

Cost of cleaning Meyers Landfill not resolved

By Kathryn Reed

El Dorado County and U.S. Forest Service officials continue to bicker over the cost of remediation at the old Meyers Landfill.

The closed session item on the Board of Supervisors meeting this week was pulled as both sides continue mediation. It will be on a future agenda when something comes out of the mediation.

Earlier this year the Ninth Circuit Court of Appeals sided with El Dorado County in regards to whether it should pay for unexpected costs. The bill is about \$13 million – twice what was expected. No matter who pays, it's taxpayer money.



Meyers Landfill has been a contentious issue for decades. Photo/USFS

“Where a project owner like the USFS provides detailed design plans and specifications, the government, and not the contracting party (here the county) bears the risk if such plans and specifications are ultimately determined to be deficient,” the court wrote in its January decision.

That sent the case back to trial court, though the two are trying to resolve the dispute through mediation.

“There is still ongoing litigation over the costs of the closure of the site. The USFS hired a consultant to design the various items to be installed there in order to make sure there were no further problems (things like a ‘cap’ and drainage swales, etc.). The county followed those plans, however in doing so we discovered that the plans were woefully inadequate and failed to cover the entire site, so the county ended up expending a lot more money than originally anticipated,” Ed Knapp, county counsel, told *Lake Tahoe News*. “The county sued the USFS alleging that the USFS consultant’s plans were below reasonable standards, and that negligence cost the county several million dollars in extra closure costs. This dispute is still ongoing.”

Lisa Herron, spokeswoman with the Forest Service, had no comment because it is active litigation.

The Meyers Landfill off Pioneer Trail on the edge of South Lake Tahoe was used from 1947-71. Twenty years later the feds sued a slew of entities for cleanup costs. Vinyl chloride, a carcinogen produced when household waste breaks down, was the main contaminant under the sealed plot, although methane and other gases posed problems.