

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

BOARD ORDER R7-2017-0003

**WASTE DISCHARGE REQUIREMENTS
FOR
COUNTY OF IMPERIAL, DEPARTMENT OF PUBLIC WORKS, OWNER/OPERATOR
HOT SPA WASTE MANAGEMENT FACILITY
CLASS III MUNICIPAL LANDFILL
North of Niland – Imperial County**

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

Discharger

1. Imperial County Department of Public Works (Discharger) owns and operates the Hot Spa Waste Management Facility (Hot Spa WMF). The Hot Spa WMF is assigned the California Integrated Water Quality System (CIWQS) waste discharge identification (WDID) number 7A130301041 and GeoTracker Global ID number L10009821173.
2. The Hot Spa WMF is located in the Imperial Valley approximately $\frac{3}{4}$ -mile southeast of the community of Hot Spa. The latitude and longitude of the site are 33° 41528' North, 115° 67611' West, respectively. The physical address of the site is 10466 Spa Road, Niland, California 92257. The Hot Spa WMF is located in the southwest $\frac{1}{4}$ of the southeast $\frac{1}{4}$ of Section 12, Township 9 South, Range 12 East, San Bernardino Baseline and Meridian (SBB&M). Access to the site is via Hot Mineral Spa Road, off Highway 111. All traffic must travel along Spa Road and then turn north onto the service road to access the site entrance located along the site's southern boundary. Attachment A, Location/Vicinity Map, and Attachment B, Site Orientation Satellite Image, are incorporated herein and made part of this Board Order.
3. Title 27 section 21710(a) requires any persons proposing to discharge solid waste at a waste management unit that is subject to regulation by both the California Department of Resources Recycling and Recovery (CalRecycle) and the Regional Water Quality Control Board to make all Report of Waste Discharge (ROWD) submittals (including updates to previously submitted ROWDs) in the form of a Joint Technical Document (JTD).
4. Title 27, section 21750(i) requires any ROWD/JTD to include a preliminary closure and post-closure maintenance plan.
5. On March 20, 2013 the Discharger submitted the "*Joint Technical Document (JTD) for the Hot Spa Solid Waste Site, November 2012, Revised March 2013*"

and *“Preliminary Closure and Post-Closure Maintenance Plan for the Hot Spa Solid Waste Site, November 2012, Revised March 2013.”*

6. The Discharger proposes to continue to discharge municipal solid waste to an unlined Class III landfill. The unlined landfill at the facility is an existing unit under Title 27 that was permitted before November 27, 1984 and may continue to accept waste in the Existing Footprint until ready for closure unless required to close early pursuant to Title 27, section 21110 (for inactivity), Title 27, section 22190 (for enforcement), or for other regulatory reasons.
7. On May 16, 2007, Board Order R7-2007-0050 was adopted to regulate Hot Spa WMF. Order R7-2017-0003 updates Order R7-2007-0050 to incorporate current laws and regulations. Monitoring and reporting requirements are included in the Monitoring and Reporting Program R7-2017- 0003.

Definitions

8. Definitions of terms used in this Order:
 - a. Agricultural Solid Wastes – wastes resulting from the production and processing of farm or agricultural products, including manures, prunings and crop residues wherever produced.
 - b. Commercial Solid Wastes – all types of solid wastes generated by stores, offices and other commercial sources, excluding residences, and excluding industrial wastes.
 - c. Construction and Demolition Wastes – the waste building materials, packaging and rubble resulting from construction, remodeling, repair and demolition operations on pavements, houses, commercial buildings and other structures
 - d. Cut and Fill method – An earthmoving method used at WMFs where areas are excavated, or cut, to provide space for the placement of waste and the excavated material is used to construct, or fill, berms or embankments to increase the waste capacity.
 - e. Discharger – Any person who discharges waste that could affect the quality of the waters of the state, and includes any person who owns a waste management unit or who is responsible for the operation of the waste management unit.
 - f. Existing Footprint – the area of land, at an MSW landfill, that is covered by waste as of the date that landfill became subject to Subtitle D.

- g. 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 unit, injection well, or soil amendments.
- h. Waste Management Facility (WMF) – The entire parcel of property at which waste discharge operations are conducted. Such a facility may include one (1) or more waste management units.
- i. 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, ancillary features for precipitation and drainage control and monitoring.

(Cal. Code Regs., tit. 27, § 20164.)

Facility, Waste Classification, and Unit Classification

- 9. The total area of the permitted portion of the Hot Spa WMF consists of approximately 40 acres of which approximately 6.4 acres are used for a single waste disposal cell. The property boundary and the disposal area footprint are shown on Attachment C, Site Layout, is incorporated herein and made part of this Board Order.
- 10. The Hot Spa WMF is located in a sparsely populated and rural area of Imperial County. The site is located on land designated for government/special (G/S) uses. The lands directly adjacent to the site are zoned for open space/recreation (S-1) and G/S. The site is not located within the limits of any known floodplain. There are no manmade structures within 1,000 feet of the Hot Spa WMF.
- 11. The Hot Spa WMF is unlined and has no leachate collection and removal system. Only non-hazardous, Class III wastes, within the following waste types are accepted at the Hot Spa WMF:
 - a. Household Waste
 - b. Agricultural Solid Waste
 - c. Commercial Solid Waste
 - d. Construction and Demolition Waste
- 12. There are no wastes received at the Hot Spa WMF for onsite disposal that require special waste handling procedures, including, but not limited to, asbestos containing waste or treated wood waste.
- 13. The Hot Spa WMF also accepts tires and E-waste for disposal offsite. The Hot Spa WMF accepts and stores no more than 500 tires for eventual offsite transport for recycling. Tires are stored in metal bins and transported to an off-site recycler on a routine basis. E-waste is stored in metal recycle collection

bins and then transported to an off-site recycler on a routine basis. The California Department of Toxic Substances Control (DTSC) has designated e-wastes as universal wastes which are regulated under CCR, title 22, division 4.5, Chapter 23. The e-waste at the Hot Spa WMF is handled and stored in accordance with those requirements.

14. The Discharger has a load-checking program for identifying and removing hazardous and prohibited wastes from the municipal waste stream coming to the Hot Spa WMF. The specific components of the load-checking program are as follows:
 - a. Customer notification by signs, notices and verbal inquiries
 - b. Surveillance through visual inspection of waste loads
 - c. Questioning of customers by entrance station personnel
 - d. Visual inspection at working face by Hot Spa WMF staff.

Any hazardous materials found at the WMF are removed from the waste load and handled pursuant to Title 22 of the CCR.

15. The area cut-and-fill method is used for waste disposal at the Hot Spa WMF. Waste is compacted and covered daily with onsite soils within the WMU pursuant to Title 27.
16. Title 27, section 20690 allows the use of alternative daily and intermediate cover at MSW landfills upon approval by the LEA and concurrence from CalRecycle. Title 27, section 20705 requires all daily and intermediate cover at Class III landfills to meet Water Board standards, including, but not limited to:
 - a. daily and intermediate cover shall be designed and constructed to minimize percolation of liquids through waste;
 - b. daily and intermediate cover material shall not consist of a material that would be classified as a designated waste unless that material is approved for discharge (as a waste) to that landfill pursuant to Section 20200(a)(1);
17. The Hot Spa WMF is designed and operated to receive a maximum of 10 tons per day (TPD) on a sustained basis. The Hot Spa WMF has been open only two days a week since 1998 and currently receives an average of approximately 2.9 TPD. A two percent (2.0%) increase of waste acceptance rates is anticipated for the purpose of calculating the remaining capacity and projected site life.
18. The Hot Spa WMF has remaining gross airspace of approximately 76,950 cubic yards as of October 1, 2012. After estimating the amount of daily and final cover and in-place waste density factors, the remaining waste capacity at the site is estimated to be approximately 23,633 cubic yards based on a refuse to soil

volume ration of 1:1. Based on the average daily inflow rate over the previous five years, the Discharger has estimated that the present configuration of the Hot Spa WMF will reach capacity in October 2021.

Site Specific Regulatory Background

19. The Hot Spa WMF has been in operation since the mid 1960's accepting municipal solid waste from the community of Hot Spa and unincorporated areas of Imperial County within a 30-mile radius of the Landfill. The Discharger received a land patent from the Bureau of Land Management recorded in March 2002. The Hot Spa WMF first came under Colorado River Basin Water Board regulation with Resolution 70-064 on December 10, 1970. The following table lists applicable site specific Board Resolution and Waste Discharge Requirements Order numbers since the site opened. Upon adoption, Order R7-2017-0003 rescinds Board Order R7-2007-0050, except for enforcement purposes.

<u>Board Order</u>	<u>Date Adopted</u>
70-064	December 10, 1970
83-017	May 18, 1983
88-029	January 27, 1988
97-022	March 26, 1997
R7-2007-0050	May 16, 2007

20. On September 15, 1993, the Colorado River Basin Water Board adopted Board Order 93-071, which amended all municipal solid waste landfill Board Orders to comply with current federal regulations.

21. On October 9, 2002, the Colorado River Basin Water Board Executive Officer issued Cleanup and Abatement Order R7-2009-0206, *A Moratorium on the Disposal of Decommissioned Materials to Class III and Unclassified Waste Management Units*, to all Class III WMFs in the Colorado River Basin Region, including Hot Spa WMF. Finding 8 of CAO R7-2002-0206 states:
"Decommissioned materials are radioactive materials in excess of local background levels that have been released for unrestricted use as part of a decommissioning action by the appropriate state or federal agency." CAO R7-2002-0206 is active and prohibits the Hot Spa WMF from accepting decommissioned waste for disposal.

Geologic Conditions

22. The Hot Spa WMF is located on the east side of the Salton Sea approximately $\frac{3}{4}$ of a mile south-southeast of the community of Hot Spa and northeast of the community of Bombay Beach, near the base of the Chocolate Mountains. This

eastern margin of the Imperial Valley occupies a lowland in the northwestern part of the Salton Trough, Colorado Desert physiographic province. Much of the Imperial Valley's land surface is below sea level with predominant drainage patterns toward the Salton Sea.

23. The Salton Trough is a landward extension of the depression filled by the Gulf of California, from which it is separated by the broad, fan-shaped subaerial delta of the Colorado River. The Salton Trough is a structural, as well as a topographic, depression resulting from tectonic stresses associated with the San Andreas Fault. The Salton Trough is bounded by the San Andreas Fault zone on the north and east sides; the discontinuous San Jacinto Fault zone on the west; and the Elsinore Fault zone further west and southwest.
24. Subsurface borings, completed during the SWAT investigation of 1988, revealed that the Hot Spa WMF is underlain by two general soil types: a relatively thin veneer (up to six feet thick) of coarse-grained alluvium composed of sand and gravel, underlain by reddish brown clay to silty clay lacustrine deposits. Site surficial soils are composed primarily of medium dense silty sand and sandy silt.
25. During Quaternary times, from at least 13,000 years ago to as recently as several hundred years ago, the central parts of Imperial Valley, including the site, periodically lay beneath ephemeral lakes, such as ancient Lake Cahuilla. Lake Cahuilla resulted from periodic overflow and diversion of the Colorado River into the Salton Basin. Sediments from these ephemeral lakes consist primarily of silt and clay in the central portion of the basin. Below the alluvial cover of Imperial Valley lies an unexposed succession of Tertiary and Quaternary sedimentary rocks thought to be at least 20,000 feet thick.
26. Active fault zones occur in the Imperial Valley. The principal fault zone is the San Andreas system, which runs parallel to the northeast margin of the Salton Trough. The Clark and Coyote Creek branches of the San Jacinto fault zone transect the southwest flank of the Salton Trough. The Brawley fault zone, including the seismic zone that marks its northward extension, and the Imperial, Superstition Hills and the Superstition Mountain faults are situated on or nearest the axis of the Trough. With the exception of the Brawley fault zone, all the above named faults display the surficial features characteristic of the San Andreas system through California: linearity, northwest-southwest trend, physiographic evidence of recent activity and right-lateral displacement.
27. The Hot Spa WMF is located approximately 3.5 miles northeast of the northwest-southeast trending Sand Hills Fault. The San Andreas Fault, which is located approximately 4.5 miles northwest of the Hot Spa WMF, projects southeastward from the northeast shore of the Salton Sea into Mexico and bifurcates into the Sand Hills Fault and the Calipatria Fault further to the southwest. Two additional unnamed northwest-southeast trending fault traces are located approximately 0.4 miles southwest and 0.3 miles northeast of the Hot Spa WMF. All of these faults

may be considered a part of the main San Andreas Fault system. The Sand Hills Fault has been active during historic time (M=6.2 and 6.6 in November 1987) and moves with right lateral relative motion.

28. A Slope Stability Analysis, dated February 16, 2007 and prepared by GeoLogic Associates, is included in Appendix C of the Preliminary Closure/Post-Closure Maintenance Plan. The historic data analyzed in the slope stability analysis determined that the Hot Spa WMF experienced a maximum acceleration of about 0.20g during a magnitude 6.3 earthquake event in May 1868 at about 10.9 miles from the site.

Climatology

29. The climate of the region is warm and arid. The average annual rainfall for the area of the Hot Spa WMF is 3 inches. There is no typical wet or dry season – rain events occur throughout the year. The projected 24-hour, 100-year storm event is expected to yield approximately 3 inches as determined from historic data gathered by the National Oceanographic and Atmospheric Administration (NOAA).
30. The average temperature in the area is 73 degrees Fahrenheit (°F) with the mean daily high temperature in July being approximately 108°F. The mean pan evaporation rate is 72 to 84 inches per year.
31. The prevailing winds in the area of the Hot Spa WMF follow two general patterns:
- a. During late fall until early spring, the winds prevail from the west and northwest. Humidity is lowest under these conditions.
 - b. Summer weather patterns are often dominated by an intense, heat-induced low-pressure area that forms over the interior desert, drawing air from the area to the south of the Hot Spa WMF. Humidity is highest under the summer conditions.

Unsaturated Zone and Groundwater

32. At the direction of and regulated by CalRecycle, a landfill gas (LFG) monitoring system was installed at the Hot Spa WMF in January 2010. The system consists of three perimeter LFG migration monitoring probes (P1-P3) installed in accordance with Title 27 sections 20917 through 20939 and are shown on Attachment D, Monitoring Well Locations, which is incorporated herein and made part of this Board Order. A *Landfill Gas Perimeter Probe Plan*, dated September 2009, and a *Construction and Certification Report – Landfill Gas Monitoring Well Installations*, dated May 11, 2010 for the Hot Spa WMF may be found in Appendix D of the March 2013 JTD.

33. Groundwater beneath the Hot Spa WMF occurs at depths ranging from about 84 to 96 feet below the ground surface and generally flows in a southeasterly direction. Differences in groundwater elevation at the site are generally less than about one-half foot, or about 0.033 feet per foot, though the groundwater flow direction has remained relatively consistent over time. Based on the hydrologic characteristics of the underlying aquifer, the groundwater flow velocity has been calculated to be approximately 0.013 to 0.019 feet per day.
34. There are five groundwater monitoring wells at the Hot Spa WMF. Four of the wells, designated HS-MW-1, HS-DW-2, HS-MW-3, and HS-MW-4, were installed in 1994. A fifth well, designated HS-MW-5, was added in 1999. Well HS-MW-3 is the designated background well. The groundwater monitoring well locations are also shown on Attachment D. The depths of these wells range from approximately 112 to 140 feet below ground surface (bgs). The groundwater elevation measured in one of the wells, HS-MW-5, is consistently 10 feet lower than the elevation is measured in the other wells at the Hot Spa WMF. The consistent difference in elevation could be indicative of a partial groundwater barrier between HS-MW-5 and the rest of the site. All of the wells are currently operational and are monitored as part of the site's Detection Monitoring Program, as described in Part II of Monitoring and Reporting Program R7-2017-0003.
35. Groundwater chemistry at the site is characterized by elevated concentrations of chloride, sulfate, and TDS. Historical groundwater elevations depict a long-term decreasing trend of depth to groundwater in all of the monitoring wells at the Hot Spa WMF. Groundwater chemistry data at the site tend to show seasonal variations, though with little long-term change over the history of monitoring. The historical data from background and compliance wells suggests that the concentrations of inorganic constituents, particularly chloride, sulfate, and TDS, are naturally occurring and not indicative of a release.
36. The following table shows the average concentrations of constituents in all samples collected from the groundwater monitoring wells at the Hot Spa WMF from the first sampling event of each well until and including February 2016. The first sampling event of wells HS-MW-1, HS-DW-2, HS-MW-3, and HS-MW-4 was in November 1994. Well HS-MW-5 was first sampled in August 1999.

Constituent	Units	HS-MW-1 Down gradient	HS-DW-2 Up gradient	HS-MW-3 Up gradient	HS-MW-4 Down gradient	HS-MW-5 Down gradient
Groundwater Elevation 1	feet	806.70	807.12	806.78	806.79	796.80
Chloride	mg/l 2	5,522	2,801	4,949	4,726	3,538
Nitrate as N	mg/l	0.243	0.215	0.246	0.238	0.276
pH		6.96	7.22	7.00	6.98	7.10

Specific Conductance	mm/cm ³	17,179	12,295	15,003	15,021	13,535
Sulfate	mg/l	1,603	1,193	1,742	1,198	2085
Total Dissolved Solids	mg/l	12,088	6,966	11,204	10,182	9,137

¹ – Groundwater surface elevation is below mean sea level; the datum is set at mean sea level plus 1000 feet to avoid negative elevation.

² – milligrams per liter

³ – milliohms per centimeter

37. In addition to detection monitoring, the groundwater monitoring wells are sampled and analyzed pursuant to Title 27, section 20402(g) once every five years for the Constituents of Concern (COCs) listed in Monitoring and Reporting Program R7-2017-0003. There are no reported statistically significant results from the COC analysis to indicate that a release has occurred at the Hot Spa WMF.

Basin Plan and Other Regulatory Considerations

38. Water Code Section 13263 authorizes the Colorado River Basin Region to prescribe requirements as to the nature of any proposed discharge, existing discharge, or material change in an existing discharge, except discharges into a community sewer system. These waste discharge requirements must implement any relevant water quality control plans and take into consideration the beneficial uses to be protected, the water quality objectives reasonably required for that purpose, other waste discharges, the need to prevent nuisance, and the provisions of Water Code section 13241.
39. The Water Quality Control Plan for the Colorado River Basin Region (Basin Plan), which was adopted on November 17, 1993 and amended on November 13, 2012, designates beneficial uses and establishes water quality objectives for ground and surface waters in the Region, and contains implementation programs and policies to achieve objectives. In addition, State Water Board Resolution 88-63 indicates that, with certain exceptions, the Colorado River Basin Water Board should assign the municipal and domestic supply use to water bodies.
40. The Hot Spa WMF is located in the Imperial Hydrologic Unit. The designated beneficial uses of the ground waters in the Imperial Hydrologic Unit are:
- a. Municipal supply (MUN)
 - b. Industrial supply (IND)
41. 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 to meet maximum contaminant levels designed to protect human health and ensure that water is safe for domestic use.

42. State Water Board Resolution No. 68-16, Statement of Policy with Respect to Maintenance of High Quality Waters in California (Antidegradation Policy) requires that high quality of waters be maintained unless degradation is a) consistent with the maximum benefit of people of the State, b) will not unreasonably affect present and anticipated beneficial uses, and c) will not result in an exceedance of applicable water quality objectives. "High-quality waters" are those waters where the existing quality of water is better than the quality established in policies as of the date on which such policies become effective. Whether a water is a high-quality water is established on a constituent-by-constituent basis. (SWRCB Order No. WQ 91-10.) If an activity may result in degradation to high quality waters, the Antidegradation Policy requires the discharger to meet waste discharge requirements which will result in the best practicable treatment or control of the discharge necessary to assure that a pollution or nuisance will not occur and that the highest water quality consistent with maximum benefit to the people of the state will be maintained. If an activity will not result in the degradation of high quality waters, the Anti-Degradation Policy does not apply, and the discharger need only demonstrate that it will use "best efforts" to control the discharge of waste. (SWRCB Order No. 81-5.)
43. Resolution 68-16 does not apply to discharges to groundwater authorized in this Order. First encountered groundwater beneath the Facility is of poor quality that historically has not supported and is not expected to support the MUN and DOM supply beneficial uses. The JTD cited in Finding 4 states: "Because the groundwater is high in dissolved solids (>5,000 mg/L), it is not considered to have beneficial uses." This is supported by decades of groundwater data at the Hot Spa WMF showing TDS concentrations ranging from 6,500 to 12,000 mg/L.
44. Water Code section 13267, subdivision (a), authorizes the Colorado River Basin Water Board to investigate the quality of any waters of the State within its region in connection with any action relating to the Basin Plan. Water Code section 13267, subdivision (b) provides that Colorado River Basin Water Board, in conducting an investigation, may require Dischargers to furnish, under penalty of perjury, technical or monitoring program reports. The burden, including costs, of these reports must bear a reasonable relationship to the need for the report and the benefits to be obtained from the reports.
45. The monitoring and reporting requirements in Monitoring and Reporting Program R7-2017-0003 are necessary to determine compliance with this Board Order. The State Water Board's electronic database, GeoTracker Information Systems, facilitates the submittal and review of monitoring and reporting documents. As such, the burden, including costs, of this monitoring bears a reasonable relationship to the need for that information and the benefits to be obtained from that information.

Storm Water

46. Federal regulations for storm water discharges were promulgated by the United States Environmental Protection Agency (USEPA) 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 to obtain National Pollutant Discharge Elimination System (NPDES) permits and to implement Best Conventional Pollutant Technology (BCT) to reduce or eliminate industrial storm water pollution. The Hot Spa WMF is subject to the federal requirements for regulation of storm water discharges associated with industrial activities as listed in 40 CFR 122.26(b)(14).
47. The Discharger is enrolled in the State Water Board's adopted Water Quality Order 2014-0057-DWQ (NPDES No. CAS000001), General Permit for Storm Water Discharges Associated with Industrial Activities (Industrial General Storm Water Permit), which became effective on July 1, 2015. The Hot Spa WMF is assigned the SMART's (Storm Water Multiple Application and Reporting Tracking System) database ID number 713I025690. The Industrial General Storm Water Permit requires the implementation of Best Available Technology Economically Achievable (BAT) and BCT to achieve performance standards. The Industrial General Storm Water Permit also requires the development of a Storm Water Pollution Prevention Plan (SWPPP) and monitoring plan.

Composting Operations

48. The State Water Board adopted General Waste Discharge Requirements for Composting Operations Board Order WQ 2015-0121-DWQ (Composting GO) on August 4, 2015. A WMF, including the Hot Spa WMF, is subject to the Composting GO if the facility has composting operations within its boundaries. Currently, there are no composting operations at the Facility. If the Discharger chooses to begin onsite composting, it is then required to submit the Notice of Intent (NOI) contained within Board Order WQ 2015-0121-DWQ to obtain regulatory coverage.

Financial Assurance

49. Title 27, sections 20950(f) and 20380(b) require that the Discharger establish a formal financial mechanism to fund Site closure; post-closure maintenance; and remediation of the known or reasonably foreseeable releases from the facility.
50. Title 27 requires operators of solid waste landfills to demonstrate financial responsibility to CalRecycle and to maintain appropriate financial assurance mechanisms to cover all expenses related to the following:

- c. Closure Activities (CCR, tit. 27, § 22206) – in at least the amount of the current closure cost estimate;
 - d. Postclosure Maintenance (CCR, tit. 27, § 22211) – in at least the amount of the current post closure cost estimate;
 - e. Operating Liability (CCR, tit. 27, § 22216) – to compensate third parties for bodily injury and property damage caused by any accidental occurrences; and
 - f. Corrective Action (CCR, tit. 27, § 22221) – for initiating and completing corrective action for all known or reasonably foreseeable corrective action from the landfill.
51. The Discharger maintains an enterprise fund in accordance with Title 27 Section 22241, a pledge of revenue agreement in accordance with Title 27 Section 22245, and a Certificate of Liability Insurance in accordance with Title 27 Section 22251.

California Environmental Quality Act

52. In accordance with Section 15301, Chapter 3, Title 14 of the CCR, the issuance of these WDRs, which govern 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.).

Public Participation

53. The Colorado River Basin Water 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.
54. The Colorado River Basin Water Board, in a public meeting, heard and considered all comments pertaining to this discharge.
55. . Any person aggrieved by this action of the Colorado River Basin Water Board may petition the State Water Board to review the action in accordance with Water Code, section 13320 and Title 23, sections 2050 et seq. The State Water Board must receive the petition by 5:00 p.m., 30 days after the date of adoption of this Board Order. If the thirtieth day after the adoption of this Board Order falls on a Saturday, Sunday, or a State holiday, the petition may be submitted on the following business day. Copies of the law and regulations applicable to filing petitions may be found online at http://www.waterboards.ca.gov/public_notices/petitions/water_quality or will be provided upon request.\

IT IS HEREBY ORDERED, pursuant to sections 13263 and 13267 of the California Water Code, that Board Order R7-2007-0050 is rescinded, except for the purpose of enforcement, and that the Imperial County Department of Public Works, its agents, successors, and assigns in order to meet the provisions contained in Division 7 of the California Water Code and regulations adopted thereunder, including the California Code of Regulations, shall comply with the following:

A. Prohibitions

1. The construction of a new landfill unit (WMU), or lateral expansion of an existing unit is prohibited under these WDRs.
2. The direct discharge of any waste to any surface waters or surface drainage courses is prohibited.
3. The discharge of waste within 100 feet of surface water is prohibited.
4. The discharge of waste is prohibited from causing or contributing to any surface water contamination or pollution.
5. The discharge of waste to land not owned and controlled by Discharger is prohibited.
6. The discharge of hazardous or designated waste as defined in Title 27, section 20164, to the landfill is prohibited.
7. The discharge or deposit of biohazardous and/or biochemical waste, radioactive waste and livestock carcasses to the landfill unit is prohibited.
8. The discharge of liquid or semi-solid waste to the landfill unit, including, but not limited to septage, chemical toilet waste and geothermal waste is prohibited.
9. The co-disposal of incompatible wastes to the landfill unit is prohibited.
10. The discharge/return of leachate and or landfill gas condensate to the landfill unit is prohibited.

B. Discharge Specifications

1. The treatment or disposal of waste at this WMF shall not cause a condition of pollution as defined in Section 13050, Division 7, California Water Code.
2. Waste materials shall be confined to the Existing Footprint of the WMF, as defined in Findings 5, and as shown in Attachment C. Any discharge of waste outside of

the Existing Footprint constitutes a “lateral expansion” and must meet the requirements in Subtitle D, including but not limited to, an installation of an approved composite liner system.

3. Waste materials shall not be discharged on any ground surface that is 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 WMF.

C. Facility and Operation Specifications

1. The exterior surfaces of the WMF, including the intermediate and final Landfill covers, shall be graded and maintained to promote lateral runoff of precipitation and to prevent ponding.
2. The WMF shall be operated and maintained to prevent inundation, washout, or erosion of wastes or covering material, which could occur as a result of floods having a predicted frequency of once in 100 years.
3. The Discharger shall remove and relocate any wastes that are discharged at the WMF in violation of this Order.
4. The Discharger shall maintain a hazardous waste load-checking program at the WMF. The Discharger shall report the results pursuant to Monitoring and Reporting R7-2017-0003.
5. Water used for site maintenance shall be limited to the amount reasonably necessary for dust control, compaction, fire control, and the establishment and maintenance of vegetation.
6. The Discharger shall not use any material as alternative daily cover (ADC) without prior written approval from the Colorado River Water Board Executive Officer that the ADC meets the requirements in Title 27, 20705.

D. Monitoring Specifications

1. The Discharger shall implement the attached Monitoring and Reporting Program R7-2017-0003 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 (or caused by) discharges of waste to the WMF.

2. The Discharger shall use the constituents listed in Monitoring and Reporting Program R7-2017-0003, Part III Summary of Self-Monitoring and Reporting Programs C.1., as "Monitoring Parameters". These Monitoring Parameters are subject to the most appropriate statistical or non-statistical test under Monitoring and Reporting Program R7-2017-0003, Part III.
3. The discharge 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.7. of attached Monitoring and Reporting Program R7-2017-0003.
4. 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, as indicated by the most appropriate statistical (or non-statistical) data analysis method and retest method listed in Part III of attached Monitoring and Reporting Program R7-2017-0003.
5. The Discharger shall comply with the Water Quality Protection Standards (WQPS) for Detection Monitoring established by the Colorado River Basin Water Board in this Board Order and the Monitoring and Reporting Program pursuant to Title 27, Section 20390. The water quality protection standard shall apply during the active life of the waste management unit, closure period, post-closure maintenance period, and any compliance period under Title 27, section 20410. The following are five (5) parts of the WQPS as established by the Colorado River Basin Water Board (the terms of art used in this Board Order regarding monitoring are defined in Part I.B. of attached Monitoring and Reporting Program R7-2017-0003:
 - a. Constituents of Concern (CCR, tit. 27, § 20395)). The Constituents of Concern shall be those constituents listed in Part III Summary of Self-Monitoring and Reporting Programs C.2. of Monitoring and Reporting Program No. R7-2017-0003.
 - b. Concentration Limit (CCR, tit. 27, § 20400). For each Monitoring Point assigned to a Detection Monitoring Program (as described in Monitoring and Reporting Program Part II.A.7.), the concentration limit for each Constituent of Concern (or Monitoring Parameter) shall be its background value as obtained during that Reporting Period (defined in Monitoring and Reporting Program, Part I.B.10.), as follows:
 - i. If 10 percent or more of the samples taken during a given Reporting Period from the Background Monitoring Points for a monitored medium exceed their respective Facility-Specific Method Detection Limit (MDL) (defined in Monitoring and Reporting Program Part I.B.5.) for a given constituent, then the Constituent Limit for that medium and constituents shall consist of the mean (or median, as

appropriate) and the standard deviation (or other measures of central tendency, as appropriate) of all the background data obtained for that constituent from the medium during that Reporting Period; otherwise

- ii. The Concentration Limit for that medium and constituent shall be its MDL.
- c. Monitoring Points and Background Monitoring Points for Detection Monitoring (CCR, tit. 27, § 20415) shall be those listed in Part II.A.7. of attached Monitoring and Reporting Program R7-2017-0003, and any revised Monitoring and Reporting Program approved by the Colorado River Basin Water Board Executive Officer. Monitoring Points and Background Monitoring Points are shown on Attachment C.
- d. Points of Compliance (CCR, tit. 27, § 20405) shall be those Monitoring Points listed in Part II.A.7.a.ii., as shown on Attachment D, and extending down through the zone of saturation.
- e. Compliance Period (CCR, tit. 27, § 20410). The estimated duration of the compliance period for the Hot Spa WMF is 30 years. Each time the Standard is not met (i.e. a release is discovered), the Hot Spa WMF begins a Compliance Period on the date the Colorado River Basin Water Board directs the Discharger to begin an Evaluation and Monitoring Program (EMP). If the Discharger's 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 Hot Spa WMF has been in continuous compliance for at least three (3) consecutive years.

E. Financial Assurance Specifications

1. The Discharger shall obtain and maintain adequate assurances of financial responsibility for closure, post closure maintenance, and corrective action for all known and reasonably foreseeable releases from a WMU at the facility in accordance with Title 27, sections 20380(b), 20950, 22210, 22211, 22212, 22220, 22221, and 22222.
2. The Discharger shall demonstrate to CalRecycle and report to the Regional Water Board that it has established an acceptable financial assurance mechanism described in Title 27, section 22228 in at least the amount of the cost estimate approved by the Executive Officer.
3. The Discharger shall obtain and maintain the following assurances of financial responsibility with Cal Recycle:

- a. Landfill closure and post-closure maintenance in at least the amount of an approved cost estimate adjusted annually for inflation;
 - b. Operating liability in at least the amount of one million dollars per occurrence and one million dollars annual aggregate; and
 - c. To initiate and complete corrective action for all known or reasonably foreseeable releases from the landfill and as adjusted for inflation.
4. Documents supporting the amount and active status of the required financial assurance mechanisms shall be included in the Hot Spa WMF's JTD and revisions. Annual cost estimates and inflation factors shall be submitted to the Colorado River Basin Water Board as an addendum to the JTD.
 5. Cost Estimates for corrective action funding requirements shall also be submitted to the Colorado River Basin Water Board for approval by the Executive Officer.
 6. The Discharger is required to update approved cost estimates annually to account for inflation.

F. Provisions

1. The Discharger shall comply with Monitoring and Reporting Program R7-2017-0003, and future revisions thereto, The Monitoring and Reporting Program may be amended by the Colorado River Basin Water Board Executive Officer pursuant to Water Code section 13223.
2. The Discharger shall comply with applicable storm water requirements.
3. The Discharger shall immediately notify the Colorado River Basin Water Board of any flooding, slope failure or other change in site conditions that could impair the integrity of waste containment facilities or of precipitation and drainage control structures.
4. The Discharger, within 48 hours of a significant earthquake event, shall inform the Colorado River Basin Water Board Executive Officer by telephone of any physical damages to the containment features and ground water monitoring facilities. Within ten (10) working days, the Discharger shall submit to the Colorado River Basin Water Board a detailed post-earthquake report describing any physical damages to the containment features and/or ground water monitoring systems, and a corrective action plan to be implemented at the WMF.
5. **Within 180 days of the adoption of this Board Order**, the Discharger shall submit to the Colorado River Basin Water Board, pursuant to Title 27, section 20380(b), assurances of financial responsibility acceptable to the Colorado River

Basin Water Board Executive Officer for initiating and completing corrective action for all known or reasonably foreseeable releases from the WMF.

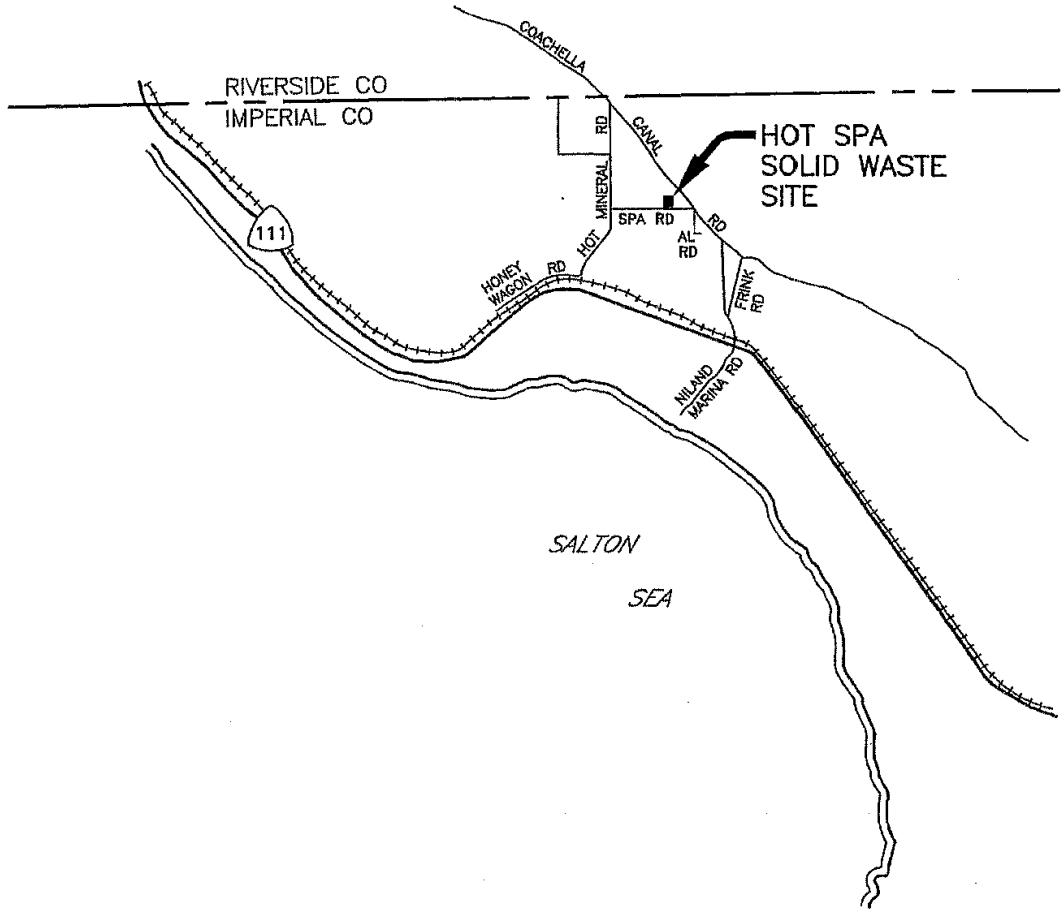
6. **Within 180 days prior to the anticipated construction of a new WMF or modifications to any Unit (portion) thereof**, the Discharger shall submit a revised ROWD/JTD, including seismicity studies to obtain revised WDRs issued by the Colorado River Basin Water Board. Any proposal for construction of a new landfill unit or lateral expansion of the existing unlined unit shall be submitted in the form of a ROWD/JTD.
7. **One year prior to the anticipated closure of the WMF or any Unit (portion) thereof**, the Discharger shall submit to the Colorado River Basin Water Board, for review and approval by the Colorado River Basin Water Board Executive Officer, a final closure and post-closure maintenance plan, pursuant to Title 27. The final closure and post-closure maintenance plan shall include seismicity studies.
8. The Discharger shall maintain legible records on the volume and type of each waste discharged at the WMF. These records shall be available for review by representatives of the Colorado River Basin Water 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 Colorado River Basin Water Board.
9. The Discharger shall maintain visible monuments identifying the boundary limits of the entire WMF.
10. The Discharger shall comply with all applicable provisions of Title 27 that are not specifically referred to in this Order.
11. Adequate measures shall be taken to assure that flood or surface drainage waters do not erode or otherwise render portions of the WMF inoperable.
12. Annually, prior to the first day of November, any necessary erosion control measures shall be implemented, and any necessary construction, maintenance, or repairs of precipitation and drainage control facilities shall be completed to prevent erosion and flooding of the WMF. The report thereon shall be submitted to the Colorado River Basin Water Board by **November 15** of each year.
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 prescriptive standards and performance goals of Title 27.
14. The Discharger shall maintain in good working order, and operate as efficiently as possible, any facility or control system installed by the Discharger to achieve compliance with these waste discharge requirements.

15. All regulated disposal systems shall be readily accessible for sampling and inspection.
16. The Discharger shall allow the Colorado River Basin Water 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 in which any required records are kept
 - b. Have access to and copy, at reasonable times during business hours, any records that are required to be kept under the terms and conditions of this Board Order;
 - c. Inspect at reasonable times during business hours any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this Order;
 - d. Sample or monitor at reasonable times during business hours, 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.
17. 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.
18. The Discharger shall promptly report in writing to the Colorado River Basin Water Board any material change in the character, location, or volume of the discharge. Prior to the implementation of any modifications, the Discharger must obtain revised Waste Discharger Requirements.
19. Prior to any change in owner or operator of this Facility, the Discharger shall notify the Colorado River Basin Water Board in writing prior the effective date of the change. A change in ownership or management is not effective until the Colorado River Basin Water Board amends this Order to the name the new owner or operator. The Discharger shall also transmit a copy of this Board Order to the succeeding owner or operator, and forward a copy of the transmittal letter to the Colorado River Basin Water Board.
20. The Discharger shall comply with all conditions of the Waste Discharge Requirements and Monitoring and Reporting Program. Violations may result in enforcement actions, including Colorado River Basin Water Board Orders or court orders, requiring corrective action or imposing civil or administrative monetary liability, or in modification or revocation of these Waste Discharge Requirements by the Colorado River Basin Water Board.
21. The property owner or operator may be held responsible for correcting any problems that may arise in the future, as a result of this waste discharge.

22. This Board Order does not authorize violation of any federal, state, or local laws or regulations.
23. 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 right, nor any infringement of federal, state, or local laws or regulations.
24. The Discharger shall furnish, under penalty of perjury, technical monitoring program reports, and such reports shall be submitted in accordance with Chapter 30, Division 3, Title 23 of the CCR (Title 23), as groundwater raw data uploads electronically over the internet into the State Water Board's GeoTracker <https://geotracker.waterboards.ca.gov/> database. Documents that are normally mailed by the Discharger, such as regulatory documents, narrative technical monitoring program reports, and such reports submissions, materials, data, and correspondence, to the Colorado River Basin Water Board shall also be uploaded into GeoTracker in the appropriate Microsoft software application, such as word, excel, or an Adobe Portable Document Format (PDF) file. Large documents are to be split into manageable file sizes appropriately labelled and uploaded into GeoTracker. The Hot Spa WMF is assigned the California Integrated Water Quality System (CIWQS) WDID No. 7A130301051 and GeoTracker Global ID Number -L10007284831.
25. All analyses shall be conducted at a laboratory certified for such analyses by the State Water Board's Laboratory Certification Program. All analyses shall be conducted pursuant to the latest edition of "Guidelines Establishing Test Procedures for Analysis of Pollutants", promulgated by the United States Environmental Protection Agency (USEPA).
26. The Regional Water Board will review this Board Order periodically and may revise requirements when necessary.

I, Jose L. Angel, 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 June 30, 2017.

Original signed by _____
JOSE L. ANGEL, P.E.
Executive Officer



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SCS ENGINEERS ENVIRONMENTAL CONSULTANTS 303 GORDES SANTA HELEN RIVERSIDE, CALIFORNIA, CA 92503 PH. (951) 578-2268 FAX. (951) 573-2518 U:\Engineers\2012\	CLIENT: IMPERIAL COUNTY DEPARTMENT OF PUBLIC WORKS 156 SOUTH 11TH STREET EL CENTRO, CALIFORNIA 92243	SHEET TITLE:	LOCATION/VICINITY MAP PROJECT TITLE: HOT SPA SOLID WASTE SITE JOINT TECHNICAL DOCUMENT	DATE: NOVEMBER 12, 2012
		PRJL NO.: 01212150.00	DRN. DT: J. Mc GIVERN	JCAD FILE: L\ENGINEERS\2012

Attachment A
 Hot Spa Waste Management Facility – Location/Vicinity Map
 Imperial County Department of Public Works
 North of Niland, Imperial County

Board Order R7-2017-0003

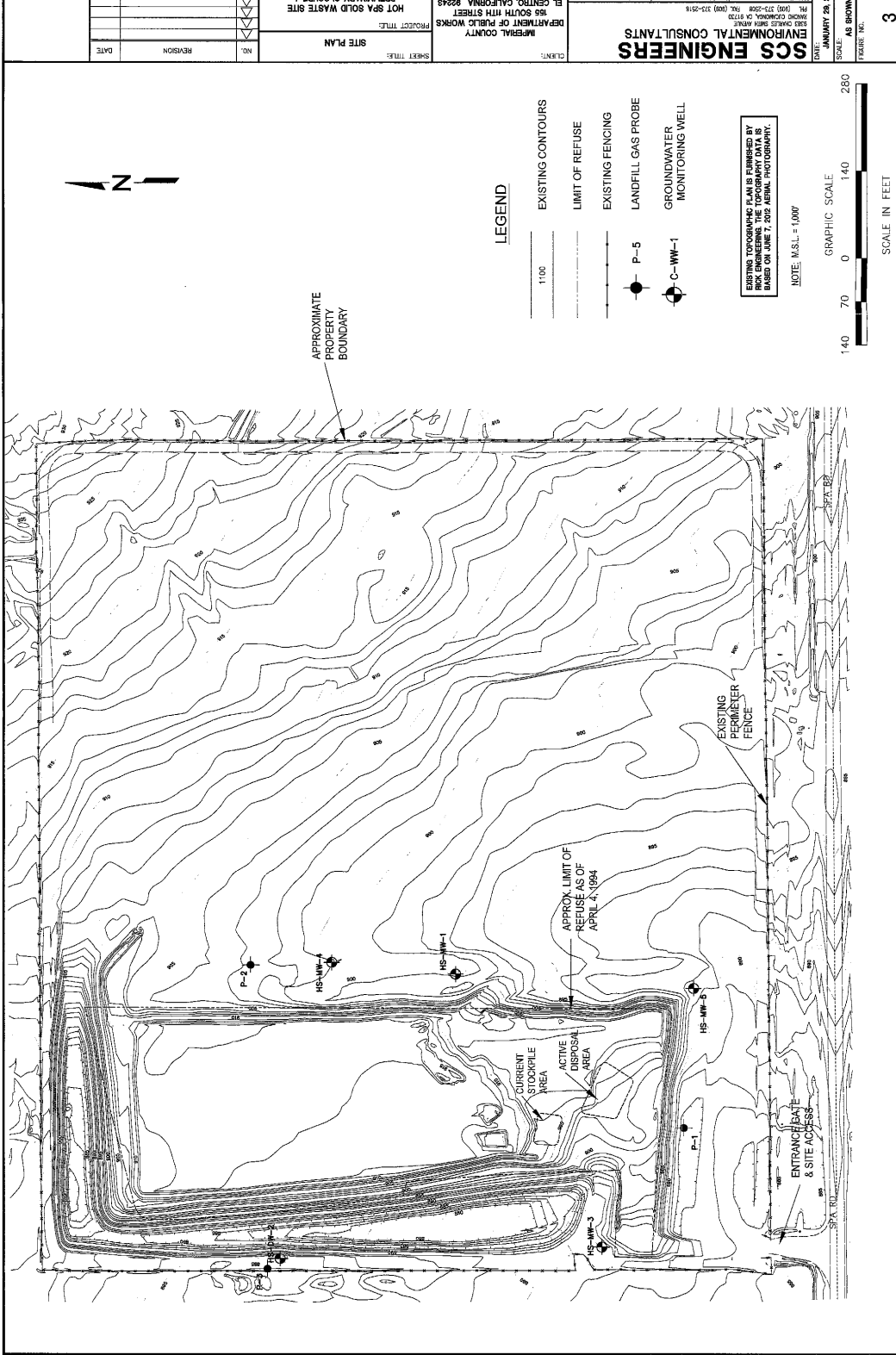
CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
COLORADO RIVER BASIN REGION



Attachment B

Hot Spa Waste Management Facility – Site Orientation Satellite Image
Imperial County Department of Public Works
North of Niland, Imperial County

Board Order R7-2017-0003

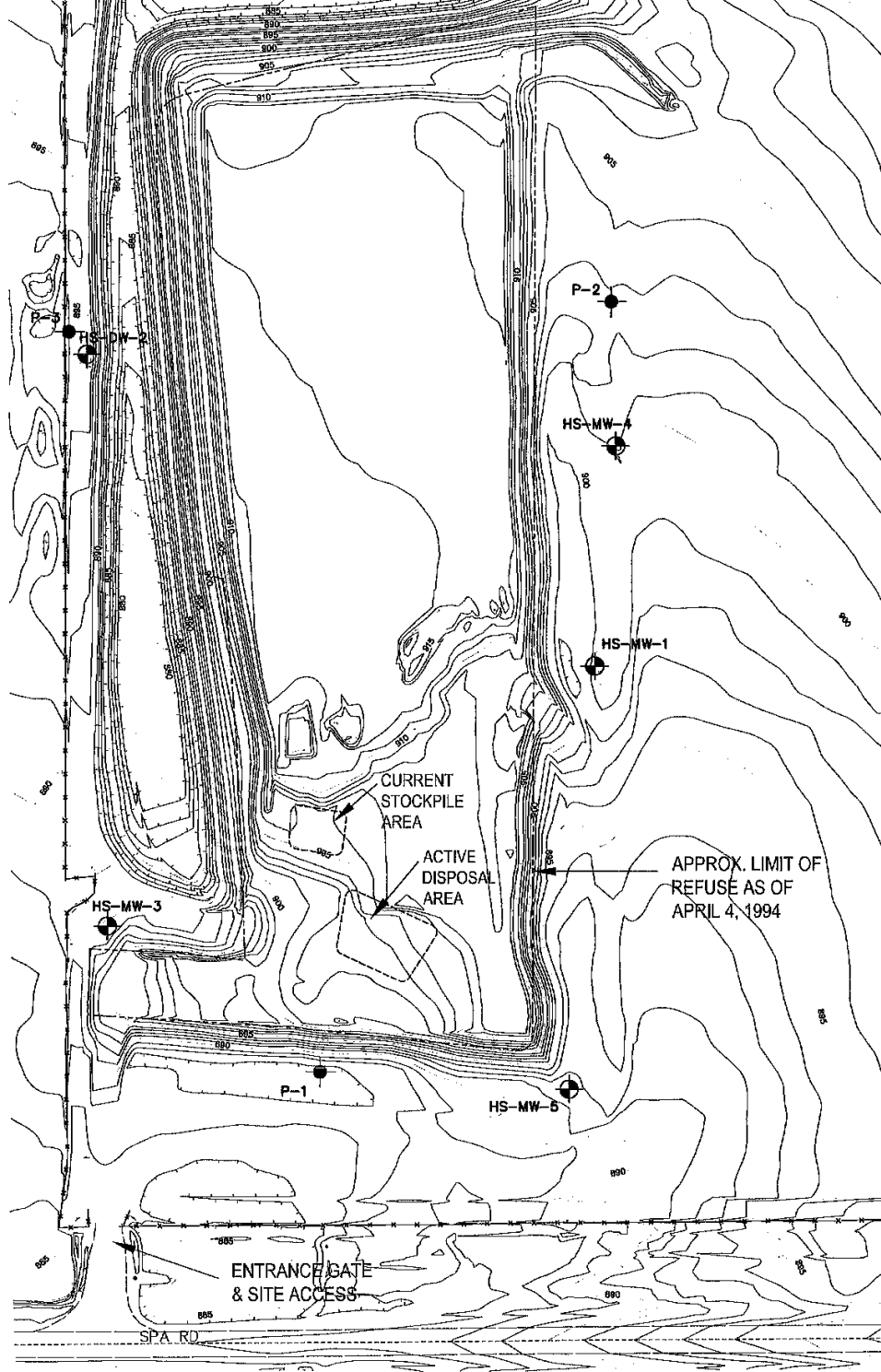


Attachment C
 Hot Spa Waste Management Facility – Site Layout
 Imperial County Department of Public Works
 North of Niland, Imperial County

Board Order R7-2017-0003

CALIF

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Attachment D
Hot Spa Waste Management Facility – Monitoring Well Locations
Imperial County Department of Public Works
North of Niland, Imperial County

Board Order R7-2017-0003