

Regional Water Quality Control Board  
Central Valley Region

Response to Written Comments for  
Tentative Waste Discharge Requirements  
for  
Chemical Waste Management, Inc.  
Bakersfield Facility, Kern County

This document contains the responses to written comments received from interested parties regarding the proposed tentative Waste Discharge Requirements (WDRs) The Chemical Waste Management, Inc., Bakersfield Facility, Kern County for post-closure maintenance and corrective action. Tentative WDRs R5-202X-XXXX were prepared to update post-closure maintenance and corrective action requirements for the facility and incorporated Monitoring and Reporting Program R5-202X-XXXX (MRP). Currently, the facility is regulated under WDRs R5-2011-0046.

The Tentative WDRs were circulated on 6 October 2022 for public comment, ending on 7 November 2022. A total of one letter/email was received and these comments are addressed below.

Comments submitted during the comment period were received from the following:

- A. Brad Loewen, WSP USA Environment and Infrastructure Inc., on behalf of Chemical Waste Management, Inc., 3 November 2022.

## RESPONSE TO COMMENTS

### Comment A.1:

Finding No. 10 - This finding states in pertinent part, *“Closure construction occurred between 1986 and 1988 in accordance with closure and post-closure plans approved by the Department of Health Services (DHS)...*

Comment - *“Closure construction occurred between 1986 and 1987 in accordance...”*

### Response A.1:

The recommended revisions have been made.

### Comment A.2:

Finding No. 26 -This finding states, *“...There are three agricultural supply wells within one mile of the Facility. The locations of these wells are mapped in Attachment A.*

Comment - These wells are not shown on Attachment A.

### Response A.2:

The comment was noted.

**Comment A.3:**

Finding No. 35 -This finding states, "*The Discharger completed closure of the Facility in 1988*"

Comment - "The Discharger completed closure of the Facility in 1987"

**Response A.3:**

The recommended revision has been made.

**Comment A.4:**

Finding No. 35 -This finding references the Corrective Action Program at the Facility.

Comment - Mr. Loewen recommends adding the following sentence at the end of Finding No. 35, "The Facility is 35 years into post closure care. During those 35 years no new release from the waste cells to groundwater has been identified."

**Response A.4:**

The recommended addition has been made.

**Comment A.5:**

**H. Other Provisions**

Item No. 1 – This item states in pertinent part, "The Discharger shall maintain at the Facility copies of this Order (including all attachments), the operative Monitoring & Reporting Program Findings...."

Comment - "The Discharger shall maintain copies of this Order (including all attachments), the operative Monitoring & Reporting Program Findings...."

**Response A.5:**

The recommended revision has been made.

**Comment A.6:**

**Information Sheet**

Third Paragraph -This paragraph states, "*The Facility operated from 1972 to 1985 and was formally closed in 1988.*"

Comment - "The Facility operated from 1972 to 1985 and was formally closed in 1987."

**Response A.6:**

The recommended revision has been made.

**Comment A.7:**

Eight Paragraph – This paragraph states, "*Based on evidence collected during the Facility closure, the WWMU was placed in corrective action program (CAP) for*

*scrubber waste impacts in groundwater (total dissolved solids [TDS], sodium, and sulfate)."*

Comment - "Based on evidence collected during the Facility closure, the WWMU was placed in corrective action program (CAP) for scrubber waste (sodium sulfate) impacts in groundwater (total dissolved solids [TDS], sodium, and sulfate)."

**Response A.7:**

The recommended revision has been made.

**Comment A.8:**

**MONITORING AND REPORTING PROGRAM**

**A. General Provisions**

1. Incorporation of Standard Provision. – This section references the incorporation of the Standard Provisions.

Comment - Mr. Loewen recommends adding the following sentence in the beginning, "Other than as modified through an approved engineered alternative (Title 27 Section 20080(b))."

**Response A.8:**

The recommended revision has been made.

**Comment A.9:**

**MONITORING AND REPORTING PROGRAM**

**A. General Provisions**

4. Sample Collection and Analysis Plan (SCAP) – This section states in pertinent part, "*All samples shall be collected, preserved and transported in accordance with the approved Sample Collection and Analysis Plan (SCAP)...*"

Comment – "All samples shall be collected, preserved and transported in accordance with the most recently approved Sample Collection and Analysis Plan (SCAP)..."

**Response A.9:**

The recommended revisions have been made.

**Comment A.10:**

**MONITORING AND REPORTING PROGRAM**

**B. Corrective Action Monitoring Program (CAMP)**

1.b Sample Collection and Analysis – This section states, "*Groundwater samples shall be collected from each well and analyzed for Monitoring Parameters listed in Table 2 (Physical Parameters) and Table 3 (Constituent Parameters), in accordance with the specified schedule for each parameter. (Title 27, § 20420, subs. (e)-(f).)*"

Comment - “Groundwater samples shall be collected from each well and analyzed for Parameters listed in Table 2 (Field Parameters) and Table 3 (Hydrochemical Parameters), in accordance with the specified schedule for each parameter. (Title 27, § 20420, subds. (e)-(f).)”

**Response A.10:**

The recommended revision has been made.

**Comment A.11:**

**MONITORING AND REPORTING PROGRAM**

**B. Corrective Action Monitoring Program (CAMP)**

1.b Sample Collection and Analysis – This section states, “Groundwater samples shall be collected from each well and analyzed for Monitoring Parameters listed in Table 2 (Physical Parameters) and Table 3 (Constituent Parameters), in accordance with the specified schedule for each parameter. (Title 27, § 20420, subds. (e)-(f).)”

Comment - “Groundwater samples shall be collected from each well and analyzed for Parameters listed in Table 2 (Field Parameters) and Table 3 (Hydrochemical Parameters), in accordance with the specified schedule for each parameter. (Title 27, § 20420, subds. (e)-(f).)”

**Response A.11:**

The recommended revision has been made.

**Comment A.12:**

**MONITORING AND REPORTING PROGRAM**

**B. Corrective Action Monitoring Program (CAMP)**

1.b Sample Collection and Analysis – This section states, “Groundwater samples shall be collected from each well and analyzed for Monitoring Parameters listed in Table 2 (Physical Parameters) and Table 3 (Constituent Parameters), in accordance with the specified schedule for each parameter. (Title 27, § 20420, subds. (e)-(f).)”

Comment - “Groundwater samples shall be collected from each well and analyzed for Parameters listed in Table 2 (Field Parameters) and Table 3 (Hydrochemical Parameters), in accordance with the specified schedule for each parameter. (Title 27, § 20420, subds. (e)-(f).)”

**Response A.12:**

The recommended revision has been made.

**Comment A.13:**  
**MONITORING AND REPORTING PROGRAM**  
**B. Corrective Action Monitoring Program (CAMP)**

Table 2 - The header is listed as, *“Groundwater Corrective Action Monitoring, Physical Parameters.”*

Comment - “Groundwater Corrective Action Monitoring, Field Parameters.”

**Response A.13:**  
The recommended revision has been made.

**Comment A.14:**  
**MONITORING AND REPORTING PROGRAM**  
**B. Corrective Action Monitoring Program (CAMP)**

Table 3 - The header is listed as, *“Groundwater Corrective Action Monitoring, Constituent Parameters.”*

Comment - “Groundwater Corrective Action Monitoring, Hydrochemical Parameters.”

**Response A.14:**  
The recommended revision has been made.

**Comment A.15:**  
**MONITORING AND REPORTING PROGRAM**  
**B. Corrective Action Monitoring Program (CAMP)**

c. Five-Year COCs - This section states, *“Five-Year COCs were last monitored in 2018 and shall be analyzed again in 2023. (Title 27, § 20420, subd. (g).)”*

Comment - “Five-Year COCs were last monitored in 2022 and shall be analyzed again in 2027. (Title 27, § 20420, subd. (g).)”

**Response A.15:**  
The recommended revision has been made.

**Comment A.16:**  
**MONITORING AND REPORTING PROGRAM**  
**B. Corrective Action Monitoring Program (CAMP)**

d. Groundwater Conditions - This section in pertinent states, *“Each quarter, the Discharger shall monitor the Groundwater Conditions specified...”*

Comment - “The Discharger shall monitor the Groundwater Conditions specified...”

**Response A.16:**  
The recommended revision has been made.

**Comment A.17:**  
**MONITORING AND REPORTING PROGRAM**  
**B. Corrective Action Monitoring Program (CAMP)**

Table 3 - The header is listed as, “Groundwater Corrective Action Monitoring, Constituent Parameters.”

Comment - “Groundwater Corrective Action Monitoring, Hydrochemical Parameters.”

**Response A.17:**  
The recommended revision has been made.

**Comment A.18:**  
**MONITORING AND REPORTING PROGRAM**  
**B. Corrective Action Monitoring Program (CAMP)**

Table 5 - The header is listed as, “Reporting”

Comment - Mr. Loewen recommends to changed “Reporting” to “Frequency” in the Table 5 header.

**Response A.18:**  
The recommended revision has been made.

**Comment A.19:**  
**MONITORING AND REPORTING PROGRAM**  
**B. Corrective Action Monitoring Program (CAMP)**

e. Groundwater Corrective Action Monitoring, Additional Constituent Parameters – The header is listed as such.

Comment - Mr. Loewen recommends the header be changed to, “Groundwater Corrective Action Monitoring Parameters.”

**Response A.19:**  
The recommended revision has been made.

**Comment A.20:**  
**MONITORING AND REPORTING PROGRAM**  
**B. Corrective Action Monitoring Program (CAMP)**

e. Groundwater Corrective Action Monitoring, Additional Constituent Parameters – The section states, “In addition to parameters in Table 2 (Field Parameters) and Table 3 (Monitoring Parameters), additional monitoring parameters shall be calculated as specified in Table 6.”

Comment - “In addition to parameters in Table 2 (Field Parameters) and Table 3 (Hydrochemical Parameters). The Monitoring Parameters shall be calculated as specified in Table 6.”

**Response A.20:**

The recommended revision has been made.

**Comment A.21:**

**MONITORING AND REPORTING PROGRAM**

**B. Corrective Action Monitoring Program (CAMP)**

Table 6 - The header is listed as, *“Groundwater Corrective Action Monitoring, Additional Constituent Parameters.”*

Comment - *“Groundwater Corrective Action Monitoring Parameters.”*

**Response A.21:**

The recommended revision has been made.

**Comment A.22:**

**MONITORING AND REPORTING PROGRAM**

**B. Corrective Action Monitoring Program (CAMP)**

4c. Point of Compliance (POC) – The section states, *“The Facility’s POC monitoring wells are listed below in Table 1.”*

Comment - Mr. Loewen recommends deleting the sentence.

**Response A.22:**

The recommended revision has been made.

**Comment A.23:**

**MONITORING AND REPORTING PROGRAM**

**B. Corrective Action Monitoring Program (CAMP)**

4e. Monitoring Parameters – The section states in pertinent, *“Monitoring Parameters are a predetermined set of COCs and measurable physical characteristics...”*

Comment - *“Monitoring Parameters are a predetermined set of COCs or measurable physical characteristics...”*

**Response A.23:**

The recommended revision has been made.

**Comment A.24:**

**MONITORING AND REPORTING PROGRAM**

**B. Corrective Action Monitoring Program (CAMP)**

4f. Five-Year COCs – Th section states, *“Analytical results for Five-Year COCs were last submitted to the Central Valley Water Board as part of the 2018 Annual Monitoring Report and are due again in 2023.”*

Comment - *“Groundwater wells were last sampled for COCs in 2022 and results will be submitted to the Central Valley Water Board as part of the 2022 Annual*

Monitoring Report. The next Five-Year COC sampling event is scheduled for 2027.”

**Response A.24:**

The recommended revision has been made.

**Comment A.25:**

**MONITORING AND REPORTING PROGRAM**

**C. Additional Facility Monitoring**

1a. Annual Sump Inspection – The section states, “All LCRS sumps shall be inspected annually for the presence of leachate”

Comment - “All LCRS sumps shall be inspected annually for the accumulation of leachate”

**Response A.25:**

The recommended revision has been made.

**Comment A.26:**

**MONITORING AND REPORTING PROGRAM**

**C. Additional Facility Monitoring**

Table 7 - The header is listed as, “*LCRS Sump Monitoring, Monthly Inspection Parameters.*”

Comment - “LCRS Sump Monitoring, Annual Inspection Parameters”.

**Response A.26:**

The recommended revision has been made.

**Comment A.27:**

**MONITORING AND REPORTING PROGRAM**

**C. Additional Facility Monitoring**

1b. First Detection of Leachate in Sump – The header is listed as such.

Comment - Mr. Loewen recommends the header be changed to, “Leachate Monitoring.”

**Response A.27:**

The recommended revision has been made.

**Comment A.28:**

**MONITORING AND REPORTING PROGRAM**

**C. Additional Facility Monitoring**



1b. First Detection of Leachate in Sump - The section states, "Upon detecting leachate in a previously dry sump, the Discharger shall notify Central Valley Water Board staff within seven days, and immediately sample and analyze leachate for the parameters in Table 8.<sup>2</sup> Thereafter, whenever leachate is present in the same sump, the leachate shall be sampled and analyzed for the same parameters, and in accordance with the specified sampling and reporting schedule in Table 8.

Comment - "Whenever leachate is present at sufficient thickness to effectively pump in the same sump, the leachate shall be sampled and analyzed for the same parameters, and in accordance with the specified sampling and reporting schedule in Table 8."

**Response A.28:**

The recommended revision has been made.

**Comment A.29:**

**MONITORING AND REPORTING PROGRAM**

**C. Additional Facility Monitoring**

1b. First Detection of Leachate in Sump – Footer number 2 states, "*2 The sampling and reporting schedules in Table 8 are applicable for subsequent monitoring only. When notifying Central Valley Water Board staff of the first detection of leachate, the Discharger shall indicate when laboratory results are expected to be available.*"

Comment - Mr. Loewen recommends deleting Footer number 2.

**Response A.29:**

The recommended revision has been made.

**Comment A.30:**

**MONITORING AND REPORTING PROGRAM**

**C. Additional Facility Monitoring**

1c. Five-Year COCs – The section states, "*At least once every five years, the Discharger shall sample and analyze any leachate present in the sump for the Five-Year COCs listed in Table 9.*"

Comment - "If leachate is present at sufficient thickness to effectively pump, then at least once every five years, the Discharger shall sample and analyze leachate in the sump for the Five Year COCs listed in Table 9."

**Response A.30:**

The recommended revision has been made.

**Comment A.31:**  
**MONITORING AND REPORTING PROGRAM**  
**C. Additional Facility Monitoring**

2. Leachate Seepage - The section states, "Leachate that seeps to the surface from any landfill WMU shall, immediately upon detection, be sampled and analyzed for the Monitoring Parameters in Table 10 (Physical Parameters) and Table 11 (Constituent Parameters)."

Comment - "Leachate that seeps to the surface from any landfill WMU shall, immediately upon detection, be sampled and analyzed for the Parameters in Table 10 and Table 11."

**Response A.31:**  
The recommended revision has been made.

**Comment A.32:**  
**MONITORING AND REPORTING PROGRAM**  
**C. Additional Facility Monitoring**

Table 10 - The header is listed as, "*Leachate Seep Monitoring, Physical Parameters.*"

Comment - "Leachate Seep Monitoring."

**Response A.32:**  
The recommended revision has been made.

**Comment A.33:**  
**MONITORING AND REPORTING PROGRAM**  
**C. Additional Facility Monitoring**

Table 11 - The header is listed as, "*Leachate Seep Monitoring, Constituent Parameters.*"

Comment - "Leachate Seep Monitoring."

**Response A.33:**  
The recommended revision has been made.

**Comment A.34:**  
**MONITORING AND REPORTING PROGRAM**  
**C. Additional Facility Monitoring**

3. Regular Visual Inspection – The section states, “*The Discharger shall perform regular visual inspections at the Facility in accordance with Table 12 (Criteria) and Table 13 (Schedule).*”

Comment - “The Discharger shall perform annual visual inspections at the Facility in accordance with Table 12 (Criteria).”

**Response A.34:**  
The recommended revision has been made.

**Comment A.35:**  
**MONITORING AND REPORTING PROGRAM**  
**C. Additional Facility Monitoring**

Comment - Mr. Loewen recommends deletion of Table 13, as described in Comment A.34.

**Response A.35:**  
The recommended revision has been made.

**Comment A.36:**  
**MONITORING AND REPORTING PROGRAM**  
**C. Additional Facility Monitoring**

4. Annual Facility Inspections – The section states, “*Any necessary construction, maintenance, or repairs shall be completed by 31 October. See Section D.3 for Reporting Requirements.*”

Comment - “Any necessary construction, maintenance, or repairs shall be completed by 31 October or as agreed with the RWQCB. See Section D.3 for Reporting Requirements.

During 35 years of post-closure care no notable settlement has been identified, post closure surveys of the landfill cover is no longer required.”

**Response A.36:**  
The recommended revision has been made.

**Comment A.37:**  
**MONITORING AND REPORTING PROGRAM**  
**C. Additional Facility Monitoring**

5. Major Storm Events - The header is listed as such.

Comment - “Major Storm Events and Earthquakes.”

**Response A.37:**

The recommended revision has been made.

**Comment A.38:**

**MONITORING AND REPORTING PROGRAM**

**C. Additional Facility Monitoring**

5 Major Storm Events – The section states, *“Necessary repairs shall be completed within 30 days of the inspection. The Discharger shall take photos of any problem areas before and after repairs. See Section D.4 for Reporting Requirements.”*

Comment - “Necessary repairs shall be completed within 30 days of the inspection or as agreed by the RWQCB. The Discharger shall take photos of any problem areas before and after repairs. See Section D.4 for Reporting Requirements.

The Discharger shall perform a facility inspection within 7 days following an earthquake that could potentially damage waste management units and /or the facility. Necessary repairs shall be completed within 30 days of the inspection or as agreed by the RWQCB. The Discharger shall report damage and subsequent repairs within 45 days of completion of the repairs”

**Response A.38:**

The recommended revision has been made.

**Comment A.39:**

**MONITORING AND REPORTING PROGRAM**

**D. Reporting Requirements**

Table 14 - Summary of Required Reports

Section	Report	Deadline
§ D.1	Annual Monitoring Reports (AMRs)	28 February
§ D.2	Leachate Seep Reporting	Immediately upon Discovery of Seepage (staff notification) <b>Within 7 Days</b> (written report)
§ D.3	Annual Facility Inspection Reports	30 September
§ D.4	Major Storm Reporting	Immediately after Damage Discovery (staff notification) Within 14 Days of Completing Repairs (written report, photos)

Section	Report	Deadline
§ D.5	Water Quality Protection Standard Reports	<b>Proposed Revisions</b> (excluding Concentration Limits)

Comment - "Table 14 – Summary of Required Reports."

Section	Report	Deadline
§ D.1	Annual Monitoring Reports (AMRs)	28 February
§ D.2	Leachate Seep Reporting	Immediately upon Discovery of Seepage ( <i>staff notification</i> )  <b>Within 7 Days</b> ( <i>written report</i> )
§ D.3	Annual Facility Inspection Reports	November 15
§ D.4	Major Storm Reporting	Immediately after Damage Discovery ( <i>staff notification</i> )  Within 14 Days of Completing Repairs ( <i>written report,</i> <i>photos</i> )
§ D.5	Water Quality Protection Standard Reports	<b>If needed for Proposed Revisions</b> (excluding Concentration Limits)

**Response A.39:**

The recommended revision has been made.

**Comment A.40:**

**MONITORING AND REPORTING PROGRAM**

**D. Reporting Requirements**

1g. Annual Monitoring Reports (AMRs) – The section states in pertinent, "*An evaluation of Monitoring Parameters with regard to the cation/anion balance...*"

Comment - "An evaluation of Hydrochemical Parameters with regard to the cation/anion balance..."

**Response A.40:**

The recommended revision has been made.

**Comment A.41:**

**MONITORING AND REPORTING PROGRAM**

**D. Reporting Requirements**

1h. Annual Monitoring Reports (AMRs) – The section states, "*Time Series Graphs of the Sulfate/Calcium Ratio and the Sodium Ion Percent for each detection*"

*monitoring well showing the current calculated prediction limit on each graph, Sen's Slope Estimator Graphs of the Sulfate/Calcium Ratio and the Sodium Ion Percent for each corrective action well."*

Comment - "Time Series Graphs of the Sulfate/Calcium Ratio and the Sodium Ion Percent for each corrective action monitoring well showing the Sen's Slope Graphs."

**Response A.41:**

The recommended revision has been made.

**Comment A.42:**

**MONITORING AND REPORTING PROGRAM**

**D. Reporting Requirements**

1j. Annual Monitoring Reports (AMRs) - The section states, *"For each groundwater well, quarterly hydrographs showing the elevation of groundwater with respect to the top and bottom of the screened interval, and the elevation of the pump intake."*

Comment - "For each groundwater well, annual hydrographs showing the elevation of groundwater with respect to the top and bottom of the screened interval, and the elevation of the pump intake, if applicable."

**Response A.42:**

The recommended revision has been made.

**Comment A.43:**

**MONITORING AND REPORTING PROGRAM**

**D. Reporting Requirements**

1n. Annual Monitoring Reports (AMRs) – The section states, *"To assess the progress of ongoing Corrective Action at the Facility, the following: sulfate/calcium ratio and sodium ion percent."*

Comment - "To assess the progress of ongoing Corrective Action at the Facility, the following parameters: sulfate/calcium ratio and sodium ion percent will be calculated."

**Response A.43:**

The recommended revision has been made

**Comment A.44:**

**MONITORING AND REPORTING PROGRAM**

**D. Reporting Requirements**

2d. Leachate Seep Reporting - The section states, *"Verification that samples have been submitted for analyses of the Monitoring Parameters in Table 10 (Physical*

*Parameters) and Table 11 (Constituent Parameters), and an estimated date that the results will be submitted to the Central Valley Water Board; and”*

Comment - “Verification that samples have been submitted for analyses of the Parameters in Table 10 and Table 11, and an estimated date that the results will be submitted to the Central Valley Water Board; and.”

**Response A.44:**

The recommended revision has been made.