



June 10, 2023

Fire Chief Vince Capelle  
Acting City Manager Paulina Morales  
Mayor Rosario Diaz  
Councilman Ollie Cantos  
Councilwomen Letty Lopez-Viado  
Councilman Brian Tabatabai  
Councilman Tony Wu

Honorable City Council and City Staff:

We strongly and respectfully urge you to move the City's 4<sup>th</sup> of July fireworks "spectacular" from the Sportsplex to a location that is safer and one that poses substantially less liability exposure.

As you are already aware, the landfills at BKK and the surrounding land (including West Covina's Sportsplex) are designated by Cal-Fire as a high fire risk zone. This is based on the potential for fire, and the severity of resulting consequences should a fire occur.

In addition, you are also aware the landfills at BKK continue to produce an enormous volume of methane – over 2 billion standard cubic feet annually. Methane is a flammable and explosive gas. The methane extraction wells and pipelines are ubiquitous at both landfills – and some are directly adjacent to the Sportsplex.

What is new is a nearby area of the landfill is spiking in terms of the volume of methane that is being detected and leaking from the soil. That spot is probe cluster 534, approximately 1300 feet from the Sportsplex.

**That methane situation is severe enough that the City of West Covina (through its Local Enforcement Agency) filed a Notice of Violation (NOV) against BKK Corporation on February 27, 2023. *The State regulatory limit for methane is 5%. Readings as high as 39% methane have been recorded (see attached city of West Covina Inspection Report dated April 25, 2023)***

The April 25, 2023 Inspection Report further indicates, that no resolution to the situation has been developed yet.

**For us what is unfolding is a nonsensical situation: The right hand of the City is saying we have a serious methane problem near the Sportsplex...while the left hand of the City is saying let's introduce fire(works) to that area.**

In addition, we ask that Fire Chief Capelle, the Acting City Manager, and the City Council reflect on the situation that occurred on August 13, 2020. On that date a fire at Galster Park, rapidly spread to include the backyards of adjacent homes. To extinguish that fire, response assistance from neighboring fire departments was required as well as helicopter water drops. *This is the fire danger of this area.*

That fire occurred prior to this winter's record rains. The entire area surrounding the Sportsplex now contains an unprecedented volume of rapidly drying vegetation and fire fuel load.

***The simple fact is fireworks at the Sportsplex creates an unnecessary and avoidable risk – period.***

Our City is vast. There are multiple other places to do fireworks displays – places that are not a high-risk fire zone and not under the influence of methane gas.

Thank you for considering this information and our request.

Sincerely,

A handwritten signature in black ink, appearing to read 'Brian Jobst', with a large, stylized flourish at the end.

Brian Jobst

On behalf of the Board of Directors

Livable West Covina

[www.LivableWestCovina.org](http://www.LivableWestCovina.org)

Cc: DTSC  
CalRecycle  
U.S. Environmental Protection Agency  
California Department of Fish and Wildlife  
U.S. Fish and Wildlife Service  
South Coast Air Quality Management District  
Los Angeles Regional Water Quality Control Board  
U.S. Army Corps of Engineers

# Closed Disposal Site Inspection Report (188)

BKK Sanitary Landfill (19-AF-0001)

2/27/2023

## Inspection Information

**Inspected By:** West Covina

**Local Inspection ID:**

**Inspection Date:** 2/27/2023

**Time In:** 7:30 AM

**Inspection Type:** Periodic

**Time Out:** 2:30 PM

**Inspector:** Steven L. Samaniego

**Inspection Duration:** 7 Hours

**Operator:** BKK Class III Landfill LLC

**Received By:** Kelly Mc Gregor

**Also Present (Name):**

## Facility/Activity Information

**Enforcement Agency:** City of West Covina

**SWIS Number:** 19-AF-0001

**Facility:** BKK Sanitary Landfill  
2210 South Azusa Avenue  
West Covina, CA 91792

**Activity:** Solid Waste Landfill

**Operational Status:** Closed

**Regulatory Status:** Permitted

**Land Owners(s):**

BKK Corporation

*The above facility was inspected for compliance with applicable sections of Division 30 of the Public Resources Code (PRC) and Title 14 and Title 27, California Code of Regulations (CCR).*

## Violations

### 27 CCR 20937 - Reporting and Control of Excessive Gas Concentrations

Today the Area of Concern has now been elevated to a violation.

Landfill gas monitoring probe cluster 534 D has exceeded the regulatory limit of 5% methane (6.3% and 7.1%) methane on February 14th and February 27, 2023 respectively and I have discussed the increased levels with Kelly whom did not know what SCS Engineers is doing to remediate the levels other than the routine increasing of the vacuum which seems not to be the solution. I have on previous occasions asked Kelly and SCS Engineer Ken Aystor to include in the monitoring reports what remediation work is being done other than just tweaking the system by increasing the vacuum to reduce the levels of which has not been done.

All SCS Engineers gas probe monitoring reports simply just report the data, omitting

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2/27/2023

any remedial action needed or taken to reduce methane levels with 5% methane exceedences including the Stipulated Permanent Injunction reporting levels.

BKK shall submit to the LEA under a separate cover letter, a written report on all gas monitoring probes including probe cluster 534 that have a 5% or greater methane gas level reading including the remedial work action and increased monitoring schedule planned to reduce the levels of all probes with exceedences.

BKK shall comply with all the conditions listed under the California Code of Regulations title 27 section 20937 - Reporting and Control of Excessive Gas Concentrations. Included in that report, BKK shall include the sequential remedial phased stages of actions planned to be used, assuming that previous remediation actions are not reducing the levels. In addition, BKK shall immediately notify the LEA by phone (Leave voicemail message if unanswered) including an emergency e-mail flagged of high importance.

This report was submitted via e-mail to Kelly McGregor of BKK on 4/17/2023

## No Areas of Concern

## Inspection Report Comments

It had been raining off and on during the last week and began raining this morning around 11:00 am. The site has been managing well during this wet weather.

I saw maintenance crew inspecting the site for any wet weather repairs that may be needed.

The goats continue weeding on the class I landfill.

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All SCS Engineers gas probe monitoring reports simply just report the data, omitting any remedial action needed or taken to reduce methane levels with 5% methane exceedences including the Stipulated Permanent Injunction reporting levels.

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2/27/2023

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### Attachments

Weed abatement

# Closed Disposal Site Inspection Report (188)

BKK Sanitary Landfill (19-AF-0001)

4/25/2023

## Inspection Information

**Inspected By:** West Covina

**Local Inspection ID:**

**Inspection Date:** 4/25/2023

**Time In:** 7:30 AM

**Inspection Type:** Periodic

**Time Out:** 12:30 PM

**Inspector:** Steven L. Samaniego

**Inspection Duration:** 5 Hours

**Operator:** BKK Class III Landfill LLC

**Received By:** Kelly McGregor

**Also Present (Name):**

## Facility/Activity Information

**Enforcement Agency:** City of West Covina

**SWIS Number:** 19-AF-0001

**Facility:** BKK Sanitary Landfill  
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BKK Corporation

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## Violations

### 27 CCR 20937 - Reporting and Control of Excessive Gas Concentrations

This morning I attempted to meet with Kelly to discuss my preliminary findings of today's inspection and also to discuss the status of BKK's corrective action on the gas probe 534 violation reporting and control of excessive methane gas concentrations exceeding the state regulatory limits initially noted as a violation on the 2/27/23 inspection report. Unfortunately, we never met because of Kelly's busy schedule.

Since I did not have the opportunity to meet with Kelly, I sent him the following e-mail for the record;

April 26, 2023

Closed Disposal Site Inspection Report (188)  
BKK Sanitary Landfill (19-AF-0001)  
4/25/2023

Kelly,

I was at the landfill site for another 3 hours continuing with my inspection hoping to meet with you from when I first went to your office at 9:15 yesterday morning. Unfortunately, we never met because of your busy schedule.

The purpose of our meeting yesterday was two fold, to go over my preliminary findings of yesterdays inspection and also to discuss the status of BKK's corrective action on the gas probe 534 violation of 5% methane and greater exceeding the state regulatory limits as initially noted as a violation on the 2/27/23 inspection report.

Please respond to my questions and or comments addressed in the following;

1. BKK shall respond to the LEA's direction addressed in the two inspection report violations section dated 2/27/23 & 3/6/23.

2. The methane concentrations for landfill gas monitoring probe 534 continues to reach and exceed the regulatory limit of 5% methane.

The LEA has not received a response from BKK addressing the inspection report violation of the high methane gas concentrations on the landfill gas monitoring probe cluster 534.

A corrective action workplan shall now to be submitted within 30 days detailing how BKK plans to bring probe 534 back into compliance.

3. BKK shall now submit a "5% or Greater Landfill Gas Monitoring Probe Cluster Report" that will specifically be monitoring and tracking any probes surrounding the entire landfill perimeter that obtain a 5% or greater methane levels. Currently, the "5% or Greater Landfill Gas Monitoring Probe Cluster Report" shall include the 5% or greater methane monitoring levelsw on probe cluster 534, P62-E measuring at 39% methane, P27-D measuring 11% methane as noted in the First Quarter 2022 Report Rule 1150.1 Compliance plans Class I landfill.

In addition, the report shall include any detailed corrective actions that have been taken specifically to address each individual probe having 5% or greater methane levels including the results of the corrective action and the effectiveness in reducing the methane levels related specifically to each individual probe. in addition, the monitoring report shall include any proposed future corrective actions planned specific to each individual probe cluster if previous corrective actions have not been successful in reducing the 5% or greater methane levels.

4. BKK is to provide a follow up detailed report from SCS Engineers Jenny Kim's 2/27/23 e-mail response to Robert Healy mentioning that a few vacuum line breaks in the area is the cause of probe 534 periodically reading hot with more specific details on what vacuum lines were broken. If SCS Engineers statement that a few vacuum line breaks in the area is the cause was accurate, the repairs should have reduced the levels but unfortunately this is not the case because the probe reading continues to be 5% methane or higher.



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SCS Engineers, Jenny Kim's 2/27/23 e-mail also mentions that they have been working on system repairs and well tuning in the area to bring the concentrations back down. We have not heard of the effectiveness of such repairs and tunings nor do we know precisely what wells and system repairs she is referencing with respect to probe 534.

Please clarify SCS Engineers report with more detailed information on exactly what specific system repairs SCS Engineers is working on, including the precise locations of those repairs, adjustments, and or level of tuning including the results on the effectiveness of the repairs, adjustments and or tuning with any future proposed planned efforts.

5. Yesterday I was also wanting to meet with you out in the field at the lower detention basin to discuss and have you explain the liquid being discharged into the basin of which we briefly discussed a few days ago over the phone. Please send me a brief report disclosing what that discharge is with a brief history.

Please call me at (909) 964-2628 if you have any questions or if you would like to meet to discuss this in more detail.

## No Areas of Concern

## Inspection Report Comments

Noted that weeds are beginning to grow back on some Class I slopes that have been previously weeded by a herd of goats. Kelly has elected to use sheep instead of goats and will wait until around July for weeding hoping that the rains are over and the weeds will not grow back.

I observed today that weeding does continue on the class III around environmental control points monitoring locations. Weeds on slopes are still green helping in erosion control.

The entire site is now dry from the lack of rains and all liquid seepage areas observed during the past inspections are all dry because of no rains the past few days.

Erosion area in need of repair noted in the area along upper north facing slope bengh road from W3E-36.5 to W3E-H14.

I did notice the tanker water truck spraying water for dust control and also saw the liquid pumber truck operating on site as well.

I was hoping to meet with Kelly out in the field at the lower detention basin to discuss and have him explain the liquid being discharged into the basin of which we briefly discussed a

**Closed Disposal Site Inspection Report (188)**  
**BKK Sanitary Landfill (19-AF-0001)**  
**4/25/2023**

few days ago over the phone. Unfortunately, Kelly was too busy today to meet but I did e-mail him asking for him to please send me a brief report disclosing what that discharge is with a brief history.

**Attachments**

dust Control  
erosion Control  
Liquid pumper truck  
unknown liquid discharge into detention basin  
weeding Program

## Photographs from inside of West Covina's Sportsplex

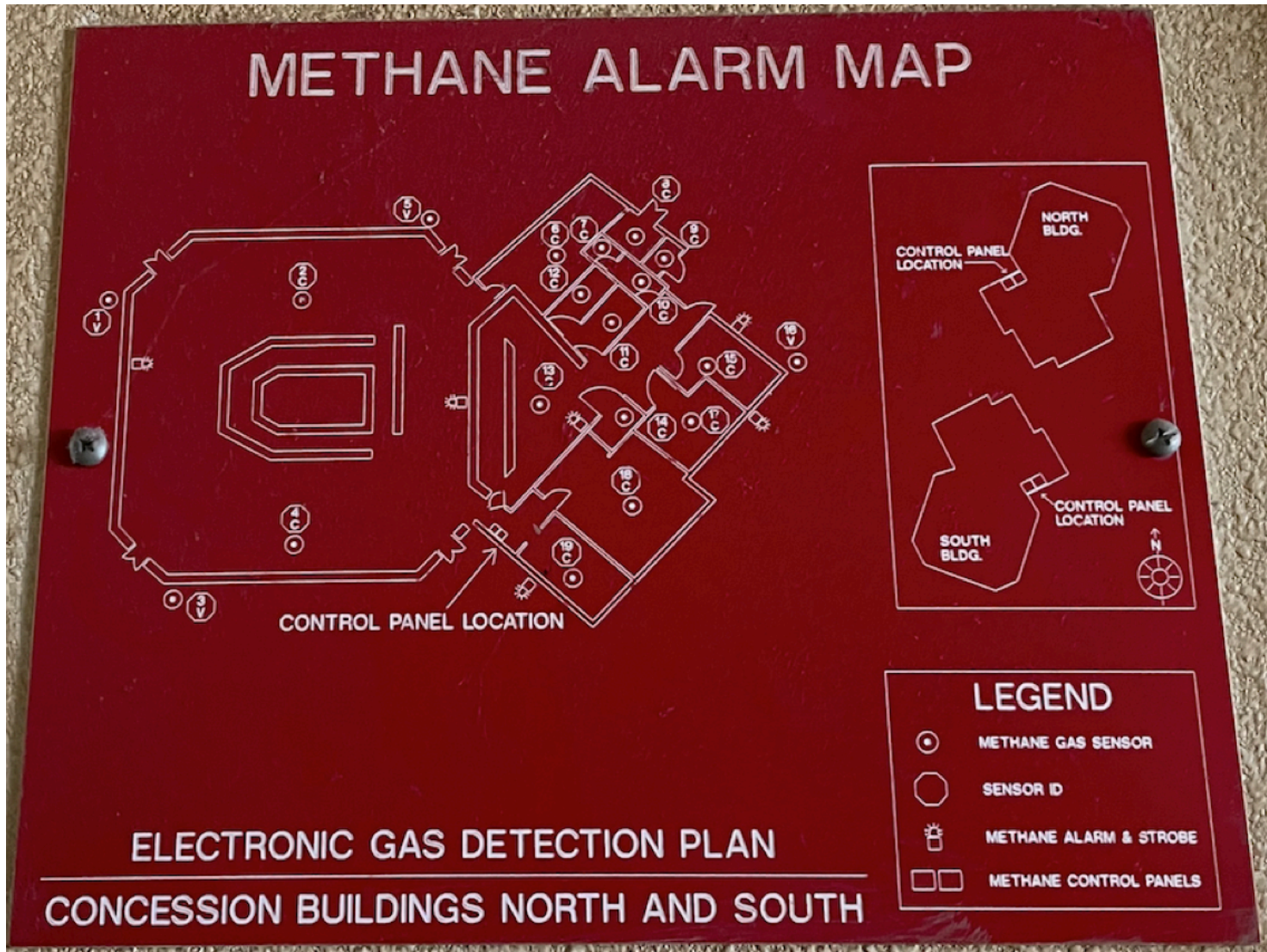
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Entrance to the Sportsplex. Sign reads **“METHANE GAS MONITORING VAULT DO NOT BLOCK”**



Outdoor seating at the Sportplex adjacent one of the methane sensor vaults and warning signage.



One of the landfill gas safety system maps at the Sportsplex showing locations of some of the sensors, alarms, and control panels