

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD NORTH COAST
REGION

ORDER NO. 97-5

(As amended by Order No. R1-2008-0100 to reflect new ownership)

WASTE DISCHARGE REQUIREMENTS
WDID NO. IB12S5005224

FOR

HUMBOLDT REDWOOD COMPANY, LLC
CLEAN CLOSURE OF THE HELY CREEK SOLID WASTE DISPOSAL SITE CLASS III
WASTE MANAGEMENT UNIT

Humboldt County

The California Regional Water Quality Control Board, North Coast Region, (hereinafter the Regional Water Board) finds that:

1. Pacific Lumber Company (hereinafter discharger)*, owns and operates a solid waste disposal site 5 miles east of Carlotta along Highway 36. The site known as "Hely Creek", is located in Section 5, T1N, R2E, HBM, as shown on Attachment "A" and "B" incorporated herein and made part of this Order.
2. The Louisiana Pacific Corporation, the original owners and operators of the site, submitted a complete Report of Waste Discharge on August 10, 1979. Waste Discharge Requirements Order No. 79-174 were issued on September 27, 1979 designating the site as a Class 11-2 solid waste disposal site suitable to accept woodwaste under the Subchapter 15 regulations prevailing at that time. Louisiana Pacific owned and operated the site until October 17, 1984 when the discharger purchased the property. Waste Discharge Requirements Order No. 91-52 reflecting the change of ownership and re-opening of the landfill, were adopted on April 25, 1991. On October 21, 1996 the discharger submitted a complete Report of Waste Discharge proposing clean closure of the site. Wastes will be taken to the discharger's woodwaste recovery facility and processed into useable products.
3. The 26 acre parcel is situated on a flat to gently-sloping alluvial terrace along Hely Creek within the discharger's commercial timber production area. Approximately 87,000 cubic yards of wood waste, covering 3 acres, has been deposited at the site. Up to 15,000 cubic yards of material will be removed for processing each year. As excavation is completed, land will be regraded to match the surrounding area. Some fine-grained woody material may be incorporated into the upper soils to enhance fertility. After closure, the site will become part of the alluvial terrace along Hely Creek and will not be used for commercial purposes.

* Humboldt Redwood Company, LLC is the current discharger in accordance with Order No. R1-2008-0100.

4. Soils in the vicinity are alluvial deposits consisting of interfingering layers of sand, silt and gravel with an average permeability of 4×10^{-3} cm/sec. Alluvial deposits are roughly 15-25 feet deep and overlie the Carlotta Formation. The Carlotta Formation dips downward at approximately 20-25 degrees north-northeast. Groundwater levels range from 5-20 feet below ground surface under both confined and unconfined conditions. Groundwater flow direction is toward Hely Creek and the Van Duzen River.
5. Infiltration of rainfall and decomposition of waste may generate leachate in the waste disposal cells. Leachate is a nonhazardous liquid waste which contains pollutants that could be released at concentrations in excess of applicable water quality objectives or could cause degradation of waters of the state. Leachate must be collected and managed as a designated waste.
6. Surface water in the vicinity of the site consists of Hely Creek to the east. Hely Creek, a second order tributary to the Van Duzen River, is a salmonid spawning habitat. Woodwaste is not located within 100 feet of the 100-year floodplain. Rainfall-induced runoff does not discharge offsite. Average annual precipitation, estimated from the Ferndale monitoring station, is 50 inches.
7. The site is not located near a known Holocene fault, and no evidence of surface fault rupture or displaced strata was observed within 2 miles of the site.
8. The facility does not discharge storm water runoff off site and grading will not involve more than 5 acres, thus it is no longer a source of storm water discharges associated with industrial activities, as defined in 40 CFR Section 122.26 (b)(14).
9. Land use within 1000 feet is timber production. No domestic wells exist within 1,000 feet of the site.
10. The disposal site delineated in the Report of Waste Discharge and Attachments "A" and "B" meet the criteria contained in Chapter 15 for classification as a Class III landfill.
11. The Water Quality Control Plan (Basin Plan) for the North Coast Region includes water quality objectives for point and non point source discharges and statewide plans and policies.
12. Beneficial uses of the areal groundwater include:
 - a. domestic water supply
 - b. agricultural water supply
13. Beneficial uses of Hely Creek, the Van Duzen and the Eel River include:
 - a. municipal and domestic supply
 - b. industrial supply
 - c. agricultural supply

- d. groundwater recharge
 - e. water contact recreation
 - f. **f** non-contact water recreation
 - g. warm freshwater habitat
 - h. cold freshwater habitat
 - i. wildlife habitat
 - j. fish migration
 - k. fish spawning
 - l. navigation
14. On October 21, 1996 the Humboldt County Environmental Health Department issued a Negative Declaration for site closure. The Regional Water Board has reviewed and considered the Negative Declaration pursuant to Title 14, California Code of Regulations Section 15096(f).
 15. The Regional Water Board has notified the discharger and interested agencies and persons of its intent to prescribe waste discharge requirements for this discharge and has provided them with an opportunity for a public meeting and an opportunity to submit their written views and recommendations.
 16. The Regional Water Board, in a public meeting, heard and considered all comments pertaining to the discharge.

THEREFORE, IT IS HEREBY ORDERED that, pursuant to the provisions of Division 7 of the California Water Code and regulations adopted thereunder, Order No. 91-52 be rescinded and the discharger shall comply with the following:

A. DISCHARGE PROHIBITIONS

1. Except for fine-grained mulch materials used for regrading purposes, further discharge of solid waste is prohibited.
2. The treatment, storage or disposal of waste including leachate shall not cause a pollution or nuisance as defined in Section (1) and (m) of the California Water Code.
3. For purposes of this Order, pollution of groundwater is defined as any Constituent of Concern exceeding its respective concentration limit at the point of compliance. The concentration limit for each monitoring parameter will be determined in accordance with Section 2550.4, Chapter 15, Division 3, Title 23, CCR.
4. The discharge of wastes, including leachate, to surface waters, or surface water drainage systems is prohibited.
5. The discharge of leachate to land which is not controlled by the discharger is prohibited.
6. Ponding of liquids, including rainfall runoff and leachate, over solid waste disposal cells is prohibited.

B. RECEIVING WATER LIMITATIONS

1. Receiving waters shall not contain substances in concentrations that result in deposition of material that causes nuisance or adversely affect beneficial uses.
2. The discharge shall not cause the turbidity of the receiving waters to be increased more than 20 percent above naturally occurring background levels.
3. The discharge shall not cause the dissolved oxygen concentrations of the receiving waters to be depressed below 7.0 mg/l. In the event that the receiving waters are determined to have a dissolved oxygen concentration of less than 7.0 mg/l, the discharge shall not depress the dissolved oxygen concentration below the existing level.
4. The discharge shall not cause the pH of the receiving waters to be depressed below 6.5 nor raised above 8.5. Within this range, the discharge shall not cause the pH of the receiving waters to be changed at any time more than 0.5 units from that which occurs naturally.
5. The discharge shall not cause the receiving waters to contain floating material, including solid, liquids, foams and scum in concentrations that cause nuisance or adversely affect beneficial uses.
6. The discharge shall not contain concentrations of biostimulants which promote objectional aquatic growths to the extent that such growths cause nuisance or adversely affect beneficial uses of the receiving waters.
7. The discharge shall not cause a measurable temperature change in the receiving waters.
8. The discharge shall not cause the receiving water to contain toxic substances in concentrations that are toxic to, or that produce detrimental physiological responses in human, plant, animal, or aquatic life.
9. This discharge shall not cause a violation of any applicable water quality standard for receiving waters adopted by the Regional Water Board or the State Water Resources Control Board as required by the Federal Water Pollution Control Act, and regulations adapted thereunder. If more stringent applicable water quality standards are promulgated or approved pursuant to Section 303 of the Federal Water Pollution Control Act, or amendments thereof, the Regional Water Board will revise and modify the Permit in accordance with standards.

C. WATER QUALITY PROTECTION STANDARDS

1. Water Quality Protection Standards (WQPS) for indicator parameters and waste constituents which are reasonably expected to be in, or derived from, waste discharged to the landfill have been established. WQPS are derived from water quality data obtained in recent years. WQPS for constituents that are not naturally occurring are set at 2.5 times the minimum laboratory detection limits. Constituents of Concern, routine monitoring parameters and data analysis methods are specified in the monitoring and reporting program.

2. Points of compliance are specified as S2, MW-3 and MW-2.

D. CONSTRUCTION SPECIFICATIONS

1. Precipitation and drainage control systems shall be designed and constructed to limit, to the greatest extent possible, ponding, infiltration, inundation, erosion, slope failure, washout and overtopping from precipitation conditions of a 100-year, 24-hour storm event.
2. Erosion and drainage control systems shall be designed and constructed under the direct supervision of a California registered civil engineer or certified engineering geologist and shall be certified by that individual as meeting the prescriptive standards and performance goals of Chapter 15.
3. Surface drainage from tributary areas and internal site drainage from surface or subsurface sources shall not contact or percolate through wastes. Drainage ditches shall be located, to the maximum extent practicable, such that they do not cross over landfill areas. Site drainage over landfill areas shall be contained in man-made drainage conveyance structures such as corrugated metal pipe or in drainage ditches which are lined with at least one foot of compacted soil having an in-place permeability of 10^{-6} cm/sec or less.
4. Post-closure final contours shall slope 2% minimum (H:V) toward Hely Creek. Depressions that may pond water shall be avoided.

E. PROVISIONS

1. The discharger shall submit a report documenting clean closure of the landfill by July 1, 2004.
2. Leachate removed from the landfill shall be disposed of in a manner approved by the Executive Officer. Leachate removed from the landfill shall not be discharged into the landfill or below ground surface.
3. Annually, prior to October 1, any necessary erosion control measures shall be implemented and any necessary construction, maintenance or repairs of drainage control facilities shall be completed to prevent erosion or flooding of the site. Rainfall runoff from all disturbed areas shall be channeled through sedimentation basins. Sedimentation basins shall be cleaned out during the rainy season as necessary to maintain adequate sedimentation capacity.
4. The discharger shall develop and implement a hazardous waste identification program. The Regional Water Board shall be notified by telephone within 24 hours of discovery of suspect materials. Written notification shall follow within two weeks.
5. The discharger shall comply with Monitoring and Reporting Program No. 97-5, the General Monitoring and Reporting Provisions, and the Contingency Planning and Notification Requirements Order No. 74-151 and any modifications to these documents as specified by the Executive Officer. Such documents are attached to this Order and incorporated herein.
6. In the event of a release from the facility, the discharger shall comply with the verification and evaluation monitoring provisions and schedules of Section

- 2550.8, Article 5, Chapter 15.
7. The discharger shall notify the Regional Water Board of changes in information, including any material change in the types, quantities, concentrations, or location (boundaries or contours) of wastes, site operations and features. The discharger shall notify the Regional Water Board a reasonable time before the changes are made or become effective. No changes shall be made without Regional Water Board approval.
 8. The discharger shall notify the Regional Water Board in writing of any proposed change of ownership or responsibility for construction, operation, or closure of the landfill. This notification shall be given prior to the effective date of the change and shall include a statement by the new discharger that construction, operation, and closure will be in compliance with any existing waste discharge requirements and any revisions thereof. The Regional Water Board shall amend the existing waste discharge requirements to name the new discharger.
 9. The discharger shall notify the Regional Water Board by telephone immediately upon learning of any flooding, equipment failure, slope failure or other change in site conditions which could impair the integrity of waste or leachate containment facilities or the precipitation and drainage control structures. Confirmation shall follow in writing within two weeks of the telephone notification.
 10. 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 the waste discharge requirements.
 11. This Order is subject to Regional Water Board review and updating, as necessary, to comply with changing state or federal laws, regulations, policies, or guidelines; changes in the Regional Water Board's Basin Plan; or changes in the discharge characteristics, in three year increments from the effective date of this Order.
 12. After notice and opportunity for hearing, this Order may be terminated or modified for cause, including but not limited to:
 - a. Violation of any term or condition in this Order;
 - b. Obtaining this Order by misrepresentation, or failure to disclose fully all relevant facts;
 - c. A change in any condition that requires either a temporary or permanent reduction or elimination of the authorized discharge.
 13. The discharger shall permit the Regional Water Board:
 - a. Entry upon premises in which an effluent source is located or in which any required records are kept;
 - b. Access to copy any records required to be kept under terms and conditions of this Order;
 - c. Inspection of monitoring equipment or records; and
 - d. Sampling of any discharge.
 14. The discharger shall remove and relocate any wastes discharged at this site in violation of this Order.
 15. In the event the discharger is unable to comply with any of the conditions of

this Order due to:

- a. Breakdown of waste treatment equipment;
- b. Accidents caused by human error or negligence; or
- c. Other causes, such as acts of nature;

the discharger shall notify the Executive Officer by telephone as soon as he or his agents have knowledge of the incident and confirm this notification in writing within two weeks of the telephone notification. The written notification shall include pertinent information explaining reasons for the noncompliance and shall indicate what steps were taken to correct the problem and the dates thereof, and what steps are being taken to prevent the problem from recurring.

16. The discharger shall maintain a copy of this order at the site so as to be available at all times to site operating personnel, who shall be familiar of its contents.
17. The discharger shall comply with all provisions of Chapter 15 that are not specifically referred to in this Order.
18. The Regional Water 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 or water applied to this property during subsequent use of the land for other purposes.
19. The discharger shall comply with all notice and reporting requirements of the State Department of Water Resources with regard to the construction, alteration, destruction, or abandonment of all monitoring wells used for compliance with this Order as required by Section 13750 through 13755 of the California Water Code.

Certification

I, Benjamin D. Kor, Executive Officer, do hereby certify that the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, North Coast Region, on February 27, 1997.



→ Benjamin D. Kor
Executive Officer

(WDR 97-5 amended)