

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
COLORADO RIVER BASIN REGION**

ORDER NO. 00-140

**WASTE DISCHARGE REQUIREMENTS
FOR
SANTA FE PACIFIC PROPERTIES, INC., LAND OWNER
OMYA (CALIFORNIA), INC., OPERATOR,
GROUP "C" MINING WASTE MANAGEMENT FACILITY
WASTE MANAGEMENT UNIT NO. 4
Lucerne Valley - San Bernardino County**

The California Regional Water Quality Control Board, Colorado River Basin Region, finds that:

1. OMYA (California), Inc., (hereinafter referred to as the discharger) P.O. Box 825, Lucerne Valley, California 92356 is the operator and the lessee of the Group C Mining Waste Management Facility (WMF), Waste Management Unit No. 4 (hereinafter referred to as the Landfill).
2. Santa Fe Pacific Properties, Inc. (hereinafter also referred to as the discharger) a Delaware corporation, is the record title owner of the property (referenced as the Landfill in Finding No. 1) occupied by OMYA. Santa Fe Pacific is a wholly owned subsidiary of Catellus Development Corporation, 3990 Westerly Place, Newport Beach, California 92660 a Delaware corporation (formerly known as Santa Fe Pacific Realty Corporation).
3. The Landfill is located five (5) miles south of State Highway 18 off Crystal Creek Road in the NW 1/4, NW 1/4 of Section 1, T3N, R1W, SBB&M as shown on Attachments A and B.
4. Definitions of terms used in this Board Order:
 - a. Waste Management Facility (WMF) - The entire parcel of property at which waste discharge operations are conducted.
 - b. Waste Management Unit (WMU) - An area of land, or a portion of the waste management facility, at which waste is discharged. The term includes containment features and ancillary features for precipitation and drainage control and monitoring.
 - c. Landfill - A waste management unit at which waste is discharged in or on land for disposal. It does not include surface impoundments, waste piles, or land treatment of soil amendments.
 - d. Group A - Mining wastes of Group A are wastes that must be managed as hazardous waste pursuant to Chapter 11 of Division 4.5, of Title 22 of this code, provided the Regional Water Quality Control Board finds that such mining wastes pose a significant threat to water quality.
 - e. Group B - Mining waste of Group B are either:

- i. Mining wastes that consist of or contain hazardous wastes, that qualify for a variance under Chapter 11 of Division 4.5 of Title 22 of this code, provided that the Regional Water Quality Control Board finds that such mining wastes pose a low risk to water quality; or
 - ii. Mining wastes that consist of or contain non-hazardous soluble pollutants of concentrations which exceed water quality objectives for, or could cause, degradation of waters of the state.
 - f. Group C - Mining wastes from Group C are wastes from which any discharge would be in compliance with the applicable water quality control plan, including water quality objectives other than turbidity.
5. The discharger submitted an application Form 200 and a Report of Waste Discharge (ROWD) for the proposed lateral expansion of the existing Landfill. The Application Form 200 and ROWD were approved on August 24, 2000.
 6. Group C mining wastes have been discharged at the existing Landfill since 1977. The WMF became subject to Waste Discharge Requirements (WDRs) under Board Order No. 90-040 on May 16, 1990.
 7. On September 15, 1993, Board Order 90-040 was amended with the Regional Board adoption of Board Order No. 93-071 which incorporates provisions of the Resources Conservation and Recovery Act (RCRA), Subtitle D.
 8. The Landfill is currently regulated by WDRs under Board Orders No. 90-040 and 93-071. These WDRs are being updated to incorporate the combined SWRCB/CIWMB Regulations, Division 2, Title 27 (hereinafter referred to as Title 27).
 9. The discharger proposes a lateral expansion of the facility to increase the Landfill boundary to 9.9 acres, a 4.45-acre increase.
 10. The discharger proposes to receive a total average of 1700 cubic yards per month of the following Group C mining waste products at the Landfill:
 - a. Limestone rock
 - b. Crushed limestone rock
 - c. Wood
 - d. Cardboard
 - e. Paper bags
 - f. Woven polypropylene bags
 11. The site is located within the Mojave Desert Geomorphic Province. The Mojave Desert is bounded on the southwest by the San Andreas fault and the Transverse Ranges, and on the northeast by the Garlock fault. The San Bernardino Mountains are at the southern part of the site. The site is underlain by alluvium of recent age, derived from the San Bernardino Mountains. The alluvium is composed of sand and gravel and extends to a depth approaching 2,000 feet in the vicinity of the site.

12. The discharger reports that the site does not lie within or immediately adjacent to an Alquist - Priola Earthquake Fault Zone designated by the State of California to include traces of suspected active faulting. The discharger reports that no active or potentially active faults are shown on or in the immediate vicinity of the site.
13. The discharger reports that the side slopes at the Landfill will be three (3) horizontal to one (1) vertical. The discharger reports that slope stability analyses were done both under static and seismic loads. The Factor of Safety under static loads is 1.74 and for the seismic loads is 1.1.
14. Liquefaction is not anticipated at the site since the depth-to-groundwater in the vicinity of the site is about 855 feet below ground surface (bgs).
15. The site is located at the base of the northern slope of the San Bernardino Mountains within the Lucerne Valley Groundwater Basin. The Lucerne Valley Groundwater Basin is bordered to the north by the Ord Mountains and Stoddard Ridge, to the east by the Fry Mountains and Fry Valley, to the west by the Granite Mountains and Apple Valley, and to the south by the San Bernardino Mountains.
16. Crystal Creek is the nearest surface water source in the vicinity of the site.
 - a. The creek originates in the San Bernardino Mountains south of the site and flows within one (1) mile to the east of the WMF.
 - b. Runoff from the site would intercept the creek's streambed approximately one and one half (1 1/2) miles downgradient.
17. The beneficial uses of surface waters of Crystal Creek are:
 1. Municipal Supply (MUN)
 2. Agricultural Supply (AGR)
 3. Ground Water Recharge (GWR)
 4. Water Contact Recreation (REC I)^{1, 2}
 5. Non-contact Water Recreation (REC II)
 6. Warm Water Habitat (WARM)
 7. Wildlife Habitat (WILD)
18. Mean annual precipitation in the general vicinity of the site ranges from five (5) inches in the central basin of Lucerne Valley to over 20 inches in the San Bernardino Mountains. Groundwater recharge in the Lucerne Valley Hydrologic Unit results from deep percolation of runoff from precipitation in the San Bernardino Mountains.
19. The 100-year, 24-hour storm event is estimated to drop about six (6) inches of rain.
20. The site is not within the 100-year flood plain.

¹ Unauthorized use

² The only Rec 1 usage that is known to occur is from infrequent fishing.

21. The discharger has a potable water supply well, approximately one-quarter mile southwest of the Landfill. This well is upgradient topographically and hydraulically from the Landfill. No other potable water well exists within a one (1) mile radius of the site.
22. Groundwater in the vicinity of the site is of drinking water quality and has a total dissolved solids (TDS) concentration of 200-800 milligrams-per-liter (mg/l).
23. The Water Quality Control Plan for the Colorado River Basin Region of California (Basin Plan) was adopted on November 17, 1993, and designates the beneficial uses of ground and surface waters in this Region.
24. The Landfill is located in the Lucerne Hydrologic Unit.
25. The beneficial uses of ground waters in the Lucerne Hydrologic Unit are:
 - a. Municipal supply (MUN)
 - b. Industrial supply (IND)
 - c. Agricultural (AGR)
26. Federal regulations for storm water discharges were promulgated by the U. S. Environmental Protection Agency on November 16, 1990 (40 CFR Parts 122, 123, and 124). The regulations require specific categories of facilities which discharge storm water associated with industrial activity (storm water) to obtain NPDES permits and to implement Best Conventional Pollutant Technology (BCPT) to reduce or eliminate industrial storm water pollution.
27. The discharger proposes the following preliminary closure plan:
 - a. The waste will be covered with native soil.
 - b. Cover soil will be graded with a one (1) to three (3) percent slope.
 - c. Organic material, such as mulch, will be added to the cover soil.
 - d. Precipitation will be diverted away from the Landfill and drainage ways will be lined with rock rip-rap to prevent erosion.
28. The discharger proposes to monitor the Landfill quarterly after closure and make any repairs necessary to keep the cover intact.
29. The discharger prepared an Initial Study and Proposed Mitigated Negative Declaration to meet the State requirement of the California Environmental Quality Act (Public Resources Code, Section 21108 et seq.) The Mitigated Negative Declaration was approved by the San Bernardino County Board of Supervisors on March 10, 2000. There were no water quality or related water quality impacts identified during the environmental assessment.
30. The proposed 4.45-acre Landfill expansion is in compliance with the provisions of Title 27
31. The Board has notified the discharger and all known interested agencies and persons of its intent to update waste discharge requirements for this discharge, and has provided them with an opportunity for a public meeting and an opportunity to submit comments.

32. The Board, in a public meeting, heard and considered all comments pertaining to this discharge.

IT IS HEREBY ORDERED, that Board Order No. 90-040 is rescinded, and in order to meet the provisions contained in Division 7 of the California Water Code and regulations adopted thereunder, the discharger shall comply with the following:

A. Specifications

1. The treatment or disposal of wastes at this facility shall not cause pollution or nuisance as defined in Section 13050 of Division 7 of the California Water Code.
2. Waste materials shall be confined to the waste management facility as defined in Finding No. 4(a) and shown in the attached site maps.
3. Waste material shall not be discharged on any ground surface that is less than five (5) feet above the highest anticipated ground water level.
4. The discharge shall not cause degradation of any water supply.
5. Surface drainage from tributary areas, and internal site drainage from surface or subsurface sources, shall not contact or percolate through the wastes discharged at this site.
6. The exterior surfaces of the disposal area, including the intermediate and final landfill covers, shall be graded and maintained to promote lateral runoff of precipitation and to prevent ponding.
7. The discharger shall implement the attached Monitoring and Reporting Program No. 00-140 and revisions thereto 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 (caused by) discharges of waste to the Landfill.
8. One (1) year prior to the anticipated closure of the facility or any unit (portion) thereof, the discharger shall submit to the Regional Board, for review and approval by the Regional Board's Executive Officer, a final closure and post-closure maintenance plan in accordance with Chapter 3, Subchapter 4, and Chapter 4, Subchapter 4 of Title 27. The final closure and post-closure maintenance plan shall include seismicity studies.
9. The discharger shall remove and relocate any wastes that are discharged at this site in violation of these requirements.
10. Water used for site maintenance shall be limited to amounts necessary for dust control.
11. The discharger shall maintain a hazardous waste load-checking program at the Landfill. The discharger shall report the result of the load-checking program in the quarterly monitoring reports submitted in accordance with Monitoring and Reporting Program No. 00-140 and revisions thereto.

12. The Landfill shall be protected from any washout or erosion of wastes or covering material, and from any inundation which could occur as a result of floods having a predicted frequency of once in 100 years.
13. The discharge shall not cause the release of pollutants, or waste constituents in a manner that could cause a condition of contamination, or pollution to occur in the groundwater.

B. Prohibitions

1. The discharge or deposit of hazardous waste (as defined in Title 27) at this site is prohibited.
2. The discharge or deposit of designated waste (as defined in Title 27) at this site is prohibited unless approved by the Regional Board's Executive Officer.
3. The discharge or deposit of Group A and B mining waste is prohibited.
4. The co-disposal of incompatible wastes is prohibited.
5. The discharge of waste to land not owned or controlled by the discharger is prohibited.
6. The discharge shall neither cause nor contribute to the contamination or pollution of ground water via the release of waste constituents in either liquid or gaseous phase.
7. The direct discharge of any waste to any surface waters or surface drainage courses is prohibited.
8. The discharge of liquid or semi-solid waste (i.e. waste containing less than 50 percent solids) to the Landfill is prohibited unless approved by the Regional Board's Executive Officer.

C. Provisions

1. The discharger shall comply with "Monitoring and Reporting Program" No. 00-140, and future revisions thereto, as specified by the Regional Board's Executive Officer.
2. Prior to any change in ownership or management of this operation, the discharger shall transmit a copy of this Board Order to the succeeding owner/operator, and forward a copy of the transmittal letter to the Regional Board.
3. The discharger shall ensure that all site-operating personnel are familiar with the content of this Board Order, and shall maintain a copy of this Board Order at the site.
4. This Board Order does not authorize violation of any federal, state, or local laws or regulations.
5. 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 premises regulated by this Board Order, or the place where records must be kept under the conditions of this Board Order;
 - b. Have access to and copy, at reasonable times, any records that shall be kept under the conditions of this Board Order;
 - c. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this Board Order; and
 - d. Sample or monitor at reasonable times, for the purpose of assuring compliance with this Board Order or as otherwise authorized by the California Water Code, any substances or parameters at this location.
6. This Board Order does not convey any property rights of any sort or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of federal, state, or local laws or regulations.
7. All regulated disposal systems shall be readily accessible for sampling and inspection.
8. The discharger is the responsible party for the waste discharge requirements and the monitoring and reporting program for the facility. The discharger shall comply with all conditions of these waste discharge requirements. Violations may result in enforcement actions, including Regional Board Orders or court orders, requiring corrective action or imposing civil monetary liability, or in modification or revocation of these waste discharge requirements by the Regional Board.
9. The discharger shall furnish, under penalty of perjury, technical monitoring program reports, and such reports shall be submitted in accordance with the specifications prepared by the Regional Board's Executive Officer. Such specifications are subject to periodic revisions as may be warranted.
10. All containment structures and erosion and drainage control systems 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 prescriptive standards and performance goals of Title 27.
11. After a significant earthquake event the discharger shall:
 - a. Immediately notify the Regional Board by phone; and
 - b. Within seven (7) days, submit to the Regional Board 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.
12. The discharger shall immediately notify the Regional Board of any flooding, slope failure or other change in site conditions which could impair the integrity of waste containment facilities or of precipitation and drainage control structures. The discharger shall submit to

the Regional Board within 14 days, a detailed report describing any physical damage to the cover, surface water diversion systems or groundwater monitoring systems.

13. The discharger shall maintain legible records on the volume and type of each waste discharged at the site. These records shall be available for review by representatives of the Regional Board at any time during normal business hours. At the beginning of the post-closure maintenance period, copies of these records shall be sent to the Regional Board.
14. The discharger shall maintain visible monuments identifying the boundary limits of the entire waste management facility.
15. The discharger shall submit to this Regional Board and to the California Integrated Waste Management Board, evidence of Financial Assurance for Closure and Post-Closure, pursuant to Section 22207 and 22212 of Title 27. The post-closure period shall be at least 30 years. However, the post-closure maintenance period shall extend as long as the waste poses a threat to water quality.
16. Within 180 days of the adoption of this Board Order, the discharger shall submit to the Regional Board in accordance with Section 20380(b) of Title 27, assurance of financial responsibility acceptable to the Regional Board's Executive Officer for initiating and completing corrective action for all known or reasonable foreseeable releases from the Landfill.
17. The discharger shall submit a Notice of Intent (NOI) to the State Water Resources Control Board to be covered under the Statewide General NPDES Permit for Storm Water Discharges Associated with Industrial Activities, Order No. 97-03-DWQ, NPDES No. CAS 000001.
18. This Board Order is subject to Regional Board review and updating, as necessary, to comply with changing State or Federal laws, regulations, policies, or changes in the discharger characteristics.

I, Philip A. Gruenberg, 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, Colorado River Basin Region, on November 8, 2000.

Original signed by
Executive Officer