

STATE OF CALIFORNIA
REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION

STAFF SUMMARY REPORT (Keith Roberson)
MEETING DATE: July 8, 2020

ITEM: 6

SUBJECT: **Amendments to Waste Discharge Requirements for Disposal and Onsite Use of Non-Designated / Non-Hazardous Contaminated Soils and Related Wastes at Active Municipal Solid Waste Landfills – Adoption of Amendments to Waste Discharge Requirements**

DISCUSSION: The nine active Municipal Solid Waste (MSW) landfills within the Regional Water Board's jurisdiction receive large volumes of non-hazardous contaminated soils from sources throughout our region. These soils contain contaminants in concentrations too high to allow their use as clean fill in most development settings yet not high enough to require special classification and disposal. To best meet our goal of protecting water quality, these soils should be placed in regulated MSW landfills where they will be contained and not subject to transport into surface waterways. The adoption of these amendments will create efficiencies in our regulatory oversight of the disposal this type of waste.

The discharge of waste to land is regulated under Title 27 of the California Code of Regulations. Title 27 requires that landfilled wastes, including soils, must be characterized according to the types and concentrations of chemical contaminants present. In our Region we regulate the disposal of waste at Class II and Class III landfills. Class III wastes are non-hazardous wastes such as household and commercial garbage, construction and demolition debris, soils, and other waste materials that cannot be diverted for recycling or organic composting.

The Revised Tentative Order amends the Waste Discharge Requirements for the nine active MSW landfills to standardize the waste acceptance criteria for contaminated soils in the Region. It addresses only soils that are characterized as Class III wastes. Some of our MSW landfills contain certain disposal cells that have been designed, constructed, and authorized by WDRs to receive Class II wastes which require special handling. This Order does not affect the disposal in those Class II cells.

We circulated the draft Tentative Order to interested parties and received comments from two of the major waste disposal companies that own and operate several of the municipal solid waste landfills in our Region (Appendix B). We revised the Tentative Order in response to comments received. Appendix C documents our responses to comments. Appendix A is the Revised Tentative Order, and Appendix D is a marked-up version of the Tentative Order showing the changes made.

**RECOMMEN-
DATION:**

Adoption of the Revised Tentative Order

APPENDICES:

A – Revised Tentative Order

B – Comments Received

C – Staff Responses to Comments

D – Marked-Up Version of the Tentative Order

APPENDIX A
REVISED TENTATIVE ORDER

APPENDIX B

COMMENTS RECEIVED

In accordance with Section 11546.7 of the California Government Code, an electronic version of the comments received have not been posted online as they do not meet specified accessibility standards. For an electronic copy of the comments, please contact the Regional Water Quality Control Board.

APPENDIX C

STAFF RESPONSES TO COMMENTS

APPENDIX D

MARKED-UP TENTATIVE ORDER