

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION

ORDER NO. R5-2011-XXXX

WASTE DISCHARGE REQUIREMENTS
FOR
BUTTE COUNTY
NEAL ROAD CLASS III MUNICIPAL SOLID WASTE LANDFILL
AND
CLASS II SURFACE IMPOUNDMENTS
BUTTE COUNTY

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

1. Butte County (hereafter Discharger) owns and operates a Class III municipal solid waste landfill (hereafter "landfill") and three Class II surface impoundments about 7 miles southeast of Chico, in Sections 14 and 15, T21N, R2E, Mount Diablo Baseline and Meridian, as shown in Attachment A, which is incorporated herein and made part of this Order.
2. The landfill and Class II surface impoundments (hereafter "facility") comprise 229-acres. To date four landfill Waste Management Units (Unit) or Modules, as specified by Butte County, have been developed. These Units, identified as Modules 1, 2, 3, and 4, cover approximately 87 acres of the disposal area. Modules 1 and 3 are unlined and closed, covering approximately 49.5-acres. Module 2 was constructed with a two-foot thick compacted clay liner that is overlain by a one-foot thick granular Leachate Collection and Recovery System (LCRS), is closed and covers approximately 16.5-acres. Closure of Modules 1, 2, and 3, with a low-permeability cap was completed in March of 2007. Construction of Module 4 began in 2003 with Phases A, B and C. Waste is currently being placed in these units. Construction of an additional phase, Module 4 Phase D is currently underway. Module 4 comprises a total area of 21 acres. The Class II surface impoundments include a leachate pond, septage pond, and septage supernatant pond, as shown in Attachment B, which is incorporated herein and made part of this Order. The facility is comprised of Assessor's Parcel Number APN 040-600-082.
3. The Discharger is currently permitted for a disposal footprint of approximately 140 acres. Modules 5 through 10 will be developed west and south of the existing Module 4 disposal area upon completion of Module 4. Modules 5 through 10 are shown in Attachment B.

4. On 28 October 1988 the Central Valley Water Board issued Order No. 88-190, in which the facility was classified as a Class III waste disposal site with Class II surface impoundments for the discharge of municipal solid wastes and domestic septage in accordance with the regulations in effect when the Order was issued. This Order reclassifies the facility as a Class III landfill with Class II surface impoundments that accepts municipal solid waste and domestic septage in accordance with Title 27, California Code of Regulations, §20005, et seq. (Title 27).
5. On 17 September 1993, the Central Valley Water Board adopted Order No. 93-200, amending Order No. 88-190 and implementing State Water Resources Control Board Resolution No. 93-62, *Policy for Regulation of Discharges of Municipal Solid Waste*. Butte County and Parrott Ranch Company, Neal Road Class III Landfill and Class II Surface Impoundments are added to Order No. 93-200 in Attachment 1, Line No. 36.
6. On July 2002, the Central Valley Water Board adopted Order No. R5-2002-0145, amending Order No. 93-200, and Attachment 1 of Order No. 93-200 to delete line No. 36, Butte County and Parrott Ranch Company, Neal Road Class III Landfill and Class II Surface Impoundments. This order is being revised, in part, to allow for the discharge of treated wood waste.

SITE DESCRIPTION

7. The facility is located in hilly terrain along the eastern edge of the Sacramento Valley. The area is characterized by topographic plateaus separated by steep ravines and canyons. The landfill has been developed in a northeast/southwest-trending canyon eroded into a gently sloping plateau. Elevations at the site range from about 410 feet mean sea level (MSL) at the northeastern facility boundary to about 210 feet MSL at the southwestern facility boundary.
8. The facility lies on nearly flat-lying volcanic deposits of the Tuscan Formation. It is underlain by a series of interlayered sandstone, tuff-breccia, and lahar deposits. The sandstones are typically fine to coarse grained and contain up to 4-percent silt. The lahar deposits are well-cemented and frequently fractured and jointed. Fractures are usually open and approximately one-fourth inch wide. The clayey sands of the Tuscan Formation immediately underlying the facility have in-situ permeabilities ranging from 2×10^{-4} cm/sec to 3×10^{-3} cm/sec. Samples from the formation have achieved remolded permeabilities of 1×10^{-4} cm/sec.
9. The Tuscan Formation is an important water-bearing unit in the northeastern part of the Sacramento Valley containing the main regional aquifer. The formation is

exposed in the Cascade foothills and extends to the valley floor. Beneath the facility, groundwater is found at elevations ranging from 136 feet to 146 feet MSL. This groundwater exists under unconfined conditions within the Tuscan sandstones.

10. A well-cemented lahar deposit generally occurs in the upper elevations at the facility. The subsurface materials exposed within Module 4 predominately consist of thick sandstone. Capillary rise beneath the landfill has been estimated to be less than two feet. The average measured hydraulic conductivity of the native soils underlying Module 4 is 0.001 cm/sec.
11. The Chico Monocline Fault is the closest potential seismogenic source to the facility. It is a buried reverse-slip fault, which extends for more than 70 km (43 mi) to the northwest. The Chico Monocline Fault has a long-term calculated slip rate of 0.14 to 0.33 mm/yr. The maximum credible earthquake for the fault is estimated to be moment magnitude Mw 7.0. The peak horizontal ground acceleration in rock at the facility with a 10 percent probability of exceedence in a 250-year period is 0.44 g. The most likely source event corresponding to this level of ground shaking can be characterized by earthquake magnitudes in the range of Mw 6.0 to 6.5 occurring at a distance of about 5 km (3.1 miles).
12. The Butte County land use map designates the property within 1,000 feet of the landfill as "U" open grazing land (A-Z zoning designation). Currently no structures exist within 1,000 feet of the facility. The only structure within one mile of the facility is an inactive poultry ranch one-half mile south of the facility on Neal Road.
13. The facility receives an average of 26.32 inches of precipitation per year as measured at the Chico University Farm Station No. 1715 located at Latitude 39°42'00"N, Longitude 121°49'00"W at an elevation of 185 feet MSL. The mean pan evaporation rate is 66.8 inches per year as measured at the Chico Experiment Station No. 4 located at Latitude 39°42'00"N, Longitude 121°47'00"W at an elevation of 205 feet MSL.
14. The 100-year, 24-hour precipitation event is estimated at 5.28 inches, based on Department of Water Resources' bulletin entitled *Rainfall Depth-Duration-Frequency for California*, revised November 1982, updated August 1986.
15. The facility is not within a 100-year flood plain based on the Federal Emergency Management Agency's (FEMA) Flood Insurance Rate Map, Community-Panel Number 06007C.

16. There are two industrial groundwater supply wells within one mile of the facility. One is the water supply well for the facility, and the other is located at the inactive poultry ranch one half mile southeast of the facility. Surface springs or other sources of groundwater supply have not been observed in the area.

SURFACE WATER AND GROUNDWATER

17. The Central Valley Water Board adopted a *Water Quality Control Plan, Fourth Edition (revised September 2009) for the Sacramento and San Joaquin River Basins* (hereafter Basin Plan). The Basin Plan designates beneficial uses, establishes water quality objectives, and describes an implementation program and policies to achieve water quality objectives for all waters of the Basin. This includes plans and policies adopted by the State Water Resource Control Board and incorporated by reference, such as Resolution No. 68-16, *Statement of Policy with Respect to Maintaining High Quality of Waters in California*. These requirements implement the Basin Plan.
18. Surface drainage is toward Hamlin Slough, a tributary to Butte Creek in the Upper Little Chico Hydrologic Area (No. 521.30) of the Butte Creek Hydrologic Unit (No. 521.00), as depicted on interagency hydrologic maps prepared by the Department of Water Resources in August 1986.
19. The facility is located adjacent to Nance Canyon, which contains an unnamed intermittent stream. The stream combines with a second unnamed stream that flows out of the southwestern portion of the facility. The combined flow of these streams eventually discharges to Hamlin Slough, Butte Creek, and the Sacramento River.
20. The beneficial uses of the Sacramento River downstream of the discharge as identified in Table II-1 of the Basin Plan are municipal and domestic supply, agricultural irrigation and agricultural stock watering; industrial service supply, hydropower generation, contact recreation, canoeing and rafting, and non-contact recreation, warm and cold freshwater habitat, warm and cold water fish migration, warm and cold water fish spawning, wildlife habitat, and navigation.

The beneficial uses of Butte Creek downstream of the discharge as identified in Table II-1 of the Basin Plan are municipal and domestic supply, agricultural irrigation and agricultural stock watering, hydropower generation, contact recreation, warm and cold freshwater habitat, cold water fish migration, warm and cold water fish spawning, and wildlife habitat.

The beneficial uses of Hamlin Slough are not identified in the Basin Plan, however the Basin Plan states, "The beneficial uses of any specifically identified water body generally apply to its tributary streams." Upon review of the flow conditions, habitat values, and beneficial uses of Hamlin Slough, the Central Valley Water Board finds that the beneficial uses identified in the Basin Plan for Butte Creek are applicable to Hamlin Slough.

21. The first water-bearing horizon is approximately 100 feet below the base of the current landfill and approximately 10 feet below the base of Module 4 at 136 to 146 ft elevation above MSL. The hydraulic gradient is generally to the southwest, and groundwater flows at approximately 44 feet per year. Groundwater in the region is of excellent quality, with total dissolved solids generally less than 200 mg/L.
22. The designated beneficial uses of the groundwater, as specified in the Basin Plan, are municipal and domestic water supply, agricultural supply, industrial service supply, and industrial process supply.
23. This Order implements:
 - a. The Basin Plan;
 - b. The prescriptive standards and performance goals of Chapters 1 through 7, Subdivision 1, Division 2, Title 27, of the California Code of Regulations, effective 18 July 1997, and subsequent revisions;
 - c. The prescriptive standards and performance criteria of RCRA Subtitle D, Part 258; and
 - d. State Water Resources Control Board Resolution No. 93-62, *Policy for Regulation of Discharges of Municipal Solid Waste*, adopted 17 June 1993.

WASTE AND FACILITY CLASSIFICATION

24. The Discharger discharges nonhazardous municipal solid wastes, as defined in §20164 of Title 27, to the Class III Landfill. Nonhazardous solid wastes include municipal solid wastes, as referred to in Title 40, Code of Federal Regulations, Part 258 (Subtitle D).
25. The Discharger also discharges wastes containing greater than one percent (>1%) friable asbestos for disposal in the Class III Landfill. These wastes are classified as 'hazardous' under Title 22 of the California Code of Regulations. However, because these wastes do not pose a threat to water quality, Section 25143.7 of the Health and Safety Code permits their disposal in any landfill which has Waste Discharge Requirements that specifically permit the discharge, provided the

wastes are handled and disposed of in accordance with other applicable state and federal statutes and regulations.

26. The site characteristics where the facility is located do not meet the siting criteria for a new Class III landfill, as described in §20260(a) and (b)(1) of Title 27. As such, the facility is not suitable for operating new landfill Units or lateral expansions of existing landfill Units for the discharge and containment of Class III wastes without the construction of additional waste containment features, as described in §20260(b)(2) of Title 27 and State Water Resources Control Board Resolution No. 93-62.
27. The leachate pond and primary septage pond were retrofitted to Class II standards in 1992, following the closure of previous unlined leachate and septage ponds in the area of Module 4. The septage supernatant pond was constructed in 1996 and began operation in 1997.
28. Approximately 400,000 to 500,000 gallons per month of septage from throughout Butte County is discharged into the septage pond. In 2008, 2009, and 2010, the mass of septage accepted at the facility was 18,747, 16,228, and 16,995 tons respectively. Overlying liquid, including storm water, is decanted into the septage supernatant pond for evaporation. Currently, excess supernatant from the supernatant septage pond is trucked off-site to one of the following locations, City of Chico wastewater treatment facility, City of Oroville wastewater treatment facility, or the Sewerage Commission-Oroville Region.
29. The Discharger proposes to accept treated wood waste at Neal Road Class III Municipal Solid Waste Landfill. "Treated wood" means wood that has been treated with a chemical preservative for purposes of protecting the wood against attacks from 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). Existing law regulates the control of hazardous waste, but exempts from the hazardous waste control laws, wood waste that is exempt from regulation under the Federal Resource Conservation and Recovery Act of 1976, as amended (RCRA), if the wood waste is disposed of in a municipal landfill that meets certain requirements imposed pursuant to the Porter-Cologne Water Quality Control Act for the classification of disposal sites, and the landfill meets other specified requirements outlined in Section 25150.7 of the Health and Safety Code. Section 25150.8 of the Health and Safety Code also provides that if treated wood waste is accepted by a solid waste landfill that manages and disposes of the treated wood waste in the manner specified, the treated wood waste shall be deemed to be a

solid waste and not a hazardous or designated waste. This order is being updated, in part, to allow the discharge of treated wood waste.

30. Title 22 section 67386.11 allows treated wood waste to be disposed in a composite-lined portion of a MSW landfill that is regulated by WDRs issued pursuant to the California Water Code provided that the landfill:
 - a. Comply with the prohibitions in Title 22 section 67386.3, which are:
 - i. Treated wood waste shall not be burned, scavenged, commingled with other waste prior to disposal, stored in contact with the ground, recycled without treatment (except as in iii, below), treated except in compliance with Section 67386.10, or disposed to land except in compliance with Section 67386.11.
 - ii. Any label or mark that identifies the wood and treated wood waste shall not be removed, defaced, or destroyed.
 - iii. Treated wood waste may be recycled only by reuse when all of the following apply:
 - (1) Reuse is onsite.
 - (2) Reuse is consistent with FIFRA approved use of the preservative.
 - (3) Prior to reuse, treated wood waste is handled in compliance with Title 22 division 4.5 chapter 34.
 - b. Ensure treated wood waste is managed at the landfill according to Title 22 division 4.5 chapter 34 prior to disposal.
 - c. Monitor the landfill for a release and if a verified release is detected from the 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.
 - d. Handle treated wood waste in a manner consistent with the applicable sections of the California Occupational Safety and Health Act of 1973.
31. The Discharger proposes to construct a Resource Recovery Facility (RRF) at the site in 2011-2012. The RRF will encompass approximately 10 acres and includes construction of the RRF building, and relocation of the landfill scales and administrative office. The intent of the RRF is to recover recyclable materials from the landfill's incoming waste stream, thus reducing the tonnage of waste

discharged to the Landfill. The RRF facilities will include a covered and paved tipping pad/waste receiving area, and waste sorting facilities. Small volumes (<500 gallons/month) of liquids generated during the waste receiving/sorting process are proposed to be hauled off-site to an approved acceptance facility.

CLASS II SURFACE IMPOUNDMENT DESIGN AND CONSTRUCTION

32. Article 4, Table 4.1, and Sections 20330 and 20340, Title 27, contain construction standards for Class II surface impoundments. Minimum requirements include the following:
 - a. A single (replaceable) compacted clay liner with a hydraulic conductivity of 1×10^{-6} cm/s, or less. The liner must be replaced before the last 25 percent (minimum one-foot thickness) of liner has been penetrated by fluid waste; or
 - b. A double liner consisting of a synthetic flexible membrane primary (inner) liner (minimum thickness 40 mils) underlain by a blanket type leachate collection and removal system underlain by a minimum two-foot thick compacted clay liner having a hydraulic conductivity of 1×10^{-6} cm/s, or less, or a substantial thickness of natural geologic materials having a hydraulic conductivity of 1×10^{-6} cm/s, or less.
33. The Discharger has constructed three Class II surface impoundments for the containment of leachate, septage, and septage supernatant. The surface impoundments that contain septage are constructed (from top to bottom) with a 60-mil HDPE geomembrane, a geonet, and a 40-mil Gundseal composite liner. The surface impoundment containing leachate is lined (from top to bottom) with a 60-mil HDPE geomembrane, a ¼ inch geonet, a 40-mil HDPE geomembrane, and one foot of low permeability soil.
34. Experience has shown that the prescriptive standard described in Finding No. 31 will not meet the performance standard for a Class II surface impoundment, which is “to prevent migration of wastes from the WMUs to adjacent geologic materials, groundwater, or surface water, during disposal operations, closure, and the post closure maintenance period” (Section 20310(a), Title 27). To meet the performance standard, future Class II surface impoundments constructed and operated at this facility must, at a minimum, consist of a synthetic flexible membrane inner liner and a composite outer liner with an intervening LCRS. The composite outer liner must, at a minimum, consist of one-foot of compacted clay with a hydraulic conductivity of 1×10^{-6} cm/sec or less, overlain by a synthetic flexible membrane liner. Synthetic flexible membrane liner materials must have a minimum thickness of 40 mils (60 mils, if HDPE).

LANDFILL DESIGN AND CONSTRUCTION

35. On 17 June 1993 the State Water Resources Control Board adopted Resolution No. 93-62 implementing a State Policy for the construction, monitoring, and operation of municipal solid waste landfills that is consistent with the federal municipal solid waste regulations promulgated under Subtitle D.
36. Resolution No. 93-62 requires the construction of a prescribed composite liner system at new municipal solid waste landfills, or expansion areas of existing municipal solid waste landfills, that receive wastes after 9 October 1993.
37. Resolution No. 93-62 also allows the Central Valley Water Board to consider the approval of engineered alternatives to the prescriptive standard. Section III (A)(b) of Resolution No. 93-62 requires that the engineered alternative liner systems be of a composite design similar to the prescriptive standard.
38. Section 20080(b) of Title 27 allows the Central Valley Water Board to consider the approval of an engineered alternative to the prescriptive standard. In order to approve an engineered alternative in accordance with §20080(c)(1) and (2), the Discharger must demonstrate that the prescriptive design is unreasonably and unnecessarily burdensome and will cost substantially more than an alternative that will meet the criteria contained in §20080(b), or would be impractical and would not promote attainment of applicable performance standards. The Discharger must also demonstrate that the proposed engineered alternative liner system(s) *{is/are}* consistent with the performance goal addressed by the particular prescriptive standard, and provides protection against water quality impairment equivalent to the prescriptive standard in accordance with §20080(b)(2) of Title 27.
39. Section 13360(a)(1) of the California Water Code allows the Central Valley Water Board to specify the design, type of construction, and/or particular manner in which compliance must be met in Waste Discharge Requirements or Orders for the discharge of waste at solid waste disposal facilities.
40. On 26 November 2001, the Discharger submitted a Report of Waste Discharge requesting approval of an engineered alternative to liner requirements for Module 4.
41. The Discharger proposed a liner system beneath Module 4, which was designed, constructed, and operated to prevent degradation of waters of the state as set forth in Title 27 for a Class III landfill, and the provisions in State Water Resources Control Board Resolution No. 93-62 for municipal solid wastes.

42. The engineered alternative proposed by the Discharger consists of a double composite liner on the floor and a single composite liner on the side slopes. On the landfill base the containment system consists of the following components, from top to bottom: 12 inches of operations soil, 8-oz. non-woven geotextile filter, 12 inches of LCRS gravel (permeability greater than or equal to 1 cm/s) with LCRS piping, 60-mil HDPE geomembrane (double-sided textured), Geosynthetic Clay Liner (GCL), Geocomposite leak detection layer, 60-mil HDPE geomembrane (double-sided textured), GCL, 12 inches of low-permeability soil liner (permeability less than or equal to 1×10^{-6} cm/s), and native subgrade (sandstone and lahar).
43. Side slope liners are constructed of, from top to bottom: 24 inches of operations soil, LCRS geocomposite drainage layer, 60-mil HDPE geomembrane (single-sided textured, textured side down), GCL, and native subgrade (sandstone, or lahar) with surface improvements as necessary to provide support to the overlying geosynthetic liner system. The side slopes range from 2H:1V to 1.75H:1V (horizontal:vertical).
44. The Discharger has demonstrated that the proposed engineered alternative is consistent with the performance goals of the prescriptive standard and affords equivalent protection against water quality impairment.
45. Leachate is drained by gravity from Module 4 to the low point of the LCRS at the western end of the proposed landfill expansion, where it is pumped through a riser pipe and conveyed to the leachate surface impoundment for disposal. Along the floor of the landfill, the LCRS consists of a one-foot thick layer of 3/8-inch minus gravel. A perforated 6-inch diameter HDPE pipe is located centerline of the landfill with lateral HDPE pipe drains spaced approximately every 200 feet. Along the side slopes, the LCRS consists of a geocomposite drainage layer. At the tie-in between Module 4 and Modules 1 and 3, a geocomposite drainage layer was constructed at the toe of the existing refuse fill to collect lateral leachate migration from Modules 1 and 3. This leachate is conveyed to the floor of Module 4 where it ties into the main LCRS collection pipe. A small lined, 5- to 10-foot high berm is located along the western edge of Module 4 to provide leachate containment. The peak design leachate generation rate of 500 gallons/acre/day is estimated for the short-term development conditions.
46. Construction of additional phases and units will proceed only after all applicable construction quality assurance plans have been approved by the Executive Officer.

STORM WATER MONITORING

47. Undiverted precipitation falling on the landfill units that contacts waste is collected and handled by the leachate collection and removal system or otherwise kept on-site in accordance with Section 20365(b) of Title 27 and the *Standard Provisions and Reporting Requirements for Title 27 (27 CCR section 20005, et seq.) and Subtitle D (40 CFR 258)*, dated April 2000 (Standard Provisions).
48. Precipitation that falls on the site without contacting waste (storm water) is diverted off-site by a system of drainage structures and holding facilities. Storm water runoff, which does not contact waste, is directed to peripheral channels and discharged into an ephemeral drainage that is tributary to Hamlin Slough.
49. Discharge of storm water to a water of the United States requires a federal permit under the National Pollutant Discharge Elimination System (NPDES). The facility operates under State Water Resources Control Board (SWRCB) Order No. 97-03-DWQ (General NPDES Permit No. CAS000001) and has an approved Storm Water Pollution Prevention Plan. This Order requires the Discharger to maintain and comply with General NPDES Permit No. CAS000001.

UNSATURATED ZONE AND GROUNDWATER MONITORING

50. The Discharger has installed an unsaturated zone and groundwater monitoring network, as shown on Attachment B. Unsaturated zone monitoring consists of 9 suction lysimeters and 2 pan lysimeters. Lysimeters U3, and U4 are located beneath closed Modules 1, 2 and 3. Lysimeters U1, U2 and U6 were abandoned during the construction of Module 4. Lysimeter U5 is the designated "background" point and is located near the landfill entrance. Lysimeters U7, U8, U9, U10L, and U10S are located beneath the area of the former eastern leachate pond and existing septage Class II surface impoundments. Pan lysimeters, Module 4 Pan Lysimeter and Western Leachate Pond Pan Lysimeter are located under Module 4 and the western leachate pond, respectively.
51. The groundwater monitoring network consists of 12 monitoring wells. MW-4 and MW-13 are the designated background wells. The down gradient monitoring wells include MW-6, MW-7, MW-8a and 8b, MW-9, MW-9b, MW-10, MW-11, and MW-12. MW-3 is located at the gate entrance to the landfill, cross gradient of the active areas. MW-1, MW-2 and MW-5 have been decommissioned.
52. This Order requires the Discharger to submit a groundwater detection monitoring program for any Unit expansion.

LANDFILL GAS

53. In 2007, the Discharger completed construction of a landfill gas collection system for closed Modules 1, 2 and 3. The landfill gas collection system consists of 33 extraction wells installed within the closed units, 12 vadose zone extraction wells installed around the closed units perimeter, associated conveyance lines and pumps, and a landfill gas and condensate flaring system.
54. Condensate collected from the landfill gas collection system is flared along with the landfill gas in the landfill gas flaring system.
55. Migration of landfill gas through the vadose zone outside of the unit boundaries is monitored by a network of 14 vadose zone soil-gas probes installed around the perimeter of the closed units.

GROUNDWATER DEGRADATION

56. Volatile organic compounds (VOCs) and soluble salts are often detected in a release from a landfill, and are the primary waste constituents detected in groundwater beneath a municipal solid waste landfill. Since VOCs are not naturally occurring and thus have no background value, they are not amenable to the statistical analysis procedures contained in Title 27 for the determination of a release of wastes from a Unit.
57. Sections 20415(e)(8) and (9) of Title 27 provide for the non-statistical evaluation of monitoring data that will provide the best assurance of the earliest possible detection of a release from a Unit in accordance with §20415(b)(1)(B)2-4 of Title 27. However, Title 27 does not specify a specific method for non-statistical evaluation of monitoring data.
58. The Central Valley Water Board may specify a non-statistical data analysis method pursuant to Section 20080(a)(1) of Title 27. Section 13360(a)(1) of the California Water Code allows the Central Valley Water Board to specify requirements to protect underground or surface waters from leakage from a solid waste site, which includes a method to provide the best assurance of determining the earliest possible detection of a release.

59. In order to provide the best assurance of the earliest possible detection of a release of non-naturally occurring waste constituents from a Unit, this Order specifies a non-statistical method for the evaluation of monitoring data.
60. The specified non-statistical method for evaluation of monitoring data provides two criteria (or triggers) for making the determination that there has been a release of non-naturally occurring waste constituents from a Unit. The presence of two non-naturally occurring waste constituents above their respective method detection limits (MDLs), or one non-naturally occurring waste constituent detected above its practical quantitation limit (PQL), indicates that a release of waste from a Unit has occurred. Following an indication of a release, verification testing will be conducted to determine whether there has been a release from the Unit, if there is a source of the detected constituents other than the landfill, or if the detection was a false detection. Although the detection of one non-naturally occurring waste constituent above its MDL is sufficient to provide for the earliest possible detection of a release, the detection of two non-naturally occurring waste constituents above the MDL as a trigger is appropriate due to the higher risk of false-positive analytical results and the corresponding increase in sampling and analytical expenses from the use of one non-naturally occurring waste constituent above its MDL as a trigger.
61. Groundwater and soil-pore liquid have been monitored on a quarterly basis since 1989. The analytical results indicate evidence of a release, as shown by elevated concentrations of several monitoring parameters in down gradient compliance wells when compared to background wells. Higher concentrations in down gradient compliance wells of specific conductance, total dissolved solids, chlorides, sulfate, and nitrate, indicate a release of waste constituents from the landfill to groundwater. A statistical analysis of these constituents showed significant concentration increases compared to background levels. Recent analytical data confirm continued impact to groundwater.

CORRECTIVE ACTION PROGRAM

62. The detection of waste constituents in the unsaturated zone and groundwater requires the implementation of a Corrective Action Program (CAP) to remediate the discharge pursuant to §20430 in Title 27. The initial corrective action measures implemented in the early 1990's included covering the inactive portions of the landfill with temporary tarps to help shed precipitation. A review of the ground water data showed this action was ineffective; the concentrations of the noted waste constituents increased during this time period. Reasons the original CAP failed include: lack of adequate slope on the top of the landfill to facilitate runoff, the highly permeable nature of the earthen cover material and the need to

expose portions of the site during waste disposal operations, and increased difficulty in managing storm water runoff.

63. On 18 March 2002 the Discharger submitted a second CAP that included final closure of Modules 1, 2, and 3. Final closure of these units was completed in March of 2007. Closure consisted of covering these Units with a flexible membrane liner and vegetative cover to exclude all precipitation. A gas control system was employed to remove gas and moisture created by the decomposing waste.
64. Corrective action monitoring has been conducted since implementation of the CAP in 2002. Since final closure of Modules 1,2 and 3, trend analyses of constituent concentrations in down gradient compliance wells have shown limited improvements in groundwater quality.
65. The *Annual Monitoring Summary Report, Fourth Quarter 2010*, prepared by URS Corporation, indicated that concentrations of chloride, sulfate, nitrate as nitrogen, and total dissolved solids (TDS) observed in downgradient compliance wells exceeded the 95% upper confidence limit (UCL) concentration calculated for upgradient/background well MW-13.

CLOSURE, POST-CLOSURE MAINTENANCE, AND FINANCIAL ASSURANCES

66. In 2005, the Discharger submitted a cost estimate for closure and post-closure maintenance as required by Title 27 Section 21769. The amount of the approved cost estimate in 2005 was \$4,496,203. The Discharger has established a Pledge of Revenue to demonstrate adequate funds for completing corrective action. This Order requires that the Discharger maintain financial assurance with the Department of Resources Recycling and Recovery (CalRecycle) in at least the amount of this cost estimate, including required annual inflation factor adjustments to the total fund balance.
67. In 2005, the Discharger submitted a cost estimate for corrective action of all known or reasonably foreseeable releases as required by Title 27 Section 22221. The amount of the approved cost estimate in 2005 was \$1,496,477. The Discharger has established a Pledge of Revenue Agreement to demonstrate adequate funds for completing corrective action. This Order requires that the Discharger maintain financial assurance with CalRecycle in at least the amount of this cost estimate, including required annual inflation factor adjustments to the total fund balance.

68. Title 27 CCR Sections 21780(c)(3) and (d)(1) [sections promulgated by CalRecycle] require the Discharger to submit the Final Closure and Post-Closure Maintenance Plan, or for the closure of discrete units, the Partial Final Closure and Post-Closure Maintenance Plan, at least two years prior to the anticipated date of closure. This Order requires the Discharger obtain WDRs from the Central Valley Water Board with closure and post-closure maintenance requirements prior to closure.

CEQA AND OTHER CONSIDERATIONS

69. The Butte County Board of Supervisors certified the Final Environmental Impact Report for the facility on 12 February 2002. Butte County Department of Public Works filed a Notice of Determination on 15 February 2002 in accordance with the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) and CEQA Guidelines (14 CCR Section 15000 et seq.). The Central Valley Water Board considered the Environmental Impact Report and incorporated mitigation measures from the Environmental Impact Report into these Waste Discharge Requirements designed to prevent potentially significant impacts to design facilities and to wastewater quality.
70. The Environmental Impact Report classified impacts to surface water and groundwater as potentially significant. Surface water quality may be potentially impacted from storm water runoff containing wastes from soil excavation and disturbances during construction activities. Proposed mitigation for these impacts includes diversion of offsite surface water runoff around the landfill and directing onsite storm water into a sedimentation basin. Additional measures include re-contouring drainage patterns using a series of temporary and permanent drainage ditches and berms routed to a sedimentation/storm water retention basin. Groundwater quality may potentially be impacted as excavation brings disposed waste closer to the water table. Groundwater may also be affected by landfill gas migration. Proposed mitigation efforts include the installation of a low permeability liner system, a gas and leachate collection system, and tire pit monitoring as part of the evaluation monitoring program.

PROCEDURAL REQUIREMENTS

71. All local agencies with jurisdiction to regulate land use, solid waste disposal, air pollution, and to protect public health have approved the use of this facility for the discharges of waste to land stated herein.

72. The Central Valley Water Board has considered the information in the attached Information Sheet in developing the findings in this Order. The attached Information Sheet is part of this Order.
73. The Central Valley Water Board notified the Discharger and interested agencies and persons of its intent to prescribe Waste Discharge Requirements for this discharge, and has provided them with an opportunity for a public hearing and an opportunity to submit their written views and recommendations.
74. The Central Valley Water Board, in a public meeting, heard and considered all comments pertaining to the discharge.
75. Any person adversely affected by this action of the Central Valley Water Board may petition the State Water Resources Control Board to review the action. The petition must be received by the State Board within 30 days of the date of issuance of this Order. Copies of the law and regulations applicable to filing the petition will be provided on request.

IT IS HEREBY ORDERED that Order No. R5-2002-0145 is rescinded, and that Butte County, Neal Road Class III Municipal Solid Waste Landfill and Class II Surface Impoundments, its agents, successors, and assigns, in order to meet the provisions of Division 7 of the California Water Code and the regulations adopted thereunder, shall comply with the following:

A. PROHIBITIONS

1. The discharge of 'hazardous waste' is prohibited except for the discharge of non-friable asbestos to the landfill. The discharge of 'designated waste' is prohibited except for the discharge of leachate to the designated Class II surface impoundment. For the purposes of this Order, the term 'hazardous waste' is as defined in Title 23, California Code of Regulations, Section 2510 et seq., and 'designated waste' is as defined in Section 13173 of the California Water Code.
2. The discharge of wastes outside of a Unit or portions of a Unit specifically designed for their containment is prohibited.
3. The discharge of waste to a closed Unit is prohibited.
4. The discharge shall not cause the release of pollutants, or waste constituents in a manner that could cause a condition of nuisance, degradation, contamination, or pollution of groundwater to occur, as indicated by the most

appropriate statistical or non-statistical data analysis method and retest method listed in this Order, the Monitoring and Reporting Program, or the Standard Provisions and Reporting Requirements.

5. The discharge of solid or liquid waste or leachate to surface waters, surface water drainage courses, or groundwater is prohibited.
6. The discharge shall not cause any increase in the concentration of waste constituents in soil-pore gas, soil-pore liquid, soil, or other geologic materials outside of the Unit if such waste constituents could migrate to waters of the State in either the liquid or the gaseous phase and cause a condition of nuisance, degradation, contamination, or pollution.
7. The discharge of wastes, other than septage, to the septage pond Class II surface impoundment is prohibited.
8. The discharge of wastes, other than septage supernatant, to the septage supernatant Class II surface impoundment is prohibited.

B. DISCHARGE SPECIFICATIONS

1. Non-hazardous solid wastes shall be discharged to either:
 - a. To Module 4, which is designed and constructed with a composite liner containment system that meets the requirements for both liners and leachate collection and removal systems described in General Construction Specifications D in this Order.
 - b. To future Modules 5-10, which are designed and constructed with a composite liner containment system that meets the requirements for both liners and leachate collection and removal systems described in General Construction Specifications D in this Order.
2. The discharge shall remain within the designated disposal area at all times.
3. Treated wood wastes shall be managed and disposed in accordance with Health and Safety Code Sections 25150.7 and 25150.8 and shall only be discharged to Modules equipped with a composite liner and LCRS.
4. Class II surface impoundments shall be operated and maintained to sustain a freeboard of at least two feet at all times.

5. Public contact with the septage pond and septage supernatant pond shall be precluded through fences, signs, or other means.
6. Collected screenings, sludges, and other solids removed from the septage pond and septage supernatant pond shall be disposed of in a manner that is consistent with Title 27 and approved by the Executive Officer.

C. FACILITY SPECIFICATIONS

1. The Discharger shall, in a timely manner, remove and relocate any wastes discharged at this facility in violation of this Order.
2. The Discharger shall immediately notify the Central Valley Water Board of any flooding, unpermitted discharge of waste off-site, equipment failure, slope failure, or other change in facility conditions that could impair the integrity of waste or leachate containment facilities or precipitation and drainage control structures.
3. Water used for facility maintenance shall be limited to the minimum amount necessary for dust control and construction.
4. The Discharger shall maintain in good working order any facility, control system, or monitoring device installed to achieve compliance with the Waste Discharge Requirements.
5. Methane and other landfill gases shall be adequately vented, removed from the Unit, or otherwise controlled to prevent the danger of adverse health effects, nuisance conditions, or the impairment of the beneficial uses of surface water or groundwater due to migration through the unsaturated zone.
6. Surface drainage within the waste management facility shall either be contained on-site or be discharged in accordance with applicable storm water regulations.
7. The Discharger shall maintain a *Storm Water Pollution Prevention Plan and Monitoring Program and Reporting Requirements* in accordance with State Water Resources Control Board Order No. 97-03-DWQ, or retain all storm water on-site.

D. GENERAL CONSTRUCTION SPECIFICATIONS

1. The Discharger shall submit for Executive Officer review and approval **prior to** construction, design plans and specifications for new Units and expansions of existing Units, that include the following:
 - a. A Construction Quality Assurance (CQA) Plan meeting the requirements of §20324 of Title 27; and
 - b. A geotechnical evaluation of the area soils, evaluating their use as the base layer; and
 - c. An unsaturated zone monitoring system that is demonstrated to remain effective throughout the active life, closure, and postclosure maintenance periods of the Unit shall be installed beneath the composite liner system in accordance with §20415(d) of Title 27.
2. The Discharger may propose changes to the liner system design prior to construction, provided that approved components are not eliminated, the engineering properties of the components are not substantially reduced, and the proposed liner system results in the protection of water quality equal to or greater than the design prescribed by Title 27 and this Order. The proposed changes may be made following approval by the Executive Officer. Substantive changes to the design require reevaluation as an engineered alternative and approval by the Central Valley Water Board.
3. If the Discharger proposes to construct a liner system in which a GCL is placed on top of a subgrade, the subgrade for the bottom and the side slopes of the Unit shall be prepared in an appropriate manner using accepted engineering and construction methods so as to provide a smooth surface that is free from rocks, sticks, or other debris that could damage or otherwise limit the performance of the GCL.
4. Construction shall proceed only after all applicable construction quality assurance plans have been approved by Executive Officer.
5. The composite liner system shall be prepared in an appropriate manner using accepted engineering and construction methods so as to provide a surface that is smooth and free from rocks, sticks, and other debris that could damage or otherwise limit the performance of the geosynthetic clay layer and/or geomembrane, and certified in accordance with this Order and the approved CQA Plan.

6. Following the completion of construction of a Unit or portion of a Unit, and prior to discharge onto the newly constructed liner system, the final documentation required in §20324(d)(1)(C) of Title 27 shall be submitted to the Executive Officer for review and approval. The report shall be certified by a registered civil engineer or a certified engineering geologist. It shall contain sufficient information and test results to verify that construction was in accordance with the design plans and specifications, and with the prescriptive standards and performance goals of Title 27.
7. A third party independent of both the Discharger and the construction contractor shall perform all of the construction quality assurance monitoring and testing during the construction of a liner system.
8. If monitoring reveals substantial or progressive increases of leachate generation above the design leachate flow volume of 500 gallons/acre/day by the Unit or portion of the Unit, such that the depth of fluid on any portion of the LCRS (excluding the leachate removal pump sump) exceeds 30 cm, the Discharger shall immediately notify the Central Valley Water Board in writing within seven days. The notification shall include a timetable for remedial or corrective action necessary to achieve compliance with the leachate depth limitation.
9. Closure of Module 4 shall not proceed in the absence of closure Waste Discharge Requirements.

E. CLASS III LANDFILL CONSTRUCTION SPECIFICATIONS

1. The approved engineered alternative for Module 4 requires construction of a double composite liner on the floor and a single composite liner on the side slopes. On the landfill base, the containment system consists of the following components from top to bottom: 12 inches of operations soil, 8-oz. non-woven geotextile filter, 12 inches of LCRS gravel (permeability greater than or equal to 1 cm/s) with LCRS piping, 60-mil HDPE geomembrane (double-sided textured), Geosynthetic Clay Liner (GCL), Geocomposite leak detection layer, 60-mil HDPE geomembrane (double-sided textured), GCL, 12 inches of low-permeability soil liner (permeability less than or equal to 1×10^{-6} cm/s), and native subgrade (sandstone and lahar).
2. Side slope liners shall be constructed of, from top to bottom: 24-inches of operations soil, LCRS geocomposite drainage layer, 60-mil HDPE geomembrane (single-sided textured, textured side down), GCL, and native subgrade (sandstone, or lahar) with surface improvements as necessary to

provide support to the overlying geosynthetic liner system. The side slopes range from 2H:1V to 1.75H to 1V (horizontal:vertical).

F. CLASS II SURFACE IMPOUNDMENT CONSTRUCTION SPECIFICATIONS

1. Future Class II surface impoundments shall be constructed with a double liner with a blanket-type LCRS between the inner and outer liners. The inner liner shall be a synthetic flexible membrane at least 40-mil thick (60 mils, if HDPE). The outer liner, under the LCRS, shall be a composite, consisting of an upper synthetic flexible membrane at least 40-mil thick (60-mil, if HDPE), underlain by at least one foot of compacted clay having a hydraulic conductivity of 1×10^{-6} cm/s or less.
2. Class II surface impoundments and related containment structures shall be constructed and maintained to prevent, to the greatest extent possible, inundation, erosion, slope failure, washout, and overtopping under 1000-year, 24-hour precipitation conditions, and shall be designed to contain the 100-year wet season precipitation.
3. Class II surface impoundments and related containment structures shall be designed and constructed to withstand a maximum credible earthquake.
4. LCRSs shall be designed, constructed, and maintained to collect twice the anticipated daily volume of leachate generated by the WMU and to prevent the buildup of hydraulic head on the underlying liner. The depth of fluid in any collection sump shall be kept at or below the minimum needed to ensure efficient pump operation.
5. Fluid leaking through the inner liner of a Class II surface impoundment shall be collected and returned to the impoundment or otherwise disposed of in a manner approved by the Executive Officer. Flow through the inner liner shall be measured and expressed in units of gallons/minute/acre.

G. UNSATURATED ZONE MONITORING SPECIFICATIONS

1. The Discharger shall maintain and sample the unsaturated zone monitoring system as described in Monitoring and Reporting Program Order No. R5-2011-XXXX.

2. A pan lysimeter shall be installed beneath the liner system of each newly constructed Unit and surface impoundment for the purposes of unsaturated zone monitoring as approved by the Executive Officer.

H. DETECTION MONITORING SPECIFICATIONS

1. The Discharger shall submit for Executive Officer review and approval a groundwater detection monitoring program demonstrating compliance with Title 27 for any Unit expansion.
2. The Discharger shall comply with the detection monitoring program provisions of Title 27 for groundwater, surface water, and the unsaturated zone, and in accordance with Monitoring and Reporting Program No. R5-2011-XXXX. A detection monitoring program for a new Unit shall be installed, operational, and one year of monitoring data collected prior to the discharge of wastes [27 CCR §20415(e)(6)].
3. The Discharger shall provide Central Valley Water Board staff a minimum of **one week** notification prior to commencing any field activities related to the installation, repair, or abandonment of monitoring devices, and a minimum 48 hour notification prior to the collection of samples associated with a detection monitoring program, evaluation monitoring program, or corrective action program.
4. The Discharger shall comply with the Water Quality Protection Standard as specified in this Order, Monitoring and Reporting Program No. R5-2011-XXXX, and the Standard Provisions and Reporting Requirements, dated April 2000.
5. The Water Quality Protection Standard for organic compounds that are not naturally occurring and not detected in background groundwater samples shall be taken as the detection limit of the analytical method used (i.e., USEPA methods 8260 and 8270). The presence of non-naturally occurring organic compounds in samples above the Water Quality Protection Standard from detection monitoring wells is evidence of a release from the Unit.
6. The concentrations of the constituents of concern in waters passing the Point of Compliance shall not exceed the concentration limits established pursuant to Monitoring and Reporting Program No. R5-2011-XXXX.
7. For each monitoring event, the Discharger shall determine whether the landfill is in compliance with the Water Quality Protection Standard using procedures

specified in Monitoring and Reporting Program No. R5-2011-XXXX and §20415(e) of Title 27.

8. For any given monitored medium, the samples taken from all monitoring points and background monitoring points to satisfy the data analysis requirements for a given reporting period shall all be taken **within a span not to exceed 30 days**, unless the Executive Officer approves a longer time period, and shall be taken in a manner that ensures sample independence to the greatest extent feasible.
9. The Discharger shall submit for Executive Officer review and approval a Sample Collection and Analysis Plan. The Sample Collection and Analysis Plan shall at a minimum include:
 - a. Sample collection procedures describing purging techniques, sampling equipment, and decontamination of sampling equipment;
 - b. Sample preservation information and shipment procedures;
 - c. Sample analytical methods and procedures;
 - d. Sample quality assurance/quality control (QA/QC) procedures; and
 - e. Chain of Custody control.
10. Specific methods of collection and analysis must be identified. Sample collection, storage, and analysis shall be performed according to the most recent version of USEPA Methods, such as the latest editions, as applicable, of: (1) *Methods for the Analysis of Organics in Water and Wastewater* (USEPA 600 Series), (2) *Test Methods for Evaluating Solid Waste* (SW-846, latest edition), and (3) *Methods for Chemical Analysis of Water and Wastes* (USEPA 600/4-79-020), and in accordance with the approved Sample Collection and Analysis Plan.
11. If methods other than USEPA-approved methods or Standard Methods are used, the exact methodology shall be submitted for review and approval by the Executive Officer prior to use.
12. The **methods of analysis and the detection limits** used must be appropriate for the expected concentrations. For the monitoring of any constituent or parameter found in concentrations that produce more than 90% non-numerical determinations (i.e., “trace” or “ND”) in data from background monitoring points for that medium, the analytical method having the lowest method detection limit (MDL) shall be selected from among those methods that would provide valid results in light of any matrix effects or interferences.

13. **“Trace” results** - results falling between the MDL and the practical quantitation limit (PQL) shall be reported as such, and shall be accompanied both by the estimated MDL and PQL values for that analytical run.
14. **MDLs and PQLs** shall be derived by the laboratory for each analytical procedure, according to State of California laboratory accreditation procedures. These MDLs and PQLs shall reflect the detection and quantitation capabilities of the specific analytical procedure and equipment used by the lab, rather than simply being quoted from USEPA analytical method manuals. In relatively interference-free water, laboratory-derived MDLs and PQLs are expected to closely agree with published USEPA MDLs and PQLs.
15. If the laboratory suspects that, due to a change in matrix or other effects, the true detection limit or quantitation limit for a particular analytical run differs significantly from the laboratory-derived MDL/PQL values, the results shall be flagged accordingly, along with estimates of the detection limit and quantitation limit actually achieved. The **MDL shall always be calculated such that it represents the lowest achievable concentration associated with a 99% reliability of a nonzero result.** The PQL shall always be calculated such that it represents the lowest constituent concentration at which a numerical value can be assigned with reasonable certainty that it represents the constituent’s actual concentration in the sample. Normally, PQLs should be set equal to the concentration of the lowest standard used to calibrate the analytical procedure.
16. All **QA/QC data** shall be reported along with the sample results to which they apply, including the method, equipment, analytical detection and quantitation limits, the percent recovery, an explanation for any recovery that falls outside the QC limits, the results of equipment and method blanks, the results of spiked and surrogate samples, the frequency of quality control analysis, and the name and qualifications of the person(s) performing the analyses. Sample results shall be reported unadjusted for blank results or spike recoveries. In cases where contaminants are detected in QA/QC samples (i.e., field, trip, or lab blanks), the accompanying sample results shall be appropriately flagged.
17. Unknown chromatographic peaks shall be reported, flagged, and tracked for potential comparison to subsequent unknown peaks that may be observed in future sampling events. Identification of unknown chromatographic peaks that recur in subsequent sampling events may be required.

18. The statistical method shall account for data below the practical quantitation limit (PQL) with one or more statistical procedures that are protective of human health and the environment. Any PQL validated pursuant to §20415(e)(7) of Title 27 that is used in the statistical method shall be **the lowest concentration (or value) that can be reliably achieved** within limits of precision and accuracy specified in the WDRs for routine laboratory operating conditions that are available to the facility. The Discharger's technical report, pursuant to §20415(e)(7) of Title 27, shall consider the PQLs listed in Appendix IX to Chapter 14 of Division 4.5 of Title 22, California Code of Regulations, for guidance when specifying limits of precision and accuracy. For any given constituent monitored at a background or downgradient monitoring point, an indication that falls between the MDL and the PQL for that constituent (hereinafter called a "trace" detection) shall be identified and used in appropriate statistical or non-statistical tests. Nevertheless, for a statistical method that is compatible with the proportion of censored data (trace and ND indications) in the data set, the Discharger can use the laboratory's concentration estimates in the trace range (if available) for statistical analysis, in order to increase the statistical power by decreasing the number of "ties".
19. The Discharger may propose an alternate statistical method [to the methods listed under 27 CCR §20415(e)(8)(A-D)] in accordance with §20415(e)(8)(E) of Title 27, for review and approval by the Executive Officer. Upon receiving written approval from the Executive Officer, alternate statistical procedures may be used for determining the significance of analytical results for common laboratory contaminants (i.e., methylene chloride, acetone, diethylhexyl phthalate, and di-n-octyl phthalate). Nevertheless, analytical results involving detection of these analytes in any background or downgradient sample shall be reported and flagged for easy reference by Central Valley Water Board staff.
20. The Discharger shall use the following non-statistical method for the Volatile Organic Compounds in water (VOC_{water}) and Volatile Organic Compounds in soil pore gas (VOC_{spg}) monitoring parameters and for all Constituents of Concern (COC) that are not amenable to the statistical tests above (i.e., less than 10% of the data from background samples that equal or exceed their respective MDL). Each qualifying constituent at a monitoring point shall be determined based on either:
 - a. The data from a single sample for that constituent, taken during that reporting period from that monitoring point; or

- b. The data from the sample that contains the largest number of qualifying constituents, where several independent samples have been analyzed for that constituent at a given monitoring point.

Background for water samples or soil-pore gas samples shall be represented by the data from all samples taken from applicable background monitoring points during that reporting period (at least one sample from each background monitoring point). The Discharger may propose an alternate statistical method [to the methods listed under 27 CCR §20415(e)(8)(A-D)] in accordance with §20415(e)(8)(E) of Title 27, for review and approval by the Executive Officer.

21. The method shall be implemented as follows:

- a. *For the Volatile Organic Compounds Monitoring Parameter For Water Samples [VOC_{water}]*: For any given monitoring point, the VOC_{water} monitoring parameter is a composite parameter addressing all “qualifying VOCs” (in this case, VOCs that are detected in less than 10% of background samples).

The Discharger shall conduct verification testing to determine whether a release of VOC_{water} monitoring parameter has occurred if the data for any monitoring point meets either of the following triggering conditions:

1. The data contains two or more qualifying VOCs that equal or exceed their respective MDLs; or
2. The data contains one qualifying VOC that equals or exceeds its PQL.

- b. *For the Volatile Organic Compounds Monitoring Parameter For Soil Pore Gas Samples [VOC_{spg}]*: the VOC_{spg} Monitoring Parameter is a composite parameter for soil pore gas addressing all “qualifying VOCs” detectable using either GC or GC/MS analysis for at least a ten liter sample of soil pore gas (e.g., collected in a vacuum canister). It involves the same scope of VOCs as does the VOC_{water} Monitoring Parameter. For the VOC_{spg} test, “qualifying VOCs” consist of all those VOCs that are detectable in less than 10% of background soil pore gas samples.

The Discharger shall conduct verification testing to determine whether a release of VOC_{spg} monitoring parameter has occurred if the data for any monitoring point meets either of the following triggering conditions:

1. The data contains two or more qualifying VOCs that equal or exceed their respective MDLs; or
 2. The data contains one qualifying VOC that equals or exceeds its PQL.
- c. *For Constituents of Concern:* For five-yearly testing of all COCs, the “qualifying constituents” consist of COCs that are detected in less than 10% of applicable background samples.

The Discharger shall conduct verification testing to determine whether a release of COCs has occurred if the data for any monitoring point meets either of the following triggering conditions:

1. The data contains two or more qualifying constituents that equal or exceed their respective MDLs; or
2. The data contains one qualifying constituent that equals or exceeds its PQL.

22. **Non-Statistical Method Retest.** A non-statistical test method may be used by the Discharger to analyze the monitoring data for which it is impractical to conduct a statistical analysis. A non-statistical test method shall include a procedure to verify that there is “measurably significant” evidence of a release from the Unit. For the VOC_{water} , VOC_{spg} , and non-statistical COC test, the Discharger shall use a discrete retest consisting of two new samples from each indicating monitoring point. The Discharger shall conduct the retest for the standard non-statistical method as follows:

- a. **For VOC_{water} and VOC_{spg} .** Because the VOC composite Monitoring Parameter (for water or soil pore gas) is a single parameter that addresses an entire family of constituents likely to be present in any landfill release, **the scope of the laboratory analysis for each of the two retest samples shall include all VOCs detectable in that retest sample.** Therefore, a confirming retest, in accordance with Detection Monitoring Specification E.21.a. and b., above, for either triggering condition in either of the two retest samples, shall have validated the original indication even if the detected constituents in the confirming retest sample(s) differs from those detected in the sample which initiated the retest.
- b. **For Constituents of Concern.** Because all COC that are jointly addressed in the non-statistical test above, remain as individual

Constituents of Concern, **the scope of the laboratory analysis for the non-statistical retest of COC shall address only those constituents detected in the sample which initiated the retest.** Therefore, the list of “qualifying constituents” for use in the retest, under Detection Monitoring Specification E.21.c., shall consist of those constituents that provided the original indication at that monitoring point. If the retest meets either triggering condition in either of the two retest samples, the retest shall have validated the original indication.

23. **Response to Detection in Background of VOCs** (or any other constituent which is not naturally in the background and thus is not amenable to statistical analysis):
- a. Any time the laboratory analysis of a sample from a background monitoring point, sampled for VOCs, shows either:
 1. Two or more VOCs at or above their respective MDLs; or
 2. One VOC at or above its respective PQL.

Then the Discharger shall:

- a. **Immediately** notify the Central Valley Water Board by phone;
 - b. Follow up with written notification by certified mail **within seven days**;
 - c. Obtain **two** new independent VOC samples from that background monitoring point; and
 - d. Send such samples for laboratory analysis of all detectable VOCs **within thirty days**.
- b. If either or both the new samples validates the presence of VOC(s), using the above criteria, the Discharger shall:
1. **Immediately** notify the Central Valley Water Board about the VOC(s) verified to be present at that background monitoring point, and follow up with written notification submitted by certified mail **within seven days** of validation; and
 2. If the Discharger believes that the VOC(s) in background is from a source other than the Unit, then:

- a. **Within seven days** of determining “measurably significant” evidence of a release, submit to the Central Valley Water Board by certified mail a Notification of Intent to make such a demonstration pursuant to §20420(k)(7) of Title 27; and
 - b. **Within 90 days** of determining “measurably significant” evidence of a release, submit a report to the Central Valley Water Board that demonstrates that a source other than the Unit caused the evidence, or that the evidence resulted from error in sampling, analysis or evaluation, or from natural variation in groundwater, surface water, or the unsaturated zone.
 - c. If the Executive Officer determines, after reviewing the submitted report(s), that the VOC(s) detected originated from a source other than the Unit(s), the Executive Officer shall make appropriate changes to the monitoring program.
24. If the Executive Officer determines, after reviewing the submitted report, that the detected VOC(s) most likely originated from the Unit(s), the Discharger shall **immediately** implement the requirements of Item XI. Response To A Release, Section C. Release Has Been Verified, contained in the Standard Provisions and Reporting Requirements.

I. CORRECTIVE ACTION PROGRAM

1. The Discharger shall implement a Corrective Action Program as specified in Section 20430 of Title 27. That program shall remediate releases from the Unit and achieve compliance with the water quality protection standards that consist of background concentrations of the COC.
2. The Corrective Action Program was completed in phases over the course of four years to allow for construction of Module 4 and use of the unlined modules during seasonal dry periods (May through November). Complete closure of Modules 1, 2 and 3 was completed in March 2007.
3. Completed landfill Modules 1, 2, and 3, were covered with a final cap to minimize water infiltration. The final cover design consists of: a minimum 1-foot thick foundation layer, which shall be placed as intermediate cover during landfill operations, a minimum 1-foot thick low permeability layer (1×10^{-5} cm/sec or less), a geomembrane (40-mil HDPE), and a minimum 1-foot thick vegetative layer. Construction of the cap system was completed in accordance with Central Valley Water Board approved plans and

specifications, including a Construction Quality Assurance/Construction Quality Control Plan, and contains a landfill gas management system, consisting of gas extraction wells to convey landfill gas away from the Unit.

4. Additional monitoring wells MW-8a, MW-8b, MW-9, MW-9b, MW-10, MW-11, MW-12 and MW-13 were installed to evaluate CAP effectiveness.
5. The Discharger is currently conducting Corrective Action Monitoring to evaluate the effectiveness of the CAP in mitigating releases to groundwater.

J. CORRECTIVE ACTION MONITORING

1. The Corrective Action Monitoring Program shall be used to assess the nature and extent of the release from the landfill and to evaluate the effectiveness of the corrective action program and the landfill cover.
2. In accordance with the Corrective Action Monitoring Program, the Discharger shall collect and analyze all data necessary to assess the effectiveness of the Corrective Action in reducing the impacts of the release on groundwater quality. Downgradient monitoring wells MW-8a, MW-8b, MW-9, MW-9b, MW-10, MW-11, and MW-12 and upgradient monitoring well MW-13 were installed, and are monitored in combination with all other site wells, to evaluate effectiveness of the Corrective Action.
3. The Discharger shall comply with the monitoring provisions for the Corrective Action Program as described in Section 20430(d) of Title 27. The program shall include the detection monitoring requirements as well as an annual report evaluating the ground water and unsaturated data of the past year(s) in an effort to demonstrate the effectiveness of the CAP.

K. REPORTING REQUIREMENTS

1. In the event the Discharger does not comply or will be unable to comply with any prohibition or limitation of this Order for any reason, the Discharger shall notify the appropriate Central Valley Water Board office by telephone **as soon as** it or its agents have knowledge of such noncompliance or potential for noncompliance, and shall confirm this notification in writing **within two weeks**. The written notification shall state the nature, time, and cause of noncompliance, and shall describe the measures being taken to prevent recurrences and shall include a timetable for corrective actions.
2. The Discharger shall retain records of all monitoring information, including all calibration and maintenance records, all original strip chart recordings of

continuous monitoring instrumentation, copies of all reports required by this Order, and records of all data used to complete the application for this Order. Records shall be maintained throughout the life of the facility including the postclosure period.

Such legible records shall show the following for each sample:

- a. Sample identification and the monitoring point or background monitoring point from which it was taken, along with the identity of the individual who obtained the sample;
 - b. Date, time, and manner of sampling;
 - c. Date and time that analyses were started and completed, and the name of the personnel and laboratory performing each analysis;
 - d. Complete procedure used, including method of preserving the sample, and the identity and volumes of reagents used;
 - e. Calculation of results; and
 - f. Results of analyses, and the MDL and PQL for each analysis.
3. A transmittal letter explaining the essential points shall accompany each report. At a minimum, the transmittal letter shall identify any violations found since the last report was submitted, and if the violations were corrected. If no violations have occurred since the last submittal, this shall be stated in the transmittal letter. The transmittal letter shall also state that a discussion of any violations found since the last report was submitted, and a description of the actions taken or planned for correcting those violations, including any references to previously submitted time schedules, is contained in the accompanying report.
 4. Each monitoring report shall include a compliance evaluation summary. The summary shall contain at least:
 - a. For each monitoring point and background monitoring point addressed by the report a description of:
 1. The time of water level measurement;
 2. The type of pump - or other device - used for purging and the elevation of the pump intake relative to the elevation of the screened interval;

3. The method of purging (the pumping rate; the equipment and methods used to monitor field pH, temperature, and conductivity during purging; the calibration of the field equipment; results of the pH, temperature, conductivity, and turbidity testing; and the method of disposing of the purge water) to remove all portions of the water that was in the well bore while the sample was being taken;
 4. The type of pump - or other device - used for sampling, if different than the pump or device used for purging; and
 5. A statement that the sampling procedure was conducted in accordance with the approved Sampling and Analysis Plan.
- b. A map or aerial photograph showing the locations of observation stations, monitoring points, and background monitoring points.
 - c. For each groundwater body, a description and graphical presentation of the gradient and direction of groundwater flow under/around the Unit, and the groundwater flow rate, based upon water level elevations taken prior to the collection of the water quality data submitted in the report.
 - d. Laboratory statements of results of all analyses evaluating compliance with requirements.
 - e. An evaluation of the effectiveness of the leachate monitoring and control facilities, and of the run-off/run-on control facilities.
 - f. A summary and certification of completion of all **Standard Observations** for the Unit(s), for the perimeter of the Unit, and for the receiving waters. The Standard Observations shall include:
 1. For the Unit:
 - a. Evidence of ponded water at any point on the facility (show affected area on map);
 - b. Evidence of odors - presence or absence, characterization, source, and distance of travel from source; and
 - c. Evidence of erosion and/or of day-lighted refuse.
 2. Along the perimeter of the Unit:

- a. Evidence of liquid leaving or entering the Unit, estimated size of affected area, and flow rate (show affected area on map);
 - b. Evidence of odors - presence or absence, characterization, source, and distance of travel from source; and
 - c. Evidence of erosion and/or of day-lighted refuse.
3. For receiving waters:
 - a. Floating and suspended materials of waste origin - presence or absence, source, and size of affected area;
 - b. Discoloration and turbidity - description of color, source, and size of affected area;
 - c. Evidence of odors - presence or absence, characterization, source, and distance of travel from source;
 - d. Evidence of water uses - presence of water-associated wildlife;
 - e. Flow rate; and
 - f. Weather conditions - wind direction and estimated velocity, total precipitation during recent days and on the day of observation.
 - g. The quantity and types of wastes discharged and the locations in the Unit where waste has been placed since submittal of the last such report.
5. The Discharger shall report by telephone any seepage from the disposal area **immediately** after it is discovered. A written report shall be filed with the Central Valley Water Board **within seven days**, containing at least the following information:
 - a. A map showing the location(s) of 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. Verification that samples have been submitted for analyses of the COC and monitoring parameters, and an estimated date that the results will be submitted to the Central Valley Water Board; and
 - e. Corrective measures underway or proposed, and corresponding time schedule.
6. The Discharger shall submit an **Annual Monitoring Summary Report** to the Central Valley Water Board covering the reporting period of the previous monitoring year. This report shall contain:
- a. All monitoring parameters and constituents of concern shall be graphed so as to show historical trends at each monitoring point and background monitoring point, for all samples taken within at least the previous five calendar years. Each such graph shall plot the concentration of one or more constituents for the period of record for a given monitoring point or background monitoring point, at a scale appropriate to show trends or variations in water quality. The graphs shall plot each datum, rather than plotting mean values. For any given constituent or parameter, the scale for background plots shall be the same as that used to plot downgradient data. Graphical analysis of monitoring data may be used to provide significant evidence of a release.
 - b. Unless otherwise exempted by the Executive Officer, all monitoring analytical data obtained during the previous two six-month reporting periods, shall be submitted in tabular form as well as in a digital file format acceptable to the Executive Officer. The Central Valley Water Board regards the submittal of data in hard copy and in digital format as "...the form necessary for..." statistical analysis [§20420(h)], in that this facilitates periodic review by the Central Valley Water Board.
 - c. A comprehensive discussion of the compliance record, and the result of any corrective actions taken or planned which may be needed to bring the Discharger into full compliance with the Waste Discharge Requirements.
 - d. A map showing the area and elevations in which filling has been completed during the previous calendar year and a comparison to final closure design contours.
 - e. A written summary of the monitoring results, indicating any changes made or observed since the previous annual report.

- f. An evaluation of the effectiveness of the leachate monitoring/control facilities.

L. PROVISIONS

1. The Discharger shall comply with Monitoring and Reporting Program No. R5-2011-XXXX, which is incorporated into and made part of this Order.
2. The Discharger shall maintain a copy of this Order at the facility and make it available at all times to facility operating personnel, who shall be familiar with its contents, and to regulatory agency personnel.
3. The Discharger shall comply with all applicable provisions of Title 27 and 40 Code of Federal Regulations Part 258 (Subtitle D) that are not specifically referred to in this Order.
4. The Discharger shall comply with the applicable portions of the Standard Provisions and Reporting Requirements for Waste Discharge Requirements for Nonhazardous Solid Waste Discharges Regulated by Title 27 and/or Subtitle D (27 CCR §20005 et seq. and 40 CFR 258 et seq.), dated April 2000, which are hereby incorporated into this Order.
5. All reports and transmittal letters shall be signed by persons identified below:
 - a. For a corporation: by a principal executive officer of at least the level of senior vice-president.
 - b. For a partnership or sole proprietorship: by a general partner or the proprietor.
 - c. For a municipality, state, federal or other public agency: by either a principal executive officer or ranking elected or appointed official.
 - d. A duly authorized representative of a person designated in a, b or c above if;
 1. The authorization is made in writing by a person described in a, b, or c 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, such as the position of plant manager, operator of a Unit, superintendent, or position of equivalent responsibility. (A duly

authorized representative may thus be either a named individual or any individual occupying a named position); and

3. The written authorization is submitted to the Central Valley Water Board.

e. 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.”

6. The Discharger shall take all reasonable steps to minimize any adverse impact to the waters of the State resulting from noncompliance with this Order. Such steps shall include accelerated or additional monitoring as necessary to determine the nature, extent, and impact of the noncompliance.
7. The owner of the facility shall have the continuing responsibility to assure protection of waters of the state from discharged wastes and from gases and leachate generated by discharged waste during the active life, closure, and postclosure maintenance period of the Unit(s) and during subsequent use of the property for other purposes.
8. The fact that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with this Order shall not be regarded as a defense for the Discharger's violations of the Order.
9. If the Discharger or Central Valley Water Board determines that the CAP is not adequate (i.e., does not satisfy the requirements of Section 20430), the Discharger shall, within 90 days of making the determination, or of receiving written notification from the Central Valley Water Board of such determination, submit an amended report of waste discharge (RWD) to make appropriate changes to the program. The amended RWD shall include the following:
 - a. A discussion as to why existing corrective action measures have been ineffective or insufficient.
 - b. A revised evaluation monitoring plan if necessary to further assess the nature and extent of the release.

- c. A discussion of corrective action needs and options,
 - d. Proposed additional corrective action measures, as necessary, for:
 - 1) Source control,
 - 2) Adequate separation from groundwater,
 - 3) Groundwater cleanup, and/or
 - 4) Landfill gas control.
 - e. A plan to monitor the progress of corrective action measures consistent with the MRP.
 - f. Cost estimates for implementing additional corrective action, including monitoring.
 - g. An implementation schedule.
10. To assume ownership or operation under this Order, the succeeding owner or operator must apply in writing to the Central Valley Water Board requesting transfer of the Order within 14 days of assuming ownership or operation of this facility. The request must contain the requesting entity's full legal name, the State of incorporation if a corporation, the name and address and telephone number of the persons responsible for contact with the Central Valley Water Board, and a statement. The statement shall comply with the signatory requirements contained in Provision L.5 and state that the new owner or operator assumes full responsibility for compliance with this Order. Failure to submit the request shall be considered a discharge without requirements, a violation of the California Water Code. Transfer of this Order shall be approved or disapproved by the Central Valley Water Board.
11. The Discharger shall establish cost estimates for initiating and completing corrective action for all known and reasonably foreseeable releases from the landfill, and submit these estimates to the Executive Officer for review and approval.
12. The Discharger shall obtain and maintain assurances of financial responsibility for initiating and completing corrective action for all known or reasonably foreseeable releases from the landfill in an amount approved by the Executive Officer, and shall submit the financial assurance mechanism for review and approval to the Financial Assurances Section of the Department of Resources Recycling and Recovery (CalRecycle).
13. The Discharger is required to maintain financial assurance mechanisms for closure and post closure maintenance costs as specified in Chapter 6 of Title 27. The Discharger is required to submit the financial assurance mechanism to the Financial Assurances Section of CalRecycle, which determines if the

mechanism meets the requirements of Chapter 6, Title 27, and if the amount of coverage is adequate.

14. During Corrective Action, the Discharger shall submit, with the Annual Monitoring Summary Report, an evaluation of CAP effectiveness, including trend analyses, impediments to success of the CAP, estimated timeframes needed to meet Water Quality Objectives, and recommendations for future actions.

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 XX XXXX 2011.

PAMELA C. CREEDON, Executive Officer

GS:cs