

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
COLORADO RIVER BASIN REGION**

ORDER NO. R7-2002-0121

WASTE DISCHARGE REQUIREMENTS
FOR
TARMAC CALIFORNIA, INC.
MASSEY SAND AND ROCK COMPANY
AND
GRANITE CONSTRUCTION COMPANY, OWNERS/OPERATORS
GRANITE WASTE MANAGEMENT FACILITY
CLASS III AND INERT LANDFILL
Indio – Riverside County

The California Regional Water Quality Control Board, Colorado River Basin Region, finds that:

1. Tarmac California, Inc., 1151 Azalea Garden Road, Norfolk, VA 23502, and Massey Sand and Rock Company, 1151 Azalea Garden Road, Norfolk, VA 23502 and Granite Construction Company, 38000 Monroe Street, Indio, CA 92203, owners and operators, (hereinafter collectively referred to as the discharger) operate the Granite Waste Management Facility (hereinafter referred to as the Facility), located north of the City of Indio on Monroe Street, submitted an application Form 200 on April 5, 2000, and an amended Form 200 on February 12, 2002, which was reviewed and approved by Regional Board staff.
2. Definitions of terms used in this Board Order:
 - a. Waste Management Facility (WMF) – The entire parcel of property at which waste discharge operations are conducted.
 - b. Waste Management Unit (WMU) – An area of land, or a portion of the waste management facility, at which waste is discharged.
 - c. Landfill – A waste management unit at which waste is discharged in or on land for disposal. It does not include surface impoundments, waste piles, or land treatment of soil amendment.
 - d. Inert Waste – Inert waste is that subset of solid waste that does not contain hazardous waste or soluble pollutants at concentrations in excess of applicable water quality objectives, and does not contain significant quantities of decomposable waste.
3. The WMF is located in southern California, three (3) miles north of the City of Indio on Monroe Street, as shown on Attachment A.
4. Massey Sand and Rock Company (MSRC), a partnership of William E. Carter, T.H. Carter, and Anita L. Ellis, owned the Property until September 18, 1991.
5. During the period of 1991-1994, several property ownership changes occurred:

<u>Owner</u>	<u>Board Order No.</u>	<u>From</u>	<u>To</u>
Tarmac California, Inc.	91-047	09/18/91	11/18/92

Granite Construction, Inc.	92-066	11/18/92	03/15/94
Tarmac California, Inc.	94-034	03/15/94	05/17/94
Granite Construction, Inc.	94-059	05/17/94	Present

6. For the purpose of these WDRs, the term Landfill includes the three (3) separate Disposal Areas that are described as Disposal Area I and II, and Disposal Area III as follows, and as shown on Attachment B:

A. Disposal Area I, located in the NE ¼ of the NE ¼ of Section 3, T5S, R7E, SBB&M:

1. MSRC began operating this 140-acre Disposal Area in 1960, after it became subject to WDRs under Resolution No. 60-013.
2. The types of waste placed in this Disposal Area, as stated in Resolution No. 60-013, were "all types of refuse presently disposed of by the City of Indio and surrounding areas".
3. In 1966, Resolution No. 60-013 was updated by Resolution No. 66-002. Under this Resolution, 50 tons per day of "all household and other dry rubbish and dry garbage" was approved for disposal in Disposal Area I.
4. In 1970, under updated Resolution No. 70-010, MSRC allowed "disposal by the public in accordance with agreement with the County of Riverside". Under this Resolution, approximately 400 to 500 cubic yards per day of household and other rubbish, garbage, and empty pesticide and chemical containers were approved for disposal in this Disposal Area.
5. By 1977, this Disposal Area was inactive and was covered with "several feet of soil".

B. Disposal Area II, located in the NE ¼ of the NE ¼ of Section 3, T5S, R7E, SBB&M:

1. In 1977, Resolution No. 70-010 was updated by Board Order No. 77-021, permitting MSRC to discharge into the five (5)-acre Disposal Area II.
2. The types of waste placed in Disposal Area II, as stated in Board Order No. 77-021, consisted of concrete, soil, clay, and a small amount of wood and office paper.
3. MSRC used Disposal Area II as a municipal solid waste landfill from 1977 to 1985. In 1985, this area stopped receiving waste and was covered with several feet of soil.

C. Disposal Area III (Inert Landfill), located in the SW ¼ of the SE ¼ of Section 34, T4S, R7E, SBB&M:

1. In 1985, Board Order No. 77-021 was updated by Board Order No. 85-046. In this updated WDR, MSRC proposed to discharge 25,000 cubic yards of inert waste, consisting of broken asphalt and concrete, ready mix concrete, earth materials and construction wastes. Disposal Area III, with the capacity of about 370,000 cubic yards, was anticipated to have a life of about 15 years.
2. In 1990, Board Order No. 85-046 was updated by Board Order No. 90-039. Under the updated Board Order, the discharger reported that 150 cubic yards per day of inert waste

consisting of broken concrete, asphalt, loose sand, and aggregate was being disposed at Disposal Area III.

7. The discharger reports that Disposal Areas I and II have been inactive since 1977 and 1985 respectively.
8. The discharger reports that there will be no further disposal of any types of waste as stated in the State Water Resources Control Board/California Integrated Waste Management Board Regulations, Division 2, Title 27 (hereinafter referred to as Title 27), to the Area I and II Disposal Area.
9. Board Order No. 93-071, amending all municipal Solid Waste Landfill Board Orders to comply with federal regulations was adopted by the California Regional Water Quality Control Board, Colorado River Basin Region (hereinafter referred to as the Regional Board). WDRs in Board Orders No. 90-039 and 93-071 are being updated to incorporate applicable regulations of Title 27.
10. The WMF is located on the southern flank of the Indio Hills. The Indio Hills trend northwest along the northeastern margin of the Coachella Valley. The WMF is underlain by Quaternary (Pleistocene) Ocotillo Conglomerate and Quaternary Alluvial Fans of various ages.
11. The San Andreas Fault System is located north of the WMF. The system consists of the San Andreas, Banning and Mission Creek faults. The system acts as a ground water barrier. The water table on the north side of the fault zone is near the surface, while no ground water was encountered at the facility south of the fault zone to a depth of at least 150 feet.
12. The discharger reports there are no known Holocene faults within the facility boundary or within ¼ miles of the Landfill.
13. The Landfill is not lined, and does not have a leachate, and/or gas collection and removal system.
14. Between December 1990 and January 1991, four (4) ground water monitoring wells were constructed at the Landfill: MW 1, MW 2, MW 3, and MW 4. In 1995, MW 5 and MW 7 were constructed at the site. MW 4 and MW 5 are upgradient. MW 1, MW 2, MW 3 and MW7 are downgradient. Attachment C shows the location of these wells.
15. The depth to the ground water ranges from 127 to 216 feet below ground surface as shown on Attachment C.
16. Ground water flows south to southwest as shown on Attachment C.
17. Land use within a one (1)-mile radius is agriculture/open space.
18. Analyses of ground water samples taken from the monitoring wells at the Landfill during the quarterly monitoring period in 1991, indicated no detectable concentrations of Volatile Organic Compounds (VOC) in these samples.
19. Quarterly monitoring reports submitted by the discharger from 1993 through 1995, indicated the following:
 - a. Tetrachloroethene (PCE) concentration ranged from 1.0 µg/L on September 9, 1993, to 12 µg/L on December 5, 1995.
 - b. Trichloroethene (TCE) concentrations ranged from 0.8 µg/L on September 9, 1993, to 3.2 µg/L on December 5, 1995.

20. On June 12, 1996, the Regional Board's Executive Officer issued Cleanup and Abatement Order (CAO) No. 96-044.
21. On June 2, 1997, the Regional Board's Executive Officer issued CAO No. 97-077 revising CAO No. 96-044.
22. The quarterly monitoring and reporting of the ground water under the Landfill during the years 1997 to 1999 indicated stable conditions of the PCE and TCE and concentrations below Maximum Contaminant Levels (MCLs).
23. On November 10, 1999, the Regional Board's Executive Officer rescinded CAO No. 97-077.
24. The discharger reports that the 100-year 24-hour storm event for the Landfill is 4.78 inches.
25. Annual average precipitation and evaporation in the area is at 3 ½ and 100 inches, respectively.
26. The WMF is not within the 100-year flood plain.
27. The Water Quality Control Plan for the Colorado River Basin Region of California (Basin Plan) was adopted on November 17, 1993 and designated the beneficial uses of ground and surface waters in this Region.
28. The Landfill is located in Coachella Hydrologic Subunit.
29. The beneficial uses of ground waters in the Coachella Hydrologic Subunit are:
 - a. Municipal supply (MUN)
 - b. Industrial supply (IND)
 - c. Agricultural (AGR)
30. Federal regulations for storm water discharges were promulgated by the United States Environmental Protection Agency (USEPA) (40 CFR Parts 122, 123, and 124). The regulations require specific categories of facilities which discharge storm water associated with industrial activity (storm water) to obtain NPDES permits and to implement Best Conventional Pollutant Technology (BCPT) to reduce or eliminate industrial storm water pollution.
31. The Regional Board finds that the WMF Landfill project is in compliance with the provisions of Title 27, as well as 40 CFR Parts 257 and 258, the Federal RCRA Subtitle "D" (Subtitle D) regulations promulgated by the USEPA on October 9, 1991, effective October 9, 1993.
32. In accordance with Section 15301, Chapter 3, Title 14 of the California Code of Regulations, the issuance of these WDRs, which govern the operation of an existing facility involving negligible or no expansion of use beyond that previously existing, is exempt from the provisions of the California Environmental Quality Act (Public Resources Code, Section 21000 et. seq.).
33. The monitoring and reporting requirements in Monitoring and Reporting Program No. R7-2002-0121 are necessary to determine compliance with these WDRs and to determine the facility's impacts, if any, on ground water.
34. The Board has notified the discharger and all known interested agencies and persons of its intent to update WDRs for this discharge and has provided them with an opportunity for a public meeting and an opportunity to submit comments.
35. The Board, in a public meeting, heard and considered all comments pertaining to this discharge.

IT IS HEREBY ORDERED, that Board Order No. 90-039 is rescinded, and in order to meet the provisions contained in Division 7 of the California Water Code and regulations adopted thereunder, the discharger shall comply with the following:

A. Specifications

1. The treatment or disposal of wastes at this facility shall not cause pollution or nuisance as defined in Section 13050 of Division 7 of the California Water Code.
2. Waste materials shall be confined to the existing footprint of the WMF as defined in Finding No. 2(a) and described in the attached site map.
3. The discharge shall not cause degradation of any water supply.
4. Surface drainage from tributary areas, and internal site drainage from surface or subsurface sources, shall not contact or percolate through the wastes discharged at this site.
5. The exterior surfaces of the disposal area, including the intermediate and final landfill covers, shall be graded and maintained to promote lateral runoff of precipitation and to prevent ponding.
6. The discharger shall use the constituents listed in Monitoring and Reporting Program No. R7-2002-0121 and revisions thereto, as "monitoring parameters". These monitoring parameters are subject to the most appropriate statistical or non-statistical tests under Monitoring and Reporting Program No. R7-2002-0121, Part III, and any revised Monitoring and Reporting Program approved by the Regional Board's Executive Officer.
7. The discharger shall implement the attached Monitoring and Reporting Program No. R7-2002-0121 and revisions thereto in order to detect, at the earliest opportunity, any unauthorized discharge of waste constituents from the Landfill, or any unreasonable impairment of beneficial uses associated with (caused by) discharges of waste to the Landfill.
8. The discharger shall not cause the concentration of any Constituent of Concern (COC) or monitoring parameters to exceed its respective background value in any monitored medium at any Monitoring Point assigned to Detection Monitoring pursuant to Parts II.B.4 of the attached Monitoring and Reporting Program No. R7-2002-0121.
9. The discharger shall follow the Water Quality Protection Standards (WQPS) for detection monitoring established by the Regional Board in this Board Order pursuant to Title 27, Section 20390. The following are five (5) parts of WQPS as established by the Regional Board (the terms of art used in this Board Order regarding monitoring are defined in Part I of the attached Monitoring and Reporting Program No. R7-2002-0121 and revisions thereto, which is hereby incorporated by reference):
 - a. The discharger shall test for the monitoring parameters and the COCs listed in Monitoring and Reporting Program No. R7-2002-0121, and revisions thereto.
 - b. Concentration Limit – The concentration limits for each monitoring parameter and COC for each monitoring point (as stated in Detection Monitoring Program Part II), shall be its background value as obtained during that reporting period.
 - c. Monitoring points and background monitoring points for detection monitoring shall be those listed in Part II.B. of the attached Monitoring and Reporting Program No. R7-2002-0121, and revisions thereto.
 - d. Points of Compliance – (Section 20405, Title 27) shall be those monitoring points listed in Part II.B of attached Monitoring and Reporting Program No. R7-2002-0121.

- e. Compliance Period – The estimated duration of the compliance period for this WMF is six (6) years. Each time the Standard is not met (i.e., releases discovered), the Landfill begins a compliance period on the date the Regional Board directs the dischargers to begin an Evaluation Monitoring Program. If the dischargers' Corrective Action Program (CAP) has not achieved compliance with the standard by the scheduled end of the compliance period, the compliance period is automatically extended until the WMF has been in continuous compliance for at least three (3) consecutive years.
10. The discharger shall remove and relocate any wastes that are discharged at this site in violation of these requirements.
11. Water used for site maintenance shall be limited to amounts necessary for dust control.
12. The WMF shall be protected from any washout or erosion of wastes or covering material, and from any inundation which could occur as a result of floods having a predicted frequency of once in 100 years.
13. The discharge shall not cause the release of pollutants, or waste constituents in a manner which could cause a condition of contamination, or pollution to occur, as detected by the most appropriate statistical (or non-statistical) data analysis method and retest method listed in Part III of the attached Monitoring and Reporting Program No. R7-2002-0121, and revisions thereto.

B. Prohibitions

1. The discharge or deposit of all types of waste (as defined in Title 27) is prohibited in Disposal Areas I and II.
2. The discharge or deposit of any waste not listed below is prohibited at Disposal Area III:
 - broken asphalt and concrete
 - ready mix concrete
 - earth materials, and
 - construction wastes
3. The discharge or deposit of municipal solid waste at this site is prohibited.
4. The discharge or deposit of designated waste (as defined in Title 27) at this site is prohibited unless approved by the Regional Board's Executive Officer.
5. The co-disposal of incompatible wastes is prohibited.
6. The discharge of waste to land not owned or controlled by the discharger is prohibited.
7. The discharge shall neither cause nor contribute to the contamination or pollution of ground water via the release of waste constituents in either liquid or gaseous phase.
8. The direct discharge of any waste to any surface waters or surface drainage courses is prohibited.
9. The discharge of liquid or semi-solid waste (i.e. waste containing less than 50 percent solids) to the Disposal Area III is prohibited unless approved by the Regional Board's Executive Officer.

C. Provisions

1. The discharger shall comply with Monitoring and Reporting Program No. R7-2002-0121, and future revisions thereto, as specified by the Regional Board's Executive Officer.
2. Prior to any changes in ownership or management of this operation, the discharger shall transmit a copy of this Board Order to the succeeding owner/operator, and forward a copy of the transmittal letter to the Regional Board.
3. The discharger shall ensure that all site-operating personnel are familiar with the content of this Board Order, and shall maintain a copy of this Board Order at the site.
4. This Board Order does not authorize violation of any federal, state, or local laws or regulations.
5. The discharger shall allow the Regional Board, or an authorized representative, upon presentation of credentials and other documents as may be required by law, to:
 - a. Enter upon the premises regulated by this Board Order, or the place where records must be kept under the conditions of this Board Order;
 - b. Have access to and copy, at reasonable times, any records that shall be kept under the conditions of this Board Order;
 - c. Inspect, at reasonable times, any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this Board Order; and
 - d. Sample or monitor, at reasonable times, for the purpose of assuring compliance with this Board Order or as otherwise authorized by the California Water Code, any substances or parameters at this location.
6. The discharger shall not cause any increases in the concentration of waste constituents in soil-pore gas, soil-pore liquid, soil or other geologic materials outside the Landfill if such waste constituents could migrate to waters of the State in either the liquid or the gaseous phase, and cause conditions of contamination or pollution.
7. This Board Order does not convey any property rights of any sort or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of federal, state, or local laws or regulations.
8. Unless otherwise approved by the Regional Board's Executive Officer, all analyses shall be conducted at a laboratory certified for such analyses by the California State Department of Health Services. All analyses shall be conducted in accordance with the latest edition of "Guidelines Establishing Test Procedures for Analysis of Pollutants", promulgated by the USEPA.
9. All regulated disposal systems shall be readily accessible for sampling and inspection.
10. Adequate measures shall be taken to assure that flood or surface drainage waters do not erode or otherwise render portions of the discharge facilities inoperable.
11. The discharger is the responsible party for the WDRs and the monitoring and reporting program for the facility. The discharger shall comply with all conditions of these WDRs. Violations may result in enforcement actions, including Regional Board Orders or Court Orders, requiring corrective action or imposing civil monetary liability, or in modification or revocation of these WDRs by the Regional Board.

12. The Regional Board considers the property owner to have a continuing responsibility for correcting any problems which may arise in the future as a result of this waste discharge.
13. The discharger shall furnish, under penalty of perjury, technical monitoring program reports, and such reports shall be submitted in accordance with the specifications prepared by the Regional Board's Executive Officer. Such specifications are subject to periodic revisions as may be warranted.
14. All containment structures and erosion and drainage control systems shall be designed and constructed under direct supervision of a California Registered Civil Engineer or Certified Engineering Geologist, and shall be certified by the individual as meeting the prescriptive standards and performance goals of Title 27.
15. After a significant earthquake event, the discharger shall:
 - a. Immediately notify the Regional Board by phone; and
 - b. Within seven (7) days, submit to the Regional Board, a detailed post-earthquake report describing any physical damages to the containment features, ground water monitoring and/or leachate control facilities and a corrective action plan to be implemented at the landfill.
16. The discharger shall immediately notify the Regional Board of any flooding, slope failure or other change in site conditions, which could impair the integrity of waste containment facilities or of precipitation and drainage control structures.
17. The discharger shall maintain legible records on the volume and type of each waste discharged at the inert Landfill. These records shall be available for review by representatives of the Regional Board at any time during normal business hours.
18. The discharger shall submit a Notice of Intent (NOI) to the SWRCB to be covered under the Statewide General NPDES Permit for Storm Water Discharges Associated with Industrial Activities, Order No. 97-03-DWQ, NPDES No. CAS000001. The discharger shall comply with all the discharge prohibitions, receiving water limitations, and provisions of the General Permit.
19. The discharger shall submit a sampling and monitoring plan for storm water discharges to the Regional Board's Executive Officer for review and approval no later than 90 days after the adoption of this Board Order. The plan shall meet the minimum requirements of Section B, Monitoring and Reporting Requirements of the Statewide General NPDES Permit for Storm Water Discharges Associated with Industrial Activities, Order No. 97-03-DWQ, NPDES No. CAS000001.
20. Within 180 days of the adoption of this Board Order, the discharger shall submit to the Regional Board, in accordance with Section 20380(b) of Title 27, assurance of financial responsibility acceptable to the Regional Board's Executive Officer for initiating and completing corrective action for all known or reasonably foreseeable release from the Landfill.
21. One (1) year prior to the anticipated closure of the facility or any unit (portion) thereto, the discharger shall submit to the Regional Board for review and approval by the Regional Board's Executive Officer, a final closure and post-closure maintenance plan in accordance with Title 27. The final closure and post-closure maintenance plan shall include seismicity studies.

22. The Discharger shall submit to this Regional Board and to the California Integrated Waste Management Board, evidence of Financial Assurance for Closure and Post-Closure, pursuant to Section 22212, Title 27. The post-closure period shall be at least 30 years. However, the post-closure maintenance period shall extend as long as the waste poses a threat to water quality.

23. This Board Order is subject to Regional Board review and updating, as necessary, to comply with changing state or federal laws, regulations, policies, or changes in the discharger characteristics.

I, Philip A. Gruenberg, 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, Colorado River Basin Region, on June 26, 2002.

Executive Officer