

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
LAHONTAN REGION**

**BOARD ORDER NO. R6T-2010-0025
WDID NO. 6A260012000**

**REVISED WASTE DISCHARGE REQUIREMENTS
FOR**

**MONO COUNTY DEPARTMENT OF PUBLIC WORKS
WALKER CLASS III LANDFILL**

Mono County

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

1. Discharger

For the purpose of this Water Board Order (Order), the County of Mono is referred to as the "Discharger."

2. Landfill

For the purposes of this Order, the Walker Class III Landfill is referred to as the "Landfill." The Landfill is a municipal solid waste landfill which was established in 1972.

3. Order History

<u>Board Order No.</u>	<u>Date Adopted</u>	<u>Description</u>
6-72-60	Feb. 7, 1972	Adopted Waste Discharge Requirements (WDRs) for the Landfill.
6-88-25	Mar. 11, 1988	Amended the WDRs to reclassify the waste management units pursuant to the amended Subchapter 15 regulations adopted on November 27, 1984 (Chapter 3, Title 23, California Administrative Code, and to reflect current Water Board policy.
6-93-100-11	Sept. 9, 1993	Amended the WDRs to incorporate the requirements of Title 40, Code of Federal Regulations (40 CFR), parts 257 and 258

(Subtitle D) as implemented in California under State Water Resources Control Board (State Water Board) Resolution No. 93-62.

6-88-25A1	Sept. 14, 1995	Amended the time schedule of Board Order No. 6-88-25.
6-96-13	Feb. 8 1996	Revised WDRs as part of a periodic review to achieve compliance with California Code of Regulation, Title 27 (27 CCR) requirements.

4. Reason for Action

The Water Board is revising these WDRs to reflect the change in use of the Landfill. The Landfill quit accepting municipal waste in 1998 and currently is used as a transfer station and disposal site for construction and demolition waste. This Order will remain in effect until it is determined there are no water quality problems or threat to water quality, or until new regulatory requirements are issued.

5. Landfill Location and Landowner

The Landfill is located on a 43.565-acre parcel, Lot 3, SW ¼, NE ¼, section 9, T8N, R23E, MDB&M (latitude 38° 33'16 N and longitude 119°27' W) as shown on Attachments A and B, which are made part of this order. The Landfill is located at 280 Offal Road, off Eastside Lane, approximately 3.5 miles north of the community of Walker off its junction with U. S. Highway 395. The Discharger is the owner of the land upon which the landfill is located.

6. Description of the Landfill

The Landfill is an unlined landfill established in 1972. From 1972 to 1998, the Landfill received municipal solid waste from Walker and adjacent communities. Prior to 1982, the Walker Landfill accepted septage waste from local residences and campgrounds. The septage pits were closed in January 1982. Since 1998, the Discharger used the Landfill as a transfer station and confined onsite disposal to construction and demolition waste. The Landfill is unlined and its waste footprint covers an area of approximately 7.6 acres.

7. Waste Classification

The Landfill received municipal solid waste from Walker and surrounding communities. The waste is defined in 27 CCR sections 20220 and 20230 as non-hazardous solid waste and inert waste, respectively.

8. Waste Management Unit Classification

Pursuant to 27 CCR section 20260, the Landfill is classified as a Class III waste management unit. The waste is defined as municipal solid waste in Subtitle D.

9. Water Quality Protection Standard

The Water Quality Protection Standard consists of constituents of concern (including monitoring parameters), concentration limits, monitoring points, and the point of compliance. The standard applies over the active life of the Landfill, closure and post-closure maintenance period, and during any compliance period. The constituents of concern, monitoring points, and point of compliance are described in Monitoring and Reporting Program (MRP) R6T-2010-0025, which is attached to and made part of this Order.

10. Data Analysis Methods

A data analysis method of reviewing the collected monitoring data is necessary for the earliest possible detection of measurably significant evidence of a release of waste from the Landfill. MRP R6T-2010-PROPOSED includes general methods for statistical data analyses in accordance with 27 CCR section 20420.

11. Detection Monitoring

Pursuant to 27 CCR section 20420, the Discharger implemented a Detection Monitoring Program (DMP), which detected a release from the Landfill in 1997. In response to this release, the Discharger implemented an Evaluation Monitoring Program (EMP) to evaluate the extent of the impacts to groundwater quality. To determine if there are additional releases from the Landfill, the DMP will continue at any groundwater monitoring points that do not show evidence of a release while the Landfill is under an EMP or a Corrective Action Program. A DMP will be re-established at all monitoring points, pursuant to 27 CCR section 20420, when groundwater impacts are abated.

12. Evaluation Monitoring

The DMP verified a release of low concentrations of volatile organic compounds (VOCs) from the Landfill in 1997. Pursuant to 27 CCR section 20425, an EMP is required to evaluate evidence of a release. The Discharger prepared and implemented an EMP in March 1997. The EMP will continue in accordance with the MRP R6T-2010-0025.

13. Corrective Action

A Corrective Action Program (CAP) to remediate detected releases from the Landfill may be required pursuant to 27 CCR section 20430 if results of the EMP warrant a CAP.

14. Site Geology

The Landfill is situated in a crescent shaped bowl that sits just above the western base of the Wellington Hills, which slopes gently down to the southwestern edge of the Antelope Valley. The sediments beneath the Landfill generally consist of coarse-grained, well indurated intrusive rock.

15. Site Hydrogeology

The groundwater beneath the Landfill is found in unconsolidated sandy gravels and silty sands with varying amounts of gravel and cobbles ranging in depth from approximately 126 to 170 feet below ground surface. Groundwater beneath the Landfill flows southwest at a gradient of 0.036 feet per feet.

16. Groundwater Monitoring

Since 1997, the monitoring network has consisted of two downgradient wells, MW-1 and MW-3, and one upgradient well, MW-2. These wells have been used for the DMP and EMP.

17. Groundwater Impacts

Since the EMP began in March 1997, MW-1 through MW-3 have been sampled quarterly for five indicator parameters (pH, total dissolved solids [TDS], chloride, nitrate as nitrogen, and sulfate) and the VOCs listed in 40 CFR Part 258, Appendix II. The EMP results show that downgradient wells have an increasing trend for three of the five indicator parameters and contain low concentrations of four VOCs. The EMP indicates that the Landfill is impacting groundwater quality and that some of the constituents (TDS, nitrates, and trichlorofluoromethane [Freon-11]) appear to be slowly increasing over time.

This Order and the Final Closure/Post-Closure Plan include measures that are designed to remediate these impacts. The closure design will collect and control run-off and will decrease infiltration into the waste and will reduce or eliminate the impacts to groundwater. If the groundwater impacts are not remediated by this measure, additional actions may be necessary to maintain groundwater water quality pursuant to State Board Resolution No. 68-16.

18. Site Surface Hydrology and Storm Water Runoff

There is no perennial surface water flow at the site. The nearest surface water body is the West Walker River, which flows through the Antelope Valley approximately two miles west and downgradient of the Landfill. There is an irrigation ditch one half mile south of the Landfill. No springs or seeps were found within a radius of one mile from the Landfill.

All storm water up-gradient of the Landfill is to be routed around at the Landfill. All storm water from the Landfill is to be regulated under the State Amended General Industrial Activities Storm Water National Pollution Discharge Elimination System Permit (NPDES). The Landfill is not located in a flood hazard zone.

The Final Closure/Post-Closure Plan includes designs for storm water structures that will divert storm water run-on around the Landfill and will collect and control internal runoff on the Landfill's surface.

19. Site Topography

The highest portion of the landfill is at approximately 5,600 feet above mean sea level (msl). The toe of the landfill is approximately 5,500 feet above msl. The land surface generally slopes to the west towards the West Walker River, which is approximately 5,300 feet above msl. Site topography is shown on Attachment B.

20. Climate

The climate is semi-arid with an average annual precipitation of 8.56 inches and an annual pan evaporation of 69 inches. Climate records show that the average annual maximum temperature for Walker is 90.7° F in July and the average annual minimum temperature is 18.6° F in December and January. Most precipitation (70 percent) falls as snow during the winter months (typically November through March), but occasional summer convection storms can bring brief but heavy rains.

21. Land Uses

The Discharger owns the 43.565-acre parcel that contains the Landfill. The land use surrounding the Landfill consists of open space within 1,000 feet of the Landfill. The community of Walker is located approximately 3.5 miles south of the Landfill.

22. Closure and Post-Closure Maintenance

The Final Closure/Post-Closure Plan proposes in-place closure of the waste and an extended period of site monitoring. Because of the lack of low-permeability soils in the vicinity of the Landfill, the Final Closure/Post-Closure Plan proposes a cover design that incorporates a geosynthetic clay liner. The Final Closure/Post-Closure Plan for the Landfill proposes an alternative cover system to the prescriptive standard of 27 CCR section 20190. The final cover will consist of the following, from lowest to highest:

- foundation soil layer with a minimum thickness of 24 inches,
- geosynthetic clay liner,
- geotextile drainage layer,
- layer of compacted native soil with a minimum thickness of 18 inches,
- top cover to be seeded or hydroseeded for erosion protection.

The cover will be installed in accordance with 27 CCR section 20324. The monitoring media include ambient air, vadose zone gases, groundwater, final cover materials, and drainage structures.

This Order recognizes that the regulations cited in the Final Closure/Post-Closure Plan are outdated and are required to be updated to reflect Title 27 regulations. This Order requires that the Discharger review the plan annually to determine if significant changes in the operation of the Landfill warrant an update of the plan.

23. Financial Assurance

The Discharger is required to obtain and maintain Financial Assurance Instruments to conduct closure activities, post-closure maintenance activities, and corrective action activities as required under 27 CCR, Chapter 6.

The Discharger has established special revenue accounts in its Solid Waste Enterprise Fund to deposit annual closure funds for each of its landfills consistent with 27 CCR section 22241. Documentation for the financial assurance is included in the Final Closure/Post-Closure Plan. Currently, the fund contains \$131,209 for closure costs at the Landfill. Furthermore, the Discharger has a Pledge of Revenue fund agreement with the Department of Resources Recycling and Recovery (CalRecycle), formerly the Integrated Waste Management Board, for post-closure maintenance in accordance with 27 CCR section 22245.

The funds do not include financial resources to conduct corrective action activities. This Order requires the Discharger to: (a) report the amount of money available in the fund as part of an annual report; (b) demonstrate in an annual report that the amount of financial assurance is adequate, or increase the amount of financial

assurance; and (c) obtain and maintain Instruments to conduct corrective action activities as required under 27 CCR, Article 1, Subchapter 3, Chapter 3 (section 20380 et seq.).

24. Receiving Waters

The receiving waters are the groundwaters of the Little Antelope Valley Groundwater Basin (Department of Water Resources [DWR] Basin No. 6-106). The DWR Bulletin No. 118, *California's Groundwater*, updated October 2003, found no evidence of water quality problems or impairments in this basin.

25. Lahontan Basin Plan

The Water Board adopted a Water Quality Control Plan for the Lahontan Basin (Basin Plan), which became effective on March 31, 1995. This Order implements the Basin Plan, as amended.

26. Beneficial Uses of Groundwater

The present beneficial uses of the groundwater of the Antelope Valley Groundwater Valley Basin are defined in the Basin Plan as:

- a. municipal and domestic supply (MUN);
- b. agricultural supply (AGR);
- c. freshwater replenishment (FRSH).

27. Storm Water Discharges

The Discharger must comply with the federal Clean Water Act, National Pollutant Discharge Elimination System (NPDES) permit requirements for discharges of storm water associated with industrial activities (State Water Board's General Permit for Discharges of Storm Water Associated With Industrial Activities) and construction activities (State Water Board's NPDES General Permit for Discharges Associated With Construction Activities).

28. Other Considerations and Requirements for Discharge

Pursuant to California Water Code section 13241, the requirements of this Order take into consideration:

- a. Past, present, and probable future beneficial uses of water:
This Order identifies past, present and probable future beneficial uses of water as described in Finding No. 26. The discharge will not adversely affect present or probable future beneficial uses of water, including municipal and domestic

water supply, agricultural supply, and freshwater replenishment.

- b. Environmental characteristics of the hydrographic unit under consideration, including the quality of water available thereto: Finding Nos. 14, 15, 17 and 24 describe the environmental characteristics and quality of water from this hydrographic unit.
- c. Water quality conditions that could reasonably be achieved through the coordinated control of all factors that affect water quality in the area:
The requirements of this Order will result in improved groundwater quality.
- d. Economic considerations:
This Order authorizes the Discharger to implement closure and post-closure maintenance actions at the Landfill as proposed by the Discharger. The Order accepts the Discharger's proposed actions as meeting the best practicable control method for protecting groundwater quality from impacts from the Landfill.
- e. The need for developing housing within the region:
The Discharger is not responsible for developing housing within the region. This Order provides WDRs for the Landfill.
- f. The need to develop and use recycled water:
There is currently no source of recycled water available to the Discharger. Additionally, the water requirements for Landfill maintenance are minimal.

29. California Environmental Quality Act

The action to revise WDRs for this Landfill involves only the change of status for the Landfill and is, therefore, exempt from the provisions of the California Environmental Quality Act (CEQA) (Public Resources Code section 21000 et seq.) in accordance with section 15301 of the CEQA Guidelines, which applies because the change of status for the Walker Landfill does not involve any expansion of use.

30. Electronic Submittal of Information

Pursuant to CCR title 23, section 3890, the Applicant shall submit reports, including soil, vapor and water data, prepared for the purpose of subsurface investigation or remediation of a discharge of waste to land subject to Division 2 of Title 27 electronically over the internet to the State Water Resources Control Board's Geotracker system. This requirement is in addition to, and not superseded by, any other applicable reporting requirement.

31. Notification of Interested Parties

The Water Board has notified the Discharger and all known interested agencies and persons of its intent to adopt revised WDRs for the project.

32. Consideration of Interested Parties

The Water Board, in a public meeting held on June 9, 2010, heard and considered all comments pertaining to the discharge.

IT IS HEREBY ORDERED that the Discharger shall comply with the following:

I. DISCHARGE SPECIFICATIONS

A. Receiving Water Limitations

Discharges from the Landfill shall not cause a violation of any applicable water quality standard for receiving water adopted by the Water Board or the State Water Board as required by the Federal Water Pollution Control Act, the California Water Code and regulations adopted thereafter. The discharge shall not cause the presence of the following substances or conditions in groundwaters of the Antelope Valley Groundwater Basin:

1. Nondegradation – State Water Board Resolution No. 68-16 “Statement of Policy With Respect to Maintaining High Quality of Waters In California,” known as the Nondegradation Objective, requires maintenance of existing high quality in surface waters, groundwaters, or wetlands. Whenever the existing quality of water is better than the quality of water established in the Basin Plan, such existing quality shall be maintained unless appropriate findings are made under Resolution No. 68-16. Degradation of the quality of waters of the State is not anticipated or authorized in the vicinity of the Landfill.
2. Bacteria – Waters shall not contain concentrations of coliform organisms attributable to human wastes. The median concentration of coliform organisms, over any seven-day period, shall be less than 1.1 most probable number per 100 milliliters in groundwaters.
3. Chemical Constituents – Groundwaters designated as Municipal and Domestic Supply (MUN) shall not contain concentrations of chemical constituents in excess of the Maximum Contaminant Level (MCL) or Secondary Maximum Contaminant Level (SMCL) based upon drinking water standards specified in title 22, CCR: Table 64431-A of section

64431 (Inorganic Chemicals), Table 64444-A of section 64444 (Organic Chemicals), Table 64449-A of section 64449 (SMCL – Consumer Acceptance Contaminant Levels), and Table 64449-B of section 64449 (SMCL – Consumer Acceptance Contaminant Level Ranges).

4. Chemicals – Waters shall not contain concentrations of chemical constituents that adversely affect the water for beneficial uses.
5. Radioactivity – Radionuclides shall not be present in concentrations that are deleterious to human, plant, animal, or aquatic life, or that result in the accumulation of radionuclides in the food chain to an extent that it presents a hazard to human, plant, animal, or aquatic life. Waters shall not contain concentrations of radionuclides in excess of limits specified in CCR, title 22, section 64443.
6. Taste and Odors – Groundwaters shall not contain taste or odor-producing substances in concentrations that cause nuisance or that adversely affect beneficial uses. For groundwaters designated as MUN, at a minimum, concentrations shall not exceed adopted SMCLs specified in Table 64449-A of section 64449 (SMCLs – Consumer Acceptance Contaminant Levels), and Table 64449-B of section 64449 (SMCLs – Consumer Acceptance Contaminant Level Ranges) of Title 22, CCR, including future changes as the changes take effect.
7. The waste discharge shall not result in any perceptible color, odor, taste, or foaming in surface or groundwaters.
8. The discharge shall not cause the presence of toxic substances that individually, collectively, or cumulatively cause detrimental physiological responses in human, plant, animal, or aquatic life in any surface or groundwater of the Antelope Valley.

II. REQUIREMENTS AND PROHIBITIONS

A. General

1. The discharge shall not cause pollution as defined in section 13050 of the California Water Code, or a threatened pollution.
2. The discharge shall not cause a nuisance as defined in section 13050 of the California Water Code.
3. The discharge of solid wastes, leachate, or any other deleterious

material to the groundwaters of the Antelope Valley is prohibited.

4. The closed disposal site shall be protected from inundation, washout, or erosion of wastes and erosion of covering materials resulting from a storm or a flood having recurrence interval of once in 100 years.
5. Surface drainage from tributary areas, and internal site drainage from surface or subsurface sources shall not contact or percolate through solid wastes discharged at the site.
6. The exterior surfaces of the closed disposal site shall be graded to promote lateral runoff of precipitation and to prevent ponding.
7. Water used for dust control operations shall be limited to a minimal amount. A "minimal amount" is defined as that amount which will not result in runoff.
8. All water used for dust control shall not contain detected concentrations of VOCs
9. The Discharger shall remove and relocate any waste that is or has been discharged at the closed disposal site in violation of these requirements.
10. At any given time, the concentration limit for each constituent of concern shall be equal to the background value of that constituent.
11. The concentration limits for each constituent of concern shall not be exceeded.
12. Any discharge that causes violation of any narrative water quality objective contained in the Basin Plan, including the Nondegradation Objective, is prohibited.
13. Any discharge that causes violation of any numeric water quality objective contained in the Basin Plan is prohibited.
14. Where any numeric or narrative water quality objective or receiving waters limit contained in the Basin Plan is already being violated, any discharge that causes further degradation or pollution is prohibited.
15. At closure, all facilities shall be closed in accordance with the Final Closure/Post-Closure Plan accepted by the Water Board.

16. The Discharger shall immediately notify the Water Board of any flooding, slope failure, or other change in site conditions that could impair the integrity of waste containment facilities or of precipitation and drainage control structures.
17. Pursuant to 27 CCR section 21090, subdivision (a)(4)(C), the Discharger shall repair, in a timely manner, any breach or other cover problem discovered during the periodic inspection of the Landfill cover. Repairs to the upper soil cover material shall follow a Construction Quality Assurance (CQA) plan, as required in 27 CCR section 20323 and defined in 27 CCR section 20324 and as specified in the Final Closure/Post-Closure Plan.
18. Pursuant to 27 CCR, section 20324, 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 Water Board finds that any construction of the final cover system was undertaken in the absence of the CQA plan that satisfies the requirements of 27 CCR section 20324, the Water Board shall require the Discharger to undertake any corrective construction needed to achieve such compliance.

B. Detection Monitoring Program

The Discharger shall maintain a DMP as required in 27 CCR section 20420.

C. Evaluation Monitoring Program

The Discharger shall maintain the EMP as long as there is evidence of a release from the Landfill as required in 27 CCR section 20425 or until a CAP is implemented.

D. Corrective Action Program

The Discharger shall institute a CAP when required pursuant to 27 CCR section 20430.

E. Storm Water Requirements

In accordance with the federal Clean Water Act, the Discharger must obtain and comply with NPDES permit requirements for discharges of storm water associated with industrial activities (State Water Board's General Permit for Discharges of Storm Water Associated With Industrial Activities) and

construction activities (State Water Board's NPDES General Permit for Discharges Associated With Construction Activities).

III. DATA ANALYSIS

A. Statistical Analyses

Monitoring data shall be collected according to the DMP for the Landfill. Statistical analyses of DMP data from groundwater and the unsaturated zone shall be conducted. Analyses shall be conducted in accordance with statistical methods detailed in MRP R6T-2010-0025 to determine if the data indicate evidence of a release from the Landfill.

B. Non-statistical Analyses

The Discharger shall determine whether there is significant physical evidence of a release from the Landfill. Significant physical evidence may include unexplained volumetric changes in the Landfill, unexplained stress in biological communities, unexplained changes in soil characteristics, visible signs of leachate migration, and unexplained water table mounding beneath or adjacent to the Landfill, or any other change in the environment that could reasonably be expected to be the result of a release from the Landfill.

C. Verification Procedures

1. The Discharger shall immediately initiate verification procedures as specified below whenever there is a determination by the Discharger or Water Board Executive Officer that there is statistical or non-statistical evidence of a release. If the Discharger declines the opportunity to conduct verification procedures, the Discharger shall submit a technical report as described below under the heading Technical Report Without Verification Procedures.
2. The verification procedure shall only be performed for the constituent(s) that has shown evidence of a release, and shall be performed for those monitoring points at which a release is indicated.
3. The Discharger shall either conduct a composite retest using data from the initial sampling event with all data obtained from the resampling event or shall conduct a discrete retest in which only data obtained from the resampling event shall be analyzed in order to verify evidence of a release.
4. The Discharger shall report to the Water Board by certified mail the

results of the verification procedure, as well as all concentration data collected for use in the retest, within seven days of the last laboratory analysis.

5. The Discharger shall determine, within 45 days after completion of sampling, whether there is statistically significant evidence of a release from the Landfill at each monitoring point. If there is statistically significant evidence of a release, the Discharger shall immediately notify the Water Board by certified mail. The Executive Officer may make an independent finding that there is statistical evidence of a release.
6. If the Discharger or Executive Officer verifies evidence of a release, the Discharger is required to submit, within 90 days of a determination that there is or was a release, a technical report pursuant to California Water Code section 13267(b). The report shall propose an EMP **OR** make a demonstration to the Water Board that there is a source other than the Landfill that caused evidence of a release.

D. Technical Report Without Verification Procedures

If the Discharger chooses not to initiate verification procedures, a technical report shall be submitted pursuant to California Water Code section 13267(b). The report shall propose an EMP **OR** make a demonstration that the release did not originate from the Landfill.

IV. PROVISIONS

A. Rescission of Waste Discharge Requirements

Board Order Nos. 6-72-60, 6-88-25, 6-88-25-A1, 6-93-100-11, and 6-96-13 are hereby rescinded, except for enforcement purposes.

B. Final Closure/Post-Closure Plan Approval

The Final Closure/Post-Closure is approved.

C. Standard Provisions

The Discharger shall comply with the "Standard Provisions for Waste Discharge Requirements," dated September 1, 1994, in Attachment C, which is made part of this Order.

D. Monitoring and Reporting

1. Pursuant to the California Water Code section 13267(b), the Discharger shall comply with the MRP R6T-2009-0025 or as specified by the Executive Officer.
2. The Discharger shall comply with the "General Provisions for Monitoring and Reporting," dated September 1, 1994, which is attached to and made part of the MRP R6T-2009-0025.

E. Completion Monitoring

The Final Closure/Post-Closure Plan shall be updated if there is a substantial change in operations. A report shall be submitted annually indicating conformance with existing operations.

V. TIME SCHEDULE

A. Cost Estimates for Corrective Action and Financial Assurance For Known or Reasonably Foreseeable Release

1. **By August 31, 2010**, the Discharger shall submit a cost estimate for initiating and completing corrective action for all known or reasonably foreseeable releases for the Landfill in accordance with 27 CCR sections 22221 and 20380 et seq.
2. Financial Assurance Documents

The Discharger shall continue to submit reports providing evidence that adequate financial assurance pursuant to the requirements of the WDRs has been provided for closure, post-closure, and all known or reasonably foreseeable releases. Evidence shall include the total amount of money available in the fund developed by the Discharger. In addition, the Discharger shall either provide evidence that the amount of financial assurance is still adequate or increase the amount of financial assurance by the appropriate amount. An increase may be necessary due to inflation, a change in regulatory requirements, a change in the approved Final Closure/Post-Closure Plan, or any other unforeseen events.

B. Closure Certification Report

Pursuant to 27 CCR section 21880, the Discharger shall submit to the Water Board a certification, under penalty of perjury, that the solid waste landfill has been closed in accordance with the Final Closure/Post-Closure Plan and the

Construction Quality Assurance plan. This report shall be submitted to the Water 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.

C. Construction and Industrial NPDES Permits

1. The Discharger shall enroll in the State Water Board's General Permit for Discharges of Storm Water Associated with Construction Activities, **by August 31, 2010.**
2. The Discharger shall enroll in the State Water Board's NPDES General Permit for Discharges Associated with Industrial Activities, **by August 31, 2010.**

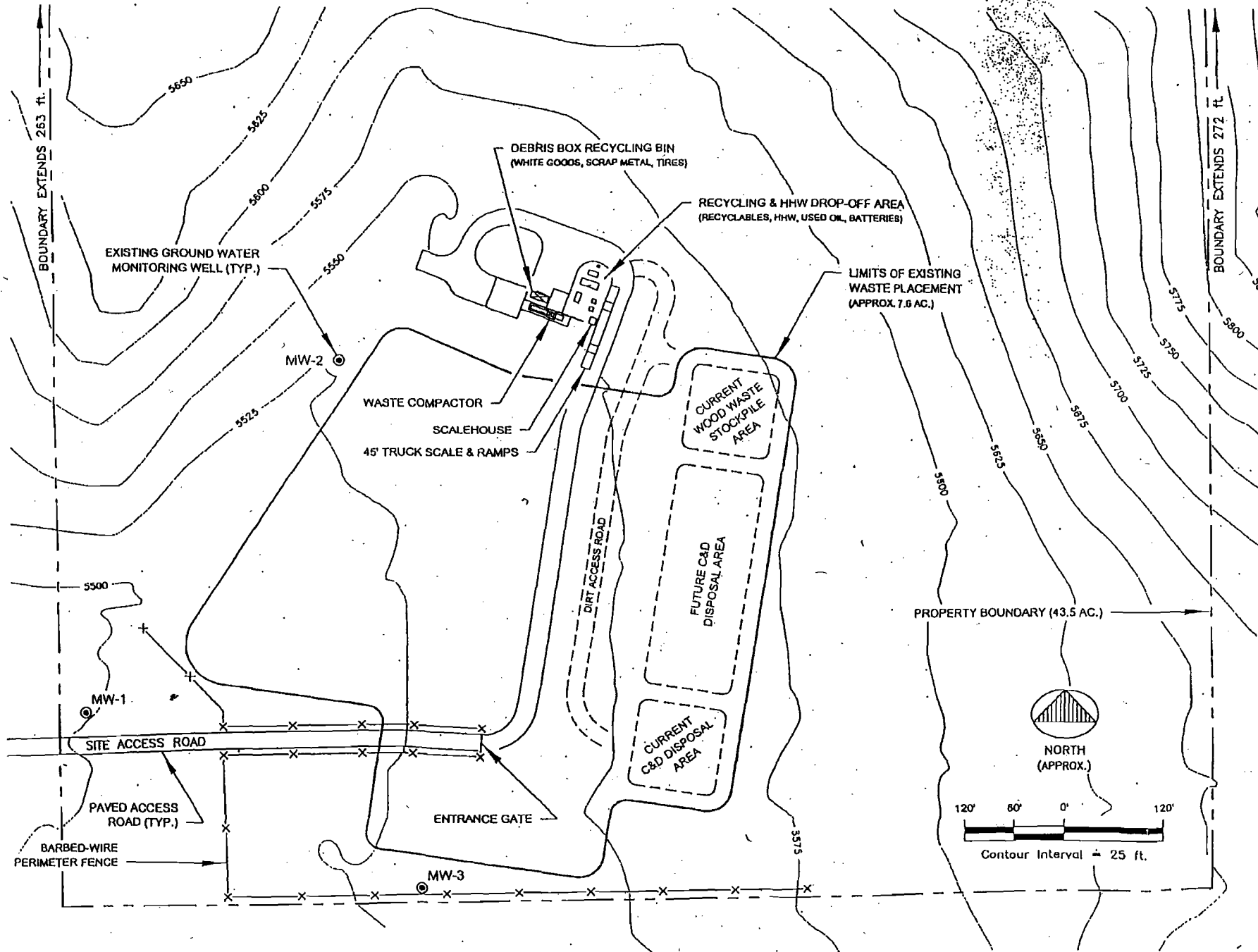
I, Harold J. Singer, Executive Officer, do hereby certify that the foregoing is a full, true, and correct copy of an Order adopted by California Regional Water Quality Control Board, Lahontan Region, on June 9, 2010.



HAROLD J. SINGER
EXECUTIVE OFFICER

- Attachments:
- A. Location Map
 - B. Topographic Map
 - C. Standard Provisions for Waste Discharge Requirements

ATTACHMENT A



Location of Monitoring Points

Walker Landfill

ATTACHMENT B

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
LAHONTAN REGION

GENERAL PROVISIONS
FOR MONITORING AND REPORTING

1. SAMPLING AND ANALYSIS

- a. All analyses shall be performed in accordance with the current edition(s) of the following documents:
 - i. Standard Methods for the Examination of Water and Wastewater
 - ii. Methods for Chemical Analysis of Water and Wastes, EPA
- b. All analyses shall be performed in a laboratory certified to perform such analyses by the California State Department of Health Services or a laboratory approved by the Regional Board Executive Officer. Specific methods of analysis must be identified on each laboratory report.
- c. Any modifications to the above methods to eliminate known interferences shall be reported with the sample results. The methods used shall also be reported. If methods other than EPA-approved methods or Standard Methods are used, the exact methodology must be submitted for review and must be approved by the Regional Board Executive Officer prior to use.
- d. The discharger shall establish chain-of-custody procedures to insure that specific individuals are responsible for sample integrity from commencement of sample collection through delivery to an approved laboratory. Sample collection, storage, and analysis shall be conducted in accordance with an approved Sampling and Analysis Plan (SAP). The most recent version of the approved SAP shall be kept at the facility.
- e. The discharger shall calibrate and perform maintenance procedures on all monitoring instruments and equipment to ensure accuracy of measurements, or shall insure that both activities will be conducted. The calibration of any wastewater flow measuring device shall be recorded and maintained in the permanent log book described in 2.b, below.
- f. A grab sample is defined as an individual sample collected in fewer than 15 minutes.
- g. A composite sample is defined as a combination of no fewer than eight individual samples obtained over the specified sampling period at equal intervals. The volume of each individual sample shall be proportional to the discharge flow rate at the time of sampling. The sampling period shall equal the discharge period, or 24 hours, whichever period is shorter.

2. OPERATIONAL REQUIREMENTS

a. Sample Results

Pursuant to California Water Code Section 13267(b), the discharger shall maintain all sampling and analytical results including: strip charts; date, exact place, and time of sampling; date analyses were performed; sample collector's name; analyst's name; analytical techniques used; and results of all analyses. Such records shall be retained for a minimum of three years. This period of retention shall be extended during the course of any unresolved litigation regarding this discharge, or when requested by the Regional Board.

b. Operational Log

Pursuant to California Water Code Section 13267(b), an operation and maintenance log shall be maintained at the facility. All monitoring and reporting data shall be recorded in a permanent log book.

3. REPORTING

- a. For every item where the requirements are not met, the discharger shall submit a statement of the actions undertaken or proposed which will bring the discharge into full compliance with requirements at the earliest time, and shall submit a timetable for correction.
- b. Pursuant to California Water Code Section 13267(b), all sampling and analytical results shall be made available to the Regional Board upon request. Results shall be retained for a minimum of three years. This period of retention shall be extended during the course of any unresolved litigation regarding this discharge, or when requested by the Regional Board.
- c. The discharger shall provide a brief summary of any operational problems and maintenance activities to the Board with each monitoring report. Any modifications or additions to, or any major maintenance conducted on, or any major problems occurring to the wastewater conveyance system, treatment facilities, or disposal facilities shall be included in this summary.
- d. Monitoring reports shall be signed by:
 - i. In the case of a corporation, by a principal executive officer at least of the level of vice-president or his duly authorized representative, if such representative is responsible for the overall operation of the facility from which the discharge originates;
 - ii. In the case of a partnership, by a general partner;
 - iii. In the case of a sole proprietorship, by the proprietor; or

- iv. In the case of a municipal, state or other public facility, by either a principal executive officer, ranking elected official, or other duly authorized employee.
- e. Monitoring reports are to include the following:
 - i. Name and telephone number of individual who can answer questions about the report.
 - ii. The Monitoring and Reporting Program Number.
 - iii. WDID Number 6A260004000.
- f. Modifications

This Monitoring and Reporting Program may be modified at the discretion of the Regional Board Executive Officer.

4. NONCOMPLIANCE

Under Section 13268 of the Water Code, 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.

T:FORMS/M&R PROVISIONS

ATTACHMENT C

Self Monitoring Report Cover Letter Form

Date _____

California Regional Water Quality Control Board
Lahontan Region
2501 Lake Tahoe Boulevard
South Lake Tahoe, CA 96150

Facility Name: _____

Address: _____

Contact Person: _____

Job Title: _____

Phone: _____

Email: _____

WDR/NPDES Order Number: _____

WDID Number: _____

Type of Report (circle one): **Monthly** **Quarterly** **Semi-Annual** **Annual** **Other**

Month(s) **JAN** **FEB** **MAR** **APR** **MAY** **JUN**

(Circle applicable month(s)*: **JUL** **AUG** **SEP** **OCT** **NOV** **DEC**

*annual Reports (circle the first month of the reporting period)

Year: _____

Violation(s)? (Please check one): _____ **NO** _____ **YES***

***If YES is marked complete a-g (Attach Additional information as necessary)**

a) Brief Description of Violation: _____

b) Section(s) of WDRs/NPDES

Permit Violated:

c) Reported Value(s) or Volume:

d) WDRs/NPDES Limit/Condition:

e) Date(s) and Duration of Violation(s):

f) Explanation of Cause(s):

g) Corrective Action(s) (Specify actions taken and a schedule for actions to be taken):

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision following a system designed to ensure that qualified personnel properly gather and evaluate the information submitted. Based on my knowledge of the person(s) who manage the system, or those directly responsible for data gathering, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment.

Signature: _____

Name: _____

Title: _____

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
LAHONTAN REGION

MONITORING AND REPORTING PROGRAM NO. R6T-2010-0025
WDID NO. 6A260012000

FOR

MONO COUNTY DEPARTMENT OF PUBLIC WORKS
WALKER CLASS III LANDFILL

Mono County

I. WATER QUALITY PROTECTION STANDARD

Water Quality Protection Standard is required by Title 27 of the California Code of Regulations (27 CCR) to assure the earliest possible detection of a release from the Walker Landfill (Landfill) to underlying soil and/or groundwater. The Water Quality Protection Standard shall consist of the list of constituents of concern, the concentration limits, the Point of Compliance and all Monitoring Points. This Water Quality Protection Standard shall apply during the closure period, the post-closure maintenance period, and during any compliance period.

The Landfill is currently in the Evaluation Monitoring Program (EMP) for monitoring wells that have been impacted by a release from the Landfill and a Detection Monitoring Program (DMP) for any wells that show no evidence of a release. This Monitoring and Reporting Program maintains the EMP and DMP for the Landfill.

II. MONITORING

Since 1997, the monitoring network has consisted of two downgradient wells, MW-1 and MW-3, and one upgradient well, MW-2 (Attachment A). These wells have been used for the DMP and EMP. The Discharger will report results for all three wells in subsequent events as directed in this MRP.

Since the EMP began in 1997, MW-1 through MW-3 have been sampled quarterly for five indicator parameters (pH, total dissolved solids [TDS], chloride, nitrate as nitrogen, and sulfate) and volatile organic compounds (VOCs) listed in 40 CFR Part 258, Appendix II. The results of the EMP have revealed the following trends.

- TDS, chloride, and sulfate concentrations have increased in the two downgradient wells while remaining relatively stable in the upgradient well.
- Freon 12 and Freon 11 have consistently been detected at low concentrations in MW-3.

- Two other VOCs (tetrachloroethylene and 1,1-dichloroethane) have been detected sporadically at low concentrations in the downgradient well MW-3.

None of the detected constituents have exceeded maximum contaminant levels (MCLs). However, the EMP indicates that the Landfill is impacting groundwater quality and that the impacts appear to be increasing over time. The Discharger's Final Closure and Post-Closure Maintenance Plan (Final Closure/Post-Closure Plan) include measures that are designed to remediate these impacts. The landfill cover and storm water run-on designs will decrease infiltration into the waste and will reduce or eliminate the impacts to groundwater. If the groundwater impacts are not remediated by these measures, additional actions may be necessary to maintain groundwater water quality pursuant to State Board Resolution No. 68-16.

A. Landfill Cover Monitoring and Maintenance

The Discharger will install a final cover over the closed Landfill as specified in the Final Closure/Post-Closure Plan. Inspection and Maintenance procedures will be as specified in the Final Closure/Post-Closure Plan and will include the following.

Quarterly, the Discharger must inspect the condition of the cover to ensure the integrity of the cover and evaluate the cover's capability to promote runoff and prevent ponding on the cover. The quarterly inspections should be approximately every three months. The Discharger must provide reports on the inspections **semiannually**. The quarterly inspection must consist of the following.

1. The Discharger must inspect the cover for integrity and inspect the wood chips and vegetation for appropriate coverage.
2. The Discharger must also inspect the general integrity of the Landfill for signs of settlement, subsidence, and erosion.
3. The Discharger must inspect the drainage system for the entire site including that which will divert water from the Landfill and prevent run-on.
4. During sampling events, groundwater monitoring wells will be inspected for damage.
5. Any adverse conditions found in the visual inspection must be documented and corrected. Documentation of the correction must be submitted with each semiannual report.

B. Groundwater

The Landfill presently has three groundwater monitoring wells to monitor groundwater quality. There is one upgradient monitoring well, MW-2, and two downgradient wells, MW-1 and MW-3, which are used to detect a potential release from the Landfill. Attachment A shows the location of the three monitoring wells.

1. Point of Compliance and Monitoring Points

The Point of Compliance as defined in 27 CCR section 20405 is "a vertical surface located at the hydraulically downgradient limit of the waste management unit that extends through the uppermost aquifer underlying the unit." Groundwater monitoring wells have been installed upgradient (MW-2) and downgradient (point of compliance monitoring wells MW1 and MW-3) of the Landfill. The locations of the groundwater monitoring wells are shown on Attachment A, which is made part of this Monitoring and Reporting Program.

2. Aquifer characteristics

The parameters listed in Table 1.a must be measured **quarterly** (i.e., every three months) and reported in tabular form **semiannually**. The required information to be calculated from the measured parameters is listed below in Table 1.b. An area map must be included to show the groundwater flow direction and estimated groundwater gradient.

Table No. 1.a
Groundwater Field Measurements

Parameter	Units
depth to groundwater	feet below ground
dissolved oxygen	mg/L
electrical conductivity	micromhos/cm
pH	pH units
Temperature	degree F or C
Turbidity	NTUs

Table 1.b
Groundwater Calculations

Parameter	Units
static water level	feet above mean sea level
slope of groundwater gradient	feet per feet
direction of groundwater gradient	degrees from true north

3. Groundwater Purging

Groundwater samples must be collected after the wells have been purged in accordance with California Environmental Protection Agency guidance document, *Representative Sampling of Groundwater for Hazardous Substances*, revised February 2008 (see: http://www.dtsc.ca.gov/SiteCleanup/upload/SMP_Representative_Sampling_GroundWater.pdf). The required stability parameters and criteria from this guidance are summarized in Table 1.c.

Table 1.c
Stabilization Parameters and Criteria

Parameter	Criteria
temperature	± 3% of reading (minimum of ± 0.2 C)
pH	+/- 0.1
specific electrical conductance	+/- 3%
oxidation-reduction potential	+/- 10 millivolts
dissolved oxygen	+/- 0.3 milligrams per liter

4. Monitoring Parameters and Sampling Frequency

The Discharger shall analyze all samples from all Groundwater Monitoring Points as specified under Part II B.1 of this Monitoring and Reporting Program for the monitoring parameters listed in **Table 1.d**. Groundwater sampling for monitoring parameters will be collected **quarterly** (every three months) and reported **semiannually**.

**Table 1.d
Monitoring Parameters**

Parameter	USEPA Method ⁽¹⁾	Units
chloride	300.0	mg/L
dissolved oxygen ⁽²⁾	field	mg/L
electrical conductivity ⁽²⁾	field	mmhos/cm
nitrate as nitrogen	9200	mg/L
pH ⁽²⁾	field	pH units
sulfate	300.0	mg/L
temperature ⁽²⁾	field	F/C
total dissolved solids	160.1	mg/L
turbidity ⁽²⁾	field	NTU
antimony ⁽³⁾	7062	mg/L
arsenic ⁽³⁾	7060	mg/L
barium ⁽³⁾	6010B	mg/L
beryllium ⁽³⁾	6010B	mg/L
cadmium ⁽³⁾	6010B	mg/L
chromium ⁽³⁾	6010B	mg/L
cobalt ⁽³⁾	6010B	mg/L
copper ⁽³⁾	6010B	mg/L
lead ⁽³⁾	7421	mg/L
nickel ⁽³⁾	6010B	mg/L
selenium ⁽³⁾	7740	mg/L
silver ⁽³⁾	6010B	mg/L
thallium ⁽³⁾	7841	mg/L
vanadium ⁽³⁾	6010B	mg/L
zinc ⁽³⁾	6010B	mg/L
VOCs ⁽⁴⁾	8260B	mg/L

footnotes:

- (1) An alternate method may be proposed and used if acceptable to the Executive Officer.
- (2) With the exception of temperature and turbidity, these field parameters must be tabulated and graphed in monitoring reports; however, development of statistical background levels is not required.
- (3) Inorganic constituents from Appendix I, 40 CFR Part 258 (Subtitle D).
- (4) The VOCs monitoring parameter includes all VOCs detectable using USEPA Method 8260B, including at least all 47 organic constituents listed in Appendix I to 40 CFR Part 258 and all unidentified peaks.

5. Constituents of Concern Monitoring and Sampling Frequency

Constituents of Concern (COCs) are listed in Table 1.e. Monitoring for COCs shall encompass only those constituents that are not also serving as monitoring parameters (Table 1.d). Analysis for COCs shall be carried out **once every five years** at each of the site's groundwater monitoring points. The COC monitoring shall be carried out in the **spring of year one** (during period of seasonal high groundwater level) and the **fall of the fifth year** (during period of seasonal low groundwater level). Monitoring points that have not previously been sampled for COCs shall be sampled and analyzed for all COCs **within three months of this program becoming effective**. This program becomes effective on the date the Board approves these WDRs. This list is from Appendix II of 40 CFR Part 258, which lists pollutants required to be monitored at the Landfill on a minimum frequency of once every five years. The following constituents will be reported in the annual report. For reporting in the annual reports, if no samples are collected that year, the year the last samples were collected and the year for the next required sampling will be identified in the report.

Table 1.e
Constituents of Concern

Constituents of Concern	USEPA Method ⁽¹⁾
chlorinated herbicides	8150
cyanide	9010
nonhalogenated volatiles	8015
organochlorine pesticides and PCBs ⁽²⁾	8080
organophosphorous pesticides	8041A
semi-VOCs	8270
sulfide	9030

Footnotes:

(1) An alternate method may be proposed and used if acceptable to the Executive Officer.

(2) PCBs are polychlorinated biphenyls.

III. DATA ANALYSES

All data analyses methods (statistical or non-statistical) shall meet the requirements of 27 CCR section 20415(e)(9).

A. General Non-statistical Methods

Evaluation of data will be conducted using non-statistical methods to determine if any new releases from the Landfill have occurred. Non-statistical analysis shall be as follows.

1. Physical Evidence

Physical evidence can include vegetation loss, unexplained volumetric changes in the Landfill, groundwater mounding or soil discoloration. Each semiannual report shall comment on the absence or presence of physical evidence of a release.

2. Time Series Plots

Each semiannual report must include time series plots for groundwater monitoring parameters. Time series plots are not required for parameters that have never been detected above their method detection limit (as specified by the applicable USEPA Method) or if there are less than four quarters of data. Evidence of a release may include trends of increasing concentrations of one or more constituent over time.

B. General Statistical Analysis Methods

For Detection Monitoring, the Discharger shall use statistical methods to analyze COCs and monitoring parameters that exhibit concentrations that equal or exceed their respective method detection limit in at least ten percent of applicable historical samples. The Discharger may propose and use any data analysis that meets the requirements of 27 CCR section 20415(e)(7). The report titled "Statistical Analysis of Groundwater Monitoring Data at RCRA Facilities" (USEPA, 1989) or subsequent versions may also be used to select the statistical test to use for comparing detection monitoring well data to background monitoring data. All statistical methods and programs proposed by the Discharger are subject to Executive Officer approval.

IV. REPORTING REQUIREMENTS

A. Semiannual Reports To Be Filed With the Lahontan Regional Water Quality Control Board (Water Board)

All monitoring reports submitted to the Water Board shall be transmitted using the cover letter form in Attachment C. An electronic copy of the cover letter form can be downloaded at: http://www.waterboards.ca.gov/lahontan/water_issues/available_documents/index.shtml. The following periodic reports shall be submitted to the Water Board in accordance to the following schedule.

1. Two semiannual reports are required per year, as follows:

<u>Report due date</u>	<u>Reporting Period</u>
February 15	July 1- Dec 31
August 15	January 1 – June 30

2. The reports must contain the following information.

- a. Results of sampling and laboratory analysis of gas and groundwater sampling.
- b. A map or aerial photograph showing the locations of monitoring points.
- c. For each monitored groundwater body, a description and graphical presentation of the velocity and direction of groundwater flow under and around the Landfill, based upon water level elevations taken during the collection of the water quality data submitted in the report.
- d. If the Discharger has previously submitted a detailed time schedule for correcting requirement violations, a reference to the correspondence transmitting this schedule will be satisfactory. If no violations have occurred since the last submittal, this shall be stated in the letter of transmittal.
- e. The reports must contain a description of the conditions of the cover materials. Specifically, comments regarding any subsidence or soil cover washouts that have occurred and the capability of the cover to promote runoff and prevent ponding should be included. In the case where subsidence, washouts or other damage to the cover is noted, the report shall indicate the actions taken to repair cover material so that the event will not reoccur.
- f. An Executive Summary must accompany each report. The summary shall include a discussion of any requirement violations found since the last report was submitted, and shall describe actions taken or planned for correcting those violations.

B. Other Reports To Be Filed With The Board

1. Notice of Tentative Release

If the appropriate statistical or non-statistical data analysis indicates, for a given constituent of concern, that a release is tentatively identified, Discharger shall:

- a. Immediately notify the Water Board verbally as to the monitoring point(s) and constituent(s) or parameter(s) involved;
- b. Provide written notification by certified mail within seven days of such determination (27 CCR section 20420(j)). The notification should indicate the Discharger's intent to conduct verification sampling, initiate evaluation monitoring procedures, or demonstrate that a source other than the Landfill is responsible for the release.
- c. If the Discharger chooses to attempt to demonstrate that a source other than the Landfill is responsible for the release, the Discharger shall submit a supporting technical report within 90 days of detection of the release (27 CCR section 20420(k)).

2. Evaluation Monitoring

The Discharger shall, within 90 days of verifying a release, submit a technical report pursuant to California Water Code section 13267(b) proposing an EMP. If the Discharger decides not to conduct verification procedures, or decides not to make a demonstration that a source other than the Landfill is responsible for the release, the release will be considered verified.

3. Engineering Feasibility Study Report

The Discharger shall, within 180 days of verification of a release or detection, submit an Engineering Feasibility Study that shall contain corrective action measures to meet the requirements of 27 CCR section 20420(k)(6).

C. Electronic Submittals of Information

Pursuant to CCT title 23, section 3890, the Applicant shall submit reports, including soil, vapor and water data, prepared for the purpose of subsurface investigation or remediation of a discharge of waste to land subject to Division 2 of Title 27 electronically over the internet to the State Water Resources Control Board's Geotracker system. This requirement is in addition to, and not superseded by, any other applicable reporting requirement.

D. General Provisions

The Discharger shall comply with the "General Provisions for Monitoring and Reporting," dated September 1, 1994, which is attached to and made part of this Monitoring and Reporting Program (Attachment B).

E. Annual Report

On or before **February 15, 2011**, and on or before **February 15** every year thereafter, the Discharger shall submit an annual report to the Water Board for the period January to December. This report shall include the items described in the General Provisions for Monitoring and Reporting (Attachment B) and information that is required to be collected annually or less frequently. The Annual Report may be combined with the semiannual report for the period July 1 through Dec 31 .

F. Financial Assurance

On or before **February 15, 2011**, and on or before **February 15** every year thereafter, the Dischargers shall submit an annual financial assurance report to the Water Board. This report shall summarize the amount of money available in the fund. This report should also provide a demonstration that the amount of financial assurance is adequate, or the need to increase the amount of financial assurance based on inflation or other factors.

Ordered by:



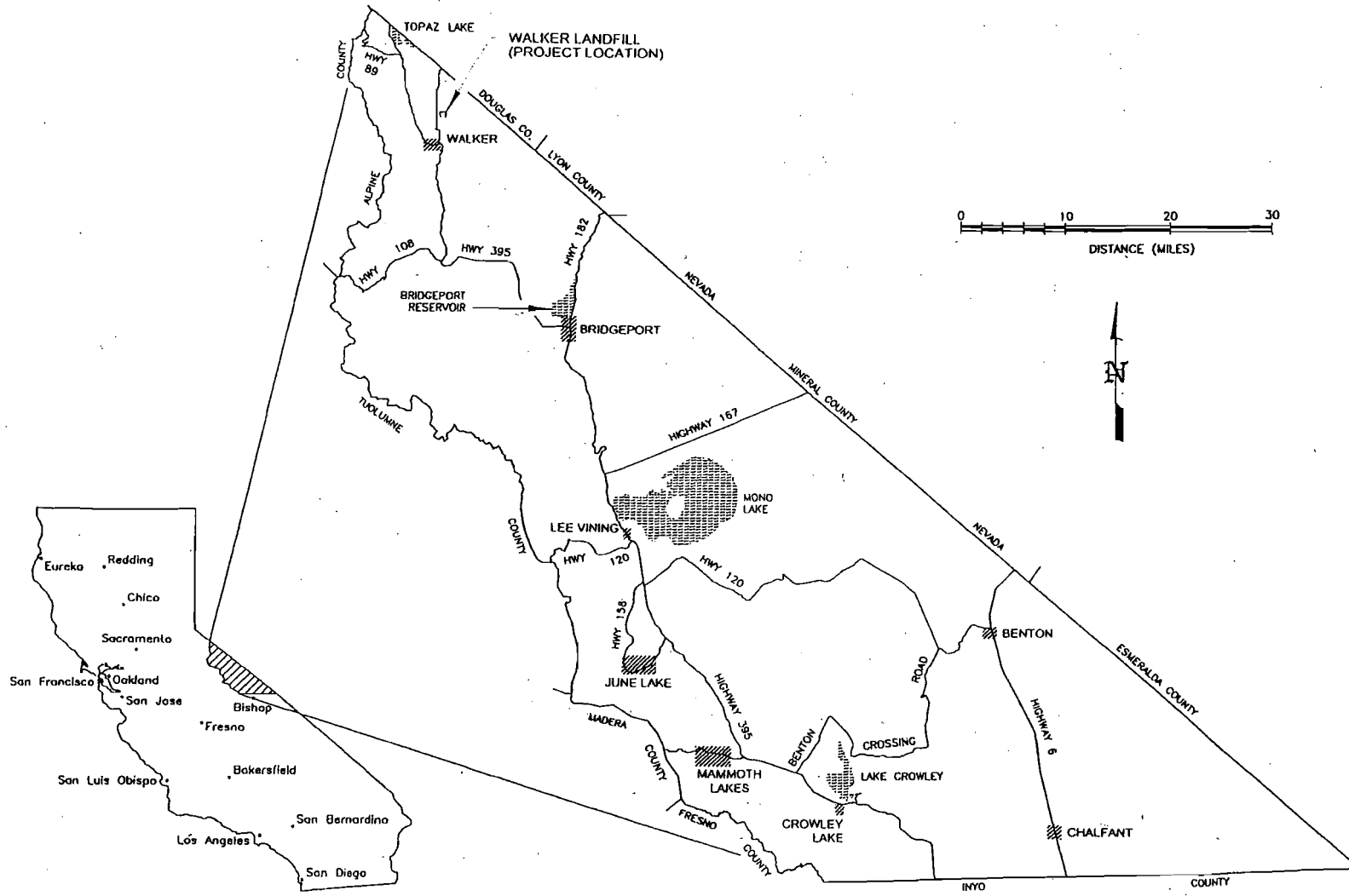
HAROLD J. SINGER
EXECUTIVE OFFICER

Dated: June 9, 2010

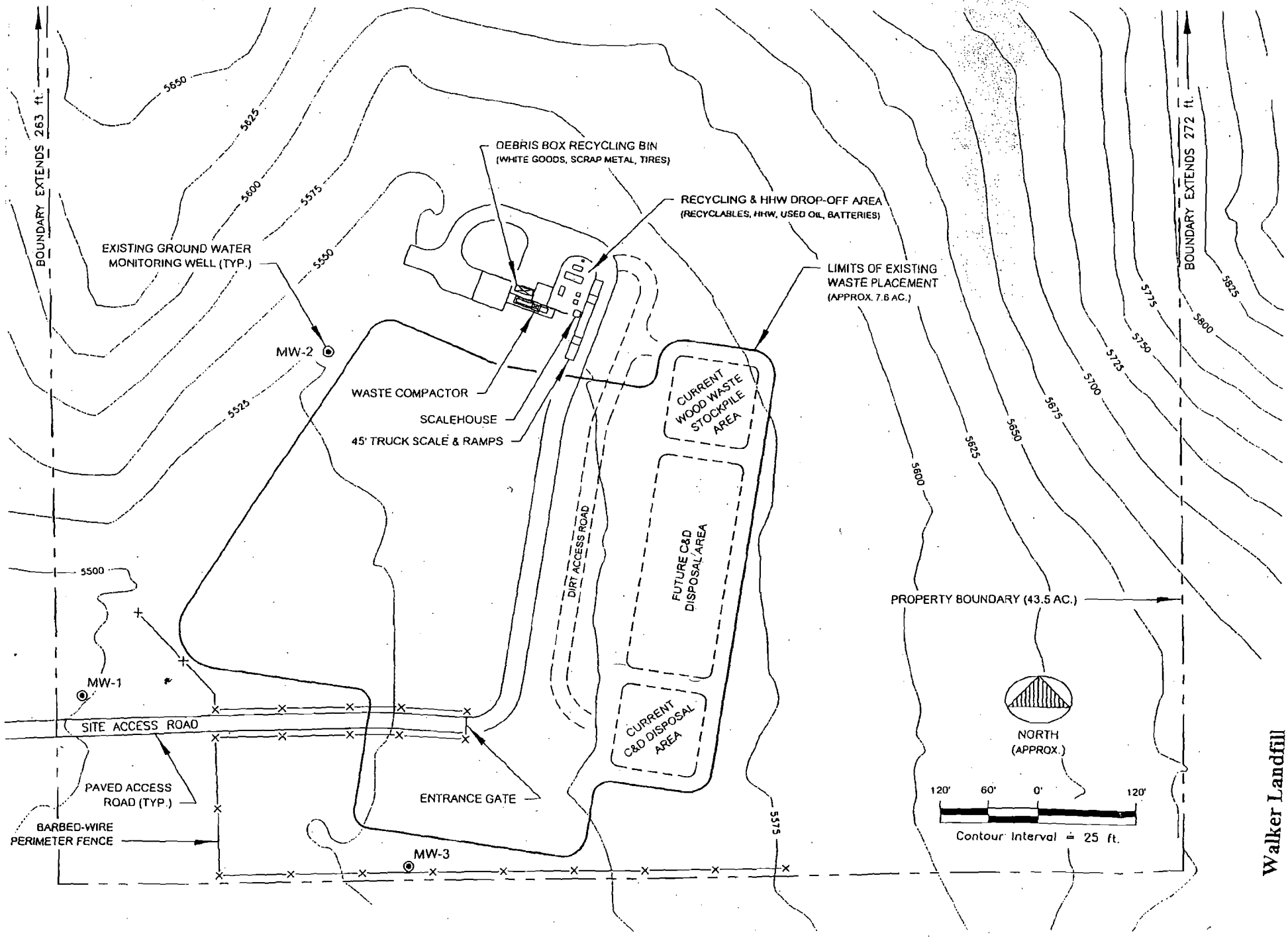
- Attachment: A. Location of Monitoring Points
B. General Provisions for Monitoring and Reporting
C. Transmittal Cover Letter Form

ATTACHMENT A

Walker Landfill Location Map



ATTACHMENT B



Walker Landfill

ATTACHMENT C

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
LAHONTAN REGION

STANDARD PROVISIONS
FOR WASTE DISCHARGE REQUIREMENTS

1. Inspection and Entry

The Discharger shall permit Regional Board staff:

- a. to enter upon premises in which an effluent source is located or in which any required records are kept;
- b. to copy any records relating to the discharge or relating to compliance with the Waste Discharge Requirements (WDRs);
- c. to inspect monitoring equipment or records; and
- d. to sample any discharge.

2. Reporting Requirements

- a. Pursuant to California Water Code 13267(b), the Discharger shall immediately notify the Regional Board by telephone whenever an adverse condition occurred as a result of this discharge; written confirmation shall follow within two weeks. An adverse condition includes, but is not limited to, spills of petroleum products or toxic chemicals, or damage to control facilities that could affect compliance.
- b. Pursuant to California Water Code Section 13260 (c), any proposed material change in the character of the waste, manner or method of treatment or disposal, increase of discharge, or location of discharge, shall be reported to the Regional Board. Any such proposal shall be reported to the Regional Board at least 120 days in advance of implementation. This shall include, but not be limited to, all significant soil disturbances.
- c. The Owners/Discharger of property subject to WDRs shall be considered to have a continuing responsibility for ensuring compliance with applicable WDRs in the operations or use of the owned property. Any change in the ownership and/or operation of property subject to the WDRs shall be reported to the Regional Board. Notification of applicable WDRs shall be furnished in writing to the new owners and/or operators and a copy of such notification shall be sent to the Regional Board.
- d. If a Discharger becomes aware that any information submitted to the Regional Board is incorrect, the Discharger shall immediately notify the Regional Board, in writing, and correct that information.

- e. Reports required by the WDRs, and other information requested by the Regional Board, must be signed by a duly authorized representative of the Discharger. Under Section 13268 of the California Water Code, 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.
- f. If the Discharger becomes aware that their WDRs (or permit) are no longer needed (because the project will not be built or the discharge will cease) the Discharger shall notify the Regional Board in writing and request that their WDRs (or permit) be rescinded.

3. Right to Revise WDRs

The Regional Board reserves the privilege of changing all or any portion of the WDRs upon legal notice to and after opportunity to be heard is given to all concerned parties.

4. Duty to Comply

Failure to comply with the WDRs may constitute a violation of the California Water Code and is grounds for enforcement action or for permit termination, revocation and re-issuance, or modification.

5. Duty to Mitigate

The Discharger shall take all reasonable steps to minimize or prevent any discharge in violation of the WDRs which has a reasonable likelihood of adversely affecting human health or the environment.

6. Proper Operation and Maintenance

The Discharger shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) that are installed or used by the Discharger to achieve compliance with the WDRs. Proper operation and maintenance includes adequate laboratory control, where appropriate, and appropriate quality assurance procedures. This provision requires the operation of backup or auxiliary facilities or similar systems that are installed by the Discharger, when necessary to achieve compliance with the conditions of the WDRs.

7. Waste Discharge Requirement Actions

The WDRs may be modified, revoked and reissued, or terminated for cause. The filing of a request by the Discharger for waste discharge requirement modification, revocation and re-issuance, termination, or a notification of planned changes or anticipated noncompliance, does not stay any of the WDRs conditions.

8. Property Rights

The WDRs do not convey any property rights of any sort, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of federal, state or local laws or regulations.

9. Enforcement

The California Water Code provides for civil liability and criminal penalties for violations or threatened violations of the WDRs including imposition of civil liability or referral to the Attorney General.

10. Availability

A copy of the WDRs shall be kept and maintained by the Discharger and be available at all times to operating personnel.

11. Severability

Provisions of the WDRs are severable. If any provision of the requirements is found invalid, the remainder of the requirements shall not be affected.

12. Public Access

General public access shall be effectively excluded from treatment and disposal facilities.

13. Transfers

Providing there is no material change in the operation of the facility, this Order may be transferred to a new owner or operation. The owner/operator must request the transfer in writing and receive written approval from the Regional Board's Executive Officer.

14. Definitions

- a. "Surface waters" as used in this Order, include, but are not limited to, live streams, either perennial or ephemeral, which flow in natural or artificial water courses and natural lakes and artificial impoundments of waters. "Surface waters" does not include artificial water courses or impoundments used exclusively for wastewater disposal.
- b. "Ground waters" as used in this Order, include, but are not limited to, all subsurface waters being above atmospheric pressure and the capillary fringe of these waters.

15. Storm Protection

All facilities used for collection, transport, treatment, storage, or disposal of waste shall be adequately protected against overflow, washout, inundation, structural damage or a significant reduction in efficiency resulting from a storm or flood having a recurrence interval of once in 100 years.