



EDMUND G. BROWN JR.
GOVERNOR

MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

Santa Ana Regional Water Quality Control Board

February 13, 2014

TENTATIVE WASTE DISCHARGE REQUIREMENTS, ORDER NO. R8-2014-0006, AMENDING WASTE DISCHARGE REQUIREMENTS FOR ACTIVE CLASS III LANDFILLS WITHIN THE SANTA ANA REGION FOR ACCEPTANCE OF NONHAZARDOUS/NON- DESIGNATED CONTAMINATED SOILS

Dear Sir/Madam,

We are enclosing a copy of the tentative Order No. R8-2014-0006 which amends the existing waste discharge requirements for all the active Class III landfills within the Santa Ana Region. The Order sets forth criteria for acceptance of contaminated soils at Class III landfills for disposal or reuse.

This Order is scheduled for consideration by the Regional Board at the April 25, 2014 meeting to be held at the Orange County Water District, 18700 Ward Street, Fountain Valley, California. Please provide any comments that you may have by April 7, 2014.

Regional Board staff is also holding an informal workshop, to be held on March 11, 2014, at the Regional Board Office in Riverside, to solicit public comments on the proposed Order (a copy of the workshop notice is enclosed).

If you have any questions, please contact Ray Akhtarshad at (951) 320-2024 or ray.akhtarshad@waterboards.ca.gov, or his supervisor, Cindy Li at (951) 782-4906 or cindy.li@waterboards.ca.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "mjadackapara".

Michael J. Adackapara
Division Chief

Enclosure: Tentative Order No. R8-2014-0006 and Staff Report
Workshop Notice

cc: Leslie Graves, SWRCB, (lgraves@waterboards.ca.gov)
Ed Pert, State Department of Fish and Game (epert@dfg.ca.gov)
Eileen Sheehan, USEPA, Region 9 (sheehan.eileen@epa.gov)
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Santa Ana Regional Water Quality Control Board

INFORMAL STAFF WORKSHOP

Tentative Amendment to Waste Discharge Requirements for Active Waste Management Units located within the Santa Ana Region

AGENDA

March 11, 2014
9:00 am – 12:00 pm
Santa Ana Regional Board
3737 Main Street, Suite 500
Riverside, CA 92501-3348

Teleconference Phone number: 866-680-0146
Participant Code: 764743

9:00 am – 9:15 am	Introduction and Opening Remarks
9:15 am – 9:45 am	A brief discussion of the proposed Order
9:45 am – 10:45 am	Stakeholder Comments
10:45 am – 11:00 am	Break
11:00 am – 11:45 pm	Continue Stakeholder Comments
11:45 am - 12:00 pm	Next Steps and Wrap Up

STATE OF CALIFORNIA
REGIONAL WATER QUALITY CONTROL BOARD
SANTA ANA REGION

DRAFT

April 25, 2014

STAFF REPORT

DRAFT

ITEM: **XX**

Amendment to Waste Discharge Requirements for Active Class III Landfills Within Santa Ana Region for Acceptance of Nonhazardous/ Non-designated Contaminated Soils for Disposal or Beneficial Reuse, Order No. R8-2014-0006

DISCUSSION:

Soils contaminated with moderate concentrations of total petroleum hydrocarbons, volatile organic compounds, semi-volatile organic compounds, organochlorine pesticides, polychlorinated biphenyls, and California Administrative Manual (CAM) metals, are wastes as defined in California Water Code (CWC) §13050 and are required to be regulated under waste discharge requirements pursuant to CWC §13263(a). The discharge of such wastes to land could affect the quality of the waters of the State if not properly managed.

Land disposal of contaminated soils to properly engineered and managed MSW landfills is an efficient and economical means of controlling the effects of such discharge of waste. The threat to waters of the State is thereby eliminated or reduced to non-significant levels.

Each year Regional Board receives a large number of requests for the disposal of contaminated soils at municipal solid waste (MSW or Class III) landfills. For each such request, the Regional Board has to determine the concentration of the significant constituents of concern in the waste, the regulatory limits, if any, for the constituents, and the potential impact on the waters of the State from the disposal of these wastes. Such requests are anticipated to continue and far exceed the capacity of the Regional Board to review and consider waste discharge requirements (WDRs) for each applicant in a timely manner. Active MSW landfills in the Region are regulated pursuant to individual WDRs to receive municipal solid waste (Table 1). Such WDRs generally do not include requirements for the disposal or beneficial reuse of contaminated soils. Hence, there is a need for amendment of the existing active MSW landfill WDRs to accommodate disposal or beneficial reuse of these wastes in a manner not to adversely impact water quality.

This Order sets forth acceptance criteria to ensure that discharge of such wastes to municipal solid waste landfills does not adversely affect the quality of waters of the State.

RECOMMENDATION:

Adopt Order No. R8-2014-0006 as presented.

Table 1
List of Active Landfills within Santa Ana Region

Site Name	Site Address	Owner / Operator
Lamb Canyon Landfill Order No. R8-2013-0003	16411 Lamb Canyon Road Beaumont, CA	Riverside County Waste Management Department 14310 Frederick Street Moreno Valley, CA 92553
Badlands Landfill Order Nos. 91-105, 98-99, R8-2002-0085, R8-2006-0053, & R8-2010-0051	31125 Ironwood Avenue Moreno Valley, CA 92553	Riverside County Waste Management Department 14310 Frederick Street Moreno Valley, CA 92553
Olinda Alpha Landfill Order No. R8-2010-0006	1942 North Valencia Avenue Brea, CA 92823	Orange County Waste & Recycling 300 N. Flower Street, Suite 400 Santa Ana, CA 92703
Mid-Valley Landfill Order Nos. 98-095, 98-99	2390 Alder Avenue Rialto, CA 92377	San Bernardino County 222 West Hospitality Lane 2nd Floor San Bernardino, CA 92415
FRB Landfill Order Nos. R8-2010-0017	11002 Bee Canyon Access Road Irvine, CA 92618	Orange County Waste & Recycling 300 N. Flower Street, Suite 400 Santa Ana, CA 92703
Colton Landfill Order Nos. 91-039 & 98-99	850 Tropic Rancho Road Colton, CA 92408	San Bernardino County 222 West Hospitality Lane 2nd Floor San Bernardino, CA 92415
San Timoteo Landfill Order Nos. 78-151 & 98-99	31 Refuse Road Redlands, CA 92373	San Bernardino County 222 West Hospitality Lane 2nd Floor San Bernardino, CA 92415
California Street Landfill Order Nos. R8-2004-008 & R8-2008-0094	2151 Nevada Street Redlands, CA 92373	City of Redlands Quality of Life Department 35 Cajon Street Redlands, CA 92373
El Sobrante Landfill Order No. R8-2011-0014	10910 Dawson Canyon Road Corona, CA 92883	Waste Management Inc. P.O. Box 77908 Corona, CA 92877

The draft Order has been sent to the following entities for review and comments.

Leslie Graves, SWRCB, (lgraves@waterboards.ca.gov)
Ed Pert, State Department of Fish and Game (epert@dfg.ca.gov)
Eileen Sheehan, USEPA, Region 9 (sheehan.eileen@epa.gov)
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DRAFT

STATE OF CALIFORNIA
REGIONAL WATER QUALITY CONTROL BOARD
SANTA ANA REGION

DRAFT

ORDER NO. R8-2014-0006

**AMENDMENTS TO WASTE DISCHARGE REQUIREMENTS
FOR DISPOSAL OF NONHAZARDOUS/NON-DESIGNATED CONTAMINATED SOILS
AT ACTIVE MUNICIPAL SOLID WASTE LANDFILLS**

The California Regional Water Quality Control Board, Santa Ana Region (hereinafter Regional Board) finds that:

1. Regulations governing nonhazardous solid waste landfills are included in the California Code of Regulations, Title 27, Division 2, Subdivision 1, and Consolidated Regulations for Treatment, Storage, Processing, or Disposal of Solid Waste (Title 27).
2. Nonhazardous solid wastes mean "all putrescible and non-putrescible solid, semi-solid, and liquid wastes, including garbage, trash, refuse, paper, rubbish, ashes, industrial wastes, demolition and construction wastes, abandoned vehicles and parts thereof, discarded home and industrial appliances, manure, vegetable or animal solid and semi-solid wastes and other discarded wastes (whether of solid or semi-solid consistency); provided that such wastes do not contain wastes which must be managed as hazardous wastes, or wastes which contain soluble pollutants in concentrations which exceed applicable water quality objectives, or could cause degradation of waters of the state (i.e. designated waste)."¹
3. Soils contaminated with moderate concentrations of total petroleum hydrocarbons (TPH)², volatile organic compounds (VOCs), semi-volatile organic compounds (SVOCs), organochlorine pesticides, polychlorinated biphenyls (PCBs), and California Administrative Manual (CAM) metals, are wastes as defined in California Water Code (CWC) §13050 and are required to be regulated under waste discharge requirements pursuant to CWC §13263(a). The discharge of such wastes to land could affect the quality of the waters of the State if not properly managed. This Order sets forth requirements to ensure that discharge of such wastes to municipal solid waste (MSW or Class III) landfills does not affect the quality of waters of the State.
4. Land disposal of contaminated soils to properly engineered and managed MSW landfills is an efficient and economical means of controlling the effects of such discharge of waste. The threat to waters of the State is thereby eliminated or reduced to non-significant levels.
5. Active MSW landfills in the Santa Ana Region are regulated pursuant to individual waste discharge requirements (WDRs) to accept municipal solid waste. Such WDRs generally do not include requirements for the disposal or reuse of contaminated soils. Routinely landfill operators are required to develop and implement "load-checking programs" to limit unacceptable wastes from being discharged. Due to the nature of contaminated soils, the waste constituents in the soils cannot readily be detected through load-checking programs. Thus, routine load-checking programs implemented through individual WDRs for operating

¹ California Code of Regulations, Title 27, §20220(a)

² TPH for full chain of hydrocarbons reported as C₄-C₁₂, C₁₃-C₂₂, and C₂₃+ ranges

Class III landfills in the Region are not adequate to regulate the discharge of contaminated soils.

6. Each year Regional Board receives a large number of requests for the disposal of contaminated soils at MSW landfills. For each such request, the Regional Board has to determine the concentration of the significant constituents of concern in the waste, the regulatory limits, if any, for the constituents, and the potential impact on the waters of the State from the disposal of these wastes. Such requests are anticipated to continue and far exceed the capacity of the Regional Board to review and consider WDRs for each applicant in a timely manner. Hence, there is a need for amendment of the existing active MSW landfill WDRs to accommodate disposal or reuse of these wastes in a manner not to adversely impact water quality.
7. Increasingly, the contaminated soil generators or the landfill operators request for reuse of the contaminated soils at the MSW facilities. More specifically, for use as alternative daily cover.
8. Water quality protection requirements for cover materials at Class III landfills are contained in Title 27, §20705(e) as follows:

Limitations on Cover Materials - Except for reusable covers that are never incorporated into the landfill, daily and intermediate cover shall only consist of materials:

- a. Match landfill classification - which meets the classification criteria for wastes that can be discharged to that landfill. Therefore, a material that would be classified as a designated waste cannot be utilized for daily or intermediate cover at a Class III landfill unless that material is approved for discharge (as a waste) to that landfill pursuant to Title 27, §20200(a)(1); and
 - b. Composition - whose constituents (other than water) and foreseeable breakdown byproducts, under the chemical (including biochemical) and temperature conditions which it is likely to encounter within the landfill, either:
 - i. for non-composite lined portions of the landfill, are mobilizable only at concentrations which would not adversely affect beneficial uses of waters of the State, in the event of a release; or
 - ii. for composite-lined portions of the landfill, are listed as constituents of concern in the landfill's water quality protection standard, created pursuant to Title 27 §20395.
9. The Regional Board recognizes the benefits of recycling and reuse of waste materials consistent with AB 939 and Title 27. This Order is not intended to, and does not conflict with AB 939.
 10. Pursuant to Title 27, §20686, beneficial reuse of solid wastes at MSW landfills shall include, but not be limited to, the following: alternative daily cover, alternative intermediate cover, final cover foundation layer, liner operations layer, leachate and landfill gas collection system, construction fill, road base, wet weather operation pads and access roads, and soil amendments for erosion control and landscaping. This Order specifies criteria for reuse of

various waste materials at MSW landfills.

11. The alternative daily cover materials, as well as any other wastes that meet the requirements in Title 27, §20690(b) for use as alternative daily cover, with mobilizable constituents are subject to the requirements of this Order.
12. This Order is not applicable to the onsite or offsite reuses, such as soil backfilling.
13. These WDRs shall not be interpreted or applied in a manner that alters or supersedes any existing restrictions or working arrangements relating to cleanup cases regulated by any federal, state or local government agencies.
14. This Order does not authorize the discharge of waste in violation of applicable state or federal laws and regulations, including air quality laws, nor exempts any Dischargers from applicable regulations set forth by other regulatory agencies.
15. This Order is neither intended to regulate the transport of contaminated soils to treatment facilities, the land-treatment of contaminated soils, or the discharge of soils to inert landfills, nor does it regulate the reuse of contaminated soils at site cleanup projects overseen by the Regional Board. These activities are regulated either by individual WDRs, cleanup and abatement orders, or other general WDRs adopted by the Regional Board.
16. The adoption of this amendment to active landfill WDRs for disposal of contaminated soils, and reuse of these soils, would assist in:
 - a. Protecting groundwater and surface waters of the State from pollution.
 - b. Simplifying and expediting the process for disposal of contaminated soils at landfills.
 - c. Reducing Regional Board staff time preparing individual WDRs or review of each request for coverage under general WDRs.
 - d. Providing consistency for disposal or reuse of nonhazardous contaminated soils at active MSW landfills in the Santa Ana Region.
17. A Water Quality Control Plan for the Santa Ana River Basin (Basin Plan) became effective on January 24, 1995. The Basin Plan and its subsequent amendments specify beneficial uses and water quality objectives for waters in the Santa Ana Region. The requirements specified in this Order are necessary to protect the water quality objectives and the beneficial uses.
18. Existing and potential beneficial uses of groundwater and surface waters within the Santa Ana Region are specified, by water body, in Table 3-1 of the Basin Plan. Groundwater and surface waters that do not have beneficial uses designated in Table 3-1 of the Basin Plan have the same beneficial uses as the streams, lakes or reservoirs to which they are tributary or the groundwater management zones to which they are tributary.
19. This Order establishes minimum standards for disposal or reuse of contaminated soils at active MSW landfills. In the event of an inconsistency between the provisions of this Order and the Basin Plan, the more protective water quality provision shall prevail.

20. This Order does not preempt or supersede the authority of municipalities, flood control agencies, or other federal, state or local agencies to prohibit, restrict, or control discharges of waste subject to their jurisdiction.
21. This amendment is to accommodate proper disposal of slightly contaminated soils at the existing MSW landfills within the Region. This action is likely to reduce the illegal disposal of contaminated soils within the Region, thereby protecting the environment. This amendment only applies to existing MSW facilities and is exempt from provisions of the California Environmental Quality Act (Public Resources Code, §21000, et seq.) in accordance with Title 14, California Code of Regulations, Chapter 3, §15301.
22. The issuance of this Order establishing WDRs for the landfilling and reuse of contaminated soils is consistent with Santa Ana Region's goal to provide water resources protection, enhancement, and restoration, while balancing economic and environmental impacts as stated in the Strategic Plan of the State Water Resources Control Board and the Regional Boards, and in conformance with the Porter-Cologne Water Quality Control Act (CWC, §13000, et seq.). The purpose of this Order is to develop consistent acceptance criteria for nonhazardous /non-designated contaminated soils at active landfills in the Region.
23. The Regional Board has notified interested agencies, the landfill owners, and all currently known interested parties of its intent to adopt amended WDRs for acceptance of contaminated soils at active MSW landfills.
24. The Regional Board, in a public meeting, heard and considered all comments pertaining to the adoption of this amended WDRs for disposal or reuse of the contaminated soils at active MSW landfills.

IT IS HEREBY ORDERED that a Discharger, who has received authorization to discharge under this waste discharge requirements, in order to meet the provisions contained in Division 7 of the California Water Code and regulations adopted there under, shall comply with the following:

A. APPLICABILITY

1. This Order sets forth requirements for disposal or reuse of non-designated / nonhazardous contaminated soils at active class III landfills in Santa Ana Region.
2. Contaminated soil concentration limits are established in part C of this Order and may vary for each landfill based on the existing environmental control systems (composite liners, leachate collection and removal system, etc.).

B. PROHIBITIONS

1. The disposal of contaminated soils or onsite use of contaminated soils at active Class III landfills, except in compliance with this Order, is prohibited.
2. Contaminated soils that are deemed to be hazardous waste, as defined in Article 11, Title 22 of California Code of Regulations (Title 22), shall not be discharged at Class III landfills in the Region.

3. Contaminated soils that are deemed to be designated waste, as defined in §13173 of CWC, shall not be discharged at Class III landfills in the Region.
4. Since 1987, it has been illegal in California to dispose of used oil or waste oil in sewers, drainage systems, surface water, groundwater, water courses, marine waters, municipal waste, onto land, or by domestic incineration. Soils contaminated with used oil that do not meet the requirements of this Order are prohibited for disposal at MSW landfills in the Region.
5. The disposal or reuse of contaminated soils at Class III landfills in the Region shall not violate requirements set forth by other regulatory agencies.
6. The discharge of waste shall not:
 - a. Cause groundwater or surface waters to exceed the water quality objectives as established in the Basin Plan or other applicable State Water Board Water Quality Control Plans, or to cause surface water to exceed applicable California Toxic Rule or National Toxic Rule water quality criteria;
 - b. Cause pollution, contamination, or nuisance, or adversely affect beneficial uses of ground or surface waters as established in the Basin Plan;
 - c. Cause the occurrence of coliform or pathogenic organisms in groundwater;
 - d. Cause the occurrence of objectionable tastes and odors in groundwater;
 - e. Cause waters pumped from a groundwater basin to foam;
 - f. Cause the presence of toxic materials in groundwater; or
 - g. Cause the pH of groundwater to fall below 6.0, or rise above 9.0.
7. Odors, vectors, and other nuisances originating from contaminated soils waste beyond the limits of the landfill are prohibited.
8. The discharge of contaminated soils to surface drainage courses is prohibited.
9. Basin Plan prohibitions shall not be violated.

C. CONTAMINATED SOILS ACCEPTANCE CRITERIA

A landfill operator who accepts contaminated soils at an active MSW landfill shall develop a Waste Acceptance Program, for approval by the Executive Officer, to comply with disposal requirements of the Order, as discussed below. The Waste Acceptance Program should identify personnel responsible for implementing the Program, procedures for approving soil profiling information including testing procedures for waste constituents accepted at the landfill, site-specific threshold levels for all appropriate wastes accepted for disposal or reuse, and any other relevant technical information. The Waste Acceptance Program shall be submitted to the Executive Officer for approval at least 30 days prior to acceptance of any wastes under this Order.

1. UNRESTRICTED ONSITE USE OF CONTAMINATED SOILS:

Clean and slightly contaminated soils, for which waste concentrations do not exceed the following threshold criteria may be disposed of, or used onsite, at any portion of an active MSW landfill without restriction.

- a. For petroleum hydrocarbon contaminated soils, the threshold concentration is a total petroleum hydrocarbon (TPH) concentration of 50 mg/kg in the gasoline range (C₄-C₁₂), or a concentration of 100 mg/kg in the diesel range (C₁₃-C₂₂), or a concentration of 1000 mg/kg in heavy oil range (C₂₃₊) hydrocarbons. The TPH for full chain of hydrocarbons (gasoline, Diesel, and heavy oils) cannot exceed 1000 mg/kg.
- b. Threshold concentration levels for constituents other than petroleum hydrocarbons require to be profiled to comply with disposal requirements of this Order and includes:
 - i. Soils with an average, contaminant-specific concentration that does not exceed a Preliminary Remediation Goal (PRG)³ for residential sites established by the U.S. Environmental Protection Agency (USEPA).
 - ii. Soils with an average, contaminant-specific concentration that does not exceed a California Human Health Screening Level (CHHSL)⁴ for residential sites established by the California Environmental Protection Agency (Cal-EPA).
 - iii. Soils for which a PRG or CHHSL has not been established with an average, contaminant-specific concentration that does not exceed 10 times the maximum contaminant level (MCL) established by the USEPA or the State of California Department of Public Health.
 - iv. Constituents that are naturally occurring in soils may exceed the threshold concentration levels provided in Section C.1.b (e.g., metals). Average concentrations shall be considered for these naturally occurring constituents in the Region. A demonstration must be made that they are naturally occurring and that these levels will not result in exceedences of water quality standards in surface or groundwater surrounding the landfill.

2. CRITERIA FOR DISPOSAL OF CONTAMINATED SOILS TO UNLINED LANDFILLS:

Limits for disposal of contaminated soils to **unlined, or unlined portions**, of MSW landfills in the Region:

- a. Soils contaminated with an average concentration higher than 500 mg/kg in the C₄-C₁₂ carbon-chain range, or 5,000 mg/kg in the C₁₃-C₂₂ carbon-chain range, or an average TPH concentration higher than 50,000 mg/kg, shall not be disposed of at unlined, or unlined portions of, MSW landfills.
- b. Soils with an average, contaminant-specific concentration that does not exceed a PRG for industrial sites established by the USEPA.

³ USEPA Region 9 PRG table is located at <http://www.epa.gov/region9/superfund/prg/files/04prgtable.pdf>

⁴ CALEPA CHHSL can be located at <http://www.calepa.ca.gov/brownfields/documents/2005/chhslsguide.pdf>

- c. Soils with an average, contaminant-specific concentration that does not exceed a CHHSL for industrial sites established by the Cal-EPA.
- d. Soils contaminated with VOCs, SVOCs, organochlorine pesticides, PCBs, or CAM metals shall not be disposed of at unlined, or unlined portions, of MSW landfills if the contaminant exceeds 100 times an established MCL.

3. CRITERIA FOR DISPOSAL OF CONTAMINATED SOILS TO LINED LANDFILLS:

Soils contaminated with TPH, VOCs, SVOCs, organochlorine pesticides, PCBs, or CAM metals at concentrations greater than concentrations established for unlined landfills in provision C.2, above, but lower than the concentration listed in C.4 below, may be disposed of at a lined, or lined portion, of a Class III landfill if the corresponding Discharger determines that the contaminated soils are not classified as designated wastes. The criteria for disposal or reuse of contaminated soils at lined landfills include:

- a. Soils contaminated with an average concentration of 1,000 mg/kg in the C₄-C₁₂ carbon-chain range, or 10,000 mg/kg in the C₁₃-C₂₂ carbon-chain range, or an average TPH concentration of 75,000 mg/kg, shall not be discharged at any Class III landfill in the Santa Ana Region.
 - b. Soils contaminated with VOCs, SVOCs, organochlorine pesticides, PCBs, or CAM metals shall not be disposed of at lined, or lined portions, of MSW landfills if the contaminant exceeds 100 times an established MCL.
4. Soils contaminated with an average concentration higher than 1,000 mg/kg in the C₄-C₁₂ carbon-chain range, or 10,000 mg/kg in the C₁₃-C₂₂ carbon-chain range, or an average TPH concentration higher than 75,000 mg/kg, shall not be discharged at any Class III landfill in the Region.
5. Contaminated soil sampling frequencies are listed in Table 1 below:

TABLE 1
SAMPLING FREQUENCY

CUBIC YARDS OF SOIL	NO. OF SAMPLES
Less than 100	2
100 to 500	4
500 to 2500	6
For each 500 CY greater than 2500*	1 additional sample

* For quantities greater than 20,000 CYs, an alternative sampling frequency may be considered.

D. BEST MANAGEMENT PRACTICES APPLICABLE TO ONSITE USE OF CONTAMINATED SOILS

- 1. All soils accepted for disposal at the MSW landfill shall meet the acceptance criteria

specified in provision C.2 of this Order.

2. The MSW landfill operator shall ensure that waste constituents are not mobilized from any contaminated soils used onsite as part of environmental control systems at concentrations which would adversely affect beneficial uses of waters of the State. All surface runoff and erosion controls systems shall be consistent with the requirements specified in the State's General Industrial Storm water Permit, Order No. 97-003-DWQ, and any subsequent revisions thereto. The MSW landfill operator shall review its Storm Water Pollution Prevention Plan (SWPPP) to determine the need for any revisions specifically to address contaminants in the wastes accepted under this Order and any foreseeable breakdown products of the waste constituents. Any required revisions to the SWPPP should be completed 30 days prior to acceptance of any wastes under this Order.
3. The SWPPP shall include, but not be limited to:
 - a. Procedures for limiting the use of contaminated soils during periods of wet weather so that the contribution of waste constituents and foreseeable breakdown byproducts to surface water runoff is minimized.
 - b. Drainage diversion structures to control surface water run-on and run-off to limit interaction with wastes exposed in landfill working areas.
 - c. Drainage retention facilities to capture, or control, surface waters to minimize storm water run-off from the site.

E. REPORTING REQUIREMENTS

1. In accordance with regulations in §3890 et seq. of Title 23, and of Title 27, adopted by the State Water Resources Control Board (State Water Board) in September 2004 regarding electronic submittal of information (ESI), Dischargers shall submit all monitoring reports required under this Order or site-specific WDRs, electronically to the State Water Board GeoTracker system. Dischargers are, subject to any future revision to ESI requirements.
2. Dischargers shall include all activities related to contaminated soils accepted under this Order in the corresponding quarterly or semiannual monitoring reports, submitted pursuant to the monitoring and reporting program in accordance with the site-specific WDRs for the corresponding landfill. The report shall include a summary of the types, volumes, and disposal or onsite use for all wastes accepted pursuant to requirements of this Order. The report shall also compile all waste profiling information utilized by the Discharger in accordance with the Waste Acceptance Program requirements, including all sampling, the date of sampling, place where samples were collected, and time of sampling or measurement; individual(s) who did the sampling or measurement; the date(s) analyses were done; and analytical techniques or methods used to profile contaminated soils or wastes and the analytical results.
3. Dischargers shall submit all surface water test results in corresponding quarterly or semiannual monitoring reports pursuant to the monitoring and reporting program in site-

specific WDRs for the corresponding landfill. Routine submittal of the surface water test results does not release Dischargers from summary annual reporting requirements of the General Industrial Stormwater Permit. Dischargers shall submit a summary of all benchmark exceedances.

4. Dischargers shall furnish, within a reasonable time, any information which the Executive Officer may require to determine whether cause exists for modifying, revoking and reissuing, or terminating coverage under this Order.
5. Where a Discharger becomes aware of a failure to submit any relevant facts in a report to the Regional Board, the Discharger shall promptly submit such facts or information.
6. Dischargers shall report any noncompliance with this Order. Any such information shall be provided verbally within 24 hours from the time the Discharger becomes aware of the circumstances. A written submission shall also be provided within seven days of the time the Discharger becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and times, and if the noncompliance has not been corrected; the anticipated time it is expected to continue, and steps taken or planned to reduce, eliminate, or prevent recurrence of the noncompliance. The Executive Officer may waive or modify the written report requirement on a case-by-case basis if the oral report has been received within 24 hours.
7. All applications, reports, or information required by the Executive Officer shall be signed and certified as follows:
 - a. Signing agent.
 - i. For a corporation - by a principal executive officer of at least the level of vice-president.
 - ii. For a partnership or sole proprietorship - by a general partner or the proprietor, respectively.
 - iii. For a municipality, state, federal or other public agency - by either a principal executive officer or ranking elected official.
 - iv. For a military installation - by the base commander or the person with overall responsibility for environmental matters in that branch of the military.
 - b. All other reports required by this Order and other information required by the Executive Officer shall be signed by a person designated in part (a) of this provision, or by a duly authorized representative of that person. An individual is a duly authorized representative only if:
 - i. The authorization is made in writing by a person described in part (a) of this provision;
 - ii. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity; and
 - iii. The written authorization is submitted to the Executive Officer.
 - c. Any person signing a document under this section shall make the following

certification:

"I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document and all attachments and that, based on my inquiry of those individuals immediately responsible for obtaining the information, believe that the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment."

F. PROVISIONS

Provisions in this Order supersede those in any site-specific Order issued by the Regional Board that relate to contaminated soil disposal or reuse requirements.

G. NOTIFICATIONS

1. The CWC provides that any person who violates any WDRs issued, reissued, or amended by the Regional Board is subject to administrative civil liability in accordance with CWC §13350 and/or §13385 of up to \$10,000 per day of violation or \$10 per gallon discharged depending on the nature of the violation.
2. CWC §13268 provides that any person failing or refusing to furnish technical or monitoring program reports, as required under this Order, or falsifying any information provided in the monitoring reports is guilty of a misdemeanor and may be subject to administrative civil liability of up to \$1,000 per day of violation.
3. The disposal of contaminated soils may also be subject to regulations of CalRecycle, the California Department of Toxic Substances Control, and the South Coast Air Quality Management District.
4. The Regional Board may reopen this Order at its discretion, including assuring consistency with the State Water Board's general industrial storm water permit, and revisions thereto.

I, Kurt V. Berchtold, Executive Officer, do hereby certify that the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, Santa Ana Region, on April 25, 2014.

Kurt V. Berchtold
Executive Officer