

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
COLORADO RIVER BASIN REGION**

ORDER NO. R7-2003-0004

WASTE DISCHARGE REQUIREMENTS
FOR
GRANITE CONSTRUCTION COMPANY, OWNER/OPERATOR
GRANITE INERT WASTE FACILITY
Indio – Riverside County

The California Regional Water Quality Control Board, Colorado River Basin Region, finds that:

1. Granite Construction Company, 38000 Monroe Street, Indio, CA 92203, owner and operator (hereinafter referred to as the discharger) of the Granite Inert Waste Facility (hereinafter referred to as the Facility), located north of the City of Indio at 38000 Monroe Street, submitted an application Form 200 on July 17, 2002, to modify the waste discharge requirements (WDR) contained in Board Order No. R7-2002-0121. The application was reviewed and approved by Regional Board staff.
2. Board Order No. R7-2002-0121 is being revised for the sole purpose of isolating the active inert waste portion (disposal area III) of the Granite Waste Management Facility from two other disposal areas that have received Municipal Solid Waste (MSW) and are permanently inactive (disposal areas I and II). These three (3) disposal areas are being separated into two (2) independent waste management facilities to reflect changes in ownership and to simplify regulatory compliance.
3. Definitions of terms used in this Board Order:
 - a. Waste Management Facility (WMF) – The entire parcel of property at which waste discharge operations are conducted.
 - b. Waste Management Unit (WMU) – An area of land, or a portion of the waste management facility, at which waste is discharged.
 - c. Landfill – A waste management unit at which waste is discharged in or on land for disposal. It does not include surface impoundments, waste piles, or land treatment of soil amendment.
 - d. Inert Waste – Inert waste is that subset of solid waste that does not contain hazardous waste or soluble pollutants at concentrations in excess of applicable water quality objectives, and does not contain significant quantities of decomposable waste.
4. The Granite Inert Waste Facility (Facility) was previously known as “Disposal Area III” of the Granite Waste Management Facility, which was owned and operated by Tarmac California, Inc., 1151 Azalea Garden Road, Norfolk, VA 23502, and Massey Sand and Rock Company, 1151 Azalea Garden Road, Norfolk, VA 23502 and Granite Construction Company, 38000 Monroe Street, Indio, CA 92203.
5. The discharger requested separate Waste Discharge Requirements (WDRs) for Disposal Area III in their Report of Waste Discharge (ROWD) submitted on July 17, 2002.
6. Ownership of Disposal Area III of the Granite Waste Management Facility was transferred to Granite Construction Company on June 1, 1992. Disposal Areas I and II have been renamed “Indio Closed Landfill” and are being regulated under a separate Board Order (Board Order No. R7-2003-0003).

7. Massey Sand and Rock Company (MSRC), a partnership of William E. Carter, T.H. Carter, and Anita L. Ellis, owned the Property until June 1, 1992
8. During the period of 1991-1994, several property ownership changes occurred:

Owner	Board Order No.	Adopted	To
Tarmac California, Inc.	91-047	09/18/91	11/18/92
Granite Construction, Inc.	92-066	11/18/92	03/15/94
Tarmac California, Inc.	94-034	03/15/94	05/17/94
Granite Construction, Inc.	94-059	05/17/94	Present

9. The WMU previously designated as Disposal Area I accepted MSW until 1977 when it was declared inactive and covered with several feet of soil. Detailed information and WDRs for Disposal Area I can be found in Board Order No. R7-2003-0003.
10. The WMU previously designated as Disposal Area II accepted municipal solid waste (MSW) until 1985 when it was declared inactive and covered with several feet of soil. Detailed information and WDRs for Disposal Area I can be found in Board Order No. R7-2003-0003.
11. The WMU previously designated as Disposal Area III is renamed, "Granite Inert Waste Facility" and consists only of the portion labeled "Inert Disposal Area" as shown on Attachment A. Waste Discharge Requirements for the Granite Inert Waste Facility (Facility) are contained wholly in this Board Order.
12. The Facility is located in the SW ¼ of the SE ¼ of Section 34, T4S, R7E, SBB&M in southern California, three (3) miles north of the City of Indio on Monroe Street, as shown on Attachment B.
13. The Facility became active in 1985 when Board Order No. 77-021 was updated by Board Order No. 85-046. In the updated WDR, the Discharger proposed to discharge 25,000 cubic yards of inert waste, consisting of broken asphalt and concrete, ready mix concrete, earth materials and construction wastes. The Facility was estimated to have a capacity of about 370,000 cubic yards and was anticipated to have a life of about 15 years.
14. In 1990, Board Order No. 85-046 was updated by Board Order No. 90-039. Under the updated Board Order, the discharger reported that 150 cubic yards per day of inert waste consisting of broken concrete, asphalt, loose sand, and aggregate was being disposed at the Facility.
15. On September 15, 1993, Board Order No. 93-071, amending all municipal Solid Waste Landfill Board Orders to comply with federal regulations, was adopted by the California Regional Water Quality Control Board, Colorado River Basin Region (hereinafter referred to as the Regional Board).
16. The WMF is located on the southern flank of the Indio Hills. The Indio Hills trend northwest along the northeastern margin of the Coachella Valley. The WMF is underlain by Quaternary (Pleistocene) Ocotillo Conglomerate and Quaternary Alluvial Fans of various ages.
17. The San Andreas Fault System is located north of the WMF. The system consists of the San Andreas, Banning and Mission Creek faults. The system acts as a ground water barrier. The water table on the north side of the fault zone is near the surface, while no ground water was encountered at the facility south of the fault zone to a depth of at least 120 feet.
18. The discharger reports there are no known Holocene faults within the Facility boundary or within ¼ miles of the Facility.
19. The Facility is not lined, and does not have a leachate, and/or gas collection and removal system.

20. The depth to the ground water ranges from 120 to 220 feet below ground surface.
21. Ground water flows south to southwest as shown on Attachment A.
22. Land use within a one (1)-mile radius is agriculture/open space.
18. Analyses of ground water samples taken from the monitoring wells at the Facility during the quarterly monitoring period in 1991, indicated no detectable concentrations of Volatile Organic Compounds (VOC) in these samples.
19. Quarterly monitoring reports submitted by the discharger from 1993 through 1995, indicated the following:
 - a. Tetrachloroethene (PCE) concentration ranged from 1.0 $\mu\text{g/L}$ on September 9, 1993, to 12 $\mu\text{g/L}$ on December 5, 1995.
 - b. Trichloroethene (TCE) concentrations ranged from 0.8 $\mu\text{g/L}$ on September 9, 1993, to 3.2 $\mu\text{g/L}$ on December 5, 1995.
20. On June 12, 1996, the Regional Board's Executive Officer issued Cleanup and Abatement Order (CAO) No. 96-044.
21. On June 2, 1997, the Regional Board's Executive Officer issued CAO No. 97-077 revising CAO No. 96-044.
22. The quarterly monitoring and reporting of the ground water under the Facility during the years 1997 to 1999 indicated stable conditions of the PCE and TCE and concentrations below Maximum Contaminant Levels (MCLs).
23. On November 10, 1999, the Regional Board's Executive Officer rescinded CAO No. 97-077.
24. The discharger reports that the 100-year 24-hour storm event for the Facility is 4.78 inches.
25. Annual average precipitation and evaporation in the area is at 3 ½ and 100 inches, respectively.
26. The Facility is not within the 100-year flood plain.
27. The Facility is located in Coachella Hydrologic Subunit.
28. The Water Quality Control Plan for the Colorado River Basin Region of California (Basin Plan) was adopted on November 17, 1993 and designates the beneficial uses of ground and surface waters in this Region.
29. The beneficial uses of ground waters in the Coachella Hydrologic Subunit are:
 - a. Municipal supply (MUN)
 - b. Industrial supply (IND)
 - c. Agricultural (AGR)
30. Federal regulations for storm water discharges were promulgated by the United States Environmental Protection Agency (USEPA) (40 CFR Parts 122, 123, and 124). The regulations require specific categories of facilities which discharge storm water associated with industrial activity (storm water) to obtain NPDES permits and to implement Best Conventional Pollutant Technology (BCPT) to reduce or eliminate industrial storm water pollution.

31. The Regional Board finds that the Facility project is in compliance with the provisions of Title 27, as well as 40 CFR Parts 257 and 258, the Federal RCRA Subtitle "D" (Subtitle D) regulations promulgated by the USEPA on October 9, 1991, effective October 9, 1993.
32. In accordance with Section 15301, Chapter 3, Division 6, Title 14 of the California Code of Regulations, the issuance of these WDRs, which govern the operation of an existing facility involving negligible or no expansion of use beyond that previously existing, is exempt from the provisions of the California Environmental Quality Act (Public Resources Code, Section 21000 et. seq.).
33. The monitoring and reporting requirements in Monitoring and Reporting Program No. R7-2003-0004 are necessary to determine compliance with these WDRs and to determine the facility's impacts, if any, on ground water.
34. The Board has notified the discharger and all known interested agencies and persons of its intent to update WDRs for this discharge and has provided them with an opportunity for a public meeting and an opportunity to submit comments.
35. The Board, in a public meeting, heard and considered all comments pertaining to this discharge.

IT IS HEREBY ORDERED, that Board Order No. R7-2002-0121 is rescinded, and in order to meet the provisions contained in Division 7 of the California Water Code and regulations adopted thereunder, the discharger shall comply with the following:

A. Specifications

1. The treatment or disposal of wastes at this facility shall not cause pollution or nuisance as defined in Section 13050 of Division 7 of the California Water Code.
2. Waste materials shall be confined to the existing footprint of the WMF as defined in Finding Nos. 11 and 12 and as depicted in the attached site map (Attachment A).
3. The discharge shall not cause degradation of any water supply.
4. Surface drainage from tributary areas, and internal site drainage from surface or subsurface sources, shall not contact or percolate through the wastes discharged at this site.
5. The exterior surfaces of the disposal area, including intermediate covers, shall be graded and maintained to promote lateral runoff of precipitation and to prevent ponding.
6. The discharger shall implement the attached Monitoring and Reporting Program No. R7-2003-0004 and revisions thereto in order to detect, at the earliest opportunity, any unauthorized discharge of waste constituents from the Landfill, or any unreasonable impairment of beneficial uses associated with (caused by) discharges of waste to the Landfill.
7. The discharger shall remove and relocate any wastes that are discharged at this site in violation of these requirements.
8. Water used for site maintenance shall be limited to amounts necessary for dust control.
9. The WMF shall be protected from any washout or erosion of waste or cover material and from any inundation that could occur as the result of floods having a predicted frequency of once in 100 years.

B. Prohibitions

1. The discharge or deposit of any waste not listed below is prohibited at the Facility:
 - a. Broken asphalt and concrete
 - b. Ready-mix concrete
 - c. Earthen materials, and
 - d. Construction wastes
 - e. Concrete Slurry
2. The discharge or deposit of municipal solid waste (MSW) at this site is prohibited.
3. The discharge or deposit of designated waste (as defined in Title 27) at this site is prohibited unless approved by the Regional Board's Executive Officer.
4. The co-disposal of incompatible wastes is prohibited.
5. The discharge of waste to land not owned or controlled by the discharger is prohibited.
6. The discharge shall neither cause nor contribute to the contamination or pollution of ground water via the release of waste constituents in either liquid or gaseous phase.
7. The direct discharge of any waste to any surface waters or surface drainage courses is prohibited.
8. The discharge of liquid or semi-solid waste (i.e. waste containing less than 50 percent solids) to the Facility is prohibited unless approved by the Regional Board's Executive Officer.

C. Provisions

1. The discharger shall comply with Monitoring and Reporting Program No. R7-2003-0004 and future revisions thereto, as specified by the Regional Board's Executive Officer.
2. Prior to any changes in ownership or management of this operation, the discharger shall transmit a copy of this Board Order to the succeeding owner/operator, and forward a copy of the transmittal letter to the Regional Board.
3. The discharger shall ensure that all site-operating personnel are familiar with the content of this Board Order, and shall maintain a copy of this Board Order at the site.
4. This Board Order does not authorize violation of any federal, state, or local laws or regulations.
5. The discharger shall allow the Regional Board, or an authorized representative, upon presentation of credentials and other documents as may be required by law, to:
 - a. Enter upon the premises regulated by this Board Order, or the place where records must be kept under the conditions of this Board Order;
 - b. Have access to and copy, at reasonable times, any records that shall be kept under the conditions of this Board Order;
 - c. Inspect, at reasonable times, any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this Board Order; and

- d. Sample or monitor, at reasonable times, for the purpose of assuring compliance with this Board Order or as otherwise authorized by the California Water Code, any substances or parameters at this location.
6. The discharger shall not cause any increase in the concentration of waste constituents in soil-pore gas, soil-pore liquid, soil or other geologic materials outside the Landfill if such waste constituents could migrate to waters of the State in either the liquid or the gaseous phase, and cause conditions of contamination or pollution.
7. This Board Order does not convey any property rights of any sort or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of federal, state, or local laws or regulations.
8. Unless otherwise approved by the Regional Board's Executive Officer, all analyses shall be conducted at a laboratory certified for such analyses by the California State Department of Health Services. All analyses shall be conducted in accordance with the latest edition of "Guidelines Establishing Test Procedures for Analysis of Pollutants", promulgated by the USEPA.
9. All regulated disposal systems shall be readily accessible for sampling and inspection.
10. Adequate measures shall be taken to assure that flood or surface drainage waters do not erode or otherwise render portions of the discharge facilities inoperable.
11. The discharger is the responsible party for the WDRs and the monitoring and reporting program for the facility. The discharger shall comply with all conditions of these WDRs. Violations may result in enforcement actions, including Regional Board Orders or Court Orders, requiring corrective action or imposing civil monetary liability, or in modification or revocation of these WDRs by the Regional Board.
12. The Regional Board considers the property owner to have a continuing responsibility for correcting any problems that may arise in the future as the result of this waste discharge.
13. The discharger shall furnish, under penalty of perjury, technical monitoring program reports in accordance with the specifications prepared by the Regional Board's Executive Officer and detailed in Monitoring and Reporting Program R7-2003-0004. Such specifications are subject to periodic revisions as may be warranted.
14. All containment structures and erosion and drainage control systems shall be designed and constructed under direct supervision of a California Registered Civil Engineer or Certified Engineering Geologist, and shall be certified by the individual as meeting the prescriptive standards and performance goals of Title 27.
15. After a significant earthquake event, the discharger shall:
 - a. Immediately notify the Regional Board by phone; and
 - b. Within seven (7) days, submit to the Regional Board, a detailed post-earthquake report describing any physical damages to the containment features, ground water monitoring and/or leachate control facilities and a corrective action plan to be implemented at the landfill.
16. The discharger shall immediately notify the Regional Board of any flooding, slope failure or other change in site conditions, which could impair the integrity of waste containment facilities or of precipitation and drainage control structures.

17. The discharger shall maintain legible records on the volume and type of each waste discharged at the inert Landfill. These records shall be available for review by representatives of the Regional Board at any time during normal business hours.
18. The discharger shall submit a Notice of Intent (NOI) to the SWRCB to be covered under the Statewide General NPDES Permit for Storm Water Discharges Associated with Industrial Activities, Order No. 97-03-DWQ, NPDES No. CAS000001. The discharger shall comply with all the discharge prohibitions, receiving water limitations, and provisions of the General Permit.
19. The discharger shall submit a sampling and monitoring plan for storm water discharges to the Regional Board's Executive Officer for review and approval no later than 90 days after the adoption of this Board Order. The plan shall meet the minimum requirements of Section B, Monitoring and Reporting Requirements of the Statewide General NPDES Permit for Storm Water Discharges Associated with Industrial Activities, Order No. 97-03-DWQ, NPDES No. CAS000001.

20. Within 180 days of the adoption of this Board Order, the discharger shall submit to the Regional Board, in accordance with Section 20380(b) of Title 27, assurance of financial responsibility acceptable to the Regional Board's Executive Officer for initiating and completing corrective action for all known or reasonably foreseeable release from the Landfill.
21. The Discharger shall submit to this Regional Board and to the California Integrated Waste Management Board, evidence of Financial Assurance for Closure and Post-Closure, pursuant to Section 22212, Title 27. The post-closure period shall be at least 30 years. However, the post-closure maintenance period shall extend as long as the waste poses a threat to water quality.
22. One (1) year prior to the anticipated closure of the facility or any unit (portion) thereto, the discharger shall submit to the Regional Board for review and approval by the Regional Board's Executive Officer, a final closure and post-closure maintenance plan in accordance with Title 27. The final closure and post-closure maintenance plan shall include seismicity studies.
23. This Board Order is subject to Regional Board review and updating, as necessary, to comply with changing state or federal laws, regulations, policies, or changes in monitoring or discharge characteristics.

I, Philip A. Gruenberg, 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, Colorado River Basin Region, on September 3, 2003.

Executive Officer