

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION

ORDER R5-2012-0062

MODIFYING WASTE DISCHARGE REQUIREMENTS ORDER 5-01-163
FOR
CITY OF LOS BANOS
FOR
CLOSURE OF SOLID WASTE DISPOSAL SITE
MERCED COUNTY

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

1. The City of Los Banos (hereafter Discharger) owns and maintains the Solid Waste Disposal Site (Site) located about 2.5 miles north of State Highway 152 and east of State Highway 165 in the City of Los Banos. The Site operated as a burn dump from about 1955 to about 1973, and accepted inert wastes until 1994.
2. The 50-acre site is currently designated for land use as a park. The waste management unit occupies approximately 11.6 acres along the northern and western edge of the site. The southerly portions of the site are occupied by two stormwater detention basins, and the westerly portions are occupied by softball fields, a parking lot, and other recreational facilities.
3. Waste Discharge Requirements Order 5-01-163, adopted by the Central Valley Water Board on 14 June 2001, prescribes requirements for closure and post-closure maintenance of the landfill.
4. Order 5-01-163 requires the Discharger to close the landfill with a final cover system consisting, at a minimum, of: a two-foot thick foundation layer which may contain waste materials, overlain by a minimum one-foot thick clay layer with a hydraulic conductivity of 1×10^{-6} centimeters per second or less and compacted to a minimum relative compaction of 90%, and finally by a one-foot thick vegetative soil layer (commonly referred to as a Title 27 prescriptive cover).
5. The construction of a Title 27 prescriptive cover would require the Discharger to conduct post-closure maintenance, groundwater monitoring, and impose restrictions on post-closure land use over the landfilled wastes.
6. To alleviate these post-closure maintenance requirements and to provide full land use as a city park, the Discharger now proposes to clean-close the landfill as an alternative to the construction of a Title 27 prescriptive final cover system.

7. Approximately 104,000 cubic yards of waste material and contaminated soil will be removed and discharged at the Billy Wright Landfill, west of Los Banos in Merced County. The proposed clean-closure of the landfill would be in accordance with Title 27 CCR sections 20950(a)(2)(B) and 21090(f).
8. This order modifies Order 5-01-163 by adding additional construction specifications for the clean-closure of the landfill. Order 5-01-163 remains intact and applicable in all other aspects.

CEQA

9. The landfill was opened and operating in 1955 and is categorized as an “existing facility,” and is therefore exempt from the provisions of the California Environmental Quality Act (CEQA), (Pub Resources Code, section 21000, et seq.) in accordance with California Code of Regulations, title 14, section 15301.

PROCEDURAL REQUIREMENTS

10. The Central Valley Water Board notified the Discharger and interested agencies and persons of its intent to prescribe waste discharge requirements for the clean closure of the Solid Waste Disposal Site, and has provided them with an opportunity for a public hearing and an opportunity to submit their written views and recommendations.
11. The Central Valley Water Board, in a public meeting, heard and considered all comments pertaining to the modification of Waste Discharge Requirements Order No. 5-01-163.

IT IS HEREBY ORDERED, pursuant to California Water Code sections 13263 and 13267, that the requirements of Order 5-01-163 are modified as follows:

Construction Specifications C.13 through C.16 are added to read as:

C. CONSTRUCTION SPECIFICATIONS

Landfill Clean-Closure Specifications

13. **At least 120 days prior to** initiating clean-closure activities as an alternative to the construction of a final cover system, the Discharger shall submit for

Executive Officer review and approval, a clean-closure plan pursuant to Title 27, section 21090(f). The clean-closure plan shall include specifications for the removal of all wastes, waste materials, and contaminated soils, and confirmation testing that includes a Sample Collection and Analysis Plan meeting the requirements of Title 27, section 21090(f).

14. **By 31 October 2017**, all wastes and waste materials at the Solid Waste Disposal Site shall be removed and discharged to the composite lined unit at the Billy Wright Landfill, or another landfill approved for the discharge of the wastes.
15. **By 31 January 2018**, the final documentation demonstrating clean-closure has been completed in accordance with Title 27, section 21090(f) shall be submitted to the Executive Officer for review and approval. The report shall be certified by an appropriately registered civil engineer or a professional geologist. It shall contain sufficient information and test results to verify that all waste and waste constituents have been removed and that the landfill has been clean closed pursuant to Title 27.
16. A third party independent of both the Discharger and the construction contractor shall perform the sample collection and analyses during clean closure. The sample collection and analyses program shall be supervised by an appropriately registered civil engineer or professional geologist.

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

http://www.waterboards.ca.gov/public_notices/petitions/water_quality

or will be provided upon request.

Order No. R5-2012- 0062
Modifying WDRs Order No. 5-01-163
City of Los Banos
Solid Waste Disposal Site
Merced County

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I, PAMELA C. CREEDON, Executive Officer, do hereby certify that the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, Central Valley Region, on 8 June 2012.

Original signed by

PAMELA C. CREEDON, Executive Officer