CALIFORNIIA REGIONAL WATER QUALITY CONTROL BOARD
COLORADO RIVER BASIN REGION

ORDER NO. R7-2009-0002

WASTE DISCHARGE REQUIREMENTS
FOR
COUNTY OF IMPERIAL, OWNER/OPERATOR
NILAND CLASS III MUNICIPAL SOLID WASTE MANAGEMENT FACILITY
East of Niland– Imperial County

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

Discharger

1. The County of Imperial Department of Public Works (CIDPW) 155 South 11th Street, El Centro, California, 92243 (hereinafter referred to as the Discharger), is the owner,landowner, and operator of the Niland Class III Municipal Solid Waste Management Facility, (hereinafter referred to as the Facility), located at 8450 Cuff Road, Niland, California, 92257.

2. The Landfill is located in the south 1/2 of the NW 1/4 and north 1/2 of the SW 1/4 of Section 26, T10S, R14E, SBB&M. The latitude and longitude of the site are 33°2708' N, 115° 4894' W, respectively. Access to the site by road is via Highway 111 to Beal Road then north on Cuff Road as shown on Attachment 1, Location Map, appended heretoand made a part of this Order.

3. The Bureau of Land Management (BLM) owned the property where the facility is locateduntil 2001, when it was transferred to CIDPW.

4. The Discharger submitted to the Regional Water Quality Control Board (Regional Water Board) a Report of Waste Discharge dated May 16, 2007, to increase the elevation of the top (final) deck from 66 feet above mean sea level (MSL) to 84 feet above MSL.

Definitions

5. Definitions of terms used in this Board Order:

   a. Discharger – Any person who discharges waste that could affect the quality of the waters of the state, and includes any person who owns a Waste Management Unit (WMU), or who is responsible for the operation of the WMU.

   b. Waste Management Facility (WMF, or "Facility") – The entire parcel of property at which waste discharge operations are conducted. Such a facility may include one (1) or more WMUs

   c. Waste Management Unit (WMU) – An area of land, or a portion of a WMF, where waste is discharged. The term includes containment features, ancillary features for precipitation and drainage control, and monitoring.

   d. Landfill – A WMU at which waste is discharged in or on land for disposal. It does not

include surface impoundments, waste piles, or land and soil treatment.

e. Landfill footprint – That area within the WMF where solid waste is permanently placed or disposed.

Facility

6. The Facility has been in operation since the 1970s and originally utilized the area cut- and-fill method for refuse disposal. The area fill method is currently used. The Facility receives municipal solid waste (MSW) from the community of Niland, and surrounding unincorporated areas of northern Imperial County.

7. The Waste Management Facility (WMF) occupies approximately 100 acres. The landfill footprint (i.e., the area receiving solid waste) comprises only 13.9 acres.

8. The increase in the elevation of the fill from 66 to 84 feet above MSL will provide a refuse capacity of approximately 241,000 cubic yards, and a service life of 38 years. The Facility expects to reach capacity in August 2046.

9. Operations at the Facility predate the new landfill design criteria prescribed in Title 27 of the California Code of Regulations, Section 20005 et seq. (hereinafter, Title 27). The WMU is unlined and has no leachate collection and removal system. Lateral expansion of the landfill footprint requires compliance with design criteria specified in Title 27, and applicable federal regulations set forth in Title 40 of the Code of Federal Regulations (hereinafter, 40 CFR).

10. The Facility is located in a sparsely populated rural area of northern Imperial County, on land designated for government/special (G/S) use purposes. Land surrounding the site is zoned recreational (S-2).

Board Orders

11. The Facility first received Waste Discharge Requirements (WDRs) in 1970 via Board Resolution No. 70-41. Facility WDRs were subsequently updated as follows:

Year	Board Order No
1983	83-022
1988	88-051
1997	97-046

12. On June 17, 1993, the State Water Resources Control Board (State Board) adopted Resolution No. 93-062: *Policy for Regulation of Discharges of Municipal Solid Waste*. The policy directs each Regional Board to revise WDRs for each Municipal Solid Waste (MSW) landfill in its respective region to comply with Section 258, Title 40 of the CFR under the Resource Conservation and Recovery Act (RCRA), also known as Subtitle D (40 CFR).

13. On September 15, 1993, the Colorado River Basin Regional Board adopted Board OrderNo. 93-071, amending all municipal solid waste landfills in the Colorado River Basin Region to comply with federal regulations.

14. The Facility is currently regulated by WDRs in Board Order No. 97-046 adopted on May 28, 1997. Board Order No. 97-046 incorporates the laws and regulations set forth in the California Water Code (CWC), and the combined State Board/California Integrated Waste Management Board (CIWMB) Regulations in Title 27.

15. This Board Order updates WDRs to include the vertical expansion and as part of a statewide policy to review and revise WDRs every five years in concurrence with revision of the Solid Waste Facility Permit (SWFP) issued by the Local Enforcement Agency (LEA**).**

Special Waste Handling

16. The Discharger has constructed a separate cell for the disposal of empty, triple-rinsed, punctured pesticide containers as shown on Attachment 2, Site Plan, appended hereto and made a part of this Order. Any pesticide containers accepted at the site are inspected in compliance with the approved load checking program to ensure that no hazardous wastes are discharged to the Facility.

17. Dead fish are disposed of in a three (3) to five (5) foot deep trench separate from other wastes. The site operator covers dead fish waste immediately after discharge with a minimum of 12 inches of compacted soil, and maintains a record of the location(s) of the dead-fish trench.

Climate

18. The Facility is located in a warm, arid region. Climatological data from 1951 to 1980 indicate an average annual rainfall of three (3) inches, an average temperature of 73°F,a mean daily high temperature of 108° F (in July), and a mean annual pan evaporation rate greater than 50 inches.

19. The wind direction follows two general patterns:

    a. Seasonally from late fall through early spring, prevailing winds are from the west and northwest, originating primarily from the Los Angeles Basin. Humidity is lowest under these conditions.

    b. Summer weather patterns are dominated by intense, heat-induced low pressure areas that form over the interior deserts, drawing air from the south. Humidity is highest under these conditions.

Geologic Conditions

20. The Facility is located in northern Imperial County between the Salton Sea and the Chocolate Mountains. The dominant geomorphic feature in the region is the Salton Trough, a part of the Colorado Desert Geomorphic Province. The basement of the Trough consists of Mesozoic age plutonic rocks, and older metamorphic rocks. The basement rocks are overlain by a thick sequence of mostly nonmarine sedimentary rocks that range in age from Eocene to Holocene.

    During the later part of Quaternary time – i.e., from at least 13,000 years ago to as recently as several hundred years ago - the central part of Imperial Valley, including the area of the site, lay beneath ancient Lake Cahuilla, which formed from periodic overflows and

diversions of the Colorado River into the Salton Basin. Deltaic and lacustrine sediments from Lake Cahuilla consist primarily of silt and clay.

21. Geology at the Facility consists of a mixture of Pleistocene age terrace deposits of clay, sand, and silt, with some gravel. On-site surficial soils consist of light to medium brown, gravelly fine-to-coarse grained sands.

Seismicity

22. The principal fault zone in the area of the Facility is the San Andreas; an active right lateral fault that parallels the northeast margin of the Salton Trough, and the associated Sand Hills Fault. The Facility is located approximately two (2) miles from the Sand Hills Fault, and approximately four (4) miles from the San Andreas Fault.

Preliminary Closure Plan

23. The Discharger submitted a revised Preliminary Closure/Post-Closure Maintenance Plan dated October 2007 in accordance with Title 27.

Surface Waters

24. Surface water in the vicinity the Facility include the Coachella Canal two (2) miles to the east, and the Salton Sea eight (8) miles to the west. The Coachella Canal is upgradient of the Facility.

25. The Facility is not located in a 100-year flood plain.

Groundwater

26. The Discharger reports that groundwater in the area of the Facility occurs about 43 feet below ground surface, and flows generally to the southwest.

27. The Facility currently has one upgradient (background) monitoring well (N-MW-1) and two downgradient (point of compliance) monitoring wells (N-MW-2 and N-MW-3) to evaluate groundwater quality (Attachment 2). Monitoring and Reporting Program No. R7-2009-0002 and revisions thereto, shall determine compliance with WDRs, and Facility impacts, if any, to receiving water.

28. Groundwater monitoring data collected semiannually since November 1994 indicate background levels for Total Dissolved Solids (TDS) for upgradient well N-MW-1 ranging from 23,900 to 35,400 mg/l, averaging 27,432 mg/l. Historical monitoring data collected at the site does not indicate that any impacts to groundwater quality have occurred.

29. The Water Quality Control Plan (Basin Plan) for the Colorado River Basin Regional Board adopted on November 17, 1993, designates the beneficial uses of ground and surface waters in the Region.

30. The Facility is located in the Imperial Hydrologic Unit, which has the following beneficial uses for groundwater:

a. Municipal (MUN)
b. Industrial (IND)

With respect to the MUN designation, the Basin Plan states: “At such time as the need arises to know whether a particular aquifer which has no known existing MUN useshould be considered as a source of drinking water, the Regional Board will make sucha determination based on the criteria listed in the ‘Sources of Drinking Water Policy’ in Chapter 2 of the Basin Plan. An indication of MUN for a particular hydrologic unit indicates only that at least one of the aquifers in that unit currently supports a MUN beneficial use. For example, the actual MUN usage of the Imperial Hydrologic Unit is limited only to a small portion of that ground water unit.”

31. The portion of the Imperial Hydrologic Unit on which the facility is located is not beneficially used for municipal purposes due to high salinity.

Other Regulatory Considerations

32. Federal regulations for storm water discharges promulgated by the U.S. Environmental Protection Agency (40 CFR Parts 122, 123, and 124) require specific categories of industrial facilities to obtain National Pollutant Discharge Elimination System (NPDES) permits, and to implement Best Conventional Pollutant Technology (BCPT) to reduce or eliminate industrial storm water pollution.

33. The State Water Resources Control Board adopted Order No. 97-03-DWQ (General Permit No. CAS000001) specifying WDRs for discharges of storm water associated with industrial activities, excluding construction activities, and require submittal of a Notice of Intent (NOI) by industries for coverage under the Permit.

California Environmental Quality Act (CEQA) Considerations

34. In accordance with Section 15070, Chapter 3, Title 14 of the California Code of Regulations (CCRs), Imperial County prepared a Negative Declaration (SCH #20070410231) regarding the vertical expansion. The adopted Negative Declaration complies with the provisions of the California Environmental Quality Act (Public Resources Code, Section 21000 et seq.).

35. The Regional Board has notified the Discharger, and all known interested agencies and persons of its intent to update WDRs for the Niland WMF, and has provided them an opportunity for a public meeting, and an opportunity to submit comments.

36. The Regional Board, in a public meeting, heard and considered all comments pertaining to this discharge.

IT IS HEREBY ORDERED that Board Order No. 97-046 be rescinded, and in order to meet the provisions contained in Division 7 of the CWC, RCRA Subtitle D, and regulations adopted thereunder, and the provisions of the Federal Clean Water Act, and regulations and guidelines adopted thereunder, the Discharger shall comply with the following in the discharge of waste:

A. Specifications

1. The treatment or disposal of waste at this Facility shall not cause pollution or nuisance as

defined in Sections 13050(l) and 13050(m) of Division 7 of the CWC.

2. The Facility shall be protected from washout, or erosion of waste or cover material, and from inundation due to rainfall. Drainage structures shall be designed to control runoff from a 100-year, 24-hour storm event.

3. Adequate measures shall be taken to ensure that flood or surface drainage waters donot erode or otherwise render portions of the Facility inoperable. Surface drainage from tributary areas, and internal site drainage, shall not contact or percolate through wastes discharged at this Facility.

4. The exterior surfaces of the WMU - daily, intermediate, and final cover- shall be graded and maintained to promote lateral run-off of precipitation, and to prevent ponding.

5. Wastes shall not be discharged to any ground surface that is less than five (5) feet above the highest anticipated groundwater level.

6. Interim cover shall be placed on waste as follows:

    a. Daily cover – a minimum of six (6) inches of compacted soil, or alternative material, placed over exposed waste at least once every 24 hours.

    b. Intermediate cover – a minimum of twelve (12) inches of compacted soil, or equivalent, placed over waste areas inactive for more than 180 days. Existing daily cover may be used as part of the intermediate cover.

7. Intermediate and daily cover shall:

    a. Control disease vectors pursuant to 40 CFR Section 258.22;

    b. Minimize infiltration into the WMU;

    c. Control erosion, and convey run-off to the storm water management system at manageable, non-scouring flow rates;

    d. Minimize the potential for windblown litter and particulates.

8. Use of an alternative material for daily or intermediate cover requires review and approval by the Regional Water Board Executive Officer prior to use. The Discharger shall demonstrate the alternative material will not present a threat to the environment or water quality, and provide equivalent or better water quality protection than materials prescribed in Specifications 6 and 7 above.

9. The Discharger shall implement Monitoring and Reporting Program No. R7-2009-0002 and revisions thereto. The Water Quality Protection Standard (WQPS) for this Facility is as follows:

    a. The Discharger shall test for Constituents of Concern (COCs), and monitoring parameters listed in Monitoring and Reporting Program No. R7-2009-0002, andrevisions thereto, for all samples collected from water bearing media (i.e., groundwater, surface water, and liquids in the unsaturated zone).

b. Concentration Limits – The concentration limit for each monitoring point assigned to the detection monitoring program (Monitoring and Reporting Program Part II), and the concentration limit for each Constituent of Concern (or monitoring parameter) shall be the background value, unless alternate values are approved by the Executive Officer based on statistical or nonstatistical methods.

c. Monitoring points and background monitoring points for detection monitoring shall be those listed in Part II of the attached Monitoring and Reporting Program No. R7- 2009-0002, and any revised Monitoring and Reporting Program approved by the Regional Water Board Executive Officer.

d. The point of compliance is the perimeter of the waste management unit, unless otherwise approved by the Regional Water Board Executive Officer, and extends down (vertically) through the zone of saturation.

e. Compliance Period – Each time the WQPS is violated, (i.e., a release is discovered), the Facility begins a compliance period on the date the Regional Water Board Executive Officer directs the Discharger to begin an Evaluation Monitoring Program (EMP). If the Discharger's 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 Facility has been in continuous compliance for at least three (3) consecutive years.

10. The Discharger shall report test results to the Regional Water Board for Monitoring parameters and COCs listed in Monitoring and Reporting Program No. R7-2009-0002, and future revisions thereto. Monitoring parameters and COCs are subject to the most appropriate statistical or non-statistical test under Monitoring and Reporting Program No.R7-2009-0002, Part III A, and any revised Monitoring and Reporting Program approved by the Regional Water Board Executive Officer.

11. Future lateral expansion areas, if any, require installation of additional groundwater, soil- pore liquid, and/or leachate monitoring devices to comply with Monitoring and Reporting Program No. R7-2009-0002 (and revisions thereto), and must be lined and equipped with a leachate collection and removal system constructed pursuant to Title 27. A work plan to install additional monitoring devices, and a technical design report for the lateral expansion shall be submitted to the Regional Water Board Executive Officer for review and approval a minimum of 120 days prior to construction.

12. Methane, carbon dioxide and other landfill gases, shall be adequately vented, removed from each WMU, or otherwise controlled to prevent explosions, underground fires, nuisance conditions, or groundwater degradation due to gas migration through the vadose zone.

13. Measures shall be taken, as required by Title 27, CCR, Section 20870, to detect and prevent the disposal of regulated hazardous wastes or PCBs at the site. If hazardous wastes or PCBs are discovered at the site, the Discharge shall notify the Regional Board's Executive Officer and properly manifest and transport the hazardous materials to an appropriate off-site disposal facility.

14. To minimize pollution to surface waters by windblown litter and particulates, the Discharger

shall:

a. Compact solid wastes into the working face as soon as practicable, and promptly cover waste with daily cover. At no time shall discharged waste remain uncovered for more than 24 hours.

b. Utilize a minimum of six (6) inches of compacted soil for daily cover. The Regional Water Board Executive Officer may approve alternatives that provide equivalent or better protection;

c. Implement a litter collection and disposal program to manage wind blown litterdischarged on-site, and to adjacent off-site areas.

d. Install a litter control fence around the Facility and landfill footprint. A standard of "zero" escape of litter from the permitted Facility shall be established through the useof control systems, and collection of escaped litter from the working face.

15. The Discharger shall remove and relocate any waste that is discharged at this Facility in violation of these requirements.

16. The Discharger shall maintain visible monuments identifying the boundary of each activearea, and the entire WMU.

17. Public contact with solid waste and/or leachate shall be prevented through fences, signs and other appropriate alternatives.

18. Waste shall be confined to the landfill footprint as described on Attachment 2, Site Map, appended hereto and made a part of this Order.

19. Water used for dust control, and fire suppression shall be limited to the amount necessary for these purposes, to minimize the potential for infiltration into the WMU.

20. If there is statistically significant evidence of a release from the WMU as defined in Title 27, the Discharger shall implement an evaluation monitoring program, in accordance with Part I.E.3d of the attached Monitoring and Reporting Program No. R7-2009-0002 and future revisions thereto.

B. Prohibitions

1. The discharge of waste to land not owned by the Discharger, or to areas outside the WMU, is prohibited.

2. The discharge of waste defined in Chapter 3 of Title 27, and listed below is prohibited:

a. Hazardous waste, as defined in Title 22, CCR, Section 66261, except for waste that is hazardous due to friable asbestos content;

b. Designated waste;

c. Liquid waste (moisture content more than 50%);

d. Recyclable white goods (i.e. large intact household appliances);

e. Infectious wastes;

f. Geothermal wastes;

g. Incinerator ash, unless approved by the Regional Water Board Executive Officer and allowed by California regulations;

h. Radioactive waste; and

i. Sewage sludge from a wastewater treatment plant with moisture content greater than40 percent.

3. The Discharger shall neither cause nor contribute to the following conditions:

   a. Contamination or pollution of groundwater via the release of waste constituents in either liquid or gaseous phase.

   b. An increase in concentration of waste constituents in soil-pore gas, soil-pore liquid, soil or geologic material outside the WMU, if such waste constituents could migrateto waters of the State, in either liquid or gaseous phase, and cause contamination, pollution, or nuisance.

4. The discharge of waste to surface water, surface water drainage courses, or to groundwater is prohibited.

5. The discharge of waste that facilitates erosion or decay, or otherwise reduces or impairs the integrity of containment structures is prohibited.

6. The discharge of waste which when mixed or commingled with other landfill wastes may generate chemical reactions that create heat or pressure, fire or explosion, toxic by- products, or reactions which: (1) impair the integrity of the containment structure or (2) generate products requiring a higher level of containment than provided by this WMU, is prohibited.

7. The discharge of dead animals other than fish is prohibited, unless written approval is obtained from the Executive Officer.

C. Provisions

1. This Board Order does not authorize violation of any federal, state, or local laws or regulations.

2. The Discharger is the responsible party for the WDRs, and Monitoring and Reporting Program No. R7-2009-0002, and revisions thereto, and must comply with all conditionsof this Board Order. Noncompliance is a violation of the Porter-Cologne Water Quality Control Act (CWC Section 13000 et seq.), and grounds for enforcement action.

3. Prior to a change in ownership or management, the Discharger shall transmit a copy of this

Board Order to the succeeding owner/operator, and forward a copy of the transmittalletter to the Regional Water Board Executive Officer.

4. This Board Order does not convey property rights or exclusive privileges, nor does it authorize injury to private property, invasion of personal rights, or infringement of federal,state, or local laws.

5. The Regional Water Board considers the Discharger the responsible party for correcting problems that arise in the future as a result of this waste discharge.

6. The Discharger shall ensure that all Facility operating personnel are familiar with the content of this Board Order, and shall maintain a copy of this Board Order at the Facility at all times.

7. The Discharger shall allow the Regional Water Board, or any authorized representative, upon presentation of credentials or other documents required by law, to:

    a. Enter upon the premises regulated by this Board Order, or the place where records are kept under the conditions of this Board Order;

    b. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this Board Order;

    c. Inspect at reasonable times any facility, equipment (including monitoring and control equipment), practice, or operation 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 CWC Section 13000 et seq., any substance or parameter at this Facility.

8. The Discharger shall at all times properly operate and maintain all facilities and systems of treatment and control installed or used by the Discharger to achieve compliance with this Board Order. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. This provision requires backup or auxiliary facilities, or similar systems installed by the Discharger when necessary to achieve compliance with the conditions of this Board Order.

9. Adequate measures shall be taken to ensure unauthorized persons are effectively prohibited from contacting the waste or disposal facilities within the property boundary.

10. The Discharger shall immediately notify the Regional Water Board of any flooding, slope failure or change in site conditions that may impair the integrity of waste containment, or precipitation and drainage control structures.

11. The Discharger shall maintain a legible record, using a reporting form approved by the Regional Water Board Executive Officer, of the volume and weight (in tons) of solid waste received at this Facility, and the manner and location of disposal.

12. Two (2) years prior to anticipated closure of the Facility or any portion thereof, the Discharger shall submit, for review and approval by the Regional Water Board ExecutiveOfficer, a closure and post-closure maintenance plan in accordance with Section 21769 of Title 27.

13. The closure plan shall include:

    a. Facility location map;

    b. Topographic maps;

    c. Current monitoring and control systems;

    d. Land uses;

    e. Estimated closure date and schedule;

    f. General closure description;

    g. Other special requirements;

    h. Revised closure cost estimates (if appropriate); and

    i. Any other applicable requirements as specified in Title 27.

14. The post-closure maintenance plan shall include:

    a. Security and fencing;

    b. Survey monuments;

    c. Final cover;

    d. Storm water management system;

    e. Active gas extraction system, if necessary;

    f. Vadose zone soil-pore gas monitoring system;

    g. Groundwater quality monitoring system.

15. The Discharger shall submit a detailed post-earthquake inspection and corrective action plan for implementation following an earthquake of Magnitude 5.0 or greater occurring within 50 miles of the Niland WMF. The Plan shall address damage to and corrective measures for containment structures, the storm water management system, and wells and monitoring equipment. The Discharger shall notify the Regional Water BoardExecutive Officer within 48 hours of discovery of damage to the Facility due to an earthquake, and provide a post-earthquake inspection report within 45 working days.

16. Unless otherwise approved by the Regional Water Board Executive Officer, all water quality monitoring analyses shall be completed at a laboratory certified for such analysesby the California Department of Public Health. All analyses shall be preformed in accordance with the latest edition of “Guidance Establishing Test Procedures for Analysis of Pollutants”, promulgated by the U.S. Environmental Protection Agency.

17. The Discharger shall furnish, under the penalty of perjury, technical monitoring program reports, submitted in accordance with the specifications requested by the Regional Water Board Executive Officer. Such specifications are subject to periodic revision as may be warranted.

18. The Discharger shall comply with all discharge prohibitions, receiving water limitations, and provisions of the Statewide General National Pollutant Discharge Elimination System (NPDES) permit for Storm Water Discharges associated with Industrial Activities, Order No. 97-03 DWQ, NPDES No. CAS000001.

19. Prior to any expansion, the Discharger shall submit a revised sampling and monitoring plan for storm water discharges to the Regional Water Board Executive Officer for review and approval at least 90 days before commencing construction. The plan shall meet the minimum requirements of Section B, Monitoring and Reporting Program Requirements of the Statewide General NPDES Permit for Storm Water Discharges Associated with Industrial Activities, Order No. 97-03-DWQ, NPDES No. CAS000001.

20. This Board Order is subject to Regional Water Board review and update, to comply with any change in state or federal laws, regulations, policies or guidelines.

21. At any time, the Discharger may file a written request to the Regional Water Board Executive Officer proposing modifications to the Monitoring and Reporting Program. The request shall include supporting documents, and may address a change to any of the following:

    a. Statistical method, non-statistical method, or retest method used for a given constituent or parameter;

    b. Method for determining background for a given constituent or parameter;

    c. Method for displaying annual data plots;

    d. Analytical method to test a given constituent or parameter;

    e. Media monitored;

    f. Number or placement of monitoring points or background monitoring points for a monitored medium; or

    g. Any aspect of monitoring, or Quality Assurance/Quality Control (QA/QC).

22. After reviewing the subject request, the Regional Water Board Executive Officer shall reject the proposal for reasons listed, or approve and incorporate the proposal (along with any necessary changes) into the Monitoring and Reporting Program. The Discharger shall implement the change in the Monitoring and Reporting Program proposed by the Executive Officer upon receipt of a revised Monitoring and Reporting Program.

23. The Discharger has submitted to the Regional Water Board and to the California Integrated Waste Management Board **(CIWMB)** evidence of Financial Assurance for Closure and Post-Closure pursuant to Section 20950 of Title 27.

24. Financial assurance for post-closure shall be determined by the **CIWMB** in accordance with

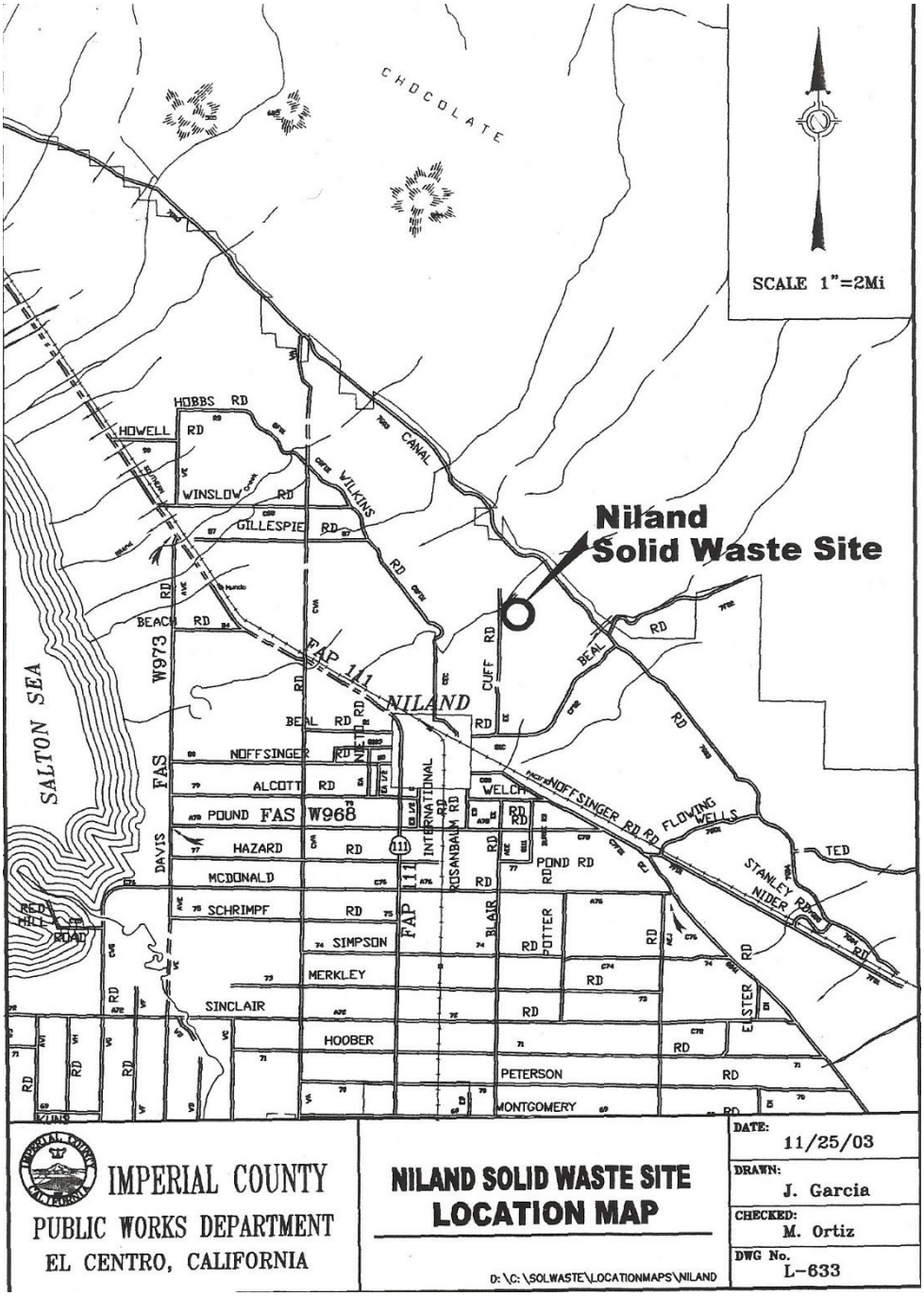
regulation. The post-closure maintenance period shall extend at least thirty (30) years after completion of closure for the entire Facility, and extend as long as wastes pose a threat to water quality.

25. Pursuant to Title 27, CCR, Section 20380(b), within 180 days of adoption of this Board Order the Discharger shall submit to the Regional Water Board Executive Officer assurance of financial responsibility for initiating and completing corrective action for all known or reasonably foreseeable releases from the Facility.

I, Robert Perdue, 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 January 22, 2009.

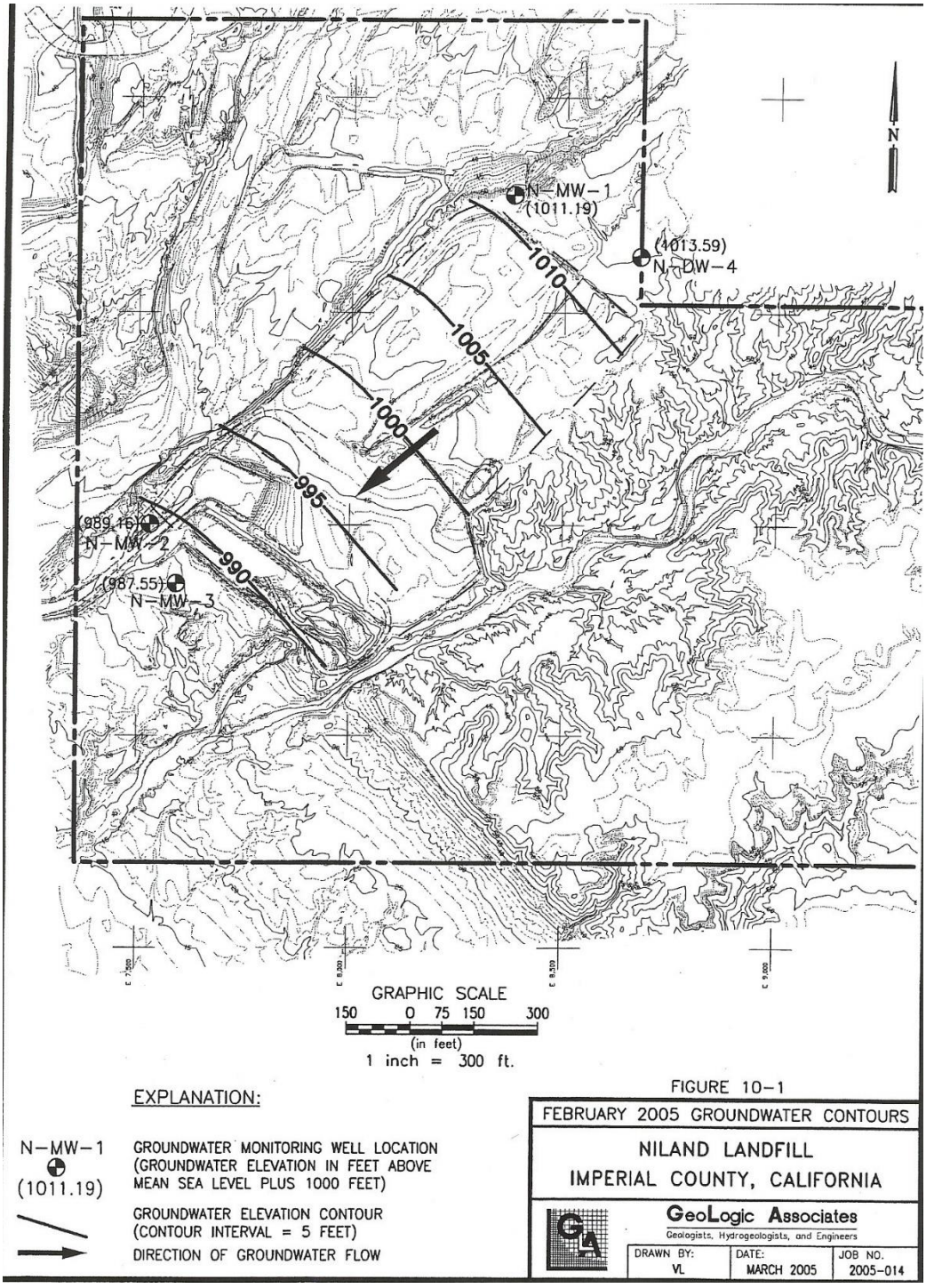
Original signed by
ROBERT PERDUE
Executive Officer

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
COLORADO RIVER BASIN REGION



ATTACHMENT 1 – Location Map

ORDER NO. R7-2009-0002
NILAND CLASS III MUNICIPAL SOLID WASTE MANAGEMENT FACILITY



ATTACHMENT 2 – Site Map