

CALIFORNIA WATER QUALITY CONTROL BOARD
SAN DIEGO REGION

ORDER NO. R9-2005-0183
WASTE DISCHARGE REQUIREMENTS
FOR CLOSURE AND POST-CLOSURE MAINTENANCE
OF THE
COUNTY OF RIVERSIDE
ANZA SANITARY LANDFILL

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

Background

1. On November 24, 1980, this Regional Board adopted Order No. 80-51, **Waste Discharge Requirements for the Anza Sanitary Landfill, County of Riverside**. Order No. 80-51 established requirements for the operation of an unlined Class II-2 (old classification) sanitary landfill.
2. On June 15, 1987, this Regional Board adopted Order No. 87-53, **Waste Discharge Requirements for the Anza Sanitary Landfill, County of Riverside**. Order No. 87-53 updated Order No. 80-51, revising the landfill classification and the Waste Discharge Requirements to implement the provisions of the former Chapter 15, Division 3, Title 23, California Code of Regulations (CCR). The Anza Landfill is now classified as an unlined Class III Sanitary Landfill.
3. On November 2, 1992, this Regional Board adopted Addendum No. 1 to Order No. 87-53, **An Addendum Modifying Waste Discharge Requirements for the Anza Sanitary Landfill Waste Management Units, Riverside County**. This addendum established a time schedule for the design and construction of lined septage ponds, modified the requirements as applicable to each waste management unit at the Anza Landfill, and changed the title of Order No. 87-53. Finding No. 11 of Order No. 87-53 noted the interim approval for the disposal of septage to unlined ponds (surface impoundments) and the necessity for the County of Riverside to submit a Report of Waste Discharge (RWD) for the disposal of septic tank and chemical toilet waste to unlined septage ponds.
4. On November 1, 1993 the surface impoundments at the Anza Landfill stopped accepting liquid wastes. Closure of the surface impoundments began in November 1993 and was complete by February 1994.
5. On May 8, 1999 the Anza Landfill stopped receiving solid waste for disposal.
6. On July 6, 2001, the County of Riverside submitted an incomplete Joint Technical Document (JTD) for the final closure of the Anza Landfill. The County of Riverside subsequently submitted Addendum No. 1 to the JTD dated March 15, 2002, Addendum

- No. 2 to the JTD on June 13, 2002, and Addendum No. 3 to the JTD dated December 10, 2002. By letter dated February 10, 2003, the Regional Board deemed the JTD complete.
7. In September 2004, the State Water Resources Control Board (SWRCB) adopted regulations that require electronic submittal of information (ESI) for ground water cleanup programs. These regulations gained approval from the Office of Administrative Law (OAL) in November 2004. Beginning January 1, 2005, electronic submittal of these items and a portable data format (PDF) copy of the full report were extended to include facilities regulated by the Land Disposal (landfill) Program.
 8. Beginning July 1, 2005, Dischargers are required to submit a complete copy of all reports (in PDF format) to the Geotracker database. The electronic copy is intended to eventually replace the need for a paper copy and will be used for all public information requests, regulatory review, and compliance/enforcement activities.
 9. Sections 25143.1.5 and 25150.7 of the California Health and Safety Code were amended in 2004 specifying conditions whereby treated wood waste may be discharged into a composite lined portion of a solid waste landfill unit equipped with an engineered alternative liner and leachate collection and removal system.
 10. "Treated wood" means wood that has been treated with a chemical preservative for the purposes of protecting wood against 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 (7 U.S.C. Sec. 136 and following). This may include but is not limited to waste wood that has been treated with chromated copper arsenate (CCA), pentachlorophenol, creosote, acid copper chromate (ACA), ammoniacal copper zinc arsenate (ACZA), or chromated zinc chloride (CZC).
 11. Treated wood waste, previously treated with a preservative that has been removed from electric, gas or telephone service, does not include wood waste that is subject to regulation as a hazardous waste under the federal act.
 12. Treated wood must be managed to ensure consistency with sections 25143.1.5 and 25150.7 of the California Health and Safety Code (HSC) and if a verified release is detected from the cell unit where treated wood is disposed, the disposal of treated wood will be terminated at the unit with the verified release until corrective action ceases the release.
 13. Except as provided in HSC section 25157.8(c), after January 1, 1999, no person shall dispose of waste that contains total lead in excess of 350 parts per million, copper in excess of 2,500 parts per million, or nickel in excess of 2,000 parts per million to land at other than a Class I hazardous waste disposal facility, unless the waste is disposed of at the site of

generation pursuant to express approval of the regional water quality control board granted prior to August 21, 1998.

Federal Requirements

14. On August 16, 1993, this Regional Board amended Order No. 87-53 by adopting Regional Board Order No. 93-86, **Waste Discharge Requirements Amendment for all MSW Landfills in this Region, to Implement State Water Board Resolution No. 93-62, Adopted June 17, 1993, as State Policy for Water Quality Control Under Section 13140 of the Water Code.** Order No. 93-86 updated waste discharge requirements for all active municipal solid waste (MSW) landfills in this region that received wastes after October 9, 1991, which includes the Anza Landfill. By incorporating regulations contained in the Code of Federal Regulations, Title 40 (40 CFR), Part 258, Order No. 93-86 brought the affected landfills into compliance with both State and Federal Regulations.

Ground Water

15. Analytical results from ground water monitoring indicate that there has been a release of waste constituents from the Anza Landfill. Concentrations of volatile organic compounds (VOCs), including 1,1,1-trichloroethane, 1,1-dichloroethane, 1,2-dichlorobenzene, 1,3-dichlorobenzene, 1,4-dichlorobenzene, 2-chlorotoluene, chlorobenzene, chloroethane, chloromethane, *cis*-1,2-dichloroethene, dichlorodifluoromethane, tetrachloroethene, trichloroethene, and trichlorofluoroethane, have been detected in ground water monitoring wells A-3, A-4, and A-5. The presence of these waste constituents in the ground water threatens to cause a condition of pollution as defined in Water Code Section 13050.
16. The JTD indicates that there are 110 domestic supply wells located within one mile of the landfill. Of the 110 wells, 29 domestic supply wells located within one mile in a direction that is down hydrologic gradient from the landfill. The depth to ground water in these domestic wells ranges from 160 feet below ground surface (bgs) to 415 feet bgs, with an average depth of 275 feet. Riverside County Waste Management Department (WMD) does not currently monitor the deep bedrock aquifer. However, due to the potential impacts from the landfill, and the presence of downgradient drinking water wells, monitoring of the bedrock aquifer is deemed necessary and appropriate.
17. Until the construction of the landfill cover system is complete, the discharge of pollutants into ground water could cause the long-term loss of the designated/actual municipal and domestic (MUN), and agricultural (AGR) beneficial uses of groundwater, the Anza Landfill shall be rated as Threat to Water Quality (TTWQ) category "1" in accordance with CCR Title 23 §2200. The complexity (CPLX) ranking is based upon the type of facility. For Class III landfills, the complexity ranking is category "B".

After the construction of the engineered cover system is complete, and the CQA Report has been submitted to the Regional Board; the threat to the designated/actual municipal

and domestic (MUN), and agricultural (AGR) beneficial uses of ground water should be much reduced in probability. The additional protection to water quality created by the engineered landfill cover system justifies a reduction of the Threat to Water Quality (TTWQ) category "2" in accordance with CCR Title 23, §2200. The complexity (CPLX) ranking remains at category "B", as this is the ranking assigned to Class III landfills.

Stormwater

18. The Anza Landfill is located in an unincorporated area of the County of Riverside at 40329 Terwilliger Road, Anza, California. The landfill is located in the Anza Hydrologic Subarea (902.73) of the Santa Margarita Hydrologic Unit.
19. Surface drainage from the landfill is subject to State Board Order No. 97-03-DWQ, National Pollutant Discharge Elimination System (NPDES) Permit No. CAS000001 (General Permit), **Waste Discharge Requirements (WDRs) for Discharges of Storm Water Associated with Industrial Activities Excluding Construction Activities.**
20. The County of Riverside must effectively control the detrimental effects of erosion upon the final landfill cover system and control offsite discharge of landfill derived soils into surface water drainage system of the Anza Hydrologic Subarea (2.73). Therefore, it is appropriate for the Storm Water Pollution Prevention Plan (SWPPP) to be amended to include controls for soil erosion and sediment discharge.
21. A variety of approaches may be effective as Best Management Practices (BMPs) for long term control of surface water runoff and erosion of cover materials. Effective BMPs for control of surface water runoff and erosion should also be used in areas undergoing landfill containment system construction or maintenance. Effective BMPs are best implemented on a site-specific basis and may include, but are not limited to, the use of: bonded fiber matrix materials, anchored fiber rolls, fiber blankets, and other measures as appropriate.

Engineered Alternative Cover

22. The final cover at the Anza Landfill is an engineered alternative to the prescriptive cover design contained in CCR Title 27. It will consist of a monolithic soil cover ranging from four to five feet in thickness. The County of Riverside will incorporate approximately 125,000 cubic yards of soil from on-site and adjacent offsite borrow areas to complete the construction of the final landfill cover. The landfill slopes will be vegetated with hydroseed or green wastes. The final cover on the top deck (8.1 acres) will consist of a 1-foot foundation layer and a 4-foot vegetative soil layer. The side slopes (approximately 11.9 acres) will be covered with a 1-foot foundation layer and a 3-foot vegetative soil layer. The County of Riverside estimates that it will take approximately three and one half months to complete the construction of the final cover.
23. The County of Riverside has complied with CCR Title 27 §20080(b) and (c) and has met the requirements for an engineered alternative cover demonstrating that the placement of

a prescriptive composite cover is unnecessarily burdensome, would cost substantially more than the engineered alternative cover and would not promote additional attainment of applicable performance standards. Factors considered to form the basis of this finding include:

- a. The installation of a prescriptive composite cover at the Anza Landfill is unnecessarily burdensome.
 - b. The estimated cost of a prescriptive cover is \$500,000 if a source of free clay is available. The alternative cover prescribed here would cost \$400,000 and would be constructed using available on-site materials.
 - c. The prescriptive cover would not promote additional attainment of applicable performance standards. Ground water modeling results demonstrate that the engineered alternative cover will meet the performance criteria set by Title 27 and would not adversely affect ground water quality or the established beneficial uses of the Anza Hydrologic Subarea.
24. The final landfill cover must be installed to minimize the infiltration of water into the waste pursuant to CCR Title 27 §20950(a)(2)(A)(1). A periodic assessment of the thickness of materials comprising the final landfill cover system is necessary to maintain the integrity of the waste containment system at closed landfills.
 25. The final cover will require maintenance throughout the post-closure maintenance period. In order to maintain the final cover, the County of Riverside may need to create temporary stockpiles of soil prior to conducting grading operations for maintenance of the landfill cover.
 26. CCR Title 27, §21090(a)(1) allows the foundation layer of a final cover for a Class III MSW landfill to be comprised of soil, contaminated soil, incinerator ash, or other waste materials provided that such engineering materials have appropriate engineering properties to be used for a foundation layer.

Water Quality Control Plan

27. The **Water Quality Control Plan Report, San Diego Basin (9)** (hereinafter Basin Plan), was adopted by this Regional Board on September 8, 1994, and subsequently approved by the State Water Resources Control Board (State Board) on December 13, 1994. Subsequent revisions to the Basin Plan have also been adopted by the Regional Board and approved by the State Board. The Basin Plan designates beneficial uses and narrative and numerical water quality objectives, and prohibitions that are applicable to the discharges regulated under this Order.
28. The Anza Landfill is located in the Anza Hydrologic Subarea (902.73) of the Santa Margarita Hydrologic Unit.
29. The Basin Plan identifies the following beneficial uses of the surface waters of the Anza Hydrologic Subarea:

- a. Municipal and domestic supply;
- b. Agricultural supply;
- c. Industrial service supply;
- d. Industrial process supply;
- e. Ground water recharge;
- f. Non-contact water recreation;
- g. Warm fresh-water habitat;
- h. Wildlife habitat;
- i. Contact water recreation*;

*Designates a potential beneficial use for surface water supplies.

30. The Basin Plan identifies the following beneficial uses for ground waters in the Anza Hydrologic Subarea:

- a. Municipal and domestic supply;
- b. Agricultural supply

31. The Basin Plan established the following water quality objectives for surface and ground waters of the Anza HAS (2.73) not to be exceeded more than 10% of the time:

Constituent	Anza HSA Surface Water	Anza HSA Ground Water
Total Dissolved Solids	750 mg/l	500 mg/l
Chloride	300 mg/l	250 mg/l
Percent Sodium	60%	60%
Sulfate	300 mg/l	250 mg/l
Nitrate (as NO ₃)	---	10 mg/l
Nitrogen & Phosphorus	a	---
Iron	0.3 mg/l	0.3 mg/l
Manganese	0.05 mg/l	0.05 mg/l
Methylene Blue Active Substances	0.5 mg/l	0.5 mg/l
Boron	0.75 mg/l	0.75 mg/l
Odor	None	None
Turbidity	20 NTU	5 NTU
Color	20 Units	15 Units
Fluoride	1.0 mg/l	1.0 mg/l

Note: mg/l = milligrams per liter NTU = Nephelometric Turbidity Units

^a Concentrations of nitrogen and phosphorus, by themselves or in combination 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, not 0.025 mg/l in any standing body of water. A desired goal in order to prevent plan 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.

32. The Basin Plan contains waste discharge prohibitions that are applicable to the Anza Landfill.

CEQA and Other Legal References

33. This Order implements:
- a. Water Quality Control Plan, San Diego Basin – Region 9;
 - b. Prescriptive standards and performance goals of Subdivision 1, Division 2, Title 27, California Code of Regulations, effective July 18, 1997, and subsequent revisions;
 - c. Prescriptive standards and performance criteria of Part 258, Title 40, Code of Federal Regulations (Subtitle D, Resource Conservation and Recovery Act); and
 - d. State Water Resources Control Board Resolution No. 93-62, Policy for Regulation of Discharges of Municipal Solid Waste, adopted June 17, 1993.
34. On July 9, 2002 the Riverside County Board of Supervisors adopted the DeMinimis Impact Finding for the closure of the Anza Landfill in accordance with the California Environmental Quality Act. The project, as approved, will not have a significant impact on water quality.
35. The County of Riverside shall establish financial assurances in the amount of **\$2,971,257**. The financial assurances shall cover the costs estimated for closure, post-closure maintenance, and corrective actions for foreseeable releases from the waste management unit at the Anza Landfill:

Task	Estimated Cost	Source of Cost Estimate
Closure	\$1,311,359	County letter dated December 7, 2005
Post-Closure Maintenance and Monitoring	1,331,303	County letter dated December 7, 2005
Corrective Actions for reasonably foreseeable releases	\$328,595	County letter dated December 7, 2005
Total =	\$2,971,257	

The County of Riverside shall update the financial assurances, as necessary to ensure that adequate funds are available to cover the cost of closure, post-closure monitoring and maintenance, and corrective actions in response to a reasonably foreseeable release from the waste management unit at the Anza Landfill.

36. Funds associated with the financial assurances established pursuant to Finding No. 35 shall be made directly available to the Regional Board when the Regional Board finds that the County of Riverside has failed or refuses to implement closure, post-closure monitoring and maintenance, or corrective actions in response to a release from the waste management unit at the Anza Landfill.
37. The Regional Board has considered all water resource related environmental factors associated with the discharge of waste associated with the Anza Landfill.
38. The Regional Board has notified interested agencies and all known interested parties of its intent to issue closure and post-closure maintenance requirements for the Anza Landfill.
39. The Regional Board in a public meeting heard and considered all comments pertaining to the closure and post-closure maintenance requirements for the Anza Landfill.

IT IS HEREBY ORDERED, that the County of Riverside, (hereinafter Discharger), in order to meet the provisions contained in Division 7 of the California Water Code and regulations adopted thereunder, shall comply with the following:

A. PROHIBITIONS

1. Discharges of wastes to lands that have not been specifically described to the Regional Board and for which valid Waste Discharge Requirements are not in force are prohibited.
2. The discharge of waste shall not:

- a. Cause the occurrence of coliform or pathogenic organisms in waters pumped from the basin;
 - b. Cause the occurrence of objectionable tastes and odors in waters pumped from the basin;
 - c. Cause waters pumped from the basin to foam;
 - d. Cause the presence of toxic materials in waters pumped from the basin;
 - e. Cause the pH of waters pumped from the basin to fall below 6.0 or rise above 9.0;
 - f. Cause this Regional Board's objectives for the ground or surface waters as established in the Basin plan, to be exceeded; and
 - g. Cause pollution, contamination, or nuisance or adversely affect beneficial uses of the ground or surface waters as established in the Basin Plan.
3. Odors, vectors, and other nuisances of waste origin beyond the limits of the landfill site are prohibited.
 4. The discharge of waste to surface drainage courses or to usable ground water is prohibited.
 5. Disposal of liquid condensate generated by the extraction of landfill gas at the site is prohibited.
 6. Basin Plan discharge prohibitions shall not be violated.
 7. The discharge shall not cause the concentration of any constituent of Concern (**COC**) or Monitoring Parameter (**MPar**) to exceed its respective background concentration in any monitored medium at any detection monitoring point assigned to *Section C. Evaluation/Assessment Monitoring* of the **attached Monitoring and Reporting Program No. R9-2005-0183**.
 8. The use of pressurized water lines overlying waste is prohibited unless the water lines are designed in accordance with Post-Closure Maintenance Specification C.15.
 9. The facility surface water conveyance system, and operational failure thereof, shall not cause or contribute to the adverse impacts upon the integrity or performance of the Unit's foundation, liner system, or the structures which control leachate, surface water drainage, erosion or gas.
 10. The discharge or placement of "surplus soils", *e.g.*, stockpiled soils associated with landfill maintenance projects, shall not cause or contribute to the failure of engineered slopes on cut or fill material, or create adverse impacts upon the integrity or performance of the Unit's foundation, liner system, or the structures which control leachate, surface drainage, erosion or gas.
 11. The discharge or placement of stockpiled soils associated with landfill maintenance projects shall not cause or contribute to a condition of pollution or nuisance resulting from erosion of soils by storm water discharges from the site.

12. The discharge of any treated-wood wastes, previously treated with a preservative, that has been removed from electric, gas or telephone service and is subject to regulation as a hazardous waste under the federal act is prohibited.
13. The Anza Landfill is hereby prohibited from accepting treated wood wastes for disposal or use in construction of the basal layer of the engineered cap.
14. Disposal of waste that contains total lead in excess of 350 parts per million, copper in excess of 2,500 parts per million, or nickel in excess of 2,000 parts per million is hereby prohibited.

B. CLOSURE SPECIFICATIONS

1. Closure and post-closure maintenance of the Anza Landfill shall be conducted in accordance with the Joint Technical Document (JTD) dated December 3, 2002.
2. Construction for the final cover shall be carried out in accordance with a construction quality assurance (CQA) plan certified by an appropriately registered professional to satisfy the requirements of CCR Title 27 §20324.
3. Closure of the Anza Landfill shall be under the direct supervision of a registered civil engineer or a certified engineering geologist.
4. Upon completion of closure activities at the Anza Landfill, the Discharger shall conduct an aerial photographic survey of the landfill and its immediate surrounding area in accordance with CCR Title 27 §21090(e)(1). The results of this survey shall be submitted with the next subsequent semi-annual monitoring report in accordance with the reporting schedule in **Monitoring and Reporting Program No. R9-2005-0183**.
5. At least every five years after completing closure of the landfill, the Discharger shall produce and submit an iso-settlement map depicting the elevation of the final cover in accordance with CCR Title 27 §21090(e)(2). The iso-settlement map shall show all areas where differential settlement has occurred since the submittal of the previous map and shall highlight areas of repeated or severe differential settlement in accordance with CCR Title 27 §21090(f)(4).
6. The Discharger shall moderate the application rate of liquids discharged to the cover for dust control, irrigation of the vegetative layer or other non-disposal purpose in a manner that minimizes the potential for through-flow to the underlying waste.
7. The Discharger shall submit a final CQA Report to the Regional Board within **90-days** after completing construction of the final landfill cover system. The final CQA Report may be amended to include additional (post-construction/grading for installation of the earthen materials comprising the final landfill cover) information regarding final installation of the storm water conveyance system, erosion control BMPs, and installation

of vegetation on the landfill cover. The final CQA Report and any subsequent amendments thereto, must be signed in accordance with **Reporting Requirement E.13.**

8. Surface drainage from the landfill is subject to State Board Order No. 97-03-DWQ, National Pollutant Discharge Elimination System (NPDES) General Permit No. CAS000001, "Waste Discharge Requirements for Discharges of Storm Water Associated with Industrial Activities Excluding Construction Activities."
9. The owner of the waste management facility shall have the continuing responsibility to assure the protection of waters of the State from the discharges of waste and from waste constituents and degradation products generated by discharged wastes during the active life, closure, and post-closure maintenance period of the waste management unit, and during subsequent use of the property for other purposes.

C. POST-CLOSURE MAINTENANCE SPECIFICATIONS

General Maintenance Requirements

1. The landfill post-closure maintenance period shall continue until the Regional Board determines that remaining wastes in all waste management units (WMUs) will not threaten water quality.
2. The Discharger shall comply with all applicable requirements of Title 27, CCR.
3. The Anza Landfill shall be adequately protected from any washout, erosion of wastes or cover material. The surface drainage system shall be designed to adequately handle the rainfall from a 100-year, 24-hour storm event.
4. The structural integrity and effectiveness of all containment structures and the final cover shall be maintained as necessary to correct the effects of settlement or other adverse factors.
5. Vegetation used at the site shall be selected to require minimum irrigation and maintenance, and shall not impair the integrity of containment structures including the final cover system.
6. The migration of landfill gas from the site shall be controlled as necessary to ensure that landfill gases and gas condensate are not discharged to surface or ground waters. Condensate shall be collected and removed from the site except as defined in CCR Title 27 §20090(e).

Erosion Control

7. Annually, prior to the anticipated rainy season, but not later than **October 31**, the Discharger shall implement any necessary erosion control measures, and shall complete any necessary construction, maintenance, or repairs of precipitation and drainage control

facilities, to prevent erosion, ponding, or to prevent surface drainage from contacting or percolating through wastes at the facility. This specification shall not preclude the Discharger from performing maintenance and repairs necessitated by changing site conditions throughout the year.

8. The Discharger shall develop and implement structural and non-structural Best Management Practices (BMPs) to prevent erosion of cover materials and in areas undergoing landfill containment system construction and/or maintenance.
9. All areas, including surface drainage courses, shall be maintained to minimize erosion. The final landfill cover shall be maintained to minimize percolation of liquids through wastes.

Surface Drainage

10. Surface water runoff within the boundary of the landfill (*i.e.*, precipitation that falls on the landfill cover) shall be collected by a system of berms, ditches, downchutes, swales and drainage channels, and shall be diverted off the landfill to either the detention basins or to the natural water courses offsite.
11. Surface drainage from tributary areas and internal site drainage from surface and subsurface sources shall not contact or percolate through waste and shall either be contained onsite or be discharged in accordance with applicable storm water regulations.
12. Where surface flows result in erosive flow velocities, erosion control material shall be used for protection of drainage conveyance features. Effective erosion control BMPs shall be implemented on interim bench ditches to control erosion where necessary.
13. Where high surface water flow velocities occur at terminal ends of downchutes or where downchutes cross the landfill cover access roads, effective erosion control BMPs shall be implemented.
14. Energy dissipaters shall be installed to control erosion at locations where erosive flow velocities are anticipated.
15. Sediments shall be removed from the detention basins and all drainage facilities whenever the volume of the basin or facility has been reduced by 25% of the design capacity.

Irrigation Systems Control

16. If the Discharger installs water lines overlying areas underlain by waste, the design shall consider, but not be limited to, the following:
 - a. Flexible connectors;
 - b. Secondary containment;

- c. Moisture sensors within secondary containment;
- d. Rain sensors;
- e. Annual leak testing;
- f. Automatic shutoff valves; and
- g. Maintenance plan describing the inspection and maintenance schedule for all mitigation devices.

Temporary Soil Stockpiles

17. The Discharger shall designate an area of the site that may be used to manage temporary soil stockpiles for maintenance of the landfill cover system. The designated area shall be clearly identified/labeled on a plot plan included with each semi-annual monitoring report. Temporary stockpiles of soils to be used for maintenance of the landfill cover system shall comply with the following minimum requirements:

Site Conditions

The location of the temporary stockpile shall, at a minimum, meet the following:

- a. Run-on/Runoff Protection: Surface drainage shall be diverted from the temporary soil stockpiles. The Discharger shall implement effective Best Management Practices (BMPs) to prevent surface water run-on and the erosion and transport of soils by surface runoff.
 - b. Surface Water Protection: All soil stockpiles established under this Order shall be located more than 100 feet from any surface water identified in the Basin Plan.
 - c. Flood Plain Protection: All stockpiles shall be protected against 100-year peak stream flows as defined by the County of Riverside flood control agency.
18. **Inspection and Maintenance**: The Discharger shall regularly inspect and maintain all temporary soil stockpiles established under this Order. Inspections shall be conducted at a frequency that will ensure the discharge of soils does not create conditions of pollution or nuisance. The Discharger shall report on the disposition of all temporary soil stockpiles in the semi-annual reports submitted in compliance with **Monitoring and Reporting Program No. R9-2005-0183**.
19. **Source(s) of Stockpile Soils**: The Discharger shall provide the Regional Board information regarding the source(s) of all stockpiled soils. This information shall include the name and address of the supplier, address of the source location, and the volume of soil provided from that source. The required information shall be included in an appendix to the semi-annual reports submitted in compliance with **Monitoring and Reporting Program No. R9-2005-0183**. Soils stockpiled and used for purposes of maintaining the landfill cover system may not contain “wastes” (including leachate) [per CCR Title 27 §21090(a)(3)] or “waste constituents” [as defined in CCR Title 27 §20164].

20. **Cover:** All temporary soil stockpiles shall be maintained in order to adequately control erosion by storm water, control fugitive dust, and other nuisances.
21. **Assessment of Final Cover:** Periodically, a technical assessment shall be performed to evaluate the effectiveness of the final landfill cover system. The thickness of the final landfill cover (including the top deck, intermediate benches and sideslopes) shall be measured at least *every five years*. The results of this assessment shall be submitted as required in **Monitoring and Reporting Program No. R9-2005-0183**.

D. PROVISIONS

1. GENERAL PROVISION

Neither the treatment nor the discharge of waste shall create a condition of pollution, contamination, or nuisance, as defined by Section 13050 of the California Water Code.

2. DUTY TO COMPLY

The Discharger shall comply with all provisions of CCR Title 27 and 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 reissuance, or modification of this Order; or (c) denial of a Report of Waste Discharge in application for new or revised Waste Discharge Requirements.

3. COMPLIANCE

In an enforcement action, it shall not be a defense for the Discharger to say it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with this Order.

4. CORRECTIVE ACTION

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. FINANCIAL ASSURANCES FOR POST-CLOSURE AND CORRECTIVE ACTION

Within **one year** of the effective date of this Order, the Discharger shall establish and maintain adequate and acceptable assurances of financial responsibility for closure, post-closure monitoring and maintenance, or implementation of corrective action in response to a release of waste constituents from the waste management unit. The Discharger shall ensure that their selected financial assurance instrument meets the following minimum criteria:

- a. The financial assurance instrument makes funds directly available to the Regional Board upon a finding by the Regional Board that the Discharger has failed or refuses to implement closure, post-closure monitoring and maintenance, or conduct corrective actions in response to a release of waste constituents from the waste management unit.
- b. The amount of the financial assurances are regularly updated to ensure that adequate funds can be made directly available to the Regional Board for implementation of closure, post-closure monitoring and maintenance, or corrective action.

When the Discharger notifies the Regional Board of a transfer of ownership (per **Provision D.8**), the notification shall include a proposed schedule for the succeeding owner to provide evidence of acceptable financial assurance responsibility to the Regional Board.

6. PROPER OPERATION AND MAINTENANCE

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.

7. REVISION OF WASTE DISCHARGE REQUIREMENTS

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 reissuance, or termination of this Order, or notification of planned changes or anticipated noncompliance does not stay any condition of this Order.

8. CHANGE IN OWNERSHIP

This order is not transferable to any person except after notice to the Regional Board. The Regional Board may require modification or revocation and reissuance of this Order to, change the name of the Discharger and incorporate such other requirements as may be

necessary under the California Water Code. The Discharger shall submit notice of any proposed transfer of this Order's responsibility and coverage described under **Reporting Requirement E.3**.

9. PROPERTY RIGHTS

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 owner and operator to continue the regulated activity.

10. ENTRY AND INSPECTION

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 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;
- d. 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; and
- e. To photograph or videotape any structures, facilities, activities, or other phenomena that could result in adverse impacts to water quality and that are pertinent to compliance of the landfill with this Order.

11. PUBLIC NOTIFICATION REQUIREMENT

The Discharger shall post at least one clearly visible sign (in English), listing the following minimum information: a.) site name, b.) name and address of Discharger, and c.) 24-hour contact information – name, address, facsimile, and telephone number for the project. The Discharger shall post additional signs as necessary (in languages other than English) to more effectively communicate the minimum contact information (listed above), to the local community. The sign(s) shall be maintained as required to keep them legible and remain in place during the closure and post-closure maintenance period.

12. REPOSITORY OF WASTE DISCHARGE REQUIREMENTS

A copy of this Order shall be maintained at the local offices of the Discharger and shall be available to operating personnel at all times.

13. SEVERABILITY

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.

14. EFFECTIVE DATE

This Order becomes effective on the date of adoption by the Regional Board. This Order supersedes Order No. 87-53 and addenda thereto, and Monitoring and Reporting Program No. 87-53. This Order also supercedes waste discharge requirements for the Anza Landfill contained in Order No. 93-86.

E. REPORTING REQUIREMENTS

1. The Discharger shall file the following reports in accordance with the following schedule:

a. **Report of Waste Discharge**

The Discharger shall file a new Report of Waste Discharge at least **120 days** prior to the following:

- 1) Significant change in post-closure maintenance activities that would significantly alter existing drainage patterns and slope configurations, or pose a potential threat to the integrity of the site;
- 2) Change in land use other than as described in the findings of this Order;
- 3) Significant change in disposal area, e.g., excavation and relocation of waste on site; or
- 4) Any planned change in the regulated facility or activity, which may result in noncompliance with this Order.

b. **Workplan**

The Discharger shall submit a workplan at least **30 days** prior to any maintenance activities that could alter existing surface drainage patterns or change existing slope configurations. These activities may include, but not be limited to, significant grading activities, the importation of fill material, the design and installation of soil borings, ground water monitoring wells and other devices for site investigation purposes.

c. **Written Notification**

The Discharger shall provide written notification at least **2 *working days*** prior to any maintenance activities that are minor and/or routine in nature, do not add a significant amount of water, do not inhibit drainage, have limited potential for impacts to beneficial use of water, and will not interfere with future routine maintenance. These activities may include, but not be limited to:

- 1) Routine maintenance grading and dust control;
- 2) Landscaping with minimal/no water application;
- 3) Gas surveys with temporary probes; or
- 4) Replacement/removal of gas collection wells.

2. **GENERAL REPORTING REQUIREMENT**

The Discharger shall furnish to the Regional Board, within a reasonable time, any information which the Regional Board may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this Order. The Discharger shall also furnish to the Regional Board upon request, copies of records required by this Order. The Discharger shall comply with the electronic reporting requirements of CCR Title 23, §3890 *et seq.* as amended by this Order.

3. **CHANGE IN OWNERSHIP**

The Discharger shall notify the Regional Board, in writing, at least **30 *days*** in advance of any proposed transfer of this Order's responsibility and coverage between the current owner and new owner for construction, operation, closure or post-closure maintenance of a landfill. This agreement shall include an acknowledgement that the existing owner is liable for violations up to the transfer date and that the new owner is liable from the transfer date on. The agreement shall include an acknowledgement that the new owners shall accept responsibility for compliance with this Order that includes the post-closure maintenance of the landfill.

4. **INCOMPLETE REPORTS**

Where the Discharger becomes aware that it failed to submit any relevant facts in a Report of Waste Discharge or submitted incorrect information in a Report of Waste Discharge or in any report to the Regional Board, it shall promptly submit such facts or information.

5. **ENDANGERMENT OF HEALTH AND ENVIRONMENT**

The Discharger shall report any noncompliance, which may endanger human health or the environment. Any such information shall be provided orally to the Regional Board within **24 *hours*** from the time the owner becomes aware of the circumstances. A written

submission shall also be provided within *five days* of the time the owner 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 Regional Board, 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.

6. SLOPE FAILURE

The Regional Board shall be notified *immediately* of any slope failure occurring in a waste management unit. The Discharger shall promptly repair any failure that threatens the integrity of the containment system. A written summary of actions that were implemented to correct the slope failure shall be prepared and submitted with the next monitoring report.

7. SEEPAGE

The Discharger shall immediately report by telephone concerning the discovery of any previously unreported seepage from the disposal area. A written report shall be filed with the Regional Board within *seven days*, containing at least the following information:

- (a) A map showing the location(s) of the seepage;
- (b) An estimate of the flow rate;
- (c) A description of the nature of the discharge (e.g., all pertinent observations and analyses);
- (d) Analytical results for Appendix II constituents for a sample of leachate collected from the seepage area, and
- (e) Corrective measures approved (or proposed for consideration) by the Regional Board.

8. CLOSURE COMPLETION NOTIFICATION

The Discharger shall notify the Regional Board within *30 days* after completion of all closure activities of the Anza Landfill. The Discharger shall certify under penalty of perjury that all closure activities were performed in accordance with the most recently approved closure plan and in accordance with all applicable regulations in accordance with CCR Title 27 §21710(c)(6).

9. DEED NOTATION

The Discharger shall provide written documentation to the Regional Board within **60 days** after completing final closure that the deed to the landfill facility property, or some other instrument that is normally examined during title search, has been modified to include, in perpetuity, a notation to any potential purchaser of the property stating that:

- a. The parcel has been used as a municipal solid waste landfill (MSWLF);
- b. Land use options for the parcel are restricted in accordance with the post-closure land uses set forth in the post-closure plan and in this Order; and
- c. In the event that the Discharger defaults on carrying out either the post-closure maintenance plan or any corrective action needed to address a release, then the responsibility for carrying out such work falls to the property owner.

10. LANDFILL GAS

The Discharger shall operate and maintain a landfill gas migration control and detection system as required by the South Coast Air Quality Management District (AQMD) and the Local Enforcement Agency (LEA).

11. MONITORING AND REPORTING PROGRAM

The Discharger shall comply with the attached **Monitoring and Reporting Program No. R9-2005-0183**.

12. MONITORING WELL REQUIREMENTS

The Discharger shall comply with all notice and reporting requirements of the California Department of Water Resources with regard to the construction, alteration, destruction, or abandonment of all monitoring wells used for compliance with this Order or with **Monitoring and Reporting Program No. R9-2005-0183**, as required by Sections 13750 through 13755 of the California Water Code.

13. REPORT DECLARATION

All applications, reports, or information submitted to the 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.

3. **For a municipality, state, federal or other public agency** – by either a principal executive officer or ranking elected official.
 4. **For a military installation** – by the base commander or the person with overall responsibility for environmental matters in that branch of the military.
- b. All other reports required by this Order and other information required by the Regional Board 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 Regional Board.
- c. Any person signing a document under this section 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. REGIONAL BOARD ADDRESS

The Discharger shall submit reports required under this Order and other information requested by the Regional Board, to:

Executive Officer
California Regional Water Quality Control Board
San Diego Region
9174 Sky Park Court, Suite 100
San Diego, California 92131
Attn: Land Discharge Unit Supervisor

F. NOTIFICATIONS

1. CIVIL MONETARY REMEDIES

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 \$5,000 per day of violation. The Superior Court may impose civil liability of up to \$10,000 per day of violation or, if a cleanup and abatement order has been issued, up to \$15,000 per day of violation.

2. PENALTIES FOR INVESTIGATION, MONITORING OR INSPECTION VIOLATIONS

California Water Code Section 13268 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. The Regional Board may administratively impose a civil liability of up to \$1,000 per day of violation.

3. OTHER CLOSURE REGULATIONS

Closure and post-closure maintenance of this waste management unit may be subject to regulations of the California Integrated Management Board and the - South Coast Air Quality Management District (AQMD).

4. TITLE 27 DEFINITIONS

Definitions of terms used in this Order shall be as set forth in California Code of Regulations, Title 27, §20164.

I, John H. Robertus, 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, San Diego Region, on December 14, 2005.



JOHN H. ROBERTUS
Executive Officer