

RECIRCULATED REVISED FINAL
Environmental Impact Report
for the
POTRERO HILLS LANDFILL EXPANSION PROJECT



SCH #2003032112

**REVISION TO THE JUNE 2008 RECIRCULATED FINAL
ENVIRONMENTAL IMPACT REPORT FOR THE
POTRERO HILLS LANDFILL EXPANSION PROJECT**

Prepared by the County of Solano
675 Texas Street
Fairfield, California 94533

February 10, 2009

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(FEBRUARY 10, 2009)

**I. INTRODUCTION AND BACKGROUND FOR THE REVISION TO THE
FINAL RECIRCULATED EIR**

A. Introduction

This document is a revision to the May 2008 Recirculated Final Environmental Impact Report for the proposed expansion of the Potrero Hills Landfill. As explained below, this revision is being circulated for public and agency review both to provide additional information to comply with an order of the Solano County Superior Court and to provide information regarding any potential environmental impacts of the merger between Republic Services, Inc. and Allied Waste Services, Inc., and the divestiture of the Potrero Hills landfill that is required as part of the federal court orders approving that merger.

Following the circulation of the 2005 Final Environmental Impact Report for the Project, and the 2008 Recirculated Final Environmental Impact Report, the recirculation of this Revision for public review is the third public comment period provided under CEQA for the Project. As set forth below, this Revision is being circulated for comment on only two topics, the additional information on the No Project Alternative required by the court's order, and the new information on the merger between Republic and Allied and the required divestiture of the Potrero Hills Landfill.

B. Background

Potrero Hills Landfill, Inc. proposed a project identified as the expansion of the Potrero Hills Landfill ("Project"), a municipal solid waste landfill and resource recovery center located east of the Cities of Fairfield and Suisun City and one mile south of the State Route 12 and Scally Road intersection. The County of Solano, as the lead agency, through its consultant EDAW Inc., prepared a Draft Environmental Impact Report for the Project in 2003 (the "2003 Draft EIR"), and later a Final Environmental Impact Report for the Project in 2005 (the "2005 Final EIR"). On September 13, 2005, and through Resolution No. 2005-202, the Board of Supervisors certified the 2005 Final EIR.

The adequacy of the 2005 Final EIR was challenged in the case *Protect the Marsh, et. al v. County of Solano*, Solano County Superior Court Case No. FCS026839 (the "Lawsuit"). The Solano County Superior Court ruled that the 2005 Final EIR was adequate in all respects except for three areas: water supply analysis, air quality analysis, and project alternatives. The court issued a writ of mandate directing the County to

vacate and set aside its certification of the 2005 Final EIR. On June 12, 2007, and through its Resolution Number 2007-140, the Board of Supervisors vacated and set aside its certification of the Final EIR and directed that the 2005 Final EIR be revised to comply with the court's ruling.

Thereafter, the County of Solano, through its consultant EDAW, Inc., revised the water supply analysis, air quality analysis, and project alternative portions of the 2005 Final EIR as part of a Recirculated Draft Environmental Impact Report (dated December 21, 2007) ("Recirculated Draft EIR") and circulated these documents for public comment using the procedure described in section 15088.5(f)(2) of the CEQA Guidelines. This Guideline provides that, when a lead agency is recirculating only part of an EIR, comments should be limited to the portions of the EIR that have been recirculated. The County responded to all comments submitted on the Recirculated Draft EIR and included the comments and responses in the Recirculated Final Environmental Impact Report (dated May 13, 2008) ("Recirculated Final EIR").

On June 10, 2008, the County held a duly noticed public hearing and heard testimony regarding the environmental documentation for the Project. On June 10, 2008, the County certified the Recirculated Final Environmental Impact Report for the Project, which included the 2003 Draft EIR and the 2005 Final EIR, the Recirculated Draft EIR, and the Recirculated Final EIR.

On July 23, 2008, the court heard the County's motion for discharge of the court's Writ of Mandate. After taking the matter under submission, the court ruled on October 14, 2008, that only one issue remained to be resolved to the satisfaction of the court: clarification of the discussion in the "No Project Alternative" section of the Recirculated Final EIR concerning the use of Hay Road Landfill in Solano County for locally generated solid waste currently received at the Potrero Hills Landfill in the event the Project landfill were to cease accepting waste and close as postulated under the No Project Alternative. This Revision to the Final Recirculated EIR has been prepared by the County in response to the Court's October 14, 2008, Order. In addition, because of the completion of the merger between Republic Services, Inc. and Allied Waste Industries, Inc., this Revision also discusses the merger and the required divestiture of the Potrero Hills Landfill.

C. Partial Recirculation of this Revision to the Final Recirculated EIR

Accordingly, this Revision includes information on the effect of the merger, in section II, below. This Revision also supplements the "No Project Alternative" discussion on pages II-33 through II-34, and II-53 through II-54 of the Recirculated Draft EIR, in Section III below. Consistent with CEQA Guideline 15088.5(f)(2), this Revision is being circulated for comments on these two topics, and Solano County as the lead agency requests that reviewers limit their comments to these two topics. Guideline 15088.5(f)(2) provides as follows:

When the EIR is revised only in part and the lead agency is recirculating only the revised chapters or portions of the EIR, the agency may request

that reviewers limit their comments to the revised chapters or portions of the recirculated EIR. The lead agency need only respond to (i) comments received during the initial circulation period that relate to chapters or portions of the document that were not revised and recirculated, and (ii) comments received during the recirculation period that relate to the chapters or portions of the earlier EIR that were revised and recirculated. The lead agency's request that reviewers limit the scope of their comments shall be included either within the text of the revised EIR or by an attachment to the revised EIR.

D. Recirculation Process for this Revision

This Revision to the Recirculated Final EIR will be subject to review and comment by the public, as well as all responsible agencies and other interested parties, agencies and organizations for a period of 45 days. Comments should be limited to the two topics covered in this Revision, consistent with Guideline 15088.5(f)(2). Comments on this Revision to the Recirculated Final EIR should be submitted to:

Jim Leland, Principal Planner
County of Solano
Department of Resource Management
675 Texas Street
Suite 5500
Fairfield, California 94533
(707) 784-6765
Email: jhleland@solanocounty.com

The Revision to the Recirculated Final EIR is available for public review at the County's office identified above between the hours of 8:00 am and 5:00 pm, Monday through Friday.

At the close of the comment period, the County will consider all comments received on this Revision, and will prepare the responses to comments received on this Revision. This Revision, together with the comments received and the responses to those comments, and also together with 2003 Draft EIR, the 2005 Final EIR, the Draft Recirculated EIR and the Final Recirculated EIR, will collectively be the "Final Environmental Impact Report" for the proposed project. In accordance with Public Resources Code section 21092.5, the responses to comments on this Revision will be published and made available a minimum of ten days prior to a hearing by the Board of Supervisors to consider the adequacy of this Revision and the Final Environmental Impact Report, and the County will also circulate to any commenting agencies copies of the responses to their comments. If the Board of Supervisors decides to certify the Final Environmental Impact Report including this Revision, then the Board will consider whether to approve the proposed project.

II. INFORMATION REGARDING THE MERGER OF REPUBLIC SERVICES, INC. AND ALLIED WASTE INDUSTRIES, INC.

A. The Merger and the Required Divestiture of the Potrero Hills Landfill

On June 23, 2008, Republic Services, Inc. ("Republic"), the parent company of Bay Landfills, Inc. which owns the Potrero Hills Landfill, announced that it would merge with Allied Waste Industries, Inc. ("Allied"). The merger was completed on December 5, 2008, with Republic as the surviving entity following the merger. In connection with the merger, the United States Department of Justice (DOJ) determined that divestiture of certain assets of both Republic and Allied were necessary in order to maintain a competitive market place in various areas of the United States. In the San Francisco Bay Area, DOJ determined that the Potrero Hills Landfill was required to be divested by Republic. Accordingly, the divestiture was ordered by DOJ in a Final Judgment which has been entered in the matter entitled *United States of America, et al v. Republic Services, Inc. and Allied Waste Industries, Inc.* filed December 4, 2008 in United States District Court in and for the District of Columbia. The Final Judgment requires Republic to divest the Potrero Hills Landfill within 90 days, with one or more 60-day extensions of that time period. If Republic is not able to divest the Potrero Hills Landfill within that time period (including extensions), then the Landfill will be held by a court-appointed trustee who will seek a buyer for the Landfill. The Final Judgment specifies that Republic may not take any action that impedes the permitting of the Landfill.¹

In accordance with the terms of the Judgment, Republic is also required to hold the Potrero Hills Landfill as a separate asset (separate and apart from Republic's other solid waste facilities, including other landfills in the San Francisco Bay Area) pursuant to a Hold Separate Stipulation and Order (HSSO) entered into between Republic and DOJ. The HSSO requires that the Potrero Hills Landfill must be preserved and maintained as an independent, ongoing economically viable competitive business, with management and sales operations separate and distinct from Republic's other facilities and operations. The hold separate obligation also includes the requirement that Republic take all steps necessary to ensure that Potrero Hills Landfill will be maintained and operated as an independent and active competitor in the waste disposal business in the San Francisco Bay Area. Thus, effective December 5, 2008, the Potrero Hills Landfill is a separate asset which is an independent competitor to other solid waste facilities in northern California, including those owned and operated by Republic.

Under the terms of the HSSO, Republic will retain the waste volumes which have been previously sent to Potrero Hills Landfill from Republic's Golden Bear solid waste transfer station in western Contra Costa County, and those wastes will no longer be sent to the Potrero Hills landfill. These wastes, received since September 2006, have totaled approximately 550 tons per day (J. Dunbar, 12/2008) but have declined in early 2009 to approximately 300 tons per day. (J. Dunbar, 2/2009). At the time of this Revision, Potrero Hills Landfill has been receiving approximately 3,100 tons per day, just under its permit limit of 3,400 tons per day. The facility has experienced some decline in tonnage received (from the peak of 3,400 tons per day) due to the recent economic downturn. With the removal of the tonnage received from western Contra Costa County, the daily

¹ A copy of the Final Judgment, as well as the Hold Separate Stipulation and Order, are available for review at the County offices during normal business hours, at the address given above for submitting comments.

tonnage rate will be approximately 2550-2600 tons per day. As of January 1, 2009, the anticipated site life in the absence of the western Contra Costa County tonnage is approximately 1.7-1.8 years. (J. Dunbar, 12/2008) Thus, in the absence of the expansion that is the Project reviewed in this EIR, the remaining site life of the Potrero Hills landfill is approximately through August 2010.

Locally-generated waste in southern Solano County, approximately 400-500 tons per day, is collected and transported to the Potrero Hills Landfill by Solano Garbage Company (SGC), a subsidiary of Republic and a former affiliate company to the Potrero Hills Landfill prior to the merger and HSSO. The continued disposal of this tonnage at Potrero Hills Landfill will not be affected by the merger or the HSSO.

B. Potential Environmental Effects of the Required Divestiture

This section evaluates whether the required divestiture of the Potrero Hills Landfill results in any new or substantially more severe environmental impacts than those analyzed in the 2005 Final EIR and the 2008 Recirculated Final EIR. Under the terms of the Final Judgment and the HSSO, Republic will hold Potrero Hills Landfill separate and apart from Republic's other solid waste facilities while Republic seeks to market the Landfill. Depending on the success of Republic's divestiture efforts, the Landfill might be held for some time by a court-appointed trustee. Ultimately, the Landfill will be held by a third party purchaser. The Landfill will be transferred subject to its existing permits and permit conditions and subject to existing contracts for waste transfer and disposal.

1. CEQA Requirements

Generally, the CEQA statute and the CEQA Guidelines do not set forth any provisions requiring analysis of the end user of a proposed facility, or a change in the identity of the owner or end user of a facility. CEQA case law does address this issue, however. In *Maintain Our Desert Environment v. Town of Apple Valley* (2004) 124 Cal.App.4th 430, the court stated that the end user of a proposed facility is not relevant or required to be analyzed under CEQA unless the identity of the end user "implicates environmental impacts." Also, in *Friends of Davis v. City of Davis* (2000) 83 Cal.App.4th 1004, the court held that a non-environmental change such as a change in the identity of an owner or operator is not an environmental impact, and that any indirect physical impact resulting from such an ownership or operator change is only required to be considered under CEQA if there is a significant indirect impact that is reasonably likely to occur and not speculative.

2. Potential Effects

The change in the handling of the waste stream from Republic's Golden Bear solid waste transfer station is a foreseeable consequence of the Final Judgment and the HSSO. Since September 2006, the Potrero Hills Landfill has received approximately 550 tons per day from this transfer station. (J. Dunbar, 12/2008) With the removal of the tonnage received from this transfer station, the overall daily tonnage rate will be approximately 2550-2600 tons per day, instead of approximately 3,100 tons per day with

the waste from the transfer station.² This reduction is not anticipated to result in any significant adverse impacts when compared to the existing landfill operation. Waste volumes at landfills normally fluctuate in response to a variety of circumstances, and waste volumes at the Potrero Hills Landfill have fluctuated over time. This reduction is well within the scope of historical fluctuations in waste volumes at the Potrero Hills Landfill over the past ten years.

No reasonably foreseeable adverse indirect effects are anticipated to result from the management of the Potrero Hills Landfill separate and apart from other Republic facilities, as required by the HSSO, and the ultimate divestiture of the Landfill and transfer to a new owner. The Landfill operates under a cap of 3,400 tons per day, and has been operating close to that cap until disposal volumes dropped recently in response to the economic downturn. Under new ownership, the Landfill will operate subject to that same operating cap, so under a new owner, the amount of waste disposed cannot substantially change. Also, the Landfill currently operates under a number of contracts for disposal of waste, and a new owner will be subject to those contracts as well, so the origin of the waste that is disposed will not change substantially in connection with a change in ownership.

It is also not possible at this time to identify the new owner of the landfill. The County does not know at this time whether the landfill divestiture will be completed within 90 days or whether there will be extensions of that time deadline. In addition, the Final Judgment provides that the federal government may object to any proposed divestiture, and the County cannot determine at this time whether there may be such an objection. Finally, given the uncertain time frame for divestiture, delaying the circulation of this Revision until the identity of a buyer is known is impractical, and would only delay compliance with the Court's writ of mandate. The Final Judgment also anticipates that steps towards permitting the Project will continue, and specifically bars Republic from delaying any such steps towards permitting.

III. SUPPLEMENTAL DISCUSSION OF THE NO PROJECT ALTERNATIVE

Under the No Project Alternative, once the Potrero Hills Landfill reaches capacity and closes, solid waste that would have been disposed of at the Potrero Hills Landfill would instead be directed to other landfills in the region or otherwise disposed, diverted, or recycled. Section D of this Project Alternatives chapter, beginning at page II-64 of the Draft Recirculated EIR, describes nineteen other landfills and six alternative waste reduction technologies. It is not known whether the regional solid waste landfilling system can absorb the 3,100 tons per day of solid waste currently disposed of at the Potrero Hills facility. The facility has previously received 3,400 tons per day, its permit limit, since 2005 during the pendency of the Phase II expansion project. In theory, there are myriad ways in which the Potrero Hills Landfill waste stream might be directed to

² As noted above, the Potrero Hills Landfill has a permit limit of 3,400 tons per day, and in most recent years, it has received solid waste in an amount either at or just below that permit limit. In 2008, however, tonnage has declined as a result of the dramatic economic downturn.

one or more of the other landfills or otherwise handled under the No Project Alternative. Because each solid waste management facility has unique permit conditions and constraints, including contractual commitments and permit conditions, it is not possible to summarize each permit accurately to know whether and to what extent solid waste currently disposed of in the Potrero Hills Landfill could be diverted for landfilling elsewhere, or for how long. While it is possible to obtain publicly available permit information using the CIWMB's Solid Waste Information System (SWIS) database as described in the EIR, this database does not detail the permit conditions provided in other conditioning permits for other solid waste facilities and does not provide information on contractual commitments for any solid waste facilities.

One possibility for what might happen under the No Project Alternative is for solid waste generated within Solano County and currently received at the Project landfill to be redirected to another landfill located within Solano County, and that solid wastes generated outside of Solano County would be redirected to one or more landfills located outside of Solano County. At this time, the only other landfill operating within Solano County is the Hay Road Landfill, located on Hay Road off of State Route 113, approximately 21 miles northeast of the Potrero Hills Landfill.

Of the average 3,100 tons per day of solid waste currently disposed of at the Potrero Hills Landfill, approximately 700-800 tons per day are generated locally within Solano County. This solid waste comes from the cities of Fairfield and Suisun, Travis Air Force Base, and some of the unincorporated areas in the County. Of this locally-generated waste, approximately 400-500 tons per day is collected and transported to the Potrero Hills Landfill by Solano Garbage Company (SGC), an affiliate company to Potrero Hills Landfill, Inc. In addition, self-haul tonnage currently disposed of at Potrero Hills Landfill is on the order of 300 tons per day. This self-haul tonnage is not controlled by SGC or any affiliate of Potrero Hills Landfill, Inc.

The Hay Road Landfill currently receives an average of approximately 500 tons of waste per day. Under its current Solid Waste Facility Permit, the Hay Road Landfill has a daily average tonnage limit of 1,200 tons per day based on a 7-day rolling week. The facility permit was recently updated by the CIWMB to show an expected closure date of 2077, based on that landfill's current waste volumes. The redirection of SGC's 400-500 tons per day of locally generated waste would double the Hay Road Landfills daily volume and would halve its currently estimated site life. The Hay Road Landfill's site life would be further reduced if some or all of the 300 tons per day of self-haul waste now going to Potrero is instead disposed of at Hay Road. Complete redirection of all locally-generated wastes from Potrero Hills to Hay Road, including both SGC collected waste and self-haul waste, would exceed the currently permitted maximum tonnage of 1,200 tons per day for the Hay Road facility, and would thus violate the terms of Hay Road's permits. Hay Road is thus currently prohibited from accepting the complete redirection of all locally-generated wastes from Potrero Hills. Modifying Hay Road's permits to allow such redirection would require environmental review pursuant to CEQA and a revision to the facility's Solid Waste Facility Permit. Depending on the timing and actual volume of waste redirected to Hay Road, the resulting reduced site life for the Hay Road Landfill might not allow the County to maintain a minimum of 15 years of assured

disposal capacity for the County's total waste stream, even assuming no significant changes in population or waste generation conditions.

Because the Solano County waste-generation sources are closer to the Potrero Hills Landfill than they are to Hay Road Landfill, the redirection of locally generated waste from Potrero Hills to Hay Road would increase travel distance for waste hauling. SGC collection vehicles would most likely travel east on SR 12, past the Scally Road turnoff to the Potrero Hills facility, and continue on SR 12 to SR 113, turning left and traveling north to the Hay Road Landfill. It is likely that non-SGC vehicles (self haulers) would also use this same route from the Fairfield-Suisun area.

Another possibility under the No Project Alternative would be that all of the locally generated waste disposed of at Potrero Hills Landfill would be transported to one or more of the eighteen non-local landfill facilities identified in section D of the Recirculated Draft EIR's Project Alternatives chapter. This non-local landfilling of locally generated wastes would potentially require construction and use of a new solid waste transfer facility in the Fairfield-Suisun area to facilitate these wastes being transported to one or more out-of-county landfills. The location or locations of the disposal facility(ies) would have to be determined by the waste hauling companies based on available capacity at a facility and suitable economic terms at one or more of these sites. The use of the waste transfer facility to transport wastes to more remote landfills is likely necessary in this scenario because the 7-ton "packer" trucks used for route collections by SGC are not designed or suitable for long distance hauls. Because a transfer tractor and trailer carries approximately 22 tons, use of transfer vehicles is a more efficient mode of transport requiring the use of fewer vehicles to haul long distances. In addition, diversion of equipment needed for daily route collections to multiple extended transportation operations would require expansion of the collection vehicle fleet. The use of transfer facilities and long haul vehicles addresses these issues.

Development of a Fairfield-Suisun transfer station facility would itself create potential land use concerns not unlike those for siting a landfill. Land use aspects would include the siting of a transfer facility being restricted to commercial or industrially zoned properties. The CIWMB would require the waste unloading and handling operations to be conducted within a building; thus, provision of a building of suitable size and capacity would be necessary. The County's CoIWMP would need to be amended to provide for a change in the Non-Disposal Facility Element ("NDFE") of the Plan. This type of facility would have to undergo detailed environmental review pursuant to CEQA in order to be permitted. The time entailed to study alternative available properties, prepare the preliminary engineering to provide the project descriptions and complete the environmental analyses, obtain the city conditional use permits and NDFE change and construct the facility may be longer than the remaining available life of Potrero Hills Landfill.

The potential impacts and their severity stemming from transferring waste to other landfill sites would depend upon the permit conditions and operations unique to those facilities, and any operational changes at the destination landfill that would have to be made to accommodate the volume transferred to that facility. It is not possible to reasonably determine

whether the impacts shifted to a destination facility would be less or more severe than anticipated or the Project site.

A County decision to adopt the No Project Alternative, and thus to not expand the Potrero Hills Landfill and instead to direct locally generated waste volumes handled by SGC to Hay Road, would represent a fundamental change in the construct of the County's Integrated Waste Management Plan (CoIWMP), and the basic landfill siting policies adopted in the CoIWMP in 1996³. The Siting Element of the CoIWMP sets forth five fundamental goals to ensure that sufficient solid waste disposal capacity is available, and then sets forth policies and implementation schedules to achieve those goals. The second of the five fundamental goals set forth in the CoIWMP provides as follows:

- "Provide for landfill disposal capacity for a significant portion of the wastes generated by the County and its cities through implementation of planned expansions of the capacity of the existing Potrero Hills Landfill and the B & J Drop Box Sanitary Landfill"

(The B & J Drop Box facility is now known as the Hay Road Landfill). The CoIWMP also confirms that the planned expansion referenced in this goal is the planned expansion that is now before the County as the proposed Project. CoIWMP, Siting Element, page VI-1 (referring to the expansion onto the 210-acre parcel adjacent to the existing Potrero Hills Landfill). Under the procedures set forth in the California Integrated Waste Management Act, the CoIWMP siting element, including the goal of achieving landfill capacity through a two-landfill strategy that includes the proposed expansion of the Potrero Hills Landfill, was approved without dissent by the Solano County Board of Supervisors, and by the city councils of the cities of Dixon, Fairfield, Suisun City, Rio Vista, Vacaville, and Vallejo.

The CoIWMP provisions represent a studied and long-standing policy decision of the County as required under the Integrated Waste Management Act to have two active landfill facilities, with a significant benefit to the County and its rate payers by avoiding any one site having a monopoly over in-County waste disposal capacity volume and pricing of that disposal capacity. The CoIWMP anticipates the expansion of the Potrero Hills Landfill to help serve the County's long term disposal needs. Although the No Project Alternative is evaluated as required by CEQA, adoption of this alternative would be inconsistent with one of the basic goals of the CoIWMP Siting Element, and the County's longstanding policy decision to achieve solid waste capacity with a two-landfill siting program. Thus, under this No Project Alternative scenario, the County would be required to revisit and potentially alter its current CoIWMP policy, also necessitating a change in the disposal facility siting element of the approved CoIWMP. (The CoIWMP and the Siting Element would also need to be changed if the County were to approve a No Project scenario whereby waste would be transferred outside the County via a new transfer station). A change in the CoIWMP would be a discretionary action taken by the County Board of Supervisors in accordance with established requirements set forth in the California Public Resources Code for preparation of major revisions to a CoIWMP. These procedures require concurrence by a majority of the cities in the County as well.

If the locally generated SGC wastes were ultimately disposed of at Hay Road landfill, the first Project objective and purpose stated in the EIR and in the Court's October 14, 2008 Order after Hearing, which is to provide a stable long term source of disposal capacity by expanding the

³ The Siting Element is dated November 1995, but was approved by the County and all cities within the County in 1996.

Potrero Hills Landfill, would not be met. This is because in addition to the locally generated wastes in Solano County, the applicant's operation serves a regional base and thus the Project objective of developing a long term source of disposal capacity is an objective not limited to Solano County wastes. A portion of the solid waste disposed of at Potrero Hills Landfill, the locally generated wastes, could be re-directed assuming a commercially acceptable arrangement with Nor Cal which would allow the County to meet its 15 year minimum disposal capacity requirement in the CoIWMP under current conditions. Thus, a portion of the Project objective to provide capacity would be met in this scenario. However, the Potrero Hills Landfill has contractual commitments and daily volume requirements currently at 3,100 tons per day pursuant to its permits which cannot be managed at Hay Road Landfill due to daily volume limitations in the Hay Road landfill permit, and thus have to be managed at one or more facilities owned and operated by other competitors to Potrero Hills landfill in the region. This remains the case during the term of the HSSO discussed in section I.A above, and after the Potrero Hills facility comes under new ownership. The HSSO requires that the facility be managed as a competitor to Republic's other facilities, and Potrero Hills remains a competitor to other facilities owned by Nor Cal (Hay Road), Waste Management (Redwood Landfill) and other facilities in the northern California area. As such, the fundamental project objective of the applicant to develop a stable long term source of disposal capacity is not met in the No Project Alternative for the majority of the applicant's solid waste disposed of at Potrero Hills Landfill.

The No Project Alternative would have the effect of limiting the County's waste disposal options, and would not provide an effective, long-term solution to the County and regional waste management needs served by the applicant's Potrero Hills facility. It is not known whether the regional solid waste landfilling system can absorb the average 3,100 tons per day of solid waste currently disposed of at the Potrero Hills facility. Each landfill facility has unique permit conditions and constraints, including contractual commitments; permit conditions limiting a variety of operating conditions including hours of operation and access to major freeway interchanges and routes. It is not possible to meaningfully summarize each permit accurately to know whether and to what extent solid waste currently disposed of in the Potrero Hills Landfill could be diverted for landfilling elsewhere, or for how long.

The No Project Alternative would, however, be considered the environmentally superior alternative because it would minimize the direct environmental impacts anticipated at the project site discussed in the EIR. However, several types of impacts similar in nature would be anticipated at the destination landfill that would receive diverted waste once the existing landfill's capacity is reached. Impacts are thus shifted from the PHLF site to another site or sites. In addition, a transfer station located in the Fairfield-Suisun area would be necessary for the transport of area wastes to other landfill facilities dependent upon availability. The County would need this facility to address its landfill capacity shortfall as a result of the Potrero facility closing. The severity of the impacts of transfer and the shift of impacts from relocating disposal operations to other sites would depend upon the operational changes at the destination landfill that would be necessary to accommodate the diverted waste. It cannot be determine at this time whether those impacts would be greater or less than those identified for the proposed project. It is clear, however, that with implementation of the No Project Alternative, the objectives of the proposed project would not be met.