

**16 FEBRUARY 2024 BOARD MEETING
CONTESTED AGENDA ITEM**

AGENDA ITEM: 10

SUBJECT:

Following are proposed Waste Discharge Requirements (WDRs) that prohibit discharge to surface waters. All agencies and the dischargers concur or have offered no comments. Items indicated as updates on the summary agenda make the requirements consistent with current plans and policies of the Board.

BOARD ACTION:

Consideration of revised WDRs Order R5-2024-XXXX.

BACKGROUND:

**FORWARD INC., FORWARD LANDFILL, SAN JOAQUIN COUNTY –
CONSIDERATION OF REVISED WASTE DISCHARGE REQUIREMENTS ORDER
NO. R5-2014-0006**

Forward Inc., an Arizona corporation and subsidiary of Republic Services, Inc., a Delaware corporation (hereinafter referred to jointly as “Discharger”) owns and operates the Forward Landfill (Facility) that is situated on a 744-acre property. The municipal solid waste (MSW) landfill facility is located approximately 7 miles southeast of Stockton in San Joaquin County.

Approximately 144-acres is comprised of the former Forward Landfill, 244-acres is comprised of the former Austin Road Landfill, and 172-acres of the site incorporates the creeks, easements, entrance facilities, scales, roadways, storage areas, borrow areas, maintenance areas, and other miscellaneous operational areas. A 184-acre buffer area is located to the southwest corner of the site. Landfilling or associated activities are not allowed on the 184-acre site. The permitted disposal area consists of one closed Class I landfill unit and several Class II and Class III landfill units on approximately 388-acres.

The Facility is currently regulated under WDRs Order R5-2014-0006. On 22 June 2021, the Discharger submitted an updated Report of Waste Discharge (ROWD) as part of its Joint Technical Document (JTD) for the facility. The Discharger requested revised WDRs to address additional disposal areas, realignment of the existing South Fork of South Littlejohns Creek, an increase in landfill disposal capacity, updates to the monitoring network, new requirements for landfill application of cannery waste, and new requirements for a composting operation.

The proposed Order requires a revised Closure and Post Closure Maintenance Plan with revised dates for closure stages. The proposed Order also requests a sensitive receptor survey, a leachate collection and removal system evaluation to be completed, and an updated financial assurance cost estimate to account for ongoing and future

corrective actions at the facility. The Discharger must also enroll in the Central Valley Regional Water Quality Control Board's Salt and Nitrate Control Programs.

The tentative WDRs Order and accompanying Monitoring and Reporting Order were issued for a 30-day public comment period on 09 October 2023 with comments due by 09 November 2023. Previous versions of these tentative orders were also circulated for public comment in March 2022 and June 2023.

ISSUES:

The Facility has an active Cleanup and Abatement Order R5-2017-0703 (2017 CAO). Groundwater has been impacted with volatile organic compounds (VOCs), including dichloroethane, dichloroethylene, tetrachloroethylene (PCE), and trichloroethylene (TCE). VOCs were first detected in 1989. The 2017 CAO requires investigation to fully delineate the vertical and lateral extent of the plume and the installation of enhanced corrective action measure such that no VOCs will be present in the groundwater beyond the landfill boundaries. The CAO also required an enhanced groundwater treatment system to be installed.

A Notice of Release and Notice of Violation was also issued on 6 October 2023 for VOCs detected in newly installed downstream point of compliance wells.

There are concerns from an interested party that expansion should not occur if there is an active CAO and groundwater plume. The WDRs should not result in a change to the plume so long as all conditions in the WDRs are met and the plume is currently being remediated through the CAO.

RECOMMENDATION:

Adoption of the revised Waste Discharge Requirements and Monitoring and Reporting Program Orders.

REVIEWS:

Management Review:	BSS
Legal Review:	CBM 1/23/24

BOARD MEETING LOCATION:

Central Valley Regional Water Quality Control Board
11020 Sun Center Dr. #200
Rancho Cordova, CA 95670

AND VIA VIDEO AND TELECONFERENCE