

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
CENTRAL VALLEY REGION

Fresno Office  
1685 "E" Street  
Fresno, CA 93706-2007

Sacramento Office (Main)  
11020 Sun Center Drive #200  
Rancho Cordova, CA 95670-6114

Redding Office  
364 Knollcrest Drive #205  
Redding, CA 96002

[Regional Board Website](https://www.waterboards.ca.gov/centralvalley) (<https://www.waterboards.ca.gov/centralvalley>)

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[TENTATIVE] RECISSION ORDER R5-2022-XXXX

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**ORDER INFORMATION**

<b>Order Type(s):</b>	Rescission of Waste Discharge Requirements (WDRs)
<b>Status:</b>	TENTATIVE
<b>Program:</b>	Title 27 Discharges to Land
<b>Region 5 Office:</b>	Sacramento
<b>Discharger(s):</b>	Placer County
<b>Facility:</b>	Foresthill Landfill
<b>Address:</b>	6699 Patent Road, Foresthill, California 95631
<b>County:</b>	Placer County
<b>Parcel Nos.:</b>	255-110-015
<b>GeoTracker ID:</b>	L10002081339
<b>Prior Order(s):</b>	R5-2005-0069; R5-1994-053

## **CERTIFICATION**

I, PATRICK PULUPA, Executive Officer, hereby certify that the following is a full, true, and correct copy of the order adopted by the California Regional Water Quality Control Board, Central Valley Region, on \_\_\_\_\_ [Month] 2022.

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PATRICK PULUPA,  
Executive Officer

## **REGIONAL BOARD INFORMATION**

### **Sacramento Office (Main)**

Rancho Cordova, CA 95670-6114  
11020 Sun Center Drive #200  
Telephone: (916) 464-3291

### **Fresno Office**

1685 "E" Street  
Fresno, CA 93706-2007  
Telephone: (559) 445-5116

### **Redding Office**

364 Knollcrest Drive #205  
Redding, CA 96002  
Telephone: (530) 224-4845

### **[Regional Board Website](https://www.waterboards.ca.gov/centralvalley)**

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## GLOSSARY

<b>ADC</b> .....	Alternative Daily Cover
<b>Antidegradation Policy</b> .....	Statement of Policy with Respect to Maintaining High Quality Waters in California, State Water Board Resolution 68-16
<b>Basin Plan</b> .....	<i>Water Quality Control Plan for the Sacramento and San Joaquin River Basins</i>
<b>bgs</b> .....	Below Ground Surface
<b>BOD</b> .....	Biological Oxygen Demand
<b>C&amp;D</b> .....	Construction and Demotion Materials
<b>CalRecycle</b> .....	California Department of Resources Recovery and Recycling
<b>CAP</b> .....	Corrective Action Program
<b>CAMP</b> .....	Corrective Action Monitoring Program
<b>CEQA</b> .....	California Environmental Quality Act
<b>CEQA Guidelines</b> .....	California Code of Regulations, Title 14, section 15000 et seq.
<b>C.F.R.</b> .....	Code of Federal Regulations
<b>COCs</b> .....	Constituents of Concern
<b>CPMP</b> .....	Closure and Post-Closure Maintenance Plan
<b>CQA</b> .....	Construction Quality Assurance
<b>Designated Waste</b> .....	(a) Hazardous Waste subject to variance from management requirements per Health and Safety Code section 25143; and (b) Nonhazardous Waste containing pollutants that, under ambient conditions, could be released in concentrations exceeding applicable WQOs, or that could reasonably be expected to affect beneficial uses of water. (Wat. Code, § 13173.)
<b>DMP</b> .....	Detection Monitoring Program
<b>DTSC</b> .....	California Department of Toxic Substances Control

<b>DWR</b> .....	California Department of Water Resources
<b>EC</b> .....	Electrical Conductivity
<b>EIR</b> .....	Environmental Impact Report
<b>EMP</b> .....	Evaluation Monitoring Plan
<b>FEMA</b> .....	Federal Emergency Management Agency
<b>GCL</b> .....	Geocomposite Liner
<b>Hazardous Waste</b> .....	Wastes which, pursuant to Title 22, section 66261.3 et seq., are required to be managed in accordance with Division 4.5 of Title 22. (Title 27, § 20164; Title 23, § 2521(a).)
<b>HDPE</b> .....	High-Density Polyethylene
<b>JTD</b> .....	Joint Technical Document
<b>LCRS</b> .....	Leachate Collection and Removal System
<b>LEA</b> .....	Local Enforcement Agency
<b>Leachate</b> .....	Liquid formed by the drainage of liquids from waste or by the percolation or flow of liquid through waste. Leachate includes any constituents extracted from the waste and dissolved or suspended in the fluid. (Title 27, § 20164.)
<b>LFG</b> .....	Landfill Gas Condensate
<b>MCE</b> .....	Maximum Credible Earthquake
<b>MDB&amp;M</b> .....	Mount Diablo Base and Meridian
<b>MDL</b> .....	Method Detection Limit
<b>µg/L</b> .....	Micrograms per Liter
<b>mg/L</b> .....	Milligrams per Liter
<b>MPE</b> .....	Maximum Probable Earthquake
<b>msl</b> .....	Mean Sea Level
<b>MRP</b> .....	Monitoring and Reporting Program

<b>MSW</b> .....	Municipal Solid Waste regulated under 40 C.F.R. part 258
<b>MSWLF</b> .....	Municipal Solid Waste Landfill
<b>MW</b> .....	Monitoring Well
<b>SPRRs</b> .....	Standard Provisions and Reporting Requirements
<b>Subtitle D</b> .....	USEPA-promulgated MSW regulations under RCRA (see 40 C.F.R. part 258)
<b>RCRA</b> .....	Resource Conservation and Recovery Act
<b>ROWD</b> .....	Report of Waste Discharge
<b>TDS</b> .....	Total Dissolved Solids
<b>Title 22</b> .....	California Code of Regulations, Title 22
<b>Title 23</b> .....	California Code of Regulations, Title 23
<b>Title 27</b> .....	California Code of Regulations, Title 27
<b>USEPA</b> .....	United States Environmental Protection Agency
<b>VOCs</b> .....	Volatile Organic Compounds
<b>WDRs</b> .....	Waste Discharge Requirements
<b>WMU</b> .....	Waste Management Unit
<b>WQOs</b> .....	Water Quality Objectives
<b>WQPS</b> .....	Water Quality Protection Standard



CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
CENTRAL VALLEY REGION

[TENTATIVE] RESCISSION ORDER R5-2022-XXXX  
FOR  
PLACER COUNTY  
FORESTHILL LANDFILL  
Placer County

**FINDINGS**

The Central Valley Regional Water Quality Control Board (Central Valley Water Board) hereby finds as follows:

**Introduction**

1. Placer County (Discharger) owns and operates the closed Foresthill Landfill (Facility), which is approximately two miles southwest of Foresthill in Placer County, Section 3, Township 13 North, Range 10 East, Mount Diablo Base and Meridian (MDB&M). The Facility's location is depicted on the Site Location Map in **Attachment A**.
2. The Facility is situated on a 52-acre property comprised of Assessor's Parcel Numbers (APNs) 255-110-015. The address associated with the Facility is 6699 Patent Road, Foresthill, California 95631.
3. On 29 April 2005 the Central Valley Water Board adopted Waste Discharge Requirements (WDRs) Order No. R5-2005-0069 for Post-Closure Maintenance and Monitoring of the Facility.
4. As the Facility's owner and operator, WDRs Order No. R5-2005-0069 regulated monitoring and post-closure maintenance of the Waste Management Unit (WMU) listed in **Table 1**.

**Table 1—Summary of Waste Management Units (WMUs)  
Permitted under Previous Orders**

<b>Unit</b>	<b>Type</b>	<b>Class</b>	<b>Size</b>	<b>Status</b>
WMU I	Waste Pile	Class III	4.2 acres	Closed

See Glossary for definitions of terms and abbreviations in table.

5. On 24 July 2020, the Discharger submitted a request to cease groundwater monitoring at the Facility. To support the request, the Discharger noted that “water quality samples consistently showing no volatile organic compounds or other constituents of concern have ever been confirmed and only extremely low levels of methane have been observed around the perimeter of the landfill since the original installation of the three monitoring wells ... in 1988.” The Discharger further noted that following the 2017 installation of “...four additional groundwater monitoring wells south and southwest of the [Facility] to better assess groundwater conditions ... there have been no detections of any volatile organic compounds or any other constituents of concern.”

**Materials Accompanying Order**

6. The following materials are attached to this Order, and incorporated herein:

ATTACHMENT A—SITE LOCATION MAP

Information Sheet for Rescission Order (Information Sheet)

7. Additional information about the Facility is set forth in the Information Sheet, which is incorporated as part of these findings.

### **Facility**

8. The Facility operated from 1966 to 1983 accepting primarily household waste, construction debris, and green waste. Reports on file state that the refuse was disposed of by the trench-and-cover method. It is unknown whether any burn dump activity was conducted at the site. The Facility ceased accepting wastes in 1983 and was closed in 1984.
9. The Facility includes the following onsite features, systems, and structures:
  - a. One WMU defined as “inactive” pursuant to Title 27 Section 20080(g) since the Discharger ceased accepting wastes into the WMU prior to 27 November 1984; and
  - b. One onsite transfer station, constructed in 1984.
10. The WMU is unlined and does not have a leachate collection and recovery system.
11. The Facility is on a hill overlooking a valley in the west-sloping foothills of the Sierra Nevada Mountains. The average elevation is approximately 2570 feet above mean sea level. Historical hydraulic mining activities in the immediate adjacent area removed much onsite soil leaving exposed bedrock and scattered rubble.
12. According to DTSC, the adjacent Pond Mine site (60001301) is a former hydraulic mine, with residual mercury contaminating relic sluice tunnels that run through the Pond Mine site and potentially impact runoff. The Final Site Investigation Report, dated October 2011, contained the results of the field effort which consisted of 48 soil samples, four sediment samples, and two surface water samples. The contaminants of concern were lead, arsenic, and mercury. No samples indicated elevated levels of lead or mercury. Two locations had surface soils where arsenic was detected at 110, and 86 parts per million (ppm)

respectively. The heavy vegetation and open space land use of the site serve to isolate the elevated areas from the potential receptors. Due to these factors, DTSC is not proposing any additional sampling.

13. Notwithstanding, any additional historical information or records the Discharger can provide relating to historical mining activity adjacent to the Facility or at the Facility, prior to its use as a landfill, should be included in the administrative record for the Facility. A complete record of this information is appropriate in the event contaminants of concern are discovered in the area in the future and questions arise relating to the source of such contaminants of concern.
14. On 11 January 2022, Staff performed a pre-waste discharge requirements inspection of the Facility. The closed Facility appeared to be in good condition.

### **Waste Classification & Permitting**

15. The Facility is a municipal solid waste (MSW) landfill regulated under authority given in Water Code section 13000 et seq.; California Code of Regulations, title 27 ("Title 27"), section 20005 et seq. Previous Waste Discharge Requirements (WDRs) Order No. R5-2005-0069 and WDRs Order No. R5-1994-053 implemented these statutes and regulations for the Facility.
16. The Facility is not subject to federal Municipal Solid Waste (MSW) regulations promulgated under the Resource Conservation Recovery Act (RCRA) (42 U.S.C. § 6901 et seq.) Subtitle D regulations (Title 40, Code of Federal Regulations, Part 258) because it ceased accepting wastes before the effective date of those regulations, 9 October 1991. Typically referred to as "Subtitle D," these regulations are now codified as 40 C.F.R. part 258 and implemented in part through the provisions Title 27 and in accordance with State Water Resources Control Board (State Water Board) Resolution 93-62.

17. In WDRs Order R5-2009-0069, the Central Valley Water Board classified the Facility's WMU as an inactive Class III unit under Title 27, Section 20080(d) since it ceased operation prior to 27 November 1984.
18. The Central Valley Water Board required the Discharger to implement background and detection groundwater monitoring since 1988. Monitoring & Reporting Program MRP R5-2009-0069 accompanied WDRs Order R5-2009-0069 and implemented the provisions of WDRs Order R5-2009-0069, including background and detection groundwater monitoring and reporting requirements.

### **Water Quality**

19. The concentrations of the constituents of concern in waters passing the Point of Compliance shall not exceed concentration limits established in accordance with MRP No. R5-2005-0069 (WDRs R5-2005-0069; Monitoring Specification, E.3). The Point of Compliance for the water standard is a vertical surface located at the hydraulically down gradient limit of each WMU that extends through the uppermost aquifer underlying the WMU. The POC wells for the WMU are MW-2 and MW-5. Data provided by the Discharger through the First Semi Annual 2021 Monitoring Report indicate a record of compliance with this requirement.
20. Hexavalent chromium detected in MW-6S during the first quarter 2017, is considered naturally occurring and not an indication of potential release from the WMU.
21. Apparent detections of other constituents (Di-n-butyl phthalate, cis-1,2-Dichloroethene, bis-(2-Ethylhexyl)phthalate, and chloroform) in 2017 and 2018 were also detected in related quality assurance / quality control sample blanks or appear attributed to sampling and/or analyses errors.
22. No leachate seeps have been observed at the Facility.
23. There is no leachate collection and removal system at the Facility.

24. There are no surface impoundments at the Facility.
25. Depth to first encountered groundwater typically ranges from 10 to 84 feet below ground surface. During February 2017 groundwater may have been in contact with waste in the south-central portion of the Facility.

#### **Landfill Gas**

26. No landfill gas collection or venting facilities have been installed at the Facility.
27. Concentrations of methane detected by bar hole punch along the site perimeter have been less than two percent of the lower explosive limit (i.e., <1,000 parts per million by volume).

#### **Final Cover**

28. The Discharger closed the WMU in 1984 with a non-prescriptive soil cover that subsequently eroded away. In 1996 the Discharger re-capped the WMU pursuant to a September 1994 Final Closure Plan with a final cover which included a two-foot foundation layer consisting of gravelly clay overlain by a one to five foot thick layer of vegetative cover soil. No low hydraulic conductivity layer was included in the non-prescriptive design.
29. The WMU final cover is graded at a minimum 3 percent slope from the crest area in the northern part of the site to the landfill toe in the southern part of the site. The steepest side slope (4H:1V) is along the northwest side of the WMU.
30. According to the Discharger's 26 February 2018 ISO-Settlement Analysis Report, some areas of settlement were observed in the final cover ranging from 0.5 -1.5', with areas of "larger settlement" at southern and eastern side of landfill ranging from 0.5' to 8.0'. The Discharger repaired the identified areas prior to 9 November 2018 and made subsequent repairs in October 2019. During an 11

January 2022 inspection, the County indicated it intends to maintain monthly cover inspections and related ongoing maintenance activities.

### **Drainage**

31. Landfill runoff occurs through a series of cover berms/swales and overside drains to a concrete-lined V-ditch that runs along the southern, eastern, and western sides of the landfill. The ditch discharges at three locations to unlined seasonal drains that flow offsite to Pond Creek. An unlined ditch along the northern landfill perimeter directs sheet flow run-on around the WMU to the eastern and western perimeter drains. Drainage from the transfer station area north of the landfill flows into the eastern perimeter drain.

The available data indicates there is no evidence of a significant release of leachate from the WMU. Groundwater samples have been analyzed for all contaminants of concern (COCs) and only low-level concentrations of common laboratory contaminants (Di-n-butyl phthalate, cis-1,2-Dichloroethene, bis-(2-Ethylhexyl)phthalate, and chloroform) or naturally occurring constituents (hexavalent chromium) have been detected over the last 33 years. Known landfill gas concentrations appear to be minimal, cover integrity, and drainage appear adequate.

### **Minimum Compliance Period**

32. The Central Valley Water Board shall specify in WDRs a compliance period for each WMU. The Central Valley Water Board specified in WDRs Order No. R5-2009-0069 that the post-closure maintenance period shall continue until the Regional Board verifies that remaining waste in the landfill will not threaten water quality.
33. The minimum Title 27 prescriptive compliance period is the time during which the Discharger shall conduct a water quality monitoring program subsequent to a

release from a WMU corresponding to the number of years equal to the active life of a WMU (including any waste management activity prior to the adoption of the WDRs) plus the closure period (Title 27, Section 20410(a)). The compliance period begins anew each time the Discharger initiates an evaluation monitoring program pursuant to Title 27, section 20425 (Title 27, Section 20410(b)).

34. Monitoring data to date does not indicate a significant release, if any, from the WMU since monitoring commenced in 1988. Therefore, the minimum Title 27 prescriptive compliance period is for the Facility's WMU listed in **Table 1** is 18 years.
35. State Water Board Resolution No. 93-62, Policy for Regulation of Discharges of Municipal Solid Waste requires Regional Water Boards to implement portions of the federal MSW regulations that either are more stringent than, or do not exist within, Land Disposal, including 40 CFR Section 258.61 Section (a and b) which requires 30 years of post-closure care.
36. The Facility ceased accepting wastes in 1983 and was closed in 1984 and monitoring commenced in 1988, corresponding to a post-closure monitoring period exceeding 33 years which exceeds the minimum Title 27 prescriptive compliance period described in Finding No. 34 and the required duration of post closure monitoring described in Finding No. 35.
37. The Discharger provided proof of filing of detailed description of the closed Facility, including a map and a statement that the future use is restricted in accordance with the postclosure maintenance plan, with the Placer County Recorder (DOC-2000-0093771) pursuant to Title 27, section 21170.
38. The Discharger demonstrated that the remaining waste in the WMU does not appear to threaten water quality.



39. The Discharger satisfied the minimum prescriptive post-closure monitoring period requirements of Title 27 and State Water Board Resolution No. 93-62, including 40 CFR Section 258.61.

### **Post Closure**

40. In its 30 September 2005 Final Closure Plan, the Discharger described the following postclosure land use at the Facility:

*The proposed postclosure land use for the area of the site containing waste is for open space which meets the standards set forth in 77fle 27, CCR, §21190, In accordance with §21190 (b), the areas of the site covered by the landfill cap will be seeded with grasses and cover which will require no irrigation and will grow unattended.*

*In accordance with §21190(c) and (d), no construction, structural improvements, or pilings will be conducted on any part of the final cover. No replacement of the final cover is anticipated.*

*Postclosure uses for areas of the site not containing waste are for open space. The existing transfer station, located directly north of the area containing waste, will continue to operate during the postclosure period. The transfer station area contains no inhabitable structures.*

41. On 13 December 2021, Staff met with CalRecycle and the Placer County Local Enforcement Agency (LEA) regarding the Discharger's proposal. CalRecycle and the LEA rely on the 2005 Final Closure Plan / Post-Closure Maintenance Plan to regulate the landfill. Changes to post closure use may require an update to the 2005 Final Closure Plan / Post-Closure Maintenance Plan. CalRecycle and the LEA do not rely on Waste Discharge Requirements to regulate the landfill.

42. On 14 January 2022, Staff met with the Discharger to discuss the Discharger's requests and identify additional information needs. Identified needs include providing the following information and perform the following tasks necessary to protect water quality and complete the Central Valley Water Board's administrative record for the Facility:
  - a. Provide current and complete well survey;
  - b. Submit a well decommission workplan for Staff review and approval;
  - c. Perform well decommissioning in accordance with the State Department of Water Resources' Bulletins 74-81 and 74-90 (California Well Standards) and per the approved workplan;
  - d. Resolve to the satisfaction of CalRecycle and the LEA, any remaining regulatory matters necessary to transfer remaining Title 27 regulatory oversight to CalRecycle and the LEA. This may include an update to the Discharger's 2005 Final Closure Plan / Post-Closure Maintenance Plan to reflect rescission of water quality monitoring and reporting requirements and ensure appropriate financial assurances exist; and
  - e. Provide additional historical information or records relating to historical mining activity adjacent to or at the Facility, prior to its use as a landfill.
  
43. In a 30 June 2022 letter to the Discharger, the LEA notified the Discharger that without an approved and complete 'clean closure' of the Facility, the following requirements continue in perpetuity for the life of the Facility:
  - a. The Discharger shall adhere to all State Minimum Standards for closed landfills;
  - b. No changes to the current approved postclosure land use are allowed without prior approval from the LEA and CalRecycle; and

- c. Any changes to the current approved postclosure use at the Facility, non-irrigated open space, may be subject to a request for an updated Closure/Post Closure Maintenance Plan which may require approval from the LEA and CalRecycle, as well as the Central Valley Regional Water Quality Control Board.
44. In the 30 June 2022 letter to the Discharger, the Placer County LEA wrote that “[t]he LEA, in consultation with CalRecycle, has no objections in regard to the rescission of the WDR [for] the subject Landfill.”

#### **Procedural Matters**

45. The Discharger, interested agencies, and interested persons were notified of the Central Valley Water Board’s intent to rescind WDRs Orders R5-2005-0069 and provided an opportunity to submit their written views and recommendations at a public hearing. (Wat. Code, § 13167.5; Title 27, § 21730.)
46. At a public meeting, the Central Valley Water Board heard and considered all comments pertaining to this Order.
47. Any person aggrieved by this Central Valley Water Board action may petition the State Water Board for review in accordance with Water Code section 13320 and California Code of Regulations, title 23, section 2050 et seq. To be timely, the petition must be received by the State Water Board by 5:00 pm on the 30th day after the date of this Order; if the 30th day falls on a Saturday, Sunday or state holiday, the petition must be received by the State Water Board by 5:00 pm on the next business day. The law and regulations applicable to filing petitions are available on the [State Water Board website](http://www.waterboards.ca.gov/public_notices/petitions/water_quality) ([http://www.waterboards.ca.gov/public\\_notices/petitions/water\\_quality](http://www.waterboards.ca.gov/public_notices/petitions/water_quality)). Copies will also be provided upon request

## REQUIRED ACTIONS

**IT IS HEREBY ORDERED** that WDRs Order No. R5-2005-0069 is rescinded.

As a condition of rescission of WDRs Order No. R5-2005-0069, **within 90 days of adoption**, the Discharger is required to provide the following information and perform the following tasks necessary to protect water quality and complete the Central Valley Water Board's administrative record for the Facility:

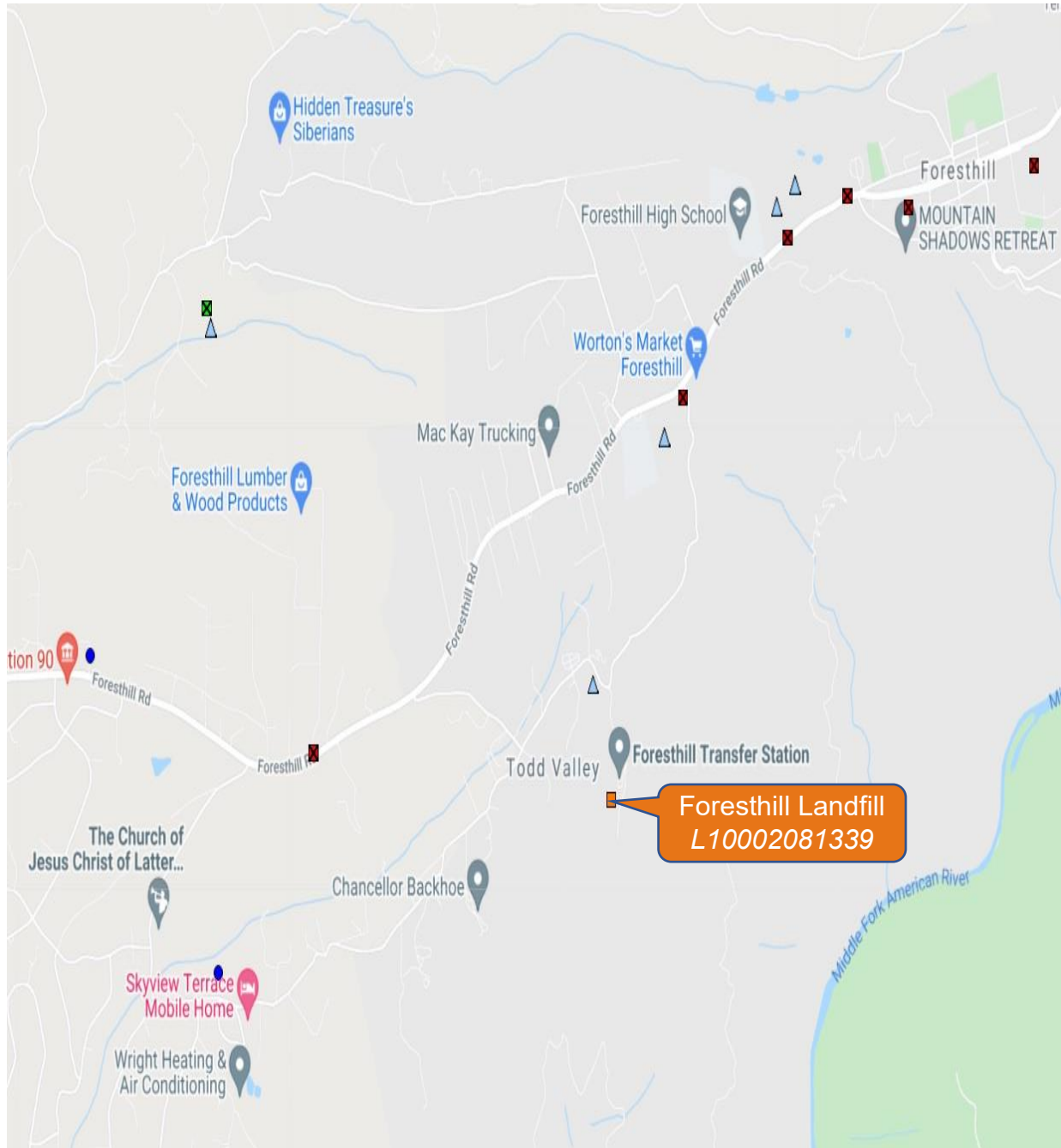
- a. Provide a current and complete well survey for the Facility;
- b. Submit a well decommission workplan for Executive Officer approval;
- c. Perform well decommissioning in accordance with the State Department of Water Resources' Bulletins 74-81 and 74-90 (California Well Standards) and per the approved workplan and provide a report to the Executive Officer;
- d. Provide additional historical information or records relating to historical mining activity adjacent to or at the Facility, prior to its use as a landfill;  
and

## LIST OF ATTACHMENTS

Attachment A—**SITE LOCATION MAP**

Information Sheet.

### ATTACHMENT A—SITE LOCATION MAP



Foresthill Landfill, L10002081339 (GeoTracker®), not to scale

## INFORMATION SHEET

The Placer County Department of Facility Services (“Discharger”) owns and operates the closed 4.2-acre Foresthill Landfill, a Class III landfill on a 52-acre property at 6699 Patent Road, Foresthill, California 95640, approximately two miles southwest of Foresthill. The landfill is a municipal solid waste (MSW) landfill regulated under authority given in Water Code section 13000 et seq.; California Code of Regulations, title 27 (“Title 27”), section 20005 et seq. Waste Discharge Requirements (WDRs) Order No. R5-2005-0069 implements these statutes and regulations for the landfill.

The landfill operated from 1966 to 1983 accepting primarily household waste, construction debris, and green waste. Reports on file state that the refuse was disposed of by the trench-and-cover method. It is unknown whether any burn dump activity was conducted at the site. The Discharger ceased accepting wastes in 1983 and closed the landfill in 1984. The Facility consists of one waste management unit defined as “inactive” pursuant to Title 27 Section 20080(g) because it ceased accepting wastes prior to 27 November 1984. Since construction of the onsite transfer station in 1984, all household waste has been transported for disposal at the Western Regional Landfill in Lincoln.

Current surrounding land uses include small and large tract residential development, roads, and undeveloped shrub land and forestland. Historically the area was used for hydraulic gold mining.

### No Evidence of Significant Release

The available data indicates there is no evidence of a significant release, if any, of leachate from the waste management unit. Groundwater samples have been analyzed for all contaminants of concern (COCs) and only low-level concentrations of common laboratory contaminants (Di-n-butyl phthalate, cis-1,2-Dichloroethene, bis-(2-Ethylhexyl)phthalate, and chloroform) or naturally occurring constituents (hexavalent chromium) have been detected over the last 33 years. Known landfill gas concentrations appear to be minimal, and cover integrity and drainage appear adequate. The proposed Rescission Order requires the Discharger submit a workplan for Executive Officer approval for decommissioning all existing monitoring wells at the landfill in accordance with the State Department of Water Resources' Bulletins 74-81 and 74-90 (California Well Standards).

### Completion of Post-Closure Monitoring Period

The Discharger commenced groundwater monitoring in 1988, corresponding to a post-closure monitoring period exceeding 33 years. The Discharger satisfied the minimum prescriptive post-closure monitoring period requirements of Title 27 (18 years) and State Water Board Resolution No. 93-62, including 40 CFR Section 258.61 (30 years).

### **Cessation of Post-Closure Monitoring & Regulatory Coordination**

The USEPA, the State Water Resources Control Board, and CalRecycle (formerly the California Integrated Waste Management Board), promulgated or adopted pertinent land disposal regulations approximately thirty years ago. The State and Regional Water Board, USEPA, CalRecycle, and Local Enforcement Agencies practice established coordinated administration of the pertinent land disposal regulations.

<u>Entity</u>	<u>REGULATIONS</u>	<u>KEY DATES</u>
Federal	40 CFR Section 258.61	9 October 1991 (promulgated) 9 October 1993 (effective)
State	23 CCR Sections 2510-2601 (a.k.a. "Chapter 15") Title 27 section 20005 et seq	18 January 1982 18 July 1997
State	SWRCB Resolution No. 93-62	17 June 1993

Staff anticipate additional similar requests to cease groundwater monitoring as prescriptive post-closure monitoring period requirements are met and dischargers demonstrate waste masses do not pose a threat to water quality. Post monitoring in the absence of groundwater monitoring oversight requires case-by-case review and continued regulatory coordination.

For the Foresthill Landfill, cessation of groundwater monitoring requires formal rescission of WDRs Order No. R5-2005-0069 which specify that "[t]he post-closure maintenance period shall continue until the Regional Board verifies that remaining waste in the landfill will not threaten water quality" (R5-2005-0069; G.7). Further, the WDRs require the Discharger to "...conduct groundwater monitoring as specified in Monitoring and Reporting Program (MRP) No. R5-2005-0069."

By rescinding WDRs Order No. R5-2005-0069, the Regional Board does not cede authority set forth in California Water Code section 13000 et seq. or Title 27, section 20005 et seq. The Foresthill Landfill remains subject to coordinated regulatory oversight, including but not limited to, non-water and water quality provisions of Title 27 such as postclosure land use (Title 27 Section 21190(c)), maintenance of cover integrity ((Title 27 Section 21190(d)), and restrictions on construction of structural improvements on top of landfilled areas (Title 27 Section 21190(e)). The LEA notified the Discharger that these requirements continue in perpetuity for the life of the Facility, prohibited unauthorized land use changes, and established continued regulatory coordination between CalRecycle, the Local Enforcement Agency, and the Central valley Regional Water Quality Control Board.