

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN DIEGO REGION

ORDER No. 92-14

WASTE DISCHARGE REQUIREMENTS
FOR
THE CASTER GROUP
WOODWARD SAND PIT RECLAMATION PROJECT
SAN DIEGO COUNTY

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

1. On August 12, 1991, The Caster Group (hereinafter discharger) submitted an incomplete Report of Waste Discharge (RWD), dated August 8, 1991 consisting of a technical report, dated August 7, 1991 prepared by Southern California Soil And Testing, Inc.; and a draft environmental impact report, dated July 1991 prepared by Brian F. Mooney Associates which included an environmental site assessment report, dated January 11, 1991 prepared by Ninyo & Moore. After submittal of the final environmental impact report, which was certified in accordance with the California Environmental Quality Act (Public Resources Code Section 21000, et seq.) on February 20, 1992, the RWD was determined to be complete.
2. The Report of Waste Discharge proposes measures to be implemented by the discharger as part of the Woodward Sand Pit Reclamation Project to prevent adverse water quality impacts potentially caused by disposal of fill material into the existing sand extraction pond.
3. The pond to be filled by the discharger was created during commercial sand mining operations by Woodward Sand and Materials Company. The sand extraction and processing operations was regulated by this Regional Board under Order No. 88-17, "Waste Discharge Requirements for the Woodward Sand and Materials Company, San Diego County".
4. The Woodward Sand Pit Reclamation Project is located within the Santee Hydrologic Subarea (7.12) of the Lower San Diego Hydrologic Area of the San Diego Hydrologic Unit in the community of Lakeside at the southeast corner of the intersection of Riverside Drive and Palm Row Drive. The site is within the floodplain of the San Diego River in the Southwest 1/4 of Section 13, T15S, R1W of (SBB&M) El Cajon Quadrangle, San Diego County. (See Attachment A to this Order)
5. The discharger indicates that newly imported fill material will consist of soil, rock and concrete rubble which will be placed below the water table. In addition asphalt fragments will be incorporated into the fill above the water table.

6. The discharger reports that the total project area is approximately 25 acres, which includes 23 acres owned by The Caster Group, comprising of Assessor's Parcel Numbers 379-142-01,02,03; 379-011-05,06; and 379-192-15. The remaining 2 acres of the project site extend onto the adjacent properties owned by Cal-Mat, APN 382-011-10, and San Diego County, extension of Palm Row Drive.
7. The Report of Waste Discharge indicates that a portion of the original pond, which encompassed part of the adjacent Cal-Mat and County properties, has been filled with imported material. Results of a limited environmental site assessment, prepared by Ninyo & Moore indicate that concentrations of high molecular weight petroleum hydrocarbons, as well as abundant soil, reinforced concrete, asphalt, transite pipe and scrap metal are present in the fill material disposed of at the site.
8. The Report of Waste Discharge indicates that a portion of the existing fill material must be removed and re-compacted in order to accommodate future construction at the site.
9. The Report of Waste Discharge proposes using the existing on-site material, previously imported, to fill the pond excavation after separating asphalt chunks, transite pipe, scrap metal and hazardous materials (or other inappropriate materials).
10. The Report of Waste Discharge further proposes that after removing the portion of existing fill material located above the water table, several test trenches would be excavated through the remaining fill to determine if asphalt or hazardous materials (or other inappropriate materials) are located below the water table.
11. The discharger indicates waste disposal activities are proposed for approximately 9 acres of the existing 12.6 acre pond. The remaining area of the pond will be left unfilled and integrated into the ultimate San Diego River Floodway Plan.
12. The Report of Waste Discharge indicates the pond is connected to the San Diego River by two large diameter culverts. The RWD recommends that these culverts either be plugged or removed to prevent the pond water from direct access to the San Diego River.

13. The Comprehensive Water Quality Control Plan Report, San Diego Basin (9) (the Basin Plan), adopted by this Regional Board on March 17, 1975; approved by the State Board on March 20, 1975. Subsequent revisions to the Basin Plan have also been adopted by the Regional Board and approved by the State Board.
14. Section 5650 of the California Fish and Game Code specifically prohibits asphalt from being deposited in, permitted to pass into, or placed where it can pass into the waters of this State. It also prohibits deposition of any substance or material deleterious to fish, plant life, or bird life.
15. Pursuant to Section 40060 of the Public Resources Code, the Regional Board shall not issue a waste discharge permit for a new landfill, which is used for the disposal of nonhazardous solid waste, if the land has been primarily used at any time for mining, or excavation of gravel or sand.
16. Nonhazardous solid waste as defined in, Section 2523 of Chapter 15, Title 23 of the California Code of Regulations (23 CCR) includes demolition and construction wastes, abandoned vehicles and parts thereof, discarded home and industrial appliances, manure, and putrescible solid, semi-solid and liquid wastes.
17. Section 2524 of Chapter 15, (23 CCR) defines inert waste as not containing hazardous waste or soluble pollutants at concentrations in excess of applicable water quality objectives, and does not contain significant quantities of decomposable waste.
18. The Basin Plan established the following objectives for inland surface water and groundwater which are applicable to this facility:

Color:

Waters shall be free of coloration that causes nuisance or adversely affects beneficial uses.

Tastes and Odors:

Waters shall not contain taste or odor-producing substances in concentrations that impart undesirable tastes or odors to fish flesh or other edible products of aquatic origin, that cause nuisance or adversely affect beneficial uses.

Floating Material:

Waters shall not contain floating, including solids, liquids, foams, and scum, in concentrations that cause nuisance or adversely affect beneficial uses.

Chemical Constituents:

Water designated for use as domestic or municipal supply (MUN) shall not contain concentrations of chemical constituents in excess of the maximum contaminant levels specified in California Code of Regulations, Title 22, Chapter 15, Article 4, Section 64435, Tables 2, 3, and Article 8, Section 64473, Table 6.

Ground water designated for use as agricultural supply (AGR) shall not contain concentrations of chemical constituents in amounts that adversely affect such beneficial use.

Radioactivity:

Ground water designated for use as domestic or municipal supply (MUN) shall not contain concentrations of radionuclide in excess of the limits specified in California Administrative Code Title 17, Chapter 5, Subchapter 1, Group 1, Article 4, Section 7019, Tables 5.

19. The Basin Plan has established the following beneficial uses for the waters of the Santee Hydrologic Subarea [above Sycamore Creek], (7.12).

Surface waters

- a. Municipal and Domestic Supply¹
- b. Industrial Service Supply
- c. Ground Water Recharge¹
- d. Water Contact Recreation
- e. Non Contact Water Recreation
- f. Warm Fresh-Water Habitat
- g. Cold Fresh-Water Habitat
- h. Wildlife Habitat
- i. Preservation of Rare and Endangered Species
- j. Fish Spawning Habitat

Ground waters

- a. Municipal and Domestic Supply

¹Potential beneficial use

- b. Agriculture Supply
- c. Industrial Service Supply
- d. Industrial Process Water¹
- e. Ground Water Recharge¹

20. The Basin Plan has established the following water quality objectives for the Santee Hydrologic Subarea (7.12).

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Constituent	Surface Water	Ground Water
Total Dissolved Solids	1000 mg/L	1000 mg/L ²
Chloride	400 mg/L	400 mg/L ²
Percent Sodium	60 %	60 %
Sulfate	500 mg/L	500 mg/L ²
Nitrate (as NO ₃)	---	45 mg/L ²
Nitrogen & Phosphorus	* ³	---
Iron	0.3 mg/L	0.3 mg/L ²
Manganese	0.05 mg/L	0.05 mg/L ²
Methylene Blue Active Substances	0.5 mg/L	0.5 mg/L
Boron	1.0 mg/L	0.5 mg/L
Odor	None	None
Turbidity	20 NTU	5 NTU
Color	20 Units	15 Units
Fluoride	---	1.0 mg/L

Note: The above concentration not to be exceeded more than 10% of the time.

²Detailed salt balance studies are recommended for this area to determine limiting mineral concentration levels for discharge. On the basis of existing data, the tabulated objectives would probably be maintained in most areas. Upon completion of the salt balance studies, significant water quality objective revisions may be necessary. In the interim period of time, projects of groundwater recharge with water quality inferior to the tabulated numerical values may be permitted following individual review and approval by the Regional Board if such projects do not degrade existing groundwater quality to the aquifers affected by the recharge.

³Concentrations of nitrogen and phosphorus, by themselves or in combinations with other nutrients, shall be maintained at levels below those which stimulate algae and emergent plant growth. Threshold total Phosphorus (P) concentrations shall not exceed 0.05 mg/L in any stream at the point where it enters any standing body of water, nor 0.025 mg/L in any standing body of water. A desired goal in order to prevent plant nuisances in streams and other flowing waters appears to be 0.1 mg/L total P. These values are not to be exceeded more than 10 percent of the time unless studies of the specific water body in question clearly show that water quality objective changes are permissible and changes are approved by the Regional Board. Analogous threshold values have not been set for nitrogen compounds; however, natural ratios of nitrogen to phosphorus are to be determined by surveillance and monitoring and upheld. If data are lacking, a ratio of N:P = 10:1 shall be used.

21. The Basin Plan contains the following prohibitions which are applicable to the site:

"The dumping or deposition of oil, garbage, trash or other solid municipal, industrial or agricultural waste directly into inland waters or watercourses or adjacent to watercourses in any manner which may permit its being washed into the watercourse is prohibited."

"Dumping or deposition of oil, garbage, trash or other solid municipal, industrial or agricultural waste into natural or excavated sites below historic water levels or deposition of soluble industrial wastes at any site is prohibited, unless such site has been specifically approved by the Regional Board for that purpose."

"Land grading and similar operations causing soil disturbance which do not contain provisions to minimize soil erosion and limit suspended matter in are runoff are prohibited."

22. Based upon the information contained in the RWD and noted in the Findings of this Order, the reclamation project if conducted and monitored in accordance with this Order, should not cause the Basin Plan objectives for the Santee Hydrologic Subarea (7.12) to be exceeded or violate the Basin Plan prohibitions.

23. The Regional Board, in establishing the requirements contained herein, considered factors including, but not limited to the following:

- a. Past, present, and probable future beneficial uses of water;
- b. Environmental characteristics of the hydrographic unit under consideration, including the quality of water available thereto;
- c. Water quality conditions that could reasonably be achieved through the coordinated control of all factors which affect water quality in the area;
- d. Economic considerations;
- e. The need for developing housing within the region;

- f. Beneficial uses to be protected and water quality objectives reasonably required for that purpose;
 - g. Other waste discharges;
 - h. The need to prevent nuisance; and
 - i. The need to develop and use recycled water.
24. The Regional Board has considered all water resource related environmental factors associated with the existing discharge.
25. The Regional Board has notified the discharger and all known interested parties of the intent to prescribe waste discharge requirements for the discharge.
26. The Regional Board in a public meeting heard and considered all comments pertaining to the proposed discharge.
27. The project as approved by the County of San Diego will not have a significant effect on water quality.

IT IS HEREBY ORDERED, That The Caster Group shall comply with the following Waste Discharge Requirements:

A PROHIBITIONS

1. Discharge of waste to land which has not been specifically described to the Regional Board and for which valid waste discharge requirements are not in force is prohibited.
2. Disposal of hazardous, designated, and nonhazardous solid waste as described by (23 CCR) Chapter 15, Sections 2521, 2522, and 2523, is prohibited. Nonhazardous solid waste includes demolition and construction wastes, abandoned vehicles and parts thereof, discarded home and industrial appliances, manure, and putrescible solid, semi-solid and liquid wastes.
3. Disposal of asphalt within the San Diego River, its tributaries, or adjacent to them in any manner which may permit its being washed into the waters of this State is prohibited.
4. Disposal of asphalt below historic groundwater level is prohibited.

5. Discharge of liquid waste to surface waters or surface water drainage courses is prohibited.
6. Disposal of tires; asbestos (transite) pipe; scrap metal; or contaminated soil, concrete or other materials from a chemical spill, leaking underground tank or similar excavation/cleanup is prohibited.
7. Land grading and similar operations causing soil disturbance which do not include provisions to minimize soil erosion and limit suspended matter in the runoff are prohibited. Runoff from all disturbed soil areas shall be managed, controlled and/or treated so that the discharge shall contain no more suspended solids than would be contained in runoff from the undisturbed state.
8. The discharge of waste shall not cause the following:
 - a. Occurrence of coliform or pathogenic organisms in waters pumped from the basin;
 - b. Presence of objectionable tastes and odors in waters pumped from the basin;
 - c. Waters pumped from the basin to foam;
 - d. Presence of toxic materials in waters pumped from the basin;
 - e. Changes in the pH value of the water pumped from the basin outside the range of 6.0 to 9.0 units;
 - f. Violation of the objectives for the ground or surface waters of the Santee Hydrologic Subarea, as established in the Basin Plan;
 - g. Odors, mosquitos or other vectors, and other nuisance conditions in the San Diego River or its tributaries of waste origin beyond the limits of the site; or
 - h. Pollution, contamination, nuisance or adversely affect beneficial uses of the ground or surface waters of the Santee Hydrologic Subarea as established in the Basin Plan.

B DISCHARGE SPECIFICATIONS

1. Disposal of soil, rock, concrete, and brick rubble, ceramic tile and plaster waste or asphalt fragments (above the groundwater table) and other material as specifically approved by the Regional Board Executive Officer may be disposed at the site.
2. The discharger shall implement an approved load-checking program; as required pursuant to REPORTING REQUIREMENT D.1 to ensure that hazardous, nonhazardous, designated or contaminated materials are not discharged at the site.
3. The discharger shall implement an approved sampling and analyses plan; as required pursuant to REPORTING REQUIREMENT D.2 to ensure that waste materials at the site at the time of the adoption of this Order are accurately characterized.
4. The discharger shall remove and dispose of properly any wastes which are discharged at this site in violation of these requirements.
5. All waste treatment, containment and disposal facilities shall be protected against erosion, overland runoff and other impacts resulting from a 100-year frequency 24-hour storm.
6. All waste treatment, containment and disposal facilities shall be protected against 100-year peak stream flows as defined by the San Diego County flood control agency.

C PROVISIONS

1. Neither the treatment nor the discharge of waste shall create a pollution, contamination or nuisance, as defined by Section 13050 of the California Water Code.
2. The discharger must comply with all conditions of this Order. Any noncompliance with this Order constitutes a violation of the California Water Code and is grounds for (a) enforcement action; (b) termination, revocation and re-issuance, or modification of this Order.
3. In an enforcement action, it shall not be a defense for the discharger that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with this Order.

4. The discharger shall take all reasonable steps to minimize or correct any adverse impact on the environment resulting from noncompliance with this Order, including such accelerated or additional monitoring as may be necessary to determine the nature and impact of the noncompliance.
5. The discharger shall, at all times, properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the discharger to achieve compliance with conditions of this Order. Proper operation and maintenance includes effective performance, adequate laboratory and process controls including appropriate quality assurance procedures.
6. This Order may be modified, revoked and reissued, or terminated for cause including, but not limited to, the following:
 - a. Violation of any terms or conditions of this Order;
 - b. Obtaining this Order by misrepresentation or failure to disclose fully all relevant facts; or
 - c. A change in any condition that requires either a temporary or permanent reduction or elimination of the authorized discharge. The filing of a request by the discharger for the modification, revocation and re-issuance, or termination of this Order, or notification of planned changes or anticipated noncompliance does not stay any condition of this Order.
7. This Order does not convey any property rights of any sort or any exclusive privileges. The requirements prescribed herein do not authorize the commission of any act causing injury to persons or property, nor protect the discharger from liability under federal, state, or local laws, nor create a vested right for the discharger to continue the regulated activity.
8. The discharger shall allow the Regional Board, or an authorized representative upon the presentation of credentials and other documents as may be required by law to:
 - a. Enter upon the discharger's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this Order;

- b. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this Order;
 - c. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this Order; and
 - e. Sample or monitor at reasonable times, for the purposes of assuring compliance with this Order or as otherwise authorized by the California Water Code, any substances or parameters at any location.
9. A copy of this Order shall be maintained at the site and shall be available to operating personnel at all times.
10. This Order becomes effective on the date of adoption by the Regional Board.
11. The provisions of this Order are severable, and if any provision of this Order, or the application of any provision of this Order to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this Order, shall not be affected thereby.
12. Alternatives and exceptions to and exemptions and waivers from requirements of Chapter 15 shall be subject to the approval of the Executive Officer and shall be authorized only as provided for by Chapter 15. Implemented alternatives to Chapter 15 requirements shall meet the conditions for approval of such alternatives established in Chapter 15.

D. REPORTING REQUIREMENTS

- 1. The discharger shall submit a load-checking program for approval by the Regional Board Executive Officer prior to commencement of the project.
- 2. The discharger shall submit a sampling and analyses plan for the following: fill material to be excavated from the pond, and any material to be left in the pond. This plan shall be in accordance with procedures specified in CCR Title 22, Article 11, Section 66694 or other acceptable procedures as approved by the Regional Board Executive Officer prior to commencement of the project.

3. In accordance with Section 2210 of California Water Code, the discharger shall file a new Report of Waste Discharge at least 120 days prior to the following:
 - a. Significant change in the treatment or disposal method (e.g. change in the method which would significantly alter the nature of the waste);
 - b. Change in the disposal location, amount, or character of the waste from that described in the findings of this Order;
 - c. Any planned change in the regulated facility or activity which may result in noncompliance with this Order.
4. The discharger shall furnish to the Executive Officer of this Regional Board, within a reasonable time, any information which the Executive Officer may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this Order. The discharger shall also furnish to the Executive Officer upon request, copies of records required to be kept by this Order.
5. The discharger must notify the Executive Officer, in writing at least 30 days in advance of any proposed transfer of this Order's responsibility and coverage between the current discharger and a new discharger. This agreement shall include an acknowledgement that the existing discharger is liable for violations up to the transfer date and that the new discharger is liable from the transfer date on.
6. Where the discharger becomes aware that it failed to submit any relevant facts in the technical report or submitted incorrect information in the technical report or in any report to the Regional Board, it shall promptly submit such facts or information.
7. The discharger shall report any noncompliance which may endanger health or the environment. Any such information shall be provided verbally to the Executive Officer within 24 hours from the time the discharger becomes aware of the circumstances. A written submission shall also be provided within five days of the time the discharger becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and times, and if the

noncompliance has not been corrected; the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, or prevent recurrence of the noncompliance. The Executive Officer, or an authorized representative, may waive the written report on a case-by-case basis if the oral report has been received within 24 hours.

8. The discharger shall comply with the attached Monitoring and Reporting Program No. 92-14.
9. The discharger shall conduct such monitoring as may be necessary in order to provide information requested by the Executive Officer.
10. The discharger shall maintain legible records of the amount (volume or weight) and type of each waste discharged at the site and the manner and location of discharge.
11. The discharger shall notify the Regional Board of any discharge to the San Diego River caused by flooding, slope failure, or other activity at the site.
12. The discharger shall notify the Regional Board of any violation of the prohibitions of this Order.
13. All applications, reports, or information submitted to the Executive Officer of this Regional Board shall be signed and certified as follows:
 - a. The Report of Waste Discharge shall be signed as follows:
 1. For a corporation - by a principal executive officer of at least the level of vice-president;
 2. For a partnership or sole proprietorship - by a general partner or the proprietor, respectively;
 - b. All other reports required by this Order and other information required by the Executive Officer shall be signed by a person designated in paragraph (a) of this provision, or by a duly authorized representative of that person. An individual is a duly authorized representative only if:

1. The authorization is made in writing by a person described in paragraph (a) of this provision;
 2. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity; and
 3. The written authorization is submitted to the Executive Officer.
- c. Any person signing a document required by this Order and other information required by the Executive Officer shall make the following certification:

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

14. The discharger shall submit reports required under this Order and other information requested by the Executive Officer, to:

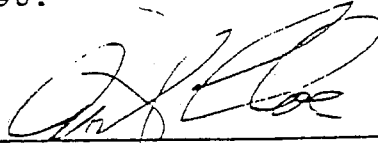
Executive Officer
California Regional Water Quality Control Board
San Diego Region
9771 Clairemont Mesa Blvd., Suite B
San Diego, California 92124-1331

E. NOTIFICATIONS

1. No discharge of waste to the waters of the state, whether or not such discharge is made pursuant to waste discharge requirements, shall create a vested right to continue such discharge. All discharges of waste into waters of the state are privileges, not rights.
2. These requirements have not been officially reviewed by the United States Environmental Protection Agency and are not issued pursuant to Section 402 of the Clean Water Act.

3. The California Water Code provides that any person who intentionally or negligently violates any waste discharge requirements issued, reissued, or amended by this Regional Board is subject to administrative civil liability of up to ten dollars per gallon of waste discharged, or, if no discharge occurs, up to one thousand dollars per day of violation. The Superior Court may impose civil liability of up to ten thousand dollars per day of violation or, if a cleanup and abatement order has been issued, up to fifteen thousand dollars per day of violation.
4. The California Water Code provides that any person failing or refusing to furnish technical or monitoring program reports, as required under this Order, or falsifying any information provided in the monitoring reports is guilty of a misdemeanor and may be subject to administrative civil liability of up to one thousand dollars per day of violation.

I, Arthur L. Coe, Executive Officer, do hereby certify the forgoing is a full true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, San Diego Region, on April 6, 1990.



Arthur L. Coe
Executive Officer

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN DIEGO REGION

MONITORING AND REPORTING PROGRAM NO. 92-14

THE CASTER GROUP
WOODWARD SAND PIT RECLAMATION PROJECT
SAN DIEGO COUNTY

A. RECORDS AND REPORTING:

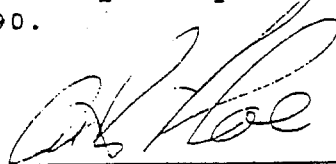
1. The discharger shall retain records of all load checking monitoring and field load checking assessment inspections, including copies of all reports required by this Order, and records of all data used to complete the application for this Order. Records shall be maintained for a minimum of five years from the date of the measurement, report, or application. This period may be extended during the course of any unresolved litigation regarding this discharge or when requested by the Regional Board Executive Officer.
2. The discharger shall submit semi-annual reports. The reports shall include the following information:
 - a. An up-to-date site map of scale 1 inch = 100 feet showing: original ground elevation, fill elevation and fill boundaries.
 - b. A summary of the load checking daily logs which shall describe the type, quantity and source of fill material discharged, including names of the haulers which transported the material to the site during the reporting period.
 - c. The estimated total volume of fill material deposited at the site and the estimated capacity remaining.
 - d. A summary of the findings of periodic field inspections conducted by the discharger. The periodic load checking assessment program must document the effectiveness of the load checking program and describe the frequency of site inspections, and type of equipment used to collect field screening measurements.

B. REPORTING SCHEDULE

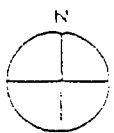
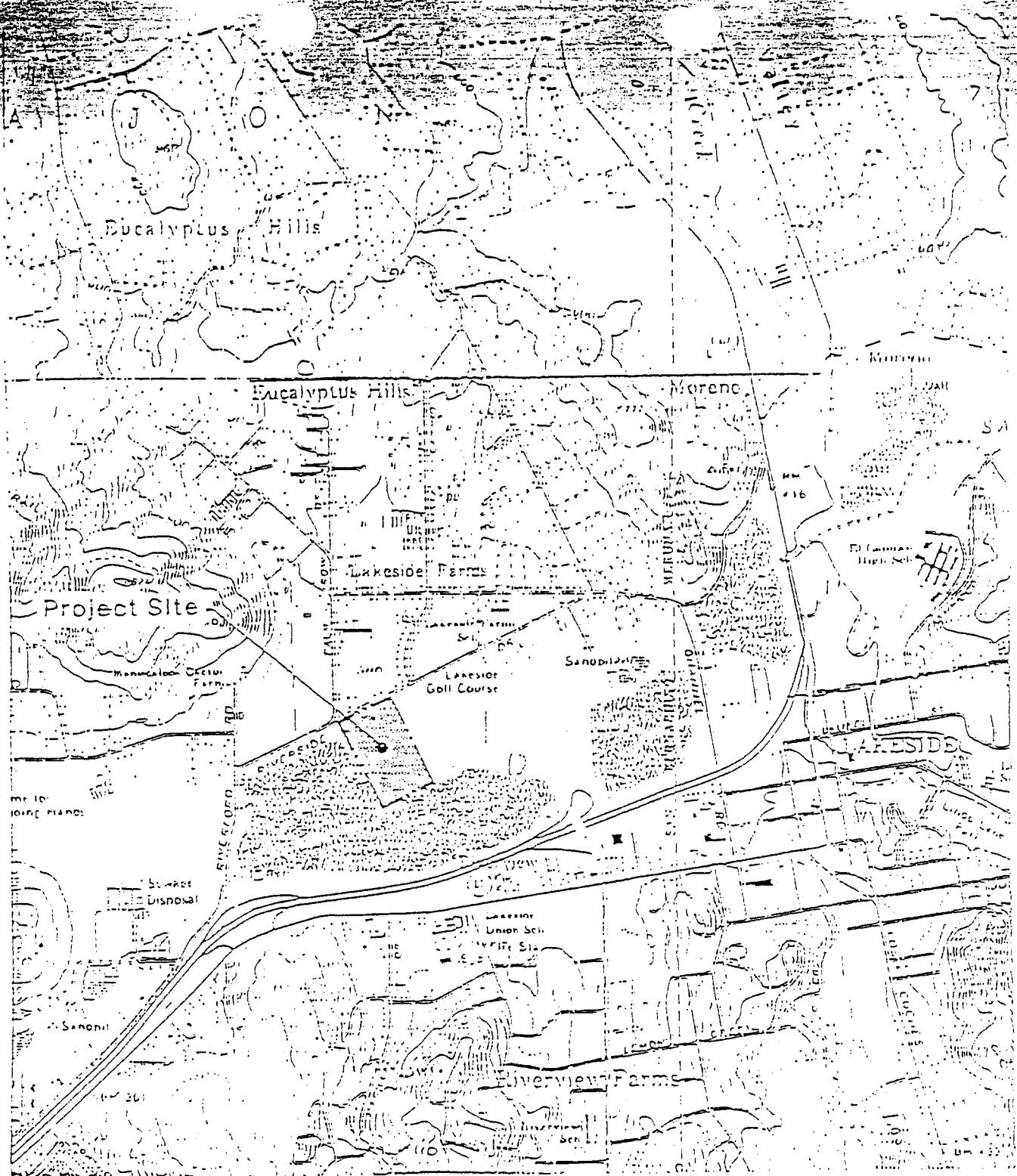
The monitoring reports shall be submitted to the Executive Officer in accordance with the following schedule:

<u>Reporting</u>	<u>Reporting Period</u>	<u>Report Due Date</u>
Semi-annual	January - June	July 30
	July - December	January 30

I, Arthur L. Coe, Executive Officer, do hereby certify the forgoing is a full true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, San Diego Region, on April 6, 1990.



Arthur L. Coe
Executive Officer



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*Woodward Pond
Vicinity Map*

Attachment A

SOURCE: U.S.G.S. 7.5' Quad Map (San Vicente Reservoir & El Cajon)