

**STATE OF CALIFORNIA  
REGIONAL WATER QUALITY CONTROL BOARD  
CENTRAL COAST REGION  
895 Aerovista Place, Suite 101  
San Luis Obispo, CA 93401-7906**

**PROPOSED WASTE DISCHARGE REQUIREMENTS ORDER NO. R3-2010-0006  
Waste Discharger Identification No. 3 420301003  
Adopted at the February 4, 2010 Board Meeting**

**FOR  
TAJIGUAS CLASS III LANDFILL  
SANTA BARBARA COUNTY**

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

**LANDFILL OWNER AND LOCATION**

1. The County of Santa Barbara owns the Tajiguas Class III Landfill (hereafter "Landfill"). The Santa Barbara County Department of Public Works is responsible for Landfill operations. The County of Santa Barbara is hereafter referred to as "Discharger."
2. The Landfill is located approximately 25 miles west of the City of Santa Barbara in the County of Santa Barbara (see Site Location Map, **Figure 1**). The Landfill is located approximately 1,600 feet north of Highway 101, which provides access to the site. The Landfill's address is 14470 Calle Real, Goleta, California, 93117.
3. The Landfill lies on unsectionalized land (Section 28 & 33 T5N, R31W S.B.B.M) that is a portion of Nuestra Señora Del Refugio with a latitude of 34° 28' 54" N and a longitude of 120° 07' 40" W. The Landfill includes four parcels with a combined area of 502 acres. The Discharger conducts landfilling operations within two of the parcels [130 acres with assessor's parcel number (APN) 081-150-019 and 282 acres with APN 081-150-026]. The Discharger also conducts minor operations on two additional parcels: Five acres of a 723-acre area within APN 081-150-032 is used for site access and operations easement, and an 85-acre area with APN 081-150-027 is used for access roads, grading, and water tanks

**PURPOSE OF ORDER**

4. The Discharger submitted a Joint Technical Document (JTD) on November 30, 2002, and amended the JTD in March 2003, September 2004, December 2007, and July 2009. Within the JTD, the Discharger provides support and rationale for a proposed physical waste footprint design change (reconfiguration) of the Landfill.

5. The purpose of Waste Discharge Requirements Order No. R3-2010-0006 (Hereafter "Order" or "Order No. R3-2010-0006") is to revise and update requirements for discharging waste to the Landfill.
6. The Discharger is currently regulated by Waste Discharge Requirements Order No. R3-2003-0011 (hereafter "Order No. R3-2003-0011"), adopted by the Water Board on March 21, 2003. Order No. R3-2010-0006 replaces Order No. R3-2003-0011
7. Order No. R3-2010-0006 includes the following key elements:
  - a. Description of a proposed physical footprint design change (reconfiguration) to a portion of the Landfill's approved and permitted waste disposal footprint.
  - b. Compliance review for the Landfill facility.
  - c. Description of Landfill operations including waste management unit construction.
  - d. Specifications for disposal of treated wood waste.
8. The Discharger will design, construct, and operate the Landfill pursuant to California Code of Regulations (CCR) Title 27, Solid Waste (hereafter "Title 27") effective July 18, 1997, and pursuant to Code of Federal Regulations Title 40, Part 257 and 258 Solid Waste Facility Disposal Criteria, Final Rule, as promulgated on October 9, 1991 (hereafter "40 CFR 258").

## **LANDFILL DESCRIPTION AND HISTORY**

9. The Landfill's property boundary ("waste management facility," as defined in Title 27) encompasses approximately 502 acres. The Landfill's total permitted operational area is 357 acres, with an approved and permitted waste disposal footprint of 118 acres. The permitted waste disposal footprint is comprised of both lined and unlined (pre-Subtitle D) areas. The permitted operational area includes the waste disposal area and ancillary facilities, which the Discharger uses to support landfill operations. Ancillary facilities include: the main access road, scale house and scale; administration and maintenance facilities; household hazardous waste storage area; green waste processing area, and unimproved roads that are used to access the east and west ridgelines. The current waste footprint occupies about 88 acres. Title 27 §20164 defines a "waste management unit" as an area of land, or a portion of a waste management facility, at which waste is discharged. The term includes containment features and ancillary features for precipitation and drainage control and for monitoring. For the Landfill, the waste management unit includes the disposal area, storm water conveyance ditches and culverts, and sediment retention basins.
10. Approximately 71.1 acres of the Landfill's approved waste disposal footprint are unlined (pre-Subtitle D regulations). In 2002 and 2003, the Discharger obtained all the necessary approvals and permits to expand the Landfill both vertically and laterally. The Discharger obtained permits for a 120-foot increase in the height of the landfill for a maximum height of 620 feet above mean sea level (msl) and for a lateral

expansion of 40 acres for a total permitted area of 118 acres. The Discharger will construct the horizontal expansion areas with a waste containment system (i.e., composite liner system) designed in compliance with State and Federal regulations under the California Code of Regulations Title 27 and 40 CFR 258. The Discharger proposes to modify the approved waste footprint by reconfiguring an approximately 12-acre portion of the expansion waste fill area. Waste filling operations are currently being conducted in both the pre-Subtitle D waste area (unlined) and the lined lateral expansion areas (Phase I and Phase II areas). The lined lateral development will continue with a total of three fill phases instead of four. The Discharger completed Phases 1A, 1B, and 2A (See Site Reconfiguration Map, **Figure 2**). Santa Barbara County Environmental Health Services permits the Discharger to accept up to 1,500 tons per day of municipal solid waste and yard waste. Based on current waste disposal rates, the Landfill would reach permitted capacity in approximately 2023. The currently permitted Landfill disposal capacity is 23.3 million cubic yards of waste.

11. The Discharger owns the Baron Ranch which is a 1,083-acre avocado and cherimoya ranch located in an adjacent canyon (Arroyo Quemado Canyon), immediately east of the Landfill. The Discharger purchased the ranch in 1991 to provide a buffer between the Landfill and private holdings, to prevent future subdivision and residential development adjacent to the Landfill, to allow flexibility for the existing and future solid waste operations, to provide options for mitigation, and to provide possible future public access for community uses. Baron Ranch currently supports approximately 90 acres of avocado and seven acres of cherimoya orchards.
12. Land use within 1,000 feet of the Landfill is primarily for ranching, orchards and recreation. The closest residences are located in the private beach community of Arroyo Quemada. Arroyo Quemada is located approximately 2,000 feet to the southeast (See Site Vicinity Map, **Figure 3**). The residences of Arroyo Quemada are served by private wells and trucked in water.
13. The Landfill property is zoned for unlimited agriculture with the surrounding areas zoned for agriculture, open space, and National Forest. The Santa Barbara County Board of Supervisors amended the County Comprehensive Plan and placed a Waste Disposal Facility Overlay on the two main landfill parcels (APN 081-150-019 and APN 081-150-026).
14. Rainfall is seasonal with the majority of the precipitation falling between November and April. The annual average precipitation recorded at the Goleta station is 18.5 inches. The site-specific 100-year, 24-hour storm is 7.85 inches.
15. Waste discharge began in 1967, and the Water Board began regulating the Landfill in 1970. Municipal wastes were initially disposed along either side of Cañada de la Pila creek. The Discharger rerouted the creek several times and the Creek was

finally diverted around the Landfill via an underground storm drain structure. Wastes were then placed over the existing drainage channel.

16. Wastes are disposed of utilizing the area and canyon disposal method. Wastes are placed and compacted in two foot layers on a 5:1 (horizontal:vertical) working face to achieve maximum compaction. As of April 2009, the Landfill holds approximately 10 million tons (16.6 million cubic yards, at 0.6 tons per cubic yard) of waste.

#### **CLASSIFICATION AND WASTE TYPE**

17. The Landfill is classified by the Water Board as a Class III waste management unit, approved for discharge of Nonhazardous Municipal Solid Waste, pursuant to Title 27 §20200.

18. The waste type allowed to be discharged at a Class III landfill, per Title 27 §20220, is generally limited to “Nonhazardous Solid Waste”, defined as:

“All putrescible and nonputrescible solid, semi-solid, and liquid wastes, including garbage, trash, refuse, paper, rubbish, ashes, industrial wastes, demolition and construction waste, abandoned vehicles and parts thereof, discarded home and industrial appliances, manure, vegetable or animal solid and semi-solid wastes and other discarded waste (whether of solid or semi-solid consistency); provided that such wastes do not contain waste which must be managed as hazardous wastes, or wastes which contain soluble pollutants in concentrations which exceed applicable water quality objectives, or could cause degradation of water of the state (i.e., designated waste).”

19. Municipal solid waste currently delivered to the Landfill is generated by the City of Santa Barbara, the City of Goleta, the unincorporated areas of southern Santa Barbara County, and the Santa Ynez and Cuyama Valleys. The Landfill receives municipal solid waste from the South Coast Recycling and Transfer Station, the Santa Ynez Valley Recycling and Transfer Station, the New Cuyama Transfer Station, and the Ventucopa Transfer Station. Private waste collection companies and limited numbers of private individuals also haul solid waste to the Landfill. The Landfill received approximately 261,590 tons of waste in 2008. An average of 702 tons are disposed daily, based on 307 operating days per year.

20. Wastes received at the Landfill include non-hazardous residential curbside waste; commercial and industrial waste; demolition/construction debris; non-hazardous sludge; non-friable asbestos; and used tires. These wastes are suitable for disposal at a Class III landfill. The Landfill separates and recycles tires, appliances, scrap metal, wood waste, and green waste.

**GEOLOGY/HYDROGEOLOGY**

21. **Setting** – The existing Landfill and expansion area lies entirely within the Cañada de la Pila, a small coastal canyon watershed on the Santa Ynez Mountains' southern flank. The Santa Ynez Mountains extend from Gaviota Canyon eastward to Matilija Gorge (Ventura County). The range is composed of a single main crest that is continuous for approximately 50 miles.
22. **Topography** – The Landfill property has moderately steep slopes with drainage in a southerly direction. Surface elevations range from 120 feet msl at the site entrance, to 490 feet msl at the northern limit of the existing Landfill. The ridge north of the project is approximately 1,240 feet msl. Higher elevations consist of chaparral-covered slopes with lower elevations consisting of grass covered hills. **Figure 4** shows topographic features, ground surface contours, natural slopes, and drainage patterns.
23. **Stratigraphy** – The Discharger identifies five major geologic/hydrologic units which include the: Gaviota formation, undivided Sespe and Alegria formation, Vaqueros Sandstone, Rincon Shale, and the Monterey Shale. The five formations are shown on **Figure 4**. Primarily the Rincon Shale and its derivative soil underlie the existing unlined Landfill. Lined expansion areas are underlain by Rincon, Vaqueros and Sespe/Alegria formations. These units generally strike east west and dip southward 40 to 70 degrees.
- The Gaviota formation (GF) underlies the Landfill's northern boundary. The GF extends north of the surface water divide at the head of Cañada de la Pila. The GF is approximately 1,000 feet thick, and consists mainly of interbedded marine sandstone and siltstone. The upper 200 feet is primarily fine- to medium-grained sandstone that is locally gradational to siltstone. The GF contains groundwater within fractures. Groundwater flow is generally south, with a gradient of approximately 0.25 feet per foot (ft/ft). Hydraulic conductivities range from 290 to 0.09 ft/year ( $2.8 \times 10^{-4}$  to  $8.8 \times 10^{-8}$  centimeters per second [cm/sec]). This range of conductivities is lower (less permeable) than those of the Vaqueros Hydrologic Unit.
  - The interfingered Sespe and Alegria formation is 1,665 feet thick at the site, and consists mainly of interbedded sandstone, siltstone, and mudstone. The formation conformably overlies the Gaviota formation. The northern expansion area will overlie the Sespe and Alegria formation. The Discharger currently excavates the formation materials for use as daily cover. Groundwater is locally present in portions of the unit but the unit as a whole exhibits low permeability. Groundwater flows generally southward; with a gradient ranging approximately from 0.7 to 0.09 ft/ft. Testing indicates a typical hydraulic conductivity of 0.1 feet/year [ $9.8 \times 10^{-8}$  cm/sec].

- c. The Vaqueros Sandstone is approximately 670 feet thick, and overlies the undivided Sespe and Alegria formation. The contact is gradational from mudstone upward to siltstone and fine sandstone. The Vaqueros Sandstone underlies the northern active landfilling area, and the base and side slopes of the southern expansion area. The Vaqueros formation yields groundwater from fractures and intergranular porosity. Groundwater flows generally southwest with a gradient of approximately 0.10 ft/ft. Hydraulic conductivity values for the Vaqueros formation range from 144 to 6 ft/year ( $1.4 \times 10^{-4}$  to  $5.6 \times 10^{-6}$  cm/sec).
  - d. The Rincon Shale underlies a majority of the Landfill, and borders the Landfill to the east and west. Surface exposures are limited to cut slopes. The Rincon Shale overlies the Vaqueros Sandstone along a gradational contact, which is exposed northeast of the Landfill. The Rincon Shale thickness is approximately 1,470 feet. The formation consists primarily of massively bedded mudstone and claystone with subordinate siliceous shale and dolomite. The mudstone and claystone exhibits low permeability. The bedrock of this unit is generally impermeable and acts as a barrier to groundwater flow. Groundwater flow is generally south with a gradient 0.03 ft/ft. Hydraulic conductivities range from 0.008 to 0.1 ft/year ( $7.7 \times 10^{-9}$  to  $9.7 \times 10^{-8}$  cm/sec) for unweathered Rincon shale, and from 10 to 0.1 ft/year ( $1 \times 10^{-5}$  to  $1 \times 10^{-7}$  cm/sec) for weathered zones. Groundwater flow is primarily through shallow weathered zones.
  - e. The area down canyon of the existing Landfill is underlain by the Miocene age Monterey Shale, which consists mainly of claystone and siltstone with carbonate and tuff interbeds. The Monterey Shale extends south into the Pacific Ocean. The Monterey formation yields groundwater from weathered and fractured zones. Groundwater flows generally southwest with a gradient of 0.1 ft/ft. Hydraulic conductivity of the weathered Monterey formation is approximately 20 ft/year ( $2 \times 10^{-5}$  cm/sec).
  - f. Alluvium and Colluvium (A&C) are located throughout the property and are composed of weathered and eroded formation deposits. Alluvium and colluvium are distributed along the narrow (less than 100 feet in width) valley bottom. The alluvium (and underlying shallow, weathered bedrock) accommodates the majority of shallow groundwater flow. The unconsolidated alluvial deposits north of the Landfill consist of alluvial sands, silts, and clay to a maximum depth of 15 feet. These deposits only contain water seasonally as indicated by investigative soil borings.
24. **Faulting** – The regional structure is dominated by the Santa Ynez fault; an east-west trending fault located approximately four miles (6.4 km) north of the Landfill. This vertical to steeply south-dipping fault displays oblique, left lateral, south side-up offset. The Discharger performed earthquake evaluations to determine the Maximum Probable Earthquake (MPE) event. The Discharger has determined that the MPE for the Landfill is a 5.5 magnitude quake with a mean peak bedrock acceleration of 0.24g on the Santa Ynez Fault.

25. **Hydrogeology** – Groundwater conditions in the vicinity of the Landfill are complex due to the different hydrogeologic properties of local geologic formations. The hydrogeologic conditions of the canyon are defined by discrete hydrologic units, each of which comprises formations or parts of formations that are hydraulically connected and act as a single unit. The hydrologic units at the site also include lower permeability aquitards that contain and transmit significantly smaller quantities of water than the aquifer units.

## **SURFACE WATER, STORM WATER, AND GROUNDWATER**

26. The Landfill is located within the South Coast Hydrologic Unit. The site is not located within the 100-year flood plain, according to the Federal Emergency Management Agency maps for Santa Barbara County. There are no designated wetlands on site.

27. **Springs** – There are no known springs located within Cañada de la Pila. However, prior to Landfill development, seasonal springs were reported to have been located beneath the current Landfill area. Locals have observed seeps in the bluff area below the community of Arroyo Quemado. Seeps have also been noticed in the Rincon formation after very wet winters. Springs in adjacent canyons have been developed for livestock and crop watering.

28. Surface water exists in the upper canyon and Landfill areas only during, and shortly after, rain events. Surface water runoff in the general vicinity of the Landfill flows predominantly towards the south. Drainage from the Landfill enters Pila Creek near the toe of the Landfill. Pila Creek flows south under Highway 101 and discharges to the Pacific Ocean, approximately 2,000 feet from the Landfill.

29. Landfill storm water runoff is collected in ditches and over side drains and is routed to permanent sedimentation control structures. The basins and sediment control structures are shown on **Figures 2**. Storm water run-on is intercepted by perimeter collection ditches, routed around the Landfill, and discharged to Pila creek.

30. **Groundwater** – Discrete hydrogeologic units are hydraulically connected and behave as a single unit. Groundwater flows from topographically high areas downward to stream channels, where the flow emerges as discharges to streams, or as underflow in alluvial fill or fractured bedrock. Groundwater gradients are mainly influenced by topography, with steeper gradients in the mountain areas. Flow direction is also influenced by geologic structures and changes in lithology.

31. **Groundwater Quality** – Natural groundwater quality (e.g., TDS, some metals, etc.) associated with the Monterey and other onsite formations is traditionally poor. The Discharger has monitored site groundwater continuously since 1988. Historically, the Discharger reported volatile organic compounds (VOC) at total VOC concentrations up to 2.2, 25.4 and 1.3  $\mu\text{g/l}$ , in downgradient wells MW-2, MW-4, and side gradient well MW-10, respectively (December 1996 data). The Discharger

suspected that leachate was the source of VOC detections. In response, the Discharger implemented corrective action. Initially, the Discharger installed a groundwater/leachate collection and removal system (LCRS #1) to capture polluted groundwater. The Discharger has since expanded corrective action to include gas extraction, leachate extraction and upgradient groundwater extraction. Total VOC concentrations and the number of detected compounds have declined in response to corrective action implementation. The Discharger has not detected VOCs above the primary MCLs in MW-4 since early 1998. The Discharger has also not detected VOCs (or detected VOCs below their respective MCLs) in wells downgradient from MW-4 for the last 10 to 11 years. These data indicate that the environmental control systems and corrective action in place at the Landfill have effectively minimized impacts from the unlined Landfill on downgradient groundwater.

32. **Wells** - There are approximately 27 supply wells within one mile of the Landfill. The closest water supply well, well #3, is located downgradient of the Landfill and the Discharger uses this well for site operations. Typically, wells located in the Monterey and Rincon formation are dry, inactive, or used for non-potable purposes, because of poor water quality and quantity. Groundwater used for potable and irrigation purposes is mainly derived from the Vaqueros and Gaviota formation wells.
33. **Groundwater Separation** - Groundwater currently contacts waste in portions of the existing unlined area. The Discharger encountered groundwater in the Landfill at elevations ranging from approximately 240 to 290 feet msl. Based on test pumping results, the Discharger interprets groundwater to be present in isolated waste cells of intermediate permeability (likely waste material) separated from each other by zones of low permeability (likely daily cover soils material). Title 27, §20240(c), requires the Discharger to operate the Landfill to ensure that wastes will be a minimum of five feet above highest anticipated groundwater. This operation standard is intended to reduce leachate generation and ensure no impairment of beneficial uses. Groundwater currently contacts waste in portions of the existing unlined area. Therefore, the Discharger has proposed and implemented specific engineered alternatives, as allowed by Title 27, §20080(b), that are consistent with the performance goal and afford equivalent protection of groundwater quality. The location of the engineered alternatives are shown on **Figure 5** and consist of the Landfill gas extraction system, north groundwater management system (NGWMS) and leachate collection and removal systems #1[GLCRS], #3 (HWDS), and #4 (DW wells). The leachate, groundwater, and Landfill gas collection systems are described in Findings Nos. 37 and 38, respectively. Additionally, the Discharger has demonstrated that meeting the five-foot separation would be infeasible according to Title 27, §20080(c) because maintaining the five-foot separation is unreasonable (e.g., excavating and moving acres of waste) and unnecessarily burdensome and will cost substantially more than the engineered alternative which meet the criteria in Title 27, §20080(c).
34. **Groundwater Separation in Horizontal Expansion Areas** – The Discharger is required to design and operate the Horizontal Expansion Area (future expansion

areas) to ensure a minimum five-foot separation between waste and highest anticipated groundwater [Title 27, §20240(c)].

35. **Storm Water** – The Landfill is enrolled in the *Waste Discharge Requirements for Discharges of Storm Water Associated with Industrial Activities* (General Storm Water Permit for Industrial Activities), under State Water Resources Control Board (State Water Board) Water Quality Order No. 97-03-DWQ and National Pollutant Discharge Elimination System (NPDES) General Permit No. CAS00001.
36. The Landfill incorporates an existing out-of-channel basin and a sediment control structure for purposes of controlling sediment loading from storm water runoff. The Discharger can expand the out-of-channel basin if needed. The Discharger monitors the discharges from the sediment basin and sediment control structure under the General Storm Water Permit for Industrial Activities. In accordance with MRP R3-2010-0006, the Discharger is also required to annually collect a sediment sample from the bottom of each stormwater sediment basin and analyze that sample for metals or remove the accumulated sediments in the sediment basins prior to October 1 of each year and discharge the sediments to the lined portion of the Landfill.

## CONTROL SYSTEMS AND MONITORING

37. **Leachate/Groundwater Control Systems** – There are four existing and one proposed leachate recovery system and one upgradient groundwater extraction system. The six systems consist of:
- a. **Leachate Collection and Removal System (LCRS) #1** – This system consists of a groundwater extraction trench (cut-off trench) just south of the existing unlined area, below the down-canyon extent of the Landfill. The trench is approximately 200 feet long, three feet wide, 47 feet deep, and is keyed into unweathered Rincon shale. The Discharger uses the trench to intercept polluted groundwater upgradient of the point of compliance.
  - b. **LCRS #2** – This system collects leachate from a composite lined area east of the unlined active area.
  - c. **LCRS #3** – This system consists of three 200 feet long horizontal wells within the lower lift of the waste as a horizontal well dewatering system. The system collects leachate from the horizontal wells at the toe of the existing unlined area.
  - d. **LCRS #4** – This system consists of four vertical dewatering wells (DW 3-1, 3-2, 4-2, and 4-3) constructed within the unlined Landfill.
  - e. **LCRS #5 (proposed)** – This system will overlie the expansion area's bottom composite liner system.
  - f. **North Groundwater Management System (NGWMS)** – The NGWMS consists of extraction well P-20, a submersible pump, a 10,000-gallon storage tank, and one piezometer. This system extracts groundwater from the buried Pila Creek alluvium channel upgradient of the Landfill, thereby drawing down the water table

beneath the unlined portion of the Landfill, and decreasing the contact between groundwater and waste.

38. **Landfill Gas Control System** – The Discharger collects Landfill gas via landfill gas extraction wells in unlined and lined areas. Landfill gas is generally used by an onsite internal combustion engine (generator) to create electricity up to a maximum electrical production of 3.1 megawatts. The flare is used to combust excess landfill gas not needed to fuel the generator, or when the generator is not operating. Excess landfill gas up to 300 standard cubic feet per minute is sent to the low flare burner tip. The gas recovery system controls downward and lateral migration of methane and VOCs associated with landfill gas, and limits the dissolution of landfill gas in groundwater and soil moisture.
39. Monitoring and Reporting Program (hereafter “MRP”) No. R3-2010-0006, issued by the Water Board’s Executive Officer, requires monitoring and reporting on: groundwater; vadose zone; leachate collection and removal; landfill gas; storm water drainage; waste intake; rainfall data; and physical site observations. The MRP establishes groundwater monitoring points; monitoring frequency; monitoring parameters; constituents of concern; criteria for sample collection and analyses; methods for analyzing data both statistically and non-statistically; minimum monitoring report content; and definition of terms.
40. **Groundwater Monitoring** – Groundwater monitoring at the Landfill includes approximately five detection monitoring wells (MW-12, -14, -15, -29, and -30) and four detection/corrective action monitoring wells<sup>1</sup> (MW-2, -3, -4, and -10), that monitor groundwater quality and groundwater elevation at the Landfill. The Discharger will expand the current groundwater monitoring system with the future development of the Landfill to include an additional monitoring well (MW-31). The locations of the groundwater monitoring points are shown on **Figure 5**. In addition to the detection/corrective action monitoring wells, there are water supply wells, monitoring, and piezometer wells that the Discharger monitors primarily for groundwater elevations but these wells can be monitored for supplemental water quality data, if required.
41. **Leachate Monitoring** – The Discharger collects and stores leachate and groundwater contacting waste in several tanks onsite. Stored leachate is routinely monitored and either disposed of onsite or hauled offsite for disposal. Onsite disposal is limited to dust control and construction, as described in “Leachate Reduction and Removal Plan for Tajiguas Landfill”, dated September 4, 2003.
42. **Surface Water Monitoring** – Surface water is monitored at four locations (SW-1, 3, 4, and 5) around the Landfill. Additionally, the Discharger monitors storm water according to the State’s NPDES storm water discharge general permit.

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<sup>1</sup>Detection monitoring for inorganic parameters and corrective action monitoring for VOCs.

43. **Vadose Zone Monitoring** – The current vadose zone monitoring system consists of a lysimeter adjacent to the Landfill and a subdrain system under lined areas of the Landfill. As Landfill development proceeds, the Discharger is required to expand the system.
44. **Landfill Gas Monitoring** – The Discharger measures Landfill gas quantity and quality regularly according to the MRP.

## **BASIN PLAN**

45. The Water Quality Control Plan, Central Coast Basin (Basin Plan), was adopted by the Water Board on September 8, 1994, and approved by the State Water Board on November 17, 1994. The Basin Plan incorporates statewide plans and policies by reference and contains a strategy for protecting beneficial uses of State Waters. This Order implements the water quality objectives stated in that Plan.
46. The Basin Plan identifies the following present and anticipated beneficial uses for surface water in Cañada de la Pila:
- a. Domestic and Municipal Supply
  - b. Agricultural Supply
  - c. Groundwater Recharge
  - d. Non-Contact Water Recreation
  - e. Contact Water Recreation
  - f. Wildlife Habitat
  - g. Warm Freshwater Habitat
  - h. Industrial Service Supply
47. Observed groundwater use in the vicinity of the Landfill is agricultural and domestic water supply. The Basin Plan identifies the following beneficial uses of groundwater in the vicinity of the Landfill:
- a. Domestic and Municipal Supply
  - b. Agricultural Supply
  - c. Industrial Supply

## **CALIFORNIA ENVIRONMENTAL QUALITY ACT Environmental Review and Permitting Background**

48. This Order contains prohibitions, discharge specifications, water quality protection standards, and provisions intended to protect the environment by mitigating or avoiding impacts of the project on water quality. This Order addresses both an existing facility and a reconfiguration of the waste footprint and associated disturbances to extend the waste footprint west across Pila Creek (within Canada de la Pila) to the west of the canyon.

49. The Santa Barbara County [department] is the lead agency under the California Environmental Quality Act (CEQA) [Public Resources Code Section 21000 et. seq.] and the Central Coast Water Board is a responsible agency for purposes of CEQA. On **August 13, 2002**, the Santa Barbara County Board of Supervisors certified an Environmental Impact Report (EIR) (01-EIR-05) for, and approved, the Tajiguas Landfill Expansion Project (Front Canyon Expansion). This project consists of the horizontal and vertical expansion of the landfill outside of the Coastal Zone, providing 8.2 million cubic yards of additional waste disposal capacity for a total capacity of 23.3 million cubic yards. The Discharger received all applicable permits to construct and operate the expansion in 2003 and waste disposal is currently occurring in the approved and permitted waste disposal footprint.
50. On **May 5, 2009**, the Santa Barbara County Board of Supervisors certified the Final Subsequent Environmental Impact Report (SEIR), 08EIR-00000-00007, for the Tajiguas Landfill Reconfiguration and Baron Ranch Restoration Project, in accordance with CEQA and the CCR, Title 14. The County prepared SEIR (08EIR-00000-00007) as a Subsequent Environmental Impact Report to EIR (01-EIR-05), due to the potential for substantial changes to the types and severity of impacts identified in the previously certified EIR.

The approved project involves a redesign of a portion (approximately 12-acres) of the approved and permitted waste disposal footprint. The proposed waste footprint design change (reconfiguration) does not modify any of the existing operational parameters (e.g., waste disposal capacity, hours of operation, personnel requirements, waste handling procedures, etc.) but does involve physical changes to a portion of the approved location of the waste footprint and associated disturbances for construction activities and equipment operations in the back canyon area of the Landfill site.

The SEIR proposes the environmental mitigation measures that the County will implement through the Baron Ranch Restoration Project to offset the loss of habitat caused by the reconfiguration. The proposed reconfiguration negates the need for a large manmade earthen buttress to stabilize waste, removes in-channel sediment basins in Pila Creek allowing base flow in Pila Creek to continue downstream of the Landfill, and reduces the need to excavate and handle approximately 1.3 million cubic yards of soil, which significantly reduces potential future storm water impacts from storm water runoff.

As a responsible agency under CEQA, the CEQA Guidelines require the Water Board to consider the SEIR and make its own conclusions about whether to approve the project and to consider the environmental impacts of the proposed project as shown in the SEIR. A responsible agency may impose mitigation measures, but may only require mitigation for the environmental impacts of the parts of the project which it approves (see CCR Title 14). The Water Board has considered the SEIR and has included conditions in this Order to protect water quality.

As a responsible agency, the Water Board may not approve the project for which an EIR has been certified that identifies one or more significant environmental effects of the project unless the Water Board makes written findings for each of those significant effects. This Order authorizes the reconfiguration of an existing facility. For purposes of this Order, the Water Board is only required to address any significant environmental impacts that could be addressed within the jurisdiction of the Water Board that have been identified in the SEIR. The SEIR identified no significant environmental impacts with respect to water quality. The SEIR identified mitigation to avoid or lessen the environmental effects for non-water quality related impacts due to the landfill reconfiguration. The Water Board, therefore, is not required to make findings pursuant to CCR, Title 14 §15091 with respect to water quality associated with the landfill reconfiguration.

51. The Water Board has considered the Final SEIR adopted by the County of Santa Barbara and makes the following conclusions. All other potential environmental impacts identified in the Final SEIR are not within the responsibility and jurisdiction of the Water Board. Those other impacts and mitigation measures do not relate to water quality or pollution or nuisance associated with discharges of waste. This Order incorporates requirements that satisfy the mitigation measures identified in the Final SEIR.
52. On **June 16, 2009**, the Central Coast Water Board's Executive Officer, issued Water Quality Certification No. 34208WQ15 (Clean Water Act Section 401 Water Quality Certification for Discharge of Dredged and/or Fill Materials) to certify that any discharge from the Tajiguas Landfill Reconfiguration and Baron Ranch Project must comply with the applicable provisions of sections 301 ("Effluent Limitations"), 302 ("Water Quality Related Effluent Limitations"), 303 ("Water Quality Standards and Implementation Plans"), 306 ("National Standards of Performance"), and 307 ("Toxic and Pretreatment Effluent Standards") of the Clean Water Act. The Water Quality Certification states, "Except insofar as may be modified by any preceding conditions, all certification actions are contingent on (a) the discharge being limited and all proposed mitigation being completed in strict compliance with the applicant's project description and the Project Information Sheet, and (b) compliance with all applicable requirements of the Central Coast Water Board's Water Quality Control Plan (Basin Plan)."
53. Pursuant to CEQA guidelines §15096, the Water Board, as a responsible agency, adopts as part of the findings and provisions of this Order, Final Subsequent Environmental Impact Report (EIR No. 08EIR-00000-00007) Findings of Mitigation and a Mitigation Monitoring and Reporting Program. These findings are limited to the portion of the Landfill project approved by the Water Board and to mitigation measures that are within the Water Board's jurisdiction. Compliance with the mitigation measures and mitigation-monitoring program described in the findings is mandated by this Order.

54. Except with respect to the proposed reconfiguration of the approved footprint, this Order is for an existing facility and therefore is exempt from provisions of the California Environmental Quality Act (Public Resources Code, §21000, et seq.) in accordance with Title 14, Chapter 3, §15301.

### GENERAL FINDINGS

55. In accordance with Title 27 §20260(b)(1) and 40 CFR 258.40, the Water Board finds that all new waste management units constructed at the Landfill must have prescriptive composite liners, except for engineered alternatives as provided in Title 27 §20080(b) and 40 CFR 258.40(a)(1) and (c).

56. In accordance with California Water Code §13263(g), no discharge into waters of the state, whether or not the discharge is made pursuant to waste discharge requirements, must create a vested right to discharge. All discharges of waste into waters of the state are privileges, not rights. Authorization to discharge waste is conditioned upon the Discharger complying with provisions of Division 7 of the California Water Code and with any more stringent limitations necessary to implement the Basin Plan, to protect beneficial uses, and to prevent nuisance. Compliance with Order No. R3-2010-0006 should assure conditions are met and mitigate any potential changes in water quality attributed to the Landfill.

57. The Landfill meets the criteria of Title 27 and 40 CFR 258 for a Class III landfill suitable to receive non-hazardous solid waste. Order No. R3-2010-0006 implements, but is not limited to, the prescriptive standards and performance goals of Title 27 and 40 CFR 258.

58. **Antidegradation:** State Water Board Resolution No. 68-16 Statement of Policy with Respect to Maintaining High Quality of Waters in California (Resolution No. 68-16) requires Regional Water Boards, in regulating the discharge of waste, to maintain high quality waters of the State until it is demonstrated that any change in quality will be consistent with the maximum benefit to the people of the State, will not unreasonably affect beneficial uses, and will not result in water quality less than that described in a Regional Water Board's policies (e.g., quality that exceeds applicable water quality standards). Resolution No. 68-16 also states, in part:

"Any activity which produces or may produce a waste or increased volume or concentration of waste and which discharges or proposes to discharge to existing high quality waters will be required to meet waste discharge requirements which will result in best practicable treatment and control of the discharge necessary to assure that (a) a pollution or nuisance will not occur and (b) the highest water quality consistent with maximum benefit to the people of the State will be maintained".

59. The discharges regulated by this Order are required to comply with the land disposal regulations contained in Title 27, which are intended to prevent discharges of waste to waters of the state, preventing degradation of waters of the state. The discharge

is subject to waste discharge requirements, which will result in best practicable treatment or control.

60. The California Integrated Waste Management Board (CIWMB) regulates this Landfill under Solid Waste Facility Permit No. 42-AA-0015, issued on October 20, 2009 by the Santa Barbara County Environmental Health Services Division as the Local Enforcement Agency, following concurrence by the CIWMB.
61. The Landfill operates its gas extraction system under the Santa Barbara County Air Pollution Control District (SBCAPCD), Permit No. 9788-R2, issued on April 5, 2006. The SBCAPCD is currently reviewing a updated permit.
62. "Treated wood" means wood that contains 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 United States Code, 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. 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 (RCRA) of 1976, as amended 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 Sections 25143.1.5 and 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 must be deemed to be a solid waste, and not a hazardous or designated waste. The Discharger has indicated that all treated wood waste accepted at the facility will be handled and disposed of in accordance with the provisions outlined in Sections 25143.1.5, 25150.7, and 25150.8 of the Health and Safety Code.
63. On **June 8, 2009**, the CIWMB stated that the Discharger has demonstrated availability of financial resources to conduct closure and post closure maintenance activities and an appropriate financial assurance instrument for corrective action for a reasonably foreseeable release at the Landfill. The financial instruments for closure, post closure maintenance, and corrective action are annually adjusted for inflation.
64. Effective March 30, 2009, the Department of Toxic Substances Control (DTSC) repealed conditional authorization letters that allow automobile shredder waste that is subjected to certain treatment requirements to be classified as non-hazardous waste because DTSC's testing and analyses has shown increasing levels of

hazardous constituents in the treated shredder waste. On September 17, 2009, the DTSC granted an extension to the proposed repeal date regarding conditional authorization to manage automobile shredder waste as non-hazardous waste. The current extension is contingent on continuing progress in the development of alternative management standards that are protective of human health and the environment and does not specify a new effective date for the repeal of the conditional authorization. As a result, automobile shredder waste from certain authorized facilities managed pursuant to Title 22, California Code of Regulations, Section 66260.200(f) and Policy and Procedure #88-6 may continue to be managed as non-hazardous waste.

65. On November 11, 2009, the Water Board notified the Discharger and interested agencies and persons of its intent to issue Waste Discharge Requirements for the Landfill, and has provided the opportunity to review a copy of the proposed Order and submit written views and comments.

66. After considering all comments pertaining to this discharge during a public hearing on February 4, 2010, Water Board staff found that this Order is consistent with the above findings.

**IT IS HEREBY ORDERED** pursuant to authority in §13263 and §13267 of the California Water Code, the Discharger, its agents, successors, and assigns in maintaining the Tajiguas Class III Landfill must comply with the following:

#### **A. COMPLIANCE WITH OTHER REGULATIONS AND ORDERS**

1. Discharge of waste, operations, and monitoring must comply with all applicable requirements contained in Title 27 and 40 CFR Parts 257 and 258. If any applicable regulation requirements overlap or conflict in any manner, the most water quality protective requirement must govern in all cases, unless specifically stated otherwise in this Order, or as directed by the Executive Officer.
2. The Discharger must control storm water runoff releases from the Landfill by complying with all requirements contained in the General Storm Water Permit for Industrial Activities.

#### **B. PROHIBITIONS**

1. Discharge of waste to areas outside the approved and permitted waste disposal footprint (i.e., "Reconfigured Waste Footprint") for the Waste Management Unit as illustrated in Figure 2 is prohibited.
2. Discharge of waste within the approved and permitted waste disposal footprint for Waste Management Unit is prohibited as provided in Specification C.3.

3. Discharge of hazardous waste or hazardous constituents, except for treated wood waste or waste that is hazardous due only to its asbestos content, is prohibited. Wastes that are prohibited include but are not limited to:
  - a. Radioactive wastes.
  - b. Designated waste.
  - c. Hazardous waste, except waste that is hazardous due only to its asbestos content. Asbestos containing greater than one percent (>1%) friable asbestos material is considered hazardous but may be discharged as allowed by Specification C. 14.
  - d. Chemical and biological warfare agents.
  - e. Waste solvents, dry cleaning fluids, paint sludge, pesticides, phenols, brine, and acid and alkaline solutions.
  - f. Oils or other liquid petroleum products.
  - g. Wastes that have the potential to reduce or impair the integrity of containment structures or which, if commingled with other wastes in the unit, could produce violent reaction, heat or pressure, fire or explosion, toxic by-products, or reaction products.
  - h. Wastes that require a higher level of containment than provided by the Landfill.
  - i. Liquid or semi-solid waste containing less than 50 percent solids by weight. This includes landfill leachate and gas condensate, except as allowed by Specification C. 6, and sludge, except as allowed by Specification C.18.
4. Discharge of waste or leachate to ponded water, drainageway(s), or waters of the State, including groundwater, is prohibited.
5. Discharge of liquid waste, meaning any waste materials that are determined to contain free liquids through visual inspection, or as defined by Method 9095 (Paint Filter Liquids Test), is prohibited.
6. Discharge of waste within 50 feet of the property line, 100 feet of surface waters, or 100 feet of domestic water supply wells is prohibited, unless approved by the Executive Officer.
7. Disposal of wastes within five (5) feet of the highest anticipated elevation of underlying groundwater, including the capillary fringe, is prohibited, except as allowed under Title 27, §20080 (b) and (c).

### **C. SPECIFICATIONS**

1. Discharge of waste must not cause a condition of pollution or contamination to occur through a statistically significant release of pollutants, contaminants, and/or waste constituents, as indicated by the most appropriate statistical [or non-statistical] data analysis method and retest method described in MRP No. R3-2010-0006.

2. Discharge, collection, and treatment of waste must not create nuisance, as defined by California Water Code §13050(m).
3. The Discharger must not discharge waste to areas inside the approved and permitted waste disposal footprint waste management units, which did not receive waste as of April 9, 1994, unless the discharge is to an area equipped with an Executive Officer-approved containment system consisting of a composite liner and LCRS. The liner must consist of the following three components, pursuant to 40 CFR 258 and Title 27 §20340:
  - a. Lower Component: A layer of compacted soil that is at least two feet thick that has a hydraulic conductivity of no more than  $1 \times 10^{-7}$  centimeters per second (0.1 feet/year);
  - b. Upper Component: A synthetic flexible membrane liner at least 40-thousandths of an inch (mil) thick (or at least 60-mils thick if the liner is high-density polyethylene) that is installed in direct and uniform contact with the Lower Component;
  - c. Leachate Collection and Removal System: The LCRS system must be capable of minimizing head buildup over the liner to less than 30 centimeters in depth. The LCRS must consist of a permeable subdrain layer, which covers the bottom of the module and extends as far up the sides as possible, (i.e., blanket type). The LCRS must be of sufficient strength and thickness to prevent collapse under the pressures exerted by overlying wastes, waste cover materials, and equipment and must be designed and operated to function without clogging through the scheduled closure and post closure maintenance period; or,
  - d. An engineered alternative design that satisfies the performance criteria in 40 CFR 258.40(a)(1) and (c), and satisfies the criteria for an engineered alternative to the Prescriptive Design, as provided by Title 27 §20080(b), where the Discharger receives written concurrence from the Executive Officer that the performance of the alternative composite liner's components, in combination, is equal to or exceeds the waste containment capability of the regulatory Prescriptive Design.
4. The Discharger must design, construct, and maintain to limit, to the greatest extent possible, ponding, infiltration, inundation, erosion, slope failure, washout, overtopping, and damage to waste management units, containment structures, and drainage facilities resulting from natural disasters (e.g., floods with a predicted frequency of once in 100 years, the maximum probable earthquake, and severe wind storms).
5. The Discharger must prevent formation of a habitat for carriers of pathogenic microorganisms.
6. Discharge of condensate or leachate must comply with the following:
  - a. The Discharger may only return liquids to a waste management unit equipped with a containment system that meets or exceeds the performance standard of

- Title 27, CFR 40 Part 258.40(a)(2), or the standard set in this Order, whichever is more protective of water quality;
- b. The Discharger must measure liquids by volume and record the volume on a monthly basis. The Discharger must include the monthly volume records in the monitoring submittals required in MRP No. R3-2010-0006;
  - c. A second containment system sized to hold 100% of the primary containment system holding capacity;
  - d. The Discharger may not discharge leachate within 48 hours of any forecasted rain event, during any rain event, or 48-hours after any rain event; and,
  - e. An approved alternate method of leachate disposal (e.g., wastewater treatment plant), that is acceptable to the Executive Officer.
7. Daily cover must prevent nuisance and excess leachate generation, and minimize infiltration, promote lateral runoff of precipitation/surface water away from the active disposal area. Shredded tires, tarps, and wood chips are approved as daily cover during the dry season (May 1 through September 30 of each year). Upon Executive Officer approval, the Discharger may utilize alternative daily cover materials during the wet season that minimize infiltration and promote lateral runoff.
  8. The Discharger must stockpile daily cover material during favorable weather to ensure that adequate daily cover material is accessible during inclement weather.
  9. The Discharger must operate the Landfill and configure the final Landfill contours, in conformance with the most recent Executive Officer-approved Operations Plan, and/or Report of Waste Discharge/Joint Technical Document (collectively Plan) except where the Plan conflicts with this Order. The most recently updated Plan is the Discharger's July 2009 "Joint Technical Document." In the event of conflict, this Order must govern in cases where it is more protective of water quality. Any change to the Plan that may affect compliance with this Order must be approved in writing by the Executive Officer prior to the change being implemented.
  10. The Discharger must grade and operate all Landfill surfaces and working faces to minimize precipitation/surface water from infiltrating into waste, to prevent ponding of water, and to resist erosion. The Discharger must repair erosion rills greater than six inches in depth, or when rills leave insufficient cover to prevent infiltration of precipitation/surface water. The Discharger must provide positive drainage to divert precipitation/surface water runoff from areas containing waste.
  11. Pursuant to the General Storm Water Permit for Industrial Activities, the Discharger must use best management practices to maintain the capacity of storm water retention facilities and thereby reduce or prevent pollutants in storm water from discharging into receiving waters to the best available technology standard. Title 27 §20365 requires that the Discharger periodically removes accumulated sediment from the storm water retention facilities and to empty or otherwise manage the facilities to maintain their capacity.

12. The Discharger must maintain a minimum of two feet of freeboard in all storm water sediment containment basins. Freeboard is defined as the distance between the water surface within the sedimentation basin and the top of the impoundment.
13. The Discharger must provide all Landfill areas that have not reached final fill elevation, but will remain inactive over one-year, with an Executive Officer-approved, long-term intermediate cover. The thickness and permeability of the long-term intermediate cover must be based primarily on site-specific conditions including, but not limited to length of exposure time; volume of underlying material, soil permeability, thickness and composition of existing cover; amount of yearly rainfall; depth to groundwater; beneficial uses of underlying groundwater; site-specific geologic and hydrogeologic conditions; and effectiveness of existing monitoring systems.
14. Wastes containing greater than one percent (>1%) friable asbestos are classified as hazardous under CCR, Title 22. Since such wastes do not pose a threat to water quality, §25143.7 of the Health and Safety Code permits their disposal in any landfill, providing waste discharge requirements specifically permit the discharge. Asbestos may be discharged in the Landfill only if it is handled and disposed of in accordance with §25143.7 of the Health and Safety Code, CCR, Title 14, §17897 "Standards for Handling and Disposal of Asbestos-Containing Waste," and all other applicable Federal, State, and local statutes and regulations.
15. New landfill units and lateral expansions must not be located in wetlands, as defined in 40 CFR §232.2(r), unless the owner or operator can make demonstrations pursuant to 40 CFR §258.12(a) that the discharge of waste will not cause or contribute to significant degradation of wetlands and associated ecological resources.
16. Wastes discharged in violation of this Order, must be removed and relocated.
17. "Treated wood" wastes may be discharged, but only to an area equipped with a composite liner and LCRS, and must be handled in accordance with California Health and Safety Code §25143.1.5 and §250150.7.
18. Sewage sludge or water treatment sludge with greater than 50% moisture content may be discharged at the Landfill if all of the following criteria are met:
  - a. The Discharger must discharge sludge only to waste management units that have a leachate collection and removal system designed such that leachate gravity drains to a collection point/sump and is removed through gravity or pumping to a holding tank or sanitary sewer for volume measurement, testing and disposal.
  - b. A daily minimum solids-to-sludge ratio of 5 to 1, based on weight, must be maintained when co-disposing (burying) sludge with solid waste.
  - c. Primary and mixtures of primary and secondary sewage sludge must contain at least 20 percent solids by weight.

- d. Secondary sewage sludge and water treatment sludge must contain at least 15 percent solids by weight.

#### **D. WATER QUALITY PROTECTION STANDARDS**

1. The discharge of waste must not cause a statistically significant difference in water quality over background concentrations for proposed concentration limits for each constituent of concern or monitoring parameter (per MRP No. R3-2010-0006) at the point of compliance. The Discharger must maintain concentration limits for as long as the waste poses a threat to water quality. Discharge of waste must not adversely impact the quality of State waters.
2. Pursuant to Title 27 §20405, the point of compliance is a vertical surface located at the hydraulically downgradient limit of a waste management unit that extends through the uppermost aquifer underlying the waste management unit.
3. Discharge of waste must not cause concentrations of chemicals and radionuclides in groundwater to exceed the State Department of Public Health's latest recommended Drinking Water Action Levels or Maximum Contaminant Levels of CCR Title 22, Division 4, Chapter 15, Article 5.5.
4. Discharge of waste must not cause a violation of any applicable water quality standard for receiving waters adopted by the Water Board or the State Water Board.
5. Discharge of waste must neither cause nor contribute to any surface water impacts.
6. Constituents of concern and monitoring parameters for groundwater, leachate, and landfill gas are listed in MRP No. R3-2010-0006. Monitoring points and background monitoring points must be those specified in MRP No. R3-2010-0006.
7. The compliance period, pursuant to Title 27 §20380(d)(1) and §20410, is estimated to be the year 2053 [based on the Landfill estimated closure date of 2023 plus 30 years, pursuant to 40 CFR 258.61(a)], or until waste discharged at the Landfill no longer poses a threat to water quality, whichever is longer [except as provided by 40 CFR 258.61(b)1].

#### **E. PROVISIONS**

1. Order No. R3-2003-0011 "Waste Discharge Requirements for the Tajiguas Class III Landfill," adopted by the Water Board on March 21, 2003, is hereby rescinded.
2. The Discharger is responsible for waste containment, monitoring, and correcting any problems resulting from the discharge of waste for as long as the waste poses a threat to water quality.

3. The Discharger must comply with MRP No. R3-2010-0006, as specified by the Executive Officer.
4. **By October 1 of each year**, the Discharger must complete all necessary runoff diversion and erosion prevention measures (except for planting vegetation). The Discharger must complete all necessary construction, maintenance, or repairs of precipitation and drainage control facilities to prevent erosion or Landfill flooding and to prevent surface drainage from contacting or percolating through waste. The Discharger must repair erosion rills greater than six-inches deep immediately after storm events that cause the erosion, if it is safe to do so.
5. **By October 1 of each year**, the Discharger must seed and maintain vegetation (as necessary) over all slopes within the entire Landfill area to prevent erosion. The Discharger must select vegetation that requires minimum irrigation and maintenance and a rooting depth not to exceed the vegetative layer thickness. After receiving approval from the Executive Officer, the Discharger may utilize non-hazardous sludge as a soil amendment to promote vegetation. Soil amendments and fertilizers (including wastewater sludge) used to establish vegetation must not exceed the vegetation's agronomic rates (i.e., annual nutrient needs).
6. **By October 1 of each year and throughout the rainy season of each year**, the Discharger must maintain a compacted soil cover designed and constructed to minimize percolation of precipitation through waste over the entire active Landfill area. The only exception to this specification is the working face. The working face must be confined to the smallest area practicable based on the anticipated quantity of waste discharged and required by waste management facility operations. Based on site-specific conditions, the Executive Officer may require a specified thickness of soil cover for any portion of the Landfill's active waste management unit prior to the rainy season.
7. Should additional data become available through monitoring or investigation that indicates compliance with this Order is not adequately protective of water quality, the Water Board will review and revise this Order as appropriate.
8. If the Discharger or the Water Board determines, pursuant to Title 27, §20420, that there is evidence of a release from any portion of the Landfill, the Discharger must immediately implement the procedures outlined in Title 27 §20380, §20385, §20430, and MRP No. R3-2010-0006.
9. This Order does not authorize commission of any act causing injury to the property of another, does not convey any property rights of any sort, does not remove liability under federal, state, or local laws, and does not guarantee a capacity right.

10. The Water Board must be allowed, at any time and without prior notification:
  - a. Entry upon the Landfill area or where records are kept under the conditions of this Order and MRP No. R3-2010-0006.
  - b. Access to a copy of any records that must be kept under the conditions of this Order and MRP No. R3-2010-0006.
  - c. To inspect any facility, equipment (including monitoring and control equipment), practices, or operations regulated or required under this Order and MRP No. R3-2010-0006.
  - d. To photograph, sample, and monitor for the purpose of showing compliance with this Order.
11. The Discharger must take all reasonable steps to minimize or correct adverse impacts on the environment resulting from non-compliance with this Order.
12. After notice and opportunity for a hearing, this Order may be terminated or modified for cause, including, but not limited to:
  - a. Violation of any term or condition contained in this Order.
  - b. Obtaining this Order by misrepresentation, or by failure to disclose fully all relevant facts.
  - c. A change in any condition or endangerment to human health or environment that requires a temporary or permanent reduction or elimination of the authorized discharge.
  - d. A material change in character, location, or volume of the waste being discharged to land.
13. Two-weeks prior to constructing each phase of a waste management unit (e.g., preparing foundation, installing liner, installing leachate collection and removal system, placing operations layer, etc.), the Discharger must notify Water Board staff.
14. Prior to liner or cover construction, a third party (e.g., unrelated to the Discharger, Landfill operator, project designer, contractor) must prepare a Construction Quality Assurance (CQA) Plan. The Executive Officer must approve the third party and CQA Plan. The third party must implement the CQA Plan and provide regular construction progress reports to the Executive Officer.
15. Prior to beginning discharge of waste into any newly constructed waste management unit, the Discharger must receive a final inspection and written approval from the Executive Officer.
16. The Discharger must obtain and maintain Financial Assurance Instruments (Instruments), which comply with CCR Title 27 (§22207 [Closure Fund], §22212 [Post Closure Fund], and §22220 et seq. [Corrective Action Fund]), and 40 CFR parts 257 and 258. Pursuant to CCR Title 27 §20380(b), the Discharger must obtain and maintain assurances of financial responsibility, naming the Water Board as

beneficiary, for initiating and completing corrective action for all known or reasonably foreseeable releases. As landfill conditions change, and upon the Water Board's request, the Discharger must submit a report proposing the amount of financial assurance necessary for corrective action for the Executive Officer's review and approval. The Discharger must demonstrate compliance with all financial instruments to the Water Board at a minimum of a) every five years, or b) when the Discharger submits a revised Joint Technical Document. The next regularly scheduled Joint Technical Document is **due August 1, 2014**.

## REPORTING

17. All reports must be signed as follows:

- a. By either a principal executive officer or ranking elected official.
- b. Their "duly authorized representative."
- c. A California Registered Civil Engineer or Certified Engineering Geologist must sign engineering reports.

18. Any person signing a report makes the following certification, whether its expressed or implied:

"I certify under penalty of perjury I have personally examined and am familiar with the information submitted in this document and all attachments and, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe the information is true, accurate, and complete. I am aware there are significant penalties for submitting false information, including the possibility of a fine and imprisonment."

19. Except for data determined to be confidential under §13267 (b)(2) of the California Water Code, all reports prepared in accordance with this Order must be available for public inspection at the Water Board office.

20. The Discharger must submit reports in advance of any planned changes in the permitted Landfill or in an activity, which could potentially or actually result in noncompliance.

21. **By October 1 of each year**, the Discharger must submit a Wet Weather Preparedness Report (WWPR). The WWPR must describe compliance with Provisions E.4, E.5, and E.6 above. The report must also detail preparedness actions taken to ensure discharges to surface or groundwater do not occur during the impending rainy season, and ensure compliance with all other relevant Title 27 and 40 CFR 258 criteria. The report must include photographs of all wet weather preparedness measures implemented.

22. At least **180-days** prior to construction of a waste management unit the Discharger must submit design plans and a CQA Plan. The Executive Officer will provide

comments on the design plans and CQA Plan to the Discharger no later than 90-days after receiving the document. Prior to beginning construction, the Discharger must receive Executive Officer approval on the waste management unit's design and CQA Plan.

23. The Discharger must notify the Water Board with a written request of any proposed change in ownership or responsibility for construction or operation of the Landfill in accordance with Title 27, §21710 (c)(1). The written request must be given at least 90-days prior to the effective date of change in ownership or responsibility and must:
  - a. Be accompanied by an amended Report of Waste Discharge and any technical documents that are needed to demonstrate continued compliance with these Waste Discharge Requirements.
  - b. 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 Water Board.
  - c. Contain a statement indicating that the new owner or operator assumes full responsibility for compliance with this Order.
24. Request for change in ownership or responsibility may be approved or disapproved in writing by the Executive Officer. In the event of any change in ownership of this Landfill, the Discharger must notify the succeeding owner or operator, in writing, of the existence of this Order. A copy of that notification must be sent to the Executive Officer.
25. The Discharger must furnish, within a reasonable time, any information the Executive Officer may request to determine compliance with this Order or to determine whether cause exists for modifying or terminating this Order.
26. The Discharger or persons employed by the Discharger must comply with all notice and reporting requirements of the State Department of Water Resources, Santa Barbara County, and other applicable permitting agencies with concurrence of the Executive Officer regarding the permitting, construction, alteration, inactivation, destruction, or abandonment of all monitoring wells used for compliance with this Order or with MRP No. R3-2010-0006, as required by §13750.5 through §13755 and §13267 of the California Water Code.
27. Should the Discharger discover that it failed to submit any relevant facts or that it submitted incorrect information, it must promptly submit the missing or corrected information.
28. The Discharger must notify the Executive Officer, within 24 hours by telephone and within 14 days in writing, of:
  - a. Any noncompliance that potentially or actually endangers health or the environment. Reports of noncompliance must include a description of;

- i. The reason for non-compliance;
    - ii. A description of the non-compliance, including photo documentation;
    - iii. Schedule of tasks necessary to achieve compliance; and,
    - iv. An estimated date for achieving full compliance.
  - b. Any flooding, equipment failure, slope failure, or other change in Landfill conditions which could impair the integrity of waste containment facilities or of precipitation and drainage control structures;
  - c. Leachate seep(s) occurring on or in proximity to the Landfill;
  - d. Violation of a discharge prohibition; and,
  - e. Violation of any treatment system's discharge limitation.
29. Reports of compliance or noncompliance with, or any progress reports on, final requirements contained in any compliance schedule must be submitted within 14-days following each scheduled date. If reporting noncompliance, the report must include a description of:
- a. The reason for non-compliance.
  - b. A description of the non-compliance.
  - c. Schedule of tasks necessary to achieve compliance.
  - d. An estimated date for achieving full compliance.
30. The Discharger must promptly correct any noncompliance issue that threatens the Landfill's containment integrity. Correction schedules are subject to the approval of the Executive Officer, except when delays will threaten the environment and/or the Landfill's integrity (i.e., emergency corrective measures). For emergency corrective measures, the Discharger must report details of the corrections in writing within seven (7) days of initiating correction.
31. **By August 1, 2014**, the Discharger must submit a Report of Waste Discharge (hereafter "ROWD") pursuant to CCR Title 27 §21710, to the Executive Officer. The ROWD is to be submitted in the form of an addendum to the JTD, in accordance with Title 27 §21585 et al., and meet the following criteria:
- a. Updated information on waste characteristics, geologic, and climatologic characteristics of the waste management facility and the surrounding region, installed features, precipitation and drainage controls, and closure and post closure maintenance plans, in accordance with CCR Title 27 §21740, §21750, §21760, and §21769.
  - b. Include a completed State Water Board JTD Index, in accordance with CCR Title 27 §21585(b),
  - c. Discuss whether, in the Discharger's opinion, there is any portion of this Order that is incorrect, obsolete, or otherwise in need of revision.
  - d. Include any other technical documents needed to demonstrate continued compliance with this Order and all pertinent State and Federal requirements.
  - e. Include detailed updated information regarding regulatory considerations, operating provisions, environmental monitoring, and closure and post closure.

32. **By August 1, 2014** or earlier as needed, submit for the Executive Officer's review and approval an updated report on a reasonably foreseeable release, along with adjustments to financial assurances (as necessary).
33. The Discharger must file with the Water Board a ROWD (in accordance with Provision E. 31 of this Order) or secure a waiver from the Executive Officer at least 120-days before making any material change or proposed change in the character, location, or volume of the waste being discharged to land.

## **ENFORCEMENT**

34. The Discharger must comply with all conditions of this Order. Non-compliance violates state law and is grounds for enforcement action or modification of the Order.
35. Any person failing or refusing to furnish technical or monitoring program reports as required by subdivision (b) of §13267 of the California Water Code, or falsifying any information provided therein, is guilty of a misdemeanor.
36. The Discharger and any person who violates Waste Discharge Requirements and/or who intentionally or negligently discharges waste or causes or permits waste to be discharged into surface waters or groundwater of the state may be liable for civil and/or criminal remedies, as appropriate, pursuant to §13350, §13385, and §13387 of the California Water Code.
37. Provisions of this Order are severable. If any provision of this Order is found invalid, the remainder of this Order must not be affected.
38. The Water Board requires all technical and monitoring reports pursuant to this Order in accordance with §13267 of the California Water Code. Failure to submit reports in accordance with schedules established by this Order, attachments to this Order, or failure to submit a report of sufficient technical quality to be acceptable to the Executive Officer may subject the Discharger to enforcement action pursuant to §13268 of the California Water Code.
39. The Discharger must comply with all conditions of these Waste Discharge Requirements. Violations may result in enforcement actions, including Water Board orders or court orders requiring corrective action or imposing civil monetary liability, or in modification or revocation of these waste discharge requirements by the Water Board. (California Water Code §13261, §13267, §13263, §13265, §13268, §13300, §13301, §13304, §13340, §13350).
40. No provision or requirement of Order No. R3-2010-0006 or MRP No. R3-2010-0006 is a limit on the Discharger's responsibility to comply with other federal, state and local laws, regulations, or ordinances.

41. The Discharger must comply with the following submittal and implementation schedule for all tasks and/or reports required by this Order.

### REPORT AND IMPLEMENTATION DATE SUMMARY

TASK	IMPLEMENTATION DATE
Runoff diversion and erosion prevention [Provision No. E.4]	October 1, of each year
Vegetation placement over entire Landfill area [Provision No. E.5]	October 1, of each year
Notify Water Board staff [Provision E.13]	Two-weeks prior to constructing each phase
Wet Weather Preparedness Report [Provision No. E.21]	October 1, of each year
Design Plans and CQA Plan [Provision No. E.22]	180-days prior to construction
ROWD/JTD Amendment [Provision No. E.31]	August 1, 2014
Update Report on Reasonably Foreseeable Release [Provision No. E.32]	August 1, 2014, or sooner, as necessary

I, Roger W. Briggs, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, Central Coast Region, on February 4, 2010.




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**Executive Officer**

**Figures:** Figure 1 – Site Location Map  
 Figure 2 – Site Reconfiguration Map  
 Figure 3 – Site Vicinity Map  
 Figure 4 – Site Formations Map  
 Figure 5 – Site Monitoring Map

**Attachment:** Attachment 1 – Monitoring and Reporting Program Order No. R3-2010-0006