**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD**
**SAN FRANCISCO BAY REGION**

**TENTATIVE RESOLUTION NO. R2-2017-XXXX**

# A CONDITIONAL WAIVER OF WASTE DISCHARGE REQUIREMENTS FOR DISASTER-RELATED WASTES WITHIN THE SAN FRANCISCO BAY REGION

The California Regional Water Quality Control Board, San Francisco Bay Region (hereinafter Regional Water Board), finds:

1. Catastrophic events such as fires, storms, floods, landslides, earthquakes, mass animal mortality, spills, and other emergencies can create large amounts of disaster-related debris consisting of multiple categories of wastes (e.g., nonhazardous wastes, household hazardous wastes, universal wastes, or inert wastes).
2. The discharge of waste to land in the San Francisco Bay Region is an action subject to restrictions adopted in individual or general Waste Discharge Requirements (WDRs) by the Regional Water Board. Alternatively, the Regional Water Board may adopt a conditional waiver of WDRs for properties where waste management practices meet specified conditions.
3. California Water Code (Water Code) section 13260, subdivision (a)(1), requires that any person (including any city, county, district, or other entity) discharging, or proposing to discharge, wastes within the San Francisco Bay Region that could affect the quality of waters of the State, other than into a community sewer system, to file a Report Of Waste Discharge (ROWD) with the Regional Water Board. Unless waived, Water Code section 13263, subdivision (a), requires the Regional Water Board to prescribe WDRs as to the nature of any existing or proposed waste discharges within its area of jurisdiction, except discharges into a community sewer system, even if no ROWD has been filed.
4. The issuance of WDRs prior to cleanup of disaster-related wastes requires time that may significantly impede the cleanup of disaster-related wastes, which would likely increase the threat to public health and the environment. Under emergency or disaster conditions, there is usually not time for those performing cleanup of disaster-related wastes to prepare a formal ROWD and for the Regional Water Board to prescribe new WDRs or to revise existing WDRs. Therefore, to expedite the cleanup of disaster-related wastes, issuing a general conditional waiver of WDRs for these types of discharges is in the public interest.
5. Pursuant to Water Code section 13269, subdivisions (c) and (d), it is in the public interest to waive issuance of WDRs for the expeditious management and disposal of solid wastes resulting from the cleanup of emergency disaster areas, provided certain conditions are met. A temporary conditional waiver of the requirements set forth in Water Code, section 13260, subdivision (a); section 13263, subdivision (a); and section 13264, subdivision (a), for the discharge of disaster-related wastes derived from cleanup of disaster areas, and for discharges to temporary waste storage piles, would be in the public interest because these discharges: (1) would comply with the conditions of this waiver of WDRs; (2) would be effectively regulated by other public agencies; and (3) would not result in violation of the San Francisco Bay Water Quality Control Basin Plan (Basin Plan) or be inconsistent with other waivers, orders, or prohibitions (Water Code section 13269, subdivision (d)). Furthermore, adoption of a conditional waiver would be in the public interest because this

action helps to facilitate the expeditious cleanup of disaster-related wastes in areas in response to a state of emergency declared by the Governor.

6. This Conditional Waiver of Waste Discharge Requirements for Disaster-Related Wastes (Conditional Waiver) only applies to emergency situations for disaster-related wastes from areas where a state of emergency has been proclaimed by the Governor pursuant to Government Code 8550 *et seq*.

7. Wildfires create a very large volume of solid waste that may include burn ash, concrete, wood, green waste, electrical appliances, computer equipment, dead animals, food items, cars, household chemicals, paint, refrigerators, etc., collectively referred to as fire debris. In addition, wildfires can exacerbate the risk of flooding, erosion, debris flows, and slope failures as a result of the loss of vegetated cover within a watershed. Likewise, damage from earthquakes and landslides can create similar types of wastes, affect vital infrastructure, and threaten beneficial uses of waters of the State.

8. Waste materials resulting from these catastrophic events may have been mixed such that individual components are not practicably separable for purposes of waste management.

9. Emergency cleanup activities to address disaster events may create unusually large amounts of waste for landfills to handle in a short amount of time, may involve wastes that would not normally be accepted at a particular regulated waste management facility, and often necessitate temporary waste staging areas on land or at regulated waste management facilities.

10. For purposes of this Conditional Waiver, wastes related to emergency cleanup activities are considered to be "disaster-related debris and wastes" and are herein referred to as "disaster-related wastes".

11. **Antidegradation Policy -** This Conditional Waiver is consistent with State Water Resources Control Board (State Water Board) Resolution No. 68-16 (Statement of Policy with Respect to Maintaining High Quality Waters in California), the State's "Antidegradation Policy." The Regional Water Board must maintain high quality waters of the State unless it is demonstrated that any degradation will be consistent with the maximum benefit to the people of the State, will not unreasonably affect beneficial uses, and will not result in water quality worse than that described in the Regional Water Board's policies. The Conditional Waiver includes conditions that require dischargers to minimize or eliminate discharges of pollutants that can have adverse impacts on the water quality that supports beneficial uses of waters of the State. This Conditional Waiver imposes conditions on discharges from Emergency-Declared Disaster Areas that would not otherwise apply following the appropriate notification to the Regional Water Board. All discharges regulated under this Conditional Waiver are short-term and are not expected to cause degradation of water quality. Coverage under the Conditional Waiver can be terminated if waiver conditions are not met.

## APPLICABILITY AND CONDITIONS

1. This Conditional Waiver conditionally waives the legal requirement for persons discharging waste ("Dischargers," including any city, county, district, or other entity) from cleanup of an Emergency-Declared Disaster Area to submit a ROWD and for the Regional Water Board to prescribe WDRs for discharges of certain disaster-related wastes.

2. Discharges covered by this Conditional Waiver include those necessary to protect life or property during emergency cleanup actions following disasters such as fires, floods, storms, earthquakes, or mass mortality of animals in areas where a state of emergency has been proclaimed by the Governor (Emergency-Declared Disaster Areas).
3. The requirements for obtaining coverage under this Conditional Waiver and the conditions applicable to each type of discharge are as follows:
   - All Discharges of Disaster-Related Wastes
   - Temporary Waste Piles at Regulated Facilities
   - Temporary Waste Piles Not at Regulated Facilities
   - Temporary Surface Impoundments Not at Regulated Facilities
   - Discharges of Mass Animal Mortality Wastes to Emergency Landfills

## WAIVER CONDITIONS FOR EMERGENCY DISPOSAL

### A. GENERAL WAIVER CONDITIONS THAT APPLY TO ALL DISCHARGES OF DISASTER-RELATED WASTES COVERED UNDER THIS CONDITIONAL WAIVER

1. For discharges of disaster-related wastes, this Conditional Waiver does not become active and available until a state of emergency is proclaimed, pursuant to Government Code sections 8625 and 8558, subdivision (b).
2. This Conditional Waiver applies only to disaster-related waste streams from Emergency-Declared Disaster Areas.
3. All conditions of this Conditional Waiver remain applicable until they have been met and the Discharger submits a complete Notice of Termination or the discharge becomes covered under WDRs or a site-specific waiver of WDRs. Authorization to discharge under this Conditional Waiver is temporary and shall expire under the following conditions, whichever is earliest, unless otherwise provided in writing by the Regional Water Board's Executive Officer:
   a. When cleanup of disaster-related waste associated with the Emergency-Declared Disaster Area has been completed; or
   b. When the Regional Water Board terminates enrollment of individual Dischargers/Units or all Dischargers/Units temporarily enrolled under the Conditional Waiver for a particular emergency, or terminates this Conditional Waiver in its entirety ("Units" in this context refers to any regulated landfill, temporary waste pile, or temporary surface impoundment covered under this Conditional Waiver).
4. Cleanup activities and management of disaster-related wastes must minimize or eliminate the discharge of any pollutants that could adversely affect the quality or beneficial uses of the waters of the State.
5. The Discharger must prevent the direct or indirect discharge of disaster-related wastes to any surface waters of the State, including ephemeral streams and vernal pools.
6. Disaster-related waste management operations shall not create or contribute to a condition of pollution or nuisance.

7. Disaster-related waste management operations shall not create or contribute to conditions that violate the waste discharge prohibitions promulgated in the Basin Plan.
8. Management of disaster-related wastes shall not cause corrosion, decay, or otherwise reduce or impair the integrity of containment structures at any waste management unit (Cal. Code of Regs., tit. 27, § 20200, subd (b)(1)).
9. Management of disaster-related wastes shall not mix or commingle with wastes that can produce a violent reaction (including heat, pressure, fire or explosion), that can produce toxic byproducts, or that can produce any reaction products requiring a higher level of containment or results in the mixture being classified as a restricted waste (Cal. Code Regs., tit. 27, § 20200, subd. (b)(2)).
10. Inert wastes that are suitable for reuse or recycling do not require permanent disposal at a classified waste management or disposal facility (i.e., permitted landfill).
11. Waste streams covered under this Conditional Waiver shall only originate from Emergency-Declared Disaster Areas. These waste streams shall be discharged for treatment or permanent disposal only into:
    a. Liquid waste management or treatment units as allowed by WDRs issued by the Regional Water Board, or
    b. Solid waste management units or disposal facilities (e.g., Class III Municipal Solid Waste landfills underlain with engineered composite liners and leachate collection systems that satisfy the requirements of State Water Board Resolution No. 93-62 and that have WDRs); or
    c. Emergency landfills established in accordance with the conditions of this Conditional Waiver; and
    d. Other categories of waste management units regulated under WDRs issued by the Regional Water Board that allow that type of waste.
12. The Discharger must comply with all applicable conditions of this Conditional Waiver.
13. Temporary waste staging areas may be located within Municipal Solid Waste (MSW) landfills, inert landfills, or other designated areas where disaster-related waste is temporarily discharged, stored, treated, or sorted for recycling, and where containment features and ancillary features for precipitation and drainage controls are present. Temporary waste staging areas are temporary de facto waste management units.
14. **CEQA.** This resolution is intended to address the types of emergency situations contemplated in the CEQA statutory exemption for emergencies pursuant to Title 14 of the California Code of Regulations, section 15329.
15. **Safe Drinking Water Act.** It is the policy of the State of California that every human being has the right to safe, clean, affordable, and accessible water adequate for human consumption, cooking, and sanitary purposes. This Conditional Waiver promotes that policy by requiring Dischargers to handle and dispose of disaster-related waste in a manner that will protect water quality objectives, including those that protect drinking water supplies.
16. **Notification**: The Regional Water Board has notified potential dischargers and all interested agencies and persons of its intent and has provided them with an opportunity to submit their written comments.

17. **Public Hearing**: The Regional Water Board has reviewed the contents of this Conditional Waiver, all evidence concerning this matter, written public comments, and testimony provided at the public hearing on ***DATE, 2017, in Oakland, California, and hereby finds that the adoption of this Conditional Waiver is consistent with the Basin Plan and is in the public interest.

## REQUIREMENTS, APPLICABILITY, AND CONDITIONS

The requirements for obtaining coverage under this Conditional Waiver and the conditions applicable to each type of discharge are as follows:

### B. CONDITIONS FOR DISCHARGE OF DISASTER-RELATED WASTES AT REGULATED CLASS III MSW WASTE DISPOSAL FACILITIES

1. The landfill(s) listed below are designated to receive disaster-related wastes within waste management units underlain by engineered composite liners and leachate collection and removal systems (LCRS):

   a. Potrero Hills Landfill, Solano County

   b. Keller Canyon Landfill, Contra Costa County

   c. Vasco Road Landfill, Alameda County

   d. Kirby Canyon Landfill, Santa Clara County

   e. Redwood Landfill, Marin County

   f. Ox Mountain Landfill, San Mateo County

   g. Clover Flat Landfill, Napa County

   h. Newby Island Landfill, Santa Clara County

   i. Guadalupe Landfill, Santa Clara County.

   Note: The site-specific WDRs for landfills a) through d) above allow disposal of Class II (i.e., designated) wastes in all disposal cells underlain by engineered composite liners and equipped with LCRS. Waiver of WDRs may not be necessary for disposal of disaster-related wastes in these landfills, provided that the wastes are classified as Class II wastes.

2. Disaster-related wastes transported to areas outside the San Francisco Bay Region may be subject to the provisions of the receiving Regional Water Board's requirements.

3. Regulated landfills have WDRs implementing Title 27 of the California Code of Regulations (Title 27); State Water Board Resolution No. 93-62; and federal MSW Landfill Criteria in Code of Federal Regulations, Title 40, Part 258.

4. Dischargers who own/operate regulated waste management or disposal facilities proposing to discharge disaster-related waste to the regulated waste disposal facility that would or could otherwise cause a violation of the WDRs for the facility, shall submit a Notice of Intent to the Regional Water Board within 30 days after the initial discharge of any disaster-related wastes for Emergency-Declared Disaster Areas (or by schedule required in Condition F for other emergency projects outside of an Emergency-Declared Disaster Area).

5. Disaster-related wastes (not otherwise suitable for recycling or reuse) managed under provisions of this Conditional Waiver must only be discharged for permanent disposal into

units that are underlain with an engineered composite liner system and a LCRS meeting the requirements of Title 27 and State Water Board Resolution No. 93-62.

6. Disaster-related wastes discharged into regulated waste disposal facilities must be isolated from areas of the facility that are not lined.
7. Disposal of disaster-related wastes must not impede movement of leachate into an LCRS.
8. Food wastes, animal carcasses, and other putrescible wastes derived from cleanup of disaster-impacted areas must be discharged in compliance with the conditions of this Conditional Waiver and covered expeditiously.
9. Inert wastes derived from cleanup of disaster-impacted areas must be separated and recycled when appropriate and practicable.
10. To the extent practicable, wastes such as paint cans, gas cans, solvents, poisons, household cleaners, drums with unknown contents, electronic wastes, refrigerators, or any potentially hazardous wastes (other than ash from fire disaster areas) must be removed from the disaster-related waste stream and managed in accordance with the applicable regulatory requirements.
11. Within 30 days after the completion of discharges of disaster-related wastes, the owner/operator of a regulated waste disposal facility that accepted waste must submit an amendment to its ROWD (amendment to the facility's Joint Technical Document) describing the material change to its discharge, pertaining to the temporary acceptance, management, and disposal of the waste. The amended ROWD must include a completed Notice of Termination form and information about the waste types accepted, location of the discharge including a map, and approximate volumes discharged.
12. **Mass Animal Mortality Wastes** - Disposal of large numbers of animal carcasses and other high moisture waste streams from mass mortality may cause wastes to exceed moisture-holding capacity at regulated MSW landfills. To limit the impacts from such a large an additional moisture content associated with a mass mortality waste load, the owner/operator responsible for the regulated waste disposal facility should implement the following procedures:
    a. Discharge high-moisture wastes (e.g., animal carcasses, animal-related wastes) only in areas of the composite lined unit with a considerable thickness of other waste.
    b. Cover each layer of high-moisture mass mortality wastes (e.g., animal carcasses, animal-related wastes) with at least three feet of absorbent wastes or soil.
    c. For disaster-related mass mortality wastes streams that are in a liquid form (e.g., raw eggs), reduce the moisture content prior to discharge by mixing with an absorbent material (e.g., saw dust, mulch, soil).

## C. CONDITIONS FOR DISCHARGE OF DISASTER-RELATED WASTES AT TEMPORARY WASTE STAGING AREAS LOCATED AT REGULATED WASTE DISPOSAL FACILITIES

1. Owners/operators of regulated waste management or disposal facilities proposing to accept discharges of disaster-related waste to a temporary waste staging area located at a regulated waste disposal facility must submit a Notice of Intent to the Regional Water Board within 30 days after the initial discharge of any disaster-related wastes for Emergency-

Declared Disaster Areas. The Notice of Intent must contain the information listed in Attachment A of this Conditional Waiver.

2. Owners/operators of regulated waste management or disposal facilities must prevent surface runoff/run-on from contacting disaster-related wastes and must prevent erosion and transport of soils containing disaster-related wastes or waste constituents by surface runoff from all temporary disaster-related waste piles. The facility owner/operator must implement management measures (MMs) and/or best management practices (BMPs) for stormwater conveyance and control.
3. All disaster-related wastes must be placed at least 100 feet from any surface water of the State.
4. All disaster-related waste must be protected from flooding and inundation in compliance with the current WDRs for the affected unit or units at the regulated waste disposal facility.
5. Owners/operators of regulated waste management or disposal facilities must manage temporary waste piles for disaster-related mass mortality wastes as follows:
   a. Temporary waste piles for mass mortality wastes may only be located in landfill areas underlain by a composite liner system and a significant thickness of other types of solid wastes.
   b. The owner/operator must implement a plan to prevent wild animals (e.g., birds, mammals, reptiles) from coming into contact with mass mortality wastes (e.g., provide and maintain adequate cover for temporary waste piles).
   c. The owner/operator must ensure that all temporary waste piles containing mass mortality wastes are discharged into the landfill prior to the end of the working day, unless sufficient information is provided to demonstrate that a proposed alternative is protective of water quality and human health for a given temporary waste pile.
   d. The owner/operator must ensure that all mass mortality wastes are covered with soil or other waste immediately after it is discharged into the landfill.
   e. The owner/operator must ensure that any stormwater runoff that comes into contact with the disaster-related wastes is managed as leachate.
6. Disaster-related wastes discharged to temporary waste piles at regulated waste management or disposal facilities temporarily enrolled under this Conditional Waiver, together with any materials used to contain the temporary waste piles, must be removed from the temporary discharge site no later than 60 days after authorization to discharge under this Conditional Waiver has expired or as required by the Executive Officer. Alternatively, the facility owner/operator must file an amended ROWD (Joint Technical Document) and obtain amended WDRs from the Regional Water Board for any waste piles that will continue to exist after authorization to discharge under this Conditional Waiver has expired.
7. Owners/operators of regulated waste management or disposal facilities must submit a Notice of Termination to the Regional Water Board within 10 working days of completing removal of all disaster-related wastes and restoring the site to its original condition. The Notice of Termination must contain the information listed in Attachment B of this Conditional Waiver.

## D. CONDITIONS FOR DISCHARGE OF DISASTER-RELATED WASTES AT TEMPORARY WASTE STORAGE AREAS (WASTE PILES) NOT LOCATED AT REGULATED WASTE DISPOSAL FACILITIES

1. Dischargers proposing to establish a temporary waste pile not located at a regulated waste disposal facility must submit a Notice of Intent to the Regional Water Board within 30 days after the initial discharge of any disaster-related wastes for Emergency-Declared Disaster Areas.
2. Owners/operators of temporary waste piles not at regulated facilities must ensure that they are sited, designed, constructed, operated, and maintained to ensure compliance with the following minimum prescriptive and performance standards:
    a. The bottom of a temporary waste pile must be placed at least 5 feet above the highest historically known or anticipated level of groundwater and more than 100 feet from any surface water of the State.
    b. Temporary waste piles must be protected from inundation or washout.
    c. Temporary waste piles must not be located on a known Holocene fault; waste piles must not be located in areas of potential rapid geologic change (e.g., landslides, debris flows, flash flood areas).
    d. Temporary waste piles must be adequately covered to prevent rainwater infiltration and runoff and to control fugitive dust, vectors, odors, blowing litter, and scavenging. The cover must not consist of or contain material classified as a designated waste.
    e. Temporary waste management operations that include wastes with a liquid content exceeding its moisture-holding capacity and/or containing free liquids must comply with requirements for temporary surface impoundments in accordance with the specific conditions in Section E of this Conditional Waiver.
    f. Temporary waste piles must be designed, constructed and operated to limit, to the greatest extent possible, ponding, infiltration, inundation, erosion, slope failure, and washout. Surface drainage from outside of the temporary waste pile must be diverted from the location of the temporary waste pile through implementation of MMs/BMPs for storm water control and conveyance.
3. When applicable, owners/operators of temporary waste piles not located at a regulated waste disposal facility must obtain coverage under the General Permit for Stormwater Discharges Associated with Construction Activities and prepare a Stormwater Pollution Prevention Plan to obtain coverage under this Conditional Waiver.
4. Owners/operators of temporary waste piles not on regulated facilities must discharge any return water or ponded water contained within the temporary waste pile to a sanitary sewer system, a regulated facility permitted to receive the wastewater, or a temporary surface impoundment, as described in Section E of this Conditional Waiver.
5. Owners/operators of temporary waste piles not on regulated facilities must post at least one clearly visible sign listing the following minimum information: a) project name, b) brief project description, and c) operator name and phone number. The sign or signs must be in English and any other language common in the local community to more effectively communicate the minimum contact information. The sign(s) must be maintained in a legible condition so long as waste piles remain onsite.

6. Disaster-related waste materials discharged to temporary waste piles not at regulated facilities, together with any materials used to contain the temporary waste piles, must be removed from the site as expeditiously as possible and the site must be restored to its original state.
7. Owners/operators of temporary waste piles not on regulated facilities must submit a Notice of Termination to the Regional Water Board within 10 working days of completing removal of all disaster-related wastes and restoring the site to its original condition. The Notice of Termination must contain the information listed in Attachment B of this Conditional Waiver.

## E. CONDITIONS FOR DISCHARGE OF DISASTER-RELATED WASTES AT TEMPORARY SURFACE IMPOUNDMENTS NOT LOCATED ON REGULATED FACILITIES

1. Dischargers proposing to establish a temporary surface impoundment not located at a regulated waste disposal facility must submit a Notice of Intent to the Regional Water Board within 30 days after the initial discharge of any disaster-related wastes from an Emergency-Declared Disaster Area. The Notice of Intent must contain the information listed in Attachment A of this Conditional Waiver.
2. Owners/operators of temporary surface impoundments not on regulated facilities must ensure that they are sited, designed, constructed, operated, and maintained to ensure compliance with the following minimum prescriptive and performance standards:
   a. The bottom of a temporary surface impoundment must be placed at least 5 feet above the highest historically known or anticipated level of groundwater and more than 100 feet from any surface water of the State.
   b. Temporary surface impoundments must be designed, constructed, and operated to limit, to the greatest extent possible, inundation, erosion, slope failure, and washout.
   c. Temporary surface impoundments must not be located on a known Holocene fault; temporary surface impoundments must not be located in areas of potential rapid geologic change (e.g., landslides, debris flows, flashflood areas).
   d. Temporary surface impoundments must be underlain by a temporary impermeable barrier (e.g., heavy gauge plastic with water-tight seams) or a relatively impermeable surface (e.g., competent asphalt, concrete). The liner must be installed prior to establishing a temporary surface impoundment and must protect all natural geological materials from contact with the waste.
   e. Berms and containment structures of temporary surface impoundments must be constructed of materials that minimize leakage of the wastewater and must be composed of inert materials that will not cause adverse reactions (e.g., corrosion, decay, or otherwise reduce or impair the integrity of the containment structure) when placed in contact with the liquid wastes stored within the temporary surface impoundment.
   f. Temporary surface impoundments must be designed, operated, and maintained to ensure that liquid wastes are at least two feet below the top of the impoundment (measured vertically from the surface of the liquid up to the point on the surrounding lined berm or dike having the lowest elevation) and must be designed and constructed to prevent overtopping as a result of wind conditions or precipitation.

g. Direct pipeline discharges of liquid can occur only into temporary surface impoundments with automatic or manually-operated fail-safe systems to prevent overfilling.

h. Temporary surface impoundments must be designed and constructed to prevent scouring of containment structures at the points of liquid discharge into the impoundments.

i. Surface drainage from outside of the temporary surface impoundments must be diverted from the location of the temporary surface impoundment through implementation of MMs/BMPs for stormwater control and conveyance.

j. Liquid hazardous wastes or “restricted hazardous wastes” must not be discharged to temporary waste piles or temporary surface impoundments.

3. When applicable, owners/operators of temporary surface impoundments not located at a regulated waste disposal facility must obtain coverage under the General Permit for Stormwater Discharges Associated with Construction Activities and prepare a Stormwater Pollution Prevention Plan to obtain coverage under this Conditional Waiver.

4. Owners/operators of temporary surface impoundments not on regulated facilities must ensure that only disaster-related waste streams are discharged into temporary surface impoundments.

5. All visible portions of synthetic liner systems in temporary surface impoundments must be inspected by the Discharger weekly, or daily as necessary, until all free liquid is removed from the surface impoundment as part of closure. If, during the active life of the temporary surface impoundment, the wastes are removed and the bottom of the impoundment is cleaned down to the liner, an inspection must be made of the bottom of the liner prior to refilling the impoundment.

6. Owners/operators of temporary surface impoundments not on regulated facilities must post at least one clearly visible sign listing the following minimum information: a) project name, b) brief project description, and c) operator name and phone number. The sign or signs must be in English and any other language common in the local community to more effectively communicate the minimum contact information. The sign(s) must be maintained in a legible condition while temporary surface impoundments remain on site.

7. Wastes discharged to temporary surface impoundments not at regulated waste management or disposal facilities, together with any materials used to contain the temporary surface impoundments, must be removed from the site as expeditiously as possible and the site must be restored to its original state.

8. Owners/operators of temporary surface impoundments not on regulated facilities must submit a Notice of Termination to the Regional Water Board within 10 working days of completing removal of all disaster-related wastes and restoring the site to its original condition. The Notice of Termination must contain the information listed in Attachment B of this Conditional Waiver.

## NOTICE OF INTENT AND NOTICE OF TERMINATION

1. A Discharger seeking coverage under this Conditional Waiver must submit a fully executed Notice of Intent (NOI) (Attachment A) to the Regional Water Board indicating its intent to comply with the Conditional Waiver and indicating that its proposed discharge meets the conditions of the Conditional Waiver. The NOI must be completed with all required information and signed by the owner or authorized representative of the entity proposing to discharge disaster-related wastes.
2. To terminate coverage under the Conditional Waiver, Dischargers must send a fully executed Notice of Termination (NOT) (Attachment B) to the Regional Water Board that meets the conditions of the Conditional Waiver.

## STORMWATER DISCHARGES ASSOCIATED WITH DISASTER-RELATED WASTES

When applicable, Dischargers with coverage under this Conditional Waiver must also apply for coverage under the General Permit for Stormwater Discharges Associated with Construction Activities (Construction Stormwater Permit) and comply with its requirements. The Construction Stormwater Permit (State Board Order No. 2009-0009-DWQ) may be found on the Internet at: https://www.waterboards.ca.gov/water_issues/programs/stormwater/construction.shtml#contruction. Compliance with the requirements in the Construction Stormwater Permit are relevant and appropriate to apply to temporary waste staging areas because they focus on preventing construction pollutants from contacting stormwater and preventing products of erosion from moving offsite into receiving waters.

I, Bruce H. Wolfe, Executive Officer, do hereby certify that the foregoing is a full, true, and correct copy of the Conditional Waiver of Waste Discharge Requirements for Disaster-Related Wastes within the San Francisco Bay Region adopted by the California Regional Water Quality Control Board, San Francisco Bay Region, on December 13, 2017.

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Bruce H. Wolfe
Executive Officer

Attachments:

Attachment A: Notice of Intent
Attachment B: Notice of Termination

**ATTACHMENT A: Order No. R2-2017-XXXX**

# San Francisco Bay Regional Water Quality Control Board

# NOTICE OF INTENT

TO COMPLY WITH CONDITIONAL WAIVER OF WASTE DISCHARGE REQUIREMENTS FOR DISASTER RELATED WASTES WITHIN THE SAN FRANCISCO BAY REGION

## I. PROPERTY / FACILITY INFORMATION

| | | | |
|---|---|---|---|
| Property/Facility Name: | | | |
| Property/Facility Contact: | | | |
| Property/Facility Address: | | | |
| City: | County: | State: | Zip: |
| Telephone: | Fax: | Email: | |
| Assessor Parcel Number(s): | | | |

## II. PROPERTY/FACILITY OWNER INFORMATION

| | | | |
|---|---|---|---|
| Property/Facility Owner Name: | | | |
| Owner Mailing Address: | | | |
| City: | County: | State: | Zip: |
| Telephone: | Fax: | Email: | |

## III. PROPERTY/FACILITY OPERATOR INFORMATION

| | | | |
|---|---|---|---|
| Property/Facility Operator Name: | | | |
| Operator Mailing Address: | | | |
| City: | County: | State: | Zip: |
| Telephone: | Fax: | Email: | |
| Assessor Parcel Number(s): | | | |

## IV. DESCRIPTION OF DISCHARGE

*Describe the discharge (i.e., source(s) of discharge, pollutants of concern, period and frequency). Use additional pages as needed. Provide a map of the property / facility.*

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**ATTACHMENT B: Order No. R2-2017-XXXX**

# NOTICE OF TERMINATION
## OF DISPOSAL OF TEMPORARY DISASTER-RELATED WASTE

### I. FINAL WASTE DISPOSAL INFORMATION

| | | | |
|---|---|---|---|
| Final Disposition of Waste: | ☐ Offsite/Landfill Disposal<br>☐ Offsite Reuse/Disposal | ☐ Onsite Reuse/Disposal<br>☐ Other: | |
| Property Owner/Discharger Name: | | | |
| Property Owner/Discharger Contact and Title: | | | |
| Property Owner/Discharger Mailing Address: | | | |
| City: | County: | State: | Zip: |
| Telephone: | Fax: | Email: | |
| Assessor Parcel Number(s): | | Hydrologic Area/Subarea: | |
| Date(s) Waste Disposed: | | | |
| Quantity of Waste Disposed:<br>(in cubic yards for each disposal date) | | | |
| Disposal Location(s):<br>(for each disposal date) | | | |

### II. FINAL DISPOSAL CERTIFICATION

I certify, under penalty of law, that I have personally examined and am familiar with the information submitted in this document and all attachments and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment.

| | |
|---|---|
| Signature (Owner or Authorized Representative) | Date |
| Print Name | Title |