



# California Regional Water Quality Control Board

## San Diego Region



Linda S. Adams  
Secretary for  
Environmental Protection

Over 50 Years Serving San Diego, Orange, and Riverside Counties  
Recipient of the 2004 Environmental Award for Outstanding Achievement from USEPA

Arnold Schwarzenegger  
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**TO:** Michael P. McCann, P.E.  
Assistant Executive Officer

**FROM:** Amy L. Grove  
Engineering Geologist  
Groundwater Basins Branch

**DATE:** November 17, 2008

**SUBJECT: SELECTED CHRONOLOGY OF EVENTS LEADING UP TO ISSUANCE  
OF ACL COMPLAINT NO. R9-2008-0080**

**November 2004:** The County of San Diego Department of Public Works (County) informs staff about a seep of liquid waste discovered at the Bradley Park Landfill (Landfill) during a routine inspection.

**December 2004:** The County submits a Seep Investigation Report to the Regional Board.

**January 2005:** Regional Board staff conducts a compliance inspection to confirm the presence of a liquid seep emanating from the Landfill into an unnamed creek which bisects the site.

**February 2005:** Regional Board issues **Notice of Violation No. R9-2005-0046** for violations of waste discharge requirements (WDR) regarding the discharges of wastes to land, the discharge of waste to surface drainage courses, and the failure to maintain the integrity of Landfill containment structures.

**March 2005:** County of San Diego Local Enforcement Agency (County LEA) conducts a compliance inspection. Violations include drainage and erosion control issues. A noted area of concern was for site security with the exposure of waste and burn ash in storm water channel.

**March 2005:** Regional Board staff conducts a follow-up site inspection. Violations include exposed wastes and drainage and erosion control issues.

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*California Environmental Protection Agency*

- March 2005:** Staff enforcement letter to the City: Corrective Actions for Groundwater Seep at Bradley Park Landfill. The Regional Board requires the City to implement a series of mitigation measures, including a perimeter fence around the affected areas, BMPs, corrective actions to terminate the seep, and monthly status reports to be submitted to the Regional Board.
- April 2005:** Letter from the City of San Marcos to the Regional Board responding to the staff enforcement letter from March 2005. The City does not plan to secure the area with any kind of barrier. The City indicated that they also have a pending work order to place rock in the eroded channel. The City believes the seep has been terminated and does not plan any additional corrective actions at this time.
- April 2005:** Letter to the City from the Regional Board – response to comments. Staff is concerned about securing the area where waste is exposed, and the source of the seep. Staff encourages the City to take necessary steps to secure the site and determine the source of the seep.
- May 2005:** Monthly status report from the City. The City has capped the sub-drain pipe in an attempt to terminate the discharge of leachate via the seep. The exposed waste area has not been secured.
- May 2005:** Follow-up inspection by the Regional Board. Violations noted include discharges of waste to waters of the state, failure to maintain Landfill cover and discharges of wastes to surface water drainage courses.
- May 2005:** Regional Board issues **Notice of Violation No. R9-2005-0172**. Violations of WDRs include discharge of waste to surface water drainage courses, discharge of waste to waters of the state (CWC 13050); failure to implement best management practices in accordance with NPDES permit of County of San Diego.
- July 2005:** Monthly status report from the City. The City has decided to install a 6-foot chain link fence around the area of exposed waste to keep people and animals out of the area.

- March 2006:** County of San Diego LEA inspection report. Violations include drainage and erosion controls in the drainage channel; final cover (installation of gravity sewer line), and a concern for site security.
- April 2006:** Monthly status report from the City. On March 27, 2006 a second seep was observed in the same area as the original seep. Samples were collected and results submitted as part of the monthly status report. The City excavated along the sub-drain system to determine if it was faulty or leaking. The pipe was repaired and the trench backfilled.
- April 2006:** Regional Board issues **Investigative Order No. R9-2006-0044** to the City to investigate the extent and impacts from the discharges of waste constituents to groundwater, surface waters and soil vapors from the Landfill.
- July 2006:** Work plan submitted by the City in response to the Investigative Order.
- August 2006:** Comment letter from the Regional Board regarding work plan. Work plan deemed incomplete; City instructed to revise and resubmit.
- September 2006:** City requests an extension for submittal of the revised work plan.
- September 2006:** Regional Board issues **Addendum No. 1 to Order No. R9-2006-0044** revising the due date for the work plan.
- September 2006:** Inspection by the Regional Board. Observations include exposed waste in drainage channel; source of contaminants measured in seep and groundwater still unknown.
- November 2006:** County of San Diego LEA inspection. Violations include drainage and erosion control along the drainage channel, exposed waste and burn ash in drainage channel, multi-colored sheen observed in ponded water within the channel where exposed waste occurs.
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- January 2007:** Regional Board issues **Addendum No. 2 to Order No. R9-2006-0044** to revise the date for submittals based on the extension previously granted for the work plan.

- February 2007:** Regional Board comment letter on work plan.
- March 2007:** Letter from the City to the Regional Board regarding work recently performed in the drainage channel.
- May 2007:** City submits Evaluation Monitoring Program Report in response to Investigative Order No. R9-2006-0044.
- September 2007:** Regional Board issues **Notice of Violation No. R9-2007-0196** for failure to submit required technical information in accordance with Investigative Order No. R9-2006-0044.
- January 2008:** City submits Report of Waste Discharge in response to Investigative Order No. R9-2006-0044.
- May 2008:** Regional Board comment letter to City regarding deficiencies in Report of Waste Discharge.
- May 2008:** Regional Board issues **Notice of Violation No. R9-2008-0051** for failure to submit an adequate report in compliance with Investigative Order No. R9-2006-0044.
- September 2008:** Regional Board issues **Administrative Civil Liability (ACL) Complaint No. R9-2008-0080** to the City for failure to submit the information required pursuant to Investigative Order No. R9-2006-0044.