

**CALIFORNIA WATER QUALITY CONTROL BOARD  
CENTRAL COAST REGION**

**ORDER NO. R3-2004-0006  
GENERAL WASTE DISCHARGE REQUIREMENTS  
FOR POST-CLOSURE MAINTENANCE OF  
CLOSED, ABANDONED OR INACTIVE NONHAZARDOUS WASTE LANDFILLS  
WITHIN THE CENTRAL COAST REGION**

The California Regional Water Quality Control Board, Central Coast Region (hereinafter Regional Board), finds that:

**BACKGROUND**

**Basis for General Waste Discharge Requirements**

1. Nonhazardous solid waste landfills (which include former Class II-2 landfills, closed Class III landfills and burn dumps) have been regulated by the State Water Resources Control Board and the Regional Boards since the 1960's. The applicable regulations governing landfills are California Code of Regulations, Title 27, Division 2, Subdivision 1, Consolidated Regulations for Treatment, Storage, Processing, or Disposal of Solid Waste (Title 27), and Code of Federal Regulations Title 40 Part 257 and Part 258 (40 CFR 257-258).
2. Pursuant to Title 27, section 20080 (g), landfills, which are closed, abandoned, or inactive on November 27, 1984, are not specifically required to be closed in accordance with current Title 27 requirements (§20950 et seq.). However, the requirements of Title 27 are minimum requirements. The Regional Board may impose more stringent requirements if necessary to accommodate regional or site-specific conditions (Title 27, §20080(a)(1)).
3. Pursuant to Title 27, section 20080 (g), the person, agency or corporation (hereafter Discharger), responsible for discharges at landfills which were closed, abandoned, or inactive (CAI Landfills) on or before November 27, 1984, may be required to develop and implement a detection monitoring program in accordance with Division 2, Subdivision 1, Chapter 3, Article 1, Subchapter 3, of Title 27 (§20380 et seq.). If water quality impairment is found, the Discharger may be required to develop and implement a corrective action program under that article. Appropriate corrective action measures may include, but are not limited to, construction of a final cover system and/or implementation of necessary post-closure maintenance measures. The monitoring requirements of this Order constitute a detection monitoring program. If water quality impairment is detected, Title 27 and the General MRP require the Discharger to implement an Evaluation Monitoring Plan and submit a corrective action program that satisfies Title 27, section 20430. Section 20430 contains the minimum requirements for a corrective action program. After a Discharger submits an acceptable corrective action plan, individual waste discharge requirements will be issued to include the specific corrective action measures that the Discharger must take.
4. Pursuant to California Water Code, Section 13263, this Regional Board issues waste discharge requirements for post-closure maintenance of CAI Landfills. In accordance with Section 13263(d) the Regional Board may prescribe requirements although no Report of Waste Discharge has been filed.
5. California Water Code, Section 13273, required the State Water Resources Control Board to develop a ranked list of all known landfills throughout the state on the basis of

the threat to water quality. Water Code Section 13273 required the operator of each solid waste disposal site on the ranked list to conduct and submit to the appropriate Regional Board the results of a solid waste water quality assessment test (SWAT report) to determine if the site is leaking hazardous waste.

6. SWAT reports indicated that CAI Landfills containing significant quantities of decomposable waste have leaked waste constituents to groundwater. Volatile organic constituents in groundwater near the CAI Landfills may have occurred through landfill gas and or leachate migration. These impacts to groundwater have the potential to cause long-term loss of a designated beneficial use.
7. CAI Landfills that do not contain significant quantities of decomposable waste such as those operated by open burning of refuse may also impact water quality. The residual waste material may contain soluble constituents, which are leachable to waters of the state (see Water Code, section 13050, subdivision (e)) under acidic conditions. Further, potential water quality impacts from these landfills could result in cases of extreme erosion of these landfill wastes.
8. **Attachment No. 1** to this Order contains a list of Dischargers who own or operated the CAI Landfills that contain significant quantities of decomposable waste. Attachment No. 1 to this Order may be updated by the Regional Board's Executive Officer, as necessary, when additional information warrants.
9. **Attachment No. 2** to this Order contains a list of Dischargers who own or operated CAI Landfills that do not contain significant quantities of decomposable waste, yet remain subject to these general waste discharge requirements due to a threat to water quality. The typical sites covered include those operated by open burning of refuse, but may also include other types of disposal sites. Attachment No. 2 to this Order may be updated by the Regional Board's Executive

Officer, as necessary, when additional information warrants.

#### Who is Covered?<sup>1</sup>

10. **CAI Landfills without WDRs** – All CAI Landfills listed on Attachments Nos. 1 and 2 to this Order are automatically covered under these General WDRs. In order to add a CAI Landfill to either Attachment 1 or 2 to this Order, the Discharger shall submit a complete report of waste discharge (ROWD) and an appropriate filing fee for each CAI Landfill, as described under the "Eligibility" section below.
11. **CAI Landfills with Individual WDRs** – All CAI Landfills with individual WDRs, but not presently proposed for coverage by this General Order will be considered for coverage under this General Order when the individual WDRs are scheduled for review or renewal, whether or not the Discharger submits a report of waste discharge pursuant to **Finding No. 10**. The date of review is specified within the individual WDRs.
12. **CAI Landfills with individual MRPs** – A landfill site currently covered by an Executive Officer issued site-specific monitoring and reporting program (individual MRP) will retain the individual MRP, unless otherwise specified by the Executive Officer.

#### Is a Fee Required?

13. **Annual Fee** – An annual fee is required for coverage under these General WDRs. The annual fee depends on the facility's Threat to Water Quality and Complexity Rating, as defined by California Code of Regulations Title 23, Section 2200. A facility's "complexity rating" is based on the type of facility. As such, the Threat to Water Quality and Complexity Rating for CAI Landfills containing significant quantities of decomposable waste, as described in **Finding 6**, above, (i.e., Dischargers listed on

---

<sup>1</sup> If you have any questions about whether or not your landfill facility is covered or should be covered under these General WDRs, you may contact Regional Board staff at (805) 549-3147.

Attachment 1) is "III-A". The Threat to Water Quality and Complexity Rating for CAI Landfills that do not contain significant quantities of decomposable waste, as described in **Finding 7**, above, (i.e., Dischargers listed on Attachment 2) is "III-C. The Executive Officer can move a Discharger from Attachment 1 to Attachment 2 if the Discharger demonstrates that its site does not contain significant quantities of decomposable waste. The Executive Officer shall change the appropriate annual fee classifications each time Section 2200 is amended, as necessary to comply with revisions to Section 2200.

#### Is Monitoring Required?

14. **Monitoring and Reporting** – Monitoring and Reporting Program No. R3-2004-0006 (General MRP) is part of this Order and is included as Attachment A. The General MRP requires the Discharger to perform regular monitoring and reporting of surface and groundwater quality and to perform necessary post closure maintenance activities. Except for CAI Landfills covered by an Executive Officer issued individual MRP, the General MRP applies to all CAI Landfills listed in Attachments 1 and 2. The General MRP may be modified by the Executive Officer. The monitoring and reporting requirements, including requirements to submit reports of waste discharge, are necessary to assess compliance with these General WDRs and to determine whether and to what extent each covered CAI Landfill is impacting waters of the state and to ensure implementation of all necessary long-term post-closure maintenance activities. The SWAT reports described in **Findings 5 and 6** support the monitoring and reporting requirements.
15. The issuance of this Order establishing General WDRs is consistent with the 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.
16. The issuance of this Order replaces any existing individual Orders previously issued to any of the CAI Landfills listed on Attachments 1 and 2.
17. The adoption of General WDRs for CAI Landfills for post-closure maintenance will assist in:
  - a. Protecting groundwater and surface waters of the state from pollution or contamination.
  - b. Simplifying and expediting the application process for the Discharger.
  - c. Reducing Regional Board time preparing and considering individual WDRs for each landfill.
18. **Basin Plan** - The Water Quality Control Plan, Central Coast Basin (Basin Plan), was adopted by the Regional Board on September 8, 1994, and approved by the State Water Resources Control Board on November 17, 1994. The Basin Plan incorporates statewide plans and policies by reference and contains a strategy for protecting beneficial uses of surface and groundwater throughout the Region. These General WDRs require Dischargers to comply with all applicable provisions of the Basin Plan.
19. This Order establishes minimum standards for post-closure maintenance and monitoring of CAI Landfills. The Discharger shall comply with any more stringent relevant standards in the Basin Plan. In the event of a conflict between the provisions of this Order and the Basin Plan, the more water quality protective provision shall prevail.
20. This Order does not preempt or supersede the authority of municipalities, flood control agencies, or other State or local agencies to prohibit, restrict, or control discharges of waste subject to their jurisdiction.
21. **Beneficial Uses** – Existing and potential beneficial uses of groundwater within the Central Coast Region include municipal and domestic supply, agricultural supply, and industrial process and service supply. Existing

and potential beneficial uses of surface waters within the Central Coast Region are specified, by water body, in Table 2-1 of the Basin Plan.

Surface waters that do not have beneficial uses designated in Table 2-1 of the Basin Plan have beneficial uses of municipal and domestic water supply and protection of both recreation and aquatic life.

#### California Environmental Quality Act (CEQA), and Other Legal References

22. The project of issuing Waste Discharge Requirements to CAI Landfills is being initiated by the Regional Board. The action to adopt these General WDRs is intended to maintain or improve water quality. These General Waste Discharge Requirements contain prohibitions, discharge specifications, water quality protection standards, and provisions intended to protect the environment by mitigating or avoiding impacts to water quality and the environment. These Waste Discharge Requirements are for existing CAI Landfill facilities and as such are exempt from provisions of the California Environmental Quality Act (Public Resources Code, Section 21000, et seq.) in accordance with Title 14, California Code of Regulations, Chapter 3, section 15301.

23. **Anti-Degradation** – This Order is consistent with the provisions of State Water Resources Control Board Resolution No. 68-16, "Statement of Policy with Respect to Maintaining High Quality of Waters in California."

24. The Regional Board, in establishing the requirements contained herein, considered factors including, but not limited to the following:

- a. Past, present, and probable future beneficial uses of water.
- b. Environmental characteristics of the hydrographic unit under consideration, including the quality of water available thereto.
- c. Water quality conditions that could reasonably be achieved through the

coordinated control of all factors, which affect water quality in the area.

- d. Economic considerations.
- e. Beneficial uses to be protected and water quality objectives reasonably required for that purpose.
- f. Other waste discharges.
- g. The need to prevent nuisance.

25. The Regional Board has considered water resource related environmental factors associated with the post-closure maintenance of CAI Landfills.

26. The Regional Board has notified interested agencies, all currently known Dischargers, and all currently known interested parties of its intent to issue these General WDRs.

27. The Regional Board, in a public meeting on February 6, 2004, heard and considered all comments pertaining to the adoption of these General WDRs.

**IT IS HEREBY ORDERED**, that each Discharger identified in Attachment No. 1 or 2 to this Order and any Discharger that the Executive Officer adds to Attachment No. 1 or 2, 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. ELIGIBILITY

1. Submit a complete report of waste discharge (ROWD) and an appropriate filing fee for each CAI Landfill. The ROWD shall include the following:

- a. Form 200, Application for Facility Permit/Waste Discharge, filled out in accordance with the instructions.
- b. A discussion of the landfill and waste characteristics including:
  - i. Identification of the period during which waste was disposed of at the site.
  - ii. Description of landfill disposal methods, operation and maintenance activities (if known).

- iii. Description of types of waste disposed.
    - iv. Identification of the total volume of waste disposed.
    - v. Any closure or post-closure activities conducted at the landfill subsequent to ceasing operation.
    - vi. Present and future land use of the landfill area.
  - c. Documentation of how the Discharger proposes to comply with all applicable requirements of this Order.
  - d. A topographical scale map showing the location, users and uses of all wells located within one mile of the landfill.
  - e. A proposal to achieve compliance with the General MRP including a proposed monitoring network, and/or proposed assessment activities, as appropriate.
  - f. Any other information pertinent to protection of water quality or public health and prevention of nuisance.
2. Except as provided in Eligibility requirement A.4, the Discharger shall receive notification from the Regional Board Executive Officer stating that the CAI Landfill is covered by these General WDRs, and an individual permit is not required. The notification letter shall specify the following:
- a. Any modification to General Closure Monitoring and Reporting Program No. R3-2004-0006 or, if applicable, to the Discharger's existing individual MRP.
  - b. If applicable, that the Discharger's existing individual MRP (including any modifications under paragraph a.) shall continue in force in lieu of the General MRP.
  - c. The effective date of coverage under these General WDRs.
3. The Executive Officer may require any Discharger covered under these General WDRs to apply for and obtain landfill specific (individual) WDRs. A Discharger covered under these General WDRs may apply for individual WDRs. If individual WDRs are issued, then the applicability of these General WDRs is immediately terminated on the

effective date of the alternative individual WDRs.

4. Following review of the ROWD submittal, the Executive Officer may determine that a Discharger listed in Attachment 1 or 2, or a Discharger that submits a ROWD under section, Eligibility A.1 will not affect the quality of waters of the state. Following this determination, coverage under this Order will terminate as to the Discharger. If there is any change in the information submitted within its original ROWD or change in the land use of the CAI Landfill, the Discharger shall submit an updated ROWD to the Executive Officer, who will determine whether to add the Discharger to Attachment 1 or 2.

#### **B. COMPLIANCE WITH OTHER REGULATIONS, ORDERS AND STANDARD PROVISIONS**

1. If the Executive Officer determines that additional closure or corrective action activities, including the construction of a final cover system or post-closure maintenance, are necessary to protect water quality, the Discharger shall submit a closure plan, corrective action plan or other documentation as directed by the Executive Officer.
2. If any applicable regulation requirements overlap or conflict in any manner, the most water quality protective requirement shall govern in all cases, unless specifically stated otherwise in this Order, or as directed by the Executive Officer.
3. The CAI Landfills listed on Attachments 1 and 2 to this Order, are not subject to this Regional Board's Order No. 93-84, "Waste Discharge Requirements (WDR) Amendment for All Municipal Solid Waste Landfills in the Central Coast Region" (Super Order). The Super Order updated all Region 3 landfill WDRs to comply with the updated federal landfill regulations, 40 CFR Parts 257 and 258. Through compliance with CCR Title 27 as required by this Order, the Discharger will satisfy all requirements of Order No. 93-84.

4. Any individual waste discharge requirements for CAI Landfills listed on Attachment 1 or 2 are hereby rescinded, effective as of the effective date in the Executive Officer's notification of coverage (see Eligibility requirement 2.c, above). Any individual waste discharge requirements for CAI Landfills that the Executive Officer adds to Attachment 1 or 2 shall terminate as of the effective date in the Executive Officer's notification of coverage.

### C. PROHIBITIONS

1. All additional discharge of waste to land is prohibited.
2. Odors, vectors, and other nuisances of waste origin beyond the limits of the landfill site are prohibited.
3. The discharge of waste to surface drainage courses or to usable groundwater is prohibited.

### D. POST-CLOSURE MAINTENANCE SPECIFICATIONS

#### General Specifications

1. The Discharger shall implement the attached Monitoring and Reporting Program (MRP) No. R3-2004-0006, or any individual MRP issued by the Executive Officer, in order to detect any impacts on waters of the state associated with and or caused by past disposal practices and to ensure implementation of all necessary long-term post closure maintenance activities.
2. The Discharger shall neither cause nor contribute to any surface water contamination, pollution, or nuisance.
3. Basin Plan prohibitions shall not be violated.
4. The discharger shall not cause an increase in concentration of waste constituents in soil-pore gas, soil-pore liquid, perched water, groundwater or geologic materials outside of the Point of Compliance (as defined by Title 27).

5. Water used over areas underlain by waste within unlined landfill areas shall be limited to the minimum amount necessary for dust control, construction activities and irrigation of vegetated cover.

6. Water collected in any storm water catchment basin or a site water treatment facility may be used in minimum amounts necessary for dust control, compaction, or irrigation of cover vegetation provided:

- a. The water does not infiltrate past the vegetation root zones or past a depth where effective evaporation can occur.
- b. The water does not contain or carry significant concentrations of waste constituents.

7. Surface drainage from tributary areas and internal site drainage from non-landfill surface or subsurface sources shall not contact or percolate through wastes.

8. To prevent erosion and percolation through the waste, drainage ditches crossing over landfill areas shall be lined with either a synthetic liner or at least a one-foot-thick layer of soil having an in-place hydraulic conductivity of  $1 \times 10^{-6}$  cm/sec or less.

#### Wet Weather

9. **By October 1 of each year**, all necessary runoff diversion and erosion prevention measures shall be implemented. All necessary construction (grading), maintenance, or repairs of precipitation and drainage control facilities shall be completed in order to minimize rainfall infiltration, prevent ponding, resist erosion or flooding of the landfill, and to prevent surface drainage from contacting or percolating through wastes.

10. **By October 1 of each year**, vegetation shall be planted and maintained as necessary to minimize erosion on all slopes at final elevation. Vegetation shall be selected to require a minimum of irrigation and maintenance. Upon written Executive Officer approval, non-hazardous sewage sludge may be utilized as a soil amendment to promote vegetation. Soil

amendments and fertilizers (including wastewater sludge) used to establish vegetation shall not exceed the vegetation's agronomic rates (i.e., annual nutrient needs), unless approved by the Executive Officer.

11. The landfilled areas shall be adequately protected from any washout, erosion of wastes or cover material. Drainage facilities shall be designed, constructed, and maintained to accommodate anticipated precipitation and peak surface runoff flows from a 100-year, 24-hour rainstorm event.
12. Storage facilities associated with precipitation and drainage control systems shall be emptied immediately following each storm, or otherwise managed, to maintain the design capacity of the system. A minimum of two feet of freeboard shall be maintained in all storm water/sediment basins.
13. The structural integrity and effectiveness of all containment structures, including the landfill cover, shall be maintained as necessary to correct the effects of settlement or other adverse factors.
14. The migration of landfill gas from the site shall be controlled as necessary to ensure that landfill gases and gas condensate are not discharged to surface waters or groundwater. Condensate shall be collected and removed from the site except as allowed by Title 27, Section 20090(e).
15. All landfill areas with visible erosion damage, cracking, exposed waste, lack of vegetation or ponding shall be repaired as soon as practicable after being discovered.

#### **E. WATER QUALITY PROTECTION STANDARDS**

1. Discharge of waste shall not cause the concentration of any Monitoring Parameter to exceed its respective background value in any monitored media (i.e., soil, or groundwater) at any Monitoring Point pursuant to MRP No. R3-2004-0006.

2. The Monitoring Parameters for groundwater are listed in **MRP No. R3-2004-0006**.
3. The discharge of waste shall not cause a statistically significant difference in water quality over background concentrations or Concentration Limit of Monitoring Parameter (per MRP No. R3-2004-0006) at the Point of Compliance. The Concentration Limits shall be maintained for as long as the waste poses a threat to water quality.
4. Discharge of waste shall not cause concentrations of chemicals and radio nuclides in groundwater down-gradient of the point of compliance to exceed the State Department of Health Services current recommended Drinking Water Action Levels or Maximum Contaminant Levels of the California Code of Regulations Title 22, Division 4, Chapter 15, Article 5.5.
5. The Point of Compliance for each CAI Landfill listed follows the edge of the landfill's waste disposal area, and extends vertically down through the uppermost aquifer.
6. Monitoring results are subject to the most appropriate statistical or non-statistical test, as required by the attached Monitoring and Reporting Program.
7. The Discharger shall, install groundwater, soil pore liquid, soil pore gas, surface water, and leachate monitoring devices as necessary to comply with this Order.

#### **F. PROVISIONS**

1. The Discharger shall comply with "General Closure Monitoring and Reporting Program No. R3-2004-0006", included as Attachment A to these General WDRs, or as specified by the Executive Officer.
2. The Discharger shall have a continuing responsibility for waste containment, monitoring, and to assure protection of usable waters from discharged wastes, gases, and leachate, during the landfill's closure, and post-closure maintenance periods and during

subsequent use of the property for other purposes. The Discharger is also responsible for correcting any problems, which may arise in the future as a result of the waste discharged. This responsibility continues as long as the waste poses a threat to water quality.

3. The Discharger shall maintain waste containment facilities and precipitation and drainage controls, and shall continue to monitor, as appropriate, groundwater, vadose zone, liquid and gas, surface waters, and leachate from CAI Landfills throughout the post-closure monitoring and maintenance period.
4. The Regional Board will review this Order periodically and will revise these requirements when necessary.
5. The Discharger shall furnish the Regional Board, within a reasonable time, any information that the Regional Board may request to determine compliance with these General WDRs.

#### Reporting Provisions

6. All technical and monitoring reports, including reports of waste discharge, required by this Order are pursuant to Section 13267 of the California Water Code. Failure to submit reports in accordance with schedules established by this Order or attachments to this Order, or failure to submit a report of sufficient technical quality to be acceptable to the Executive Officer may subject the Discharger to enforcement action pursuant to Section 13268 of the California Water Code. The Regional Board will base all enforcement action, pursuant to this Order, on the date of Order adoption.
7. Discharger shall notify Regional Board staff, within 24 hours by telephone and within seven days in writing, of any noncompliance potentially or actually endangering health or the environment. Any noncompliance that threatens the Landfill's containment integrity shall be promptly corrected. Correction schedules are subject to the approval of the

Executive Officer, except when delays will threaten the environment and/or the Landfill's integrity (i.e., emergency corrective measures). Corrections initiated prior to Executive Officer approval shall be so stated in the written report.

The written report shall contain a description of the noncompliance and its cause; the period of noncompliance including exact dates and times or anticipated duration; and steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance. The Executive Officer or duly authorized representative, may waive the written report on a case by case basis if the oral report provides sufficient information and is received within 24-hours. This provision includes, but is not limited to:

- a. Violation of a Discharge Prohibition.
  - b. Violation of any Water Quality Protection Standard.
  - c. Slope failure.
  - d. Leachate seep occurring on, or in proximity to, the Landfill.
8. The Discharger shall submit a report of Wet Weather Preparedness. The report shall detail preparedness actions taken to ensure discharges to surface or groundwater do not occur during the impending rainy season, and ensure all other relevant CCR Title 27 and 40 CFR criteria have been implemented. **REPORT DUE DATE: October 1<sup>st</sup> of each year.**
  9. This Order is not transferable to any person except after notice to the Executive Officer. The Discharger shall notify the Regional Board in writing of any proposed change in ownership or responsibility for construction or operation of the CAI Landfill in accordance with CCR Title 27, Section 21710 (c)(1). Failure to submit the notice in writing shall be considered a violation of §13264 of the Water Code. Written notice shall be given at least 90-days prior to the effective date of change in ownership or responsibility and shall:
    - a. Be accompanied by an amended Report of Waste Discharge and any technical documents that are needed to demonstrate



- continued compliance with these General WDRs.
- b. Contain the requesting entity's full legal name, the state of incorporation if a corporation, the name and address and telephone number of the persons responsible for contact with the Regional Board.
  - c. Contain a statement indicating that the new owner or operator assumes full responsibility for compliance with this Order.
10. Requests for a change in ownership or responsibility may be approved or disapproved in writing by the Executive Officer. In the event of any change in ownership of the CAI Landfill, the Discharger shall notify the succeeding owner or operator, in writing, of the existence of this Order. A copy of that notification shall be sent to the Executive Officer.
11. The Discharger shall file a deed notice with the Recorder of the County in which the CAI Landfill is located, that identifies the prior use of the property as a solid waste disposal site. The notice shall include a property description and a map that identifies the location of the former solid waste disposal site and shall state that the site is subject to this General Order. The notice will serve to alert potential buyers to the CAI Landfill presence in order to prevent nuisance. Confirmation of recordation and a copy of the deed notice shall be provided to the Executive Officer within 120-days of adoption of this Order or 120-days following a landfill's coverage under this Order, whichever comes first.
12. By no later than **July 6, 2004**, the Discharger shall submit a complete report of waste discharge (ROWD) and an appropriate filing fee, as specified under Eligibility section, above. The ROWD shall consist of, but not limited to the following information:
- a. A formal proposal to achieve compliance with the requirements of the General Order and MRP, as deemed appropriate by the Discharger.
  - b. A proposed Monitoring Plan or a request for a waiver from monitoring, as required by the General MRP.
  - c. A schedule for the installation of any proposed monitoring systems.
  - d. A proposed Sampling and Analyses Plan, designed specifically for the proposed groundwater monitoring program and as required by the General MRP.
  - e. For those CAI Landfills which are presently implementing an approved monitoring and reporting program, and propose to maintain an individual MRP, a formal response confirming the Discharger's acceptance of the General Order, and outlining how compliance with any other applicable requirements of the General Order, will be achieved. The ROWD shall include a statement that the Discharger proposes to maintain the individual MRP.
13. The Discharger shall give notice to the Regional Board as soon as possible of any planned alterations to the CAI Landfill that may change the nature or concentration of pollutants in the discharge. This requirement applies to any proposed site development or land use change or any other proposed land disturbance at the site.
14. This Order may be modified, revoked and reissued, or terminated for cause including, but not limited to, the following:
- a. Violation of any terms or conditions of this Order.
  - b. Obtaining this Order by misrepresentation or failure to disclose fully all relevant facts.
15. The filing of a request by the Discharger for the modification, revocation and re-issuance, or termination of this Order, or notification of planned changes or anticipated noncompliance does not stay any condition of this Order.
16. The Discharger shall furnish to the Executive Officer, any information which the Executive Officer may request to determine whether cause exists for modifying, revoking and

- reissuing, or terminating this Order. The Discharger shall also furnish to the Executive Officer upon request, copies of records required to be kept by this Order.
17. At any time, the Discharger may file a written request (including appropriate supporting documents) with the Regional Board Executive Officer, proposing appropriate modifications to the CAI Landfill's monitoring and reporting program. The Executive Officer shall either reject the proposal for reasons listed, or shall incorporate the proposed changes into a revised Monitoring and Reporting Program. The Discharger shall implement any changes in the monitoring and reporting program, upon issuance by the Executive Officer.
  18. The Discharger shall file a new Report of Waste Discharge at least 120 days prior to the following:
    - a. Significant change in post-closure maintenance activities, which would significantly alter existing drainage patterns and slope configurations, or pose a potential threat to the integrity of the site.
    - b. Change in land use other than as described in the findings of this Order or Executive Officer approved closure plan.
    - c. Significant change in disposal area (e.g. excavation and relocation of waste on site).
    - d. Any planned change in the regulated facility or activity, which may result in noncompliance with this Order.
  19. The Discharger shall submit a work plan at least 30 days prior to any maintenance activities that could alter existing surface drainage patterns or change existing slope configurations. These activities may include, but not be limited to, significant grading activities, the importation of fill material, the design and installation of soil borings, groundwater monitoring wells and other devices for site investigation purposes.
  20. The Discharger shall provide written notification at least 2 working days prior to any maintenance activities that are minor and/or routine in nature, do not inhibit drainage, have limited potential for impacts to beneficial use of water, and will not interfere with future routine maintenance. These activities may include, but not be limited to:
    - a. Routine maintenance grading and dust control.
    - b. Landscaping with minimal/no water application.
    - c. Gas surveys with temporary probes.
    - d. Replacement/removal of gas collection wells.
  21. Where the Discharger becomes aware that it failed to submit any relevant facts in a Report of Waste Discharge or submitted incorrect information in a Report of Waste Discharge or in any report to the Regional Board, it shall promptly submit such facts or information.
  22. The Discharger must comply with all conditions of these General 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 General WDRs by the Regional Board. [CWC Section 13261, 13263, 13265, 13267, 13268, 13300, 13301, 13304, 13340, 13350].
  23. The Discharger shall comply with all conditions of this Order and any additional conditions prescribed by the Regional Board in addenda thereto. Any noncompliance with this Order constitutes a violation of the California Water Code and is grounds for: (a) enforcement action; (b) termination, revocation and re-issuance, or modification of this Order; or (c) denial of a Report of Waste Discharge in application for new or revised Waste Discharge Requirements.
  24. The Discharger shall take all reasonable steps to minimize or correct any adverse impact on the environment resulting from noncompliance with this Order, including such accelerated or

- additional monitoring as may be necessary to determine the nature and impact of the noncompliance.
25. The Discharger shall, at all times, properly operate and maintain all systems of treatment and control (and related appurtenances) which are installed or used by the Discharger to achieve compliance with conditions of this Order. Proper operation and maintenance includes effective performance, adequate laboratory and process controls including appropriate quality assurance procedures.
  26. This Order does not convey any property rights of any sort or any exclusive privileges. The requirements prescribed herein do not authorize the commission of any act causing injury to persons or property, nor protect the discharger from liability under federal, state, or local laws, nor create a vested right for the owner and operator to continue the regulated activity.
  27. The Regional Board shall be allowed, at any time and without prior notification to:
    - a. Enter upon the discharger premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this Order.
    - b. Have access to and copy any records that must be kept under the conditions of this Order.
    - c. Inspect any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this Order.
    - d. Photograph, sample or monitor for the purposes of assuring compliance with this Order.
  28. A copy of this Order shall be maintained at the local offices of the Discharger and shall be available to operating personnel at all times.
  29. Provisions of this Order are severable. If any provision of this Order is found invalid, the remainder of this Order shall not be affected.
  30. This Order becomes effective on the date of adoption by the Regional Board. This Order supersedes any other existing Order associated with any of the CAI Landfills listed on Attachments 1 and 2.
  31. Except for data determined to be confidential under Section 13267 (b) of the California Water Code, all reports prepared in accordance with this Order are considered public record and shall be sent to the appropriate contact at the Integrated Waste Management Board and County Environmental Health Department. All report shall be signed as follows:
    - a. For a public agency - by either a principal executive officer or ranking elected official\*.
    - b. For a partnership or sole proprietorship - by a general partner or the proprietor, respectively\*.
    - c. For a corporation - by a principal executive officer of at least the level of vice-president\*.
    - d. For engineering reports and monitoring reports- by a California Registered Civil Engineer or Certified Engineering Geologist.
    - e. For a military installation - by the base commander or the person with overall responsibility for environmental matters in that branch of the military.

\* or their "duly authorized representative."
  32. 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, I 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."

**Regional Board Address**

33. The Discharger shall submit reports required under this Order and other information requested by the Executive Officer, to:

California Regional Water Quality  
Control Board  
Central Coast Region  
895 Aerovista Place, Suite 101  
San Luis Obispo, CA 93401-7906

34. The California Water Code provides that any person who intentionally or negligently violates any Waste Discharge Requirements issued, reissued, or amended by this Regional Board is subject to administrative civil liability of up to 1,000 dollars per day of violation. The Superior Court may impose civil liability of up to 10,000 dollars per day of violation or, if a cleanup and abatement order has been issued, up to 15,000 dollars per day of violation.

35. The California Water Code 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 dollars per day of violation.

36. Closure of CAI Landfill(s) may be subject to regulations of the California Integrated Management Board and the Central Coast County Air Pollution Control District.

37. The term "discharge of waste" includes seeps, runoff and leachate containing waste that was previously deposited at a CAI Landfill. Definitions of undefined terms used in this Order shall be as set forth in California Code of Regulations Title 27.

The Discharger shall comply with the following submittal and implementation schedule for all tasks and/or reports required by this Order:

**REPORT AND TASK IMPLEMENTATION DATE SUMMARY**

REPORT/TASK	IMPLEMENTATION DATE
Wet Weather Preparedness/Report [Specification D.9; Provision F.8]	October 1, of each year
Vegetative Cover [Specification D.10]	October 1, of each year
Deed Notation [Provision F.11]	120 days after adoption of, or inclusion under this Order
Report of Waste Discharge (ROWD) [Reporting Provision F.12]	July 6, 2004
Sampling and Analysis Plan [MRP, Sampling and Analysis A. "Sampling and Analytical Methods"]	July 6, 2004, along with the ROWD

I, Roger W. Briggs, 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, Central Coast Region, on **February 6, 2004**.

---

Roger W. Briggs  
Executive Officer