

**Regional Water Quality Control Board
Central Valley Region
Board Meeting – 30 and 31 May 2013**

**Response to Written Comments for County of Kern
Lebec Sanitary Landfill
Kern County
Tentative Waste Discharge Requirements**

At a public hearing scheduled 30 and 31 May 2013, the Central Valley Regional Water Quality Control Board (Central Valley Water Board) will consider adopting waste discharge requirements that revise the existing waste discharge requirements to provide for post-closure maintenance and to initiate a corrective action plan. This document contains responses to substantive comments received from interested parties regarding the proposed Order circulated on 26 March 2013. Written comments from interested parties were required by public notice to be submitted to the Central Valley Water Board by noon on 26 April 2013 to receive full consideration. Comments were received by the due date from:

1. County of Kern

The substantive comments are summarized below, followed by Central Valley Water Board staff responses.

COUNTY OF KERN

COMMENT: Waste Discharge Requirements Finding No. 12: The maximum probable earthquake for the facility is estimated to be a Richter Magnitude 7.9 event on the San Andreas Fault. The peak horizontal ground acceleration estimated to be 0.72g. (Source: Seed and Idriss, 1982).

RESPONSE: The source for the information in Finding No. 12 (maximum probable earthquake estimated to be a Richter Magnitude 7.8 event on the San Andreas Fault with a peak horizontal ground acceleration estimated to be 0.84g) is the seismic stability analysis in the Final Closure Plan for the facility, dated 5 May 2000, which is an amendment to the Report of Waste Discharge. The seismic stability analysis, produced by Geosyntec Consultants, is a focused, site-specific evaluation conducted in accordance with Title 27, California Code of Regulations Section 20005 et seq. As such, it is a more accurate estimate of seismic response at the facility than the procedure outlined in the Seed and Idriss publication.

COMMENT: Waste Discharge Requirements Finding No. 17: The 100-year, 24-hour precipitation event for the facility is estimated to be 6.1 inches, based on the National Oceanic and Atmospheric Administration (NOAA) Atlas, volume 6, version 2, dated 2011.

RESPONSE: The information in Finding No. 17 (The 100-year, 24-hour precipitation event for the facility estimated to be 5.5 inches) was obtained from the Kern County Hydrology Manual, dated 1992, and was included in the Final Closure Plan

for the facility, dated 5 May 2000, which is an amendment to the Report of Waste Discharge. However, the estimate from the NOAA Atlas is more conservative. Therefore, Finding No. 17 will be modified to read as suggested.

The design of the existing facility drainage controls were based on the 5.5 inch estimate. Since the NOAA estimate is 0.6 inches greater, a provision will be added to the order requiring the Discharger to amend the Final Closure Plan to include the 6.1-inch 100-year 24-hour precipitation information from the NOAA Atlas and demonstrate that the existing facility drainage system will perform adequately during a 6.1-inch precipitation event.

COMMENT: Waste Discharge Requirements Finding No. 23: A recent study (January 2013) that we commissioned determined that surface water discharge from the facility flows through a series of engineered drainage structures to Grapevine Creek, a water of the State; not Castac Lake, a water of the United States.

RESPONSE: Natural surface water drainage from the facility flows ultimately to Castac Lake, a water of the United States. An inspection of the facility and its drainage confirmed that engineered controls direct surface water drainage toward Grapevine Creek, a water of the State that does not flow to Castac Lake.

Storm water permitting is not required for a closed landfill that has a final cover in place. However, storm water permitting is required for waste transfer stations such as the one located on the final cover of the waste management unit. The waste transfer station storm water discharge was regulated through Industrial Storm Water General Permit Order 97-03-DWQ, which was a National Pollution Discharge Elimination System (NPDES) permit issued by the State Water Resources Control Board (SWRCB). Since it has recently been determined that drainage from the transfer station flows to Grapevine Creek, which is not a water of the United States, regulation by the NPDES program is not required. The SWRCB is developing a revised NPDES permit to protect surface water from storm water runoff from industrial facilities. Parts of this permit may be appropriate for regulating storm water discharge from the waste transfer station to Grapevine Creek, which is a water of the State.

Though storm water permitting for the waste transfer station was not originally part of this Order, following adoption of the revised industrial storm water NPDES permit by the SWRCB, this Order will be reopened to incorporate appropriate requirements from the revised industrial storm water permit for regulation of storm water runoff from the transfer station. Until that time, the Discharger will continue to manage storm water discharges using best

management practices and the storm water management plan that was required by Order 97-03-DWQ.

In response to the recently determined storm water situation, staff has modified Finding No. 23 (now Finding No. 24) and added Finding Nos. 25, 26, and 27 that read as follows:

- “25. The facility is located in the San Emigdio Hydrologic Area (556.30) of the Grapevine Hydrologic Unit of the Tulare Lake Basin. Natural surface water drainage from the facility is toward Castac Lake. Engineered controls direct the actual surface water drainage from the facility to Grapevine Creek, which does not flow to Castac Lake.”
- “26. The transfer station storm water discharge is regulated through Industrial Storm Water General Permit Order 97-03-DWQ, which is a National Pollution Discharge Elimination System (NPDES) permit issued by the State Water Resources Control Board (SWRCB). Since drainage from the transfer station is routed to Grapevine Creek, which is a water of the State, not a water of the United States, regulation by the NPDES program is not required.”
- “27. The SWRCB is developing a revised permit to protect surface water from storm water runoff from industrial facilities.”
- “28. Following adoption of the revised industrial storm water permit by the SWRCB, this Order will be reopened to incorporate requirements from the revised industrial storm water permit appropriate for regulation of storm water runoff from the transfer station. Until that time, the Discharger will continue to manage storm water discharges using best management practices and the storm water management plan that was required by Order 97-03-DWQ.”

Staff has also added Finding No. 20 that reads as follows:

- “20. A waste transfer station is located on a portion of the final cover of the Unit. Solid waste is collected in roll-off bins and transported to permitted landfills for disposal.”

Additionally, a Provision has been added that requires the Discharger to continue to manage storm water discharges from the waste transfer station with best management practices and by continuing to follow the storm water management plan that was required by Order 97-03-DWQ.

COMMENT: Several non-substantive comments were submitted regarding editorial changes to findings in the Waste Discharge Requirements.

RESPONSE: The requested editorial changes in Finding Nos. 26, 46, 49, 50, and 51 were all made as requested.

COMMENT: Monitoring and Reporting Program B.2.c: We do not believe it is necessary to include all historical monitoring data. Submitting all historical monitoring data in each annual report would be wasteful and cumbersome, particularly the added costs to store the additional paperwork.

RESPONSE: Monitoring and Reporting Program B.2.d requires the Discharger to include all historical monitoring data as a digital file, not as a paper copy. This would only involve updating an existing electronic data file for submittal in digital format (i.e.: a compact disc) and is, therefore, not considered unreasonable. This requirement has not been changed.