsea, Chair  
Regional Water Quality Control Board  
San Francisco Region  
1111 Jackson Street, Room 6040  
Oakland, California 94607

Dear Ms. Otsea:

This letter is to inform you of my concerns about the Tentative Waste Discharge Order the Board is considering for the Keller Hillside Dump.

As you are aware California law and regulations require:

"All new landfills, waste piles, and surface impoundments shall be designed, constructed, and operated to ensure that wastes will be a minimum of 5 feet above the highest anticipated elevation of the underlying ground water."

Further, Sections 13050(1) and 13050(m) of the Water Code require that the disposal of waste shall not create a condition of pollution or a nuisance.

Despite these requirements, I understand the tentative waste discharge requirements do not require a 5-foot separation, allow garbage to be deposited in a known run off area, and rely on a containment berm resting on landslide materials.

The City of Pittsburg informs me that Browning Ferris Industries has filed documents with you stating:

"A 5-foot separation would also be unnecessarily burdensome...The added costs of



Honorable Marion Otsea  
February 27, 1991  
Page Two

placing an extra 3-feet of soil are estimated at \$7 million for construction, and \$12.9 million in lost airspace that would otherwise be available for waste disposal." (Report of Waste Discharge: Keller Canyon Landfill, Volume 1, September 1990, p. 4-16)

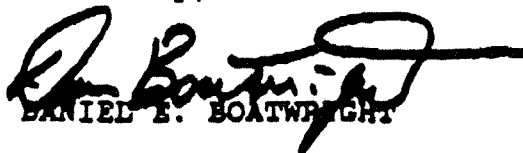
This corporate attitude is unacceptable. Public safety and water protection cannot be compromised for short term economic gain. The tough language of Subchapter 15 grew out of major legislative reform efforts aimed at requiring state water quality officials to demand the highest level of environmental protection of our ground water supplies. Your agency formulated Subchapter 15 in part to demonstrate it could toughen state law without the direct intervention of the Legislature. I urge you to enforce your own regulations.

Further, I'm concerned for the safety of hundreds of families who are being asked to live right below this controversial hillside dump. Your staff must carefully review the hydrology, geology and design of this project to ensure that the very letter of state environmental law is followed in arriving at the final decision as to the waste discharge requirements.

The tentative order defers many of the necessary reports of the waste discharge requirements. How can the Board possibly ensure the public safety and water protection when such reports as the leachate management plan, earthquake plan, a monitoring deformation plan, and post-closure maintenance plan are all deferred and unknown? The Board should not approve this report of waste discharge without full disclosure of how these critical features will be addressed.

Your decision is extremely important to hundreds and thousands of Contra Costa County residents. I urge you to carefully follow state law. I look forward to seeing your response to the concerns I have raised.

Sincerely,



DANIEL E. BOATWRIGHT

DEB:bjs

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
SAN FRANCISCO BAY REGION  
1800 HARRISON STREET, SUITE 700  
OAKLAND, CA 94612

Phone: Area Code 415  
444-1255



*By Mr. ZJ*

March 19, 1991  
File: 2119.1177 (rkm)

MAR 20 1991

The Honorable Daniel E. Boatwright  
Chairman  
Committee on Business and Professions  
State Capitol, Room 3086  
Sacramento, CA 95814

SUBJECT: Waste Discharge Requirements for Keller Canyon Landfill

Dear Mr. Boatwright,

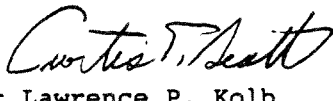
I have received your letter of February 27, 1991 relative to the Keller Canyon Landfill.

I share your concern about groundwater protection and want to assure you that our staff has carefully reviewed the subject project.

Attached is our staff report which clarifies our rationale for our recommendation for project approval. In general, we believe that the proposed design will provide better groundwater protection than simply meeting the 5 foot waste-to-groundwater separation requirement. The State's land disposal regulations (Chapter 15) specifically allow such designs where they will provide equivalent water quality protection. Furthermore, the technical reports you refer to are design details that are best addressed as design proceeds; if they were related to issues that might prove to be irresolvable, we would be recommending withholding of project approval.

Please contact me at 464-1307 or Mr. Richard McMurtry of my staff at 464-0432 if further clarification is needed or if we can be of further assistance.

Sincerely,

*for*   
Lawrence P. Kolb  
Assistant Executive Officer

cc: Regional Board Members

REGIONAL WATER QUALITY CONTROL BOARD  
SAN FRANCISCO BAY REGION

INTERNAL MEMO

TO: Lawrence P. Kolb  
Assistant Executive Officer

FROM: George Leyva  
Engineering Geologist

DATE: March 11, 1991

SIGNATURE: 

SUBJECT: Waste Discharge Requirements for Keller Canyon Landfill, Pittsburg, Contra Costa County

The Keller Canyon Landfill Company, a subsidiary of Browning-Ferris Industries, (BFI), proposes to construct a landfill near Pittsburg, Contra Costa County. The Tentative Order would establish design criteria for the landfill that would assure that all wastes are contained within the site.

The landfill will be equipped with a composite liner of clay and synthetic membrane, overlain by a leachate collection system to capture any liquid wastes generated in the landfill, and underlain by a granular drain to conduct groundwaters beneath the site.

Objections to the landfill are based principally on land use and related considerations, but water quality issues have been raised in written comments. Staff finds the objections based on water quality issues are not well founded, and in some instances are based on misunderstandings of the project and its potential for having impact on groundwater and surface waters. We continue to believe that the landfill design, as developed by BFI and its consultants, will be protective of the water's beneficial uses.

#### BACKGROUND

In October 1990, Keller Canyon Landfill Company Submitted a Report of Waste Discharge (ROWD) for a proposed Class II landfill in Contra Costa County near the City of Pittsburg. The County of Contra Costa has completed an Environmental Impact Report for the proposed site and has issued a Land use Permit. Staff reviewed the EIR and Land Use Permit along with the ROWD in preparing the Tentative Order.

Local opposition to the Keller Canyon landfill is based primarily on proximity of the site to residential areas of the City of Pittsburg. An alternate site further from the City (Marsh Canyon) has been approved by the County and, in January 1991, by the Sacramento RWQCB.

#### DISCUSSION

Sufficient information now exists to issue Waste Discharge Requirements for the proposed landfill, conditioned upon subsequent receipt of acceptable technical reports that address certain aspects of the project. The Tentative Order would establish general design criteria for the liner, leachate collection and underdrain system that are sufficiently specific to assure protection of groundwater. The aspects requiring subsequent reports include: (1) details related to design, operation and construction, (2) Corps of Engineers certification of wetland fill and mitigation, (3) NPDES permit regulating discharge of surface water and underdrain water to surface waters.

## Groundwater

Groundwater in the vicinity of the site is known to be of poor quality, however this Agency is committed to protect all waters from any degradation. Groundwater in the bedrock and within the unconsolidated materials beneath the Keller Canyon Landfill area contains levels of TDS, chloride, and sulfate exceeding the federal secondary drinking water standards. Concentrations of nitrate and iron are also above the federal standards at some locations. Groundwater use within the site is primarily limited to livestock watering. Water wells within a one-mile-radius downgradient from the limit of waste disposal are one belonging to the City of Pittsburg, an emergency water supply 4000ft. to the north-east, and another being a private well located about 2200ft. to the north-west; neither wells are directly downgradient from the site. The municipal water supplies for the cities of Pittsburg and Concord are provided by water from the Contra Costa Canal.

## Facility Design

The design requirements stipulated in the Tentative Order and mandated by the hydrogeologic conditions of the site require a state-of-the-art containment system which affords maximum protection of the groundwater and the environment. The design includes an underdrain system, composite liner, leachate collections and removal system and a groundwater/surface water monitoring network.

Contaminated leachate will be collected for subsequent reuse for dust control or for disposal by evaporation. Underdrain waters, which are expected to be uncontaminated, will be used for marsh enhancement or discharged to surface waters. Surface waters diverted from above the landfill and which have not contacted the landfill will be discharged to surface waters. Both underdrain and diverted surface waters will be stored and tested prior to discharge.

## Tentative Order Requirements

The Tentative Order would establish design criteria for the liner, the leachate collection system and the underdrain. In addition, the Order would require submission of a number of reports on various aspects of design, construction and operation of the landfill; all of which require approval and are conditions for waste disposal. The reports to be submitted are as follows:

- o Deformation Monitoring Plan
- o Post-earthquake Inspection and Corrective Action Plan
- o Leachate Management Plan
- o Closure and Post-Closure Maintenance Plan
- o Design Proposal including construction specifications, quality assurance and quality control plans, maintenance, operation and closure plans, slope stability analysis, as built construction reports
- o Proposal for establishment of Water Quality Protection Standards
- o Load Checking and Hazardous Waste Exclusion Plan

Other requirements of the Order will prohibit discharge of surface runoff except as permitted by an NPDES permit. That permit would assure that surface runoff was free of pollutants. Additionally, the Order does not go into effect until the Army Corps of Engineers issues a permit for wetland fill under Section 404 of the Clean Water Act.

## Chapter 15 Compliance Issues

The State's regulations for waste disposal to land are contained in Chapter 15, Title 23 of the California Code of Regulations. The proposed landfill design meets Chapter 15 requirements except for the requirement that the waste be at least 5 feet above the groundwater. The intent of this requirement is to:

- o Assure that underlying groundwater does not rise into the waste and convey pollutants with the groundwater flow
- o That waste constituents have less chance to migrate downward to contact groundwater.

Section 2510 of Chapter 15 allows consideration of alternatives to this requirement when compliance is impractical and will not promote attainment of applicable performance standards, and there is a specific engineered alternative that is (a) consistent with the performance goal addressed by the requirement and (b) affords equivalent protection against water quality impairment.

In general, staff believe that the proposed design provides better water quality protection than that afforded by compliance with the 5 foot requirement.

The design can be considered impractical in that the additional \$ 7 million associated with providing additional fill to meet the requirement will not promote attainment of applicable performance standards compared to the proposed design. Chapter 15 requires a synthetic liner or a clay liner. The proposed design includes both a clay liner and a synthetic liner. Chapter 15 requires a 40 mil thickness for a synthetic liner. The proposed design includes an 80 mil liner. Hence, the proposed design is expected to provide a greater degree of protection against waste leakage to groundwater, is consistent with the performance goal, and affords more than equivalent protection against water quality impairment.

## Other Permits

In addition to the NPDES Permit this Board will require for discharge of stormwater runoff to surface waters, the discharger must receive a Corps of Engineers permit for wetland fill for which mitigation will be needed for this project. The latter will require a recommendation of water quality certification from this Board.

I believe issues related to the NPDES permit and Water Quality Certification are readily resolvable. Therefore, issuance of waste discharge requirements need not be delayed, but rather can be best addressed by the provisions included in the Tentative Order. Provision C.21 stipulates that the Order does not go into effect until the Corps of Engineers issues a Section 404 wetland fill permit. Prohibition A.10 prohibits surface water discharge except as permitted by an NPDES Permit.

## Public Comment

Minor changes to the Tentative Order have been made in response to comments from the Integrated Waste Management Board and a law firm representing the discharger. Other comments which were received and were in opposition to the landfill were from the following parties: City of Pittsburg (including comments from two consultants, G. Fred Lee & Associates, and Pacific Advocates), City of Concord, Delta Diablo Sanitation District, State Senator Daniel Boatwright, Contra Costa Supervisor Tom Torlakson, Citizens United (Pittsburg), and Eugene Alves (construction contractor).

We are in the process of preparing a detailed response to these voluminous comments. However, in general, their thrust is:

- o The landfill will leak and threaten groundwater and surface water resources,
- o Exceptions to the requirement for 5 foot separation between groundwater and waste should not be granted,
- o WDRs should not be approved until all the technical reports on design, wetland mitigation, surface water discharges, etc. have been received and found acceptable.

We disagree with these comments. The landfill does not threaten groundwater or surface water resources. Surface water will be collected in a sediment pond and discharged to surface water only if it meets the requirements to be established in an NPDES Permit. The leachate collection system will convey all or almost all of the contaminated water generated within the landfill to a collection point where it can be recycled to the landfill or evaporated. Additional treatment could be required if found to be necessary. In the event of liner failures, the small amount of contaminants that make their way to the underdrain system are not expected to be at concentrations that will impair groundwater use. However, the system will be monitored and, in the unlikely event that harmful concentrations are found, treatment requirements would be established.

Exception to the requirement for 5 foot separation between groundwater and waste is warranted for the reasons stated above in conformance to Section 2510 of Chapter 15.

We see no basis for delay in issuance of WDRs for this site; sufficient information exists to authorize the landfill. Reports such as design plans, construction specifications, construction quality assurance plan and self-monitoring plan can be developed and submitted at a later date. Concerns about wetland fill issues are understandable, but given that an acceptable mitigation plan is likely, conditioning the Order upon issuance of a Corps of Engineers permit is a reasonable approach to the issue. Similarly, the Board will have the opportunity to review the NPDES Permit for the site at the appropriate time.

#### Conclusion

Issuance of Waste Discharge Requirements as contained in the Tentative Order is recommended.



Ex. 24

March 22, 1991

Mr. Lawrence P. Kolb  
Assistant Executive Officer  
California Regional Water Quality Control Board  
San Francisco Bay Region  
1800 Harrison Street, Suite 700  
Oakland, CA 94612

Dear Mr. Kolb:

I have received your letter of March 19, 1991 in response to my communication expressing grave concerns over the proposed Keller Hillside Dump.

I take great issue with your brush-off of my reference to the deferred technical reports as "design details." The reports which the Board will not have as you make decisions concerning the dump deal with the leachate management plan, earthquake plan, a monitoring deformation plan and the post-closure maintenance plan.

It is truly hard for me to believe the Board could approve the tentative waste discharge order without complete knowledge of how the above referenced items will be addressed.

I am very dissatisfied by your actions. They may jeopardize public safety and water protection.

Sincerely,

DANIEL E. BOATWRIGHT

DEB/brd





Ex 25

Memorandum

To : William R. Attwater, Chief Counsel  
Office of Chief Counsel

Date: DEC 05 1991

RECEIVED BY

DEC 9 1991

OFFICE OF THE  
CHIEF COUNSEL

Harry M. Schueller, Chief  
Division of Clean Water Programs

From : STATE WATER RESOURCES CONTROL BOARD

Subject: PETITION OF THE CITY OF PITTSBURG FOR REVIEW OF WASTE DISCHARGE REQUIREMENTS FOR THE KELLER CANYON LANDFILL COMPANY, A SUBSIDIARY OF BROWNING-FERRIS INDUSTRIES, ORDER NO. 91-052 OF THE CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD, SAN FRANCISCO BAY REGION (REGIONAL BOARD). OCC FILE NO. A-741.

We have reviewed the background data on the subject appeal. As you know, the Keller Canyon petition concerns the new Class II landfill proposed by Browning-Ferris Industries (BFI) for a canyon southwest of the City of Pittsburg in Contra Costa County. The landfill has an ultimate planned size of 244 acres and has a projected life of over 30 years. It will be accepting waste from the Contra Costa County area. As a landfill, it is subject to Chapter 15 requirements relative to siting, construction, monitoring, and closure/post-closure care.

The design of the landfill outlined in Order 91-052 requires a leachate collection and removal system placed over a "composite" liner. The composite liner consists of a two-foot thick clay liner having a permeability of  $1 \times 10^{-6}$  centimeters per second (cm/sec) or less directly overlain by a 80-mil thick synthetic liner composed of high density polyethylene. A subdrain will be placed below the clay liner. Depth to ground water varies considerably throughout the area of the proposed landfill. The area is underlain by inclined rock layers, each of which appears to contain isolated bodies of ground water under pressure.

The City of Pittsburg has appealed the Regional Board's Order as not sufficiently protective of ground water. This memorandum summarizes what we feel are the pertinent issues, our opinion on those issues, and, where appropriate, what we believe the State Board's options to be. More detailed technical discussions of these issues are available. In most cases, the

issues discussed are those raised in Craig Wilson's August 23, 1991 letter to me requesting our assistance on this appeal. The most important issue relates to the potential for settlement or slope instability at the proposed site. Additional issues we have identified are: (1) the presence or absence of a five-foot separation between waste and ground water as required by Section 2530(c) of Chapter 15; (2) adequacy of the proposed liner design to prevent leakage of waste or leachate; and (3) the adequacy of ground water monitoring. We have not addressed any issues relative to the application of the California Environmental Quality Act to this project as we feel such issues are primarily legal.

#### Settlement/Slope Instability

Chapter 15 requires that containment structures such as liners have a foundation capable of preventing failure due to settlement (Section 2530(d)). In addition, Class II landfills need to be designed, constructed, and maintained to preclude failure due to "rapid geologic change" such as landslides (Section 2532(e)). The petitioner contends that differential settlement and landslide-related slope instability will compromise the integrity of the landfill's engineered structures. The petitioner provides no analysis to support this contention.

We have reviewed the data supplied by BFI through October 15, 1991 and have concluded that evidence in the record suggests that there is the potential for inducement of slope instability due to the proposed excavation and grading at the site. The Regional Board Order did not address this issue. Also, we have concluded that the data are insufficient and inadequately presented to assess and support the petitioner's contention relative to differential settlement. Our review indicates that no detailed analysis of either the stability of the site or of potential differential settlement was done by BFI. Without this information, it is impossible to determine if the site is suitable for a Class II landfill. The attachment summarizes the type of information we feel would be needed to properly evaluate this contention.

#### Five-Foot Separation

Chapter 15 requires that new landfills be sited, designed, constructed, and operated to ensure that wastes will be a minimum of five feet above the highest anticipated elevation of underlying ground water. There is no substantial evidence to support the conclusion of the Regional Board that it is not feasible to maintain the minimum five-foot separation at the proposed landfill. Based on available information, it appears the separation could be maintained if the natural ground surface elevation was not changed (i.e., if there was not excavation along the canyon floor as currently proposed). Similarly, the Order does not document the Regional Board determination that it is not feasible to maintain that five-foot separation.

As described above, the proposed design for the landfill accepted by the Regional Board includes a subdrain below the composite liner. The Regional Board did not analyze this subdrain to determine if it alone constituted an engineered alternative to the required five-foot separation. We have

reviewed the conceptual subdrain design and conclude that it does in fact constitute an engineered alternative to the five-foot separation. Therefore, although the Regional Board failed to consider the obvious mitigative option to the separation issue of not excavating, the proposed subdrain will provide equivalent protection to the five-foot separation.

#### Adequacy of the Proposed Liner Design

Chapter 15 requires that a Class II landfill have a leachate collection and removal system. That system must be immediately underlain by natural geologic materials which have a permeability of  $1 \times 10^{-6}$  cm/sec or less and are of sufficient thickness to prevent the vertical movement of fluids from the landfill to ground or surface waters. Alternatively, the system may be immediately underlain by a two-foot thick clay liner having a permeability of  $1 \times 10^{-6}$  cm/sec or less. The liner design outlined in the Order is more stringent than these requirements. However, Chapter 15 also contains a performance standard (Section 2540(a)) that requires Class II landfills to be designed and constructed to prevent migration of wastes from the landfill.

The petitioner contends that the proposed composite liner will leak, in violation of the "no migration" performance standard for Class II landfills contained in Chapter 15. A review of the literature on liner design, including papers prepared by Dr. Rudy Bonaparte, a consultant to BFI, indicates that there is the potential for the proposed composite liner to leak at some time in the future. The volume of this leakage, or the time at which this leakage would begin, cannot be predicted.

BFI contends that there is an "upward hydraulic gradient" in the canyon floor area; that is, ground water in that area moves upward towards the land surface as opposed to downward. This condition would move any leakage from one part of the landfill to another part rather than away from the landfill. After careful study of the record, we have concluded that BFI, while acknowledging the likelihood of leakage, feels that this upward hydraulic gradient at the canyon floor in combination with the liner design, will meet the Chapter 15 performance standard for a Class II landfill by limiting the movement of leachate from the composite liner. However, our review of the record indicates that, looking at the entire 244-acre landfill area, less than 50 percent of the naturally occurring ground water beneath the landfill actually moves to that upward hydraulic gradient area. The remainder of the ground water moves in other directions through fractured and porous rock layers within the unsaturated and saturated zones of the underlying bedrock. Ground water movement within bedrock is to areas downgradient from the proposed landfill. Therefore, we have concluded that the upward gradient will not prevent migration of all liquids from the landfill.

Without the upward hydraulic gradient, the liner becomes the sole mechanism to prevent migration. As stated above, the proposed liner will eventually leak. Were the liner design to be changed by increasing the thickness of the clay component of the composite liner, we would still not be able to guarantee that the modified liner would not leak. We can with some

confidence say that it would take longer to leak. If the liner design were upgraded to a double liner system, from top to bottom: (1) a leachate collection and removal system, (2) upper synthetic liner, (3) a leachate collection and removal system, and (4) lower composite liner, it would take much longer for the system to leak and the system, if installed with good construction quality control, would be unlikely to leak. We cannot, however, provide an estimate of what such an upgrade would cost.

We are aware of the conflict within Chapter 15 between the "no leakage" criteria of the performance standard and the leakage that could be expected from a liner built in accordance with the prescriptive design. The prescriptive design was established in 1984 and was felt at that time to be the best that could be specified in regulations to prevent leakage. Liner design has advanced significantly in the past six years. It is now clear that a closer approximation to the performance standard requirement of no leakage could be achieved by installing a double liner system. Dischargers have been willing to take extra measures beyond the prescriptive design to prevent leakage as required by the performance standard. Examples of such measures are installation of double or of composite liners.

In dealing with this issue, the State Board has the following options:

Option 1--Keep the proposed liner design, accepting that there will be some leakage through the liner system (amount of leakage cannot be determined at present).

Option 2--If some leakage through the liner system is unacceptable, keep the proposed liner design but downgrade proposal from a Class II to a Class III landfill and upgrade both the ground water monitoring and final cover requirements (leakage from Class III landfills is allowed as long as it does not impair beneficial uses).

Option 3--Keep the proposed liner design, but upgrade the ground water monitoring as described below to ensure earliest detection of leakage and consequent remedial action (again, amount of leakage cannot be determined).

Option 4--Keep the proposed liner design but upgrade the proposed final cover requirement. The worst case for leakage is a nearly full landfill without a final cover to prevent infiltration of precipitation. Once a final cover that prevents infiltration is in place, the generation of leachate should decrease over time.

Option 5--Keep the proposed liner design but upgrade the ground water monitoring and the final cover requirement (a combination of Options 3 and 4).

Option 6--Upgrade the liner design to a double liner system. This option would reduce or may eliminate leakage but at an unknown and probably high cost. A variation of this option would be to keep the single composite liner system but increase the thickness of the clay component.

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Of the above six options, we prefer Options 2 and 6 as best meeting the requirements of Chapter 15.

It is important to note that ground water at some locations below the site exceeds 3,000 milligrams per liter (mg/l) total dissolved solids (TDS); water over 3,000 mg/l TDS is not considered a source of drinking water under Resolution 88-63. At other locations, TDS in ground water ranges from about 1,400 to 2,000 mg/l. Downgradient from the proposed landfill toe berm, ground water is known to contain less than 1,000 mg/l TDS. Ground water beneath the site may be hydraulically connected with ground water in the alluvium beneath the City of Pittsburg that is used for drinking water. BFI could be requested to provide additional data on the degree of any interconnection.

Ground Water Monitoring

Although not specifically listed as an issue by either the petitioner or Office of Chief Counsel, we have reviewed the proposed ground water monitoring network. As you know, the monitoring requirements contained in Article 5 of Chapter 15 are designed to ensure the earliest possible detection of leakage from a landfill. Based on our evaluation, we conclude that it is unlikely that the 4 apparently upgradient and 10 downgradient monitoring wells (depicted on the Drawing C attachment to the Order) will provide representative background ground water quality data and earliest detection of potential leakage. There is a lack of information on ground water flow directions, particularly on flow paths within all rock layers beneath and downgradient from the landfill site. Because of this lack of data, we cannot verify that wells are located in the actual downgradient direction of ground water flow. Also, wells are not deep enough to monitor movement of leakage down the inclined rock layers (see attached illustration).

To improve the likelihood that the monitoring network detects a leak, we recommend the following modifications: (1) add vadose zone monitoring (monitoring of the zone between the land surface and the top of the ground water--see illustration) to the side slopes beneath the proposed landfill. Some leakage from the side slopes of the landfill may move offsite rather than to the upward hydraulic gradient area of the canyon floor; (2) place a series of "well clusters" (see illustration) in the downgradient direction with each well completed in each of the different rock layers that surface beneath the landfill; and (3) verify that the number of wells is sufficient to determine the ground water gradient in each layer and ensure that representative water samples for quality analysis from each layer can be collected.

Summary

Without an analysis of the slope stability and the potential for differential settlement, it is impossible to determine if the site is

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suitable for a Class II landfill. Once the slope stability and differential settlement issues have been resolved, the adequacy of the proposed liner design and of the ground water monitoring system will need to be considered. It may also be advisable to request BFI to determine the extent to which ground water beneath the site is continuous with ground water beneath the City of Pittsburg.

If you have questions or if the State Board members would like a briefing, please telephone me at 739-4332 or Charlene Herbst at 739-4196.

Attachments (2)

Attachment 1

INFORMATIONAL NEEDS REGARDING SETTLEMENT/LANDSLIDE POTENTIAL

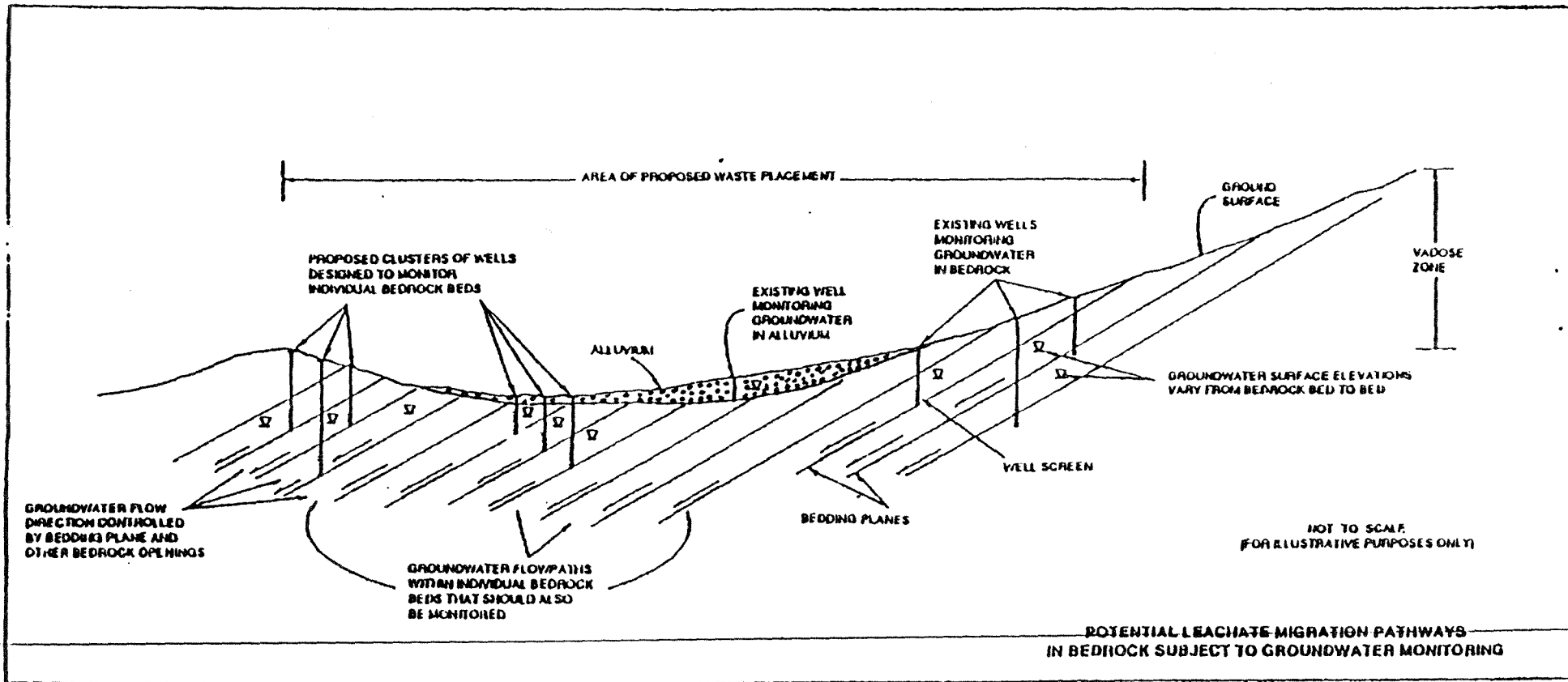
Settlement Potential--it is stated (Site Characterization Report, Volume 1, Page 6-25) that differential settlement of the landfill subgrade is expected to be limited and thus will not adversely affect the performance of the landfill's engineered structures. However, despite the available data on the engineering properties of soils, it is not clear that there is adequate consolidation test information for samples obtained at appropriate locations and depths to allow for a definitive evaluation of the potential for differential settlement beneath the landfill. Furthermore, the horizontal and vertical dimensions of potential settlement-prone materials beneath the landfill remains unknown. An appropriately-scaled map and pertinent subsurface cross-sections depicting the soils subject to settlement should be provided along with the location- and depth-specific engineering properties of those soils. Potential settlement calculations should be presented.

Landslide Potential--The proposed excavation work for the new landfill has not been definitively evaluated to determine if it would create slope instability problems. Such excavation activity in conjunction with near ground surface saturated conditions could cause a regeneration of significant landslide movement that can adversely impact the landfill's engineered structures. Such negative conditions can be created at the outset of construction and landfilling as well as in succeeding grading, construction and waste placement phases.

Ideally, slope stability analyses for all developmental phases of the landfill should be provided by BFI. The applicant should be required to provide detailed information on the subsurface conditions of all slopes. In addition to subsurface geologic cross sections drawn at an appropriate scale, location and depth-specific data on the engineering properties of soils should be provided along with calculations of the engineering factors of safety for the slopes.



ILLUSTRATION



**Draft Resolution**

Whereas the Sierra Club has a long standing policy that requires solid waste facilities to be built to contain the wastes. The recent State Water Resources Control Board staff findings of slope instability especially in relationship to the berm that is suppose to contain the wastes bring into question whether the containment structures will fail at the Keller Canyon Landfill site.

Whereas the State Water Board Staff has found that "there is a potential for inducement of slope instability due to the proposed excavation" and "grading at the (Keller Canyon Landfill) site and the Regional Board did not address this issue".

Whereas the State Water Board Staff and Browning and Ferris Industries admits that the landfill will leak.

Whereas the State Water Board staff does not agree with BFI's contention that the "upward hydraulic gradient" will prevent water contamination. The staff note: "However, our review of the record indicates that, looking at the entire 244 acre landfill area, less than 50 percent of the naturally occurring ground water beneath the landfill actually moves to that upward hydraulic gradient area ...Therefore, we have concluded that the upward gradient will not prevent migration of all liquids from the landfill."

Whereas the State Water Board Staff found that the monitoring wells will not detect leaks.

Whereas the State Water Board staff found "Without an analysis of the slope stability and potential for differential settlement, it is impossible to determine if the site is suitable for a Class II landfill."

The Sierra Club has a long standing policy that wastes need to be contained and water quality protected. The findings of instability and the resulting likelihood for liner failure and inability to detect leaks are serious concerns which need to be evaluated before the Sierra Club can support such a solid waste facility.

The Sierra Club Bay Chapter Conservation Committee resolves to take a position of neutral until all safety and water quality questions regarding the proposed dump are fully mitigated.



Ex. 27  
March 5<sup>th</sup> / 1984 Sierra Club Bay Chapter Re Keller / arrived 9pm

Starts at 11:15pm vote taken 11:45pm  
Koll represents dump proponents | Scott G. introduction no details  
comments that only Koll has expertise.

K: Announces he is part

comm. ch. of this committee long time member of SC  
and mag. com - tonight "representing Water &  
Control B. "not a paid gun"

states he has gained proficiency dealing with dumps operators  
that create "crude dumpies and <sup>an</sup> "clever seducers"

Mentions San Mateo County dumps - Fought BFI

"I wouldn't let my dog work for these people". Waste  
Management was in that fight. This is just a  
vestibule between two giant dump companies

"This is a well financed campaign by waste management"  
County approved this project "Sierra Club concluded this is  
the least bad" "approved the least bad place."

"Waste Management is conducting an all out blitz" This  
is part of a well orchestrated campaign "They want  
more studies. St Bd staff believes all liners leak. They  
The state Bd staff want more studies. This dump  
will contain the leachate. There is no need for  
new studies It will contain the leachate I  
think it will. "Every part can be monitored"

"locks pt down" "leachate will seep away into unsearchable  
g.w. "BFI handed the consultants their wallets" and  
told them to do the best. This complies with  
Ch 15 - This has an impervious membrane "Best  
Dump ever approved" "that isn't saying much  
because there were no liners no liner term"

"SB staff believe diff approach"

"This is similar to Marsh Creek Cyn  
similar under drain system"

"There are ~~not~~ alternatives other than the  
desert"

SB staff is misinformed

Waste Management campaign they funded Apollis  
They funded supporters