

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
LAHONTAN REGION

BOARD ORDER NO. R6V-2002-0020A01
WDID NO. 6B360304008

AMENDED WASTE DISCHARGE REQUIREMENTS
FOR

COUNTY OF SAN BERNARDINO SOLID WASTE MANAGEMENT DIVISION;
HESPERIA CLASS III LANDFILL

San Bernardino County

The California Regional Water Quality Control Board, Lahontan Region (Regional Board) finds:

1. Discharger

The County of San Bernardino is the legal property owner of the Hesperia Landfill. However, the Facilities are operated by a Landfill Contract Operator (Contractor) under a contractual agreement with the County. The Contractor performs all of the day-to-day operations at the Landfill. In a letter to the Regional Board Executive Officer dated February 19, 1997, the County indicated that it alone has full and complete responsibility for all activities that take place at the Landfill, including all activities undertaken by the Contractor. For the purpose of this Regional Board Order (Order), the County of San Bernardino is referred to as the "Discharger."

2. Landfill

The Hesperia Class III Landfill stopped receiving waste on June 30, 1997. For the purposes of this Order, the Hesperia Class III Landfill is referred to as the "Landfill."

3. Order History

The Regional Board previously adopted Waste Discharge Requirements (WDRs) for the Landfill under Board Order No. 6-85-59, on June 13, 1985. Board Order No. 6-93-10041 was adopted on September 9, 1993, and amended the WDRs to incorporate the requirements of Title 40, Code of Federal Regulations, Parts 257 and 258 (Subtitle D) as implemented in the State of California under State Water Resources Control Board (SWRCB) Resolution No. 93-62. Board Order No. 6-95-115 was adopted November 9, 1995 to require the Discharger to achieve compliance with the revised requirements of Article 5, Chapter 15, Title 23, California Code of Regulations (CCR) (Chapter 15) and rescinded Board Orders No. 6-85-59 and 6-93-10041. [Note: The applicable State regulations are now found in Title 27, CCR.] Board Order No. 6-95-115A1 was adopted July 17, 1997 and amended Board Order No. 6-95-115 to define the roles and responsibilities of the contractor at that time. On April 10, 2002 revised WDRs were adopted, which set forth provisions/prohibitions/specifications for closure and post closure monitoring of this facility. This site is no longer being used for disposal of wastes.

4. Reason for Action

On July 2, 2004, the Regional Board received a revised final Closure and Postclosure Maintenance Plan (CPCMP) for the Landfill. The proposed final cover is an engineered alternative cover system to the prescriptive standard consisting of four feet of soil material instead of the Geocomposite Clay Liner (GCL) proposed in 2002. The Regional Board is issuing closure and post-closure WDRs to require the Discharger to achieve compliance with the monitoring and reporting requirements of Sections 20385(a-c), 20415(a-e), and 20420(a-k), Title 27, CCR and post-closure maintenance standards in Sections 20950 and 21090, Title 27, CCR. This Order provides Regional Board approval of the final CPCMP. The California Integrated Waste Management Board (CIWMB) approved the plan on June 28, 2004. Final closure construction is scheduled for the winter of 2005 in accordance with a closure plan dated July 2004, which the Board staff found to be complete and technically adequate on July 20, 2004.

5. California Environmental Quality Act (CEQA)

On March 10, 1998, the County of San Bernardino (Planning Commission) adopted a Mitigated Negative Declaration for the Final Closure/Postclosure Maintenance Plan for the Hesperia Sanitary Landfill in accordance with the CEQA (Public Resources Code, Section 21000 et seq.)

6. Public Notification

The Regional Board has notified the Discharger and interested agencies and persons of its intent to amend WDRs for the Landfill. The Regional Board, in a public meeting, heard and considered all comments pertaining to the discharge.

IT IS HEREBY ORDERED that Findings, Requirements and Prohibitions, Provisions, and Time Schedule of Board Order No. R6V-2002-0020 be revised, amended, or inserted as follows:

[Revise as follows]

Findings

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23. Closure and Post-Closure Maintenance

On July 2, 2004, the Discharger submitted a revised final CPCMP. The final CPCMP generally proposes in-place closure of the waste and an extended period of site monitoring. The revised final CPCMP proposes an alternative engineered cover system to the prescriptive standard of Title 27, CCR. As proposed, the cover system will consist of a three-foot thick processed, engineered soil mix overlying a one-foot thick interim/foundation layer resulting in a total cover thickness of four feet. The engineered processed soil will consist of a

mixture of on-site borrow material and an imported fine-grained, clay. The design mixture uses a 20% clay content to achieve the performance criteria as determined in the cover evaluation report prepared by GLA (March, 2004). The performance of this proposed final cover has been shown through computer modeling using laboratory soil analyses results, and local climate data, to be equivalent to or better than the prescribed cover in Title 27, CCR. The monitored media includes the unsaturated zone (vadose zone), ground water, and final cover materials. This Order requires in the MRP (Section IV.A.3) that the Discharger review the post-closure plan annually to determine if significant changes in the operation of the Landfill warrant an update of the plan.

[revise as follows]

II. REQUIREMENTS AND PROHIBITIONS

A. General

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9. Pursuant to Section 21090(a)(4)(C), Title 27, CCR, the Discharger shall repair, in a timely manner, any breach or other cover problem discovered during periodic inspection of the Landfill cover. Repairs to the upper soil cover material must follow a Construction Quality Assurance (CQA) plan as required in Section 20323 and defined in Section 20324, Title 27, CCR, and the final CPCMP.

15. Pursuant to Section 20232, Title 27, CCR, the Discharger is required to carry out the construction of the final cover in accordance with a CQA plan certified by an appropriately registered professional. If the Regional Board finds that any construction of the final cover system was undertaken in the absence of a CQA plan that satisfies the requirements of Section 20324, the Regional Board shall require the Discharger to undertake any corrective construction needed to achieve such compliance.

[revise/insert as follows]

IV. PROVISIONS

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B. Closure Plan Approval

The implemented revised final CPCMP dated June 2004, which includes an alternative final cover is approved.

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D. Monitoring and Reporting

Pursuant to the California Water Code, Section 13267(b), the Discharger shall comply with the MRP and its amendments as specified by the Executive Officer.

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F. Closure Schedule

The Discharger shall follow the closure schedule of the Landfill as specified in the revised final CPCMP or approved scheduled changes.

G. Claim of Copyright or other Protection

Any and all reports and other documents submitted to the Regional Board pursuant to this Order will need to be copied for some or all of the following reasons: 1) normal internal use of the document, including staff copies, record copies, copies for Board members and agenda packets; 2) any further proceedings of the Regional Board and the State Water Resources Control Board; 3) any court proceedings that may involve the document; and 4) any copies requested by members of the public pursuant to the Public Records Act or other legal proceedings.

If the Discharger or its contractor claims any copyright or other protection, the submittal must include a notice, and the notice will accompany all documents copied for the reasons stated above. If copyright protection for a submitted document is claimed, failure to expressly grant permission for the copying stated above will render the document unusable for the Regional Board's purposes, and will result in the document being returned to the Discharger as if the task had not been completed.

[revise/insert as follows]

V. TIME SCHEDULE

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B. Additional Technical Reports

1. Pursuant to Section 21880, Title 27, CCR, the Discharger shall submit to the Regional Board a certification, under penalty of perjury, that the solid waste landfill has been closed in accordance with the final CPCMP and the Construction Quality Assurance (CQA) plan. The certification, which shall include any other documentation as necessary to support the certification, shall be incorporated into the CPCMP. This report shall be submitted to the Regional Board no later than 180 days after completion of construction activities. The certification shall be completed by a California registered civil engineer or a California certified engineering geologist and include a

report with supporting documentation.

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4. Pursuant to Section 20323, Title 27, CCR the Discharger shall submit to the Regional Board a CQA plan at least 30 days prior to the start of construction. The CQA plan shall included those items listed in Section 20324, Title 27, CCR.
5. The Discharger shall submit to the Regional Board the final design drawings for the closure construction at least 30 days prior to the start of construction.

I, Harold J. Singer, Executive Officer, do hereby certify that the foregoing is a full, true, and correct copy of an Order adopted by California Regional Water Quality Control Board, Lahontan Region, on October 13, 2004.

HAROLD J. SINGER
EXECUTIVE OFFICER

CH/rp 10/2004
Hesp LF WDR

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
LAHONTAN REGION

BOARD ORDER NO. R6V-2002-0020A01(PROPOSED)
WDID NO. 6B360304008

AMENDED MONITORING AND REPORTING PROGRAM

FOR

COUNTY OF SAN BERNARDINO SOLID WASTE MANAGEMENT DIVISION;
HESPERIA CLASS III LANDFILL

San Bernardino County

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I. REPORTING REQUIREMENTS

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B. Unscheduled Reports To Be Filed With The Board

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5. Soil Cover Repair Work

The Discharger shall submit a Construction Quality Assurance Plan prior to any repair work to the upper soil cover, the drainage system, or sediment stormwater ponds. A report describing any repair work to these closure structures shall be submitted 90 days after repair work is complete.

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E. Technical Report – Water Quality Protection Standards (WQPS)

No later than **March 1, 2005**, the Discharger shall submit a technical report to the Regional Board proposing concentration limits for monitoring parameters in ground water that are either currently defined or undefined as of the date of this Order. The WQPS is for the water-bearing media beneath the Landfill. The WQPS will consist of the following components:

1. Constituents of concern (COCs)
2. Concentration limits
3. Monitoring points
4. Point of compliance
5. Compliance period
6. Statistical methods to be used for monitoring data analyses.

F. Failure to Furnish Reports

Any person failing or refusing to furnish technical or monitoring reports or falsifying any information provided therein, is guilty of a misdemeanor and may be liable civilly in an amount of up to one thousand dollars (\$1,000) for each day of violation under Section 13268 of the California Water Code.

Ordered by: _____
HAROLD J. SINGER
EXECUTIVE OFFICER

Dated: **October 13, 2004**

CH/rp 10/2004
HespLF MRP