

State of California  
Regional Water Quality Control Board  
San Diego Region

EXECUTIVE OFFICER SUMMARY REPORT  
December 12, 2007

- ITEM: 6
- SUBJECT: Rescission of Cease and Desist Order 98-39: San Marcos Landfill, County of San Diego: Tentative Order No. R9-2007-0206. (*Amy Grove*)
- PURPOSE: Tentative Order No. R9-2007-0206 would, if adopted, rescind Cease and Desist Order No. 98-39 and addenda thereto, for the San Marcos Landfill, owned and operated by the County of San Diego Department of Public Works.
- PUBLIC NOTICE: In accordance with California Code of Regulations (CCR) Title 27 Section 21730(b), a Public Notice of this agenda item was published in: (1) the Notifications section of the Regional Board meeting agenda for November 14, 2007; (2) the San Diego Union Tribune on October 26, 2007; and (3) the North County Times on October 26, 2007. The draft agenda package was sent to the Discharger via e-mail on October 29, 2007, and by U.S. Mail on November 5, 2007. The agenda package was made available to the public via the Regional Board web page on November 5, 2007.
- DISCUSSION: Cease and Desist Order (CDO) 98-39 and addenda thereto were issued to the County of San Diego Department of Public Works for violations of waste discharge requirements (Order No. 92-02) related to the interim cover on the San Marcos Landfill. The CDO, as amended, established interim cover maintenance requirements as well as a time-schedule for submittal of a closure and post-closure maintenance plan.
- The County submitted an incomplete report of waste discharge in anticipation of landfill closure in December 1995. The closure plan was later modified, and resubmitted in January 2002. After two more revisions and submittals, the closure plan was deemed complete in July 2002.
- Following completion of the closure plan, the Regional Board issued Order No. R9-2003-003, *Waste Discharge Requirements for Closure and Post-Closure Maintenance of the County of San Diego San Marcos Landfill*. Closure

activities for the San Marcos Landfill were completed in February 2006. By closing the Landfill in accordance with WDR Order No. R9-2003-003 and California Code of Regulations Title 27, Section 21090(a), the County has met the requirements of CDO 98-39.

**KEY ISSUES:** The Discharger has fulfilled the requirements specified in Cease and Desist Order No. 98-39 and addenda thereto, by submitting a complete Closure and Post-Closure Maintenance Plan and by completing all closure activities consistent with that plan.

**LEGAL CONCERNS:** None.

**SUPPORTING DOCUMENTS:**

1. Site Map
2. Tentative Order No. R9-2007-0206
3. Cease and Desist Order 98-39
4. Addendum No. 1 to Cease and Desist Order 98-39
5. Staff Report
6. Public Notices

**COMPLIANCE RECORD:** On December 19, 2002, the County of San Diego paid an \$84,850 Administrative Civil Liability for violations of the Cease and Desist Order. There have been no other significant compliance issues at the facility since the issuance of the ACL.

**RECOMMENDATIONS:** Adoption of tentative Order No. R9-2007-0206 is recommended.