CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
LAHONTAN REGION

BOARD ORDER NO. R6V-2004-0027-A2
WDID NO. 6B360304025

AMENDED WASTE DISCHARGE REQUIREMENTS

FOR
SAN BERNARDINO COUNTY
VICTORVILLE SANITARY LANDFILL

San Bernardino County

The California Regional Water Quality Control Board, Lahontan Region (Water Board) finds:

1. Discharger

The County of San Bernardino owns and operates the Victorville Sanitary Landfill (VSL). On June 15, 2009, the San Bernardino County Department of Public Works, Solid Waste Management Division, submitted an amended Joint Technical Document (JTD).

The County has specifically requested that the Water Board amend the existing Waste Discharge Requirements (WDRs) for the VSL to allow the acceptance of treated wood waste (TWW) for disposal into the lined-portions of the VSL. The amended JTD represents the necessary information to constitute a complete amended Report of Waste Discharge (RWD) for treated wood waste discharge. For the purposes of this Water Board Order (Order), San Bernardino County is referred to as the "Discharger."

2. Facility

For the purposes of this Order, the VSL is referred to as the "Facility." The Facility is an active Class III solid waste management unit. The Facility is located in San Bernardino County in the High Desert Region of the Victor Valley. The Facility is approximately four miles north of the City of Victorville, just west of Interstate 15, within Section 23, T6N, R4W, San Bernardino Baseline and Meridian.

3. Reason for Action

The Water Board is amending the WDRs to allow discharge of treated wood waste to the lined portions of the Facility as described in Board Order No. R6V-2004-0027 Findings No. 6, as amended.

4. California Health and Safety Code (CHSC), sections 25150.7 and 25150.8 governs the disposal of treated wood waste (TWW). "Treated wood" is defined in CHSC, section 25150.7, as "wood that has been treated with a chemical preservative for the 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 (FIFRA) (7 U.S.C. Sec. 136 and following)." This may include, but is not limited to, waste wood that has been treated with chromated copper arsenate, pentachlorophenol, creosote, acid copper chromate, ammoniacal copper arsenate, ammoniacal copper zinc arsenate, or chromated zinc chloride.

5. CHSC, section 25150.8 allows TWW to be deemed a solid waste, and not a hazardous waste, for purposes of this chapter and section 40191 of the Public Resources Code, provided the TWW be disposed of in either:

   a. A Class I hazardous waste landfill, or

   b. Composite-lined portion of a solid waste landfill that meets the following three conditions:

      i. The landfill has at least one composite-lined unit that meets all requirements applicable to the disposal of municipal solid waste (MSW) in California after October 9, 1993. All TWW shall be disposed of at a composite-lined unit of an MSW landfill.

      ii. The landfill must be regulated by WDRs that specifically allow discharges of TWW, as defined in California Health and Safety Code (CHSC), section 25150.7(b), or designated waste, as defined in California Water Code (CWC), section 13173. All TWW accepted at a MSWLF must be managed to prevent scavenging and must assure compliance with CHSC, section 25150.7(d)(2).

      iii. Groundwater monitoring of the composite-lined unit(s) to be used for TWW disposal does not indicate a verified release of contaminants to groundwater.

6. CHSC, section 25143.1.5, allows MSW landfills to accept TWW generated by the utility industries for disposal at composite-lined units, if so authorized in the facilities' WDRs and the conditions specified in CHSC, section 25143.1 .5(b), are met.

7. Currently, the existing WDRs for VSL do not include any provisions that allow the acceptance of TWW, as defined in CHSC section 25143.1.5 and 25150.7, or designated waste, as defined in CWC section, 13173.

8. The Water Board has reviewed the 2009 JTD and has determined that the site meets the conditions listed in Finding 5.b, above, as follows:

   a. The permitted disposal area at the VSL consists of 341 acres. Of these, 67 acres are unlined, 28 acres are composite and double composite lined units (Phases 1A and 1B); for the remaining permitted area (246 acres), the Discharger proposes to construct composite-lined units (Phases 2 and 3) over the next 50 years. The completed and proposed composite-lined units include a leachate collection and removal system. All of the composite-lined units have met or must meet the applicable state and federal regulations pertaining to the disposal of non-hazardous MSW and approved designated wastes.

   b. The Discharger has submitted management and disposal plans for TWW, in compliance with CHSC section, 25150.7(d)(2). These plans are included in Section B.1 (pages 11 – 14) of the June 10, 2009, amended JTD. As described in the plan, all incoming TWW will be placed in an area away from the public and covered by the end of the working day. In addition, Load Checking personnel will monitor all TWW being loaded at the tipping table to prevent scavaging.

   c. Water quality at the site is currently monitored under both an Evaluation Monitoring Program (unlined portion) and a Detection Monitoring Program (lined portion), in accordance with the parameters and schedules set forth in Monitoring and Reporting Program (MRP) No. R6V-2004-0027. Water quality monitoring, sampling, and analyses are conducted and reported on a quarterly basis. The water quality monitoring program for the VSL currently includes groundwater and unsaturated (vadose) zone monitoring. An evaluation of the existing groundwater monitoring data for the entire site has not indicated a release of contaminants to groundwater from the lined portions of the Facility.

9. In order to fully comply with the CHSC for TWW disposal, Order No. R6V-2004-0027 must be amended to allow the acceptance of TWW at the VSL.

10. This order amends the existing WDRs (including the monitoring and reporting program) for the VSL to require the Discharger to comply with necessary provisions, monitoring, and reporting requirements for the disposal of TWW, at the Facility.

11. California Environmental Quality Act (CEQA)

This amendment to Board Order R6V-2004-0027 governs an existing facility, which is currently operating, and is, therefore, exempt from the provisions of the California Environmental Quality Act (Public Resources Code, Section 21000 et seq.) in accordance with California Code of Regulations, title 14, section 15301.

12. Public Notification

The Water Board has notified the Discharger and interested agencies and persons of its intent to amend WDRs for the VSL. The Water Board, in a public meeting, heard and considered all comments pertaining to the discharge.

IT IS HEREBY ORDERED that the Discharger must comply with the following amended requirements:

1. Replace the following as Finding No. 9, second paragraph, Order No. R6V-2004-0027. as amended:

   Disposal of designated wastes (except treated wood waste) and hazardous wastes at the VSL is not authorized.

2. Add the following to III. Requirements and Prohibitions, A. General Requirements and Prohibitions, 28 through 31 of Order No. R6V-2004-0027, as amended:

   28. Treated wood waste (TWW), as defined in the California Health and Safety Code (CHSC), sections 25143.1.5 and 25150.7, shall only be disposed of at composite-lined waste management units meeting all the requirements for a composite liner and leachate collection and removal system, as described under Finding No. 6, Order No. R6V-2004-0027, as amended.

   29. If monitoring at the composite-lined portion of the Facility that has received TWW indicates a verified release, (defined in section III, E. of the Monitoring and Reporting Program No. R6V-2004-0027, as amended) the disposal of TWW to that portion of the lined Facility must immediately cease until corrective action, implementing the requirements of CCR, title 27, section 20385, results in cessation of the release.

30. The Discharger shall manage and dispose of TWW in accordance with the site's approved management and disposal plans for these wastes and all requirements of CHSC section 25143.1.5 and 25150.7 for TWW.

31. The discharge of hazardous waste (as defined under the state hazardous waste control laws), and unapproved designated waste (designated waste is defined in CWC, section 13173) at the Facility is prohibited. The discharge of any TWW that has been removed from electric, gas, or telephone service and is subject to regulation as a hazardous waste under FIFRA is prohibited.

3. In MRP No. R6V-2004-0027, I. Water Quality Protection Standard, A. Evaluation Monitoring Program and Concurrent Detection Monitoring Program, 1. Groundwater, paragraph c, Monitoring Parameters and Constituents of Concern; Monitoring Frequency, replace the first paragraph with the following:

   The Discharger shall analyze all groundwater monitoring points in accordance with the monitoring frequency and for the monitoring parameters listed below. The monitoring parameter list shall be updated whenever a constituent not already on the monitoring parameter list is detected and verified in a retest during the five-yearly Constituent of Concern (COC) monitoring event (see below).

4. Add the following to MRP No. R6V-2004-0027, I. Water Quality Protection Standard, A. Evaluation Monitoring Program and Concurrent Detection Monitoring Program, as:

   5. <u>General Site Monitoring</u>

      a. All general site inspections shall be documented; all deficiencies identified during general site inspections shall be transmitted to the Water Board via facsimile (FAX), e-mail, or other approved method, within 48 hours of occurrence. This same documentation must also be submitted as part of the reports described in Section V.A.2. of this MRP.

      b. At a minimum, all systems, such as landfill gas condensate and leachate containment structures, subdrains, sumps, and lysimeters, shall be inspected and evaluated on a weekly basis for their effectiveness. All deficiencies identified, and the dates and types of corrective action taken, shall be recorded in a permanent log. All deficiencies shall be photographed (if possible) for the record. The volume of liquids collected in each containment structure shall be recorded weekly for active sites. Liquid samples, such as gas condensate and leachate, shall be collected in accordance with the

appropriate monitoring frequency and analyzed for the constituents specified in section I.A.1.c. of this MRP.

c. Monthly, the Discharger shall inspect all waste management units and shall evaluate their effectiveness to comply with Finding No. 20 of Order No. R6V-2004-0027. All areas of slope failure, differential settlement, fissuring, erosion, ponding, leachate staining, and seepage into or from the landfill shall be identified, field-marked, documented, and mitigated. In the event seepage is discovered, the location of each seep shall be mapped and a mitigation plan submitted. All findings shall be photographed for the record.

d. At a minimum, all run-on and runoff drainage control structures shall be inspected and evaluated monthly for their effectiveness. During dry weather conditions, the effectiveness of the drainage control system shall be evaluated on the basis of its conformance to the as-built drawings, or revised drawings, for the system. All deficiencies shall be identified, recorded, and mitigated. Any failure of the drainage and erosion control system at the site must be reported to the Executive Officer of the Water Board within 24 hours of the occurrence of the event and repairs implemented immediately.

e. Submit, annually, on or about October 15, an aerial or ground survey of the landfill facility. The survey shall be performed during the prior 12 months.

f. The discharger shall keep a permanent log of the daily incoming quantity, source(s), and disposal area(s) for all TWW accepted at the site.

5. Add the following to MRP No. R6V-2004-0027, V. Reporting, A. Monitoring Reports as:

4. <u>General Site Monitoring</u>

The Discharger shall submit a summary of the amount (in tons) of MSW and TWW, each, accepted at the site for the monitoring periods and reporting due dates specified in V.A. 2. and V.A.3 above of this MRP. A summary of the Facility's TWW and disposal practices, verifying compliance with the approved plans, shall also be included in the quarterly reporting schedule.

I, Harold J. Singer, 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, Lahontan Region, on December 9, 2009.

HAROLD J. SINGER
EXECUTIVE OFFICER

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