

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION
[TENTATIVE] WASTE DISCHARGE REQUIREMENTS ORDER R5-2020-XXXX
FOR
AEROJET ROCKETDYNE, INC.
WHITE ROCK NORTH DUMP AND
AEROJET WASTE CONSOLIDATION UNIT LANDFILL
SACRAMENTO COUNTY

**RESPONSES TO DISCHARGER'S COMMENTS ON
TENTATIVE WASTE DISCHARGE REQUIREMENTS ORDER
AND MONITORING AND REPORTING PROGRAM**

In accordance with the Water Code and Title 27, Central Valley Regional Water Quality Control Board (Central Valley Water Board) provided Aerojet Rocketdyne, Inc. (Discharger) with a copy of the Tentative Waste Discharge Requirements (WDRs) and Tentative Monitoring and Reporting Program (MRP) for the White Rock North Dump (WRND) and Aerojet Waste Consolidation Unit (AWCU) Landfill (collectively, Facility). The tentative orders are scheduled for adoption at the Central Valley Water Board's public meeting on 10-11 December 2020.

The Discharger provided its comments via email on 8 September 2020. Responses of Central Valley Water Board staff and counsel to those comments are set forth below.

After receiving the Discharger's comments, Central Valley Water Board staff significantly revised the Tentative WDRs Order. As a result, the finding numbers referenced in the Discharger's comments do not match the numbers in the final version that is to be considered for adoption.

Additionally, unless otherwise specified, finding and section references are to the contents of the Tentative WDRs Order.

ITEM 1

Comment

Finding 64 should not indicate that AR is required to cap the entire WRND because of an isolated release of TCE. In accordance with Section 20080(g) the WRND is a "CAI unit". AR has developed a detection monitoring program and is implementing RWQCB-required corrective action. AR is not aware of regulations that require this CAI unit to be capped.

Response

The finding in question no longer exists. Although the WRND is a CAI Unit, the Central Valley Water Board has determined that "corrective action" includes the installation of a Title 27-compliant over the remaining surface areas that are not otherwise covered by the AWCU. Regardless, the Tentative WDRs have been revised to no longer require the installation of a cover. The matter will be revisited when the operative Cleanup and Abatement Order (CAO) is revised or replaced next year.

ITEM 2

Comment

In multiple areas, the document refers to the size of the AWCU as +/-50acres. The AWCU will not be greater than 50 acres. Please revise to “up to 50 acres”

Response

The Discharger’s draft Joint Technical Document (JTD) in section 2.1 and draft Initial Study and Mitigated Negative Declaration (IS/MND) in section 2.2 uses the term +/- 50 acres in multiple places. Nevertheless, the Tentative WDRs Order has been revised to state “up to 50 acres.”

ITEM 3

Comment

The WDRs and MRP are for the combined WRND and AWCU. However, the groundwater monitoring for the WRND is covered under a separate CAO. This makes things confusing in some areas of the WDRs and MRP. In particular, the MRP defines the “Facility” as being the WRND and the AWCU. This is correct when discussing the storm water and unsaturated zone monitoring, but not with regard to the groundwater monitoring. It should be clearly stated in the WDRs and in Section B.1 of the MRP that the sampling program described is only for the AWCU and not for the WRND.

Response

See updates to Tentative WDRs Order.

ITEM 4

Comment

Regarding the MRP, detections of landfill gases in the vapor collection system cannot be used to trigger action. Landfill Gases are anticipated to be present in this layer.

Response

The WRND vapor collection system should be monitored to determine preexisting conditions i.e., background characteristics in the unsaturated zone below the new AWCU Unit. In accordance with Title 27 section 20400(a) and 20415(d) the Discharger shall propose a trigger value (concentration limit) for each medium monitored including the unsaturated zone. As discussed in WDRs Findings 26 through 28 and shown in Attachment G of the WDRs the Transfer Material waste characteristics is significantly

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different than typical MSW waste characteristics. Monitoring the characteristics of landfill gas from WRND prior to and during placement of waste in the AWCU is beneficial to the Discharger since if there was concern whether a release of waste from the AWCU had occurred the information is available to demonstrate that landfill gas quality in the vapor collection layer had not changed and thus there is not significant evidence that a release of waste had occurred from the AWCU. Please see Title 27 section 20420(k)(7) for additional information regarding demonstration the Unit is not at cause. Therefore, no change is warranted to the WDRs and/or MRP.

ITEM 5

Comment

Per Finding 3, the AR property has always been 8,500 acres

Response

There are numerous sources regarding the original Aerojet property being 5,900 acres. Please see <https://semspub.epa.gov/work/HQ/197398.pdf> and https://dtsc.ca.gov/wp-content/uploads/sites/31/2018/01/Aerojet_fpermit.pdf. Therefore, Finding 3 remains unchanged except the date has been changed from 1951 to 1953 to be consistent with USEPA findings.

ITEM 6

Proposed Revision

Revise Finding 10 to read as follows: "From 1958 to 1964, WRND was a disposal site operated by the North American Waste Disposal Service Company under a Sacramento County franchise."

Response

Proposed revisions have been incorporated as the new Finding 11.

ITEM 7

Comment

Finding 11 [now Finding 12] is not accurate. Aerojet was not privy to the disposal practices of North American Waste Disposal Company.

Proposed Revision

Revise Finding 11 [now Finding 12] to read as follows:

Aerojet-General Corporation, which was renamed Aerojet Rocketdyne, Inc. following the acquisition of Rocketdyne, Inc. in 2013, leased the WRND property from 1963-1970 as a buffer zone for their operations north of WRND. From June 1970 to January 1974 Aerojet General Corporation owned the WRND property and had knowledge of the activities, conducted prior to its ownership, that caused pollution or nuisance at the site, and by virtue of its control over the property had the ability to control the discharge of waste to the property between 1970 and 1975.

Response

The proposed dates for Aerojet-General's ownership have been accepted. However, the proposed deletion of "Aerojet's knowledge of the activities was enhanced due to Aerojet's disposal of a portion of its waste to WRND during the 1960s" (final sentence of paragraph) is rejected to be consistent with Finding 13 in Cleanup and Abatement Order 96-150 (1996 CAO).

Revised Finding

Finding 12 [formerly Finding 11] now reads as follows:

Aerojet-General Corporation (Aerojet-General), which merged into Aerojet Rocketdyne Inc. (Discharger) in 2013, leased the WRND property from 1963-1970 as a buffer zone for their operations north of WRND. From June 1970 to January 1974 Aerojet-General owned the WRND property and had knowledge of the activities, conducted prior to its ownership, that caused pollution or nuisance at the site, and by virtue of its control over the property as the lessee had the ability to control the discharge of waste to the property. Aerojet's knowledge of the activities was enhanced due to Aerojet's disposal of a portion of its waste to WRND during the 1960s. Following Aerojet's sale of the property in January 1974 the property changed hands multiple times between 1974 and 1988.

ITEM 8

Comment

For completeness, add the following language between Finding 11 and Finding 12 [now Findings 12-13]: “Between January 1974 and 1988, the` ` property changed hands multiple times.”

Response

Accepted—see above.

ITEM 9

Comment

Regarding Finding 12, AR does not have knowledge that the WRND parcel was ever placed on the Superfund Site (State or Federal). Either provide evidence or delete 4th and 5th sentences.

Response

The language can be found in the last paragraph of section 2.1 Site History in the *Interim Report, Former White Rock North Dump* prepared by Dames and Moore dated 31 December 1991 (Dames and Moore, 1991). The Interim Report was provided as Appendix A.2 of the Joint Technical Document (JTD) by the Discharger and was used in part to prepare the WDRs.

ITEM 10

Comment

Regarding Finding 17 [now Finding 18], AR was not the only owner and operator of the WRND, and, therefore, not the only entity potentially responsible for closure of the WRND. Please revise the first sentence to read: “Therefore, as one of the Facility’s owners and operators....”

Response

Changes accepted in Finding 18.

ITEM 11

Comment

In Finding 22c [now Finding 23c], for “Phase 2 WRND Cap and Closure,” add the following caveat to the beginning of the paragraph: “If Phase 1 AWCU is constructed, cap and ...”

Response

The Central Valley Water Board does not see the importance of adding the proposed qualifier. Although the WRND cover is part of the overall “project” for purposes of CEQA, the AWCU’s construction is the lynchpin of the entire enterprise. If the AWCU is not constructed, the WDRs Order will need to be revised or rescinded.

ITEM 12

Proposed Revision

Revise Finding 22c [now Finding 23c] to read as follows:

Schedule: In the event that the AWCU is constructed, completion of Phase 1 and Phase 2 would not exceed 15 years from the issuance of a solid waste facility permit, and the Discharger would commit to an AWCU final closure by December 31, 2035. The Discharger would also commit to completion of the excavation and relocation of Transfer Material from the Aerojet landfill to the AWCU within 24 months of commencement of the Aerojet Landfill Clean Closure Plan, and final closure of the portion of the AWCU that received Aerojet Landfill Transfer Material within 12 additional months or sooner due to a potential threat to receiving water quality from stormwater contact with the Transfer Material. The Discharger’s preferred schedule for implementation of the WRND Phase 2 final closure is to begin when 1,000,000 CY of Transfer Material have been placed in the AWCU. However, since the Discharger does not know the exact timing of all projects that would generate Transfer Material, if the AWCU is constructed, the Discharger commits to the completion of Phase 2 final closure by December 31, 2035.

Response

Proposed changes rejected as unnecessary.

ITEM 13

Comment

Regarding Finding 26 [now Finding 34] and Attachment G, Naphthalene and 1,2,4-Trichlorobenzene are SVOCs; however, the MRP monitoring column states that it is captured in the VOC Short List. AR should be required to analyze this chemical along with the 5-year SVOC list.

Response

Central Valley Water Board staff concur. Appropriate revisions have been made to the Tentative WDRs Order.

ITEM 14

Comment

Regarding Finding 27 [now Finding 35], since the AWCU is designed to collect and vent gases from the underlying WRND, detection of COCs in gas samples collected from the unsaturated zone should not trigger additional monitoring of these chemicals.

Response

See Central Valley Water Board staff response to Item 4.

ITEM 15

Comment

Regarding Finding 28 [now Finding 36], AR submitted a waste screening and acceptance methodology. Is this methodology acceptable?

Response

Waste screening for hazardous waste at Municipal Solid Waste Landfills (MSWLFs) is regulated by CalRecycle under Title 27, sections 20610, 20870, 21600, subdivision (b)(7)(E), (8)(J). Although the AWCU is not an MSWLF, the Facility will be regulated by CalRecycle under a solid waste facilities permit. Since CalRecycle is most familiar with the requirements and content e.g., types and frequency of inspections, training necessary for personnel to recognize hazardous waste, required testing, etc., necessary in a fully functional hazardous waste screening program the Central Valley Water Board has deferred development and approval of waste screening an acceptance methodology to CalRecycle, the agency most qualified to approve the Discharger's hazardous waste screening program. Therefore, the Discharge Specifications merely

require the Discharger to provide documentation that it has developed an appropriate hazardous waste screening program that has been approved by CalRecycle.

ITEM 16

Comment

Regarding Finding 29 [now Finding 37], AR may consolidate WRND MSW during Phase 2.

Proposed Changes

Revise the third sentence to read as follows: "The Facility is prohibited from disposing new MSW in the AWCU or WRND waste management units."

Response

Appropriate changes have been made to the Tentative WDRs Order to address this issue.

ITEM 17

Comment

Regarding Finding 40 [now Finding 49], a stormwater analysis for the AWCU was included in the Joint Technical Document and does not require further demonstration.

Proposed Changes

Revise last sentence to of Finding 40 to read as follows:

These WDRs in Section I, Time Schedule, require the Discharger to demonstrate it can retain all stormwater from the Phase 2 cap on-site or provide evidence of coverage under the Industrial General Permit.

Response

The Discharger has demonstrated that stormwater which drains from the AWCU can be retained on site but has not demonstrated that stormwater that drains from the WRND can be contained on site. Finding 49 now reads as follows:

Currently, the Discharger is not permitted to discharge stormwater from the Facility (which requires regulatory coverage under the State Water Board's operative Industrial General Permit). Unless the Discharger

demonstrates that it can retain all stormwater on-site the Discharger is required to obtain coverage under the operative Industrial General Permit.

ITEM 18

Comment

Regarding Finding 57 [now Finding 67], the figure included in Attachment R is out of date. Replace with the attached figure. Also, Table 5 includes Gas Probes for the AWCU Phase 1A underlying gas collection layer. There will not be probes in the gas collection layer. Remove. Also, please define exactly what constitutes the unsaturated zone monitoring network to clarify that the leak detection system is not part of this network

Response

Please see response to Item 4. Attachment R has been updated with the current map. Other appropriate changes have been made to the Tentative WDRs Order incorporating the updated information. The unsaturated zone is defined as “the zone between the ground surface and the regional water table or, in cases where the uppermost aquifer is confined, the zone between the ground surface and the top of the saturated portion of the aquifer’s confining layer.” (Title 27, § 20164.) The unsaturated zone monitoring network consists of monitoring devices installed in the unsaturated zone outside of the AWCU waste containment system. Therefore, as shown in Table 5, the leak detection system (LDS) is not considered part of the unsaturated zone monitoring system. Furthermore, detection of waste within the leak detection layer does not constitute a release of waste from the AWCU. The Discharger will need to monitor the gas collection layer below the AWCU waste containment system to determine if waste in gaseous form beneath the AWCU originates from the AWCU or the WRND. No further changes are warranted.

ITEM 19

Comment

Regarding 61 [now Finding 72], clarify that there are only two WMUs, the AWCU and the WRND. AR will only be required to monitor the AWCU as a single WMU and the WRND as a single WMU.

Response

Appropriate changes have been made to the Tentative WDRs Order. There are only two Waste Management Units (WMUs) at the Facility, the WRND and the AWCU.

ITEM 20

Comment

Regarding Finding 64, there is no requirement to install a final closure cover over WRND. AR agreed to install a final closure cover over WRND if the AWCU project is implemented. As a result, the second to last sentence should be deleted, and the last sentence should be revised to state: "If the AWCU is constructed, the Discharger shall install the final WRND cover in accordance with the closure schedule provided in Finding 22 and 79."

Response

Finding 64 has been deleted from the Tentative WDRs Order. The Central Valley Water Board intends to adopt a Cleanup and Abatement Order directing the Discharger to install a Title 27-compliant cover over the WRND as a means of "corrective action" to address existing releases. As a result, the WDRs Order no longer requires closure of the WRND.

ITEM 21

Comment

Regarding Finding 74 [now Finding 86], without the collection of leachate and wastewater samples, AR cannot provide a WWTP with a profile of the waste and, therefore, cannot provide evidence of a signed agreement with a WWTP prior to discharge of waste to the AWCU. Revise to allow demonstration of a signed agreement with a WWTP at a time when AR can provide a WWTP with a profile of the waste.

Response

The Tentative WDRs Order has been revised to no longer require demonstration of an agreement for acceptance of leachate. The Discharger remains prohibited from discharging leachate onsite, except to the AWCU for dust-control purposes. The Discharger is now required to dispose of remaining leachate at an "appropriately permitted" wastewater treatment or waste disposal facility. The MRP also now requires the Discharger to report where the leachate is being sent to, and how much is being disposed offsite.

ITEM 22

Proposed Change

Please revise Finding 78 to read as follows:

If the AWCU is constructed, the Discharger proposes to place a final closure cover over the WRND WMU and the AWCU as shown in Attachment X.

Response

The finding no longer exists because the Tentative WDRs Order no longer requires the “closure” of the WRND. The matter is being addressed through a separately-issued CAO per Water Code section 13304.

ITEM 23

Comment

Regarding Finding 79 [now Finding 90], the AWCU Phase 1A closure date is 2035.

Response

Revised accordingly.

ITEM 24

Comment

Regarding Finding 84, the final cover for the closure of the WRND has not been designed. As such, studies on possible Title 27 compliant covers is not applicable at this time. AR will submit a closure plan for the WRND by December 31, 2030. If the final cover included in this plan requires evaluation, AR will include a schedule in the closure plan to complete this evaluation.

Proposed Change

Replace Finding 84 with the following paragraph:

Discharger will submit a Closure Plan for Central Valley Water Board staff review and approval which proposes a Title 27 compliant final cover, for the portion of WRND that is not covered by the AWCU or planned to be consolidated during closure of the WRND, by December 31, 2030.

Response

The finding in question no longer exists, as it has been deleted for reasons discussed in the above responses.

ITEM 25

Comment

Regarding Finding 86 [now Finding 96], Attachment V does not include slope specifications for the cover.

Response

The Finding has been revised to read as follows: "The proposed final cover specified in Attachment V has side slopes which...."

ITEM 26

Comment

Regarding Finding 87, since the County of Sacramento requires installation of a landscaping plan to prevent visual blight of the landfill, this no longer applies.

Response

The finding has been deleted from the Tentative WDRs Order.

ITEM 27

Comment

Regarding Finding 90 [now Finding 103], Title 27, Chapter 6, Subchapter 2, specifically states that financial assurance is not required for facilities closed before 1988. As a result, no financial assurance is required for closure of the WRND.

Proposed Changes

Please delete the following language:

Furthermore, in accordance with the Discharger's CEQA document the Discharger has committed to installing a final closure cover over the WRND, perform postclosure maintenance, and perform any corrective action associated with addressing impairment of beneficial uses of receiving water due to a release of waste from the WRND. Likewise, the

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Discharger has not provided cost estimates for final closure, postclosure maintenance, and corrective action measures that may be needed addressing impairment of beneficial uses of receiving water ... both ... and WRND ...

Response

See above responses. Although Title 27 does not require Financial Assurances for CAI Units, the Central Valley Water Board retains the discretion to impose such requirements on a case-by-case basis. The issue of Financial Assurances for the WRND will be revisited per the forthcoming CAO.

ITEM 28

Comment

Regarding Finding 91 [now Finding 104], remove references to the WRND from Table 8.

Response

See above responses. Changes have been made to reflect that WRND Financial Assurances are not being required under the Tentative WDRs Order, though they may still be imposed under the forthcoming CAO.

ITEM 29

Proposed Change

Revise Finding 92 [now Finding 105] to read as follows:

This Order requires the Discharger to maintain financial assurances with CalRecycle upon implementation of AWCU construction in at least the Estimated Cost amounts specified in Table 8.

Response

See above responses. This finding does not address timing of when financial assurance mechanism must be in place but is only intended to identify where financial assurances shall be maintained. Therefore, no changes are warranted.

ITEM 30

Proposed Change

Regarding Finding 93, remove references to the WRND from Table 9.

Response

Finding 93 and its associated table no longer exist.

ITEM 31

Comment

Regarding Finding 96 [now Finding 106], see comment on Finding 22c.

Response

See above responses.

ITEM 32

Comment

Regarding the section beginning with ‘IT IS HEREBY ORDERED...,’ these requirements are not required unless the AWCU is constructed.

Proposed Changes

Revise first sentence to read as follows:

IT IS HEREBY ORDERED, pursuant to Water Code sections 13263 and 13267, that if the Discharger proceeds with construction of the AWCU, the Discharger and their agents, employees and successors shall comply with the following.

Response

No changes are warranted. If the AWCU is not constructed as planned, the WDRs will need to be rescinded and/or revised.

ITEM 33

Comment

Regarding Section A.4, see comment on Finding 90 [now Finding 104]. Remove reference to WRND.

Response

The discharge prohibition in question no longer exists. Further, the substantive conditions on placement of waste in the AWCU no longer depend on Financial Assurances for the WRND.

ITEM 34

Proposed Change

Regarding Section A.7, add the following language to the end: "...until a plan to manage this wastewater during the wet season is submitted and approved by Central Valley Regional Water Quality Control Board staff."

Response

The Discharger appears to lack adequate storage capacity for undiverted precipitation as required in Title 27, section 20365, subdivision (b). The Discharger has chosen to not construct a Class II surface impoundment per section 20375 capable of containing contact stormwater (i.e., leachate during the wet season). The Discharger limited its waste disposal operations to the period from 1 May to 30 October. Therefore, a prohibition was placed in the WDRs to allow the Discharger to still conduct waste disposal operations outside of the wet season period. Prohibition A.7 remains substantially unchanged.

ITEM 35

Comment

Regarding Section B.7, see comment on Finding 28 [now Finding 36].

Response

See response for Item 15 regarding the current Finding 36.

ITEM 36

Comment

Regarding Section E.9, Finding 81a [now Finding 92a] allows alternatives to a vegetative cover. Modify to allow similar flexibility.

Response

Section E.9 has been revised to read as follows:

Where vegetation is used as the erosion resistant layer, The Discharger shall apply a volume of seed, binder and nutrients to the vegetative /erosion-resistant layer sufficient to establish the vegetation proposed in the final closure plan. The Discharger shall also install any necessary erosion and sedimentation controls to protect vegetation while it is being established. A mechanically erosion-resistant soil where vegetation is not used to provide erosion control is exempted from this requirement.

ITEM 37

Comment

Regarding Section F.1, see comment on Finding 92 [now Finding 105].

Proposed Revision

Revise Section F.1 to read as follows:

Upon implementation of AWCU construction, the Discharger shall maintain with CalRecycle assurances of financial responsibility for the Estimate Cost amounts specified for each category in Finding 82, adjusted annually for inflation.

Response

See above responses, including to Item 29. No changes are warranted.

ITEM 38

Comment

Regarding Section G, see comment on Finding 61 [now Finding 72]. Clarify that there are only two WMUs, the AWCU and the WRND.

Response

See response to Item 19. There are only two WMUs at the Facility—the WRND (existing) and the AWCU (proposed). Section G has been revised to reference only those WMUs listed in Table 1. No further changes are warranted.

ITEM 39

Comment

Regarding Section G.8, see comment on Finding 57 [now Finding 67]. There are no gas sample probes beneath the AWCU, just a series of slotted pipes to collect any gases emanating from the underlying WRND. Detection of gases in the piping is anticipated and should not trigger additional monitoring.

Response

See response to Item 18. Detection of waste in gaseous form below the AWCU which originates from the WRND would not trigger additional investigation. However, detection of waste in gaseous form that originated from the AWCU which potentially indicated a release of waste from the AWCU would trigger further investigation.

ITEM 40.1

Proposed Revision

Regarding the Time Schedule per Section I, extend the deadline for submission of Construction and Design Plans to 90 days prior to anticipated AWCU construction.

Response

The requirement referenced in the Discharger's proposed revision has been moved to Section H.1 (Additional Required Reports).

From past experience Central Valley Water Board staff has found that submission of construction design plans 90 days prior to anticipated construction does not give the Discharger adequate time to incorporate any significant changes to their design which results in costly change orders since binding construction contracts have already been executed. In order to allow time for necessary changes to be incorporated in the design the review and approval process must occur prior to solicitation for construction bids. Therefore, no change to this task is warranted.

ITEM 40.2

Proposed Revision

Regarding the Time Schedule per Section I, extend the deadline for submission of the Operations Report to 60 days prior to the discharge of waste to the AWCU.

Response

The requirement referenced in the Discharger's proposed revision has been moved to Section H.1 (Additional Required Reports). The deadline is now extended per the Discharger's request.

ITEM 40.3

Proposed Revision

Regarding the Time Schedule per Section I, extend the deadline for submission of a stormwater technical report to 60 days prior to discharges to the AWCU.

Response

The requirement referenced in the Discharger's proposed revision has been moved to Section H.1 (Additional Required Reports). The Central Valley Water Board is chiefly concerned with stormwater discharges from uncovered portions of the WRND, which lacks a Title 27-compliant cover. The need for handling of stormwater is not dependent on the construction of, or commencement of discharges to, the AWCU. That said, the Central Valley Water Board agrees to extend the deadline for submission of the report by an additional 2 months to 1 June 2021.

ITEM 40.4

Proposed Revision

Regarding the Time Schedule per Section I, revise requirement for evidence of a signed agreement with a wastewater treatment plant or other disposal facility, such that the agreement will only be required prior to the disposal of leachate and/or wastewater.

Response

The requirement has been stricken from the Tentative WDRs Order altogether. See response to Item 21.

ITEM 40.5

Proposed Revision

Regarding the Time Schedule per Section I, strike out the following requirement:

Submit a Technical Report and Work Plan for review and approval to construct a 2-acre Envirotranspirative (ET) cover with appropriate instrumentation for 5-year monitoring to demonstrate that the proposed ET cover for final closure of WRND will meet the performance standard of Title 27 section 20950(a)(2). If the Discharger cannot demonstrate that the proposed ET final cover meets the performance standard Title 27 regulations the Discharger shall install a single composite final closure cover or equivalent final closure cover with equivalent low through-flow rate (see Title 27 § 21090(a)(2)) over the WRND by 2035

Replace the stricken language with the following requirement, which is to be completed by 31 December 2030:

Submit a Closure Plan for the final cover of the WRND

Response

See above responses regarding the “closure” of the WRND per a separately-issued CAO per Water Code section 13304. This requirement no longer exists in the Tentative WDRs Order.

ITEM 40.6

Proposed Revision

Regarding the Time Schedule per Section I, strike out the language requiring submittal of a technical report with closure and post-closure maintenance cost estimates for the WRND, as well as the requirement for the Discharger’s demonstration of financial assurances with respect to the WRND.

Response

See above responses regarding the “closure” of the WRND per a separately-issued CAO per Water Code section 13304. Financial assurance requirements for “closure” and post-closure maintenance (if imposed) will also be addressed in the forthcoming CAO. Consequently, this requirement no longer exists in the Tentative WDRs Order.

ITEM 41

Comment

Regarding the MRP, the AWCU is designed with a leak collection system and a leak detection system. These are the primary components of the AWCU to detect chemicals leaching from the waste. It is not clear why quarterly monitoring of the underlying groundwater system is required prior to a detection of chemicals in the leak detection system. AR suggests adding a footnote to Tables 2 and 3 stating that the monitoring requirements in these table are to be initiated once chemicals are detected in the leak detection system for a period of three consecutive monitoring events.

Response

Title 27 section 40415(b) requires the Discharger to establish a ground water monitoring system which includes monitoring points installed at the point of compliance. Currently, the Discharger (1) does not have a groundwater detection monitoring system installed around the proposed AWCU Unit, and (2) water quality protection standards characterizing background water quality at the location where the proposed AWCU will be constructed. The MRP requires quarterly sampling of groundwater around the AWCU to properly monitor groundwater conditions and quality. The Discharger after a period of time when it has sufficient data to demonstrate that groundwater conditions and quality is stable and well defined can request that the frequency of monitoring is reduced from quarterly to semiannually. The Central Valley Water Board cannot postpone the requirement to monitor groundwater until after a release of waste from the AWCU Unit has occurred. Therefore, no changes to Tables 2 and 3 are warranted.

ITEM 42

Comment

Regarding Table 6 in the MRP, there will not be gas collection layer gas probes. Remove reference to Monitoring Points GCL-1A through GCL-1F.

Response

Please see responses to Discharger comments 4, 18, and 39. There Discharger will need to install gas monitoring devices in the gas collection layer in order to identify the source of gas within the unsaturated zone. Therefore, no changes to Table 6 is warranted.

ITEM 43

Comment

Regarding Table 7 in the MRP, as discussed with the RWQCB and LEA, gas probes will be installed around the WRND perimeter and not around the AWCU. Since the entire footprint of the AWCU will reside within the footprint of the WRND, additional landfill gas probes will not be constructed during expansion of the AWCU.

Response

The Discharger's current JTD does not indicate that gas probes will not be installed around the AWCU as shown in JTD Figure 5-4. The Note for Table 7 remains unchanged.

ITEM 44

Comment

Regarding Lysimeter sampling in the MRP, Section B.2.d requires 5-year COC sampling as soon as liquid is found in a lysimeter. Section B.2.d further provides that any five-year COC verified to be present in a lysimeter shall be added to the monitoring parameters listed in Table 3 for groundwater detection and corrective action monitoring purposes. AR suggests that Table 9 and Section B.2.d be modified to only require quarterly monitoring of Transfer Material Compounds in pan lysimeters after those compounds are verified to be present in a lysimeter during five-year COC sampling event.

Response

Any liquids found in a pan lysimeter which contains COCs found in the Transfer Material may indicate a release of waste outside the AWCU waste containment system. Once a release is verified the Discharger must expand the monitoring of those COCs to its groundwater detection system. Also, please see response to Discharger comment 47. The WDRs and MRP are written such that the Discharger progressively expands its monitoring requirements only if a release from the AWCU is verified. Please see monitoring Specification G.8 in the WDRs. Section B.2.d remains unchanged.

ITEM 45

Comment

Regarding Section B.3 in the MRP, AR understands that the MRP is specific to the AWCU. Section B.3 states that surface water monitoring from the WRND shall occur

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under CAO 96-150. Table 11 should not include sampling locations SW-1 or SW-2 as these are WRND surface water sampling locations.

Response

Table 11 has been changed to remove surface water sampling locations SW-1 and SW-2 which are associated with WRND.

ITEM 46

Comment

Regarding Section B.4.f of the MRP and Five-Year COCs, the date at the end of the second sentence should be 2025.

Response

Corrected.

ITEM 47

Comment

Regarding Section D.1.c of the MRP, this section requires sampling of liquid within the LCRS and LDS, if present, for the parameters listed in Table 16. Table 16 includes monitoring all possible Transfer Material Compounds on a quarterly basis. AR suggests that Table 16 be modified to only require quarterly monitoring of Transfer Material Compounds in LCRS and LDS after those compounds are verified to be present in a LCRS and LDS. Compounds that are not present in the initial monitoring event should be added to the five-year COC list in Table 17.

Response

Transfer Material is derived from multiple sources within the AWCU Service Area. The characteristics of the Transfer Material will change over time. As a result, the characteristics of liquid within the LCRS and LDS will change over time. To limit what constituents of concern are analyzed based past detections as well as only looking for COCs every 5-years for a WMU whose operating life is most likely 10-15 years does not constitute an adequate detection monitoring system. In order for the Discharger to realize cost savings due to limited monitoring it behooves the Discharger to dispose of Transfer Material in the AWCU in the shortest period of time possible. Furthermore, the Discharger should not find liquids in the LDS if the Discharger implements a CQA plan that ensures minimal defects in the primary geomembrane liner, In that case there would be no samples taken from the LDS and therefore no analysis required. The same

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is true for sampling and analysis of any liquids in the pan lysimeters. If the Discharger implements a CQA plan that ensures minimal defects in the secondary geomembrane liner there should be no liquids in the pan lysimeter to sample and analyze for. Therefore, Section D.1.c remains unchanged.

ITEM 48

Comment

Regarding MRP Sections D.6 and E.6 (Iso-Settlement Surveys), since this landfill is only accepting Transfer Material, which consists of waste soil and miscellaneous construction debris, it is not likely that significant settlement will occur. As such, AR feels that biennial iso-settlement surveys are not warranted. AR recommends iso-settlement surveys every 5 years.

Response

Since the Discharger has requested and has been approved for an engineered alternative to Title 27 § 21090(b)(1)(B) which requires cover slopes to be a minimum three percent (Please see Finding 85) the Discharger must verify that significant settlement will not occur. Therefore, section D.6 is written to require the Discharger to perform iso-settlement every two years for the first ten years and then every five years thereafter. If the Discharger demonstrates that significant settlement is not occurring following several iso-settlement surveys the Discharger can request that the MRP be changed to relax the requirement. Until that time the requirement remains unchanged.

ITEM 49

Comment

Regarding MRP Section E (Reporting Requirements), since the MRP requires sampling of multiple features immediately following storm events or when liquid is identified in certain features, submittal of a report within 30 days is not possible (e.g. liquid, first identified in an LCRS on December 31, would require sampling and analysis. Reporting this information by February 1 would not be possible.) AR recommends modifying these deadlines to be 90 days following the end of the period (e.g. the report for monitoring period 1 July to 31 December would be due on March 31). This is similar for Annual Reports.

Response

There is only one reference of “30 days” within the MRP and that is found in Section D.5 related to Major Storm Events. Following any damage or discharge of waste outside the AWCU liner boundary the Discharger shall complete necessary repairs within 30 days

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of inspection. In accordance with Section E.5, following completion of repairs the Discharger has 14 days to submit a report documenting completion of repairs. This is standard language found in all MRP Orders. Regarding discovery of any leachate seeps per Section E.3 the Discharger must notify Central Valley Water Board staff immediately and within 7 days provide a written report. As with other Dischargers the written report typically states that samples taken have been submitted for analysis and will be provided as the analytical results become available. The Discharger's recommendation to change reporting requirements to 90 days is too long to wait when significant discoveries are made. Therefore, the reporting requirements remain unchanged.

ITEM 50

Comment

Regarding the MRP reporting requirements, AR recommends combining the Annual and second Semi-annual reports into a single deliverable.

Response

Footnote 8 related to section E.2 of the MRP indicates that the two reports may be combined and submitted as a single report provided that the combination is clearly indicated in the title.

ITEM 51

Comment

Regarding MRP Section F (Records Retention Requirements), AR does not agree that records should be kept forever. Records beyond the past 10 years are no longer relevant to current operations. AR recommends maintaining records of all monitoring information for a period of 10 years.

Response

Retention of permanent records is required of all Dischargers so long as the Facility is not clean closed and a threat to water quality continues to exist. Furthermore, post-closure maintenance at a facility is typically 30 years or longer so only maintaining records for 10 years is woefully inadequate. Therefore, the requirement remains unchanged.