

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
CENTRAL VALLEY REGION

Fresno Office  
1685 "E" Street  
Fresno, CA 93706-2007

Sacramento Office (Main)  
11020 Sun Center Drive #200  
Rancho Cordova, CA 95670-6114

Redding Office  
364 Knollcrest Drive #205  
Redding, CA 96002

[Regional Board Website](https://www.waterboards.ca.gov/centralvalley) (https://www.waterboards.ca.gov/centralvalley)

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[TENTATIVE] RESCISSION ORDER R5-2023-XXXX

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**ORDER INFORMATION**

|                         |  |
|-------------------------|--|
| <b>Order Type(s):</b>   | Rescission of Waste Discharge Requirements (WDRs)  |
| <b>Status:</b>          | TENTATIVE  |
| <b>Program:</b>         | Title 27 Discharges to Land  |
| <b>Region 5 Office:</b> | Sacramento   |
| <b>Discharger(s):</b>   | City of Folsom   |
| <b>Facility:</b>        | Folsom Corporation Yard Former Class III Landfill  |
| <b>Address:</b>         | 1300 Leidesdorff Street, Folsom, California 95630  |
| <b>County:</b>          | Sacramento County  |
| <b>Parcel Nos.:</b>     | 070-0031-002, 070-0032-001, 070-0032-005, 070-0033-001,<br>070-0033-002, 070-0033-003, 070-0034-001, 070-0034-002,<br>070-0041-001, and 070-0041-003 |
| <b>GeoTracker ID:</b>   | L10003513337   |
| <b>Prior Order(s):</b>  | R5-2008-0106; R5-1995-0246; R5-1989-0149; R5-1978-0020;<br>Resolution R5-1969-0297   |

## **CERTIFICATION**

I, PATRICK PULUPA, Executive Officer, hereby certify that the following is a full, true, and correct copy of the order adopted by the California Regional Water Quality Control Board, Central Valley Region, on XX April 2023.

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PATRICK PULUPA,  
Executive Officer

## **REGIONAL BOARD INFORMATION**

### **Sacramento Office (Main)**

Rancho Cordova, CA 95670-6114  
11020 Sun Center Drive #200  
Telephone: (916) 464-3291

### **Fresno Office**

1685 "E" Street  
Fresno, CA 93706-2007  
Telephone: (559) 445-5116

### **Redding Office**

364 Knollcrest Drive #205  
Redding, CA 96002  
Telephone: (530) 224-4845

### **[Regional Board Website](https://www.waterboards.ca.gov/centralvalley)**

(<https://www.waterboards.ca.gov/centralvalley>)

## TABLE OF CONTENTS

|  |            |
|--|------------|
| <b>TABLE INDEX .....</b>                           | <b>ii</b>  |
| <b>GLOSSARY .....</b>                              | <b>iii</b> |
| <b>FINDINGS .....</b>                              | <b>1</b>   |
| Introduction .....                                 | 1          |
| Materials Accompanying Order.....                  | 2          |
| Facility.....                                      | 2          |
| Waste Classification & Permitting .....            | 4          |
| Clean Closure of Landfill.....                     | 5          |
| Post Closure Monitoring.....                       | 7          |
| Satisfaction of Requirements .....                 | 10         |
| Procedural Matters.....                            | 10         |
| <b>ACTION .....</b>                                | <b>11</b>  |
| <b>ATTACHMENT A—SITE LOCATION MAP.....</b>         | <b>12</b>  |
| <b>ATTACHMENT B—FACILITY MAP .....</b>             | <b>13</b>  |
| <b>INFORMATION SHEET .....</b>                     | <b>14</b>  |
| Former Landfill.....                               | 14         |
| Clean Closure .....                                | 14         |
| Completion of Post-Closure Monitoring Period ..... | 15         |
| Post-Closure Land Use.....                         | 15         |

**TABLE INDEX**

**Table 1—Summary of Waste Management Units (WMUs) Permitted under  
Previous Orders ..... 2**

## GLOSSARY

|                                     |   |
|-------------------------------------|---|
| <b>ADC</b> .....                    | Alternative Daily Cover   |
| <b>Antidegradation Policy</b> ..... | Statement of Policy with Respect to Maintaining High Quality Waters in California, State Water Board Resolution 68-16   |
| <b>Basin Plan</b> .....             | <i>Water Quality Control Plan for the Sacramento and San Joaquin River Basins</i>   |
| <b>bgs</b> .....                    | Below Ground Surface  |
| <b>BOD</b> .....                    | Biological Oxygen Demand  |
| <b>C&amp;D</b> .....                | Construction and Demotion Materials   |
| <b>CalRecycle</b> .....             | California Department of Resources Recovery and Recycling   |
| <b>CAP</b> .....                    | Corrective Action Program   |
| <b>CAMP</b> .....                   | Corrective Action Monitoring Program  |
| <b>CEQA</b> .....                   | California Environmental Quality Act  |
| <b>CEQA Guidelines</b> .....        | California Code of Regulations, Title 14, section 15000 et seq.   |
| <b>C.F.R.</b> .....                 | Code of Federal Regulations   |
| <b>COCs</b> .....                   | Constituents of Concern   |
| <b>CPMP</b> .....                   | Closure and Post-Closure Maintenance Plan   |
| <b>CQA</b> .....                    | Construction Quality Assurance  |
| <b>Designated Waste</b> .....       | (a) Hazardous Waste subject to variance from management requirements per Health and Safety Code section 25143; and (b) Nonhazardous Waste containing pollutants that, under ambient conditions, could be released in concentrations exceeding applicable WQOs, or that could reasonably be expected to affect beneficial uses of water. (Wat. Code, § 13173.) |
| <b>DMP</b> .....                    | Detection Monitoring Program  |
| <b>DTSC</b> .....                   | California Department of Toxic Substances Control   |

|                        |  |
|------------------------|--|
| <b>DWR</b>             | California Department of Water Resources   |
| <b>EC</b>              | Electrical Conductivity  |
| <b>EIR</b>             | Environmental Impact Report  |
| <b>EMP</b>             | Evaluation Monitoring Plan   |
| <b>FEMA</b>            | Federal Emergency Management Agency  |
| <b>GCL</b>             | Geocomposite Liner   |
| <b>Hazardous Waste</b> | Wastes which, pursuant to Title 22, section 66261.3 et seq., are required to be managed in accordance with Division 4.5 of Title 22. (Title 27, § 20164; Title 23, § 2521(a).)   |
| <b>HDPE</b>            | High-Density Polyethylene  |
| <b>JTD</b>             | Joint Technical Document   |
| <b>LCRS</b>            | Leachate Collection and Removal System   |
| <b>LEA</b>             | Local Enforcement Agency   |
| <b>Leachate</b>        | Liquid formed by the drainage of liquids from waste or by the percolation or flow of liquid through waste. Leachate includes any constituents extracted from the waste and dissolved or suspended in the fluid. (Title 27, § 20164.) |
| <b>LFG</b>             | Landfill Gas Condensate  |
| <b>MCE</b>             | Maximum Credible Earthquake  |
| <b>MDB&amp;M</b>       | Mount Diablo Base and Meridian   |
| <b>MDL</b>             | Method Detection Limit   |
| <b>µg/L</b>            | Micrograms per Liter   |
| <b>mg/L</b>            | Milligrams per Liter   |
| <b>MPE</b>             | Maximum Probable Earthquake  |
| <b>msl</b>             | Mean Sea Level   |
| <b>MRP</b>             | Monitoring and Reporting Program   |

|                         |   |
|-------------------------|---|
| <b>MSW</b> .....        | Municipal Solid Waste regulated under 40 C.F.R. part 258              |
| <b>MSWLF</b> .....      | Municipal Solid Waste Landfill  |
| <b>MW</b> .....         | Monitoring Well   |
| <b>RCRA</b> .....       | Resource Conservation and Recovery Act                                |
| <b>ROWD</b> .....       | Report of Waste Discharge   |
| <b>SPRRs</b> .....      | Standard Provisions and Reporting Requirements                        |
| <b>Subtitle D</b> ..... | USEPA-promulgated MSW regulations under RCRA (see 40 C.F.R. part 258) |
| <b>TDS</b> .....        | Total Dissolved Solids  |
| <b>Title 22</b> .....   | California Code of Regulations, Title 22                              |
| <b>Title 23</b> .....   | California Code of Regulations, Title 23                              |
| <b>Title 27</b> .....   | California Code of Regulations, Title 27                              |
| <b>USEPA</b> .....      | United States Environmental Protection Agency                         |
| <b>VOCs</b> .....       | Volatile Organic Compounds  |
| <b>WDRs</b> .....       | Waste Discharge Requirements  |
| <b>WMU</b> .....        | Waste Management Unit   |
| <b>WQOs</b> .....       | Water Quality Objectives  |
| <b>WQPS</b> .....       | Water Quality Protection Standard                                     |



CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
CENTRAL VALLEY REGION

[TENTATIVE] RESCISSION ORDER R5-2023-XXXX  
FOR  
CITY OF FOLSOM  
FOLSOM CORPORATION YARD, FORMER CLASS III LANDFILL  
Sacramento County

**FINDINGS**

The Central Valley Regional Water Quality Control Board (Central Valley Water Board) hereby finds as follows:

**Introduction**

1. The City of Folsom (Discharger) owns and operates the clean closed City of Folsom Corporation Former Landfill (Facility) at the Folsom Corporation Yard on Leidesdorff Street near Lake Natoma in the City of Folsom in Sacramento County, Section 35, Township 10 North, Range 27 East, Mount Diablo Base and Meridian (MDB&M). The Facility's location is depicted on the Site Location Map in **Attachment A**.
2. The Facility is situated on an 18-acre property comprised of Assessor's Parcel Numbers (APNs) 070-0031-002, 070-0032-001, 070-0032-005, 070-0033-001, 070-0033-002, 070-0033-003, 070-0034-001, 070-0034-002, 070-0041-001, and 070-0041-003. The address associated with the Facility is 1300 Leidesdorff Street, Folsom, California 95630.
3. On 31 July 2008 the Central Valley Water Board adopted Waste Discharge Requirements (WDRs) Order No. R5-2008-0106 for Clean Closure and Post-Closure Maintenance and Monitoring of the Facility.
4. As the Facility's owner and operator, WDRs Order No. R5-2008-0106 regulated monitoring and post-closure maintenance of the former Waste Management Units (WMU) listed in **Table 1**.

**Table 1—Summary of Waste Management Units (WMUs)  
Permitted under Previous Orders**

| <b>Unit</b>                     | <b>Type</b> | <b>Class</b> | <b>Size</b> | <b>Status</b> |
|---------------------------------|-------------|--------------|-------------|---------------|
| WMU I                           | Waste Pile  | Class III    | 3.2 acres   | Closed        |
| Uncontrolled Fill<br>Area (UFA) | Waste Pile  | Class III    | 1.1 acres   | Closed        |

See Glossary for definitions of terms and abbreviations in table.

**Materials Accompanying Order**

5. The following materials are attached to this Order, and incorporated herein:

ATTACHMENT A—SITE LOCATION MAP

ATTACHMENT B—FACILITY MAP

Information Sheet for Rescission Order (Information Sheet)

6. Additional information about the Facility is set forth in the Information Sheet, which is incorporated as part of these findings.

**Facility**

7. The Facility is within the American River corridor on a slight bluff along the eastern side of Lake Natoma, about 3.3 miles downstream of the Folsom Dam and 2.6 miles upstream of the Nimbus Dam. The Facility is near the site of historic Black Miner’s Bar, a former gold rush era boomtown, and much of the area is built on dredge tailings from historical mining activities. Facility elevations range from about 166 feet above mean sea level (MSL) at the northeast end of the Facility to about 145 feet MSL along the southwest Facility perimeter along the riverbank. Groundwater beneath the Facility does not appear influenced by

or in connection with the Lake Natoma water levels or onsite domestic or municipal supply wells.

8. From approximately 1951 to 1973 and prior to construction of WMU I, the City of Folsom Sewage Treatment Plant occupied the area. The Central Valley Water Board regulated the Folsom Sewage Treatment Plant pursuant to Resolution R5-1951-083 and Resolution R5-1969-0297. The Discharger disconnected and removed the sewage treatment plant discharge pipeline in 1976 and 1999, respectively. The Discharger installed WMU I within the berms of the former Folsom Sewage Treatment Plant wastewater ponds.
9. The Facility operated WMU I from 1974 until 1987, accepting street cleaning and other wastes from City of Folsom owned and/or operated facilities. While the Facility was not open to the public, some unauthorized public dumping occurred immediately south of WMU I in the 1.1-acre UFA. The WMU I and the UFA were unlined and did not have a leachate collection and recovery system. There were no surface impoundments at the Facility.
10. The Facility stopped accepting wastes in 1987. In 1996, the Discharger closed WMU I (i.e., graded and clay capped) in accordance with Title 23 California Code of Regulations, Division 3, Chapter 15 (now Title 27 California Code of Regulations, Division 2 (Title 27) regulations).
11. In 1996, the Discharger commenced post-closure monitoring and maintenance of the Facility under WDRs Order R5-1995-0246 and later, WDRs Order R5-2008-0106.
12. From October 2008 through September 2009, with breaks during the winter rainy season, the Discharger performed activities to clean close the Facility.
13. The Discharger uses the Facility for parking, to store City equipment, vehicles, and other similar municipal corporation yard uses.

### **Waste Classification & Permitting**

14. The Facility is a former municipal solid waste (MSW) landfill regulated under authority given in Water Code section 13000 et seq.; California Code of Regulations, Title 27 ("Title 27"), section 20005 et seq and related predecessor statutes and regulations. Waste Discharge Requirements (WDRs) Order No. R5-1978-0020; R5-1989-0149; and R5-1995-0246; implemented these and related predecessor statutes and regulations for the Facility prior to the adoption of WDRs Order No. R5-2008-0106.
15. The Facility is not subject to federal MSW regulations promulgated under the Resource Consideration Recovery Act (RCRA) (42 U.S.C. § 6901 et seq.) Subtitle D regulations (Title 40, Code of Federal Regulations, Part 258) because it ceased accepting wastes before the effective date of those regulations, 9 October 1991. Typically referred to as "Subtitle D," these regulations are now codified as 40 C.F.R. part 258 and implemented in part through the provisions Title 27 and in accordance with State Water Resources Control Board (State Water Board) Resolution 93-62.
16. In WDRs Order R5-2008-0106, the Central Valley Water Board classified the Facility's waste management unit as an existing Class III waste management unit (WMU) and the UFA is an existing unclassified WMU and prescribed requirements for clean closure of the Facility, pursuant to Title 27 and required the Discharger to maintain financial assurances and continue to implement background and detection monitoring.
17. Monitoring & Reporting Program (MRP) R5-2008-0106 accompanied WDRs Order R5-2008-0106 and implemented the provisions of WDRs Order R5-2008-0106, including installation and operation of a groundwater corrective action monitoring system for the purpose of monitoring the nature and extent of release from the WMUs and the progress of corrective action, pursuant to Title 27 Sections 20425 and 20430.

### **Clean Closure of Landfill**

18. For clean closed landfills, the goal of closure is to physically remove all waste and contaminated materials from the WMU and from its underlying and surrounding environs, such that the waste in the WMU no longer poses a threat to water quality. The purpose of clean closure is to render the landfill (including all surrounding environs contaminated by waste released from the landfill) no longer capable of posing a threat to water quality. Successful completion of clean closure eliminates the need for any post-closure maintenance period and removes the WMU from being subject to the State Water Resources Control Board promulgated requirements of Title 27 (Title 27 Section 20950(a)(2)(B) and 20190(f)).
19. The Discharger documented clean closure activities in its Landfill Clean Closure Certification Report prepared by Brown and Caldwell Consultants, dated 4 November 2009 (Certification Report). The Certification Report includes Construction Quality Assurance documentation; describes and documents the excavation, segregation, characterization and disposal or recycling of removed materials; provides results of confirmation sampling and air monitoring conducted during clean closure; describes data quality review; and describes restoration activities and post-closure land use. The Certification Report concludes with a certification of clean closure of the Facility pursuant to the requirements of 27 CCR section 21090(f) and section 21810 as detailed in WDRs R5-2008-0106.
20. According to the Certification Report, the Discharger excavated and removed approximately than 100,000 cubic yards of material from the Facility, including the landfill cap, fill, former wastewater lagoon liner, and any contaminated soils underlying the WMUs. Approximately 92% of the WMU fill material was composed of soil and cobbles with the remainder consisting of construction and demolition debris, green waste, street litter, and other waste from municipal activities.

21. The Discharger employed mechanical and manual methods to segregate concrete, asphalt, metal, tires, and refuse from the soil and cobbles for off-site recycling or disposal. The Discharger chemically tested the segregated soils and compared the results to regulatory approved cleanup goals to determine if the soil was suitable for backfill on-site or if the soil had to be disposed off-site at an appropriate facility. Confirmation testing was performed at the bottom of the excavation and the analytical results were compared to the cleanup goals to confirm that impacted soil had been removed prior to backfilling.
22. The Discharger backfilled excavated materials with clean soil covered by asphalt and clean aggregate, as described in the Certification Report.
23. Mitigation measures conducted during the clean closure activities included air monitoring, dust suppression, and protection of habitat. Final field activity consisted of final grading and implementing storm water best management practices (BMPs) including hydro-seeding with grass to stabilize it and prevent erosion during winter storms.
24. In a 13 January 2010 letter, the Executive Officer wrote “[a]s documented in the [Certification Report], all soil cleanup goals for the project were achieved.” The Executive Officer further wrote that “[t]he clean closure project activities were implemented consistent with the WDRs, [Clean Closure Plan], and Title 27 regulations.”
25. In a 14 January 2010 letter, the California Department of Toxic Substances Control (DTSC), wrote that “... based on our review of the [Certification Report] documentation, DTSC provides concurrence with the approval determination by ... lead agencies that the Site has been closed in accordance with the requirements of Title 27, California Code of Regulations ... section 21810(e).” DTSC further wrote that “...the Site property has been remediated to a level that is protective of public health and the environment, and is suitable for future unrestricted use.”

26. In 20 January 2010 electronic mail, CalRecycle acknowledged the Discharger's Certification Report and concurred that clean closure "...was completed as approved and in accordance with applicable standards" and that "... the Facility is no longer a threat to public health and safety and that no further [Local Enforcement Agency] inspections of the Facility are required."

### **Post Closure Monitoring**

27. Post-closure maintenance period shall extend as long as the wastes pose a threat to water quality. In WDRS Order R5-2008-0106, Post Closure Specification E.9, the Central Valley Water Board required the post-closure maintenance and monitoring period for the Facility to continue until such time as:
- a. The landfill has been clean closed in accordance with Title 27 Sections 20950(a)(2)(B) and 21090(f); or
  - b. The Regional Water Board otherwise finds that the landfill no longer threatens water quality and that groundwater quality at the site has returned to compliance with the Water Quality Protection Standard.
28. In WDRS Order R5-2008-0106, Monitoring Specification G.27, the Central Valley Water Board required that prior to termination of corrective action measures required under Section 20430(c), the Discharger shall demonstrate, pursuant to Section 20430(f), that the constituents of the release have been reduced to levels below concentration limits throughout the entire zone affected by the release. During this "proof period", the Discharger shall demonstrate that:
- a. The concentration of each constituent in each sample from each monitoring point remained at or below its concentration limit for at least one year, beginning immediately after the suspension of corrective action measures; and

- b. The individual sampling events for each monitoring point must have been evenly distributed throughout the proof period and have consisted of at least eight sampling events per year per monitoring point.
29. In August 2017, the Discharger installed three additional groundwater monitoring well pairs, in locations surrounding the former landfill in order to revise the groundwater monitoring network and more accurately assess the hydrogeologic conditions surrounding the former landfill, as described in Groundwater Monitoring Well Installation Report, dated 12 December 2017 and depicted in **Attachment B**. Each well pair includes one well in the upper water bearing zone (UWBZ) and one well in the Lower Water Bearing Zone (LWBZ). The Discharger commenced sampling and analyses from the updated groundwater monitoring network in the third quarter of 2017.
30. In its 2019 Annual Monitoring Report, dated 8 January 2020, the Discharger requested rescission of Order No. R5-2008-0106 and cessation groundwater monitoring at the Facility. To support the request, the Discharger provided data and analyses relating to groundwater elevation and geochemistry for the UWBZ and LWBZ and recommended collecting additional data during quarterly groundwater in the 2020 calendar year, perform statistical analysis, and upon completion of 3 year of monitoring and sampling, reevaluate the site for closure.
31. In a 23 January 2020 letter, Central Valley Water Board staff summarized its review of the Discharger's 2019 Annual Monitoring Report. In the letter, Central Valley Water Board staff stated that an additional year of monitoring and sampling would be required to demonstrate three years of concentrations meeting the new proposed Water Quality Protection Standards.
32. In its 2020 Annual Monitoring Report, dated 7 January 2021, the Discharger requested rescission of Order No. R5-2008-0106 and cessation groundwater monitoring and decommissioning of the groundwater monitoring well network at the Facility. To support the request, the Discharger provided data and analyses



relating to groundwater elevation and geochemistry associated with 12 groundwater sampling events from the UWBZ and LWBZ.

33. In a 26 January 2021 letter, Central Valley Water Board staff summarized its review of the Discharger's 2020 Annual Report. In the letter, Central Valley Water Board staff noted that the groundwater monitoring wells installed prior to 2017 were constructed with screen intervals that intersected both the UWBZ and LWBZ, allowing the mixing of the two groundwaters. Central Valley Water Board staff stated that the mixing of groundwater within the wells may result in groundwater samples unrepresentative of either water bearing zone or true background conditions. As a result of this mixing condition, the proposed Water Quality Protection Standards could not be achieved. Based on its analysis, Central Valley Water Board staff concluded groundwater encountered within the LWBZ is the aquifer used to evaluate the success of clean closure for the Facility.
34. In the 26 January 2021 letter, Central Valley Water Board staff clarified that the based on the available information and to have the required amount of data to develop a statistical analysis, the "proof period" for the Discharger for monitoring and sampling following the clean closure of the Facility, is a minimum of eight sample events, noting 12 groundwater sample events had occurred following the groundwater monitoring well installation event in 2017. Central Valley Water Board staff evaluated the Discharger's statistical analysis of the 12 groundwater sample events included the Discharger's Annual 2020 Groundwater Monitoring report. Based this evaluation of the statistical analysis and groundwater concentrations reported in samples analyzed, Central Valley Water Board staff concluded the Discharger met the requirements of WDRs Order R5-2008-0106 and Title 27 for demonstrating clean closure of the Facility.
35. In a 17 May 2021 Monitoring Well Destruction Report, the Discharger certified that "[a]ll Site wells have been properly abandoned per the Water Board's

January 26, 2021 letter” and requested rescission of WDRs Order R5-2008-0106.

36. In a 1 February 2023 inspection Central Valley Water Board staff verified the Discharger clean-closed former landfill.
37. On 16 February 2023, the Discharger provided proof of filing of detailed description of the closed Facility and its former use as an unlined landfill, including a map, with the Sacramento County Recorder (Document No. 202110191749), pursuant to Title 27, section 21170.

### **Satisfaction of Requirements**

38. The Discharger clean closed the Facility in accordance with WDRs Order R5-2008-0106 and Title 27 Sections 20950(a)(2)(B) and 21090(f). Based on the available information, the former WMUs at the Facility no longer threatens water quality and the Discharger demonstrated that that groundwater quality in the LWBZ beneath the Facility is consistent with the Water Quality Protection Standard.
39. The Discharger demonstrated that the Waste Management Units formerly at the Facility no longer threaten water quality and that groundwater quality at the site has returned to compliance with the Water Quality Protection Standard.

### **Procedural Matters**

40. The Discharger, interested agencies, and interested persons were notified of the Central Valley Water Board’s intent to rescind WDRs Order R5-2008-0106 and provided an opportunity to submit their written views and recommendations at a public hearing. (Wat. Code, § 13167.5; Title 27, § 21730.)
41. At a public meeting, the Central Valley Water Board heard and considered all comments pertaining to this Order.

42. Any person aggrieved by this Central Valley Water Board action may petition the State Water Board for review in accordance with Water Code section 13320 and California Code of Regulations, title 23, section 2050 et seq. To be timely, the petition must be received by the State Water Board by 5:00 pm on the 30th day after the date of this Order; if the 30th day falls on a Saturday, Sunday or state holiday, the petition must be received by the State Water Board by 5:00 pm on the next business day. The law and regulations applicable to filing petitions are available on the [State Water Board website](http://www.waterboards.ca.gov/public_notices/petitions/water_quality) ([http://www.waterboards.ca.gov/public\\_notices/petitions/water\\_quality](http://www.waterboards.ca.gov/public_notices/petitions/water_quality)). Copies will also be provided upon request.

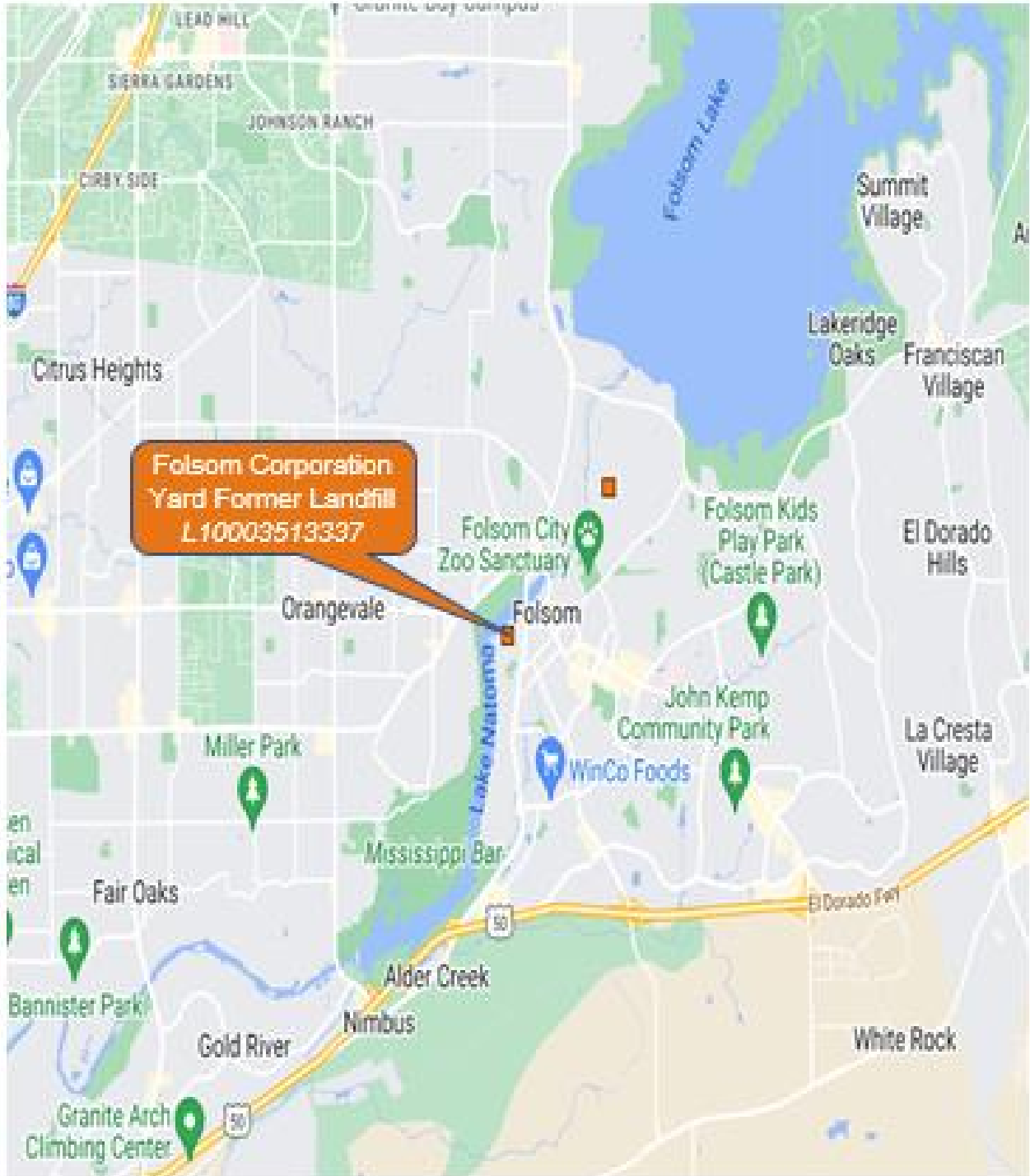
### **ACTION**

**IT IS HEREBY ORDERED** that WDRs Order No. R5-2008-0106 is rescinded.

### **LIST OF ATTACHMENTS**

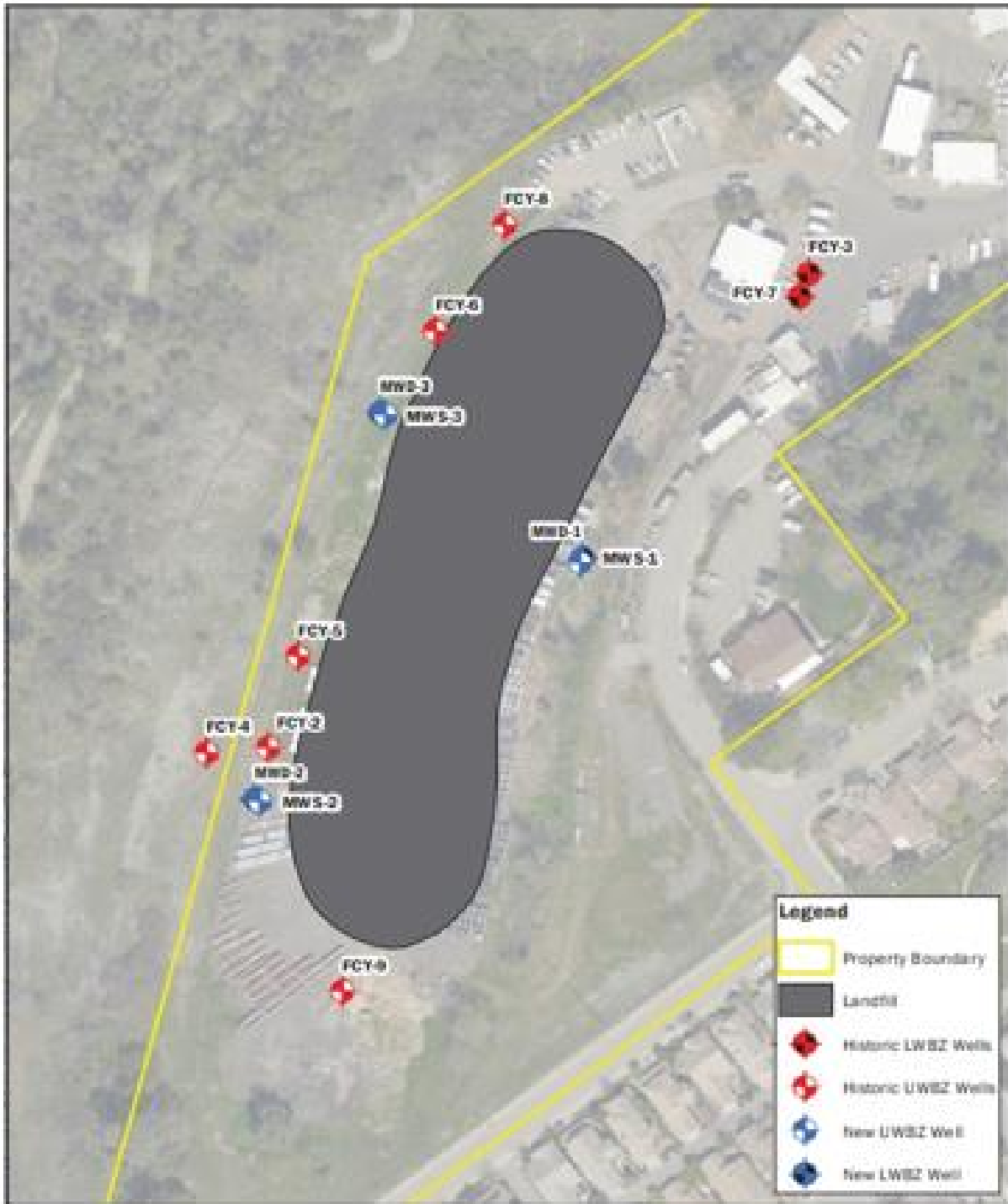
Attachment A—SITE LOCATION MAP  
Attachment B—FACILITY MAP  
Information Sheet

### ATTACHMENT A—SITE LOCATION MAP



Folsom Corporation Yard Former Landfill, L10003513337 (GeoTracker®), not to scale

**ATTACHMENT B—FACILITY MAP**



Folsom Corporation Yard Former Landfill, January 2021 Annual Report, not to scale

## **INFORMATION SHEET**

The City of Folsom (“Discharger”) owns and operates the clean closed former Folsom Corporation Landfill (Facility), on Leidesdorff Street near Lake Natoma in the City of Folsom in Sacramento County. The Discharger’s municipal corporation yard is an 18-acre property within the American River corridor on a slight bluff along the eastern side of Lake Natoma, about 3.3 miles downstream of the Folsom Dam and 2.6 miles upstream of the Nimbus Dam. At present, the Discharger uses the property as a municipal corporation yard to store City equipment, vehicles, and other similar uses.

The Folsom Corporation Yard is near the site of historic Black Miner’s Bar townsite, a former gold rush era boomtown, and much of the area is built on dredge tailings from historical mining activities. From approximately 1951 to 1973 and prior to construction of the landfill, the City of Folsom Sewage Treatment Plant occupied the area. The Central Valley Water Board regulated the Folsom Sewage Treatment Plant pursuant to Resolution R5-1951-083 and Resolution R5-1969-0297. The Discharger disconnected and removed the sewage treatment plant discharge pipeline in 1976 and 1999, respectively.

Current land uses near the Facility include residential development to the south and east; state park land to the southwest and northwest; a cemetery (adjacent to the private residences to the south); commercial development (i.e., to east on edge of downtown); and industrial development (i.e. City corporation yard to the northeast).

### **Former Landfill**

The Discharger operated the 3.2-acre landfill at the Folsom Corporation Yard from 1974 until 1987, accepting street cleaning and other wastes from City of Folsom owned and/or operated facilities. The Discharger installed the landfill within the berms of the former Folsom Sewage Treatment Plant wastewater ponds. While the Facility was not open to the public, some unauthorized public dumping occurred immediately south of the landfill, in a 1.1-acre referred to as the “Uncontrolled Fill Area” (UFA). Both the landfill and the UFA were unlined and did not have a leachate collection and recovery system. There were no surface impoundments at the Facility. The Facility stopped accepting wastes in 1987. In 1996, the Discharger closed the landfill (i.e., graded and clay capped) in accordance with Title 23 California Code of Regulations, Division 3, Chapter 15 (now Title 27 California Code of Regulations, Division 2 (Title 27) regulations.

### **Clean Closure**

On 31 July 2008 the Central Valley Water Board adopted WDRs Order No. R5-2008-0106 for Clean Closure and Post-Closure Maintenance and Monitoring of the Facility. From October 2008 through September 2009, with breaks during the winter rainy season, the Discharger performed activities to clean close the Facility.

The Discharger excavated and removed approximately 100,000 cubic yards of material, including the landfill cap, fill, former wastewater lagoon liner, and contaminated soils underlying the WMUs. The Discharger backfilled excavated materials with clean soil and covered with asphalt and clean aggregate.

In January 2010, the Executive Officer recognized that the Discharger implemented clean closure activities for the former landfill in a manner consistent with Title 27 and WDRs Order No. R5-2008-0106. The Executive Officer further directed the Discharger to continue postclosure monitoring and implement any additional corrective actions necessary to achieve compliance with the Water Quality Protection Standards, as required by WDRs Order No. R5-2008-0106 and Title 27 section 21090(f)(1). The Department of Toxic Substances Control and CalRecycle both also affirmed the Discharger implemented clean closure activities in a manner consistent with applicable statutes, regulations, and plans.

### **Completion of Post-Closure Monitoring Period**

The Discharger clean closed the Facility in accordance with WDRs Order R5-2008-0106 and Title 27 Sections 20950(a)(2)(B) and 21090(f). Based on the available information, including completion of post-closure monitoring, the Discharger demonstrated that groundwater quality beneath the Facility returned to compliance with the Water Quality Protection Standard and the former landfill and “Uncontrolled Fill Area” no longer threaten water quality. In Spring 2021, the Discharger decommissioned all monitoring devices at the Facility pursuant to State standards.

### **Post-Closure Land Use**

Successful completion of clean closure of a landfill unit eliminates the need for any post-closure maintenance period and removes the Waste Management Unit from being subject to the State Water Board promulgated requirements of Title 27 (Title 27, Section 20950(2)(B)). On 19 October 2021, the Discharger recorded a Deed Notification Covenant with the Sacramento Recorder’s Office which provides notice of certification of closure as required by Title 27, Section 21880 and deed notation as required by Title 27, Section 21170.

By rescinding WDRs Order No. R5-2008-0106, the Regional Board does not cede authority set forth in California Water Code section 13000 et seq. or Title 27, section 20005 et seq. and does not relieve the Discharger from the requirements of other state agencies (including the agents of such agencies) such as CalRecycle and Local Enforcement Agency in the event evidence developed in the future indicates the former landfill is a threat to water quality or public health.