

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

**ORDER No. R2-2018-0018**

**RESCISSION OF WASTE DISCHARGE REQUIREMENTS ORDER No. R2-2017-0024 for:  
MRS. LOIS AND MR. GREG TONNESEN  
TONNESEN PET CEMETERY  
CLASS III WASTE DISPOSAL SITE  
SUISUN CITY, SOLANO COUNTY**

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

1. **Dischargers:** The Tonnesen Pet Cemetery was owned by Mrs. Lois Tonnesen and is operated by Mr. Greg Tonnesen (hereinafter, the Discharger). In January 2018, Mrs. Tonnesen passed away and the ownership of the property was transferred to the Lois Tonnesen Trust.
2. **Site Location:** The Tonnesen Pet Cemetery is located in Solano County, approximately one mile south of Travis Air Force Base and two miles southeast of Suisun City (Figure 1). The site or facility is at the end of Scally Road, approximately one-half mile south of Highway 12, at the base of the Potrero Hills. The site occupies about 15 acres with a surface elevation between 10 and 20 feet above sea level. Land uses near the site are predominantly seasonal cattle grazing and open space (marsh and wetlands). However, one active municipal waste landfill (Potrero Hills Landfill) and one closed landfill (Solano Garbage Company Landfill) are located within one-half mile of the site. (Figures 1 and 2).
3. **Site Description and Operational History:** The Tonnesen Pet Cemetery is a permitted burial ground for disposal of animal bodies and animal cremation ash. The facility was never permitted to receive typical municipal solid wastes (MSW) and has not been used for that purpose. Over time, the practice of burying whole carcasses diminished and disposal of cremated animal remains (ash) increased; by the end of 2015, the Discharger had ceased burying animal carcasses altogether and began disposing only cremation ash.

Site development is occurring in three phases, with each phase consisting of filling a 5-acre plot. The easternmost 5-acre segment, referred to as Phase 1 (or “Burial Area 1” as shown on Figure 2), was used from 1987 until 2013. After the last burial pits in Phase 1 were filled, disposal of cremation ash and animal carcasses began in Phase 2 (Burial Area 2 on Figure 2). Shortly thereafter (in 2015), burial of carcasses ceased. Thus, the portion of the site where animal carcasses were buried includes the Phase 1 area and the small adjacent portion of Phase 2 that was used between 2013 and 2015. This area (referred to as the “Modified Phase 1 Area”) was closed under a low-permeability soil cap in 2017.

4. **Regulatory History:** The Water Board began regulating the facility in 1987 under Waste Discharge Requirements (WDRs) Order No. 87-105, which required the Discharger to install groundwater monitoring wells and to implement a groundwater monitoring program. The WDRs were updated in 2009 with the adoption of Order No. R2-2009-0034, which anticipated the

expansion of disposal operations westward into Phase 2 and required the installation of additional groundwater monitoring wells to provide detection monitoring of Phase 2.

At the end of 2015, the Discharger decided to stop accepting animal carcasses and to operate the facility for disposal of cremation ash only. This change in operations affected the classification and regulation of the facility by essentially eliminating the potential for water quality impacts. In 2017, the Water Board adopted Order No. R2-2017-0024, which updated the WDRs to reflect this change in operations and rescinded Order No. R2-2009-0034. The updated WDRs re-classified the site as a non-Class III facility and allowed the Discharger to terminate groundwater monitoring. Order No. R2-2017-0024 directed the Discharger to submit and implement a revised closure plan and a post-closure maintenance plan to formally close the Modified Phase 1 Area. Order No. R2-2017-0024 included additional tasks related to the closure of Phase 1, including the destruction and proper abandonment of groundwater monitoring wells, the construction of final cap and drainage features, and the recording of a deed restriction to prevent disturbance to the waste disposal area as appropriate to protect human health and the environment.

- 5. Basis for Rescission of Waste Discharge Requirements:** The Discharger conducted groundwater monitoring at the site for 30 years (1988 to 2017). During this monitoring period, no impacts to water quality from disposal operations at the facility were observed. As documented in Order No. R2-2009-0034, a comprehensive groundwater assessment was performed in November 2007 to support final closure of the Phase I portion of the facility. Groundwater samples from four site monitoring wells were analyzed for a comprehensive suite of potential contaminants of concern. The results of this one-time sampling showed no evidence of impacts to groundwater from disposal operations at the facility. Furthermore, in April 2017, samples were collected from the two residential onsite water supply wells (Figure 2) and analyzed for the same suite of analyses specified for groundwater monitoring wells in the 2009 order. The results also showed no evidence of impacts to groundwater from disposal operations at the facility.

Final closure of the Modified Phase 1 Area under a low-permeability soil cap further reduces the likelihood of any water quality impacts from the burial area. For this reason, the Water Board no longer needs to regulate this site under WDRs. The remainder of the site (Phases 2 and 3) will be operated as an animal ash monofill disposal facility that will be regulated by the Local Enforcement Agency (Solano County Department of Resource Management, Environmental Health Division) as a Nonhazardous Ash Disposal/Monofill Facility under a Standardized Nonhazardous Ash Solid Waste Facility Permit, along with the facility's existing Solano County Use Permit.

### Summary of Completed Tasks

- 6. Final Closure and Post-Closure Maintenance Plan:** Provision C.3 of Order No. R2-2017-0024 required the Discharger to submit a Final Closure and Post-Closure Maintenance Plan for the Modified Phase 1 Area. The Discharger submitted these plans on October 20, 2017, and Water Board staff concurred with the plan on October 27, 2017. Staff also concurred with the proposed deed restriction that was attached to the plan, which was required by Provision C.5 of the 2017 order. The proposed deed restriction applies only to the Modified Phase 1 portion of the property and restricts the use as follows:

- Prohibits any excavation work or constructing a well for extracting water unless expressly permitted in writing by the Water Board; and
- Requires all uses and development to be consistent with any applicable Solano County Conditional Use Permit, which will also preserve the integrity of the cap.

7. **Recorded Deed Restriction:** The deed restriction was signed by the Executive Officer and notarized on January 12, 2018, and recorded by the Solano County Assessor on February 1, 2018, in compliance with Provision C.6 of the 2017 order.
8. **Final Closure Report:** A technical report documenting final closure of the Modified Phase 1 Area was required by Provision C.7 of the 2017 order. The Discharger submitted a Final Closure Report for the Modified Phase 1 Area on March 15, 2018. On March 19, 2018, Water Board staff concurred with the document and the groundwater monitoring well destruction report attached to it, which was required pursuant to Provision C.8 of the 2017 order.

### Summary

9. The Discharger has successfully achieved the tasks required in Order No. R2-2017-0024, and the site no longer poses a threat to water quality. Thus, WDRs are no longer necessary and can be rescinded.
10. **Safe Drinking Water Policy:** 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 Order promotes that policy by requiring discharges that protect human health and ensure that water is safe for domestic use.

### CEQA, NOTIFICATION, AND PUBLIC HEARING

11. This action rescinds Order No. R2-2017-0024 because the requirements of the order have been completed, and Water Board staff have determined that the site no longer poses a threat to water quality. Rescission of the order is not a project as defined in the California Environmental Quality Act (CEQA). There is no possibility that the activity in question may have a significant effect on the environment. (Cal. Code Regs., tit. 14 §§ 15378 and 15061, subd. (b) (3).)
12. The Water Board has notified the Discharger and interested agencies and persons of its intent to rescind WDRs contained in Order No. R2-2017-0024 and has provided them with an opportunity for a public hearing and an opportunity to submit their written views and recommendations.
13. The Water Board, in a public meeting, heard and considered all comments pertaining to the rescission of WDRs for the site.

Order No. R2-2018-0018  
Rescission of Waste Discharge Requirements Order No. R2-2017-0024  
Tonnesen Pet Cemetery

IT IS HEREBY ORDERED that Order No. R2-2017-0024 is rescinded.

I, Bruce H. Wolfe, Executive Officer, do hereby certify the foregoing is a full, true and correct copy of an Order adopted by the California Regional Water Quality Control Board, San Francisco Region on May 9, 2018.

Bruce H. Wolfe  
Executive Officer

Attachments:

Figure 1 - Site Location

Figure 2 - Site Layout

Figure 1 - Site Location

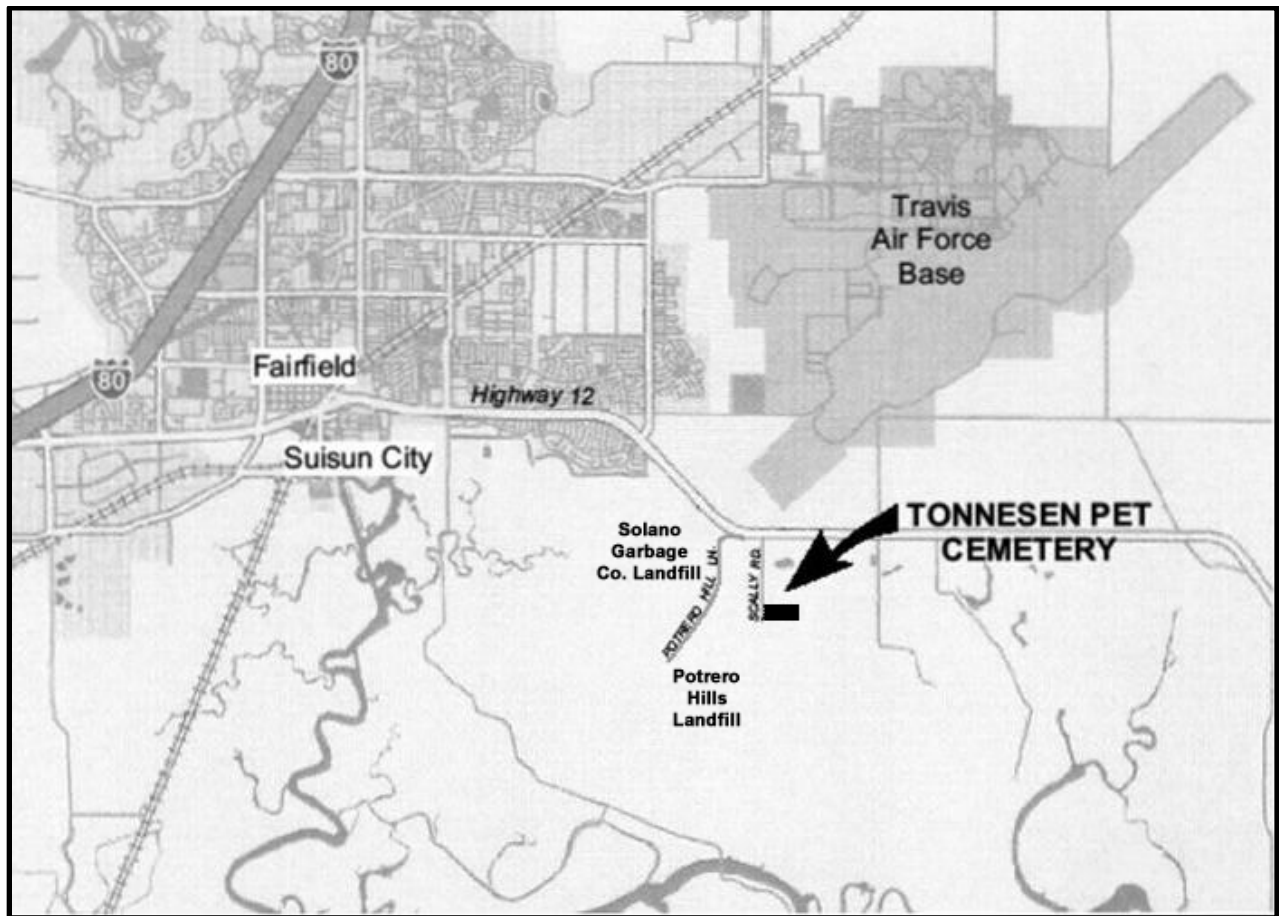


Figure 2 - Site Layout

