

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

ORDER NO. R7-2003-0029

WASTE DISCHARGE REQUIREMENTS  
FOR  
COUNTY OF SAN BERNARDINO, OWNER/OPERATOR  
LUCERNE VALLEY WASTE MANAGEMENT FACILITY  
CLASS III SANITARY LANDFILL  
Northeast of Lucerne Valley – San Bernardino County

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

1. The County of San Bernardino Solid Waste Management Division, formerly known as the County of San Bernardino Solid Waste Management Department (hereinafter referred to as the discharger), 222 West Hospitality Lane, Second Floor, San Bernardino, California 92415-0017, owns and administers the operation of the Lucerne Valley Waste Management Facility (WMF) (hereinafter referred to as the Landfill) for the disposal of municipal solid waste.
2. The Landfill is located in the NW  $\frac{1}{4}$  of Section 24, T5N, R1E, SBB&M, about eight (8) miles northeast of Lucerne Valley, east of Camp Rock Road, as shown in Attachment A, which is incorporated herein and made part of this Board Order.
3. The WMF has been subject to Waste Discharge Requirements (WDRs) under Board Order No. R7-2002-0125. The WDRs are being updated to address changes requested by the discharger.
4. The discharger submitted a Solid Waste Assessment Test (SWAT) report on June 30, 1988.
5. The Landfill is currently not accepting any waste. The Landfill has not accepted waste for approximately 10 years, and is awaiting final closure schedule from the County of San Bernardino.
6. The discharger operated the WMF as a landfill utilizing the area method of disposal. The site received residential refuse, commercial refuse, demolition wastes and agricultural wastes.
7. The current grading contours of the WMF are shown on Attachment B.
8. The WMF is underlain by Quaternary alluvial sediments composed mostly of coarse-grained material. Fractured crystalline bedrock composed of quartz monzonite underlies the alluvium. The fractured bedrock occurs at a depth of 41 feet below the ground surface in the vicinity of the site. Water quality data indicates that the bedrock is hydraulically interconnected.
9. Ground water in the vicinity of the site occurs in unconfined conditions. Ground water depths measured in April 1988 in monitoring wells, constructed by the discharger as part of the SWAT investigation, ranged from 187 feet to 198 feet below the ground surface.
10. Groundwater potentiometric contours, monitoring well locations, and soil-pore-gas monitoring probe locations are shown on Attachment C.
11. 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 a 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, land treatment or soil amendments.
12. The Regional Board's Executive Officer issued Cleanup and Abatement Order (CAO) No. 95-075 to the County of San Bernardino Solid Waste Management Division (SWMD) for the Landfill on August 8, 1995. On March 10, 1997, Regional Board staff received a letter from SWMD requesting modification of the time schedule for completing each item listed in the CAO, which was subsequently approved by the Regional Board.
  13. This Board Order updates Board Order No. R7-2002-0125 to reflect ground water monitoring/reporting changes.
  14. The Landfill is unlined and has no leachate collection and removal system.
  15. Analyses of ground water samples collected in March 2002 from upgradient monitoring well LV-3 indicate total dissolved solids content of 1,900 mg/L.
  16. The Water Quality Control Plan for the Colorado River Basin Region of California was adopted by the Regional Board on November 17, 1993.
  17. The beneficial uses of ground water of the Lucerne Hydrologic Subunit are:
    - a. Municipal supply
    - b. Industrial supply
    - c. Agricultural supply
  18. In accordance with Section 15301, Chapter 3, Division 6, Title 14 of the California Code of Regulations, the issuance of these WDRs, which governs the operation of an existing facility involving negligible or no expansion of use beyond that previously existing, is exempt from the provisions of the California Environmental Quality Act (Public Resources Code, Section 21000 et. Seq.).
  19. Federal regulations for storm water discharges were promulgated by the United States Environmental Protection Agency (USEPA) (40 CFR, Parts 122, 123, and 124). The regulations require that specific categories of facilities, which discharge storm water associated with industrial activity, obtain a NPDES Permit and implement Best Conventional Pollutant Technology (BCPT) to reduce or eliminate industrial storm water pollution.
  20. The State Water Resources Control Board (SWRCB) adopted Order No. 97-03-DWQ (General Permit No. CAS000001), specifying WDRs for discharges of storm water associated with industrial activities, excluding construction activities, and requiring submittal of a Notice of Intent (NOI) by industries to be covered under the Permit.
  21. The discharger has submitted, to this Regional Board, and to the California Integrated Waste Management Board (CIWMB), evidence of Financial Assurance for Closure and Post-Closure, pursuant to Section 22207 and 22212 of Title 27.
  22. The monitoring and reporting requirements in Monitoring and Reporting Program No. R7-2003-0029 are necessary to determine compliance with these WDRs and to determine the facility's impacts, if any, on ground water.

23. The Board has notified the discharger and all known interested agencies and persons of its intent to update WDRs for this discharge and has provided them with an opportunity for a public meeting and an opportunity to submit comments.
24. The Board, in a public meeting, heard and considered all comments pertaining to this discharge.

IT IS HEREBY ORDERED, that Board Order No. R7-2002-0125 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 material shall be confined to the existing footprint of the WMF, as defined in Finding No. 11a and described on the attached site maps.
3. Waste materials shall not be discharged on any ground surface less than five (5) feet above the highest anticipated ground water level.
4. The discharger 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 the 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 use the constituents listed in Monitoring and Reporting Program No. R7-2003-0029 and revisions thereto, as "monitoring parameters". These monitoring parameters are subject to the most appropriate statistical or non-statistical test under Monitoring and Reporting Program No. R7-2003-0029, Part III, and any revised Monitoring and Reporting Program approved by the Regional Board's Executive Officer.
8. The discharger shall implement the attached Monitoring and Reporting Program No. R7-2003-0029 in order to detect, at the earliest opportunity, any unauthorized discharge of waste constituents from the WMF, or any unreasonable impairment of beneficial uses associated with (caused by) discharges of waste to the WMF.
9. The discharger shall not cause the concentration of any Constituent of Concern or Monitoring Parameter to exceed its respective background value in any monitored medium at any Monitoring Point assigned to Detection Monitoring pursuant to Part II.A.4 of the attached Monitoring and Reporting Program No. R7-2003-0029.
10. The discharger shall follow the Water Quality Protection Standards (WQPS) for detection monitoring established by the Regional Board in this Board Order pursuant to Title 27. The following are five (5) parts of the WQPS as established by the Regional Board (the terms of art used in this Board Order regarding monitoring are defined in Part I of the attached Monitoring and Reporting Program No. R7-2003-0029, and revisions thereto, which is hereby incorporated by reference):

- a. The discharger shall test for the monitoring parameters and the Constituents of Concern (COC) listed in Monitoring and Reporting Program (M&RP) No. R7-2003-0029 and revisions thereto, at the frequencies listed in the M&RP.
  - b. Concentration Limit – The concentration limits for each monitoring parameter and COC, for each monitoring point (as stated in detection Monitoring Program Part II), shall be its background value as obtained during that reporting period.
  - c. Monitoring points and background monitoring points for detection monitoring shall be those listed in Part II.A. of the attached Monitoring and Reporting Program No. R7-2003-0029, and any revised Monitoring and Reporting Program approved by the Regional Board's Executive Officer.
  - d. Points of Compliance – (Section 20405, Title 27) shall be those Monitoring Points listed in Part II.A of attached Monitoring and Reporting Program No. R7-2003-0029 and shown on Attachment C.
  - e. Compliance Period – The estimated duration of the compliance period for this WMF is six (6) years. Each time the Standard is not met (i.e., releases discovered), the Landfill begins a compliance period on the date the Regional Board directs the dischargers to begin an Evaluation Monitoring Program. If the dischargers' Corrective Action Program (CAP) has not achieved compliance with the standard by the scheduled end of the compliance period, the compliance period is automatically extended until the WMF has been in continuous compliance for at least three (3) consecutive years.
11. The discharger shall remove and relocate any wastes that are discharged at this site in violation of these requirements.
  12. Water used for site maintenance shall be limited to the amount necessary for dust control.
  13. The Landfill shall be designed to prevent 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.
  14. The discharger shall not cause the release of pollutants, or waste constituents in a manner which could cause a condition of contamination, or pollution to occur, as indicated by the most appropriate statistical (or non-statistical) data analysis method and retest method listed in Part III of the attached Monitoring and Reporting Program No. R7-2003-0029.

#### B. Prohibitions

1. The discharge 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 co-disposal of incompatible wastes is prohibited.
4. The direct discharge of any waste to any surface waters or surface drainage courses is prohibited.
5. The discharge of waste to land not owned or controlled by the discharger is prohibited.

6. 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. R7-2003-0029, 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;
  - 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. The discharger 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. 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.
8. Unless otherwise approved by the Regional Board's Executive Officer, all analyses shall be conducted at a laboratory certified for such analyses by the State Department of Health Services. All analyses shall be conducted in accordance with the latest edition of "Guidelines Establishing Test Procedures for Analysis of Pollutants", promulgated by the USEPA.
9. All regulated disposal systems shall be readily accessible for sampling and inspection.
10. Adequate measures shall be taken to assure that flood or surface drainage waters do not erode or otherwise render portions of the discharge facilities inoperable.
11. The discharger is the responsible party for the Waste Discharge Requirements (WDRs) and the Monitoring and Reporting Program for the facility. The discharger shall comply with all conditions of these WDRs. 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 WDRs by the Regional Board.

12. 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.
13. 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.
14. The Regional Board considers the property owner to have a continuing responsibility for correcting any problems which may arise in the future as a result of this waste discharge.
15. The discharger shall, within 10 working days of a significant earthquake event, 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.
16. 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.
17. 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 at any time, during the Landfill operation hours. At the beginning of the post-closure maintenance period, copies of these records shall be sent to the Regional Board.
18. The discharger shall maintain visible monuments identifying the boundary limits of the entire waste management facility.
19. The discharger shall submit a Notice of Intent (NOI) to the SWRCB to be covered under the Statewide General NPDES Permit for Storm Water Discharges Associated with Industrial Activities, Order No. 97-03-DWQ, NPDES No. CAS000001. The discharger shall comply with all the discharge prohibitions, receiving water limitations, and provisions of the General Permit.
20. 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 release for the Landfill.
21. One (1) year prior to the anticipated closure of the facility or any unit (portion) thereto, 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 Title 27. The final closure and post-closure maintenance plan shall include seismicity studies.
22. This Board Order is subject to Regional Board review and updating, as necessary, to comply with changing state or federal laws, regulations, policies, or guidelines, 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 May 7, 2003.

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Executive Officer