California Regional Water Quality Control Board
Santa Ana Region

Staff Report

August 25, 2006

ITEM: 12

SUBJECT: Amendments to Existing Waste Discharge Requirements for the Lamb Canyon Sanitary Landfill, Riverside County Waste Management Department, Order No. R8-2006-0054

DISCUSSION:

The Riverside County Waste Management Department (RCWMD, hereinafter discharger), owns and operates the Lamb Canyon Sanitary Landfill (LCSL), a Class III municipal solid waste (MSW) landfill located at 16411 Lamb Canyon Road, Beaumont.

The applicable regulations governing the discharge of non-hazardous MSW to land are contained in Division 2, Title 27, California Code of Regulations (Title 27), State Water Resources Control Board Resolution No. 93-62, and the Code of Federal Regulations Subpart D of Part 258 of Title 40 (Subtitle D). Landfill operations at the LCSL are currently regulated under waste discharge requirements (WDRs) Order No. 81-127, and its amendments, Orders No. 98-99 and 01-18.

The existing WDRs for the LCSL are being amended to comply with more recent state laws for the acceptance of treated wood waste (TWW) at Class III MSW landfills.

Background

"Treated wood," as defined in California Health and Safety Code (CHSC) §25150.7, means wood that has been treated with a chemical preservative for the purposes of protecting wood against 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).

Under federal law, wood treated with chemical preservatives registered under the FIFRA is exempted from hazardous waste classification and can be disposed of in any landfill. California has its own disposal requirements for TWW that are stricter than federal rules. Therefore, even though TWW is not subject to regulation as a hazardous waste under the federal act, it has been managed as a hazardous waste in California. Prior to January 1, 2005, state hazardous waste control laws required that TWW be disposed of in a Class I hazardous waste landfill, unless it was granted a hazardous waste variance by the State Department of Toxic Substances Control (DTSC). TWW that was granted a variance could be disposed of in a Class III MSW landfill. Under the California Water Code (CWC) §13173, TWW that had been granted a hazardous waste variance was considered a designated waste (Class II waste), which could only be disposed of in a composite-lined Class III landfill after a waiver for such disposal had been granted by a regional board under Title 27 §20200(a)(1).

Assembly Bill 1353 (New State Law for the Management and Disposal of TWW)

Improper handling and disposal of TWW can cause significant health and environmental hazards. In order to manage TWW in a safe and effective manner, Assembly Bill 1353 (AB 1353), a new state law that governs the disposal of TWW, became effective on January 1, 2005. This new law negates all existing hazardous waste variances for TWW formerly granted by the DTSC, and requires TWW to be disposed of in either:

1. A Class I hazardous waste landfill, or

2. A Class III landfill that meets the following three conditions:

    a. 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, equipped with a composite liner and leachate collection and removal system, of an MSW landfill.

    b. The landfill must be regulated by WDRs that specifically allow discharges of TWW, as defined in California Health and Safety Code (CHSC) §25150.7(b), or designated waste, as defined in California Water Code (CWC) §13173. All TWW accepted at a MSW landfill must be managed to prevent scavenging and must assure compliance with CHSC §25150.7(d)(2) for the management and disposal of TWW to minimize impacts to soil and water.

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

Under the new law, TWW would be managed and disposed of as a solid waste at a Class III MSW landfill that meets the conditions listed above (CHSC §25150.8), not as a hazardous waste, which thereby exempts it from the state hazardous waste control laws.

This order amends the existing WDRs for the LCSL to require the discharger to comply with necessary provisions, monitoring, and reporting requirements for the management and disposal of TWW and other designated waste as approved by the Executive Officer of the Regional Board.

All terms and conditions contained in the existing WDRs for the LCSL that are not amended by this order shall remain in effect and unchanged.

RECOMMENDATION:

Adopt Order No. R8-2006-0054 as presented.

Comments were solicited from the following agencies:

State Water Resources Control Board, Division of Clean Water Program – Joe Mello
State Water Resources Control Board, Office of Chief Counsel – Jorge Leon
California Integrated Waste Management Board, Sacramento – Robert Holmes
State Department of Health Services, San Bernardino – Heather Collins
State Department of Toxic Substances Control, Cypress - Karen Baker
Riverside County Waste Management Department – Hans Kernkamp
Riverside County Department of Environmental Health Services, LEA – Laurie Holk/Irene Fellman

California Regional Water Quality Control Board
Santa Ana Region

ORDER NO. R8-2006-0054

Amending Waste Discharge Requirements for
Lamb Canyon Sanitary Landfill
Riverside County Waste Management Department

The California Regional Water Quality Control Board, Santa Ana Region (hereinafter Regional Board), finds that:

1. The Riverside County Waste Management Department (RCWMD, hereinafter discharger) owns and operates the Lamb Canyon Sanitary Landfill (LCSL). The landfill has been in operation since 1970, and is located at 16411 Lamb Canyon Road, Beaumont. The site encompasses approximately 1,109 acres, including all of Section 29, and portions of Sections 21 and 28, T3S, R1W, SBB&M. The LCSL is designated as a Class III landfill with 353.4 acres currently permitted to be disturbed and 144.6 acres permitted to accept non-hazardous municipal solid waste (MSW).

2. The discharge of MSW to land at LCSL is currently regulated under waste discharge requirements (WDRs) Board Order No. 81-127, and its amendments, Orders No. 98-99 and 01-18. Order No. 81-127 was amended by Orders No. 98-99 and 01-18 to comply with updated regulations contained in the Code of Federal Regulations Subpart D of Part 258 of Title 40 (Subtitle D), State Water Resources Control Board Resolution No. 93-62, and California Code of Regulations (CCR) Title 27, and to allow the use of engineered alternatives to the prescriptive liner design, respectively.

3. On January 1, 2005, Assembly Bill 1353 (AB 1353), a new state law that governs the disposal of treated wood waste (TWW), became effective. "Treated wood," as defined in California Health and Safety Code (CHSC) §25150.7, means wood that has been treated with a chemical preservative for the purposes of protecting wood against 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). 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.

4. This new law negates all existing hazardous waste variances for TWW formerly granted by the Department of Toxic Substances Control (DTSC), and requires TWW to be disposed of in either:

   a. A Class I hazardous waste landfill, or

   b. A Class III 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) §25150.7(b), or designated waste, as defined in California Water Code (CWC) §13173. All TWW accepted at a MSWLF must be managed to prevent scavenging and must assure compliance with CHSC §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.

5. AB 1353 does not affect the existing law (CHSC, §25143.1.5) applying to the disposal of utility poles. CHSC, §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.

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

7. On May 19, 2006, RCWMD submitted an amended Report of Waste Discharge (ROWD) in the form of Joint Technical Document (JTD) Addendum No. 11, requesting the Regional Board to amend the existing WDRs for the LCSL to allow the acceptance of TWW at the site. Regional Board staff considered JTD Addendum No. 11 complete on May 23, 2006.

8. The Regional Board has reviewed JTD Addendum No. 11 and has determined that the site meets the conditions listed in Finding 3.b, above, as follows:

a. The permitted disposal area at the LCSL consists of 74 acres of unlined area and 25 acres of composite-lined area. The 25 acres of composite-lined area, which consist of two (2) waste management units (WMUs), is shown in **Attachment 1** to this order. Another 45.6 acres of composite-lined area will be constructed within the next few years for the disposal of MSW and TWW. All of the composite-lined WMUs have met the applicable state and federal regulations pertaining to the disposal of non-hazardous MSW.

b. In July 1999, groundwater monitoring at the site, which consisted only of unlined units (Phase 1) at that time, indicated a release of volatile organic compounds (VOCs), predominantly tetrachloroethylene (PCE) and trichloroethylene (TCE) slightly above their maximum contaminant levels (MCLs) for the State's Primary Drinking Water standards. As required under Subtitle D and Title 27 regulations, the site is currently conducting a corrective action program to address the VOC release to groundwater. Waste placement began at Phase 2, Stage 1, the site's first composite-lined unit, in November 2001, and at Phase 2, Stage 2 in July 2005. Since June 2002, the operation of a landfill gas extraction and collection system at the site has minimized landfill gas migration to groundwater and has reduced, to some extent, the impact of landfill gas on the VOC contaminant levels in the groundwater. An evaluation of the site's existing groundwater and leachate monitoring data for the composite-lined units has not indicated a release of contaminants from the composite-lined units to groundwater.

c. The RCWMD has submitted a TWW Management and Disposal Plan, in compliance with CHSC §25150.7(d)(2).

9. In order to fully comply with AB 1353 and the CHSC for TWW disposal, Order No. 81-127, as amended, must be further amended to allow the acceptance of TWW at the LCSL.

10. This order amends the existing WDRs for the LCSL to require the discharger to comply with necessary provisions, monitoring, and reporting requirements for the disposal of TWW and designated waste at the landfill, as approved by the Executive Officer of the Regional Board.

11. This project involves the amendment of waste discharge requirements for an existing facility for which revised waste discharge requirements are needed to comply with new and existing state laws, and as such, is exempt from the California Environmental Quality Act (Public Resources Code, §21100 et seq.) in accordance with CCR §15301, Chapter 3, Title 14.

12. The Regional Board has notified the discharger and interested agencies and persons of the Board's intent to amend the waste discharge requirements previously adopted for the discharger, and has provided them with an opportunity to submit their written comments and recommendations.

13. The Regional Board, in a public meeting, heard and considered all comments pertaining to the proposed amendment of the existing waste discharge requirements for LCSL.

IT IS HEREBY ORDERED THAT the discharger shall comply with the following amended requirements:

1. Add the following as Discharge Specifications A.13 through A.16 of Order No. 81-127:

    13. The discharge of hazardous[1] or designated[2] wastes in unlined waste management units (WMUs) at the site 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 the federal act is prohibited.

    14. Treated wood waste[3] (TWW) and designated waste, as approved by the Executive Officer of the Regional Board, may only be disposed of at composite-lined WMUs meeting all the requirements for a composite liner and leachate collection and removal system described under Provision C.2 of Order No. 98-99[4].

    15. If monitoring at the composite-lined portion of a landfill unit that has received TWW indicates a verified release, the disposal of TWW to that landfill unit shall immediately cease until corrective action, implementing the requirements of Title 27 §20385, results in cessation of the release.

    16. The discharger shall manage and dispose of TWW in accordance with the site's TWW Management and Disposal Plan and all requirements of CHSC §§25143.1.5 and 25150.7.

2. Add the following as Monitoring Program B.2.e of Order No. 98-99 for the LCSL:

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

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[1] Hazardous waste as defined under the state hazardous waste control laws.
[2] Designated waste as defined in CWC §13173.
[3] Treated wood waste as defined in CHSC §§25143.1.5 and 25150.7.
[4] Provision C.2 of Order No. 98-99 was amended by Order No. 01-18 to allow the use of an engineered alternative to the prescriptive liner design.

3. Replace Reporting C.1.f of Order No. 98-99 with the following for the LCSL:

   Waste type and placement – The quantity and types of wastes discharged and the locations within the landfill where waste has been placed since the submittal of the last monitoring report. An evaluation summary of the site's TWW management and disposal in compliance with the CHSC shall also be included.

4. All terms and conditions contained in the existing WDRs for the LCSL that are not amended by this order shall remain in effect and unchanged. Amended or revised requirements contained in this order supersede any conflicting provisions in the existing WDRs.

I, Gerard J. Thibeault, 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, Santa Ana Region, on August 25, 2006.

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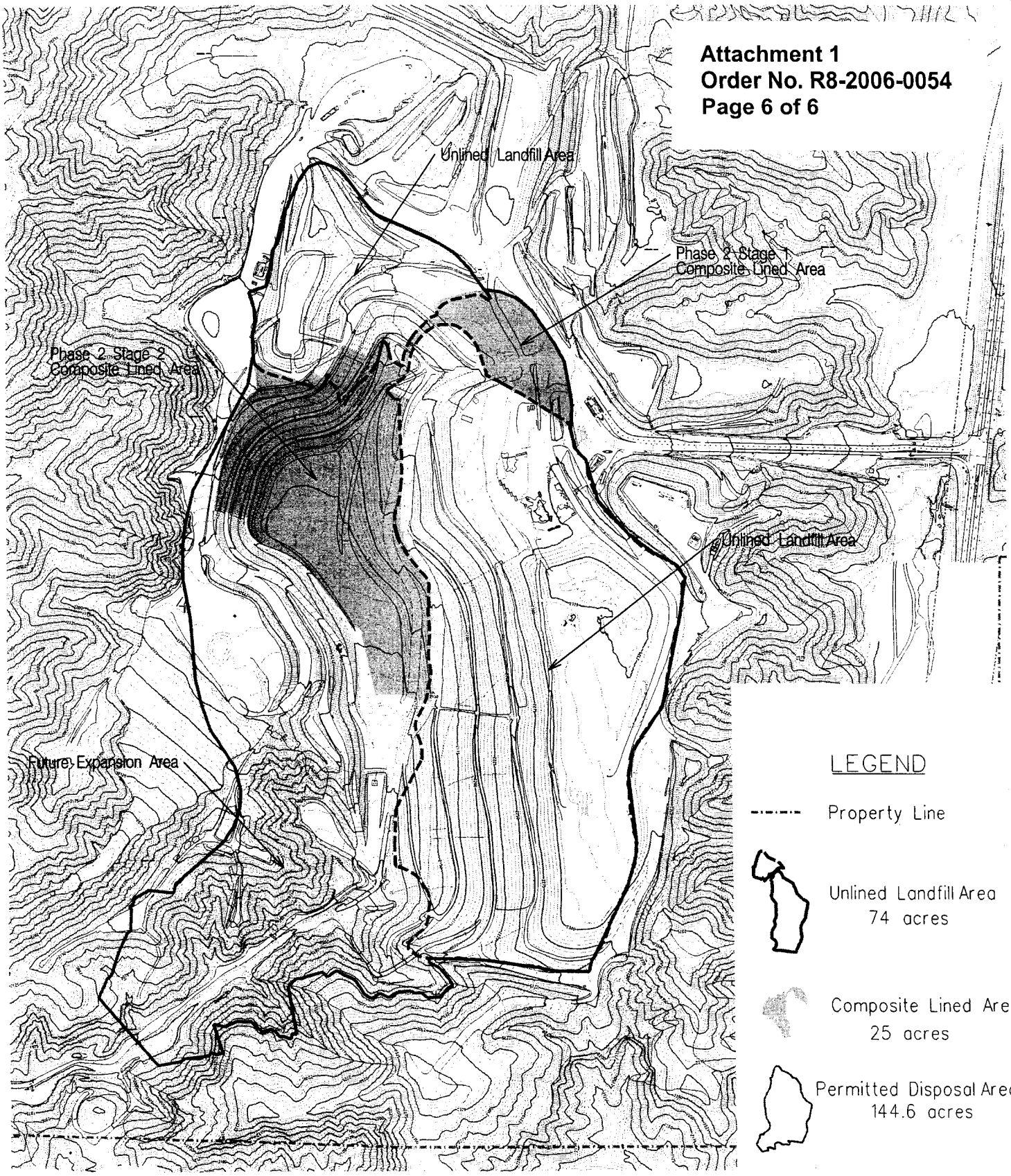
Gerard J. Thibeault
Executive Officer



Riverside County
Waste Management Department

Lamb Canyon Sanitary Landfill
JTD11 – Treated Wood Waste Management and Disposal Plan

Composite Lined Area

Figure 2

File Directory: /lamb/permitting/JTD11/F-02-Composite Lined Area.dgn		Date: May 2006
Reference : PD • 43064	Photo Date : July 2005	Scale : 1" = 600'