CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
COLORADO RIVER BASIN REGION

ORDER NO. R7-2007-0044

WASTE DISCHARGE REQUIREMENTS
AND
CLOSURE / POST CLOSURE MAINTENANCE
FOR
COUNTY OF IMPERIAL, OWNER/OPERATOR
OCOTILLO CLASS III MUNICIPAL SOLID WASTE MANAGEMENT FACILITY

North of Ocotillo – Imperial County

The California Regional Water Quality Control Board, Colorado River Basin Region, finds that:

Discharger

1. The County of Imperial Department of Public Works (CIDPW) 155 South 11th Street, El Centro, CA 92243, (hereinafter referred to as the Discharger), is the owner and operator of the Ocotillo Class III Municipal Solid Waste Management Facility (hereinafter referred to as the Facility), located approximately 2.5 miles northwest of the community of Ocotillo.

2. The Facility is located in the SW ¼ of the SW ¼ of Section 13, T16S, R9E, SBB&M. Access to the site by road is off Shell Canyon Road as shown on Attachment 1, Location/Vicinity Map, appended hereto and made a part of this Board Order.

3. The property was owned by the Bureau of Land Management (BLM) until 2001 when it was transferred to CIDPW.

Facility

4. The Facility began operating in 1965, serving the southwestern portion of Imperial County, accepting waste from the unincorporated areas of the County within a 30-mile radius of Ocotillo. The Facility utilized the area cut and fill method for refuse disposal.

5. The Facility accepted mixed municipal refuse classified as Class III non-hazardous solid waste and construction/demolition solid waste, as defined in Sections 20220 and 20230 of Title 27 of the California Code of Regulations (hereinafter referred to as Title 27). The discharge of liquid or hazardous waste was not allowed.

6. The Facility is comprised of approximately 40 acres, with about 5.3 acres designated for waste disposal as shown on Attachment 1.

7. The Facility was open two (2) days a week, and permitted to receive a maximum of 15 tons per day (tpd).

8. The Facility is not lined, and has no leachate collection and removal system.

9. The Facility stopped receiving waste in January 2004. One (1) foot of soil was placed on the landfill surface as intermediate cover.

10. A limited-volume transfer station, owned and operated by CIDPW, began operating at the site in 2004. Waste from the transfer station is transferred to the Calexico Municipal Solid Waste Site and/or the Imperial Municipal Solid Waste Site.

Definitions

11. Definitions of terms used in this Board Order:

    a. Discharger – any person who discharges waste that could affect the quality of waters of the State, including any person who owns the land or waste management unit, or is responsible for operating the waste management unit.

    b. Waste Management Facility (WMF) – The entire parcel of property where waste discharge operations were conducted. Such a facility may have one or more waste management units.

    c. Waste Management Unit (WMU) – An area of land or portion of a waste management facility where waste was discharged. The term includes containment features and ancillary features for precipitation and drainage control, and monitoring appurtenances.

    d. Landfill footprint – The area within the waste management facility where municipal solid waste was permanently placed or disposed.

Board Orders

12. The Facility began operating in 1965, and stopped accepting waste in January 2004. In 1970 the Facility became subject to Waste Discharge Requirements (WDRs) under Board Resolution No. 70-54. The WDRs were updated three (3) times as follows:

Year:	Board Order No:
1983	83-016
1988	88-031
1997	97-044

13. On June 17, 1993, the State Water Resource Control Board (State Board) adopted Resolution No. 93-062, *Policy for Regulation of Discharges of Municipal Solid Waste* (Policy). The Policy directs each Regional Water Quality Control Board to revise WDRs for each municipal solid waste (MSW) landfill in its respective region to comply with the criteria for municipal solid waste landfills 40 Code of Federal Regulations Part 258 (hereinafter referred to as 40 CFR Part 258).

14. On September 15, 1993, the Regional Board adopted WDRs in Board Order No. 93-071 for all municipal solid waste facilities in the Colorado River Basin Region to implement State Board Resolution 93-062.

15. The Facility is currently regulated by WDRs under Board Order No. 97-044. These WDRs are being updated to incorporate applicable closure requirements in the combined State Water Resources Control Board/California Integrated Waste Management Board regulations in Title 27, and closure and post-closure regulations of 40 CFR Part 258, Subpart F, Sections 258.60 and 258.61.

Site Topography

16. The Facility is located near the western boundary of Imperial County in Shell Canyon along the southern flank of the Coyote Mountains. Elevations at the site range from 410 to 425 feet above mean sea level.

17. The site is not within the 100-year floodplain.

Climate

18. The climate of the region is arid. Climatological data obtained from 1951 to 1980 indicate an average seasonal precipitation of 2.5 inches and average annual pan evaporation rate greater than 50 inches.

19. The wind direction follows two (2) general patterns:

    a. From late fall through early spring, prevailing winds are from the west and northwest. Humidity is lowest under these conditions.

    b. Summer weather patterns are often dominated by intense, heat-induced low pressure areas that form over the interior desert, drawing air south of the Facility. Humidity is highest under these conditions.

Surrounding Land Use

20. The site is located on land designated for government/special use purposes. There are no structures located within 1,000 feet of the property boundary. Land within a 1-mile radius of the site is designated as community area open space.

21. The Discharger reports that the proposed post-closure end use of the Facility will be non-irrigated open space.

Geologic Conditions

22. The Facility lies between the Peninsular Ranges geomorphic province to the west and the Salton Trough section of the Basin and Range physiographic province to the east.

The geologic and geomorphic characteristics of the site are more closely related to those of the Salton Trough. The trough is a landward extension of the depression filled by the Gulf of California, and the broad, fan-shaped delta of the Colorado River.

23. The basement complex of the Salton Trough is composed of plutonic rocks of Mesozoic age and older metamorphic rocks. Basement rocks are overlain by a thick sequence of dominately non-marine sedimentary rocks that range in age from Eocene to Holocene.

24. In the area of the Facility, subsurface geology consists of Tertiary and Pleistocene deposits of clay, silt, sand, and gravel. On-site surficial soils are composed of light brown, silty fine sand to medium sand, and some gravel.

Siesmicity

25. The Facility is situated within the Salton Trough, which is an area of active extension associated with the southern terminus of the San Andreas fault system. The system of faults responsible for the trough consists of a series of right stepping faults (i.e., San Andreas, Superstition Mountain, San Jacinto, and Sand Hills faults). The region is an area of transition from the east pacific spreading center active in the Gulf of California to the transform faulting associated with the right lateral relative motion between the Pacific and North American Tectonic Plates.

26. The Facility is located approximately one (1) mile southeast of the Elsinore Fault and approximately 44 miles southwest of the San Andreas Fault.

27. The Discharger reports that the Maximum Probable Earthquake (MPE) along the Elsinore Fault is predicted to be 0.63g and the Maximum Credible Earthquake (MCE) for the Facility is expected to result in an acceleration of 0.68g along the Elsinore fault.

Groundwater

28. The Discharger reports that groundwater at the Facility occurs 135 to 150 feet below ground surface, and flows generally to the southeast. Groundwater velocity is calculated at approximately 0.01 feet per day.

29. The Water Quality Control Plan (Basin Plan) for the Colorado River Basin Region of California, adopted on November 17, 1993 and amended through May 2002, designates the beneficial uses of ground and surface waters in this Region.

30. The Facility is located in the Imperial Hydrologic Unit. The beneficial uses of groundwater in the Imperial Hydrologic Unit are:

    a. Municipal supply (MUN)
    b. Industrial supply (IND)

Existing Monitoring System

31. The Facility's existing groundwater monitoring system consists of one (1) upgradient (O-DW-4) and two (2) downgradient (O-MW-2 and O-MW-3) wells installed in 1994. An additional upgradient well (O-MW-1), installed in 1994, was damaged and is unusable. The Discharger reports that well O-MW-1 was formally abandoned in accordance with State Water Resources Control Board Requirements (Bulletins 74-81 and 74-90) in November 2005, and a well abandonment report was filed with the State Water Resources Control Board in February 2006.

32. No landfill gas control or monitoring system currently exists at the site. Previous monitoring for landfill gas indicated no surface emission of landfill gas.

33. The Facility does not have a leachate collection and removal system (LCRS).

Waste Discharged Outside the Landfill Footprint

34. The Discharger acknowledged in 2004 that waste was discharged outside the landfill footprint at two (2) distinct areas along the west side of the footprint. The two locations cover 1.01 acres and contain approximately 11,207 cubic yards of waste. The Discharger submitted an Executive Summary Report in June 2005 indicating the location and extent of refuse discharged outside the landfill footprint, and defined an area within the landfill footprint where the waste could be placed.

35. The Discharger reports that approximately 13,680 cubic yards of airspace on 1.39 acres of landfill footprint is available for discharging refuse. Waste previously discharged outside the landfill footprint will be excavated and placed within the landfill footprint prior to undertaking closure activities.

Closure

36. The Discharger submitted a Final Closure/Post Closure Maintenance Plan (FCPCMP) on June 22, 2005 and a revised FCPCMP on October 04, 2005. Regional Board Staff approved the revised FCPCMP on October 14, 2005.

37. The FCPCMP proposes the following:

    I. <u>CLOSURE</u>

    A. Final cover – the Discharger proposes an alternative cover in accordance with Title 27. The proposed final cover consists of, in ascending order:

        1. Foundation Layer – A two (2) foot thick interim/foundation layer composed of engineered soil materials that meet the specifications described in Finding 37.I.C. of which one (1) foot is composed of intermediate cover.

2. Monolithic layer – A two (2) foot thick layer composed of engineered soil materials that meet the specifications described in Finding 37.I.C. The upper six (6) to eight (8) inches of the monolithic cover will have pit run rock mixed into it to provide surface water runoff and wind erosion protection.

B. An engineering analysis performed by the Discharger has shown that a four (4) foot thick final cover will meet or exceed the performance criteria of the prescribed standard as detailed in Title 27.

C. An engineering analysis performed by the Discharger recommends that, in order to generate adequate performance characteristics, the final cover materials should exhibit a grain size distribution that generally excludes particles in excess of three (3) inches. In addition, soil mixing operations should be conducted so as to yield material that exhibits a minimum average fines content (percent by weight passing a U.S. No. 200 Sieve) of 12 percent with an average of at least six (6) percent finer than five (5) microns. The cover soils should exhibit an average saturated hydraulic conductivity of no more than 3.8×10^{-4} cm/sec.

D. Factors taken into consideration to establish the final cover design were: geometry of the existing landfill, local climate conditions (arid environment, low rainfall, high evaporation rate), potential landfill settlement, final cover material availability, final cover performance criteria, erosion protection, vegetative growth, construction costs, and end use.

E. Title 27, Section 20080 (b) states that approval for an alternative cover system is allowed in cases where the discharger demonstrates that a) the construction of a prescriptive standard is not feasible as provided in subsection (c) of Section 20080, and b) there is a specified engineered alternative that is consistent with the performance goal addressed by the particular construction or prescriptive standard, and it affords protection against water quality impairment.

F. As stipulated in Title 27, Section 20080(c), to establish that the prescriptive standard is not feasible, the Discharger must demonstrate that the prescriptive standard either a) is unreasonably and unnecessarily burdensome and will cost substantially more than alternatives which meet the criteria in Section 20080(b), or b) is impractical and will not promote attainment of applicable performance standards.

G. The Discharger has adequately demonstrated that construction of a Title 27 prescriptive standard cover would be unreasonable and unnecessarily burdensome when compared to the proposed engineered alternative design.

H. Final cover on the top deck of the landfill has a minimum three (3) percent grade as shown on Attachment 2, Final Grading and Drainage Plan, appended hereto and made a part of this Board Order.

I. Side slopes of the final cover have a maximum slope of three horizontal to one vertical (3H:1V). Final grades have been designed to blend with the surrounding topography.

J. The Discharger reports that because: (1) the final slopes of the landfill do not exceed 3:1 horizontal to vertical and (2) there is no geo-synthetic component of the cover, no slope stability analysis was required or performed in accordance with Title 27, Section 21090.

K. The Discharger considered the granular nature of the cover materials, the relatively low height of the refuse prism (less than 10 feet above pre-existing grades including the 4-foot cover) and the type of waste in the landfill, to determine stability of the final cover.

L. The Discharger proposes to install two (2) settlement monuments within the landfill footprint, and two (2) survey monuments on undisturbed ground as shown on Attachment 2. The two (2) survey monuments will provide horizontal and vertical reference control points not subject to settlement in accordance with Title 27, Section 20950.

M. The Discharger proposes to perform an aerial photographic survey of the site when closure activities are complete, and prepare a topographic map showing the as-built topography. The Discharger also proposes to prepare an iso-settlement map at least every five (5) years depicting the total change in elevation of all portions of the permitted site throughout the post-closure maintenance period in accordance with Title 27, Section 21090.

N. The Discharger reports that the universal soil loss equation (USLE) was used to estimate the average soil loss for the closed Facility during the 30-year post closure maintenance period. The estimated average soil loss over the entire landfill is 0.90 tons/acre/year, or 0.15 inches (1.2 % of the final cover thickness) for the entire 30-year period. Any soil lost will be replaced to maintain closure design.

O. Erosion of the final cover will be prevented by two (2) erosion control features:

    i. The top deck will be designed for sheet flow run-off with a minimum slope of approximately three (3) percent; and
    ii. Pit-run random rock material will be mixed into the upper six (6) to eight (8) inches of the monolithic layer.

P. Precipitation falling on the landfill deck will be channeled by an earthen perimeter berm into an inlet structure, through a concrete-lined v-channel, and onto a rip-rap energy dissipation pad where it will then flow downgradient via existing grade. Runoff from around the Facility will be diverted from the toe of the slope by an earthen v-channel and onto a rip-rap energy dissipation structure and then discharged via the existing grade. The proposed final drainage system is shown on Attachment 2.

Q. The Discharger reports that the existing groundwater monitoring system meets the requirements of Title 27, Division 2, Chapter 3, Subchapter 3, Article 1 (commencing with Section 20380). No additional groundwater monitoring wells are proposed for the final closure plan. The wells are listed in Monitoring and Reporting Program No. R7-2007-0044 and the locations of the wells are shown on Attachment 3, Monitoring Controls Location Map, appended hereto and made a part of this Board Order.

R. The Discharger reports that no permanent leachate control system has been installed at the site and will not be installed as part of the final closure plan.

S. The Discharger reports that no gas collection or gas condensate collection system has been installed at the site and will not be installed as part of the final closure plan.

T. The Discharger reports that three (3) landfill gas migration monitoring wells will be installed around the perimeter of the landfill as part of the final closure plan. The locations of the proposed gas monitoring wells are shown on Attachment 3. The wells will be monitored for landfill gas on a quarterly basis, and results reported to the Local Enforcement Agency (LEA).

U. The Discharger reports that construction of the final cover system will be carried out in accordance with a Construction Quality Assurance (CQA) Plan that meets the requirements of Title 27, Section 20324.

V. The closed Facility will be designated as non-irrigated open space.

II. POST CLOSURE MAINTENANCE

A. Inspection – The Discharger reports that routine and periodic inspections will be conducted immediately after special events such as earthquakes, storms, and fires. Additionally, the Discharger will inspect the Facility for the following:

Inspection Period	
1. Landfill Gas Migration System Monitoring and Maintenance	Monthly
2. Groundwater System Monitoring and Maintenance	Monthly
3. Stormwater Monitoring	Monthly
4. Final Cover Inspection and Maintenance	Monthly
5. Settlement Monitoring and Maintenance	Monthly
6. Access Road Inspection and Maintenance	Monthly
7. Drainage Control System Inspection and Maintenance	Monthly
8. Site Security Inspection and Maintenance	Monthly

Deficiencies, damages to, and failure of the final cover and final grades will be repaired and restored within forty-five (45) days to maintain closure design in accordance with construction specifications.

B. Settlement Monitoring System – An aerial survey shall be performed every five (5) years throughout the post-closure maintenance period. Any settlement of the cover system will be mitigated in a manner acceptable to the Regional Board Executive Officer.

C. Drainage System – Drainage inlets and down drains will be cleared of sediments. Drainage channels and outlets will be maintained to permit free flow and sealed or repaired to maintain structural integrity of the system. Any damage will be repaired within thirty (30) days.

D. Groundwater Monitoring System – All groundwater monitoring wells will be inspected for signs of failure or deterioration during each sampling event. If damage is discovered, the nature and extent of the problem will be recorded. A decision will be made to replace or repair the well. Wells needing replacement will be decommissioned pursuant to regulation. Damaged wells will be scheduled for repair prior to the next monitoring event.

Other Regulatory Considerations

38. In accordance with the California Environmental Quality Act (CEQA) (Pub. Resources Code, § 21000 et seq.) and implementing CEQA Guidelines (Title 14, Cal. Code Regs., § 15000 et seq.), the County of Imperial, acting as the lead agency, prepared an Initial Study and proposed Negative Declaration for final closure of the Facility. On March 20, 2006, the proposed Negative Declaration was adopted and the project approved by the County Board of Supervisors and recorded by the County Recorder. The County concluded that the proposed project will not have a significant effect on the environment.

39. The Regional Board has considered the Initial Study and the Negative Declaration adopted by the County. Compliance with these Waste Discharge Requirements will prevent any significant adverse impacts to water quality.

40. The Board has notified the Discharger and all known interested agencies and persons of its intent to update Waste Discharge Requirements for this discharge, and has provided them with an opportunity for a public meeting, and an opportunity to submit comments.

41. The Board, in a public meeting, heard and considered all comments pertaining to this discharger.

42. The Regional Board finds the 40-acre landfill is in compliance with the provisions of Title 27, and 40 CFR Parts 257 and 258, Subtitle D.

IT IS HEREBY ORDERED, that Board Order No. 97-044 be rescinded, and in order to meet the provisions contained in Division 7 of the California Water Code and regulations adopted thereunder, the Discharger shall comply with the following:

A. Specifications

1. The treatment or disposal of wastes at this Facility shall not cause pollution or nuisance as defined in Section 13050 of Division 7 of the California Water Code.

2. Waste material shall be confined to the waste management unit as described in Finding 6 and shown on Attachment 2.

3. The discharge shall not cause degradation of any water supply.

4. Surface drainage from tributary areas and internal site drainage from surface or subsurface sources, shall not contact or percolate through wastes discharged at this site.

5. The Discharger shall maintain a Storm Water Pollution Protection Plan and Monitoring Program and Reporting Requirements in accordance with State Water Resources Control Board Order No. 97-03-DWQ, or retain all storm water onsite, until closure of the Facility is complete and approved.

6. The exterior surfaces of the disposal area, including the intermediate and final landfill covers shall be graded and maintained to promote lateral runoff of precipitation and to prevent ponding.

7. The Discharger shall use the constituents listed in Monitoring and Reporting Program No. R7-2007-0044 and revisions thereto, as "monitoring parameters". These monitoring parameters are subject to the most appropriate statistical or non-statistical tests under Monitoring and Reporting Program No. R7-2007-0044, Part III, and any revised Monitoring and Reporting Program approved by the Regional Board Executive Officer.

8. The Discharger shall implement the attached Monitoring and Reporting Program No.R7-2007-0044 and revisions thereto, to detect at the earliest opportunity, any unauthorized discharge of waste constituents from the Facility, or any unreasonable impairment of beneficial uses associated with (caused by) discharges of waste to the Facility.

9. The discharge shall not cause the concentration of any Constituent of Concern or Monitoring Parameter to exceed its respective background value in any monitored medium at any Monitoring Point assigned to Detection Monitoring pursuant to Part II.A.7. of the attached Monitoring and Reporting Program No. R7-2007-0044 and revisions thereto.

10. The Discharger shall implement the Water Quality Protection Standard (WQPS) for detection monitoring established by the Regional Board in this Board Order pursuant to Title 27, Section 20390. The following are five (5) parts of the WQPS established by the Regional Board (the terms of art used in this Board Order for monitoring are defined in Part I of the attached Monitoring and Reporting Program No. R7-2007-0044, and revisions thereto, which is hereby incorporated by reference):

a. The Discharger shall test for the monitoring parameters and the Constituents of Concern (COC) listed below, and in the Monitoring and Reporting Program No. R7-2007-0044, and revisions thereto:

Parameter or Constituent

i. pH (units)
ii. Total Dissolved Solids
iii. Specific Conductance
iv. Temperature
v. Chloride
vi. Sulfate
vii. Nitrate (as N)
viii. Groundwater Elevation
ix. Volatile Organic Compounds

b. Concentration Limits – The concentration limit for each monitoring parameter and constituent of concern for each monitoring point (as stated in detection Monitoring Program Part II), shall be its background value.

c. Monitoring points and background monitoring points for detection monitoring shall be those listed below, and in Part II. B. of the attached Monitoring and Reporting Program No. R7-2007-0044, and any revised Monitoring and Reporting Program approved by the Regional Board Executive Officer. Monitoring and background monitoring points are shown below and on Attachment 3:

i. Inferred up gradient (background) monitoring well: O-DW-4

ii. Inferred down gradient (point of compliance) wells: O-MW-2 and O-MW-3

d. Compliance period - The estimated duration of the post closure monitoring compliance period for this Facility is 30 years. Each time the Water Quality Protection Standard is violated (i.e. releases discovered), the Facility shall begin a compliance period on the date the Regional Board directs the Discharger to begin an Evaluation Monitoring Program. If the Discharger's Corrective Action Program (CAP) has not achieved compliance with the Water Quality Protection Standard by the scheduled end of the Compliance Period, the Compliance period is automatically extended until the Facility has been in continuous compliance for at least three (3) consecutive years.

11. The Discharger shall install an alternative final cover consisting of the following, in ascending order:

a. A minimum two (2) foot thick foundation layer of engineered soil materials that meet the specifications described in Finding 37.I.C..

b. A minimum two (2) foot thick layer of engineered soil materials that meet the specifications described in Finding 37.I.C. with pit-run rock mixed into the upper 6-8 inches.

12. The Discharger shall follow the proposed and accepted Closure/Post Closure Maintenance Plan.

13. The Discharger shall conduct a thorough and comprehensive inspection at least twice a year, and immediately following events (e.g., earthquakes, storms, fires, etc.) that may compromise the landfill cover, waste containment, or monitoring and drainage structures.

14. The Discharger shall, within 45 days, repair and restore to design/construction specifications, any deficiency, damage to, or failure of the final cover, final grade, side slopes, drainage system, settlement, and monitoring systems.

15. The Discharger shall install a minimum of two (2) settlement monuments on the landfill to monitor refuse settlement. The entire Facility shall be aerially photographed at the end of closure activities, and every five (5) years throughout the post closure maintenance period.

16. The Discharger shall install a landfill gas monitoring system consisting of gas monitoring wells installed around the perimeter of the landfill footprint at varying depths, and spaced no more than 1000 feet apart.

17. The Discharger shall remove and relocate all wastes discharged to areas not permitted to receive wastes, and relocate these wastes to the landfill footprint in accordance with federal, state, and local regulations.

18. The Discharger shall remove and relocate any wastes that are discharged at this site in violation of these requirements.

19. Water used for site maintenance shall be limited to amounts necessary for dust control.

20. The Facility shall be protected from any washout or erosion of wastes or covering material, and from any inundation which could occur as a result of floods having a predicted frequency of once in 100 years.

21. The discharge shall not cause the release of pollutants or waste constituents in a manner which could cause a condition of contamination or pollution to occur, as indicated by the most appropriate statistical (or non-statistical) data analysis method and retest method listed in Part III of the attached Monitoring and Reporting Program No. R7-2007-0044 and revisions thereto.

B. Prohibitions

1. The discharge or deposit of any solid waste at this site is prohibited.

2. The discharge or deposit of designated waste (as defined in Title 27) at this site is prohibited.

3. The co-disposal of incompatible wastes is prohibited.

4. The discharge of waste to land not owned or controlled by the Discharger is prohibited.

5. The discharge shall neither cause nor contribute to the contamination or pollution of groundwater via the release of waste constituents in either liquid or gaseous phase.

6. The direct discharge of any waste to surface waters or surface drainage courses is prohibited.

7. The discharge of liquid or semi-solid waste (i.e., waste containing less than 50 percent solids) to the Facility is prohibited.

C. Provisions

1. The Discharger shall comply with Monitoring and Reporting Program No. R7-2007-0044, and future revisions thereto, as specified by the Regional Board Executive Officer.

2. Prior to any change in ownership or management of this operation, the Discharger shall transmit a copy of this Board Order to the succeeding owner/operator, and forward a copy of the transmittal letter to the Regional Board.

3. The Discharger shall ensure that all site-operating personnel are familiar with the content of this Board Order, and shall maintain a copy of this Board Order at the site.

4. This Board Order does not authorize violation of any federal, state, or local laws or regulations.

5. The Discharger shall allow the Regional Board, or an authorized representative, upon presentation of credentials and other documents as may be required by law, to:

    a. Enter upon the premises regulated by this Board Order, or the place where records must be kept under the conditions of this Board Order;

    b. Have access to and copy, at reasonable times, any records that shall be kept under the conditions of this Board Order;

    c. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this Board Order; and

d. Sample or monitor at reasonable times, for the purpose of assuring compliance with this Board Order or as otherwise authorized by the California Water Code, any substances or parameters at this location.

6. The discharge shall neither cause nor contribute to the contamination or pollution of groundwater via the release of waste constituents in either liquid or gaseous phase.

7. The discharge shall not cause any increase in the concentration of waste constituents in soil-pore gas, soil-pore liquid, soil or other geologic materials outside the Facility, if such waste constituents could migrate to waters of the State in either the liquid or the gaseous phase, and cause conditions of contamination or pollution.

8. This Board Order does not convey property rights or exclusive privileges, nor does it authorize injury to private property or invasion of personal rights, nor infringement of federal, state, or local laws or regulations.

9. Unless otherwise approved by the Regional Board Executive Officer, all analyses shall be conducted at a laboratory certified for such analyses by the State Department of Health Services. All analyses shall be conducted in accordance with the latest edition of "Guidelines Establishing Test Procedures for Analysis of Pollutants", promulgated by the United States Environmental Protection Agency.

10. All regulated disposal systems shall be readily accessible for sampling and inspection.

11. Adequate measures shall be taken to assure that flood or surface drainage waters do not erode or otherwise render portions of the Facility inoperable.

12. The Discharger is the responsible party for the waste discharge requirements and the monitoring and reporting program for the Facility. The Discharger shall comply with all conditions of these waste discharge requirements. Violations may result in enforcement actions, including Regional Board Orders or court orders that require corrective action or impose civil monetary liability, or in modification or revocation of these waste discharge requirements by the Regional Board.

13. The Discharger shall furnish, under penalty of perjury, technical monitoring program reports, and such reports shall be submitted in accordance with the specifications prepared by the Regional Board Executive Officer. Such specifications are subject to periodic revisions as may be warranted.

14. All containment structures and erosion and drainage control systems shall be designed and constructed under direct supervision of a California-Registered Civil Engineer or Certified Engineering Geologist, and shall be certified by the individual as meeting the prescriptive standards and performance goals of Title 27.

15. After a significant earthquake event, the Discharger shall:

    a. Immediately notify the Regional Board by phone; and

b. Within seven (7) days submit to the Regional Board a detailed post-earthquake report describing physical damages to the containment features and groundwater monitoring facilities and a corrective action plan for repairs.

16. The Discharger shall immediately notify the Regional Board of any flooding, slope failure or other change in site conditions that could impair the integrity of the waste containment Facility or of precipitation and drainage control structures. The Discharger shall submit to the Regional Board within 14 days, a detailed report describing any physical damage to the cover, surface water diversion systems or groundwater monitoring systems.

17. The Discharger shall maintain legible records of the volume and type of each waste discharged at the site. These records shall be available for review by representatives of the Regional Board at any time throughout the post-closure period.

18. The Discharger shall maintain visible monuments to identify the boundary limits of the entire waste management facility.

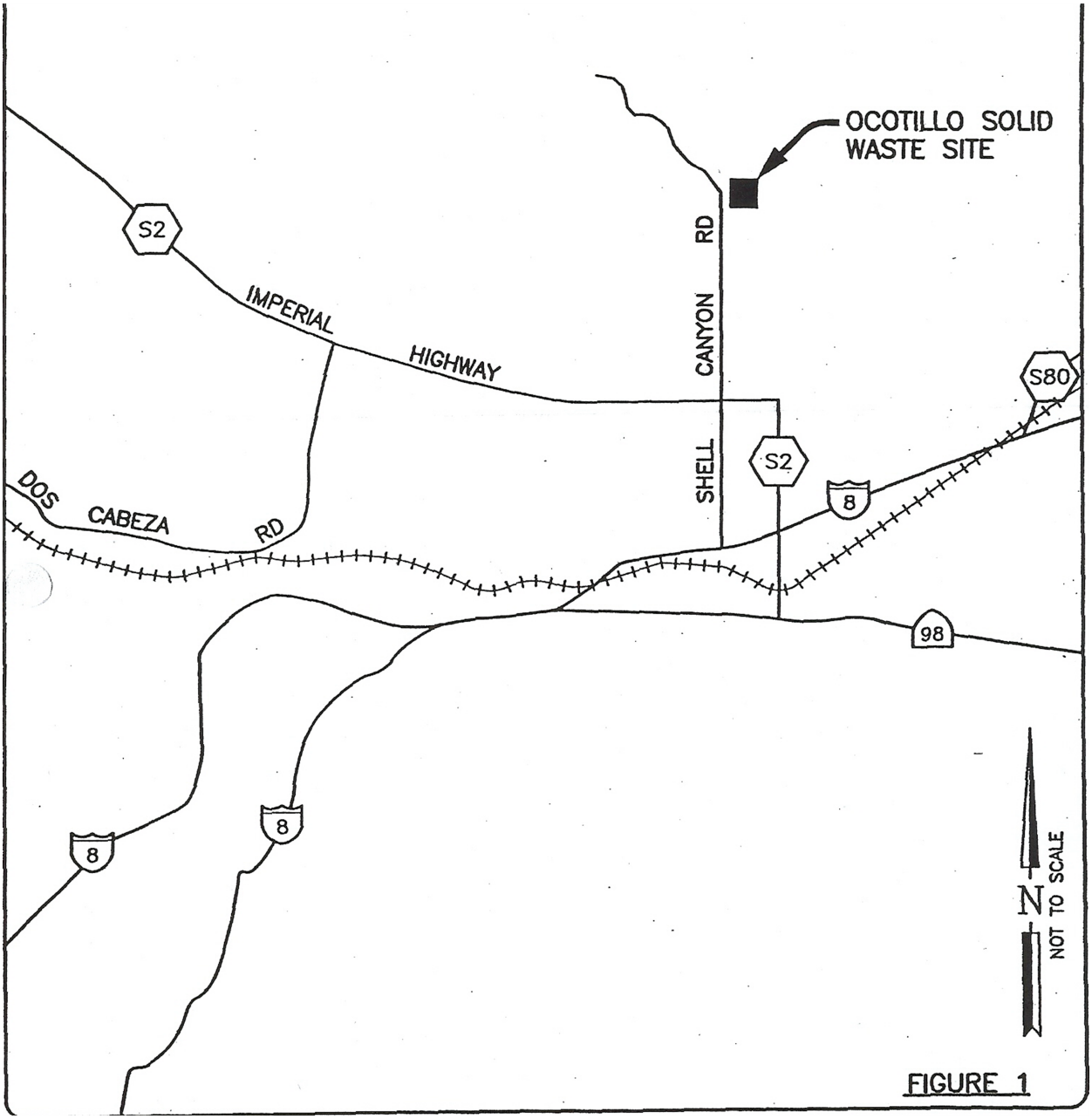
19. The Discharger shall submit to this Regional Board and to the California Integrated Waste Management Board, evidence of Financial Assurance for Closure and Post Closure, pursuant to Title 27, Chapter 6 (commencing with Section 22200). The post-closure period shall be at least 30 years. However, the post-closure maintenance period shall extend as long as the wastes pose a threat to water quality.

20. Within 180 days of the adoption of this Board Order, the Discharger shall submit to the California Integrated Waste Management Board in accordance with Title 27, Chapter 6, assurance of financial responsibility naming the Regional Board as the beneficiary in an amount acceptable to the Regional Board Executive Officer for initiating and completing corrective action for all known or reasonably foreseeable releases from the Facility.

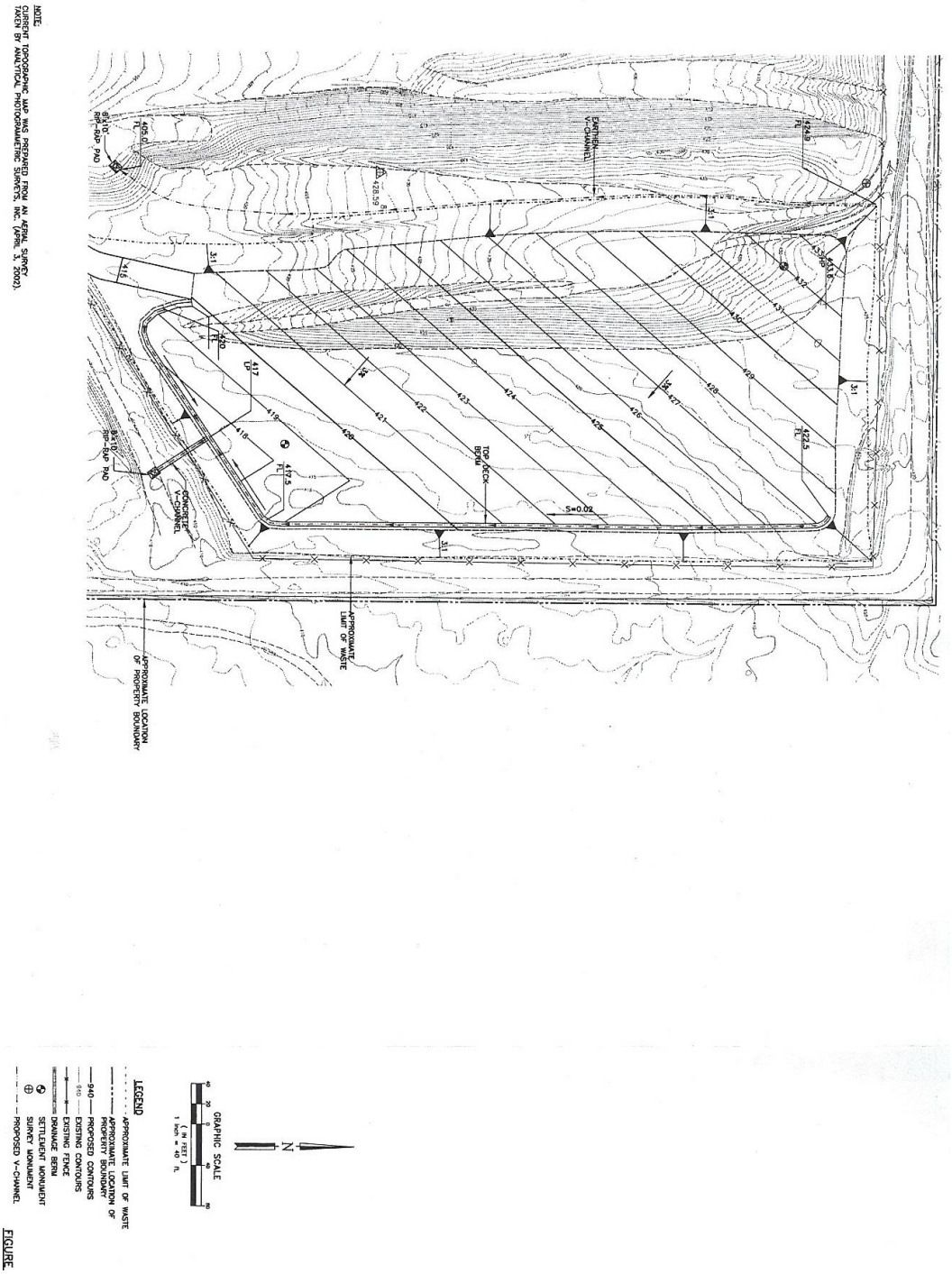
21. This Board Order is subject to Regional Board review and updating as necessary to comply with changing State or Federal laws, regulations, policies, or guidelines, or changes in the discharge characteristics.

I, Robert Perdue, 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, Colorado River Basin Region, on May 16, 2007.

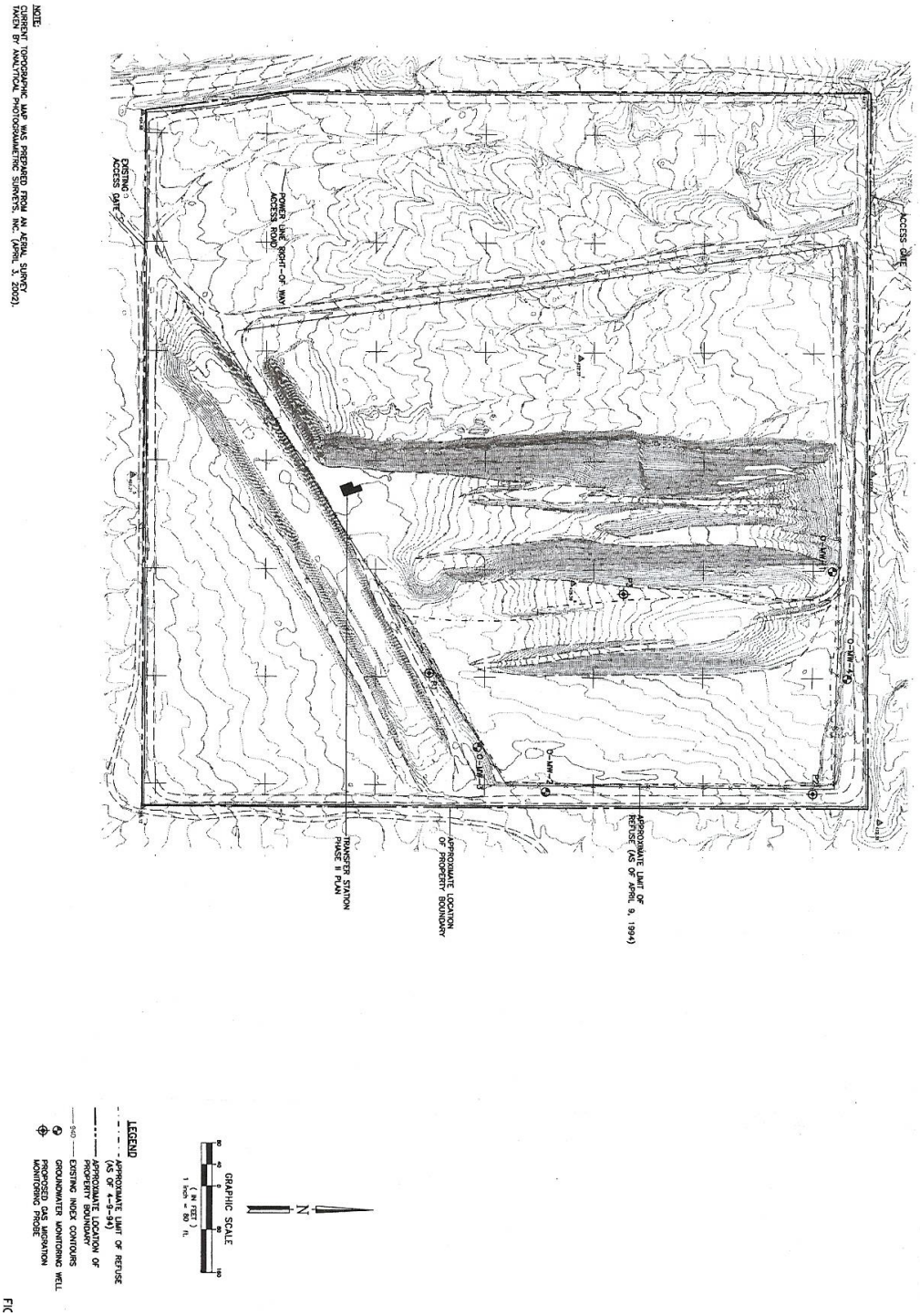
Ordered by: _____*original signed by*_____
ROBERT PERDUE
Executive Officer



ATTACHMENT 1 – Location / Vicinity Map
ORDER NO. R7-2007-0044
OCOTILLO CLASS III MUNICIPAL SOLID WASTE MANAGEMENT FACILITY



ATTACHMENT 2 – Final Grading and Drainage Plan
ORDER NO. R7-2007-0044
OCOTILLO CLASS III MUNICIPAL SOLID WASTE MANAGEMENT FACILITY



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ATTACHMENT 3 – Monitoring Controls Location Map
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