10 JUNE 2022 BOARD MEETING
UNCONTESTED AGENDA ITEM

AGENDA ITEM: 16

SUBJECT:

Following are proposed Waste Discharge Requirements Orders that prohibit discharge to surface waters. All agencies and the dischargers concur or have offered no comments. Items indicated as updates on the summary agenda make the requirements consistent with current plans and policies of the Board.

BOARD ACTION:

Consideration of Waste Discharge Requirements

BACKGROUND:

a. AFFORDABLE HOUSING DEVELOPMENT CORPORATION, CHICO BAR TRIANGLE AFFORDABLE HOUSING DEVELOPMENT PROJECT, BUTTE COUNTY

A Waste Discharge Requirements Order (Order) is proposed for the Affordable Housing Development Corporation, Chico Bar Triangle Affordable Housing Development Project (Project) in Butte County. The Project consists of the development of five two-and three-story residential buildings, one community building, and a parking lot as part of a new affordable housing apartment complex situated on an approximately 3.3-acre site in the City of Chico. The entire Project site will be graded and filled as necessary to allow for construction. Fill activities will directly impact 0.24 acre of seasonal wetland. Indirect impacts include the partial fill of two wetlands to the property line. While the remaining wetland will be unfilled, the function of the wetland will be indirectly impacted by the loss. All impacted waters have been deemed by U.S. Army Corps of Engineers to be outside of federal jurisdiction. Preparation of the Project site will involve clearing, grading, excavation, and soil compaction for the construction of roads, driveways, and structural foundations for multi-family residential construction.

The Permittee, Affordable Housing Development Corporation, has agreed to provide compensatory mitigation for permanent impacts to waters of the

state at a 1:1 ratio (1 acre of mitigation credits required for every 1 acre of impacted aquatic resources) for seasonal wetland impacts and at a 0.5:1 ratio (0.5 acres of mitigation credits required for every 1 acre of impacted aquatic resources) for ecological degradation to seasonal wetlands.

The proposed Order provides a description of the Project activities and requires adherence to the requirements for compensatory mitigation for impacts that cannot be feasibly avoided or minimized; implementation of the approved compensatory mitigation plan; and other requirements to minimize the potential effects of construction on water quality and resources.

ISSUES:

A tentative Order was issued for public comment on 30 March 2022 with comments due by 6 May 2022. The Central Valley Regional Water Quality Control Board did not receive any comments during the comment period.

b. EDP RENEWABLES CA SOLAR PARK LLC, SANDRINI SOLAR PROJECT, KERN COUNTY

Waste Discharge Requirements (WDRs) are proposed for the EDP Renewables CA Solar Park LLC, Sandrini Solar Project (Project) in Kern County. The Project consists of establishing a large-scale solar photovoltaic and battery energy storage facility that maximizes the production of reliable electricity in an economically feasible manner. The Project will also provide California Community Choice Aggregators with zero-emissions renewable energy to support their goals of providing that same clean energy to their customers. The Project will use proven and established solar and energy storage technology to optimize efficiency and minimize operational risks and maintenance requirements; create green jobs within both Kern County and the broader State of California; be developed in an economically feasible, commercially viable, and broadly financeable manner; and meet all the above-listed objectives while designing, constructing, and operating project facilities in an environmentally responsible manner consistent with County, state, and federal requirements. Project impacts to aquatic resources includes temporary impacts to wetlands of 3.176 acres, 2,043 cubic yards, and 6,214 linear feet as well as permanent impacts to wetlands of 0.021 acres, 1,465 cubic yards, and 117 linear feet. All impacted waters have been

deemed by U.S. Army Corps of Engineers to be outside of federal jurisdiction.

The proposed WDRs provide details of the proposed Project activities, including compensatory mitigation measures planned to compensate for the permanent loss of waters of the state and requiring avoidance and minimization measures to reduce on-site impacts during construction activities. The proposed WDRs specify a required project mitigation quantity for temporary impacts amounts of 3.175 acres in wetland rehabilitation via Permittee Responsible mitigation, and for permanent impacts require a total project compensatory mitigation quantity of 0.021 acres in wetland rehabilitation via In-Lieu Fee Compensatory mitigation through the National Fish and Wildlife Foundation's Sacramento District California In-Lieu Fee Program. Furthermore, the proposed WDRs specify technical conditions to be met throughout the implementation of construction activities to ensure the Project meets Basin Plan objectives and other regulatory requirements.

Tentative WDRs were circulated for public comment on 25 March 2022. No comments were received regarding the tentative WDRs.

c. GOPHER HILL CLASS III MUNICIPAL SOLID WASTE LANDFILL AND CLASS II SURFACE IMPOUNDMENT, PLUMS COUNTY

Plumas County Department of Public Works (Discharger) owns and maintains the Gopher Hill Class III Municipal Solid Waste Landfill and Class II Surface Impoundment (the Facility). The Facility is a Class III solid waste landfill, opened for the disposal of municipal solid waste (MSW) in 1976, ceased accepting waste in 1994, and completed final closure in 2005. The site's single solid waste management unit (WMU) is unlined, as its construction predates the requirements set forth under California Code of Regulations, title 27. Two WMUs are found at the site. WMU-1 contains MSW, wood waste and co-generation ash, and WMU-2 is a Class II surface impoundment for the storage of leachate. No hazardous wastes, radioactive wastes, or volatile and/or flammable wastes were accepted. The Facility covers approximately 36 acres, with 13 acres dedicated to waste placement.

The Facility is located approximately five miles west of the town of Quincy, and is surrounded by land owned by the U.S. Forest Service, with no homes or structures located within one mile. The Facility receives 40

inches of precipitation per year on average and is not within a 100-year flood plain. Surface drainage is to Wapaunsie Creek, which flows into Spanish Creek approximately one-quarter mile downstream. Groundwater is encountered immediately under the landfill and may rise into the waste pile itself. The Facility is located in the western metamorphic sub province of the Sierra Nevada and consists of highly weathered Paleozoic-age metasedimentary rocks of the Shoo Fly Complex. Hydraulic conductivity is estimated as ranging from 0.2 to 0.3 feet per foot, with an average flow velocity of 0.44 feet per day. The groundwater flows generally towards the southwest, but hydrogeology is complicated by the fault bisecting the Facility, a possible buried mineshaft under the landfill, and two water-filled mine shafts north of the Facility. No known water supply wells exist within one mile of the Facility.

Seven groundwater monitoring wells currently are sampled, with upgradient wells GHL-3 and GHL-12 serving as the background wells, and downgradient wells GHL-5A, GHL-6, GHL-7, GHL-8 and GHL-9 serving as compliance wells. There is no vadose zone monitoring at the site, and a passive gas venting system, consisting of two-500-foot lengths of polyvinyl chloride (PVC) pipe that cross at the top of the landfill with vent riser pipes, was installed through the cap. Leachate is collected and directed to WMU-2 via interceptor trench. Leachate is discharged from WMU-2 into the Spanish Creek in accordance with National Pollutant Discharge Elimination System (NDPES) Order No. R5-2016-0076-022.

Final closure operations began in the summer of 2004. Due to a lack of a soil borrow area near the Facility that would meet the minimum hydraulic conductivity requirement, the Discharger adequately demonstrated that construction of a Title 27 prescriptive final cover system would be unreasonable and unnecessarily burdensome when compared to the proposed engineered alternative design. The Discharger submitted a November 2003 Final Closure and Post-Closure Maintenance Plan that proposed an engineered alternative final cover system consisting of (from top to bottom): two-feet of vegetative soil, geocomposite drainage layer, 60-mil high density polyethylene (HDPE) barrier layer, and a two-foot-thick foundation layer.

Due to historical detections of volatile organic compounds (VOCs), including 1,1-dichloroethane, chloroethane, methylene chloride, dichloromethane, benzene and cis-1,2 dichloroethylene, as well as

elevated concentrations of manganese, chloride, dissolved organic carbon, and mercury, the Facility was required to submit a Corrective Action Plan. This prompted the closure of the landfill. Following closure, VOC concentrations have remained generally stable. Inorganic parameters are decreasing, with the exception of TDS, which has an increasing trend within downgradient well GHL-9. Additionally, non-parametric tolerance limits for inorganics within downgradient monitoring wells, calculated in accordance with procedures established in the 2014 Water Quality Protection Standard Report, do not exceed calculated background values.

This Order updates the WDRs for the Facility as part of a periodic review, to incorporate revisions to regulations and policies adopted thereunder, and for continued monitoring of the Facility.

ISSUES:

A tentative Order was issued for public comment on 12 April 2022 with comments due by 12 May 2022. The Central Valley Regional Water Quality Control Board did not receive any comments during the comment period.

d. L AND D LIMITED PARTNERSHIP AND FRUITRIDGE ROAD LAND COMPANY, L AND D LANDFILL, SACRAMENTO COUNTY

Following are proposed Waste Discharge Requirements (WDRs) Orders modifying existing WDRs R5-2019-0044 (2019 Order) to correct the engineered alternative final cover design in specified in the 2019 Order, Attachment G to reflect the actual Engineering Alternative final cover systems analyzed and approved for the Facility. The proposed WDRs and the discussion therein are reserved only to the modification of inconsistent terms in the 2019 Order, Attachment G, and related findings of the 2019 Order. The proposed WDRs are not intended to consider or modify any other aspect of the 2019 Order, nor any other order adopted by the Central Valley Water Board.

All interested parties, including the Dischargers, have offered no comments. Items indicated as updates on the summary agenda make the requirements consistent with current plans and policies of the Board.

On 12 November 2021 the Discharger submitted Closure Construction Drawings and Details for Phase 9A final cover closure at the L And D Landfill. The Closure Construction Drawings and Details proposed an engineered alternative final cover system inconsistent with the engineered alternative final cover design specified in the 2019 Order, Attachment G.

The Discharger contended some the engineered alternative final cover minimum design requirements depicted in Attachment G to the 2019 Order is incorrect. Central Valley Water Board staff analysis of the record including the previous WDRs (2012 Order) for the Landfill and the May 2018 Revised Preliminary/Partial Final Closure and Post-Closure Maintenance Plan support the Discharger's contention.

The tentative WDRs would modify Attachment G to the 2019 Order, to reflect the minimum design requirements for engineered alternative final cover systems approved by the Central Valley Water Board in the 2012 Order and as also reflected in the May 2018 Revised Preliminary/Partial Final Closure and Post-Closure Maintenance Plan and subsequent seismic hazard and slope stability analyses.

e. PILOT TRAVEL CENTERS, LLC, PILOT TRAVEL CENTER NO. 68, YOLO COUNTY

Travel Pilot Centers, LLC owns and operates the Travel Pilot Center No. 168 (Facility) located at 30035 County Road 8, Dunnigan in Yolo County. The Facility has been regulated under Order 5-01-266, adopted by the Central Valley Water Board on
7 December 2001.

Wastewater is generated from a travel center, stand-alone diner-style restaurant, and a truck care service building (former truck wash facility). The collection system is comprised of gravity sewer piping and three lift stations. Wastewater is discharged into five unlined ponds for treatment and disposal. The Facility has a treatment and disposal capacity of approximately 31,000 gpd as a monthly maximum.

The Discharger has submitted comments, which have been addressed in the WDRs. For the continued protection of groundwater, this Order requires continued monitoring of groundwater and prescribes effluent limitations. The Discharger has elected to participate in the P&O Study under Pathway Option 2.

There are no outstanding issues.

f. RECOLOGY HAY ROAD LANDFILL RECOLOGY HAY ROAD, DBA JEPSON PRAIRIE ORGANICS RECOLOGY, SOLANO COUNTY

The Recology Hay Road Landfill is an active, municipal solid waste (MSW) landfill on a 640-acre site about eight miles east of Vacaville. The landfill

has been in operation since 1964, accepting inert, nonhazardous, and designated wastes, as defined under Title 27 regulations (e.g., household, commercial, industrial, and construction & demolition wastes). The landfill also accepts wastes requiring special handling (e.g., treated wood wastes, hazardous asbestos, and Title 22 special wastes). In addition to the landfill units, the facility includes a waste pile unit (WP-9.1A) for storage of de-watered sewage sludge, and an onsite compost facility, Jepson Prairie Organics. The compost operation is currently covered under the WDRs being rescinded by this Order. The proposed WDRs do not cover the compost operation, which will covered under a Notice of Applicability under that General Order.

Approximately 185 acres of the 280 acres planned for landfill development have been constructed to date. LFs 1 & 2 are nearing final grade for closure, while LFs 3 & 4 are actively accepting MSW and expanding their footprints through the construction of additional modules. These WDRs also authorize the construction of landfill units in an area consisting of approximately 15 acres located adjacent to LF-3 and LF-4 which was not included in previous WDRs. The Discharger has received approvals for this expansion from all necessary regulatory entities. The LTU and the eastern half of the waste pile (WP-9.1B) have been closed to make room for landfill expansion.

These revised WDRs include construction specifications and approved designs for new landfill modules, including a requirement for at least five feet of separation between wastes and groundwater consistent with Title 27 prescriptive standards. Other design elements such as composite lined sumps, unsaturated zone monitoring devices, and waste to groundwater separation monitoring devices are also generally required for new modules.

Monitoring is required for all classified units at the facility. The monitoring and reporting program generally requires semiannual monitoring for field and monitoring parameters and five-year monitoring for all constituents of concern.

g. SIERRA PACIFIC INDUSTRIES, SIERRA PACIFIC INDUSTRIES MARTELL DIVISION FACILITY, AMADOR COUNTY

Following are proposed Waste Discharge Requirements Orders that revise existing WDRs Order R5-2014-0025. The revised WDRs change the clean closure schedule for the Wood Waste Landfill and add clean closure of the

Ash Disposal Area Landfill, both of which are being done at the discharger's request. Comments were only received from the discharger and appropriate changes have been incorporated. Items indicated as updates on the summary agenda make the requirements consistent with current plans and policies of the Board.

WDRS Order R5-2014-0025 required certification of clean closure of the Wood Waste Landfill and the Leachate Basin by 31 January 2022. The Discharger submitted documentation requesting an extension of the clean closure date in R5-2014-0025 due to inaccurate information. The Discharger's 8 March 2022 Report of Waste Discharge included plans to also clean close the previously closed Ash Disposal Area Landfill in conjunction with its revised Wood Waste Landfill and Leachate Basin clean closure plan.

These WDRs require revised financial assurances estimates and financial assurance mechanisms for clean closure of the Wood Waste Landfill, the Ash Disposal Area Landfill, and the Leachate Basin by 31 December 2032. The WDRs also include a compliance schedule ensuring that clean closure of all waste management units will occur by 31 December 2032.

h. VITA-PAKT CITRUS PRODUCTS COMPANY, CITY OF LINDSAY, AND EDWARD AND EDNA BROWER REVOCABLE TRUST, VITA-PAKT LINDSAY LAND APPLICATION AREA, TULARE COUNTY

Waste Discharge Requirements (WDRs) Order R5-2012-0122, adopted on 7 December 2012, regulates the discharge of citrus processing wastewater from two Vita-Pakt plants (Plants) located in Lindsay. WDRs Order R5-2012-0122 authorizes the discharge of up to 0.45 mgd (as a monthly average) to 216 acres of land application area (LAA). The LAA is located on the southwest corner of Road 188 and Avenue 240 in Tulare County. The citrus processing wastewater is transported from the Plants to the LAA by a pipeline that is owned and operated by the City of Lindsay. The Edward and Edna Brower Revocable Trust (Trust) owns a portion of the LAA. Therefore, WDRs Order R5-2012-0122 list Vita-Pakt Citrus Products Company, City of Lindsay, and the Trust as Dischargers.

On 21 July 2020, the Dischargers submitted a Report of Waste Discharge (RWD) requesting to increase the permitted flow to 0.9 mgd (total annual volume of 195 million gallons) to be spread on 251 acres. In a 26 August 2020 review letter, Central Valley Water Board staff determined the July

2020 RWD was incomplete and additional information was needed. In subsequent submittals, the Dischargers increased the proposed LAA to 281 acres and agreed to be permitted at existing flows. Therefore, the proposed Order authorizes a discharge of up to 0.71 mgd as a monthly average and a total annual discharge of up to 152 million gallons.

To comply with the Salt Control Program, the Discharger selected to participate in the Prioritization and Optimization (P&O) Study. Therefore, the proposed Order specifies an annual performance-based effluent limitation of 1,700 for fixed dissolved solids. For the Nitrate Control Program, the LAA is located in a Priority 1 Basin. To comply with the Nitrate Control Program, the Discharger selected Path B and choose to participate in the Kaweah Water Foundation Management Zone.

The tentative WDRs were circulated for public comment on 8 April 2022. The Discharger did not have any substantial comments on the proposed Order and only noted a typographical error in one of the Findings. The error was corrected.

RECOMMENDATION:

Adopt the proposed Waste Discharge Requirements.

REVIEWS:

Management Review:	
Legal Review:	

BOARD MEETING LOCATION:

Central Valley Regional Water Quality Control Board meeting
11020 Sun Center Dr. #200
Rancho Cordova, CA 95670

☒ ***Internet Zoom Meeting***