



KERN COUNTY WASTE MANAGEMENT DEPARTMENT

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April 24, 2013

Mr. Daniel L. Carlson, P.G., C.E.G., C.H.G.
Senior Engineering Geologist
California Regional Water Quality
Control Board - Central Valley Region
1685 "E" Street
Fresno, CA 93706

**RE: Lebec Sanitary Landfill; Kern County
Comments on Tentative Waste Discharge Requirements**

Dear Mr. Carlson:

Thank you for providing the Kern County Waste Management Department (KCWMD) the opportunity to provide comments on the Tentative Waste Discharge Requirements (WDRs) dated March 27, 2013, for the Lebec Sanitary Landfill.

KCWMD's comments regarding the Tentative WDRs are presented below. For ease of Central Valley Water Board review, each numbered section below corresponds to the numbered section in the WDRs. The specific language as stated in the tentative document is displayed in italics followed by KCWMD's comments. KCWMD would like to restate its' long-standing position that the threat and complexity ratings should not be included in the WDRs for a facility. These categories are subject to change and, currently a group of stakeholders is working with the State Water Resources Control Board to completely modify this fee system.

**WASTE DISCHARGE REQUIREMENTS – ORDER R5-2013-XXXX
POST-CLOSURE MAINTENANCE AND CORRECTIVE ACTION
LEBEC SANITARY LANDFILL, KERN COUNTY**

SITE DESCRIPTION

- (12) *The Garlock fault traverses the northern portion of the facility and connects with the San Andreas fault about two miles west of the facility. Two additional faults that may govern a seismic response at the facility are the San Gabriel Fault, 5 miles to the south, and the White Wolf Fault located 15 miles north. The maximum probable earthquake for the facility is estimated to be Richter Magnitude 7.8 event on the San Andreas Fault. The peak horizontal ground acceleration at the facility is estimated to be 0.84g.*

Comment: The maximum probable earthquake for the facility is estimated to be Richter Magnitude 7.9 event on the San Andreas Fault. The peak horizontal ground acceleration at the facility is estimated to be 0.72g. (Source: Seed and Idriss, 1982).

- (17) *The 100-year, 24-hour precipitation event for the facility is estimated to be 5.5 inches, based on the Kern County Hydrology Manual dated 1992.*

Comment: The 100-year, 24-hour precipitation event for the facility is estimated to be 6.1 inches, based on the NOAA Atlas, volume 6, version 2, dated 2011.

SURFACE WATER AND GROUNDWATER CONDITIONS

- (23) *Surface water drainage from the facility is toward Castac Lake in the San Emigdio Hydrologic Area (556.30) of the Grapevine Hydrologic Unit of the Tulare Basin.*

Comment: KCWMD hired a consultant, Dudek, to perform a delineation of the drainage from the facility. Their determination (dated January 14, 2013) was that the drainage in the Lebec Facility is not considered a water of the United States because it does not flow into a jurisdictional water. Subsequently, the U.S. Army Corps of Engineers has reviewed and concurred with the Dudek delineation in a letter dated February 12, 2013. Surface water discharge from the facility is through a series of engineered drainage structures to a water of the State, but not of the United States.

- (26) *Monitoring data indicate background water quality for first encountered groundwater has electrical conductivity (EC) ranging between 611 and 2,200 micromhos/cm, with total dissolved solids (TDS) ranging between 400 and 1,600 milligrams per liter (mg/L).*

Comment: EC historical (1990 to present) averages range from approximately 575 to 2,335 micromhos/cm in all wells (from approximately 1,790 to 2,335 micromhos/cm in background wells LB1-14 and LB1-07, respectively). TDS historical (1994 to present) averages range from approximately 355 to 1,865 mg/L in all wells (from 1,176 to 1,867 in background wells LB1-14 and LB1-07, respectively).

LANDFILL POST-CLOSURE MAINTENANCE

- (46) *In October 2003, the discharger completed construction of the final cover in accordance with the Final Closure and Post-Closure Maintenance Plan. The final cover consists of the following: a two-foot thick soil foundation layer; a geosynthetic clay layer; and a one foot thick vegetated soil layer.*

Comment: The final cover contains a two-foot thick vegetated soil layer. Please revise this comment to read: "The final cover consists of the following: a two-foot thick soil foundation layer; a geosynthetic clay layer; and a two-foot thick vegetated soil layer."

- (49) *The completed final cover is monitored for damage or defects by visual inspection and monitoring surface emissions pursuant to California Code of Regulations, Title 27, Section 21090(a)(4)(A). Defects are repaired and tested for adequacy based on the closure Construction Quality Assurance Plan.*

Comment: All repairs are made based on the Postclosure Maintenance Plan using Construction Quality Assurance construction criteria.

FINANCIAL ASSURANCES

- (50) *Title 27, Sections 21840 and 22211 requires a cost estimate for landfill post-closure maintenance. The Final Closure and Postclosure Maintenance Plan includes a cost estimate for landfill postclosure maintenance. The amount of the cost estimate for post-closure maintenance in 2012 dollars is \$1,600,000. This Order requires that the Discharger maintain financial assurance with CalRecycle in at least the amount of the post-closure maintenance cost estimate adjusted annually for inflation.*

Comment: The cost estimate for postclosure maintenance in 2012 dollars is \$1,632,000.

- (51) *Title 27, Section 22221 requires a cost estimate for corrective action of all known or reasonably foreseeable releases. The Discharger's cost estimate for corrective action of all known or reasonably foreseeable releases, adjusted for inflation, is \$155,856. This Order requires that the Discharger maintain financial assurance with CalRecycle in at least the amount of the cost estimate adjusted annually for inflation.*

Comment: The cost estimate for all known or reasonably foreseeable releases is approximately \$468,000.

MONITORING AND REPORTING PROGRAM R5-2013-XXXX

B. REPORTING

Required Reports

- (2) *Annual Monitoring Report:*
- c) *All historical monitoring data for which there are detectable results, including data for the previous year, shall be submitted in tabular form in a digital file format such as a computer disk. The Central Valley Water Board regards the submittal of data in hard copy and in digital format as "...the form necessary for..." statistical analysis [Title 27, section 20420(h)], that facilitates periodic review by the Central Valley Water Board.*

Comment: KCWMD believes this requirement is duplicative as the requested historical data has already been submitted and this requirement mandates that all historical data will be resubmitted year after year. KCWMD has not included all historical monitoring data in its annual monitoring reports, nor do we believe this is necessary. The annual reports include a tabular presentation of the previous year's

monitoring results and a graphical presentation of the previous ten years' monitoring results for detected constituents. In addition, KCWMD semiannually uploads new monitoring reports and analytical laboratory reports to the State Water Resources GeoTracker data system. KCWMD believes this requirement is duplicative as the requested historical data has already been submitted. KCWMD believes this requirement should read:

c) All monitoring data with detectable results for the previous year shall be submitted in tabular form as well as in digital file format as "...the form necessary for..." statistical analysis [Title 27, Section 20420(h)], that facilitates periodic review by the Central Valley Water Board.

C. WATER QUALITY PROTECTION STANDARD AND COMPLIANCE PERIOD

1. Water Quality Protection Standard Report

The Discharger proposed the methods for calculating concentrations limits in the April 2001 Water Quality Protection Standard Report Update. The Limits are calculated using interwell tolerance limits at 95% confidence and 95% coverage based on background data from background monitoring wells LB1-07 and LB1-14.

Comment: In September 2003 KCWMD submitted a revised Water Quality Protection Standard report prepared by SCS Engineers.

INFORMATION SHEET

Comment: Paragraph five is subject to revisions pursuant to comments regarding *Surface and Groundwater Conditions (26)* stated above.

Thank you again for providing KCWMD the opportunity to comment on the Tentative Waste Discharge Requirements, and Monitoring and Reporting Program dated XXXX 2013 for the Lebec Sanitary Landfill. If you have any questions, please contact me at (661) 862-8686 or Eric Greenwood at (661) 862-8918.

Sincerely,



Michael R. Burston, P.G.
Supervising Engineer