

**STATE OF CALIFORNIA
REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION
895 Aerovista Place, Suite 101
San Luis Obispo, CA 93401-7906**

**WASTE DISCHARGE REQUIREMENTS ORDER NO. R3-2013-0047
Waste Discharger Identification No. 3 350300001
Adopted at the December 5, 2013 Board Meeting**

**FOR
JOHN SMITH ROAD CLASS I AND CLASS III LANDFILLS
SAN BENITO COUNTY**

The California Regional Water Quality Control Board, Central Coast Region (hereafter "Water Board") finds that:

LANDFILL OWNER AND LOCATION

1. The City of Hollister owns the closed Class I Landfill, but under a cost sharing agreement, the County of San Benito Integrated Waste Management Department (SBCIWMD) oversees all Post-Closure maintenance and monitoring. The SBCIWMD owns the John Smith Road Class III Landfill (hereafter "Landfill" and "Class III Landfill", or "WMU" [Waste Management Unit], as defined below). The SBCIWMD has a contract with Waste Connections, Inc. to operate the Landfill. The SBCIWMD is hereafter "the Discharger."
2. The Landfill is located in San Benito County five miles southeast of Hollister, as shown on "Landfill Location" **Figure 1**. The Landfill's physical address is 2650 John Smith Road, Hollister, California 95023. The Class III Landfill is identified as Assessor Parcel Number 25-019-050 and is located in Sections 4, 5, 8, and 9, Township 13S, Range 6E, Mount Diablo Baseline and Meridian. The latitude of the Landfill is 36° 49' 28.1750" North and the longitude is 121° 19' 23.6614" West.
3. The Landfill property boundary is 95.16 acres, as shown on "Permitted Waste Disposal Footprint" **Figure 2**. A closed Class I (hazardous waste) Landfill lies within the Landfill property boundary on a 5.11-acre parcel and consists of two surface impoundments of 0.43 acres and 0.36 acres; Assessor's Parcel Number 025-019-051. The active Class III Landfill is comprised of a 90.05-acre parcel, Assessor's Parcel Number 025-019-050, with waste disposal limited to a 44-acre permitted waste disposal footprint. The Discharger proposes expanding the permitted waste disposal footprint by 14 acres to a new permitted waste disposal footprint of 58 acres.

PURPOSE OF ORDER

4. The Discharger submitted an updated Joint Technical Document (JTD) in May 2012, with revisions on October 6, 2012, December 20, 2012, and June 11, 2013. The Discharger provides support and rationale for Landfill expansion and describes updates to existing operations. The purpose of Waste Discharge Requirements Order No. R3-2013-0047 (hereafter “Order” or “Order No. R3-2013-0047”) is to revise and update requirements for discharging waste to the Landfill.
5. The Discharger is currently regulated by Waste Discharge Requirements Order No. R3-2010-0021 (hereafter “Order No. R3-2010-0021”), adopted by the Water Board on May 13, 2010. Order No. R3-2013-0047 replaces Order No. R3-2010-0021
6. Order No. R3-2013-0047 includes the following elements:
 - a. Updated Landfill property boundary reflecting lot line adjustments.
 - b. Updated Landfill waste disposal footprint for laterally expanding landfilling operations.
 - c. Updated Landfill characterization information.
 - d. Updated Landfill Monitoring and Reporting requirements.
7. The Discharger will design, construct, and operate the Landfill pursuant to California Code of Regulations (CCR) Title 27, Solid Waste (hereafter “CCR Title 27”) effective July 18, 1997, and pursuant to Code of Federal Regulations Title 40, Chapter I, Subchapter I, Parts 257 and 258 Solid Waste Facility Disposal Criteria, Final Rule, as promulgated on October 9, 1991 (hereafter “CFR Title 40 Part 258”).

LANDFILL DESCRIPTION AND HISTORY

8. The Landfill property boundary (i.e., “waste management facility” as defined in CCR Title 27) encompasses 95.16 acres. Two parcels exist within the 95.16 acres consisting of a 5.11-acre closed Class I Landfill and a 90.05-acre active Class III Landfill. Previously, the Landfill property boundary encompassed 64.71 acres consisting of three parcels: one parcel with the 8.16-acre closed Class I Landfill and two parcels (25.12 acres and 31.43 acres) with an active 56.55-acre Class III Landfill. Within the active Class III Landfill is a 44-acre permitted waste disposal footprint. The Discharger applied for and received approval from the San Benito County Planning Department for lot line adjustments that expanded the Landfill property boundary from 64.71 acres to the present 95.16 acres. Correspondingly, the Landfill’s permitted operational area expanded by 33.50 acres to the present 90.05 acres (i.e., 33.50 acres added to the existing 56.55 acres). The Landfill’s 44-acre permitted waste disposal footprint remained the same during the lot line adjustments. As part of revised Order No. R3-2013-0047, the Discharger proposes expanding their 44-acre permitted waste disposal footprint by 14 acres (Modules 7 through 11) to a 58-acre permitted waste disposal footprint. **Figure 2** shows the

current waste disposal footprint in green and the proposed expanded waste disposal footprint in blue.

9. The 5.11-acre Class I Landfill is a closed, unlined disposal area that received wastes from 1977 to 1983. The closed Class I Landfill is proximal to the active Class III Landfill, but in a separate and distinct area with fencing and signs denoting the boundary. The Discharger's disposal operations for the Class III Landfill do not affect wastes within the closed Class I Landfill and the Discharger does not place any wastes over or adjacent to the Class I Landfill. The closed Class I Landfill boundary was originally 8.16 acres, but recent lot line adjustments reduced this to 5.11 acres. The lot line adjustments were to: a) accommodate an encroachment issue from landfilling operations related to new Modules 2 and 6 for the Class III Landfill, b) incorporate a gas-monitoring probe into the Class III Landfill area, and c) allow additional space for a perimeter access road for the Class III Landfill. Disposal to the closed Class I Landfill involved liquid hazardous wastes, mostly pesticides rinsates, in the 0.43-acre "Impoundment 1", with the 0.36-acre "Impoundment 2" serving as a stormwater overflow from Impoundment 1 (Impoundment 1 and Impoundment 2 are shown in yellow on "Monitoring Locations" **Figure 3**). In 1984, the Discharger removed all liquids from Impoundment 1 and placed a geomembrane cover over waste residues. In 1985, the Discharger and the City of Hollister were required to close the Class I Landfill under consent agreements with the California Department of Toxic Substances Control (DTSC) and the United States Environmental Protection Agency. The Discharger completed closure construction in 1992. DTSC issued a closure permit in June 1996 (Class I Hazardous Waste Facility Post-Closure Permit No. 03-SAC-006). The Discharger continues post-closure monitoring and maintenance for the Class I Landfill. There are no historical or present groundwater or surface water releases from the closed Class I Landfill. The Discharger is in the process of obtaining a Class 3 permit modification from DTSC to utilize the Class I Landfill area for staging and stockpiling soil to accommodate current and future construction activities for the Class III Landfill. The Discharger is concurrently in the process of a permit renewal for the Class I Landfill Post-Closure permit issued by DTSC. On June 4, 2013, DTSC issued a 'Temporary Authorization' letter for staging and stockpiling soil while they process the Discharger's permit renewal.
10. The 90.05-acre Class III Landfill has active waste disposal within a 44-acre permitted waste disposal footprint. Within the permitted waste disposal footprint are unlined (pre-Subtitle D) and lined areas, or "modules." CCR Title 27 §20164 defines a "Waste Management Unit" (WMU) as 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 for monitoring. For the Landfill, the WMU includes the permitted waste disposal footprint, stormwater conveyance ditches and culverts, and sediment retention basins. The WMU also includes the wider permitted operational area consisting of the main access road and an emergency exit road; an office building including a scale house and scale; the household hazardous waste and oil collection facilities,

heavy equipment maintenance areas; and soil borrow, stockpiling, and staging areas.

11. The Landfill has been in operation since 1968, therefore a majority of the Landfill's 44-acre permitted waste disposal footprint, 29 acres, is unlined (pre-Subtitle D liner requirements). A 15-acre area within the 44-acre permitted waste disposal footprint is subject to the liner requirements of CCR Title 27 for a WMU. The 15-acre area had not received wastes prior to the new regulations and thus, the Discharger must line this portion of the Landfill with a composite liner and leachate collection and removal system (LCRS) for continued disposal operations. The Discharger proposes expanding their permitted waste disposal footprint by 14 acres for new total of 58 acres for the WMU. The proposed 14-acre expansion area will also be subject to requirements for construction and installation of a liner and LCRS.
12. The current Landfill consists of six (6) modules within the 44-acre permitted waste disposal footprint, described as follows (the size of unconstructed modules are approximate and may change):
 - a. Module 1 – 29 acres, unlined, pre-Subtitle D regulations; near capacity.
 - b. Module 2 – 3.22 acres, composite liner with LCRS; active.
 - c. Module 3A – 2.20 acres, composite liner with LCRS; active.
 - d. Module 3B – 4.05 acres, composite liner with LCRS; active.
 - e. Module 4 – 2.94 acres, composite liner with LCRS; active.
 - f. Module 5 – 1.39 acres, composite liner and LCRS; future.
 - g. Module 6 – 1.59 acres, composite liner and LCRS; future.
13. The Discharger's proposed expansion to a 58-acre permitted waste disposal footprint would consist of Modules 1 through 6 above and five (5) new lined modules, described as follows (the size of unconstructed modules are approximate and may change):
 - a. Module 7 – 3.14 acres, composite liner and LCRS; future.
 - b. Module 8 – 2.31 acres, composite liner and LCRS; future.
 - c. Module 9 – 2.48 acres, composite liner and LCRS; future.
 - d. Module 10 – 2.24 acres, composite liner and LCRS; future.
 - e. Module 11 – 3.43 acres, composite liner and LCRS; future.
14. The Discharger proposes constructing future lined modules in seven phases for Modules 5 through 11. Modules 1 through 11 will encompass 58 acres and the Discharger estimates a remaining gross disposal capacity of 3,267,000 tons or 5,448,000 cubic yards with an estimated 28-year service life at current disposal rates. The Discharger estimates a maximum height of 915.5 feet above mean sea level (msl) at final closure of the Landfill (see "Final Closure Contours" **Figure 4**).
15. The Discharger operates the Landfill utilizing the cut and cover area and canyon fill methods for waste disposal. Unlined Module 1 and lined Modules 2, 3A, 3B, and 4

immediately abut, thus continued disposal operations will result in a waste “overlap” as disposal volume increases vertically and horizontally in the new lined units. In the overlap area, the Discharger constructed a Water Board approved engineered preferential leachate layer to facilitate leachate drainage to LCRS Sump LC 1 – 6 at the base of the new lined modules. LCRS Sump LC 1 – 6 collects leachate draining from lined Modules 2 through 6 and future LCRS Sump LC 7 – 11 will collect leachate draining from lined Modules 7 through 11.

16. Surrounding land uses and structures are rural in character and include agricultural and grazing lands. There are no residences or other structures located within 1,000 feet of the permitted landfill waste limits.
17. San Benito County zoned land within a one-mile radius of the Landfill for various uses as defined in the Land Use Element of the San Benito County General Plan, Plan Revision 1980, and in the County Zoning Ordinance, Revision of 1984. The properties surrounding the Landfill are zoned agricultural/rangeland and agricultural/productive with a 40-acre and 5-acre minimum lot size, respectively. San Benito County zoned land northwesterly of the Landfill as agricultural/rangeland, and remaining surrounding land as agricultural/productive land. San Benito County zoned land to the west of Best Road as rural land.
18. Rainfall is seasonal with the majority of the precipitation falling between November and April. The annual average precipitation for the area of the Landfill is 13.1 inches. The Landfill-specific 100-year, 24-hour storm is 3.95 inches.

CLASSIFICATION AND WASTE TYPE

19. The Landfill is classified by the Water Board as a Class III WMU, approved for discharge of Nonhazardous Municipal Solid Waste, pursuant to CCR Title 27 §20200.
20. The waste type allowed to be discharged at a Class III landfill, per CCR Title 27 §20220, is generally limited to “Nonhazardous Solid Waste”, which is defined as:

“All putrescible and non-putrescible solid, semi-solid, and liquid wastes, including garbage, trash, refuse, paper, rubbish, ashes, industrial wastes, demolition and construction waste, abandoned vehicles and parts thereof, discarded home and industrial appliances, manure, vegetable or animal solid and semi-solid wastes and other discarded waste (whether of solid or semi-solid consistency); provided that such wastes do not contain waste which must be managed as hazardous wastes, or wastes which contain soluble pollutants in concentrations which exceed applicable water quality objectives, or could cause degradation of water of the state (i.e., designated waste).”
21. The Discharger accepts waste delivered to the Landfill from the cities of Hollister and San Juan Bautista, and from the unincorporated areas of the County. The

Discharger also accepts waste from surrounding counties. The Landfill currently receives approximately 105,000 tons of waste annually. An annual average of 250 tons of waste are disposed daily and the Discharger's limit is up to 1,000 tons per day. On March 22, 2013, the California Department of Resources Recycling and Recovery (CalRecycle) approved the Discharger's request to increase their disposal limit to an average of up to 1,000 tons of waste per day (from an average of 500 tons of waste per day) to accommodate daily flow fluctuations and the ability to accept additional out of county waste.

22. Wastes received at the Landfill include non-hazardous residential curbside waste, commercial and industrial waste, demolition/construction debris, non-hazardous sludge, non-hazardous petroleum contaminated soil, brine, non-friable asbestos, used tires, and treated wood waste. These wastes are suitable for disposal at a Class III landfill provided the Discharger complies with the provisions of this Order. The Landfill separates and recycles tires, inert materials, appliances, scrap metal, mattresses, electronic waste, wood waste, and green waste.

GEOLOGY/HYDROGEOLOGY

23. **Setting** – The Landfill is located in the southernmost part of the Santa Clara Valley between the Diablo Range to the west and the Gabilan range to the east. It lies along the southeastern margin of the Gilroy-Hollister groundwater basin. The Landfill is located in a small valley in a low range of hills between the Hollister Valley on the west and the Santa Ana Valley on the east.
24. **Topography** – Current elevations at the Landfill range between approximately 805 feet msl on the southeast edge of the Landfill to 662 feet msl on the west end of the Landfill. The maximum final fill elevation will be 915.5 feet above msl.
25. **Stratigraphy** – The Discharger identified three geologic units underlying the Landfill, which include: Cretaceous Panoche Formation, Pleistocene older terrace deposits, and Quaternary surficial deposits. The Panoche Formation consists of marine-deposited sandstone and shale, which crops out mostly on the south side of the canyon. The older terrace deposits are composed of sandy claystone, clayey sandstone, and conglomerate. The surficial deposits, which occur at the mouth of the canyon, consist primarily of clayey silts and silty clays with some silty sands. The Panoche Formation underlies the entire Landfill, lined and unlined, and the northern portions of the Landfill lie directly on the older terrace deposits. The Discharger describes the geologic units as follows:
 - a. The Panoche Formation is the oldest unit at the Landfill. The Panoche Formation outcrops in ridges on the south, west, and north sides of the Landfill and is composed of interbedded sandstones, siltstones, claystones, and shales. The outcrops of sandstone are generally fine-grained and subangular to subrounded. Biotite and other minerals are minor constituents that are locally abundant. The sandstone is generally massive, but locally may be thin to thick

bedded. Cementation of the sandstone varies from moderate to poor. Jointing is common with the joints frequently containing iron staining or caliche. Outcrops of shale within the Panoche Formation range in color from olive gray to moderate olive brown. The color also changes with depth becoming light olive gray to dark gray. Generally, the shale is moderately indurated and is micaceous. At depth, the shale is less indurated. Bedding generally ranges from less than an inch to massive. In outcrops, the shale contains distinctive axial-plane cleavage with fractures ranging from 0.25 to 0.75-inch spacing, perpendicular to bedding. Jointing is common, locally containing iron staining or polished surfaces. The spacing of these fractures is variable, ranging from 0.25 inches up to several inches. Unlike the axial-plane cleavage, the orientation of joints is variable. Gypsum-filled joints are locally abundant in both the sandstone and shale.

- b. Older terrace deposits unconformably overlie the Panoche Formation and are exposed on the north ridge of the Landfill. The older terrace deposits are composed of clayey sandstone, sandy claystone, and sandy conglomerate. The sandstone varies from thin-bedded to massive, with claystone intervals, and is typically weakly cemented and poorly indurated, but little fractured. The claystone is generally poorly indurated and closely to intensely fractured.
- c. Surficial deposits are composed of younger alluvium, slopewash, and weathered bedrock. The younger alluvium is exposed at the mouth of the canyon and unconformably overlies the Panoche Formation and may possibly extend up into the canyon and underlie the landfill. The younger alluvium is predominately a silty clay, but is also gradational to a clayey silt and a sandy clayey silt. Interbedded at depth are lenses of coarse-grained sediments, composed of sand and sandy gravel, which appear to be aerially limited. The slopewash is located at the south side of the ridge near the southwest boundary of the landfill and consists of clay and sandy clay derived from the Panoche Formation. Clayey residual soil (i.e., weathered bedrock), is present in areas underlain by finer-grained facies of the Panoche Formation.

26. **Faulting** – Geologic studies including fault mapping commissioned by the Discharger did not identify any major fault traces within the Landfill, nor within the immediate area of the Landfill. However, several inactive and active faults associated with the San Andreas Fault system are located in the general vicinity. The Calaveras Fault lies approximately 3.5 miles west of the Landfill and the San Andreas Fault lies approximately 6.5 miles to the southwest of the Landfill. Both are associated with historic large magnitude earthquakes and are a potential source of strong shaking at the Landfill. Other minor faults include the Quien Sabe fault and the Bradley faults respectively about 2.5 and 2 miles east of the Landfill, and the Paicines fault about 3 miles to the west. The Maximum Probable Earthquake for a major earthquake is a Magnitude 7.9 on the San Andreas Fault. The Maximum Probable Earthquake for a near Landfill fault is a Magnitude 6.5 on the Calaveras Fault. In February 2008, and December 2011, the Discharger submitted revised seismic hazard evaluations as part of the slope stability analyses for the Landfill based on future construction of lined Modules 2 through 6 and subsequently, Modules 7 through 11. The reports provide the magnitudes of Maximum Probable

Earthquake and corresponding peak ground acceleration values for the most critical faults that may affect the Landfill. The design and construction of all new modules meet or exceed a factor of safety of 1.5, which is typical of industry performance standards.

27. After excavation work for Module 2, the Discharger conducted geologic mapping to determine the presence or absence of active faulting within the area in preparation for Module 2 construction. The mapping did not alter the Discharger's general understanding of Landfill geology, as described above, and the Discharger identified no additional faults. The Discharger performed another geologic study for the area of Module 3 (Modules 3A and 3B) and 4 with similar conclusions - the main differences identified were localized areas with slope instability. The Discharger is eliminating these areas as part of their on-going construction of new modules by cutting temporary slopes down to 3:1 (horizontal to vertical), thus increasing local and areal slope stabilities. The Discharger has determined that the area of future Modules 5 through 11 has similar geological conditions and as such, identification of new active faults is unlikely.
28. **Hydrogeology** – Groundwater beneath and near the Landfill occurs within three geologic units, the Cretaceous age Panoche Formation, Pleistocene age older terrace deposits, and Quaternary age surficial deposits. In locations where terrace deposits or younger alluvium overly the upper portion of the Panoche Formation, a hydraulic connection exists and the units behave as a single aquifer. Within the Panoche Formation, flow occurs primarily along fractures. Pumping test analyses show hydraulic conductivity of fractures are one to two orders of magnitude higher than rock. Within the terrace deposits and younger alluvium, groundwater flow is through the matrix.
29. The groundwater potentiometric surface occurs at elevations ranging from approximately 730 feet above msl in the northeast corner of the Class I facility to approximately 620 feet msl near the Landfill entrance (See "Groundwater Contours" **Figure 5**). In the field across from the Landfill entrance, the groundwater potentiometric surface occurs at elevations ranging from approximately 620 to 600 feet msl and drop to approximately 580 feet msl. Depth to first encountered groundwater varies across the Landfill from approximately 50 feet below ground surface (bgs) along ridges, to five feet bgs within the canyon. At some locations, groundwater is absent, as evidenced by dry boreholes during drilling for installation of new groundwater monitoring wells and/or piezometers. Where groundwater is present, there is minimal seasonal change in depth to groundwater given the low hydraulic conductivity of the geologic formation underlying the Landfill. Rising and falling groundwater elevations typically occur four to six months after seasonal changes, while longer-term trends in groundwater elevations are more distinct when viewed over five and 10-year periods.
30. A groundwater divide is present near the boundary of the closed Class I Landfill and Landfill waste footprint. Groundwater beneath the Class I area generally flows

toward the south and southeast, toward the relatively deep John Smith Road valley farther to the southeast, while groundwater beneath the Landfill waste footprint generally flows toward the west and southwest, toward the Landfill entrance within the relatively shallow valley occupied by the landfill.

31. The Discharger's analyses of aquifer tests in wells in the valley-fill alluvium resulted in hydraulic conductivity values ranging from 3.1×10^{-3} to 4.8×10^{-5} centimeters per second (cm/sec). Analyses of data from long-term pumping tests (as much as 72 days) collected during the initial extraction well evaluation resulted in calculated hydraulic conductivity values for the Panoche Formation ranging from 1.4×10^{-3} to 1.0×10^{-5} cm/sec. The Discharger obtained similar values for the Panoche Formation during hydraulic characterization of the Class I Landfill. Values ranged from 1.8×10^{-4} to 1.0×10^{-5} cm/sec. The Discharger also determined effective porosity based on storativity calculations. The effective porosity value for the valley-fill alluvium is 0.03 (3 percent). Effective porosity values for the Panoche Formation range from 0.09 to 0.10 (9 to 10 percent).
32. The groundwater potentiometric gradient ranges from approximately 0.3 foot per foot (ft/ft) off the southern ridge near well W-2 to approximately 0.01 ft/ft beneath the field across from the Landfill entrance.

SURFACE WATER, STORMWATER, AND GROUNDWATER

33. The Landfill is located above the 100-year flood plain. The Discharger identified flood elevation information in the Federal Emergency Management Agency Flood Insurance Rate Map for San Benito County. There are no designated wetlands within the Landfill boundary.
34. **Springs** – There are several developed springs near the facility (see “Well Survey Map” **Figure 6**). These springs are mainly used for watering of livestock.
35. **Surface Water** – There is an unnamed tributary to Santa Ana Creek bordering the southern Landfill property boundary. The length of the tributary between the Landfill and Santa Ana Creek is approximately 2.5 miles. The tributary runs west along the southern Landfill boundary, and then northwest away from the Landfill, and eventually north toward Santa Ana Creek. Flows are ephemeral and infiltrate to groundwater in low-lying areas prior to reaching Santa Ana Creek. The Landfill and tributary are located within the San Benito County hydrologic unit.
36. **Groundwater** – The Landfill is located along the southeast margin of the Gilroy-Hollister groundwater basin in rural San Benito County. The Landfill is underlain by marine sandstones, siltstones claystones, and shales of the Panoche Formation and older terrace deposits, as described previously. Neither geologic unit is a significant producer of groundwater and available groundwater is mineralized. Chloride, sulfate, manganese, total dissolved solids, and electric conductivity in groundwater from these units routinely exceed secondary drinking water standards.

37. **Groundwater Quality** – The Discharger has monitored groundwater at the Landfill since 1985. Volatile organic compounds (VOCs) impact an area of groundwater beneath and downgradient of Module 1, which is the unlined portion of the Landfill. VOCs were first recognized during the Solid Waste Assessment Test program in 1987. The source was leachate from the older unlined portion of the Landfill. The Discharger characterized the nature and extent of the pollutants and installed a groundwater extraction system on-site and off-site to capture groundwater impacted by the VOCs. The Discharger's operation of their groundwater extraction system has resulted in reduced concentrations of VOCs in groundwater and it achieved hydraulic capture of the VOCs plume. The overall declining concentrations of VOCs indicate that the on-site groundwater extraction system has been effective at capturing impacted groundwater. Improvements in Landfill operations have also reduced leachate production, thus reducing the source for the historic impact identified as originating from unlined Module 1. VOCs have also impacted groundwater in a limited area north of Module 1. The Discharger identified migration of landfill gas as the source of the VOCs. Recent improvements to the landfill gas extraction system has resulted in control and continued reduction in concentrations of VOCs. See "Groundwater VOCs" **Figure 7** for a depiction of the VOCs impacting groundwater from the two identified sources, leachate and landfill gas.
38. **Wells** – There are no municipal water supply wells within 5,000 feet hydraulically downgradient from the landfill. The nearest water supply well, Yates 1, is located hydraulically upgradient of the Landfill, approximately 900 feet southeast of the Landfill entrance. San Benito County owns Yates-1 and uses the water for livestock supply, and has plans to use the water for the future Resource Recovery Park. Water quality testing on August 22, 2013 indicated no water quality impacts related to Landfill operations.
39. **Groundwater Separation** – Proposed and existing excavation grades and liner designs provide separation between groundwater and waste (i.e., bottom of leachate collection system), thus meeting the requirement for maintaining a minimum five-foot separation [CCR Title 27, §20240(c)].
40. Historic groundwater elevations are available over a 24-year period. Hydrographs of historic groundwater elevations for most of the groundwater monitoring wells show a peak height in April 1998, following an approximately four-year "ramp up."
41. The San Benito County Water District has over 125 years of monthly rainfall data for Hollister. Based on the available rainfall data, the 1998 rain year (October 1998 – September 1999) had the greatest rainfall (28.61 inches) on record. Additionally, the four-year period ending with the 1998 rain year had the greatest rainfall (81.96 inches) on record. For comparison, the average annual rainfall is 13.07 inches and the average four-year rainfall is 52.51 inches. Based on the available rainfall record and resulting recharge, it is likely the April 1998 groundwater elevations represent the highest anticipated groundwater elevations for Landfill conditions.

42. Since 1998, Landfill construction has extensively modified topography, thus changing the hydrogeologic water balance. As a result, during a meeting on April 18, 2013, Water Board staff requested the Discharger submit information to reevaluate the estimated highest anticipated groundwater elevation. Water Board staff's request for the reassessment was based on the following changes to the Landfill:
- a. Construction and implementation of improved surface water drainage controls resulting in reduced infiltration and recharge to groundwater;
 - b. Proposed future modification within the Landfill property boundary including grading and further improved drainage controls related to new lined Landfill modules, which will likely further reduce groundwater elevations;
 - c. Anticipated construction of new Modules 7 through 11 over an area of the Landfill identified and acknowledged as the primary area for recharge to groundwater on the Landfill property;
 - d. Groundwater elevation monitoring data from 1998 to present show groundwater elevations across the Landfill property declining to their present stabilized elevations; and
 - e. Current groundwater elevations are showing 10 to 15 feet separation between groundwater and the base grades in new Module 4, which adjoins Modules 2 and 3 (Module 3 built in phases 3A and 3B), all of which represent the lowest base grades for the new lined areas of the Landfill WMU.

The Discharger submitted their reassessment on August 9, 2013 providing information validating the above conditions and Water Board staff approved the findings of the Discharger's reassessment of highest anticipated groundwater on August 12, 2013. The Discharger had also previously determined that capillary rise in the bedrock below Module 2 was minimal and thus, was not a factor in establishing highest anticipated groundwater. These changes to the Landfill have resulted in a greater separation between lined modules and highest anticipated groundwater.

43. **Stormwater** – The Landfill is enrolled in the “Waste Discharge Requirements for Discharges of Storm Water Associated with Industrial Activities (General Storm Water Permit for Industrial Activities),” under State Water Resources Control Board (State Water Board) Water Quality Order No. 97-03-DWQ and National Pollutant Discharge Elimination System (NPDES) General Permit No. CAS00001.
44. The Discharger maintains facilities necessary for collecting and diverting stormwater run-off from the Landfill. The Discharger does not need stormwater run-on controls because of the Landfill's location near the top of a surface water drainage divide. Run-off facilities include drainage diversion berms, various drainage ditches, corrugated steel pipe or high density polyethylene (HDPE) over-side drains and inlets, and energy dissipaters. The Discharger also uses rock-lined channels for over-side drains. The Discharger designed the drainage network to carry

stormwater at velocities that minimize ditch erosion. Side slope benches and access roads are equipped with drainage ditches for erosion control and drainage needs. The Discharger also maintains run-off controls in and around the permitted waste disposal footprint to minimize contact between surface water and waste. The Discharger has designed storm water conveyance features to direct run-off after rain events to natural drainage courses located to the southwest and outside of the Landfill property boundary. The Discharger captures stormwater runoff from interior portions of the Landfill's disposal areas and directs the run-off to sedimentation basins. There currently are three sedimentation basins at the Landfill: the western sedimentation basin collects most of the stormwater runoff from the Landfill; the southern sedimentation basin collects water from a bench along the edge of John Smith Road that collects water from the borrow area and undisturbed slopes south of the landfill. After Landfill build-out, the southern sedimentation basin will only collect water from undisturbed slopes. The eastern basin receives water from the construction staging area and soil stockpiles. The Discharger meters the bulk of this stormwater runoff to a drainage/culvert along John Smith Road, while using the balance, when available, for subsequent on-site dust control during the dry season. The Discharger used hydraulic calculations and flow rates for a 100-year, 24-hour storm event to design the final drainage control features for the Landfill. These improvements, combined with the proposed surface grading, will convey on-site surface water and protect the landfill from off-site run-on.

CONTROL SYSTEMS AND MONITORING

45. **Leachate/Groundwater Control Systems** – There are two existing LCRSs and one downgradient groundwater extraction system. The systems consist of:
- a. **Western Pit Area (Old Clay Liner Area Leachate Outfall)** – The Discharger constructed a LCRS as part of the area referred to as the Western Pit. The LCRS consisted of a perforated six-inch diameter high-density polyethylene pipe surrounded by a one-foot thick gravel blanket installed above the clay liner to channel, by gravity, all leachate that collected in the Western Pit Area to the sanitary sewer system. The line has not yielded leachate for several years and is no longer in use.
 - b. **Lined Modules 2 through 6** – The Discharger constructed Module 2 and Module 3 utilizing a LCRS consisting of a maximum 12-inch layer of drainage material underlain by systems of perforated 6-inch HDPE collection pipes placed in V-ditches and surrounded by gravel fill wrapped in geotextile. There is no LCRS on the interior side slopes. Liquids will flow along the operations layer or liner placed on the slopes and drain to the bottom area LCRS. The Discharger designed the liner system to contain the leachate collected and direct it to the LCRS Sump LC 1 – 6 located at the base of Module 3A. The purpose of the LCRS is to limit leachate build-up on the base liner to a maximum depth of 12 inches. The Discharger designed the liner and LCRS system to withstand permanent displacement of the foundation materials during an earthquake.

Leachate flows into the leachate collection pipes for conveyance to a leachate collection sump.

- c. **Groundwater Extraction System** – The extraction system is comprised of five operational extraction wells consisting of three on-site wells that capture groundwater impacted by VOCs that migrated from beneath the older Landfill, and two off-site wells to capture VOCs in groundwater moving past the three on-site wells. The goal of the on-site extraction wells is to hydraulically contain the VOCs in groundwater to eliminate continued off-site migration and reduce the source of future groundwater pollution (leachate from Module 1). The goal of the off-site extraction system is to hydraulically contain the VOCs plume to stop downgradient migration, and to reduce the concentration of the VOCs to below maximum contaminant levels (MCLs). The Discharger began operating the groundwater extraction system in 1993 and has operated the system continuously since then with the exception of a two-year shut down period from December 1997 to December 1999 when completing modifications to the entrance of the Landfill, which disrupted extraction operations. The Discharger automated the system to maintain an inward flow of groundwater toward each well. The Discharger continues optimization of their groundwater extraction system to achieve enhanced capture of the groundwater VOCs plume, and the Discharger installed another extraction well, EW-5, in mid-2008 to capture a northerly component of the groundwater plume that may have been bypassing well EW-4. Since the startup of the groundwater extraction system, the Discharger has made significant progress toward achieving the groundwater cleanup goals with the on-site and off-site systems. Before system startup, VOCs routinely exceeded their MCL drinking water standards with total VOCs concentrations as high as 220 micrograms per liter in groundwater near the Landfill entrance. Since 2009, concentrations of VOCs have exceeded MCLs in off-site wells in close proximity to the Landfill property boundary (i.e., wells WA-12 and G-32). In response, the Discharger reduced the pumping interval in the on-site extraction well EW-4 to produce a larger capture zone to remove more impacted groundwater. VOCs concentrations in groundwater downgradient from the extraction wells approximately 500 feet from the Landfill entrance have been below two micrograms per liter ($\mu\text{g/L}$) since 2002, and waste has not impacted groundwater 1,500 feet downgradient from the Landfill entrance. The overall declining concentrations of VOCs indicate that the on-site groundwater extraction system has been effective at capturing impacted groundwater. Improvements in Landfill operations have reduced leachate production, thus reducing the source for the historic impact identified as originating from unlined Module 1.
- d. **Future lined Modules 7 through 11** – The Discharger proposes to construct an additional LCRS and associated collection sump as part of future lined Modules 7 through 11 in the new 14-acre expansion area of the Landfill WMU. The design and operation of this LCRS will be the same as the LCRS for Modules 2 through 6 described above. The Discharger will design the liner system to contain the leachate collected and direct it to the LCRS Sump LC 7 – 11 located at the base of Module 7.

46. **Landfill Gas Control System** – The Landfill gas control system consists of a network of 29 extraction wells piped to a landfill gas flare (**Figure 3**). The Discharger initially installed the system as corrective action to address VOCs impacts to groundwater resulting from landfill gas. The Discharger installed wells primarily along the north, west, and east sides of the Landfill in several phases. Phase 1 in 1997, included the installation of landfill gas extraction wells G-1 through G-5 and a pilot test flare along the center of the north Landfill perimeter. Phase 1B consisted of installation of the permanent landfill gas enclosed flare/blower skid in March 2001. Phase 2 in 2003, included the installation of gas extraction wells G-6 through G-16 at the west end of the Landfill, and G-17 through G-22 at the east end of the Landfill. Phase 2B included the replacement of the enclosed flare (upgraded to 250 cubic feet per minute [cfm]). Phase 3 in 2004, included the installation of extraction wells G-23 through G-28 along the northern edge of the Landfill. Phase 4 in 2008, included the installation of extraction well G-29 and replacement of damaged extraction wells G-6 and G-13. Phase 5 in 2010, included the installation of extraction wells G-35, G-36, and G-37 along the northern portion of top deck of the Landfill. In 2011, 2012, and 2013, the discharger installed a series of additional Landfill gas monitoring probes required by CalRecycle for additional monitoring of the gas extraction network. As the Discharger continues expanding their Landfill, they will add additional gas probes and extraction wells under subsequent installation plans at a rate of approximately one well per two acres to monitoring and control surface methane emissions prior to Landfill closure.
47. **Monitoring and Reporting Program** – Monitoring and Reporting Program No. R3-2013-0047 (hereinafter "MRP"), issued by the Water Board's Executive Officer, requires the Discharger to monitor and report on: groundwater, leachate collection and removal, landfill gas, stormwater drainage, waste intake, rainfall data, and physical landfill observations. The MRP establishes groundwater monitoring points, monitoring frequency, monitoring parameters, constituents of concern, criteria for sample collection and analyses, methods for analyzing data both statistically and non-statistically, minimum monitoring report content, and definition of terms.
48. **Groundwater Monitoring** – The groundwater monitoring program is designed by the Discharger to monitor the upper portion of the aquifer for potential impacts from disposal operations (**Figure 3**). There are four groundwater monitoring programs in place as follows:
- a. **Class I Post-Closure Detection Monitoring** – Four groundwater monitoring wells (E-2, E-3, E-9, and E-17) are in place to monitor the groundwater quality beneath the closed Class I area. The Discharger also monitors Well E-2 semiannually for VOCs as part of the Class III Detection Monitoring Program. Well E-9 is a background well and wells E-2, E-3, and E-17 are point-of-compliance wells. For other wells within the area (E-1, E-8, E-12, E-13, E-14, and G-24) the Discharger monitors these wells to determine groundwater potentiometric elevations. These wells are either hydraulically upgradient from

the former impoundments or screened at deeper intervals in the aquifer than the wells listed above. Consequently, the Discharger does not sample and analyze these wells for first-indications of a potential release. The Discharger has not detected constituents of concern for 35 years in the area surrounding the Class I Landfill; therefore, there is no evidence of a release from former waste disposal.

- b. **Class III Detection Monitoring** – There are five Detection Monitoring Program wells (E-2, E-15, WA-11, WA-15, and CP-25). Wells E-15 and WA-11 are background wells. Well E-2 is hydraulically downgradient from background well E-15 in the Class I area. Well WA-15 is a deep compliance well for monitoring groundwater beneath the VOCs impacted zone. Well CP-25 is a shallow compliance well for monitoring groundwater downgradient of the VOCs impacted zone. The Discharger monitors other wells within the Class III area and the adjacent downgradient property (P-1, W-3, WA-13, WA-14, LIMA-3, and G-26) to determine groundwater potentiometric elevations.
- c. **Class III Corrective Action Monitoring** – The Class III Corrective Action Monitoring Program is intended to evaluate: a) the effectiveness of the on-site groundwater extraction system for controlling VOCs migration from the Class III Landfill, and b) the effectiveness of the off-site groundwater extraction system at preventing downgradient VOCs migration. Wells include W-4, W-5, WA-8, WA-9, WA-10, WA-12, WA-19, WA-20, CP-31, G-32 and G-33. The Discharger uses wells W-4, W-5, WA-19, and CP-31 to monitor groundwater quality along the northern and western cross-gradient margin of the Class III Landfill, and wells WA-12, G-32, and G-33 to monitor water quality downgradient from the on-site groundwater extraction system. The Discharger uses well WA-9 to monitor groundwater quality along the southern margin of the off-site VOCs impacted zone, and wells WA-8, WA-10, WA-12, and WA-20 to monitor groundwater quality downgradient of the off-site groundwater extraction wells, EW-2 and EW-3. The Discharger installed well CP-30 in the “saddle” north of the Class III Landfill as a corrective action monitoring well to determine the effectiveness of the landfill gas extraction system in reducing VOCs detected in groundwater north of unlined Module 1. The Discharger installed an additional well, CP-31, near extraction well EW-4, to provide additional information on groundwater elevation and quality. Monitoring well W-3 is not associated with the groundwater extraction system, but is part of groundwater elevation monitoring to verify separation between groundwater and waste in the bottom of lined Module 2. This well lies within the excavation boundary for future lined modules and the Discharger will remove it during future construction activities. The Discharger may possibly adjust the wells to accommodate expansion plans; however, if this is not possible, the Discharger may replace these monitoring wells.
- d. **Groundwater Extraction System Monitoring** – The Discharger discharges groundwater from the extraction wells to a sanitary sewer line along John Smith Road. Each extraction well has a sampling port for sample collection. The three on-site extraction wells are EW-1, EW-4, and EW-5 and two off-site extraction wells include EW-2 and EW-3. The Discharger also performs quarterly sampling and analyses of the discharge from the groundwater extraction system to determine compliance with the City of Hollister’s Wastewater Discharge Permit

No. 92-002 and Amendments. The Discharger submits the laboratory analytical results from the monitoring to Water Board staff and a representative of the City of Hollister.

49. **Leachate Monitoring** – The Module 2 through 6 leachate sump, Sump LC 1 – 6, is located as the base of lined Module 3A and is equipped with a riser pipe to allow monitoring and removal of collected leachate. The Discharger pumps collected leachate from the riser pipe and out of Sump LC 1—6. The Discharger will either dispose of collected leachate on-site, or discharge it into the sanitary sewer system. On-site disposal is limited to dust control, spraying onto the working face within lined areas of the Landfill, and a potential recirculation system (recirculation proposed for future operations) into the lined areas of the Landfill.
50. **Surface Water Monitoring** – There is no surface water monitoring program. The Landfill is situated at the top of a watershed divide and thus, there are no surface water tributaries flowing toward or through the Landfill property.
51. **Unsaturated Zone Monitoring** – The current unsaturated zone monitoring system consists of a double-lined leachate collection sump, Sump LC 1 – 6, constructed as part of Module 3A. Sump LC 1 – 6 collects leachate from Modules 2, 3, and 4, and will collect leachate from Modules 5 and 6 after future construction of these new lined modules. Water Board staff required the Discharger to construct Sump LC 1 – 6 as a double lined leachate collection sump for unsaturated zone monitoring. This was an alternative to monitoring the natural subgrade beneath the LCRS and sump because the bedrock underlying Module 3A prevented effective monitoring of the unsaturated zone utilizing typically available methods. Water Board staff required the Discharger to incorporate unsaturated zone monitoring within the space between the primary liner and the underlying secondary liner in the Module 3A leachate sump to meet the requirements of CCR Title 27 §20415(d).
52. **Landfill Gas Monitoring** – The Discharger measures Landfill gas quantity and quality regularly according to the Monitoring and Reporting Program.

BASIN PLAN

53. The Water Quality Control Plan, Central Coast Basin (Basin Plan), was adopted by the Water Board on September 8, 1994, and approved by the State Water Board on November 17, 1994. The Basin Plan incorporates statewide plans and policies by reference and contains a strategy for protecting beneficial uses of State Waters. This Order implements the water quality objectives stated in that Plan.
54. The Basin Plan identifies the following present and anticipated beneficial uses for surface water in the vicinity of the Landfill:
 - a. Domestic and Municipal Supply
 - b. Agricultural Supply

- c. Industrial Service Supply
- d. Groundwater Recharge
- e. Water Contact Recreation
- f. Non-Contact Water Recreation
- g. Wildlife Habitat
- h. Cold freshwater Habitat
- i. Fish Migration
- j. Fish Spawning

55. Observed groundwater use in the vicinity of the Landfill is agricultural and domestic water supply. The Basin Plan identifies the following beneficial uses of groundwater in the vicinity of the Landfill:

- a. Domestic and Municipal Supply
- b. Agricultural Supply
- c. Industrial Supply

CALIFORNIA ENVIRONMENTAL QUALITY ACT

56. This Order contains prohibitions, discharge specifications, water quality protection standards, and provisions intended to protect the environment by mitigating or avoiding impacts of the project on water quality. This Order addresses both an existing facility and a lateral expansion.

57. The Discharger prepared a Mitigated Negative Declaration (MND) dated November 2, 2001 for continued operation and expansion of the Landfill in accordance with the California Environmental Quality Act (CEQA) (State Clearinghouse No. 1991083121). The San Benito County Division of Environmental Health (County) certified the MND in November 2001. Subsequently, the County filed a Notice of Determination (NOD) in December 2001. In November 2003, DTSC filed a Notice of Exemption (State Clearinghouse No. 2003118286) for the Class I Landfill in accordance with the State Clearinghouse, citing 14 CCR, §15301, for a Class 1 Categorical Exemption for a Post-Closure Permit renewal. The Discharger prepared another MND dated September 6, 2012 for continued operation and expansion of the Landfill in accordance with CEQA (State Clearinghouse No. 2012061081). The San Benito County Building and Planning Department Director certified the MND on September 6, 2012 and subsequently filed a NOD on September 7, 2012.

58. This Order is for an existing facility and therefore is exempt from provisions of the California Environmental Quality Act (Public Resources Code, §21000, et seq.) in accordance with CCR Title 14, Chapter 3, §15301.

GENERAL FINDINGS

59. In accordance with CCR Title 27 §20260(b)(1) and CFR Title 40 Part 258.40, the Water Board finds that all new modules constructed at the Landfill must have prescriptive composite liners, except for engineered alternatives as provided in CCR Title 27 §20080(b) and CFR Title 40 Part 258.40(a)(1) and (c).
60. In accordance with California Water Code (CWC) §13263(g), no discharge into waters of the state, whether or not the discharge is made pursuant to waste discharge requirements, must create a vested right to discharge. All discharges of waste into waters of the state are privileges, not rights. Water Board authorization to discharge waste is conditioned upon the Discharger complying with provisions of Division 7 of the CWC and with any more stringent limitations necessary to implement the Basin Plan, to protect beneficial uses, and to prevent nuisance. The Discharger's compliance with Order No. R3-2013-0047 should assure they meet conditions and mitigate any potential changes in water quality attributed to the Landfill.
61. The Landfill meets the criteria of CCR Title 27 and CFR Title 40 Part 258 for a Class III landfill suitable to receive non-hazardous solid waste. Order No. R3-2013-0047 implements, but is not limited to, the prescriptive standards and performance goals of CCR Title 27 and CFR Title 40 Part 258.
62. **Antidegradation:** State Water Board Resolution No. 68-16 Statement of Policy with Respect to Maintaining High Quality of Waters in California (Resolution No. 68-16) requires Regional Water Boards, in regulating the discharge of waste, to maintain high quality waters of the State until it is demonstrated that any change in quality will be consistent with the maximum benefit to the people of the State, will not unreasonably affect beneficial uses, and will not result in water quality less than that described in a Regional Water Board's policies (e.g., quality that exceeds applicable water quality standards). Resolution No. 68-16 also states, in part:
- “Any activity which produces or may produce a waste or increased volume or concentration of waste and which discharges or proposes to discharge to existing high quality waters will be required to meet waste discharge requirements which will result in best practicable treatment and control of the discharge necessary to assure that (a) a pollution or nuisance will not occur and (b) the highest water quality consistent with maximum benefit to the people of the State will be maintained”.
63. The discharges regulated by this Order are required to comply with the land disposal regulations contained in CCR Title 27, which are intended to prevent discharges of waste to waters of the state, preventing degradation of waters of the state. The discharge is subject to waste discharge requirements, which will result in best practicable treatment or control.
64. CalRecycle regulates this Landfill under Solid Waste Facility Permit (SWFP) No. 35-AA-0001, which CalRecycle renewed on March 22, 2013. CalRecycle became the Enforcement Agency for administering the Discharger's SWFP in May 2012 after

assuming this function from the Local Enforcement Agency (i.e., the San Benito County Health Department, Environmental Division).

65. The Monterey Bay Unified Air Pollution Control District (MBUAPCD) issued a permit to operate (Permit No. 14563) for the landfill gas collection and flare system on March 30, 2010, and the MBUAPCD renews the permit annually. The MBUAPCD also issued Permit No. 14070 on January 28, 2009 for the five corrective action groundwater extraction wells that discharge to the City of Hollister Domestic Wastewater Treatment Plant. These permits contain the requirements and conditions for Landfill operations.
66. The City of Hollister Department of Public Works issued a permit to discharge in 1992, for monitoring the Discharger's disposal of water from the five corrective action groundwater extraction wells (Wastewater Discharge Permit No. 92-002 and Amendments). The Discharger continues to discharge their extracted groundwater in compliance with Permit No. 92-002.
67. "Treated wood" means wood that contains a chemical preservative for purposes of protecting the wood against attacks from insects, microorganisms, fungi, and other environmental conditions that can lead to decay of the wood and the chemical preservative is registered pursuant to the Federal Insecticide, Fungicide, and Rodenticide Act (United States Code Title 7 Sec. 136 and following). This may include but is not limited to waste wood that has been treated with chromated copper arsenate, pentachlorophenol, creosote, acid copper chromate, ammoniacal copper arsenate, ammoniacal copper zinc arsenate, or chromated zinc chloride. Existing law regulates the control of hazardous waste, but exempts from the hazardous waste control laws, wood waste that is exempt from regulation under the federal Resource Conservation and Recovery Act (RCRA) of 1976, as amended if the wood waste is disposed of in a municipal landfill that meets certain requirements imposed pursuant to the Porter-Cologne Water Quality Control Act for the classification of disposal sites, and the Landfill meets other specified requirements outlined in Health and Safety Code §25143.1.5 and §25150.7. Health and Safety Code §25150.8 also provides that if treated wood waste is accepted by a solid waste landfill that manages and disposes of the treated wood waste in the manner specified, the treated wood waste must be deemed to be a solid waste, and not a hazardous or designated waste. The Discharger has indicated that all treated wood waste accepted at the facility will be handled and disposed of in accordance with the provisions outlined in Health and Safety Code §25143.1.5, §25150.7, and §25150.8.
68. On March 7, 2013, CalRecycle staff stated that the Discharger had demonstrated availability of financial resources to conduct closure and post-closure maintenance activities and an appropriate financial assurance instrument for corrective action for a reasonably foreseeable release at the Landfill. The financial instruments for closure, post-closure maintenance, and corrective action adjust annually for inflation.

69. Effective March 30, 2009, the Department of Toxic Substances Control (DTSC) repealed conditional authorization letters that allow automobile shredder waste that is subjected to certain treatment requirements to be classified as non-hazardous waste because DTSC's testing and analyses has shown increasing levels of hazardous constituents in the treated shredder waste. On September 17, 2009, the DTSC granted an extension to the proposed repeal date regarding conditional authorization to manage automobile shredder waste as non-hazardous waste. The current extension is contingent on continuing progress in the development of alternative management standards that are protective of human health and the environment and does not specify a new effective date for the repeal of the conditional authorization. As a result, automobile shredder waste from certain authorized facilities managed pursuant to CCR Title 22 §66260.200(f) and Policy and Procedure #88-6, may continue to be managed as non-hazardous waste.
70. On August 30, 2013, the Water Board notified the Discharger and interested agencies and persons of its intent to issue Waste Discharge Requirements for the Landfill, and has provided the opportunity to review a copy of the proposed Order and submit written views and comments.
71. After considering all comments pertaining to this discharge during a public hearing on December 5, 2013, Water Board staff found that this Order is consistent with the above findings.

IT IS HEREBY ORDERED pursuant to authority in CWC §13263 and §13267, the Discharger, its agents, successors, and assigns in maintaining the John Smith Road Class I and Class III Landfills must comply with the following:

A. COMPLIANCE WITH OTHER REGULATIONS AND ORDERS

1. Discharge of waste, operations, and monitoring must comply with all applicable requirements contained in CCR Title 27 and CFR Title 40 Parts 257 and 258. If any applicable regulation requirements overlap or conflict in any manner, the most water quality protective requirement must govern in all cases, unless specifically stated otherwise in this Order, or as directed by the Executive Officer.
2. The Discharger must control stormwater runoff releases from the Landfill by complying with all requirements contained in the General Storm Water Permit for Industrial Activities.

B. PROHIBITIONS

1. Discharge of waste to areas outside the approved and permitted waste disposal footprint for the WMU as illustrated in **Figure 2**, is prohibited.
2. Discharge of waste within the approved and permitted waste disposal footprint for the WMU is prohibited as provided in **Specification C.3**.

3. Discharge of hazardous waste or hazardous constituents, except for treated wood waste or waste that is hazardous due only to its asbestos content, is prohibited. Wastes that are prohibited include but are not limited to:
 - a. Radioactive wastes.
 - b. Designated waste.
 - c. Hazardous waste, except waste that is hazardous due only to its asbestos content. Asbestos containing greater than one percent (>1 percent) friable asbestos material is considered hazardous, but may be discharged as allowed by **Specification C. 15**.
 - d. Chemical and biological warfare agents.
 - e. Waste solvents, dry cleaning fluids, paint sludge, pesticides, phenols, and acid and alkaline solutions.
 - f. Oils or other liquid petroleum products.
 - g. Wastes that have the potential to reduce or impair the integrity of containment structures or which, if commingled with other wastes in the unit, could produce violent reaction, heat or pressure, fire or explosion, toxic by-products, or reaction products.
 - h. Wastes that require a higher level of containment than provided by the Landfill.
 - i. Liquid or semi-solid waste containing less than 50 percent solids by weight. This includes landfill leachate and gas condensate, except as allowed by **Specification C. 7**, and sludge, except as allowed by **Specification C.19**.
4. Discharge of waste or leachate to ponded water, drainage way(s), or waters of the State, including groundwater, is prohibited.
5. Discharge of liquid waste, meaning any waste materials that are determined to contain free liquids through visual inspection, or as defined by Method 9095 (Paint Filter Liquids Test), is prohibited.
6. Discharge of waste within 50 feet of the property line, 100 feet of surface waters, or 100 feet of domestic water supply wells is prohibited, unless approved by the Executive Officer.
7. Disposal of wastes within five (5) feet of the highest anticipated elevation of underlying groundwater, including the capillary fringe, is prohibited, except as allowed under CCR Title 27, §20080 (b) and (c).

C. SPECIFICATIONS

1. Discharge of waste must not cause a condition of pollution or contamination to occur through a statistically significant release of pollutants, contaminants, and/or waste constituents, as indicated by the most appropriate statistical [or non-statistical] data analysis method and retest method described in MRP No. R3-2013-0047.

2. Discharge, collection, and treatment of waste must not create nuisance, as defined by CWC §13050(m).
3. The Discharger must not discharge waste to WMU areas inside the approved and permitted waste disposal footprint that did not receive waste as of April 9, 1994, unless the discharge is to an area equipped with an Executive Officer-approved containment system consisting of a composite liner and LCRS. The liner must consist of the following three components, pursuant to CFR Title 40 Part 258 and CCR Title 27 §20340:
 - a. **Lower Component:** A layer of compacted soil that is at least two feet thick that has a hydraulic conductivity of no more than 1×10^{-7} centimeters per second (0.1 feet/year);
 - b. **Upper Component:** A synthetic flexible membrane liner at least 40-thousandths of an inch (mil) thick (or at least 60-mils thick if the liner is high-density polyethylene) that is installed in direct and uniform contact with the Lower Component;
 - c. **Leachate Collection and Removal System:** The LCRS system must be capable of minimizing head buildup over the liner to less than 30 centimeters in depth. The LCRS must consist of a permeable subdrain layer, which covers the bottom of the module and extends as far up the sides as possible, (i.e., blanket type). The LCRS must be of sufficient strength and thickness to prevent collapse under the pressures exerted by overlying wastes, waste cover materials, and equipment and must be designed and operated to function without clogging through the scheduled closure and post-closure maintenance period.
 - d. **Unsaturated zone Monitoring:** Each new lined area of the WMU must include unsaturated zone monitoring that is designed and constructed to meet the requirement for determining the earliest possible detection of a release(s), as specified in CCR Title 27 §20414(d); or,
 - e. **Engineered alternative:** A design that satisfies the performance criteria in CFR Title 40 Part 258.40(a)(1) and (c), and satisfies the criteria for an engineered alternative to the Prescriptive Design, as provided by CCR Title 27 §20080(b), where the Discharger receives written concurrence from the Executive Officer that the performance of the alternative composite liner's components, in combination, is equal to, or exceeds, the waste containment capability of the regulatory Prescriptive Design.
4. The Discharger shall construct a preferential leachate pathway layer on slope(s) where newly disposed wastes will overlap previously disposed wastes in unlined areas of the WMU. The Discharger shall construct the layer so that leachate generated within the overlapping waste area will flow to the LCRS of lined portions of the WMU; specifically Modules 2 through 4.
5. The Discharger must design, construct, and maintain to limit, to the greatest extent possible, ponding, infiltration, inundation, erosion, slope failure, washout, overtopping, and damage to the WMU containment structures and drainage facilities

resulting from natural disasters (e.g., floods with a predicted frequency of once in 100 years, the maximum probable earthquake, and severe wind storms).

6. The Discharger must prevent formation of a habitat for carriers of pathogenic microorganisms.
7. The discharge of condensate or leachate must comply with the following:
 - a. The Discharger may only return liquids to the portion of the WMU equipped with a containment system that meets or exceeds the performance standard of CCR Title 27, CFR 40 Part 258.40(a)(2), or the standard set in this Order, whichever is more protective of water quality;
 - b. The Discharger must measure liquids by volume and record the volume on a monthly basis. The Discharger must include the monthly volume records in the monitoring submittals required in MRP No. R3-2013-0047;
 - c. A second containment system sized to hold 100 percent of the primary containment system holding capacity;
 - d. The Discharger may not discharge leachate within 48 hours of any forecasted rain event, during any rain event, or 48-hours after any rain event; and,
 - e. An approved alternate method of leachate disposal (e.g., wastewater treatment plant), that is acceptable to the Executive Officer.
8. Daily cover must prevent nuisance and excess leachate generation, and minimize infiltration, promote lateral runoff of precipitation/surface water away from the active disposal area. CalRecycle approved shredded tires, tarps, and wood chips for use as daily cover during the dry season (May 1 through September 30 of each year). Upon Executive Officer approval, the Discharger may utilize alternative daily cover materials during the wet season that minimize infiltration and promote lateral runoff.
9. The Discharger must stockpile daily cover material during favorable weather to ensure that adequate daily cover material is accessible during inclement weather.
10. The Discharger must operate the Landfill and configure the final Landfill contours, in conformance with the most recent Executive Officer-approved Operations Plan, and/or Report of Waste Discharge/Joint Technical Document (collectively Plan) except where the Plan conflicts with this Order. The most recently updated Plan is the Discharger's June 11, 2013 "Joint Technical Document." In the event of conflict, this Order must govern in cases where it is more protective of water quality. Any change to the Plan that may affect compliance with this Order must be approved in writing by the Executive Officer prior to the Discharger implementing such changes.
11. The Discharger must grade and operate all Landfill surfaces and working faces to minimize precipitation/surface water from infiltrating into waste, to prevent ponding of water, and to resist erosion. The Discharger must repair erosion rills greater than six inches in depth, or when rills leave insufficient cover to prevent infiltration of

precipitation/surface water. The Discharger must provide positive drainage to divert precipitation/surface water runoff from areas containing waste.

12. Pursuant to the General Storm Water Permit for Industrial Activities, the Discharger must use best management practices to maintain the capacity of stormwater retention facilities and thereby reduce or prevent pollutants in stormwater from discharging into receiving waters to the best available technology standard. CCR Title 27 §20365 requires that the Discharger periodically a) remove accumulated sediment from the stormwater retention facilities and b) empty or otherwise manage the facilities to maintain their capacity.
13. The Discharger must maintain a minimum of two feet of freeboard in all stormwater sediment containment basins. Freeboard is defined as the distance between the water surface within the sedimentation basin and the top of the impoundment.
14. The Discharger must provide all Landfill disposal areas that have not reached final fill elevation, but will remain inactive over one-year, with an Executive Officer-approved long-term intermediate cover. The Discharger must base the thickness and permeability of the long-term intermediate cover primarily on Landfill-specific conditions including, but not limited to: length of exposure time, volume of underlying material, soil permeability, thickness and composition of existing cover, amount of yearly rainfall, depth to groundwater, beneficial uses of underlying groundwater, Landfill-specific geologic and hydrogeologic conditions, and effectiveness of existing monitoring systems.
15. CCR Title 22 classifies waste containing greater than one percent (>1 percent) friable asbestos as hazardous under CCR Title 22. Since such wastes do not pose a threat to water quality, Health and Safety Code §25143.7 permits their disposal in any landfill, providing waste discharge requirements specifically permit the discharge. Asbestos may be discharged in the Landfill only if it is handled and disposed of in accordance with Health and Safety Code §25143.7, CCR Title 14 §17897 "Standards for Handling and Disposal of Asbestos-Containing Waste," and all other applicable Federal, State, and local statutes and regulations.
16. New landfill units and lateral expansions must not be located in wetlands, as defined in CFR Title 40 Part 232.2(r), unless the owner or operator can make demonstrations pursuant to CFR Title 40 Part 258.12(a) that the discharge of waste will not cause or contribute to significant degradation of wetlands and associated ecological resources.
17. Wastes discharged in violation of this Order, must be removed and relocated.
18. "Treated wood" wastes may be discharged only to WMU areas equipped with a composite liner and LCRS, and must be handled in accordance with California Health and Safety Code §25143.1.5 and §250150.7.

19. Sewage sludge or water treatment sludge with greater than 50 percent moisture content may be discharged at the Landfill if all of the following criteria are met:
- The Discharger must discharge sludge only to WMU areas that have a LCRS designed such that leachate gravity drains to a collection point/sump and is removed through gravity or pumping to a holding tank or sanitary sewer for volume measurement, testing, and disposal.
 - A daily minimum solids-to-sludge ratio of 5 to 1, based on weight, must be maintained when co-disposing (burying) sludge with solid waste.
 - Primary and mixtures of primary and secondary sewage sludge must contain at least 20 percent solids by weight.
 - Secondary sewage sludge and water treatment sludge must contain at least 15 percent solids by weight.
20. The Discharger may dispose contaminated soil and brine if all the following criteria are met:
- Discharges are in accordance with a waste acceptance plan approved by the Executive Officer.
 - Discharges are to an area of the WMU equipped with a composite liner and LCRS in accordance with **Specification C.3.**
 - The materials are non-hazardous in accordance with **Prohibition B.3.**
 - The materials meet the criteria for no free liquids in accordance with **Prohibition B.5.**

D. WATER QUALITY PROTECTION STANDARDS

- The discharge of waste must not cause a statistically significant difference in water quality over background concentrations for proposed concentration limits for each constituent of concern or monitoring parameter (per MRP No. R3-2013-0047) at the point of compliance. The Discharger must maintain concentration limits for as long as the waste poses a threat to water quality. Discharge of waste must not adversely impact the quality of State waters. Pursuant to CCR Title 27 §20400, the Water Board shall specify concentration limits in waste discharge requirements. The Water Board complies with the intent of CCR Title 27 §20400 by requiring the Discharger to establish and review concentration limitations on an annual basis in accordance with MRP Order No. R3-2013-0047.
- Pursuant to CCR Title 27 §20405, the point of compliance is a vertical surface located at the hydraulically downgradient limit of a WMU that extends through the uppermost aquifer underlying the WMU.
- Discharged waste must not cause concentrations of organic chemicals, inorganic constituents, and radionuclides in groundwater to exceed the State Department of Public Health's latest recommended Drinking Water Action Levels or Maximum

Contaminant Levels of CCR Title 22, Division 4, Chapter 15, Article 4 §66431, and Article 5.5 §64444.

4. Discharge of waste must not cause a violation of any applicable water quality standard for receiving waters adopted by the Water Board or the State Water Board.
5. Discharge of waste must neither cause nor contribute to any surface water impacts including, but not limited to:
 - a. Floating, suspended, or macroscopic particulate matter, or foam.
 - b. Increases in bottom deposits or aquatic growth.
 - c. An adverse change in temperature, turbidity, or apparent color beyond natural background levels.
 - d. The creation or contribution of visible, floating, suspended, or oil, or other products of petroleum origin.
 - e. The introduction or increase in concentration of toxic or other pollutants/contaminants resulting in unreasonable impairment of the beneficial uses of State waters.
6. Constituents of concern and monitoring parameters for groundwater, leachate, and landfill gas are listed in MRP No. R3-2013-0047. Monitoring points and background monitoring points must be those specified in MRP No. R3-2013-0047.
7. The compliance period pursuant to CCR Title 27 §20380(d)(1) and §20410, is estimated to be the year 2064 [based on the Landfill estimated closure date of 2034 plus 30 years, pursuant to CFR Title 40 Part 258.61(a)], or until waste discharged at the Landfill no longer poses a threat to water quality, whichever is longer [except as provided by CFR Title 40 Part 258.61(b)1].

E. PROVISIONS

1. Order No. R3-2010-0021 "Waste Discharge Requirements for the John Smith Road Class III Landfill," adopted by the Water Board on May 13, 2010, is hereby rescinded.
2. The Discharger is responsible for waste containment, monitoring, and correcting any problems resulting from the discharge of waste for as long as the waste poses a threat to water quality.
3. The Discharger must comply with MRP No. R3-2013-0047, as specified by the Executive Officer.
4. **By October 1 of each year**, the Discharger must complete all necessary runoff diversion and erosion prevention measures (except for planting vegetation). The Discharger must complete all necessary construction, maintenance, or repairs of precipitation and drainage control facilities to prevent erosion or Landfill flooding and

to prevent surface drainage from contacting or percolating through waste. The Discharger must repair erosion rills greater than six-inches deep immediately after storm events that cause the erosion, if it is safe to do so.

5. **By October 1 of each year**, the Discharger must seed and maintain vegetation (as necessary) over all slopes within the entire Landfill area to prevent erosion. The Discharger must select vegetation that requires minimum irrigation and maintenance and a rooting depth not to exceed the vegetative layer thickness. After receiving approval from the Executive Officer, the Discharger may utilize non-hazardous sludge as a soil amendment to promote vegetation. Soil amendments and fertilizers (including wastewater sludge) used to establish vegetation must not exceed the vegetation's agronomic rates (i.e., annual nutrient needs).
6. **By October 1 of each year and throughout the rainy season of each year**, the Discharger must maintain a compacted soil cover designed and constructed to minimize percolation of precipitation through waste over the entire active Landfill area. The only exception to this specification is the working face. The working face must be confined to the smallest area practicable based on the anticipated quantity of waste discharged and required by waste management facility operations. Based on Landfill-specific conditions, the Executive Officer may require a specified thickness of soil cover for any portion of the active Landfill prior to the rainy season.
7. Should additional data become available through monitoring or investigation that indicates compliance with this Order is not adequately protective of water quality, the Water Board will review and revise this Order as appropriate.
8. If the Discharger or the Water Board determines, pursuant to CCR Title 27 §20420, that there is evidence of a release from any portion of the Landfill, the Discharger must immediately implement the procedures outlined in CCR Title 27 §20380, §20385, §20430, and MRP No. R3-2013-0047.
9. This Order does not authorize commission of any act causing injury to the property of another, does not convey any property rights of any sort, does not remove liability under federal, state, or local laws, and does not guarantee a capacity right.
10. The Water Board must be allowed, at any time and without prior notification:
 - a. Entry upon the Landfill area or where records are kept under the conditions of this Order and MRP No. R3-2013-0047.
 - b. Access to a copy of any records the Discharger must keep under the conditions of this Order and MRP No. R3-2013-0047.
 - c. To inspect any facility, equipment (including monitoring and control equipment), practices, or operations regulated or required under this Order and MRP No. R3-2013-0047.
 - d. To photograph, sample, and monitor for the purpose of showing compliance with this Order.

11. The Discharger must take all reasonable steps to minimize or correct adverse impacts on the environment resulting from non-compliance with this Order.
12. After notice and opportunity for a hearing, this Order may be terminated or modified for cause, including, but not limited to:
 - a. Violation of any term or condition contained in this Order.
 - b. Obtaining this Order by misrepresentation, or by failure to disclose fully all relevant facts.
 - c. A change in any condition or endangerment to human health or environment that requires a temporary or permanent reduction or elimination of the authorized discharge.
 - d. A material change in character, location, or volume of the waste being discharged to land.
13. **Two-weeks** prior to constructing each phase of a new lined area (e.g., preparing foundation, installing liner, installing leachate collection and removal system, placing operations layer, etc.), the Discharger must notify Water Board staff.
14. Prior to liner or cover construction, a third party (e.g., unrelated to the Discharger, Landfill operator, project designer, contractor) must prepare a Construction Quality Assurance (CQA) Plan. The Executive Officer must approve the third party and CQA Plan. The third party must implement the CQA Plan and provide regular construction progress reports to the Executive Officer.
15. Prior to beginning discharge of waste into any newly constructed lined module or modules, the Discharger must receive a final inspection and written approval from the Executive Officer.
16. The Discharger must obtain and maintain Financial Assurance Instruments (Instruments), which comply with CCR Title 27 (§22207 [Closure Fund], §22212 [Post Closure Fund], and §22220 et seq. [Corrective Action Fund]), and CFR Title 40 Part 257 and 258. Pursuant to CCR Title 27 §20380(b), the Discharger must obtain and maintain assurances of financial responsibility, naming the Water Board as beneficiary, for initiating and completing corrective action for all known or reasonably foreseeable releases. As landfill conditions change, and upon the Water Board's request, the Discharger must submit a report proposing the amount of financial assurance necessary for corrective action for the Executive Officer's review and approval. The Discharger must demonstrate compliance with all financial instruments to the Water Board at a minimum of a) every five years, or b) when the Discharger submits a revised Joint Technical Document. The next regularly scheduled Joint Technical Document is due **December 31, 2018**.

REPORTING

17. The Discharger must sign all reports as follows:

- a. By either a principal executive officer or ranking elected official.
- b. Their "duly authorized representative."
- c. A California Registered Civil Engineer or Certified Engineering Geologist must sign engineering reports.

18. Any person signing a report makes the following certification, whether its expressed or implied:

"I certify under penalty of perjury I have personally examined and am familiar with the information submitted in this document and all attachments and, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe the information is true, accurate, and complete. I am aware there are significant penalties for submitting false information, including the possibility of a fine and imprisonment."

19. Except for data determined to be confidential under CWC §13267 (b)(2), all reports prepared in accordance with this Order must be available for public inspection at the Water Board office.

20. The Discharger must submit reports in advance of any planned changes in the permitted Landfill, or in an activity, which could potentially or actually result in noncompliance.

21. By **October 1** of each year, the Discharger must submit a Wet Weather Preparedness Report (WWPR). The WWPR must describe compliance with **Provisions E.4, E.5, and E.6** above. The report must also detail preparedness actions taken to ensure discharges to surface or groundwater do not occur during the impending rainy season, and ensure compliance with all other relevant CCR Title 27 and CFR Title 40 Part 258 criteria. The report must include photographs of all wet weather preparedness measures implemented.

22. At least **180 days** prior to construction of a lined area, the Discharger must submit design plans and a CQA Plan. The Executive Officer will provide comments on the design plans and CQA Plan to the Discharger no later than **90 days** after receiving the document. Prior to beginning construction, the Discharger must receive Executive Officer approval on the Discharger's design and CQA Plan.

23. The Discharger must notify the Water Board with a written request of any proposed change in ownership or responsibility for construction or operation of the Landfill in accordance with CCR Title 27 §21710 (c)(1). The written request must be given at least **90 days** prior to the effective date of change in ownership or responsibility and must:

- a. Be accompanied by an amended Report of Waste Discharge and any technical documents needed to demonstrate continued compliance with these Waste Discharge Requirements.
 - b. Contain the requesting entity's full legal name, the state of incorporation if a corporation, the name and address and telephone number of the persons responsible for contact with the Water Board.
 - c. Contain a statement indicating that the new owner or operator assumes full responsibility for compliance with this Order.
24. The Executive Officer may approve or disapprove in writing the Discharger's request for change in ownership or responsibility. In the event of any change in ownership of this Landfill, the Discharger must notify the succeeding owner or operator, in writing, of the existence of this Order. The Discharger must send a copy of that notification to the Executive Officer.
25. The Discharger must furnish, within a reasonable timeframe, any information the Executive Officer may request to determine compliance with this Order or to determine whether cause exists for modifying or terminating this Order.
26. The Discharger or persons employed by the Discharger must comply with all notice and reporting requirements of the State Department of Water Resources, San Benito County, and other applicable permitting agencies with concurrence of the Executive Officer regarding the permitting, construction, alteration, inactivation, destruction, or abandonment of all monitoring wells used for compliance with this Order or with MRP No. R3-2013-0047, as required by CWC §13750.5 through §13755, and §13267.
27. Should the Discharger discover that it failed to submit any relevant facts or that it submitted incorrect information, it must promptly submit the missing or corrected information.
28. The Discharger must notify the Executive Officer, within **24 hours by telephone and within 14 days** in writing, of:
- a. Any noncompliance that potentially or actually endangers health or the environment. Reports of noncompliance must include a description of:
 - i. The reason for non-compliance;
 - ii. A description of the non-compliance, including photo documentation;
 - iii. Schedule of tasks necessary to achieve compliance; and,
 - iv. An estimated date for achieving full compliance.
 - b. Any flooding, equipment failure, slope failure, or other change in Landfill conditions which could impair the integrity of waste containment facilities or of precipitation and drainage control structures;
 - c. Leachate seep(s) occurring on or in proximity to the Landfill;
 - d. Violation of a discharge prohibition; and
 - e. Violation of any treatment system's discharge limitation.

29. The Discharger must submit within **14 days** of each scheduled date, reports of compliance or noncompliance with, or any progress reports on, final requirements contained in any compliance schedule. If reporting noncompliance, the report must include a description of:
- The reason for non-compliance.
 - A description of the non-compliance.
 - Schedule of tasks necessary to achieve compliance.
 - An estimated date for achieving full compliance.
30. The Discharger must promptly correct any noncompliance issue that threatens the Landfill's containment integrity. Correction schedules are subject to the approval of the Executive Officer, except when delays will threaten the environment and/or the Landfill's integrity (i.e., emergency corrective measures). For emergency corrective measures, the Discharger must report details of the corrections in writing within **seven (7) days** of initiating correction.
31. By **December 31, 2018**, the Discharger must submit a Report of Waste Discharge (hereafter "ROWD") pursuant to CCR Title 27 §21710, to the Executive Officer. The ROWD is to be submitted in the form of an addendum to the JTD, in accordance with CCR Title 27 §21585 et al., and meet the following criteria:
- Updated information on waste characteristics, geologic, and climatologic characteristics of the waste management facility and the surrounding region, installed features, precipitation and drainage controls, and closure and post closure maintenance plans, in accordance with CCR Title 27 §21740, §21750, §21760, and §21769.
 - Include a completed State Water Board JTD Index, in accordance with CCR Title 27 §21585(b),
 - Discuss whether, in the Discharger's opinion, there is any portion of this Order that is incorrect, obsolete, or otherwise in need of revision.
 - Include any other technical documents needed to demonstrate continued compliance with this Order and all pertinent State and Federal requirements.
 - Include detailed updated information regarding regulatory considerations, operating provisions, environmental monitoring, and closure and post closure.
32. By **December 31, 2018**, and every five years thereafter, or earlier as needed, the Discharger must submit for the Executive Officer's review and approval an updated report on a reasonably foreseeable release, along with adjustments to financial assurances (as necessary).
33. The Discharger must file with the Water Board a ROWD (in accordance with **Provision E. 31** of this Order) or secure a waiver from the Executive Officer at least **120 days** before making any material change or proposed change in the character, location, or volume of the waste being discharged to land.

ENFORCEMENT

34. The Discharger must comply with all conditions of this Order. Non-compliance violates state law and is grounds for enforcement action or modification of the Order.
35. Any person failing or refusing to furnish technical or monitoring program reports as required by CWC subdivision (b) of §13267, or falsifying any information provided therein, is guilty of a misdemeanor.
36. The Discharger and any person who violates Waste Discharge Requirements and/or who intentionally or negligently discharges waste or causes or permits waste to be discharged into surface waters or groundwater of the state may be liable for civil and/or criminal remedies, as appropriate, pursuant to CWC §13350, §13385, and §13387.
37. Provisions of this Order are severable. If any provision of this Order is found invalid, the remainder of this Order must not be affected.
38. The Water Board requires all technical and monitoring reports pursuant to this Order in accordance with CWC §13267. Failure to submit reports in accordance with schedules established by this Order, attachments to this Order, or failure to submit a report of sufficient technical quality to be acceptable to the Executive Officer may subject the Discharger to enforcement action pursuant to CWC §13268.
39. The Discharger must comply with all conditions of these Waste Discharge Requirements. Violations may result in enforcement actions, including Water 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 Water Board. (CWC §13261, §13267, §13263, §13265, §13268, §13300, §13301, §13304, §13340, §13350).
40. No provision or requirement of Order No. R3-2013-0047 or MRP No. R3-2013-0047 is a limit on the Discharger's responsibility to comply with other federal, state and local laws, regulations, or ordinances.
41. The Discharger must comply with the following submittal and implementation schedule for all tasks and/or reports required by this Order.

TASK AND REPORT SUMMARY

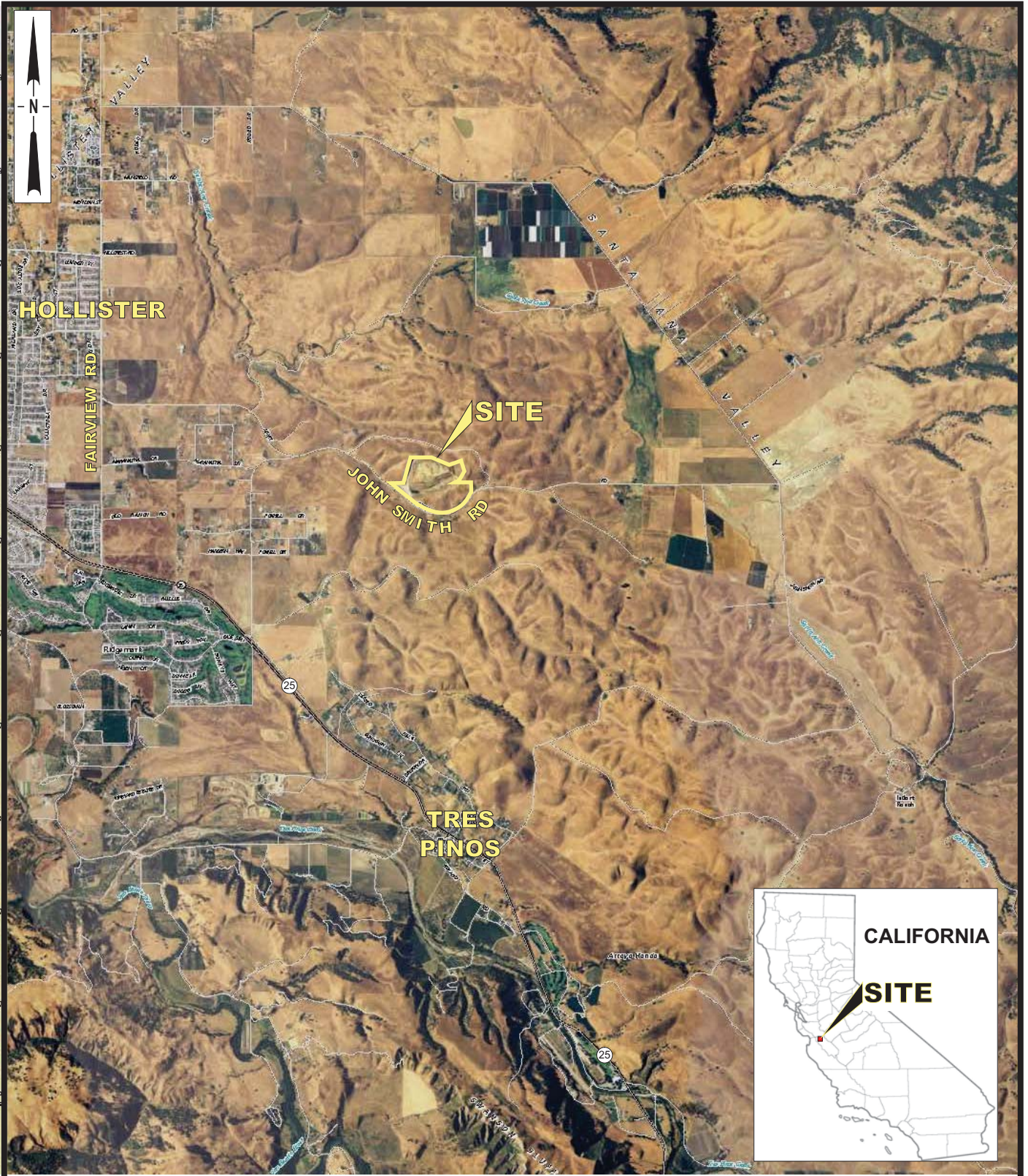
TASK	IMPLEMENTATION DATE
Provision E.4: Runoff diversion and erosion prevention	October 1, of each year
Provision E.5: Seed and maintain vegetation	October 1, of each year
Provision E.6: Minimize percolation of precipitation	October 1, of each year
Provision E.13: Notice of construction of new lined areas	At least two (2) weeks prior
Provision E.15: Prior to discharging waste to new lined areas	Executive Officer written approval
Provision E.30: Correction of noncompliance	Immediately; subject to Executive Officer approval, except during emergencies
REPORT	DUE DATE
Provision E.16: Revised financial assurance demonstration	December 31, 2018
Provision E. 20: Planned changes and noncompliance	Prior to implementing changes
Provision E.21: Wet Weather Preparedness Report	October 1, of each year
Provision E.22 Design and CQA plans for construction	At least 180 days prior to construction
Provision E.23: Notice of change in ownership or responsibility	At least 90 days prior to the effective date of change
Provision E.24: Notice of Order upon transfer	Within 14 days of notice to new owner or operator
Provision E.25: Requests regarding compliance determination	Reasonable timeframe
Provision E.27: Missing and/or corrected information	Immediately upon discovery
Provision E.28: Notice of non-compliance	Within 24 hours verbally and within 14 days in writing
Provision E.29: Compliance, non-compliance, and status	Within 14 days following each scheduled date
Provision E.30: Emergency corrective measures	Within seven (7) days of initiating corrections
Provision E.31: Report of Waste Discharge	December 31, 2018
Provision E.32: Demonstration of financial assurance	December 31, 2018, and every five (5) years thereafter
Provision E.33: Waiver from Report of Waste Discharge	At least 120 days prior to implementing changes

I, Michael Thomas, Assistant 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, Central Coast Region, on December 5, 2013.

Assistant Executive Officer

Figures: Figure 1 – Landfill Location
 Figure 2 – Permitted Waste Disposal Footprint
 Figure 3 – Monitoring Locations
 Figure 4 – Final Closure Contours
 Figure 5 – Groundwater Contours
 Figure 6 – Well Survey Map
 Figure 7 – Groundwater VOCs

Attachment 1 – Monitoring and Reporting Program Order No. R3-2013-0047



Source: USGS 7.5' Ortho Quad. Map:
Tres Pinos, California; 8/11/2009.

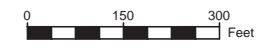
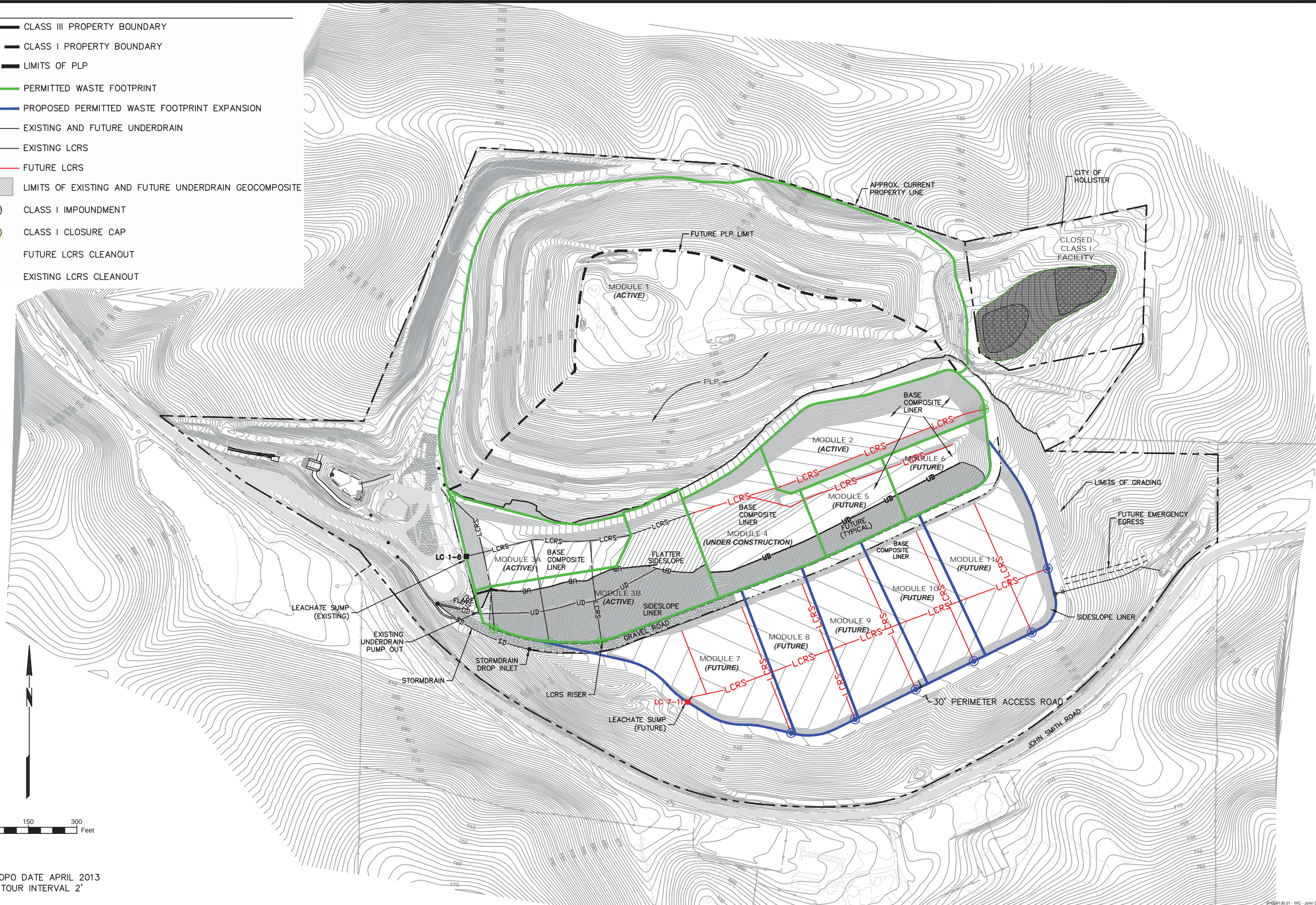
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Figure 1
Landfill Location
John Smith Road Landfill
San Benito County

FIGURE
1
PROJECT NO.
073-97185-HG

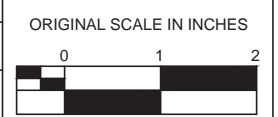
LEGEND	
	CLASS III PROPERTY BOUNDARY
	CLASS I PROPERTY BOUNDARY
	LIMITS OF PLP
	PERMITTED WASTE FOOTPRINT
	PROPOSED PERMITTED WASTE FOOTPRINT EXPANSION
	EXISTING AND FUTURE UNDERDRAIN
	EXISTING LCRS
	FUTURE LCRS
	LIMITS OF EXISTING AND FUTURE UNDERDRAIN GEOCOMPOSITE
	CLASS I IMPOUNDMENT
	CLASS I CLOSURE CAP
	FUTURE LCRS CLEANOUT
	EXISTING LCRS CLEANOUT



BASE TOPO DATE APRIL 2013
CONTOUR INTERVAL 2'

NO.	DATE	REVISIONS	BY	CHK
1	4/12/13	CHANGE SLOPE IN MODULE 4	CC	CC
2	5/29/13	REVISION 5/29/13	CC	JS

PROJECT NO: 010050.04	PROJECT ID:
DRAWN BY: D. ZAITZ	SCALE: 1"=150'
ENGINEER: J. SOLORIO	DATE:
CHECKED BY: C. COLES	DATE:



JSRL - JTD

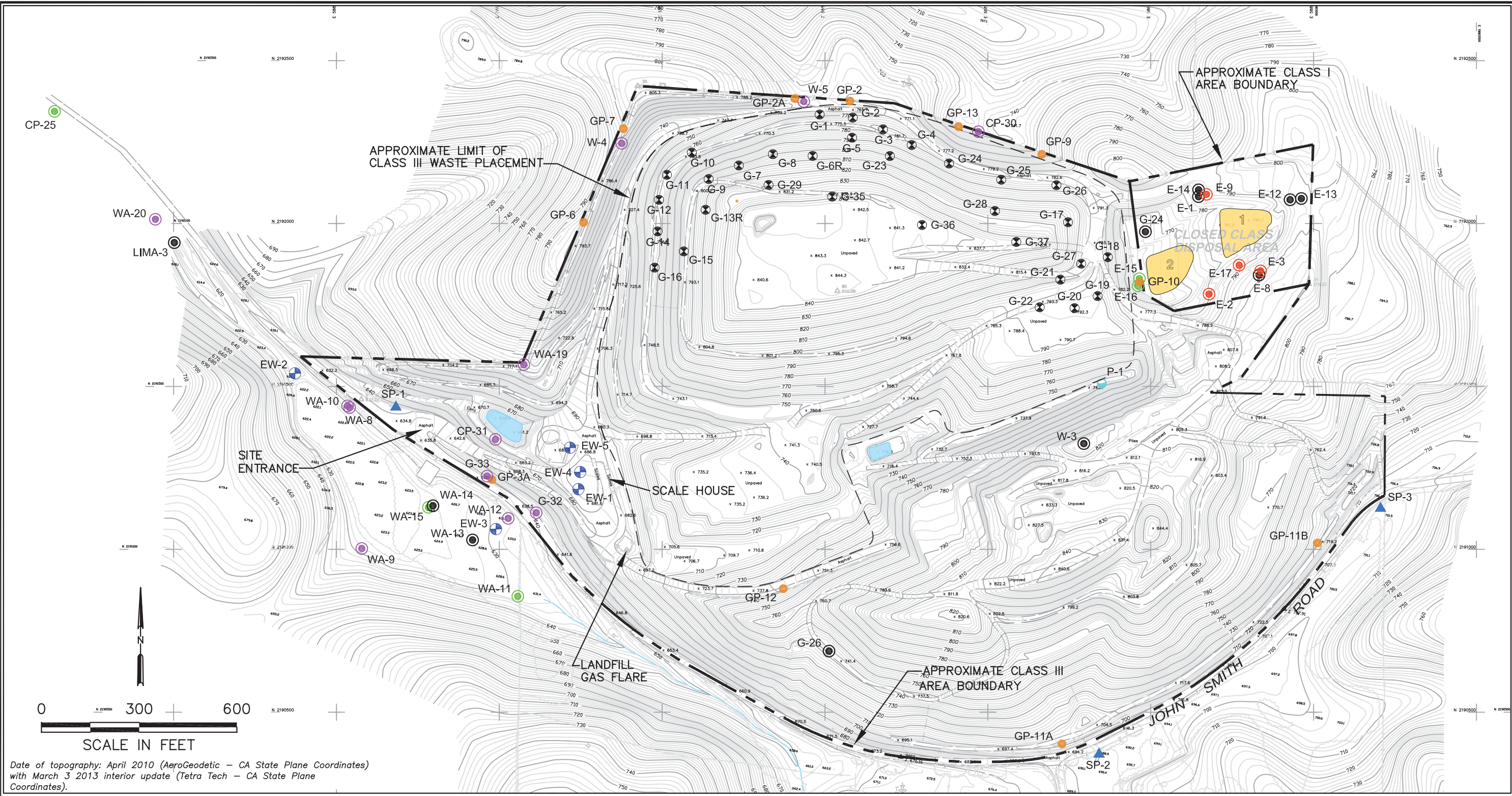
SAN BENITO COUNTY
INTEGRATED WASTE
MANAGEMENT DEPARTMENT

Figure 2
Permitted Waste Disposal Footprint
John Smith Road Landfill
San Benito County



DRAWING:	2
SHEET:	2 OF 2
DATE:	8/14/2013

Dimscale: 200 Ltscale: 200 Psttscale: 309
 G:\053-7473\FIGURES\MONITORING LOCATIONS_2013_2010-11x17.dwg 8/19/13



Date of topography: April 2010 (AeroGeodetic - CA State Plane Coordinates)
 with March 3 2013 interior update (Tetra Tech - CA State Plane Coordinates).

EXPLANATION

- | | | | |
|--|---|--|---------------------------------|
| | CLASS III AREA DETECTION MONITORING WELL | | STORM WATER MONITORING LOCATION |
| | CLASS III AREA CORRECTIVE ACTION MONITORING WELL | | SOIL-GAS MONITORING WELL |
| | GROUNDWATER EXTRACTION SYSTEM WELL | | LANDFILL GAS EXTRACTION WELL |
| | CLASS I AREA POST-CLOSURE DETECTION MONITORING WELL | | FORMER CLASS I IMPOUNDMENT |
| | GROUNDWATER ELEVATION MONITORING WELL | | |
| | PIEZOMETER | | |



DATE 8/19/13
 DWN KMM
 APP TLV
 REV 0
 PROJECT NO.
 053-7473-13

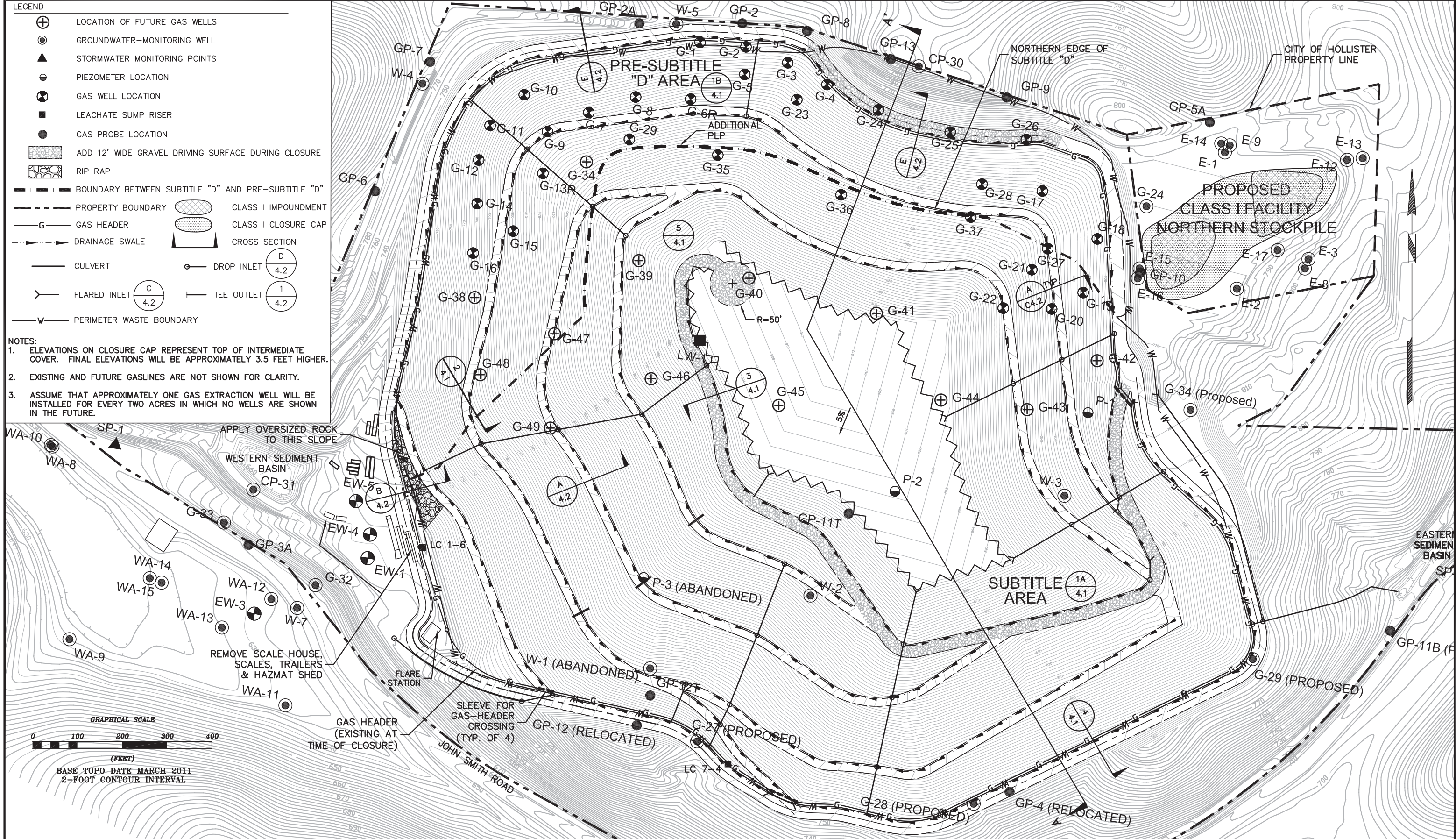
Figure 3
Monitoring Locations
 John Smith Road Landfill
 San Benito County

LEGEND

- ⊕ LOCATION OF FUTURE GAS WELLS
- ⊙ GROUNDWATER-MONITORING WELL
- ▲ STORMWATER MONITORING POINTS
- ⊙ PIEZOMETER LOCATION
- ⊗ GAS WELL LOCATION
- LEACHATE SUMP RISER
- GAS PROBE LOCATION
- ▨ ADD 12' WIDE GRAVEL DRIVING SURFACE DURING CLOSURE
- ▨ RIP RAP
- BOUNDARY BETWEEN SUBTITLE "D" AND PRE-SUBTITLE "D"
- PROPERTY BOUNDARY
- G GAS HEADER
- DRAINAGE SWALE
- CULVERT
- Y FLARED INLET
- PERIMETER WASTE BOUNDARY
- ▨ CLASS I IMPOUNDMENT
- ▨ CLASS I CLOSURE CAP
- CROSS SECTION
- DROP INLET (D 4.2)
- TEE OUTLET (1 4.2)

NOTES:

- ELEVATIONS ON CLOSURE CAP REPRESENT TOP OF INTERMEDIATE COVER. FINAL ELEVATIONS WILL BE APPROXIMATELY 3.5 FEET HIGHER.
- EXISTING AND FUTURE GASLINES ARE NOT SHOWN FOR CLARITY.
- ASSUME THAT APPROXIMATELY ONE GAS EXTRACTION WELL WILL BE INSTALLED FOR EVERY TWO ACRES IN WHICH NO WELLS ARE SHOWN IN THE FUTURE.



NO.	DATE	REVISIONS	BY	CHK

PROJECT NO:
010050.04

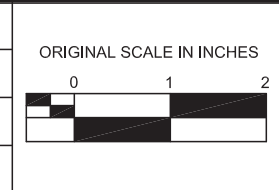
DRAWN BY:
J. HOLDEN

ENGINEER:
J. SOLORIO

CHECKED BY:
C. COLES

PROJECT ID:
SCALE:
1"=100'

DATE:
DATE:



JSRL - JTD

SAN BENITO COUNTY
INTERGRATED WASTE
MANAGEMENT DEPARTMENT

Figure 4
Final Closure Contours
John Smith Road Landfill
San Benito County

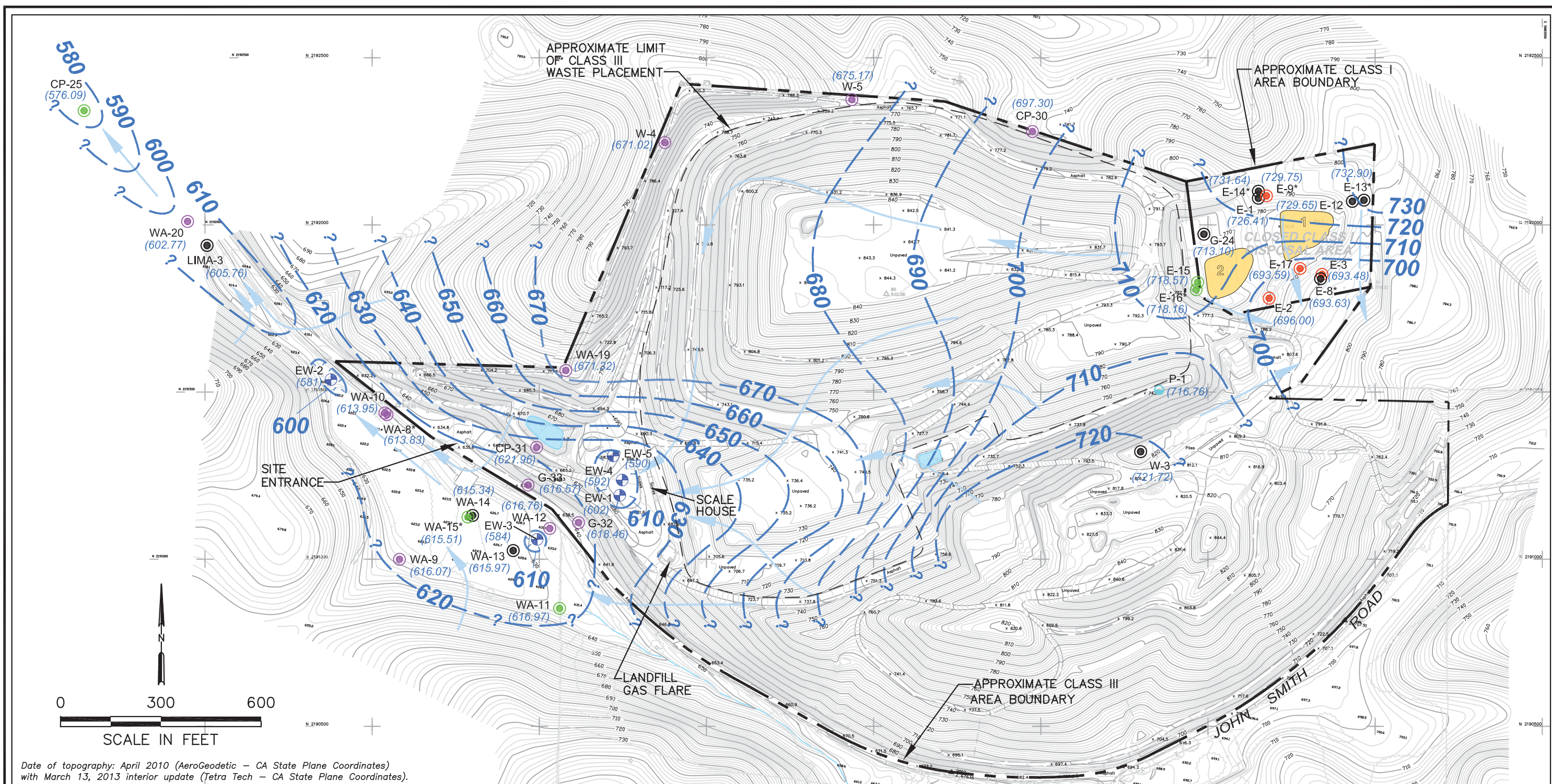


DRAWING:
4.0

SHEET:
8 OF 14

DATE:
2/29/2012

G:\053-7473\FIGURES\GWELEBASE 2013_2010 TOPO W_PIEZOMETERS_2012 SURV.DWG 8/8/13



Date of topography: April 2010 (AeroGeodetic - CA State Plane Coordinates)
with March 13, 2013 interior update (Tetra Tech - CA State Plane Coordinates).

EXPLANATION

- CLASS III AREA DETECTION MONITORING WELL
- CLASS III AREA CORRECTIVE ACTION MONITORING WELL
- ⊕ GROUNDWATER EXTRACTION SYSTEM WELL
- CLASS I AREA POST-CLOSURE DETECTION MONITORING WELL
- GROUNDWATER ELEVATION MONITORING WELL
- PIEZOMETER

(696.47) GROUNDWATER ELEVATION (FT.-MSL); MEASURED 4/17-18/2013

700 GROUNDWATER POTENTIOMETRIC CONTOUR (FT.-MSL); QUERIED WHERE UNCERTAIN

← APPROXIMATE DIRECTION OF GROUNDWATER FLOW

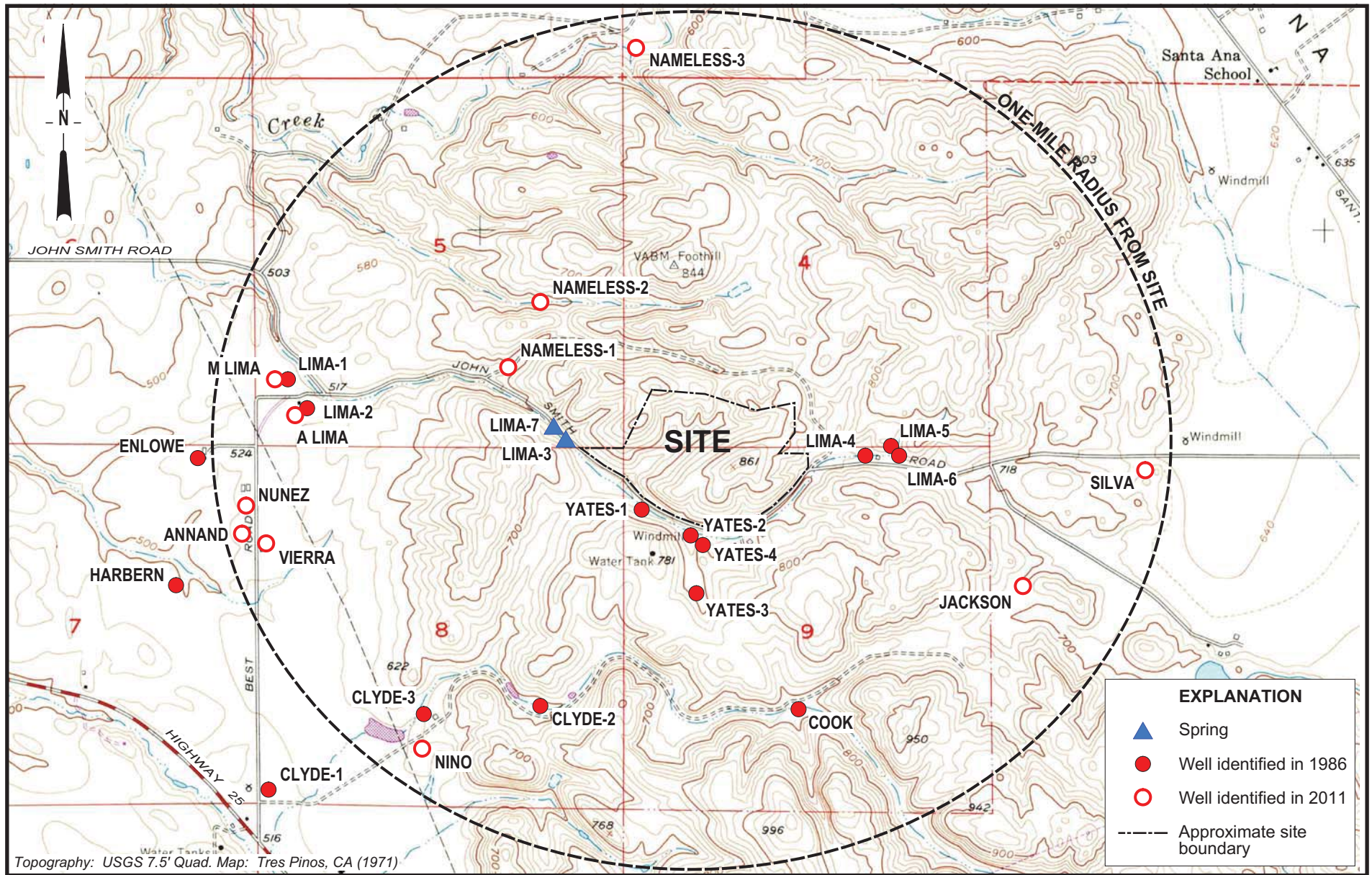
* WELL SCREENED IN LOWER PORTION OF AQUIFER; GROUNDWATER ELEVATION NOT USED IN CONTOURING



DATE	8/8/13
DWN	KMM
APP	TLV
REV	0
PROJECT NO.	053-7473-13

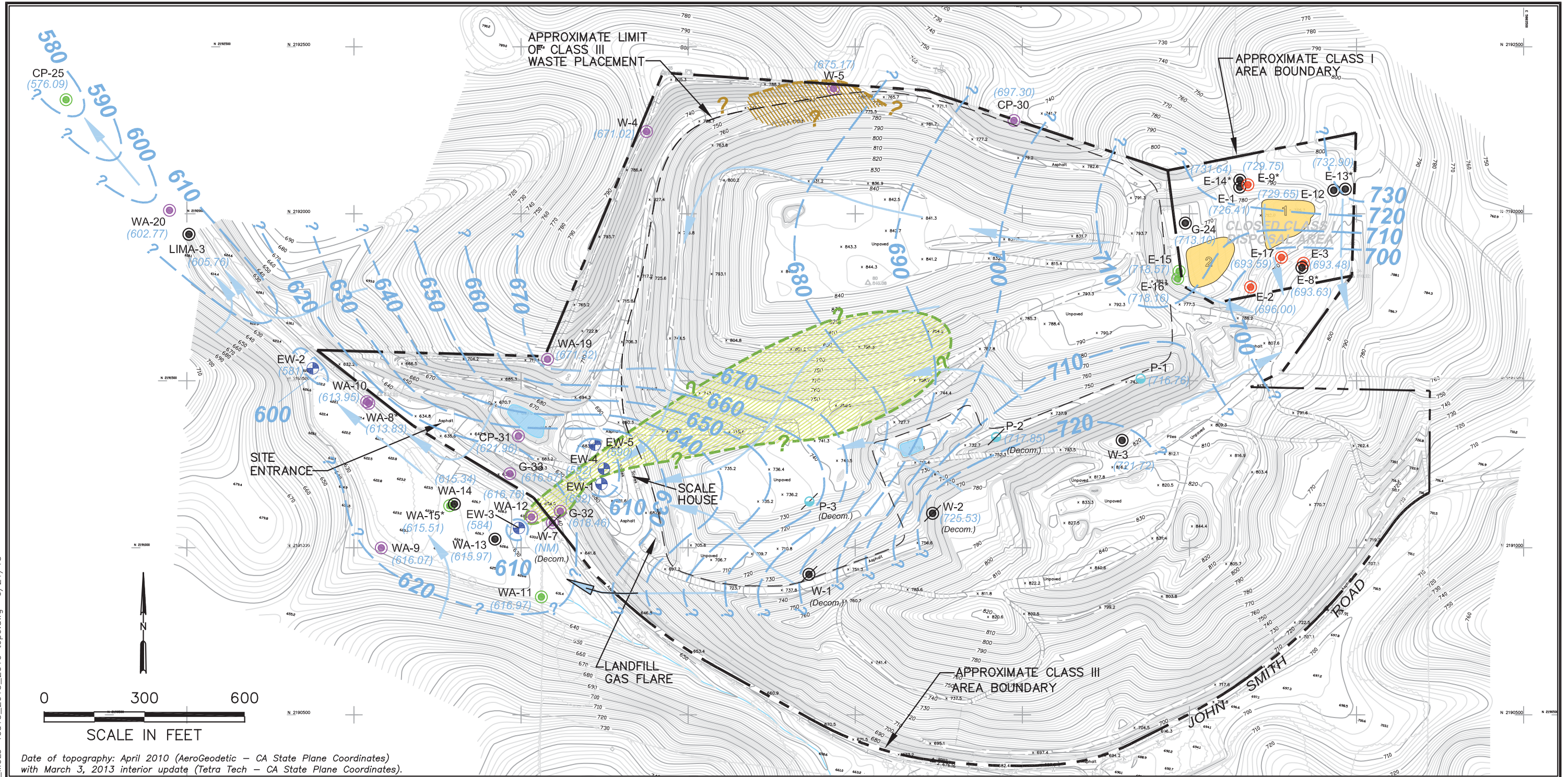
Figure 5
Groundwater Contours
Second Quarter 2013
John Smith Road Landfill
San Benito County

1" = 200' Vertical Scale
1" = 600' Horizontal Scale



SCALE: 0 2000 FEET

Figure 6
Well Survey Map
 John Smith Road Landfill
 San Benito County



Date of topography: April 2010 (AeroGeodetic - CA State Plane Coordinates)
with March 3, 2013 interior update (Tetra Tech - CA State Plane Coordinates).

EXPLANATION

- CLASS III AREA DETECTION MONITORING WELL
- CLASS III AREA CORRECTIVE ACTION MONITORING WELL
- GROUNDWATER EXTRACTION SYSTEM WELL
- CLASS I AREA POST-CLOSURE DETECTION MONITORING WELL
- GROUNDWATER ELEVATION MONITORING WELL
- PIEZOMETER

- (616.97) GROUNDWATER ELEVATION (FT.-MSL); MEASURED 4/17-18/2013
- GROUNDWATER POTENTIOMETRIC CONTOUR (FT.-MSL); QUERIED WHERE UNCERTAIN
- APPROXIMATE DIRECTION OF GROUNDWATER FLOW
- WELL SCREENED IN LOWER PORTION OF AQUIFER; GROUNDWATER ELEVATION NOT USED IN CONTOURING
- AREAS WHERE VOCs EXCEED MCLs (LANDFILL GAS SOURCE)

- APPROXIMATE AREA WHERE VOCs EXCEED MCLs (LEACHATE SOURCE)
- LIMITS OF LEACHATE SOURCE AREA ARE BASED ON WAHLER ASSOC. "ADDITIONAL STUDIES REPORT", MARCH 1993.



DATE	6/21/13
DWN	KMM
APP	TLV
REV	0
PROJECT NO.	053-7473

Figure 7
Groundwater VOCs
Second Quarter 2013
John Smith Road Landfill
San Benito County

Dimscale: 200 Ltscale: 200 Pitscale: 0
 C:\053-7473\Figures\VOCs greater than 1 ppb_MCLs-1sa13_2013_2010_topo.dwg 6/21/13