

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION

RESCISSION OF CLEANUP AND ABATEMENT ORDER 95-709
ORANGE AVENUE DISPOSAL, INC.
ORANGE AVENUE LANDFILL
FRESNO COUNTY

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

1. Orange Avenue Disposal, Inc. (hereafter Discharger) owns and maintains the Orange Avenue Landfill, located south of North Avenue on the east side of Orange Avenue, within the City of Fresno. Municipal solid wastes were received from the City of Fresno and surrounding areas in south-central Fresno County. Waste discharge ceased on 26 June 2007.
2. Waste Discharge Requirements (WDRs) Order 90-221 required completion of an evaluation monitoring program (EMP) and the submission of an engineering feasibility study (EFS).
3. The EMP and EFS were not completed pursuant to the time schedule in WDRs Order 90-221. On 20 September 1995, the Executive Officer of the Central Valley Water Board issued Cleanup and Abatement Order 95-709 for failure to submit the required reports. Order 95-709 did not contain completion deadlines for the required tasks, because the Central Valley Water Board gave the Discharger a flexible schedule to acquire access to adjacent properties as necessary.
4. Phase 1 of the EMP was completed in 1996. Central Valley Water Board staff, in a letter dated 19 April 2010, found the submitted work plans for Phases 2 and 3 to be adequate. The Discharger still needs to submit the reports for Phases 2 and 3, and the EFS report, in order to complete the EMP.
5. On 23 September 2010, the Central Valley Water Board issued Waste Discharge Requirements Order R5-2010-0110 for the closure and post-closure maintenance of the 40-acre waste management unit at the Orange Avenue Landfill. Order R5-2010-0110 requires the Discharger to complete the EMP by 30 June 2011, and to submit an EFS by 30 September 2011.
6. Because the remaining requirements of Order 95-709 are now contained in Order R5-2010-0110, Order 95-709 is no longer needed. Therefore, rescission of the order is appropriate.

Rescission of Cleanup and Abatement Order 95-709
Orange Avenue Disposal, Inc.
Orange Avenue Landfill
Fresno County

Any person aggrieved by this action of the Central Valley Water Board may petition the State Water Board to review the action in accordance with CWC section 13320 and California Code of Regulations, title 23, sections 2050 and following. The State Water Board must receive the petition by 5:00 p.m., 30 days after the date of this Order, except that if the thirtieth day following the date of this Order falls on a Saturday, Sunday, or state holiday (including mandatory furlough days), the petition must be received by the State Water Board by 5:00 p.m. on the next business day. Copies of the law and regulations applicable to filing petitions may be found on the Internet at:

http://www.waterboards.ca.gov/public_notices/petitions/water_quality
or will be provided upon request.

IT IS HEREBY ORDERED that Cleanup and Abatement Order 95-709 is rescinded.

Original signed by: Clay L. Rodgers for

PAMELA C. CREEDON, Executive Officer

EAM:11/02/2010

2 November 2010

CERTIFIED MAIL
7010 0290 0000 8765 0836

Mr. Richard Caglia
Orange Avenue Disposal, Inc.
3280 South Orange Avenue
Fresno, California 93725

**TRANSMITTAL OF RESCISSION OF CLEANUP AND ABATEMENT ORDER 95-709,
ORANGE AVENUE LANDFILL, FRESNO COUNTY**

Enclosed is the official rescission of Cleanup and Abatement Order 95-709 for the Orange Avenue Landfill in Fresno County. To conserve resources, this letter transmits a paper copy of the rescission to the Discharger only.

Interested parties may download the rescission from the Central Valley Water Board's Internet website at:

http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/.

If you have any questions, or if you wish to request a paper copy, please contact Elizabeth Martinez at (559) 445-5455 or emartinez@waterboards.ca.gov.

Original signed by:

DANE S. JOHNSON
Senior Engineering Geologist
PG No. 4239

Enclosure: Rescission of Cleanup and Abatement Order (Discharger Only)

cc: U.S. Environmental Protection Agency, Region 9, San Francisco
Patrick Pulupa, Office of Chief Counsel, State Water Resources Control Board,
Sacramento
Leslie Graves, Division of Clean Water Programs, State Water Resources Control Board,
Sacramento
Gino Yekta, California Department of Resources Recycling and Recovery, Sacramento
Department of Public Health, Office of Drinking Water, Fresno
Department of Water Resources, San Joaquin District, Fresno
Department of Fish and Game, Region IV, Fresno
San Joaquin Valley Air Pollution Control District, Bakersfield
Randy Reyes, Fresno County Environmental Health Division, Fresno
Damon F. Brown, EBA Engineering, Santa Rosa
Mike Delmanowski, EBA Engineering, Santa Rosa