STATE OF CALIFORNIA
REGIONAL WATER QUALITY CONTROL BOARD
LOS ANGELES REGION

REVISED WASTE DISCHARGE REQUIREMENTS FOR CORRECTIVE ACTION ORDER NO. R4-2009-0XXX

FOR

WASTE MANAGEMENT
(AZUSA LAND RECLAMATION LANDFILL)
(File No. 59-102)

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

BACKGROUND

1. Azusa Land Reclamation Landfill (Landfill) is owned and operated by Azusa Land Reclamation Company, Inc. (ALRC), a subsidiary of Waste Management (Discharger) and is located at 1201 Gladstone Street, Azusa, CA (Figure 1).

2. ALRC was previously owned and operated by Browning Ferris Incorporated (BFI) from 1987 until June 6, 1997. On June 6, 1997, BFI sold ALRC to USA Waste of California, Inc. (USA Waste). USA Waste subsequently merged with Waste Management, Inc under the name of Waste Management (WM). WM is the operator of the active inert disposal activities at the Landfill and for the purposes of this Order is the Discharger. Prior to the change of ownership of ALRC (June 6, 1997), the term 'Discharger' referred to BFI.

3. ALRC is permitted by Solid Waste Permit Number 19-AA-0013 issued by the California Integrated Waste Management Board on June 28, 1996, to accept 6,500 tons per day of waste with a maximum acceptance rate of 39,000 tons per week while operating each Monday through Saturday. The Landfill was initially permitted as a Class III municipal solid waste (MSW) Landfill. However, as a result of regulatory actions listed in Table 1, since October 4, 1996, the Discharger is only allowed to accept non-hazardous special waste, (asbestos), and unclassified inert waste.

4. The Landfill property is a total of 302 acres, of which 255 acres are designated by the City of Azusa for landfill operations. The property is segregated into five zones of operation, Zone I through Zone V (Figure 2). Mining of sand and gravel started in the area of Zone I in 1928, which produced the pit that later became the Landfill.

   Zone I is approximately 77 acres (known as the 80-acre portion) and received MSW and inert wastes from approximately 1960 until 1996. This portion of the Landfill was not equipped with a liner and leachate collection and removal system (LCRS). Zone 1 has been undergoing a Corrective Action Program (CAP) since 1996 as a result of volatile organic compounds (VOCs) detected in groundwater that were determined to be caused by landfill gas migrating from Zone 1.

   Zone II is an active 22-acre portion of the Landfill that started receiving MSW in 1989. In 1991 MSW disposal was halted but landfilling operations continued as an inert landfill pursuant to California State Water Resources Control Board (State

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Board) Orders WQ 91-01 and WQ 91-09 which restricted disposal to inert materials, tires, and asbestos-containing waste. This portion of the Landfill is double-lined and contains an LCRS.

Zone III is an active unlined 60-acre portion of the Landfill where tires and inert waste have been landfilled since approximately 1997.

Zone IV and V (56 acres and 40 acres, respectively): Cemex California Aggregates, Inc. – Azusa Facility is currently mining these areas for sand and gravel, as regulated by this Regional Board's Order No. 00-098.

5. Section 20230(a) of title 27, California Code of Regulations (27 CCR), provides that "*Inert waste is that subset of solid waste that does not contain hazardous waste or soluble pollutants at concentrations in excess of applicable water quality objectives, and does not contain significant quantities of decomposable waste.*"

6. Section 20230(c) of 27 CCR provides that the Regional Board can prescribe individual or general waste discharge requirements (WDRs) for discharges of inert wastes.

7. A list of significant events in ALRC's regulatory history is described below.

   1960 Resolution 60-22 was issued by the Regional Water Pollution Control Board for the Los Angeles Region (later to become the Regional Water Quality Control Board [Regional Board]), and prescribed requirements authorizing Azusa Rock and Sand Company to deposit "ordinary household and commercial refuse and non-water soluble non-decomposable inert solids" at the Landfill.

   1986 Order No. 86-59, was adopted by the Regional Board on July 9, 1986 and amended Resolution 60-22 based on 1982 Amendments to the California Water Code (CWC) and the adoption in 1984 of Subchapter 15 regulations to Title 23, Chapter 3 of the California Administrative Code (Chapter 15). Order No. 86-59 states "Pending the full implementation at this site of the new requirements of Chapter 15... the disposal of Class III wastes should be limited to the unlined 80-acre area." Both Resolution 60-22 and Order No. 86-59 remained in effect.

   1988 Order No. 88-133 was adopted by the Regional Board on November 2, 1988. It classified the entire Landfill waste footprint for the 302-acre site as a MSW landfill. Order No. 88-133 rescinded Resolution No. 60-22 and Order No. 86-59.

   1989 Order No. WQ 89-17 was adopted by the State Board on October 3, 1989 in response to a petition by the Main San Gabriel Groundwater Basin Watermaster. Petitioners requested review and a stay of Order No. 88-133. State Board Order No. WQ 89-17 amended Order No. 88-133 and : a) required the installation of a ground water barrier system, b) required limited waste disposal to elevations above 355 feet mean sea level (MSL), and c) granted funding of $20 million for cleanup projects in the Main San Gabriel Groundwater Basin.

   1991 Order No. WQ 91-01 was adopted by the State Board on January 14, 1991 and rescinded Order No. WQ 89-17. Order No. WQ 91-01 stated that "Azusa Land Reclamation Company, Inc. shall henceforth deposit no Class III wastes (nonhazardous solid wastes) into any portion of the Azusa Land Reclamation Landfill, located at 1201 West Gladstone Street, Azusa, California, except for that

portion of the Facility, comprising approximately 80 acres along the southern edge of the gravel pit, into which discharges of such waste were permitted under Order No. 86-59 of the California Regional Water Quality Control Board, Los Angeles Region, pending compliance with the requirements of the California Environmental Quality Act (Public Resources Code, Section 21000 et seq.) in a manner consistent with the decision filed January 14, 1991 by the Court of Appeal of the State of California, Second Appellate District, Division Two (Case No. B050366)."

The State Board subsequently adopted Order No. WQ 91-09 which ordered that "Waste Discharge Requirement Order No. 88-133 of the Los Angeles Regional Water Quality Control Board is rescinded except as it authorizes the disposal of inert wastes."

1994 ALRC announced that it would reopen the unlined 80-acre Zone 1 area and deposit 3.2 million tons of MSW over a seven-year period. The State Board determined that the rescission of Order No. 88-133 served to reinstate Resolution 60-22 and Order No. 86-59. As a result, the State Board ordered ALRC to submit a report of waste discharge (ROWD) by October 1995 and directed the Regional Board to determine whether to authorize additional MSW disposal in the unlined 80-acre area.

1995 On January 10, 1995, the U.S. Environmental Protection Agency (U.S. EPA) notified ALRC that they were a potentially responsible party for contamination of the Baldwin Park Operable Unit, based on the presence of the semi-volatile organic compounds 1,2-dichlorobenzene, 1,4-dichlorobenzene, and chlorobenzene, detected in downgradient monitoring wells and in gas condensate and leachate extracted from the 80-acre unlined portion of the Landfill.

Regional Board staff conducted a review of data from ground water monitoring wells at the Landfill and the area surrounding the Landfill. Groundwater monitoring data indicated that the Landfill is a contributing source of pollutants (including 1,2-dichlorobenzene, 1,4-dichlorobenzene, and chlorobenzene) that could adversely affect the beneficial uses of the Main San Gabriel Ground Water Basin.

On February 28, 1995, the Regional Board Executive Officer (Executive Officer) issued Cleanup and Abatement Order (CAO) No. 95-022 to ALRC, requiring the implementation of an evaluation monitoring program (EMP) pursuant to title 23, California Code of Regulations, sections 2550.1 (a)(3) and 2550.9, to determine the nature and extent of pollutants released from the Landfill.

At a public hearing held on April 3, 1995, the Regional Board directed ALRC to prepare a list of engineered alternatives necessary to meet siting requirements of Chapter 15, and reaffirmed CAO No. 95-022. The Regional Board further directed staff to prepare amended WDRs based on new information to be generated by ALRC during the six-month period following the April 3,1995, hearing.

From April 6,1995 to September 7, 1995, Regional Board staff met with representatives of ALRC, the Azusa Landfill Task Force (Main San Gabriel Basin Watermaster, Metropolitan Water District of Southern California, Upper San

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Gabriel Valley Municipal Water District, San Gabriel Valley Municipal Water District, and Three Valleys Municipal Water District, as represented primarily by Stetson Engineers), and the California Department of Health Services, Division of Drinking Water and Environmental Management. The purpose of these meetings was to discuss results of ongoing data collection for the EMP required under CAO No. 95-022, and engineered alternatives proposed by ALRC to meet siting requirements of Chapter 15.

On September 7, 1995, ALRC submitted final results from their six-month study to determine the nature and extent of pollutants release from the Landfill, and submitted a list of engineered alternatives to the prescriptive Chapter 15 siting requirement of a single clay liner with permeability of 1 x 10^{-6} cm/sec or less.

At a public hearing on October 30, 1995, the Regional Board adopted Order No. 95-151 authorizing the continued disposal of MSW in the unlined 80-acre area and declared the project exempt from the California Environmental Quality Act (CEQA).

1996 A petition for a writ of mandate was filed by the Metropolitan Water District of Southern California and the Main San Gabriel Basin Watermaster with the Superior Court of the State of California, County of Los Angeles (Superior Court). The Superior Court issued a Peremptory Writ of Mandate (Writ) to the State Board to vacate Regional Board Order No. 95-151.

WQ Order No. 96-14 was adopted on October 6, 1996, by the State Board in response to the Writ. WQ Order No. 96-14 prohibited disposal of any MSW into the 80-acre unlined area and permitted "no further dumping of MSW into the 80 acre unlined area unless and until valid waste discharge requirements are issued after the requirements of the California Environmental Quality Act (Public Resources Code Section 21000 et seq) have been fully complied with in a manner consistent with the judgment of the Los Angeles County Superior Court in Case No. BS038029 (consolidated with No. BS038115)." On October 4, 1996, BFI ceased accepting MSW at the Landfill.

1997 On October 29, 1997, the Azusa Landfill Task Force, which was composed of various stake holders including the Main San Gabriel Basin Watermaster, the Metropolitan Water District of Southern California, and several smaller municipal water districts, submitted a letter to the Regional Board Executive Officer requesting closure of the unlined 80-acre Zone 1 area.

1998 On March 31, 1998, staff of the California Integrated Waste Management Board (Waste Board), the Los Angeles County Department of Health Services (LACDHS), Regional Board, met with BFI to discuss the closure of the 80-Acre Zone 1 area. Additional meetings were held between May and September 1998 to discuss design and monitoring requirements for closure. A closure plan was submitted by BFI for the 80-acre Zone 1 area on December 11, 1998.

1999 The December 11, 1998 closure plan was determined to be incomplete by the LACDHS and the Regional Board in February 1999. Subsequent revisions to the closure plan for Zone I were also deemed incomplete.

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2000 On February 17, 2000, the Executive Officer issued CAO No. 99-119 to ALRC, requiring complete site assessment and as necessary, continued cleanup of contaminants in the soil that threaten groundwater. The soil cleanup effort is being coordinated with USEPA's efforts to remediate the groundwater in the Baldwin Park Operable Unit. To complete the assessment and cleanup ALRC was required to complete the assessment, in the unsaturated zone, of emergent chemicals and undertake remedial action as needed. The CAO also directed ALRC to continue to monitor to assess migration of all contaminants in the unsaturated zone to groundwater, and to ensure the effectiveness of remedial actions directed by the USEPA on localized concentrations of contaminants. ALRC is in compliance with CAO 99-119.

2009 The last submittal of a revised closure plan was received in January 2009 from BFI who retained responsibility for environmental control systems and closure/post-closure maintenance for the Zone I area following the ownership change that occurred when USA Waste purchased ALRC. The proposed post-closure land use for the Zone I portion of the Landfill is open space. Based on market conditions, filling (reclamation) of Zones II – V may not be completed until 2116.

8. WM implements a waste-load-checking program at the Landfill as submitted in response to Order 95-151 to prevent the disposal of hazardous wastes, designated wastes, municipal solid wastes, or other unacceptable materials. Intercepted hazardous materials are temporarily stored in a dedicated hazardous waste storage area and disposed of at an appropriate hazardous waste facility according to hazardous waste laws. Section K.4. of this Order requires the Discharger to submit an updated waste load checking program to the Regional Board for approval by the Executive Officer.

9. This Order includes the attached definition of terms and acronyms (Attachment 1), which the Regional Water Board Executive Officer has the authority to revise as the need arises.

REGULATORY REQUIREMENTS

10. On June 17, 1993, the State Board adopted Resolution No. 93-62, directing each Regional Board to revise the WDRs of each active MSW landfill in its respective region to comply with federal MSW regulations in title 40, Code of Federal Regulations (CFR), part 258 that are more stringent than California State regulations. To comply with Resolution No. 93-62, the Regional Board adopted Order No. 93-062 (also known as the Super Order) on September 27, 1993, that implemented Resolution 93-62.

11. Updated state regulations governing landfills are contained in 27 CCR, which became effective on July 18, 1997. These revised regulations clarified the roles and responsibilities of the Waste Board and the State Board, as well as Regional Boards, in regulating MSW disposal facilities. 27 CCR regulations combine prior disposal site/landfill regulations of the Waste Board and State Board that were maintained in titles 14 and 23 of the CCR.

12. Pursuant to section 402 (p) of the Clean Water Act and 40 CFR parts 122, 123, and 124, the State Board adopted a National Pollutant Discharge Elimination System (NPDES) General Permit to regulate storm water discharges associated with industrial activities in California (State Board Order No. 97-03-DWQ). Storm water runoff from the Landfill is

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regulated under the general NPDES permit (WDID No. 4 19S001306, enrolled on March 27, 1992). The Discharger implements a storm water pollution prevention plan (SWPPP) at the Landfill as required by the general NPDES permit.

13. CWC section 13263 provides that all WDRs shall be reviewed periodically and, upon such review, may be revised by the Regional Board to comply with changing state or federal laws, regulations, policies, or guidelines. 27 CCR, section 21710(e), provides that WDRs for multi-unit facilities may be consolidated to a single set of WDRs. Accordingly, this Order includes WDRs for the inactive 80-acre Zone 1 portion of the Landfill and the active inert portion of the Landfill, Zones 2 – 5, (see Figure 2). Unless otherwise stated, requirements in this Order are applicable to both units.

14. The requirements in this Order, as they are met, are in conformance with the relevant regulations of 27 CCR, 40 CFR part 258, SWRCB Resolution No. 93-62, and the Porter-Cologne Water Quality Control Act (commencing with Water Code section 13000).

ENVIRONMENTAL SETTING

15. The site is located approximately one-quarter mile to the east of the Santa Fe Flood Control Basin. The basin and the unlined San Gabriel River channel are used for spreading groundwater for recharge purposes.

16. The Facility is bordered by large and small businesses to the north, east, west and south, and a residential community to the northeast. The nearest residences are approximately 0.5 miles to the southeast and the nearest school is approximately one-mile to the southeast.

17. Sediments beneath the Landfill consist of scattered silt beds, and coarse-grained sands and gravel that can readily transmit liquid and gaseous pollutants from the Landfill directly to ground water.

18. Active faults are defined as Holocene epoch faults that have exhibited movement in the last 11,000 years. The Duarte Fault is located about one mile north, and the Raymond Fault is about five miles to the northwest of the Landfill. Both are active faults. There are no known active faults within 200 feet of the Landfill.

19. 27 CCR, section 20370 requires that Class II solid waste management units be designed to withstand a maximum credible earthquake (MCE) and Class III units be designed to withstand a maximum probable earthquake (MPE) without damage to the foundation or to the structures which control leachate, surface drainage, or erosion, or gas. The Regional Board requires Class III landfills to be designed to accommodate an MCE event without failure of any containment system.

20. The site overlies a major drinking water aquifer in the Main San Gabriel Groundwater Basin in the Los Angeles-San Gabriel Hydrologic Area. Aquifers within the basin are comprised primarily of coarse sand and gravel. Depth to groundwater varies from 225 to 275 feet below ground surface for the site. The direction of groundwater flow is generally to the southwest and south and groundwater flow velocities have been measured at 100 to 1000 feet/year at the site.

21. The beneficial uses of the Main San Gabriel Valley Ground Water Basin are municipal supply, agricultural supply, and industrial process and service supply.

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GROUNDWATER MONITORING

22. Modifications to the Monitoring and Reporting Program may be necessary based on the findings of the report required by General Provision K.5. The Discharger has been informed that the monitoring data submitted to date does not adequately evaluate the groundwater flow régime beneath the landfill and possible impacts from landfill operations.

23. Groundwater monitoring at the site was first performed in 1987 as part of the Solid Waste Assessment Test (SWAT) investigation for the Landfill. In 1988, a detection monitoring program (DMP) was established with the adoption of Order 88-133 and associated monitoring and reporting program (M&RP) No. CI-2567. The existing water quality monitoring network at the Landfill includes eight groundwater monitoring wells (Figure 4), and two offsite downgradient groundwater monitoring wells (Figure 5), as well as six onsite deep nested landfill gas probes (Figure 6).

24. Groundwater monitoring points at the Landfill are divided into three general groups based on their location:

    Upgradient Monitoring Wells: ALR-3, ALR-9, ALR-10, and ALR-11. These wells are located at the upgradient property boundary of the Landfill based on historic ground water flow direction;

    Downgradient Monitoring Wells: ALR-1R, ALR-2R, ALR-6[1], and ALR-8. These wells are located at the downgradient property boundary of the Landfill based on historic ground water flow direction;

    Off Site Monitoring Wells: USEPA MW5-03 located southwest approximately 2,500 feet southwest of the Landfill and PPM-1 is located approximately 1,200 feet south of the Landfill at the Pacific Precision Metals facility.

LANDFILL GAS AND LEACHATE MANAGEMENT

25. Landfill gas (LFG) from Zones I and II of the Landfill is collected by a network of LFG collection wells (27 as of the date of this Order) and collection pipelines, and is combusted at an onsite LFG flare station in accordance with the regulations of the Southern California Air Quality Management District.

    Pursuant to section 13304 of the CWC, the Executive Officer issued CAO No. 95-022 in 1995. To meet the requirements of CAO No. 95-022, the LFG system and the LCRS were expanded in 1995 as a part of the EMP. The Facility's condensate management system (CMS) conducts onsite treatment of the leachate and the condensate removed from the LFG system, which is then discharged to the County Sanitation District of Los Angeles County, under permit No. 12110r-1. The CMS is in compliance with requirements of CAO 95-022. Under the terms of the sale agreement between BFI and WM on June 6. 1997, WM owns all of the assets on the site with the exception of the gas collection system, and the environmental monitoring system, consisting of groundwater monitoring wells (Figure 4) and nested gas probes (Figure 6) which is owned and

[1] ALR-6 is located on the western property boundary and functions primarily as a side gradient well, but can be upgradient or downgradient during certain groundwater flow conditions.

operated by BFI. BFI also remains responsible for closure/post-closure maintenance for Zone I. In addition, two off-site wells (Figure 5) are included in the monitoring well network. WM is the operator of the active inert disposal activities at the Landfill and for the purposes of this Order is the Discharger. Prior to the change of ownership of ALRC, the term 'Discharger' referred to BFI.

CORRECTIVE ACTION PROGRAM (CAP)

26. The Discharger detected volatile organic compounds (VOCs) in groundwater downgradient of the Landfill in samples collected in November 1994. In response to these detections, the Regional Board issued CAO 95-022 on February 28, 1995.

27. CAO 95-022 required that the Discharger prepare an Evaluation Monitoring Program (EMP) and the discharger submitted an EMP work plan on March 24, 1995. This Regional Board approved the EMP work plan on May 3, 1995. Additionally the Regional Board directed the Discharger to conduct a comprehensive six month investigation of the site, its environmental impacts, and potential engineered alternatives (Site Investigation).

28. The results of the Site Investigation were presented in a series of 21 Technical Memoranda that were issued to the Regional Board on September 8, 1995.

29. The Technical Memoranda that determined that certain VOCs were the result of landfill gas (LFG) migrating to groundwater and also made a finding that leachate (landfill liquids) were not leaking from the Landfill. Regional Board staff concurred that additional VOCs identified in the Technical Memoranda were determined to have originated from upgradient industrial sources. The Discharger submitted a completed EMP report on May 15, 1996, based on numerous subsurface investigations completed by the Discharger that delineated the full lateral and vertical extent of the VOC release. As well as the existing site monitoring wells that were installed between 1984 and 1990, the Discharger incorporated additional off site monitoring wells (USEPA MW5-03) and production well (PPM-1) as ground water monitoring points at the Landfill boundary directly in the path of contaminant migration, pursuant to 40 CFR section 258.55(g)(1)(ii).

30. The EMP also focused on the relationship between groundwater pollution from the site and the Baldwin Park Operable Unit (BPOU)(Figure 3). As a result, the landfill was designated as a lesser contributor to the San Gabriel Valley Superfund cleanup area. The U.S. EPA has designated a total of four major and seventeen lesser contributors to the contaminant plume of the BPOU. The Landfill was named as a lesser contributor.

31. Based upon the results of the EMP and Technical Memoranda, the Discharger submitted an ROWD on May 15, 1996, which proposed a CAP that continues source control through enhanced landfill gas control, enhanced LCRS, and allows for natural attenuation to dissipate VOCs in off-site areas. Groundwater and vadose monitoring continues to be used to measure the effectiveness of the CAP.

32. Subsequent investigations by BFI concluded that the VOCs detected in groundwater were the result of LFG impacts to groundwater. The distance between the bottom of the municipal solid waste in Zone 1 (elevation 355 ft MSL) and the ground water has varied considerably since 2000 (from approximately 100 feet to approximately 150-feet) due to ground water recharging in the vicinity of the Santa Fe Flood Control Basin. Currently that separation is approximately 140 feet. The landfill gas system was expanded in 1995

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and impacts from the Landfill VOCs have been substantially reduced. Adjustments to the landfill gas system continue to be made to ensure effective operation.

33. In addition to VOCs in groundwater, water monitoring results indicate that concentrations of TDS, chloride, sulfate, and dissolved manganese are generally higher in downgradient monitoring wells than in upgradient wells for the Landfill. Statistical exceedences of inorganic constituents are routinely observed at the down-gradient monitoring wells.

34. 27 CCR, section 20385 requires that a discharger institute a Corrective Action Program (CAP) when the Regional Board determines that the assessment of the nature and extent of a release and the design of a CAP have been satisfactorily completed.

35. This Order is in conformance with state and federal requirements for a CAP, for known and any future releases, because it implements all applicable 27 CCR CAP requirements and all additional federal requirements under 40 CFR sections 258.56, 258.57 and 258.58, including section 258.58(a)(1)(i-iii), which requires the Discharger to implement an assessment monitoring program (AMP) pursuant to 40 CFR section 258.55 in conjunction with the CAP.

36. Leachate samples from Zone II of the Landfill have been monitored since 1993 for Appendix II constituents (constituents listed in Appendix II to 40 CFR Part 258). A constituent of concern (COC) list (which is broken into its "MPar List" {COCs that are monitored at each MPt well each Reporting Period} and its "UCOC List" {COCs that are scanned at each MPt well every five years}), containing those Appendix II constituents that could be released from the Landfill, has been created on the basis of this leachate sampling. This Order requires the Discharger to continue to monitor leachate from the Landfill. By monitoring leachate annually for detectable non-COC Appendix II constituents, the Discharger will identify, and include as new COCs, all such federal constituents that could be released from the Landfill. This is the manner in which this order meets the requirements of 40 CFR 258.55(b), which allows the Regional Water Board to exclude those Appendix II constituents that are unlikely to be in, or derived from, the waste in the landfill. As a consequence, the Landfill's UCOC List takes the place of Appendix II when doing scans of compliance wells ("UCOC scans"). After considering the factors listed in 40 CFR §258.55(c)(1 – 6), the Regional Water Board establishes the frequency for doing UCOC scans at all of the Landfill's MPt wells as every five years, as allowed by 40 CFR §258.55(c), and invokes 27 CCR §20080(a)(1) to substitute this effective scanning technique for the five-yearly statistical testing that would otherwise apply to UCOCs under 27 CCR §20420(g), §20425(e)(4), and §20430(d). Lastly, in order to avoid a UCOC's becoming an MPar in an instance where the UCOC is present at MPt wells only at typical background concentrations, a constituent is considered "detected," during a UCOC scan under this Order, only if it is present in its initial sample and also in a retest sample in excess of the upper 85th percentile of the constituent's concentration limit (background reference data set).

37. Given that the VOCs in the Appendix I (to 40 CFR part 258) federal Monitoring Parameter list are all Appendix II constituents, the leachate sampling at the site also serves as a basis for narrowing the scope of VOCs which the Discharger must monitor to include only those federal Appendix I constituents that have been detected in leachate, at trace levels or above, and verified by retest. This is the manner in which this Order implements 40 CFR 258.54(a)(1).

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38. Section 22222 of 27 CCR requires WDRs for owner(s) or operator(s) of MSW landfills to contain a provision which requires the discharger to obtain and maintain assurances of financial responsibility for initiating and completing corrective action for all known or reasonably foreseeable releases from the landfill (27 CCR 22220 et seq.). The Discharger has not provided the Regional Board with a corrective action plan and corrective action cost estimate for all known or reasonable foreseeable releases from the Landfill. This Order requires the Discharger to obtain and maintain assurances of financial responsibility for initiating and completing corrective action for all known or reasonably foreseeable releases from the Landfill.

COMPLIANCE

39. On January 16, 2001 the Discharger received and buried five drums of non-asbestos hazardous waste. Of the five drums, three contained rags and sweepings saturated with Acetone, one contained Acetone with Alcohol, and one contained Carboplatin (hospital waste).

    The RWQCB issued a Notice of Violation to the Discharger on March 19, 2002 for accepting the five drums of non-asbestos hazardous waste. It was determined by the Department of Toxic Substances Control that it was in the best interest of all parties to leave the drums in place.

STORMWATER

40. Surface water from the Landfill is collected in a sedimentation basin in the north eastern portion of the property. Additionally, stormwater runoff at the site is sampled during at least two storm events per year under the NPDES General Stormwater Permit. The Discharger is in compliance with its stormwater permit.

CEQA AND ADMINISTRATIVE MATTERS

41. The revision of these WDRs is exempt from the provisions of the California Environmental Quality Act (CEQA), Public Resources Code section 21000 et seq., as the site is an existing facility involving no expansion of use pursuant to title 14, CCR, section 15301.

42. On June 13, 1994, this Regional Board adopted a revised *Water Quality Control Plan for the Coastal Watersheds of Los Angeles and Ventura Counties* (Basin Plan) which has subsequently been amended. The Basin Plan designates the following beneficial uses for groundwater within the San Gabriel Groundwater Basin, including the BPOU: municipal and domestic supply, agricultural supply, industrial process supply, and industrial service supply. The requirements in this Order are in conformance with the goals of the Basin Plan.

43. CWC section 13263, subdivision (e), requires the Regional Board, upon the request of any affected person or upon its own motion, to review and revise WDRs. That subdivision further requires the Regional Board to review WDRs periodically.

The Regional Board has notified the Discharger and interested agencies and persons of its intent to adopt WDRs for this disposal of waste to land and discharge, and has provided interested persons with an opportunity to submit their written views and recommendations.

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The Regional Board, in a public meeting, heard and considered all comments pertaining to the discharge and to the tentative requirements.

Any person aggrieved by this action of the Regional Water Board may petition the State Water Board to review the action in accordance with Water Code section 13320 and California Code of Regulations, title 23, sections 2050 and following. The State Water Board must *receive* the petition by 5:00 p.m., 30 days after the date of this Order, except that if the thirtieth day following the date of this Order falls on a Saturday, Sunday, or state holiday, the petition must be received by the State Water Board by 5:00 p.m. on the next business day. Copies of the law and regulations applicable to filing petitions may be found on the Internet at: *http://www.waterboards.ca.gov/public_notices/petitions/water_quality* or will be provided upon request.

IT IS HEREBY ORDERED, that the Discharger shall comply with the following requirements pertaining to the Landfill:

A. Acceptable Materials

1. Wastes disposed of at this site shall be limited to inert wastes only. Inert waste is defined as that subset of solid waste that does not contain hazardous waste or soluble pollutants at concentrations in excess of applicable water quality objectives, and does not contain significant quantities of decomposable waste (27 CCR, section 20230(a)). The inert wastes include, but are not limited to:

   a. Uncontaminated soil, rock, and gravel;
   b. Broken concrete;
   c. Bricks;
   d. Glass and Ceramics;
   e. Inert plastics;
   f. Broken asphalt paving fragments;
   g. Shredded tires; and
   h. Asbestos or asbestos containing waste (which shall be disposed only to the 22-acre lined portion of the Facility).

   Asbestos is a naturally occurring fibrous mineral used in many applications for its fire resistance, noise insulation and electrical insulation properties. Common uses prior to the mid-1970's included building products such as pipe insulation, acoustical sound-proofing, house insulation, fireproofing, house siding, floor coverings, roofing materials and heating and cooling systems.
   There are two general forms of asbestos: friable and non-friable. Friable asbestos can be crumbled, pulverized or reduced to a powder by hand pressure when dry and is the most dangerous form. Non-friable asbestos cannot easily be pulverized or reduced to a powder. Resilient floor tile, roof felts, asphalt tiles, asphalts, mastics, and transite roofing shingles, siding and piping are considered non-friable forms of asbestos, unless they are or will be damaged during demolition or renovation activities. Nonfriable asbestos that is damaged to the extent that it can be crumbled or reduced to a powder by hand pressure must be handled and packaged like friable asbestos waste.

"Asbestos Containing Waste" or "ACW" means asbestos containing waste managed at a landfill as authorized by section 25143.7 of the California Health and Safety Code,

which contains greater than (1%) friable asbestos by weight. Section 25143.7 states that "waste containing asbestos may be disposed of at any landfill which has waste discharge requirements issued by the regional water quality control board which allow the disposal of such waste, provided that the wastes are handled and disposed of in accordance with the Toxic Substances Control Act (P.L. 94-469) and all applicable laws and regulations."

Asbestos containing waste does not include waste contaminated with another hazardous waste as identified in title 22, California Code of Regulations, chapter 11, division 4.5.

2. The Discharger shall remove and relocate to a legal point of disposal any wastes that are discharged in violation of the requirements of this Order. For the purpose of these requirements, a legal point of disposal is defined as one for which WDRs have been established by a California regional water quality control board, and is in full compliance therewith. In the event that the Discharger opts for a legal point of disposal outside the State of California, the legal point of disposal means a facility that is lawfully permitted under applicable state and federal laws to receive the type of waste improperly disposed of at the site.

3. The Discharger shall continue implementing the SWPPP and Storm Water Monitoring Program as required by the General NPDES Storm Water Permit at the site, including all good housekeeping and other best management practices (BMPs) and monitoring for pollutants exposed to stormwater.

B. Unacceptable Materials

1. No hazardous wastes (as defined in 22 CCR section 66261.3 et seq.), designated wastes (as defined in CWC section 13173), special wastes (27 CCR section 20164, as categorized in 22 CCR sections 66261.120, 66261.122, 66261.124), or non-hazardous solid wastes (decomposable organic refuse such as, but not necessarily limited to, ordinary household and commercial refuse, tin cans, metals, paper and paper products, plasterboard, cloth and clothing, wood and wood products, lawn clippings, sod, shrubbery, hair, hide, bones, dead animals, roofing paper, tar paper, unquenched ashes mixed with refuse, market refuse, garbage, etc.) shall be disposed of at the Landfill.

2. No semi-solid wastes shall be disposed of at the Landfill. Semi-solid waste means waste containing less than 50 percent solids, as described in section 20200 of 27 CCR.

3. No materials of a toxic nature, such as insecticides, poisons, shall be disposed of deposited at the Landfill.

4. No radioactive waste, including low level radioactive waste, as defined by the agency with jurisdictional authority, shall be disposed of at the Landfill.

5. No infectious materials or hospital or laboratory wastes, except those authorized for disposal to land by official agencies charged with control of plant, animal and human disease, shall be disposed of at the Landfill.

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C. Prohibitions

1. Discharges of waste to land that have not been specifically authorized by the Regional Board are prohibited.

2. The discharge of waste shall not:

   a. cause the occurrence of coliform or pathogenic organisms in a groundwater basin;

   b. cause the occurrence of objectionable tastes or odors in a groundwater basin;

   c. cause waters pumped from a groundwater basin to foam;

   d. cause the presence of toxic materials in a groundwater basin;

   e. cause the pH of waters to fall below 6.0, or rise above 9.0;

   f. cause the Regional Board's objectives for groundwaters or surface waters as established in the Basin Plan to be exceeded; nor

   g. cause pollution, contamination, or nuisance, as defined in CWC section□13050, or adversely affect beneficial uses of groundwaters or surface waters as established in the Basin Plan.

3. Odors, vectors, and other nuisances of waste origin beyond the limits of the Landfill are prohibited.

4. The discharge of waste to surface drainage courses or to usable groundwater is prohibited.

5. The Discharger shall conduct site operations such that there is no release from the Landfill that causes any Basin Plan objective to be exceeded at any location under, or in the vicinity of, the Landfill. Moreover, no COC shall exhibit a measurably significant increase over its respective Concentration Limit (background data set) at any well, as indicated by an approved statistical or nonstatistical data analysis method (including that method's retesting approach).

6. If the Discharger identifies any water quality related federal, state, or county sanitary health code, rule, regulation, or ordinance that should apply to any aspect of this landfill's operation, maintenance, or monitoring, but that missing from this Order, the Discharger shall notify the Regional Water Board of the missing requirement within five working days.

D. Requirements for Disposal Site Operations

1. The Discharger shall maintain an operating record for the Landfill in accordance with 40 CFR 258.29(a). All records of site operations, landfill construction, inspection, monitoring, remediation, and copies of design plans, construction

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quality assurance documents, monitoring reports, and technical reports that are submitted to regulatory agencies, shall be included in the operating record.

2. Drainage controls, structures, and facilities shall be designed to divert any precipitation or tributary runoff and prevent ponding and percolation of water at the Landfill in compliance with sections 20365 and 21090(b)(1) of 27 CCR. When necessary, temporary structures shall be installed as needed to comply with this requirement.

3. The Landfill shall be graded and maintained to promote runoff of precipitation and to prevent ponding of liquids and surface water. Erosion or washout of waste or cover materials by surface flow shall be controlled to prevent waste exposure and off-site migration of any waste components or constituents.

4. Wastes deposited at the Landfill shall be confined thereto, and shall not be permitted to blow, fall, or otherwise migrate off-site, or to enter off-site water drainage facilities or watercourses.

5. The Discharger shall continue to implement the current waste load checking program at the Landfill to prevent the disposal of hazardous wastes, designated wastes, MSW, or other unacceptable wastes. The Discharger shall also submit and updated version of the waste load checking pursuant to General Provision K.4.

6. Asphalt, tires, and asbestos containing waste shall not be discharged on any ground surface that is less than five feet above the highest anticipated groundwater level.

7. The Discharger shall comply with notification procedures contained in section 13271 of the CWC with regard to the discharge of hazardous wastes. The Discharger shall remove and relocate to a legal point of disposal, any wastes that are discharged at the Landfill in violation of these requirements. For the purpose of these requirements a legal point of disposal is defined as one for which WDRs have been established by a California regional water quality control board and is in full compliance therewith. The source and final disposition (and location) of such wastes, as well as methods undertaken to prevent future recurrence of such disposal shall be reported in monitoring reports submitted under M&RP No. CI-2567.

8. All asbestos containing wastes shall be handled and covered in accordance with the Toxic Substances Control Act (P.L. 94-469) and all applicable laws and regulations.

9. The migration of gases from the Landfill shall be controlled to prevent water pollution, nuisance, or health hazards. The discharge of wastes or waste by-products (i.e., leachate or gas condensate) to off-site surface drainage courses or to groundwater is prohibited.

10. Any proposed modifications or expansions to the gas monitoring and collection system at the Landfill shall be designed to allow the collection, testing and treatment, or disposal by approved methods, of all gas condensate produced at the Landfill.

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11. The Discharger shall develop/maintain permanent survey monuments at the Landfill throughout the development, closure and postclosure maintenance periods. Benchmarks shall be established and maintained in sufficient numbers to enable reference to key elevations and to permit control of critical grading and compaction operations.

12. The Discharger shall, at all times, properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used to achieve compliance with conditions of this Order. Proper operation and maintenance includes effective performance, and adequate laboratory and process controls including appropriate quality assurance procedures.

13. In any area within Zone 1 or Zone 2 of the Landfill where a natural spring or seep or subsurface soil mottling is observed, provisions shall be made and/or facilities shall be provided to ensure that this water will not come in contact with decomposable refuse. The locations of all springs and seeps and areas exhibiting mottled subsurface soil conditions found prior to, during, or after placement of waste material that could affect the Landfill shall be reported to the Regional Board immediately, by e-mail, and as a part of the next scheduled monitoring report that is included in the report's synopsis section.

14. No wastewater or storm water shall leave the Landfill except as permitted by an NPDES permit issued in accordance with the federal Clean Water Act (CWA) and the CWC. The Discharger shall maintain and modify, as necessary, a storm water pollution prevention plan developed for the Landfill subject to approval by the Executive Officer.

15. Wastewater produced at the Landfill shall not be subject to these WDRs, pursuant to Provision No. D.14 above, if it meets applicable requirements of the CWC, CCR, and HSC for recycled water. In order for wastewater to not be subject to WDRs it shall comply with regulatory criteria promulgated by the DHS, currently set forth in title 22, division 4, section 60301 et seq., CCR, which includes specified approved uses of recycled water, numerical limitations and requirements, treatment method requirements and performance standards to be considered equivalent to recycled water. Because the DHS is statutorily required (CWC section 13521) to establish uniform statewide reclamation criteria for the various uses of recycled water to assure protection of public health where recycled water use is involved, pursuant to CWC section 13523, the Regional Board has consulted with and considered recommendations of the DHS in issuing waste discharge/water recycling requirements. The Discharger shall demonstrate to the Executive Officer compliance with this provision before each Landfill wastewater source is used as an equivalent recycled water as defined above.

16. Any abandoned wells or bore holes under the control of the Discharger, and situated within the Landfill boundaries, must be located and properly modified or sealed to prevent mixing of any waters between adjacent water-bearing zones. A notice of intent to decommission a well must be filed with the appropriate regulatory agencies prior to decommissioning. Procedures used to decommission these wells, or to modify wells still in use, must conform to the specifications of the local health department or other appropriate agencies. If such abandoned wells or bore holes are encountered during construction activities, the Discharger must notify the designated Regional Board staff contact verbally with 24 hours and in writing within

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seven days. Such abandoned wells or bore holes must be properly decommissioned before all affected construction activities can proceed.

17. The Discharger shall report any incident resulting from operations at the Landfill that are in violation of this Order. Any such information shall be provided verbally to the Regional Board within 24 hours from the time the Discharger becomes aware of the circumstances. A written submission shall be provided within seven days of the time that the Discharger becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and times, and, if the noncompliance has not been corrected, the anticipated time it is expected to continue, and steps taken or planned to reduce, eliminate, or prevent recurrence of the noncompliance. The delegated Regional Board staff may waive the written report on a case-by-case basis if the oral report has been received within 24 hours.

18. Where the Discharger becomes aware that the Discharger failed to submit any relevant facts in any report to the Regional Board, it shall submit such facts or information within seven days of its discovery of the omission.

E. Water Quality Protection Standard (WQPS) — The Landfill has no surface water body nearby that could be affected by a release from them, and the unsaturated zone monitoring for the facility is an extension of the CIWMB's landfill-perimeter methane detection monitoring, rather than unsaturated zone monitoring under 27 CCR §20415(c). Therefore, the scope of the Landfills WQPS is limited to groundwater in the uppermost aquifer, because that is the only monitored medium for the landfill.

1. **WQPS —** In accordance with 27 CCR, section 20390, the water quality protection standard (WQPS) for the Landfill, because this landfill is also subject to the federal MSW regulations [40CFR258], consists of:

   a. **Constituents of Concern (COC)** — At any given time the COCs consist of every constituent in Appendix II to 40 CFR 258 that have been detected, to date, at or above its respective PQL concentration in any annual landfill leachate scan and also in its pass-1-of-2 follow-up retest sample (under the leachate scan program established in the M&RP), plus all nonhazardous constituents that the Regional Water Board has named as being subject to monitoring, plus all additional nonhazardous constituents that the Regional Water Board has made subject to cleanup because of known or foreseeable release to groundwater. At any given time, the COCs will be on one of two following mutually exclusive lists:

      i. **MPar List** — The monitoring parameter list ("MPar List") includes all VOCs that are, or that become (via the annual leachate scan work required by the M&RP), COCs for the landfill, plus all nonhazardous constituents that the Regional Water Board has adopted as surrogates for the 15 Appendix I (to 40 CFR 258) metals that would otherwise have to be MPars, plus all COCs that have been moved from the landfill's UCOC List to its MPar List as a result of their having shown up as a release constituent, prior to the 2009 revision of this Order or, thereafter, that have exceeded their respective 85^{th}-percentile-of-their-background-data-set concentration at any MPt well during both the initial sample of a UCOC scan and in the single retest sample (pass-1-of-2 approach) taken three months thereafter at that

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exceeding well. The MPar List shall be developed based on the findings of the Report referenced in K.5 of this Order, but shall be superseded by any expanded-scope MPar List included, pursuant to the M&RP, in the landfill's annual monitoring report; or

ii. **UCOC List** — The uninvolved COC list ("UCOC List") includes all those constituents that have become COCs but that are not on the landfill's MPar List. The UCOC List, shall be superseded by any revised MPar List (that adds new COCs or that is missing those former UCOCs that have moved to the landfill's MPar List) that is included, pursuant to the M&RP, in the landfill's annual monitoring report; however,

iii. **New COCs or MPt Wells** — Any time the Regional Water Board Executive Officer or the annual leachate scanning process (required by the M&RP) identifies a new COC, the Discharger shall collect data (as needed) and shall propose that new COC's concentration limit at each MPt well. Likewise, every time a new MPt well is added, the Discharger shall collect data, if need be, and shall propose a concentration limit for each COC at that new MPt well. Any time such a new concentration limit is required for a well/COC pair, unless there are at least ten data points for it from the most appropriate background well, the Discharger shall collect samples (analyzed for that new COC {or existing COC at the new well}) quarterly from the appropriate background well until there are at least ten background data points (from that background well for that constituent) and shall then propose that data set as the well/COC pair's concentration limit, as part of the monitoring report for that Reporting Period and noted in that report's synopsis. Only after the concentration limit is approved shall the well/COC pair begin functioning. Thus, for a new COC, after its concentration limit at each MPt well has been approved, it goes onto the landfill's MPar List only if it is a VOC, with all other constituents going onto the landfill's UCOC List. For a new MPt well, following the approval of a constituent's concentration limit at that well, the new well/COC pair is subjected to monitoring in detection mode beginning with the next Reporting Period thereafter if the constituent is on the landfill's MPar List or, if on the UCOC List, it becomes subject to all subsequent UCOC scans;

b. **Concentration Limits** — The applicable concentration limit (background reference data set), monitoring mode (for MPars), and 85th percentile concentration (for UCOCs), for each well/COC pair at the Landfill, as of the date of implementation of the revised M&RP, as developed based on the Report referenced in K.5 of this Order. Subsequent to the adoption of this Order, the revised (then-current) listing shall be included in each annual monitoring report. Each such respective listing shall include all new background data points and new well/COC pairs since the prior year's revised listing and, once published, supersedes that prior listing. New well/COC pairs (i.e., from Appendix II constituents newly-indentified in an annual leachate scan) and for which the Discharger has not yet collected at least ten background data points (by quarterly sampling of the background well) shall be listed first, under the heading "**New COCs**," followed by a heading "**Existing COCs**," with each well's existing well/MPar pair data listings followed by that well's Well/UCOC pair data listings pursuant to the M&RP

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c. **Monitoring Points (MPts)** — The groundwater MPts include wells ALR-1R, ALR-2R, and ALR-8, and, at times, ALR-6, whereas its background MPts include wells ALR-3, ALR-9, ALR-11, and, at times, ALR-6. Any time the Regional Water Board Executive Officer approves an updated MPt list in, or attached to, the M&RP, that contains new or replacement compliance or background wells, the revised list supersedes this listing; and

d. **Point of Compliance (POC)** — The Landfills' POC consists of the curved line along the landfills' downgradient boundary, as depicted in Figure T-1 of the M&RP.

F. Requirements for Corrective Action Program (CAP)

1. All contaminated water shall be treated as necessary at the onsite leachate treatment plant and either beneficially re-used at the Facility or properly discharged to the sanitary sewer system. The on-site use of contaminated water shall meet all the requirements in Section I of this Order.

2. The Discharger shall take sufficient measures to prevent landfill gas from contaminating groundwater at the site, including installation of additional gas extraction wells as needed.

3. In each quarterly report submitted under M&RP No. CI-2567, the Discharger shall summarize all corrective actions taken at the Landfill during the reporting period, progress made on eliminating the impact of the Landfill on groundwater, and the corrective actions that will be taken for the following monitoring periods. The Executive Officer may require additional corrective actions that are deemed necessary. The report shall include monthly groundwater contour maps, including flow nets to identify potential flow paths of contamination.

G. Requirements for Groundwater Monitoring

1. The Discharger shall implement the attached M&RP No. CI-2567, and revisions thereto, which is incorporated herein by reference, in order to detect, at the earliest opportunity, any unauthorized discharge of waste constituents from the Landfill or any unreasonable impairment of beneficial uses associated with (or caused by) discharge of wastes from the Landfill and to continue the CAP for areas of the Landfill where releases to groundwater have occurred. M&RP No. CI-2567 is designed to satisfy both federal and state regulatory monitoring requirements.

2. At any time, the Discharger may file a written request, including appropriate supporting documents, with the Executive Officer, proposing modifications to M&RP No. CI-2567. The Discharger shall implement any changes in the revised M&RP approved by the Executive Officer upon receipt of a signed copy of the revised M&RP.

3. Unless otherwise approved by the Executive Officer, all analyses shall be conducted at a laboratory certified by the State Department of Health Services. All analyses shall be conducted in accordance with the latest edition of "*Test Methods for Evaluating Physical/Chemical Methods*" (SW-846) promulgated by the United States Environmental Protection Agency.

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4. The Discharger shall furnish, under penalty of perjury, technical or monitoring program reports in accordance with CWC section 13267. Failure or refusal to furnish these reports or falsifying any information provided therein renders the Discharger guilty of a misdemeanor and subject to the penalties stated in CWC section 13268. Monitoring reports shall be submitted in accordance with the specifications contained in M&RP No. CI-2567, which is subject to periodic revisions as warranted and approved by the Executive Officer. Additionally, monitoring reports shall be prepared and signed by a registered civil engineer or registered geologist.

   The effectiveness of all monitoring wells, monitoring devices, and leachate and gas collection systems at the Facility shall be maintained at all times, including the postclosure maintenance period, in accordance with acceptable industry standards. The Discharger shall maintain a monitoring well preventative maintenance program (MWPMP) approved by the Executive Officer for the Landfill. Elements of the program shall include, at a minimum, periodic visual inspections of well integrity, pump removal and inspection, and appropriate inspection frequencies. If a well or piezometer is found to be inoperative, the Regional Board and other interested agencies shall be so informed in writing within seven days after such discovery, and this notification shall contain a time schedule for returning the well or piezometer to operating order. Changes to the existing program shall be submitted for Executive Officer approval at least 30 days prior to implementing the change(s).

5. The Discharger shall provide for proper handling and disposal of water purged from monitoring wells at the Landfill during sampling. Water purged from a monitoring well shall not be returned to that well (or any other monitoring well).

6. For any monitoring wells installed at the Landfill in the future, the Discharger shall submit technical reports for approval by the Executive Officer prior to installation. These technical reports shall be submitted at least 60 days prior to the anticipated date of installation of the wells. These reports shall be accompanied by:

   a. Maps and cross sections showing the locations of the monitoring points; and

   b. Drawings and data showing construction details of the monitoring points. These data shall include:

      i. casing and test hole diameter;
      ii. casing materials;
      iii. depth of each hole;
      iv. the means by which the size, depth range, and position of perforations shall be determined, or verified, if in the field;
      v. method of joining sections of casing;
      vi. nature of filter materials;
      vii. depth and composition of soils; and
      viii. method and length of time of well development.

7. Compliance monitoring wells at the Landfill are specified in M&RP No. CI-2567. All monitoring wells shall be monitored pursuant to this Order and as directed by the Executive Officer through future revisions of M&RP No. 2567.

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8. The Discharger shall install any additional groundwater, soil pore liquid, soil pore gas, or leachate monitoring devices necessary to comply with M&RP No. CI-2567 as adopted or as revised by the Executive Officer.

9. If the Discharger or Executive Officer determines that the CAP either fails to contain the release or fails to provide effective remediation for those portions of the aquifer already affected by the release, pursuant to 27 CCR, paragraphs 20430(i) or (j) respectively, the Discharger shall, within 90 days of making the determination, submit an amended ROWD to make appropriate changes to the CAP.

H. Provisions for Onsite Use of Waste Water

1. Any waste water used at the Landfill, except for potable water, recycled water, and any other water allowed by the Executive Officer, shall be subject to these WDRs.

2. No leachate or gas condensate shall be used at the Landfill for dust control and irrigation purposes unless they meet the conditions in Paragraph 8 of this Section.

3. No waste water shall be routinely applied to the Landfill except for landscape irrigation and dust control water. Water used for these purposes shall only be applied by spraying, and in quantities not to exceed what is necessary to support plant life, or to control wind borne dust particulates. Significant overflow or runoff caused by irrigation or dust control water are prohibited.

4. During periods of precipitation, when the use of water for irrigation or dust control is not necessary for the purpose specified in this Order, all non-storm water collected at the site shall be stored or disposed at a legal point of disposal.

5. Wastewater used at the Landfill shall not percolate into the disposal areas or native soil, or enter the storm water collection system, unless specifically permitted by WDRs.

6. All uses of water shall be within the boundaries of the Landfill property. During an emergency, this water may be used for fire fighting on the Landfill or on undeveloped areas off and adjacent to the Landfill.

7. Water used on-site for dust control or irrigation, except for potable water uses, shall at all times be within the range of 6.0 to 9.0 pH units.

8. Any water used on-site for irrigation or dust control shall not exceed the maximum contaminant levels contained in section 64435 of title 22, California Code of Regulations for heavy metals, nitrates and organic chemicals, and in section 64473 for copper and zinc. Radioactivity shall not exceed the limits specified in sections 64441 and 64443 of title 22 (or subsequent revisions).

I. Provisions for Management of Leachate and Gas Condensate

1. The Discharger shall intercept and remove any liquid detected in the leachate collection and removal system and the gas monitoring and collection system. Leachate and gas condensate (landfill liquids) shall be managed in one or more of the following ways: (a) by removal from the site to a legal point of disposal or (b) by

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treatment in the existing wastewater treatment facility and used on-site in accordance with Section H above..

2. The Discharger shall monitor the quality of leachate and gas condensate as required in M&RP No. CI-2567. Any leachate determined to be hazardous shall be transported by a licensed hazardous waste hauler to an approved treatment or disposal facility.

J. Provisions for Drainage and Erosion Control

1. Waste management units shall be designed, constructed, and maintained to prevent, to the greatest extent possible, ponding, infiltration, inundation, erosion, slope failure, and washout which could occur as a result of precipitation from a 100-year, 24-hour frequency storm. This shall be accomplished by, at a minimum, the following:

   a. Top deck surfaces shall be constructed to achieve a minimum of three percent (3%) slope, including structures which direct water to downdrains;

   b. Downdrains and other necessary drainage structures must be constructed for all sideslopes as necessary; and

   c. All components of the facility drainage system must be designed and constructed to withstand site-specific maximum intensity precipitation (peak flow) from a 100-year, 24-hour storm.

2. Leachate and landfill gas condensate containment system structures shall be protected and maintained continuously to ensure their effectiveness and to prevent commingling of leachate and gas condensate with surface run-on and runoff.

3. All containment structures and erosion and drainage control systems for Zone 1 and Zone 2 at the Landfill shall be designed and constructed under direct supervision of a California-registered civil engineer or certified engineering geologist, and shall be certified by the individual as meeting the applicable prescriptive and performance standards of 27 CCR (or, for an engineered alternative design under 20080 (b and c) meeting its applicable performance standards therein).

4. The Discharger shall design, construct, and maintain:

   a. A run-on drainage control system to prevent flow from off-site sources onto the disposal areas for Zone 1 and Zone 2 of the Landfill, and to collect and divert both the calculated volume of precipitation and the peak flow from off-site sources that result from a 100-year, 24-hour storm;

   b. A runoff drainage control system to minimize sheet flow from the disposal areas, and to collect and divert both the calculated volume of precipitation and the peak flow from on-site surface runoff that results from a 100-year, 24-hour storm; and

   c. Drainage control structures to divert natural seepage from native ground and to prevent such seepage from entering Zone 2.

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5. All drainage structures shall be protected and maintained continually to ensure their effectiveness.

6. Annually, by October 1st, all drainage control system construction and maintenance activities for Zone 1 and Zone 2 shall be completed. The annual summary report required under M&RP No. CI-2567 shall include a drainage control system maintenance report that includes, but not be limited to, the following information:

   a. For the previous 12 months, a summary of the adequacy and effectiveness of the drainage control system to collect and divert the calculated volume of precipitation and peak flows resulting from a 100-year, 24-hour storm;

   b. A tabular summary of both new and existing drainage control structures, including the types and completion dates of maintenance activities performed for each of these structures; and

   c. An 11"x17" or larger site map, prepared by either aerial surveillance or a professional civil engineer, indicating the locations of the elements listed in Item b. above, and the flow direction of all site drainage. The map shall be updated at least annually.

7. Periodic inspection of the waste management units, the drainage control system, and all containment structures shall be performed to assess the conditions of these facilities and to initiate corrective actions necessary to maintain compliance with this Order.

K. General Provisions

1. The Discharger shall maintain copies of this Order at the site so as to be available at all times to personnel operating the site.

2. This Order does not authorize violation of any federal, state, or local laws or regulations

3. Any time the Discharger becomes aware of a requirement in 27 CCR, or 40 CFR part 258, that should be addressed in this Order, the Discharger shall so notify the Regional Board within seven days.

4. Within 60 days of the adoption of this Order, the Discharger shall submit an updated waste load checking program to the Regional Board to be approved by the Executive Officer. The revised program shall, in addition to hazardous waste exclusion and storage, describe methods for the recognition, diversion, storage, and eventual discharge (to a suitable landfill) of any MSW as well any nonhazardous waste that is not specifically named in this Order as being allowed for discharge to the Facility landfills.

5. Within 120 days of the adoption of this Order, the Discharger shall submit a technical report (Report) to the Regional Board, to be approved by the Executive Officer, that addresses the following:

a. Leachate Release Evaluation - a review of groundwater analytical trends at the Landfill from 1996 to the present to determine whether or not the landfill may be leaking leachate based on analysis of landfill leachate from Zones I and II and increases of leachate indicator parameters detected in downgradient monitoring wells. Conclusions of the report shall discuss whether modifications to the CAP may be necessary as a result of the findings;

b. Groundwater Flow Regime – analyses and quantitation of boundaries that influence the following concerning groundwater monitoring, quality and movement:

   i. onsite pumping well (ALR-4);

   ii. on-site de-silting basins used for discharge of wash water from gravel mining operations;

   iii. Santa Fe Dam spreading grounds to the west; and the Valley County Water District (EPA pumping wells SA1-1, SA1-2, and Lante) to the south west and any other potential operation that could affect the effectiveness of the groundwater monitoring system of the Landfill;

   iv. The report shall include contour maps, including flow nets and well construction logs for all monitoring and pumping wells, showing impacts over time from groundwater pumping and spreading on the groundwater monitoring system for the Landfill.

In addition, the report shall propose wells within a one-mile radius of the Landfill, to be included in the M&RP for monitoring purposes that will show the effects of groundwater pumping, including pumping rates and pumping schedules of the EPA pumping wells and on-site well ALR-4.

6. The Discharger shall file with this Regional Board a report of any material change or proposed change in the character, location, boundaries or quantity of this waste discharge at least 120 days prior to the date of such proposed change.

7. Within 30 days of any change in name of operator or in control or ownership of land or waste disposal facilities owned or controlled by the Discharger, the Discharger shall:

   a. Notify this Regional Board in writing of such a change; and

   b. Notify the succeeding owner or operator by letter, a copy of which shall be filed with this Regional Board, of the existence of this Order.

8. Ninety (90) days prior to cessation of disposal operations at this site, the Discharger shall submit a technical report to the Regional Board describing the methods and controls to be used to assure protection of the quality of groundwater both during final operations and under any proposed subsequent use of the land. Such methods and controls shall comply with the foregoing technical report and the WDRs. The report shall be prepared under the direct supervision of a California registered geologist or engineer, or a California-certified engineering geologist.

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9. The Discharger has a continuing responsibility for correcting any problems which may arise in the future as a result of waste discharged at the Landfill, and from gases and leachate that may be caused by infiltration or precipitation of drainage waters into the waste disposal units, or by infiltration of water applied to this property during subsequent use of the land or other purposes.

10. The requirements adopted herein neither authorize the commission of any act causing injury to the property of another, nor protect the Discharger from liabilities under federal, state, or local laws.

11. This Order does not convey any property rights of any sort, or any exclusive privilege.

12. The Discharger shall allow the Regional Board, or an authorized representative, upon presentation of credentials and other documents as may be required by law, to:

    a. Enter upon the Discharger's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this Order;
    b. Have access to and copy, at reasonable times, any records that shall be kept under the conditions of this Order;
    c. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this Order; and
    d. Sample or monitor at reasonable times, for the purpose of assuring compliance with this Order or as otherwise authorized by the CWC, any substances or parameters at this location.

13. The Discharger shall within 48 hours of a significant earthquake event, provide an initial verbal assessment to the Regional Board of any earthquake damage at the Landfill. A detailed post-earthquake report describing any physical damages to the containment features, groundwater monitoring and/or leachate control facilities and a corrective action plan to be implemented at the Landfill shall be submitted to the Regional Board with thirty days of the earthquake event. A significant earthquake is herein defined as an earthquake event above Richter Magnitude 5.0 within a 100 kilometer radius of the property boundaries of the Landfill site, or as measured as a VI on the Modified Mercalli Scale.

14. The Discharger shall immediately notify the Regional 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.

15. The Discharger shall submit to the Regional Board and to the Waste Board evidence of financial assurance for postclosure maintenance, pursuant to 27 CCR, division 2, chapter 6. The postclosure period shall be at least 30 years. However, the postclosure maintenance period shall extend as long as wastes pose a threat to water quality.

16. Section 22222 of 27 CCR requires WDRs for owner(s) or operator(s) of MSW landfills to contain a provision which requires the discharger to obtain and maintain

assurances of financial responsibility for initiating and completing corrective action for all known or reasonably foreseeable releases from the landfill (27 CCR 22220 et seq.). The Discharger has not provided the Regional Board with a corrective action plan and corrective action cost estimate for all known or reasonable foreseeable releases from the Landfill. Within 90 days of the adoption of this Order, the Discharger shall submit an assurance of financial responsibility for all known or reasonably foreseeable releases from the Landfill incorporating requirements of 27 CCR 22220 et seq. Once the corrective action cost estimate is reviewed and approved by the Regional Board Executive Officer, the Discharger shall work with Waste Board staff to provide acceptable financial assurance mechanisms for corrective action.

17. The Discharger shall comply with all conditions of this Order and any additional conditions prescribed by the Regional Board in addenda thereto. Noncompliance with this Order constitutes a violation of the CWC and is grounds for:

    a. enforcement action;

    b. termination, revocation and reissuance, or modification of this Order; or

    c. denial of a ROWD in application for new or revised WDRs.

18. The Discharger shall take all reasonable steps to minimize or correct any adverse impact on the environment resulting from noncompliance with this Order, including such accelerated or additional monitoring as may be necessary to determine the nature and impact of the noncompliance.

19. This Order is not transferable to any person except after notice to the Executive Officer. The Regional Board may require modification or revocation and reissuance of this Order to change the name of the Discharger and incorporate such other requirements as may be necessary under the CWC.

20. These requirements do not exempt the Discharger from compliance with any other current or future law that may be applicable. They do not legalize this waste management facility, and they leave unaffected any further restraints on the disposal of wastes at this waste management facility that may be contained in other laws, ordinances, regulations or statutes.

21. In accordance with CWC section 13263(g), these requirements shall not create a vested right to continue to discharge and are subject to being superseded or modified. All discharges of waste into the waters of the State are privileges, not rights.

22. The Discharger is the responsible party for these WDRs, including any M&RP or other body of requirements incorporated by reference therein. The Discharger shall comply with all conditions of this Order and any additional conditions prescribed by the Regional Board in addenda thereto. Noncompliance with this Order constitutes a violation of the CWC and is grounds for:

    a. enforcement action;

    b. termination, revocation and re-issuance, or modification of this Order;

c. denial of a ROWD in application for new or revised WDRs; or

d. any combination of the foregoing.

23. Failure to comply with the terms and conditions of this Order may result in imposition of civil liability against the Discharger by this Regional Board, either by the Board or judicially by the Superior Court, in accordance with CWC section 13350 et. seq. and/or referral to the Attorney General of the State of California for such legal action as may be deemed appropriate.

24. This Order includes the attached *"Standard Provisions Applicable to Waste Discharge Requirements"*, adopted November 7, 1990 (Attachment W) which is incorporated herein by reference. Because requirements applying a federal assessment monitoring program and a federal corrective action program are incorporated into this Order, the Landfill is no longer subject to Regional Board Order No. 93-062 requirements except for those requirements specific to the Landfill. 24. In accordance with CWC section 13263, these requirements are subject to periodic review and revision by this Regional Board.

25. This Order may be terminated or modified for cause, including, but not limited to:

a. Violation of any term or condition contained in this Order;

b. Obtaining this Order by misrepresentation, or failure to disclose all relevant facts;

c. A change in any condition that required either a temporary or permanent reduction or elimination of the authorized waste discharge.

26. The filing of a request by the Discharger for the modification, revocation and re-issuance, or termination of this Order or notification of planned changes or anticipated noncompliance does not stay any condition, provision, or requirements of this Order.

27. This Order in no way limits the authority of the Regional Board, as delineated in the CWC, to require additional investigations and cleanups pertinent to this Landfill. This Order may be revised by the Executive Officer as additional information from the project becomes available.

28. The provisions of this Order are severable, and if any provision of this Order, or the application of any provision of this Order to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this Order, shall not be affected thereby.

29. This Order becomes effective on the date of adoption by this Regional Board. The M&RP No. CI-2567 shall be given a grace period of two quarters (October 1, 2009 to December 31, 2009 and January 1, 2010 to March 31, 2010) to provide time for the discharger to determine what changes to put into effect following the completion of the Report required by item K.5. of this Order. The Discharger shall implement the corrective action such that it both prevents the geographical extent of the release from exceeding the area it affects as of the adoption date of this Order, and

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such that it results in a progressive lowering of the concentration at each tracking mode well/MPar pair such that it will be able to transition into Phase I proof mode within the foreseeable future, as documented by the annual CAP Status Report required in the M&RP.

Previous Orders

Except for enforcement purposes, Regional Board Resolution No. 60-22, and Order Nos. 86-59, 88-133, and those requirements of Order No. 93-062 specific to the Landfill, are hereby superseded.

I, Tracy J. Egoscue, Executive Officer, do hereby certify that the foregoing is a full, true, and correct copy of an order adopted by the California Regional Water Quality Control Board, Los Angeles Region on September 3, 2009.

_____

Tracy J. Egoscue
Executive Officer

TENTATIVE

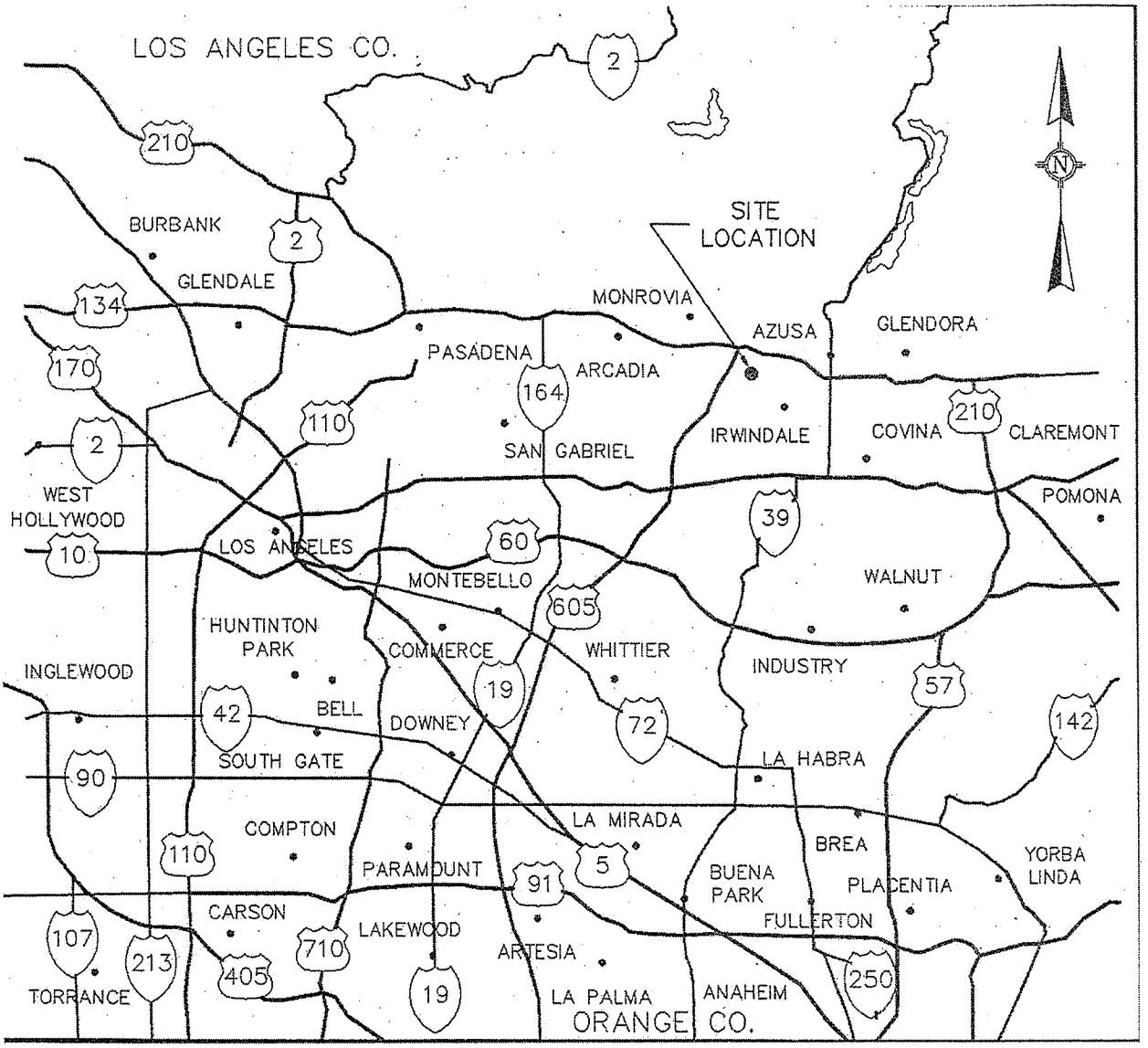

Figure 1. Location Map

TENTATIVE

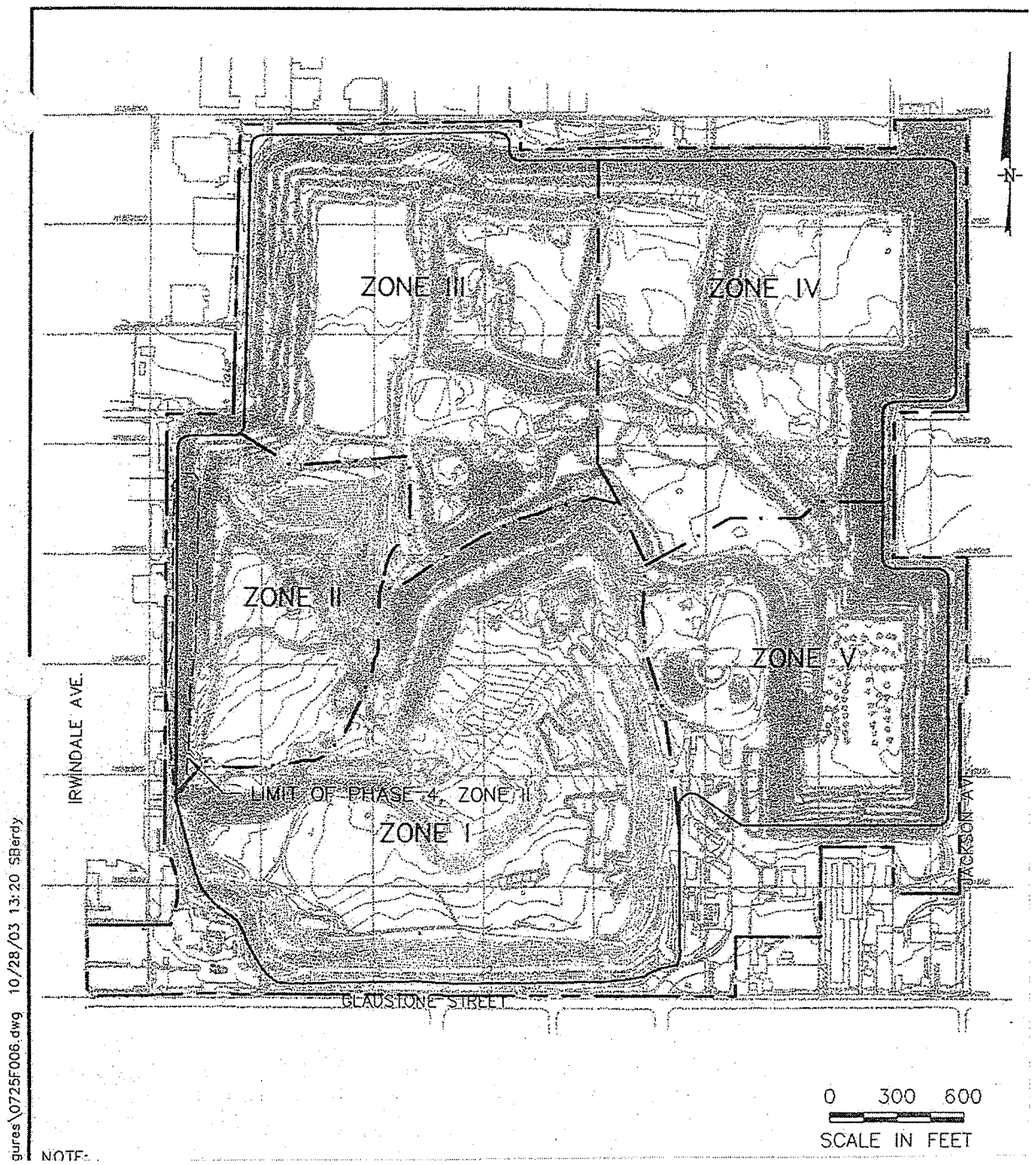

Figure 2. Existing Facilities Showing Zones

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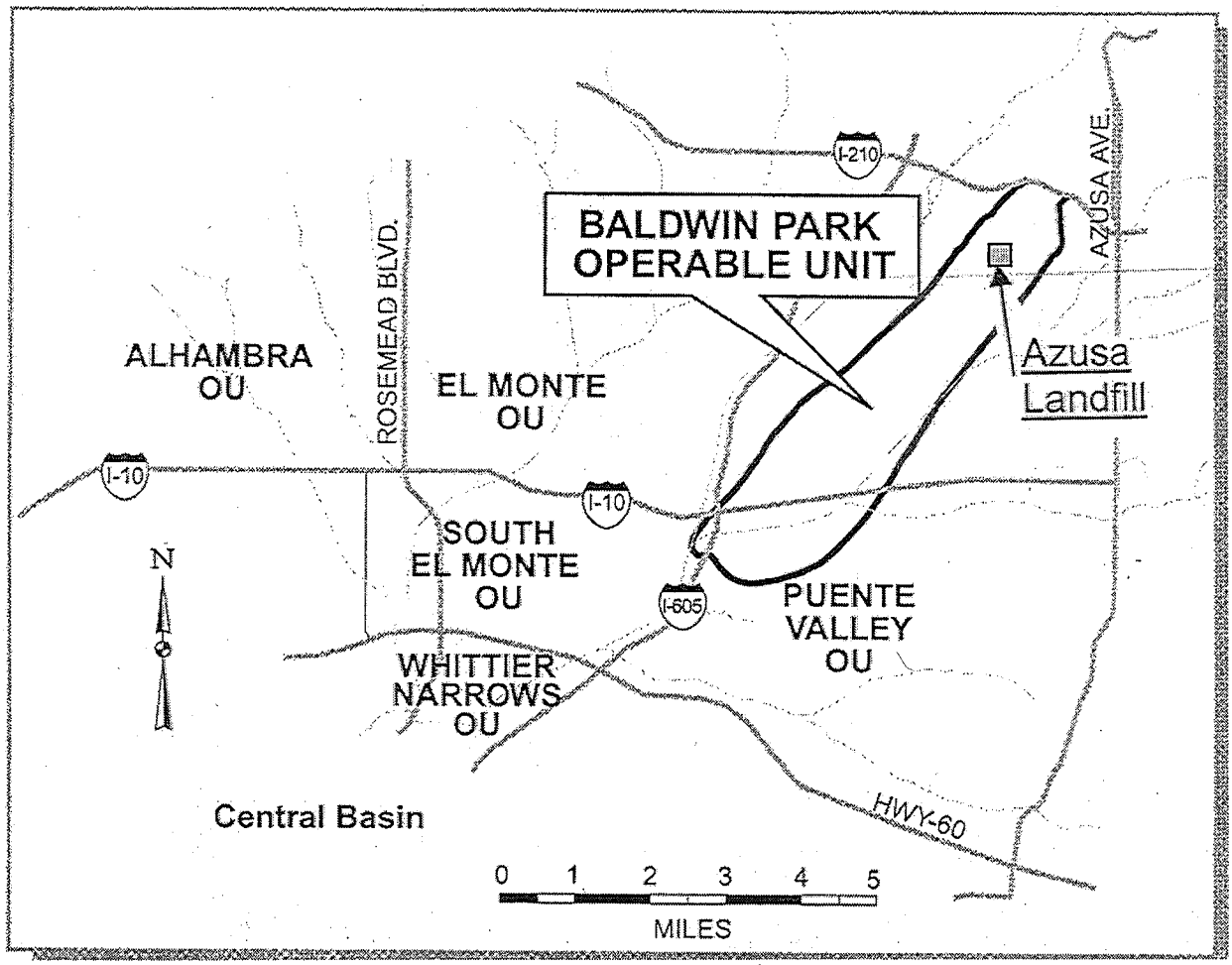

OU = Operable Unit
Azusa Landfill = Azusa Land Reclamation Landfill

Figure 3. Baldwin Park Operable Unit

TENTATIVE

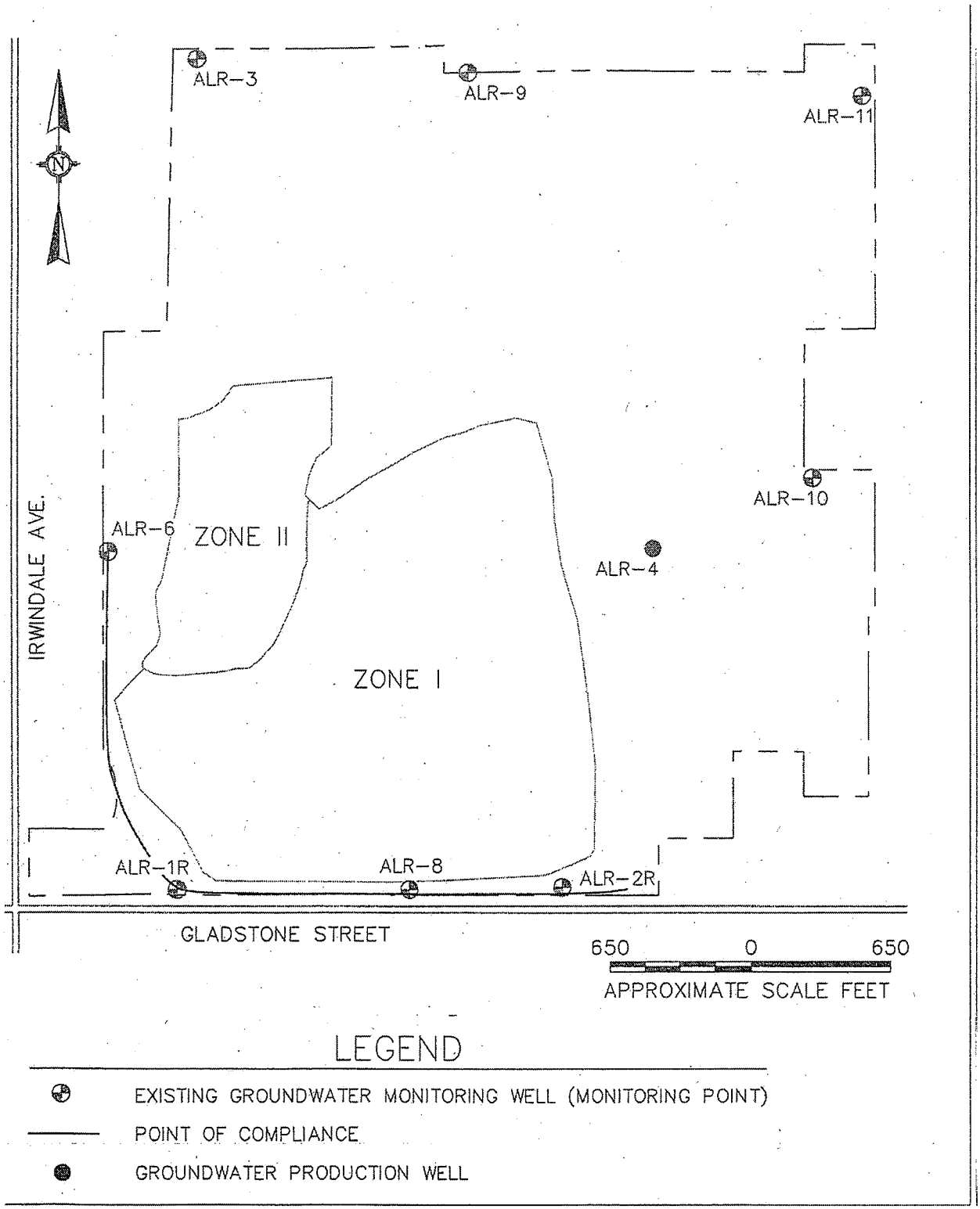

Figure 4. Existing Facilities Showing Groundwater Monitoring Wells

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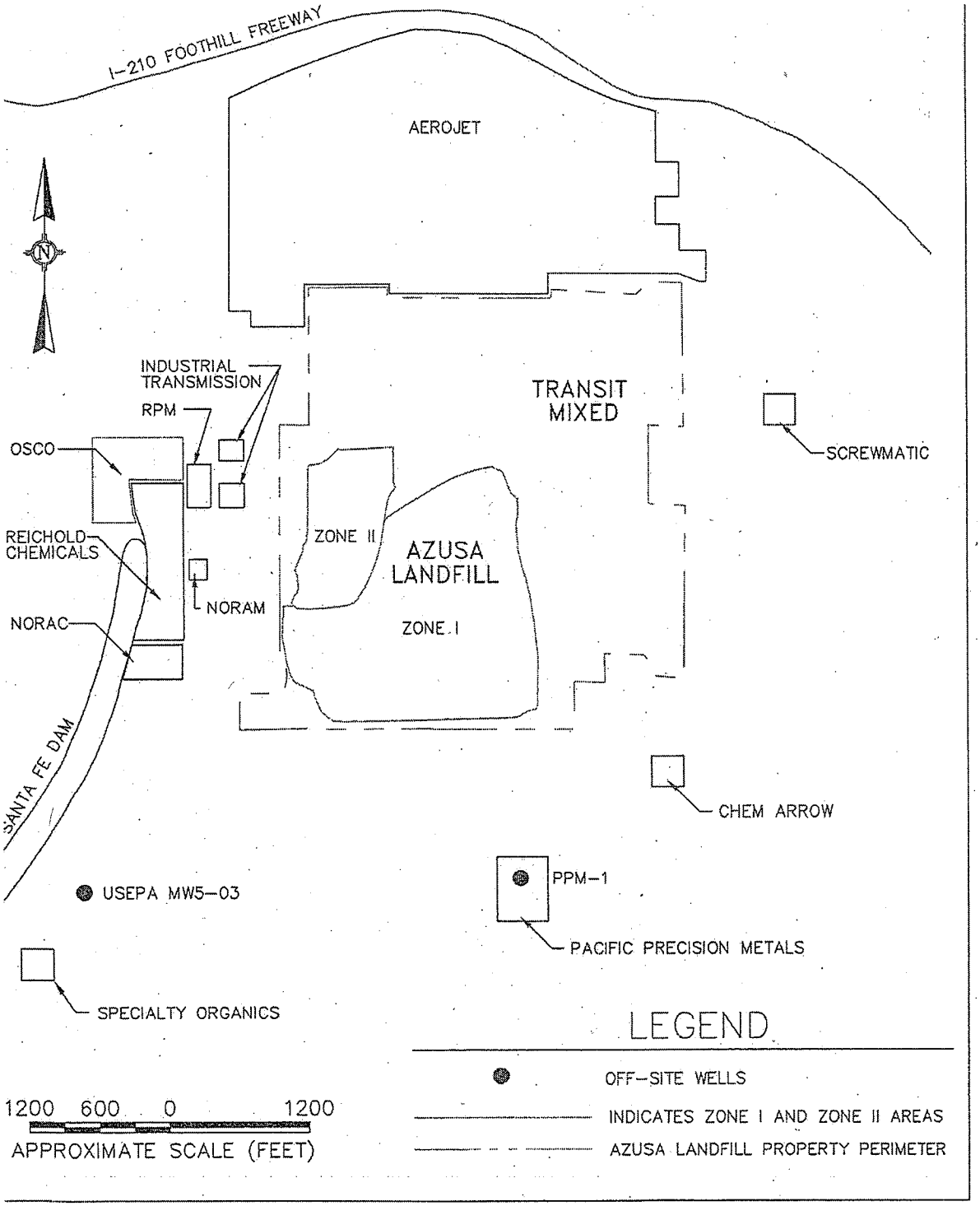

Figure 5. Site Map Showing Offsite Wells

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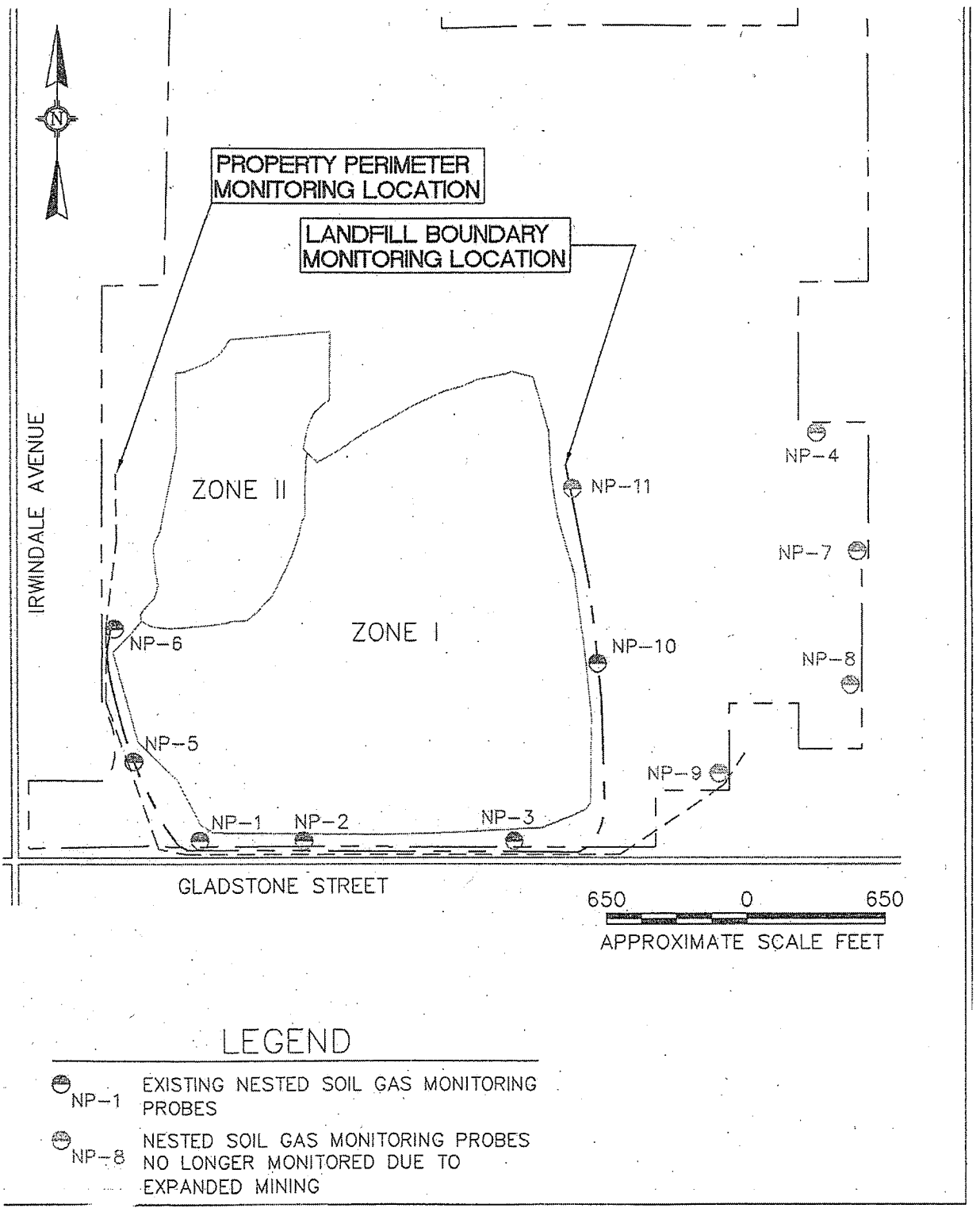

Figure 6. Nested Gas Probes

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