

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
COLORADO RIVER BASIN REGION

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**WASTE DISCHARGE REQUIREMENTS ORDER R7-2023-0014**

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**ORDER INFORMATION**

<b>Status:</b>	ADOPTED
<b>Discharger(s):</b>	Coachella Valley Aggregates, Inc. / Werner Family Properties, LLC
<b>Facility:</b>	West Fargo Mine Reclamation Inert Debris Engineered Fill Operation
<b>Address:</b>	87000 Fargo Canyon Road, Indio
<b>County:</b>	Riverside County
<b>Parcel Nos.:</b>	697-200-006, 697-170-019
<b>WDID:</b>	7A332245001
<b>GeoTracker ID</b>	WDR100055461

## CERTIFICATION

I, Paula Rasmussen, 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, Colorado River Basin Region, on March 14, 2023.

*Original Signed By* \_\_\_\_\_  
PAULA RASMUSSEN  
Executive Officer

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## GLOSSARY

<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> .....	Water Quality Control Plan for Colorado River Basin Region
<b>BPTC</b> .....	Best Practicable Treatment and Control
<b>CEQA</b> .....	California Environmental Quality Act
<b>CEQA Guidelines</b> .....	California Code of Regulations, title 14, section 15000 et seq.
<b>Designated Waste</b> .....	Either of the following: (a) hazardous waste that has been granted a variance from hazardous waste management requirements pursuant to Health and Safety Code section 25143; (b) nonhazardous waste that consists of, or contains, pollutants that, under ambient environmental conditions at a waste management unit, could be released in concentrations exceeding applicable water quality objectives or that could reasonably be expected to affect beneficial uses of the waters of the state as contained in the appropriate state water quality control plan. (Wat. Code, § 13173.)
<b>DTSC</b> .....	California Department of Toxic Substances Control
<b>DWR</b> .....	California Department of Water Resources
<b>ESLs</b> .....	Environmental Screening Levels for “Soil Tier 1” as established by the California Regional Water Quality Control Board, San Francisco Bay Region
<b>Hazardous Waste</b> .....	Wastes which, pursuant to California Code of Regulations, title 22, section 66261.3 et seq., are required to be managed in accordance with of title 22, division 4.5. (Cal. Code Regs., tit. 27, § 20164; <i>id.</i> , tit. 23, § 2521, subd. (a).)

**IDEFO** ..... Inert Debris Engineered Fill Operation, as defined per California Code of Regulations, title 14, section 17388, subdivision (l)

**Inert Debris** ..... The regulatory term for inert waste under California Code of Regulations, title 14, division 7, chapter 3, article 5.95, excluding gravel, rock, soil, sand and similar materials whether processed or not, that have never been used in connection with any structure, development, grading or other similar human purpose, or that are uncontaminated (See “Inert Waste” Below)

**Inert Waste** ..... Solid waste that does not contain hazardous waste or soluble pollutants at concentrations in excess of applicable water quality objectives and does not contain significant quantities of decomposable waste. (Cal. Code Regs., tit. 27, § 20230, subd. (a).)

**LCP** ..... Load Checking Program

**LEA** ..... Local Enforcement Agency

**MRP** ..... Monitoring and Reporting Program

**Nonhazardous Solid Waste** ..... All putrescible (i.e., decomposable) and non-putrescible solid, semi-solid, and liquid wastes, including garbage, trash, refuse, paper, rubbish, ashes, industrial wastes, demolition and construction wastes, 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 wastes 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 waters of the state (i.e., designated waste). (Cal. Code Regs., tit. 27, § 20220, subd. (a).)

<b>Porter-Cologne Act</b> .....	Porter-Cologne Water Quality Control Act, Water Code section 13000 et seq.
<b>R[O]WD</b> .....	Report of Waste Discharge
<b>RSLs</b> .....	Regional Screening Levels established by the United States Environmental Protection Agency
<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>Type A Inert Debris</b> .....	Inert debris that contains concrete (including fiberglass or steel reinforcing bar embedded in the concrete), fully cured asphalt, crushed glass, fiberglass, asphalt or fiberglass roofing shingles, brick, slag, ceramics, plaster, clay and clay products. (Cal. Code Regs., tit. 14, § 17388, subd. (k)(1).)
<b>Type A Disposal Facility</b>	An inert waste disposal facility that only receives “Type A” Inert Debris and does not constitute an Inert Debris Engineered Fill Operation. (Cal. Code Regs., tit. 14, § 17388, subd. (m).)
<b>Type B Inert Debris</b> .....	Waste that has not been categorized as “Type A” inert debris but has nevertheless been determined by the Santa Ana Water Board to be inert (e.g., treated industrial wastes and dewatered bentonite-based drilling mud). (Cal. Code Regs., tit. 14, § 17388, subd. (k)(2).)
<b>USEPA</b> .....	United States Environmental Protection Agency
<b>WAP</b> .....	Waste Acceptance Plan
<b>WDRs</b> .....	Waste Discharge Requirements
<b>WQO[s]</b> .....	Water Quality Objective[s]

WASTE DISCHARGE REQUIREMENTS ORDER R7-2023-0014 vi  
COACHELLA VALLEY AGGREGATES, INC. / WERNER FAMILY PROPERTIES, LLC  
WEST FARGO MINE RECLAMATION INERT DEBRIS ENGINEERED FILL  
OPERATION, RIVERSIDE COUNTY  
**GLOSSARY**



## FINDINGS

The Colorado River Basin Regional Water Quality Control Board (Regional Water Board) hereby finds as follows:

### Introduction

1. Coachella Valley Aggregates, Inc. (CVA), doing business as “Coachella Valley Reclamation,”<sup>1</sup> proposes to conduct an Inert Debris Engineered Fill Operation (Fill Operation) at the [West] Fargo Canyon Mine<sup>2</sup> (Facility), an active sand and gravel mine located at 87000 Fargo Canyon Road in Riverside County, in accordance with Amended Surface Mining and Reclamation Permit No. 200, Substantial Conformance No. 1 (SMP200S01), as approved by the County of Riverside on July 21, 2021. The Fill Operation will utilize certain inert wastes to fill mined-out areas and return the property to a usable condition.
2. The Fill Operation has been assigned the following Regional Water Board case/site identification numbers: California Integrated Water Quality System (CIWQS) ID 7A332245001 and GeoTracker Global ID WDR100055461.
3. Werner Family Properties, LLC owns the Facility property. For the purposes of this Order, CVA and Werner are collectively referred to as “Dischargers.”
4. On September 21, 2022, the Dischargers submitted a Report of Waste Discharge (ROWD) for Waste Discharge Requirements (WDRs) for the Fill Operation at the Facility. As part of the ROWD package, the Dischargers submitted a Technical Report that included a Load Checking Program (LCP) and Waste Acceptance Plan (WAP) for the Fill Operation.<sup>3</sup>

### Facility

5. The subject Facility is 60 acres in size. It is located on 87000 Fargo Canyon Road in Indio, California 92666. The Facility is comprised of two Riverside County Assessor’s Parcel Numbers: 697-170-019 and 697-200-006. The

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<sup>1</sup> Fictitious Business Name, Riverside County Assessor-County Clerk-Recorder, Filing No. R-202108980 (Filed June 30, 2021; expires July 1, 2026).

<sup>2</sup> Department of Conservation Mine ID 91-33-0092

<sup>3</sup> The Dischargers’ Waste Acceptance Plan (WAP) is hereby approved and incorporated into this Order as Attachment E.

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longitude and latitude coordinates are -116° 08' 55.11" west and 33° 44' 55.57" north, respectively. The Facility's location is shown in the vicinity map on **Attachment A**.

6. The subject Facility is immediately to the west of another CVA facility and IDEFO (88120 Fargo Canyon Rd), which is regulated under WDRs Order R7-2021-0040. The adjacent facility also involves the discharge of wastewater associated with CVA's aggregate crushing, screening and washing activities. Unlike the 2021 permit, this Order does not authorize any discharges of wastewater at the Facility.
7. Water at the Facility is provided by an onsite well.

### Regulation of Inert Waste Disposal

8. California Code of Regulations, title 27 (Title 27) contains prescriptive standards for waste management units (WMUs) receiving solid wastes that cannot be directly or indirectly discharged to waters of the state (e.g., by percolation), in accordance with the Basin Plan.
9. Inert waste is defined as a subset of solid waste that does not contain hazardous waste or soluble pollutants at concentrations exceeding applicable water quality objectives (WQOs) and does not contain significant quantities of decomposable waste. (Title 27, § 20230, subd. (a).) Inert waste does not need to be discharged to WMUs, and WDRs are optional for such wastes. (*Id.*, § 20230, subds. (b)-(c).)<sup>4</sup>
10. As long as they are carefully managed, facilities that only receive inert waste do not pose a significant threat to water quality. In other words, the disposal of inert waste will not lead to any degradation of water quality. Conversely, if they are not properly maintained and managed, these facilities may have the potential to affect water quality through acceptance and disposal of non-inert wastes, and through significant erosion or discharge of wastes to surface waters and groundwaters.

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<sup>4</sup> Some Inert Waste Disposal Facilities are required to be closed in accordance with the CalRecycle-promulgated prescriptive standards set forth in Title 27, which are selectively incorporated. (See, e.g., Cal. Code Regs., tit. 14, § 17388.4, subd. (d).) This Order does not make any determinations as to the applicability of specific provisions in Title 27.

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11. Accordingly, WDRs are necessary to ensure that waste discharges at the Facility will not result in any degradation of the quality of groundwater or surface waters, and to ensure that nuisance conditions will not result from the proposed activities.
12. The disposal of inert waste is primarily regulated as “Inert Debris” by the County of Riverside, acting as the Local Enforcement Agency (LEA) in accordance with the California Department of Resources Recycling and Recovery (CalRecycle) regulations specified in California Code of Regulations, title 14 (Title 14), section 17387 et seq.
13. Under Title 14 regulations, inert waste (inert debris) is divided into two categories, “Type A” and “Type B.”<sup>5</sup> Although this Order distinguishes between these subcategories of inert waste (e.g., “Type B” may not be accepted at the Facility), their distinction is not relevant for the purposes of the Water Code, or any regulations promulgated thereunder.
  - a. “Type A” Inert Debris specifically includes concrete (including rebar), fully cured asphalt, crushed glass, fiberglass, asphalt or fiberglass roofing shingles, brick, slag, ceramics, plaster, clay and clay products. (Title 14, § 17388, subd. (k)(1).)
  - b. “Type B” Inert Debris is defined as all other wastes that the Regional Water Board determines to be inert (e.g., treated industrial wastes and de-watered bentonite-based drilling mud). (*Id.*, § 17388, subd. (k)(2).)
14. Additionally, an Inert Debris Engineered Fill Operation (IDEFO) is an engineered fill involving only certain types of “Type A” Inert Debris, where the objective is to apply inert waste under controlled operations, supervised by a civil engineer or engineering geologist, so as to achieve a uniform and dense mass which is capable of supporting structural loading or other land uses. (Title 14, § 17388, subd. (l).) Specifically, an IDEFO can only involve the discharge of fully cured asphalt, uncontaminated concrete (including steel reinforcing rods embedded in the concrete), crushed glass, brick, ceramics, clay and clay products, which may be mixed with rock and soil.

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<sup>5</sup> Under Title 14, “inert debris” does not include gravel, rock, soil, sand and similar materials whether processed or not, that are either (a) uncontaminated, or (b) have never been used in connection with any structure, development, grading or other similar human purpose. (Title 14, § 17388, subd. (k).) These excluded materials nevertheless constitute “waste” under the Porter-Cologne Act (Wat. Code, § 13050, subd. (d)) and more specifically, constitute “inert waste” (Title 27, § 20230, subd. (a)).

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15. Inert Debris Type A Disposal Facilities (Type A Facilities), as defined per Title 14, section 17388, subdivision (m), are required to be closed and maintained post-closure in accordance with the CalRecycle-promulgated prescriptive standards of Title 27, sections 20199 through 21200 (which are selectively incorporated). (Title 14, § 17388.4, subd. (d).) Although IDEFOs receive “Type A” inert debris, Type A Facilities and IDEFOs are mutually exclusive categories of facilities. (See Title 14, § 17388, subd. (m).)
16. IDEFOs are required to be closed with a final cover consisting of three feet of compacted soil. Alternatively, the LEA may determine that no cover, a reduced cover, or an alternative cover, is sufficient to mitigate potential impacts to public health, safety, or the environment. (Title 14, § 17388.3, subd. (g).)
17. Although it incorporates some Title 14 requirements for inert waste disposal facilities, this Order is primarily intended to ensure that waste discharges do not threaten to degrade water quality, or otherwise result in a condition of pollution, or nuisance. Implementation of Title 14 inert waste disposal regulations remains the responsibility of the LEA.

**Proposed Inert Debris Engineered Fill Operation**

18. The designed maximum fill area for the Fill Operation is approximately 50 acres (the Facility is 60 acres in size).
19. If the Facility were to be fully excavated, the maximum fill volume of the Fill Operation would be approximately 1,400,000 cubic yards.
20. The Fill Operation will operate concurrently with the mining operation regulated by the County of Riverside, per Surface Mining Permit 200.
21. The Facility is expected to receive up to 200,000 tons of inert waste per year. These are estimates; the Facility has not started receiving wastes. The sources of the waste may include construction sites or similar demolition activities where inert waste is produced.
22. Inert waste will be spread on land in lifts and compacted under controlled conditions to achieve a uniform and dense mass which is capable of supporting structural loading, as necessary, or supporting other uses such as recreation, agriculture and open space in order to provide land that is appropriate for an end use consistent with approved local general and specific plans (e.g., roads, building sites or other improvements) where an engineered fill is required to facilitate productive use(s) of the land.

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23. Unusual peak loads will be met with extra inspectors to ensure that all material is acceptable for placement within the excavated areas of the Facility. The size and area of the fill can be extended in order to accommodate unusually high amount of truck traffic and material can be stockpiled, if necessary, without preventing any operational interference. The property will maintain a large enough staging area to avoid creating any overflow onto public roads or cause any interference with other operations or public access.
24. Salvaging of materials, such as metal, is only to be conducted by on site personnel, in a planned and controlled manner. No salvaging by outside persons or companies will be allowed. Salvaged materials are to be placed for storage in a specified, clearly identifiable area, segregated from the working fill. An example of material salvaged is metal (e.g., rebar, piping), which is to be picked out of the loads by site attendants and placed in dedicated roll-off containers for removal from the site within 30-60 days.

### **Hydrogeologic Conditions**

25. The Facility is within Fargo Canyon Subarea of the Desert Hot Springs Sub-Basin of the Coachella Valley Ground Water Basin. The total estimated storage capacity of the Fargo Canyon subarea is 2,300,000 acre/feet.
26. The Fargo Canyon watershed is a major regional drainage area, the headwaters of which are located in the Little San Bernardino Mountains. There are two ephemeral dry washes near the site, including Little Fargo Canyon to the south and Fargo Canyon Creek to the north.
27. Annual precipitation in the area is approximately 3.44 inches, and the temperature ranges from 40-107 degrees Fahrenheit. The annual evaporation rate is approximately 90 inches.
28. The depth to groundwater is 125 feet below surface.
29. The Coachella Canal is approximately 1.7 miles from the southwest perimeter of the Facility.
30. The Facility is on the south trending alluvial bajada at the southern slopes of the Little San Bernardino Mountains, near the Coachella Valley Floor. The elevation of the site is approximately 280-feet above mean sea level.
31. The unmined portions of the Facility and surrounding areas support a desert shrubland on sandy granitic soils regularly worked by flooding primarily by sheet flow and small-defined drainage courses.

### Basin Plan

32. The operative Water Quality Control Plan for the Colorado River Basin Region (Basin Plan) designates beneficial uses of groundwaters and surface water and establishes water quality objectives (WQOs) protective of such beneficial uses, and also contains implementation programs and policies. Pursuant to Water Code section 13263, subdivision (a), WDRs must implement the Basin Plan and take into consideration the beneficial uses to be protected, the water quality objectives reasonably required for that purpose, other waste discharges, the need to prevent nuisance, and the provisions of Water Code section 13241.
33. The Facility and discharge are located within the Coachella Hydrologic Unit, and the Basin Plan designates the following beneficial uses for groundwater: Municipal Supply (MUN), Industrial Supply (IND), and Agricultural Supply (AGR).
34. This Order establishes WDRs for discharges to land that are not subject to regulation under Clean Water Act section 402 (33 U.S.C. § 1342).

### Reporting Requirements

35. This Order is issued in part pursuant to subdivision (b)(1) of Water Code section 13267, which provides that the Regional Water Board may require that “any person ... who proposes to discharge waste within its region ... shall furnish, under penalty of perjury, technical or monitoring program reports...,” provided that burden of submitting such reports bears a reasonable relationship to the need for their submittal and the benefits to be obtained.
36. **Attachment D** contains a Monitoring and Reporting Program (MRP) with monitoring and reporting requirements that are necessary to ensure compliance with the WDRs.
37. The Executive Officer may issue a Revised MRP as a standalone order, pursuant to her delegated authority under Water Code section 13223 and Regional Water Board Resolution R7-2022-0036. Upon issuance, the Revised MRP shall supersede the provisions of Attachment D.

### Antidegradation Policy Analysis

38. State Water Board Resolution 68-16, entitled Statement of Policy with Respect to Maintaining High Quality Waters in California (Resolution 68-16), generally prohibits the Regional Water Board from authorizing discharges that will result in

the degradation of high quality waters,<sup>6</sup> unless it is demonstrated that any change in water quality will (a) be consistent with maximum benefit to the people of the state, (b) not unreasonably affect beneficial uses, and (c) not result in water quality less than that prescribed in state and regional policies (e.g., the violation of one or more water quality objectives). The discharger must also employ best practicable treatment or control (BPTC) to minimize the degradation of high-quality waters.

39. By definition, inert waste does not contain soluble constituents at concentrations at or above established WQOs. Discharges of inert waste is therefore not anticipated to result in any significant degradation of groundwater or surface water quality. This Order prescribes WDRs to ensure that only inert waste is discharged at the Facility, and that no degradation occurs. Additionally, stormwater discharges from the Facility are not expected to cause degradation of areal surface waters.

### **Stormwater**

40. Federal regulations for stormwater discharges were promulgated by the U.S. Environmental Protection Agency (USEPA) on November 16, 1990 (40 C.F.R. parts 122, 123, and 124) to implement the Clean Water Act's stormwater program set forth in Clean Water Act section 402(p) (33 U.S.C. §1342(p)). In relevant part, the regulations require specific categories of facilities that discharge stormwater associated with industrial activity to "waters of the United States" to obtain National Pollutant Discharge Elimination System (NPDES) permits and to require control of such pollutant discharges using Best Available Technology Economically Achievable (BAT) and Best Conventional Pollutant Control Technology (BCT) to prevent and reduce pollutants and any more stringent controls necessary to meet water quality standards.
41. The State Water Board adopted Water Quality Order 2014-0057-DWQ (NPDES No. CAS000001), *General Permit for Storm Water Discharges Associated with Industrial Activities* (Industrial General Permit), which became effective on July 1, 2015. The Industrial General Permit regulates discharges of stormwater associated with certain industrial activities, excluding construction activities, and requires submittal of a Notice of Intent (NOI) to be covered under the permit. The Facility is enrolled under the Industrial General Permit and has a WDID number of s 733I029817.

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<sup>6</sup> High quality waters are surface waters or areas of groundwater that have a baseline water quality better than required by water quality control plans and policies.

### Assembly Bill 2108

42. Water Code section 13149.2, subdivision (d) requires that the Colorado River Basin Water Board, “[w]hen issuing ... individual [WDRs] ... that regulate activity or a facility that may impact a disadvantaged<sup>[7]</sup> or tribal community,<sup>[8]</sup> and that includes a time schedule in accordance with subdivision (c) of Section 13263 for achieving an applicable [WQO], an alternative compliance path that allows time to come into compliance with [WQOs], or a water quality variance...,” must include finding(s) regarding “potential environmental justice, tribal impact, and racial equity considerations” that are relevant to the permitting action.
43. This Order does not incorporate a time schedule for compliance with applicable WQOs, or any of the other provisions described in Water Code section 13149.2, subdivision (d). Accordingly, no additional findings are necessary under section 13149.2.

### Scope of Order

44. This Order applies only to the discharge and/or disposal to land of inert wastes, as defined and limited herein, at the Facility. Wastes and materials discharged at the Facility shall be limited to “inert waste” as defined in Title 27, section 20230, subdivision (a), and as otherwise limited by the contents of this Order. The Dischargers are responsible for accurate characterization of all wastes under consideration for disposal or deposition within the Facility. (Title 27, § 20200.)
45. Nothing in this Order shall be construed as preempting or superseding otherwise applicable regulatory requirements issued by local, state, or federal agencies.
46. This Order shall not be construed as establishing a vested right to continue the discharge activities authorized herein. (Wat. Code, § 13263, subd. (g).)

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<sup>7</sup> For the purposes of this requirement, a “disadvantaged community” is defined as a “community in which the median household income is less than 80 percent of the statewide annual median household income level.” (Wat. Code, § 13149.2, subd. (f)(1).)

<sup>8</sup> For the purposes of this requirement, a “tribal community” is defined as a “community within a federally recognized California Native American tribe or nonfederally recognized Native American tribe on the contact list maintained by the Native American Heritage Commission for the purposes of Chapter 905 of the Statutes of 2004.” (Wat. Code, § 13149.2, subd. (f)(2).)



### California Environmental Quality Act

47. The issuance of this Order is exempt from the procedural requirements of the California Environmental Quality Act (CEQA), Public Resources Code section 21000 et seq., because it can be seen with substantial certainty that there is no possibility that the proposed Fill Operation will have a significant effect on the environment. (Cal. Code Regs., tit. 14, § 15061, subd. (b).)

### Public Participation

48. The Regional Water Board has notified the Dischargers and all known interested agencies and persons of its intent to issue WDRs for this discharge and provided them with an opportunity for a public meeting and to submit comments.
49. The Regional Water Board, in a public meeting, heard and considered all comments pertaining to this discharge.

### REQUIREMENTS

**IT IS HEREBY ORDERED**, pursuant to Water Code sections 13263 and 13267, that the Dischargers (including their corporate subsidiaries) shall comply with the following.

#### A. Discharge Prohibitions

1. **No Degradation of Water Quality** – Facility activities shall not result in any degradation of groundwater or surface water.
2. **No Pollution, Contamination, Nuisance** – Facility activities shall not result in, or otherwise exacerbate, a condition of pollution, contamination or nuisance, as defined by Water Code section 13050.
3. **No Discharge to Surface Waters** – Except as authorized under the State Water Board’s Industrial General Permit, the discharge of waste, including stormwater runoff, to surface waters is prohibited.
4. **Prohibited Wastes** – The following wastes shall not be discharged to or otherwise deposited in any location within the Facility:
  - a. Hazardous Waste, as defined per Title 27, section 20164.
  - b. Designated Waste, as defined per Water Code section 13173;

- c. Nonhazardous Solid Wastes, as defined per Title 27, section 20220, subdivision (a), that do not also constitute as “inert waste,” as defined per Title 27, section 20230<sup>9</sup>;
- d. Special Wastes, as defined per Title. 27, sections 20164 (see also Cal. Code Regs., tit. 22, §§ 66261.120, 66261.122, 66261.124)<sup>10</sup>;
- e. Wastes containing Free Liquids<sup>11</sup>;
- f. Wastes containing Asbestos;
- g. Electronic Wastes and materials containing Cathode Ray Tubes;
- h. Radioactive Materials;
- i. Sewage Sludge and Wastewater Treatment Sludge;

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<sup>9</sup> Notably, this prohibition extends to organic waste, green waste, and all other waste streams containing significant quantities of decomposable material. Examples of prohibited wastes include ordinary household and commercial refuse, tin cans, metals, paper and paper products, plasterboard, cloth and clothing, wood and wood products, lawn clippings, sod, shrubbery, hair, hide, bones, dead animals, roofing paper, tar paper, unquenched ashes mixed with refuse, market refuse, and garbage.

<sup>10</sup> Examples include liquids, oils, waxes, tars, soaps, solvents, or readily water-soluble solids, such as salts, borax, lye, caustic or acids.

<sup>11</sup> For the purposes of this prohibition, “Free Liquid” is defined as liquid which readily separates from the solid portions of waste under ambient temperature and pressure. (Title 27, § 20164.) Free liquids are not present when a 100 mm representative sample of the waste can be completely retained in a standard 400 micron conical paint filter for five minutes without loss of any portion of the waste from the bottom of the filter, or via an equivalent test approved by Department of Toxic Substances Control.

- j. Concrete Grinding Residue<sup>12</sup> and Remnant Concrete Slurry<sup>13</sup>;
  - k. Incinerator Ash;
  - l. Gypsum Materials (e.g., drywall);
  - m. Drilling Mud or Boring Mud.<sup>14</sup>
5. **Type B Inert Debris** – Type B Inert Debris shall not be accepted or discharged at the Facility.
  6. **No Erosion** – Erosion of deposited materials by surface flow is prohibited.
  7. **No Ponding** – Liquids shall not be permitted to pond or collect on surfaces overlying waste disposal areas.
  8. **No Toxic Materials** – Materials of a toxic nature such as insecticides and poisons shall not be accepted or discharged at the Facility.
  9. **Concentrations of Soluble Pollutants** – Wastes accepted for disposal or deposition at the Facility shall not contain soluble solids or any other soluble pollutant at concentrations greater than applicable WQOs.

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<sup>12</sup> For the purposes of this prohibition, “Concrete Grinding Residue” is defined as the semi-solid liquid waste generated from grinding the surfaces of concrete freeways, highways, and other surfaces for resurfacing. Water is injected into the process to cool the grinding equipment and to more easily manage the powder grindings. The residuum is then vacuumed into tanker trucks or other similar storage and transportation vehicles.

<sup>13</sup> For the purposes of this prohibition, “Remnant Concrete Slurry” is semi-solid liquid waste concrete material, such as that which remains in a concrete mixer after depositing concrete for construction.

<sup>14</sup> For the purposes of this prohibition, “Drilling Mud” and “Boring Mud” are the semi-solid material used for drilling water wells, oil wells, and other boreholes into and beneath the earth’s surface. Drilling muds are a complex material comprised of several specialty components but may include such general components as a base fluid, weighting agents, a clay, and stabilizing agents.

10. **pH Levels** – The Dischargers shall ensure that any wastes accepted for disposal or deposition at the Facility do not have a pH less than 6.0 pH units nor more than 9.0 pH units.

**B. Discharge Specifications**

1. In accordance with Title 14, section 17388, subdivision (l), discharges of inert waste as part of the Fill Operation shall be limited to the following “Type A” inert debris (as well as soil and gravel): fully cured asphalt, uncontaminated concrete (including steel reinforcing rods embedded in the concrete), crushed glass, brick, ceramics, clay and clay products.
2. The Dischargers shall require all soil deliveries at the Facility to be sampled and analyzed based on the volume of soil in each delivery, in accordance with **Table 1** below; and that samples shall be collected in glass containers, preserved, and submitted to an accredited laboratory within 24 hours of collection (along with proper documentation). The Dischargers shall retain physical or electronic copies of all laboratory analyses provided for deliveries of soil to the Facility for at least five years.

**Table 1. Sampling Frequencies**

Delivery Volume	Number of Samples
Less than 1,000 Cubic Yards	1 sample per 500 Cubic Yards
Between 1,000 and 5,000 Cubic Yards	2 samples for first 1,000 Cubic Yards; plus 1 additional sample for each additional 1,500 Cubic Yards
Over 5,000 Cubic Yards	6 Samples for first 5,000 Cubic Yards; plus 1 additional sample for each additional 1,500 Cubic Yards

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3. Soil from offsite sources shall not be accepted at the Facility for disposal unless it complies with the acceptance criteria<sup>15</sup> set forth in Attachment E, specifically the following tables:
  - a. Table 3 (Metals)
  - b. Table 4 (Volatile Organic Compounds)
  - c. Table 5 (Organochlorine Pesticides and Polychlorinated Biphenyls)
  - d. Table 6 (Semi-Volatiles Organic Compounds)
  - e. Table 7 (Total Petroleum Hydrocarbons)
4. The Dischargers shall implement the proposed Load Checking Program (LCP) submitted with the ROWD and take all other necessary measures to prevent any prohibited, unauthorized, or unapproved wastes or materials from being discharged at the Facility. Any revisions to the LCP must be approved by the Executive Officer in writing.
5. All wastes shall be placed, managed, and maintained on property owned or controlled by the Dischargers.<sup>16</sup>
6. Asphaltic waste accepted at the Facility shall be fully cured and discharged in accordance with the following:
  - a. Any asphaltic material accepted for deposition or disposal shall not be placed directly into any standing or ponded water.
  - b. Any asphaltic material accepted for deposition or disposal shall be placed at an elevation no less than five feet above the known groundwater elevation for the Facility.
7. Concrete and other waste containing steel or other metals shall, upon acceptance at the Facility for disposal, be processed to a reasonable and practicable extent to remove the steel or other metal materials before

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<sup>15</sup> This provision does not apply to non-soil inert wastes (e.g., concrete, brick, and fully cured asphalt) that may contain incidental amounts of petroleum hydrocarbons.

<sup>16</sup> Waste discharged at any of the Dischargers' other properties shall be subject to any WDRs prescribed by the Regional Water Board specifically for that property.

being permanently disposed. Additionally, processed metal-containing waste shall be discharged in accordance with the following:

- a. Metal-containing waste shall not be placed directly into any standing or ponded water.
  - b. Metal-containing waste shall be placed at an elevation no less than five feet above the known groundwater elevation for the Facility.
8. The Dischargers are fully responsible for accurate characterization of any wastes under consideration for disposal or storage at the Facility.
9. Disposal areas within the Facility shall be designed, constructed, and maintained to limit, to the greatest extent possible, ponding, infiltration, inundation, erosion, slope failure, and washout which could occur as a result of precipitation from a 100-year, 24-hour frequency storm. In addition, the Dischargers shall comply with the following:
- a. Units shall be designed, constructed, and maintained to achieve compliance with the requirements in Title 27, section 20365.
  - b. Top deck surfaces shall be constructed to achieve a minimum one percent slope and to direct flows to downdrains and other drainage control features.
  - c. Downdrains and other necessary drainage structures must be constructed for all sideslopes.

**C. Closure Specifications**

1. Ninety days prior to cessation of all disposal operations at the Facility, the Dischargers shall submit a technical report to the Regional Water Board describing the methods and controls to be used to assure protection of the quality of receiving waters during final operations and with any proposed subsequent use of the land.
2. Upon the final placement of waste at the Facility, the Dischargers shall cover the site of fill with three feet of compacted soil above the fill area. The final cover shall be designed, constructed, and maintained to prevent, to the greatest extent possible, ponding, infiltration, inundation, erosion, slope failure, and washout which could occur as a result of precipitation from a 100-year, 24- hour frequency storm. The final cover shall be constructed and graded to achieve an average of three to four percent slope.

3. The Dischargers shall file a deed notice with the Riverside County Recorder, which identifies the prior uses and waste discharge practices at the property. The notice shall include a property description and a map that identifies the location of the buried wastes. Confirmation of recordation and a copy of the deed notice shall be provided to the Executive Officer within 60 days of site closure.

**D. Monitoring and Reporting Requirements**

1. The Dischargers shall comply with the MRP attached hereto as **Attachment D**, or alternatively, any Revised MRP that is subsequently issued by the Executive Officer through her delegated authority.
2. Reports shall be submitted electronically via the State Water Board [GeoTracker Database](https://geotracker.waterboards.ca.gov) (https://geotracker.waterboards.ca.gov). After uploading, the Dischargers shall notify Regional Water Board staff via email. The following information shall be included in the body of the email:

**Attention:** Land Disposal Section  
**Report Title:** [Title]  
**GeoTracker Upload ID:** [number]  
**Facility:** West Fargo Mine Reclamation Inert Debris  
Engineered Fill Operation  
**County:** Riverside County  
**WDID:** 7A332245001  
**GeoTracker ID:** WDR100055461

3. All submittals under this Order shall be accompanied by a transmittal containing the following certification that is signed by either the Required Signatory (see Table 1) or their Authorized Representative (see § D.4):

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

4. To act as an Authorized Representative for a Required Signatory (see Table 1), an individual must be identified<sup>17</sup> and duly authorized in writing by the Required Signatory; this written authorization shall be provided to the Board beforehand, or concurrently with the first submittal signed by the Authorized Representative.

**Table 2. Required Signatories for Submittals.**

Category of Discharger	Required Signatory
Corporation	Senior Vice President or Equivalent Principal Executive
Limited Liability Companies (LLCs)	Manager
General Partnerships and Limited Partnerships (LPs)	General Partner
Sole Proprietorship	Sole Proprietor
Municipalities and Other Public Agencies	Principal Executive or Ranking Elected/Appointed Official

5. All technical reports submitted under this Order shall be prepared by, or under the direct supervision of, a licensed civil engineer or engineering geologist (Qualified Professional) that is competent and proficient in the field or discipline pertinent to the subject activities.
6. The Regional Water Board shall be notified of any incidents at the Facility that are in violation of this Order and that may endanger the environment, by telephone within 24 hours from the time the Dischargers becomes aware of the circumstances, and in writing within 14 days of the time that the Dischargers becomes aware of the circumstances. The written notification shall fully describe the incident including what occurred, when it occurred, the duration of the incident, when correction occurred (or when correction will occur if it is a continuing incident), and the steps taken or

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<sup>17</sup> This identification may be in reference to the Authorized Representative’s title or position, provided it is one that customarily has the responsibility of supervising the Enrolled Facility’s overall operation (e.g., facility manager, superintendent).



planned to reduce, eliminate, and/or prevent recurrence of the incident. All instances of noncompliance with this Order shall also be reported to the Regional Water Board in the same manner as stated above and shall also be included in the next scheduled monitoring report.

**E. Other Provisions**

1. The Dischargers shall implement the operations<sup>18</sup> at the Facility in accordance with the approved WAP and LCP, which are incorporated herein.
2. The Dischargers shall take all reasonable steps to minimize or prevent any discharge that has a reasonable likelihood of adversely affecting human health or the environment.
3. The Dischargers shall notify Regional Water Board staff by telephone and/or email within 24 hours (or two business days) of any slope failure or failure of facilities necessary to maintain compliance with the requirements in this Order. Within seven days, the notification shall be submitted in writing to Board staff. Any failure that threatens the integrity of waste containment features shall be promptly corrected unless it poses an immediate threat to the environment or landfill containment structures. Then it will be corrected as soon as possible.
4. The Dischargers shall, at all times, properly operate and maintain all facilities and systems of management and control (and related appurtenances) which are installed or used by the Dischargers to achieve compliance with this Order. Proper operation and maintenance include, but are not limited to, effective performance, sufficient funding, appropriate quality assurance procedures, proper operator staffing and training, and adequate process controls. This provision requires the operation of backup or auxiliary facilities or similar systems only when necessary to achieve compliance with the conditions of this Order.
5. In the event of a material change or proposed change in the location or boundaries of waste discharge at the Facility, the Dischargers shall file with the Regional Water Board a new ROWD at least 120 days prior to the

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<sup>18</sup> Operations shall include implementation of all measures necessary to prevent any prohibited, unauthorized, and unapproved wastes or materials from being discharged or deposited at the Facility.

date of such proposed change (See Wat. Code, § 13260, subdivision (c)).  
A material change includes, but is not limited to, the following:

- a. Significant changes in the disposal area (e.g., moving discharge to another drainage area, or to disposal area significantly removed from the original area).
  - b. Increase in the area or depth to be used for waste disposal beyond that specified in this Order or the ROWD. (Title 23, § 2210.)
6. The Dischargers shall allow the Regional Water Board, or an authorized representative upon the presentation of credentials and other documents as may be required by law, to:
- a. Enter upon the Dischargers' premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this Order;
  - b. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this Order;
  - c. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this Order; and
  - d. Sample or monitor at reasonable times, for the purposes of assuring compliance with this Order, or as otherwise authorized by the Water Code, any substances or parameters at any location.
7. The Dischargers shall retain records of all reports required by this Order. Records shall be maintained for a minimum of five years from the date of the sample, measurement, report, or application.<sup>19</sup> Records may be kept physically or electronically.
8. Regulatory coverage under this Order is not transferable, except in accordance with the following provisions:
- a. Prior to entering into any agreement for the transfer of Facility ownership or responsibility for Facility management or operations, the Dischargers shall notify the prospective new owners, managers

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<sup>19</sup> This retention period may be extended by the Executive Officer.

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or operators of the existence of this Order, as well as the need for obtaining regulatory coverage under this Order. A copy of this written notification shall be forwarded to Regional Water Board staff.

- b. The Dischargers shall notify the Regional Water Board in writing at least 90 days prior to any change in ownership of the Facility, or any transfer of responsibility for Facility management and operations.
- c. At least 10 days prior to the transfer, the Dischargers shall submit a signed statement by the new parties affirming their intent to receive regulatory coverage under this Order, and to comply with all applicable provisions herein.
- d. Upon the transfer of ownership or responsibility for management or operations, the new parties shall submit a formal written request for substitution under this Order. Additionally, the Dischargers shall submit the signed agreement effecting the transfer of ownership or responsibility for management or operations.
- e. Until such time as this Order has been formally revised to substitute the new parties, the Dischargers shall remain responsible for compliance with this Order.

### **ORDER ATTACHMENTS**

Attachment A—Vicinity Map

Attachment B—Site Map

Attachment C—Inert Material Process Flow Diagram

Attachment D—Monitoring and Reporting Program

Attachment E—Acceptance Criteria for Soils

### **ENFORCEMENT**

The Regional Water Board reserves the right to take any enforcement action authorized by law. Accordingly, failure to timely comply with any provisions of this Order may subject the Dischargers to enforcement action. Such actions include, but are not limited to, the assessment of administrative civil liability pursuant to Water Code sections 13323, 13268, and 13350, a Time Schedule Order (TSO) issued pursuant to Water Code sections 13300 and 13308, or referral to the California Attorney General for recovery of judicial civil liability. Failure to comply with this Order may result in the

assessment of administrative civil liability of up to \$10,000 per violation, per day, depending on the violation. The Regional Water Board reserves its right to take any enforcement actions authorized by law.

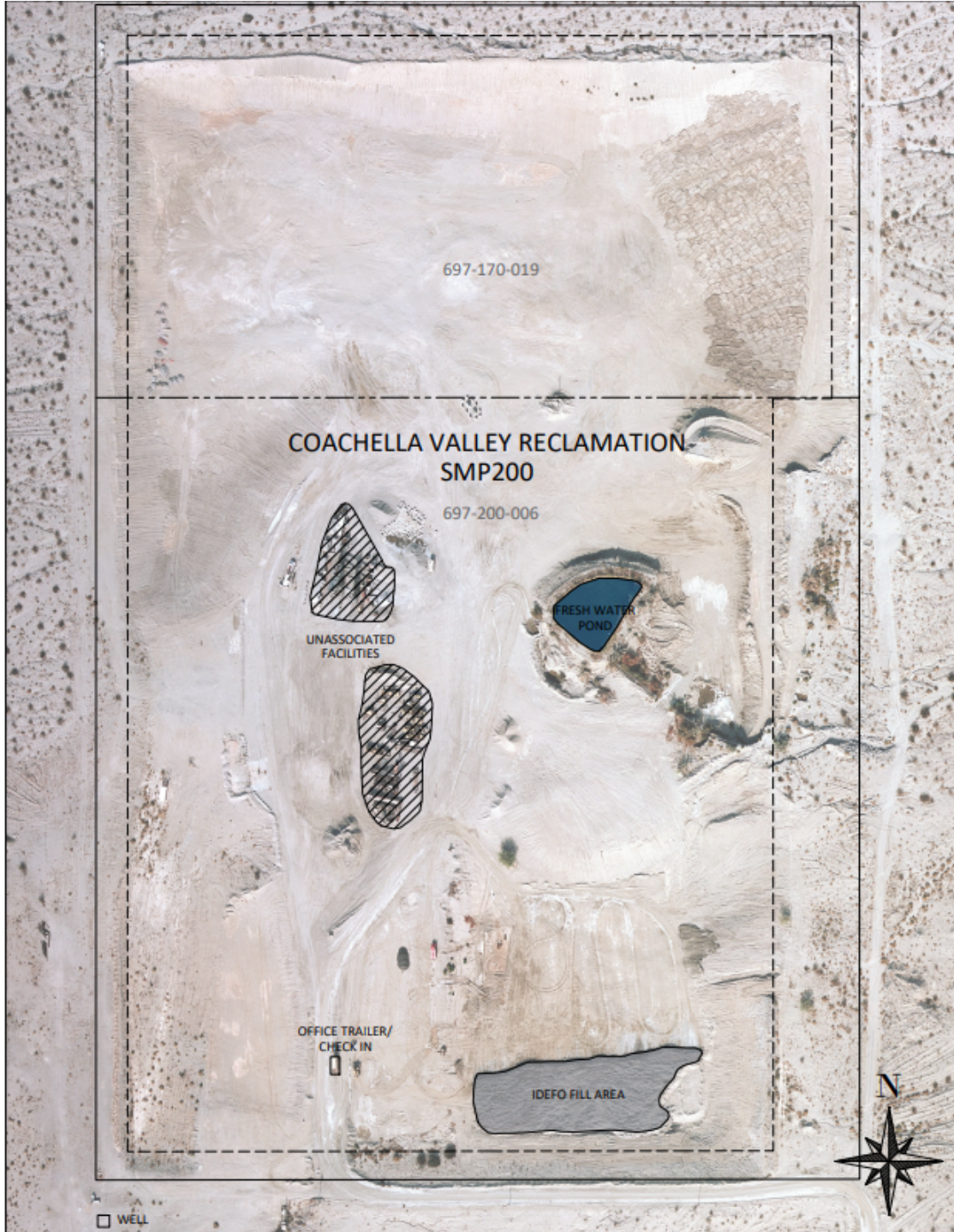
### **ADMINISTRATIVE REVIEW**

Any person aggrieved by this Regional 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.

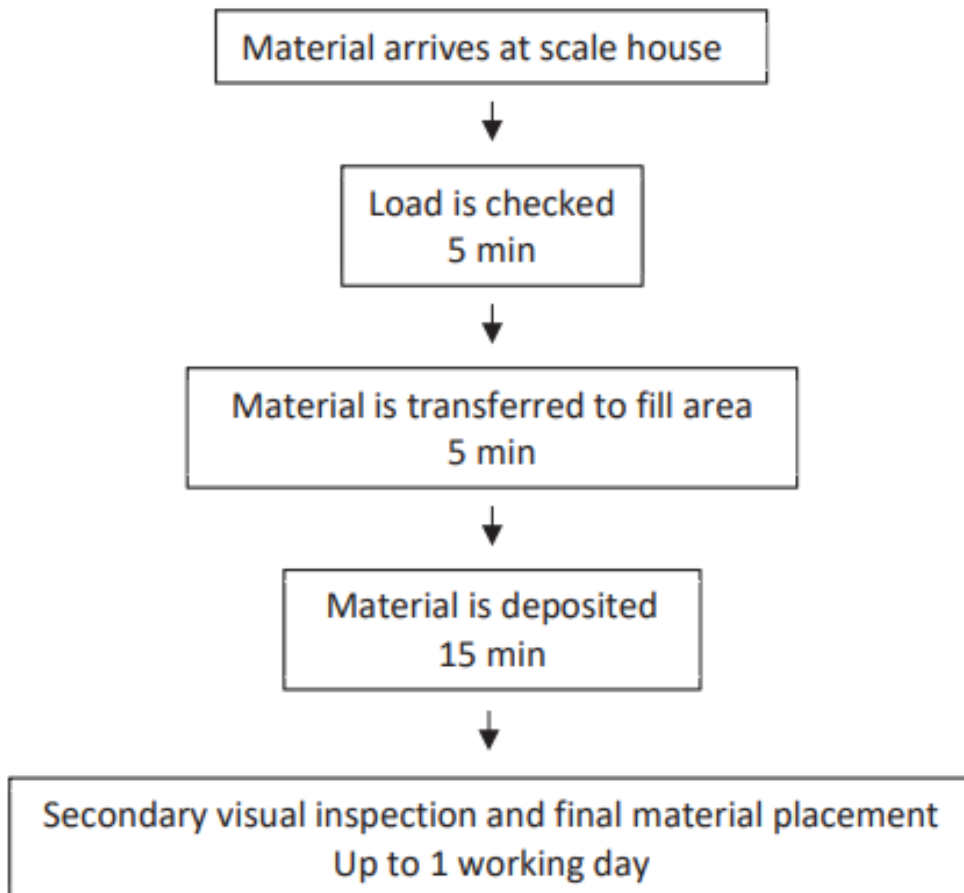
**ATTACHMENT A—VICINITY MAP**



**ATTACHMENT B—SITE MAP**



**ATTACHMENT C—INERT MATERIAL PROCESS FLOW DIAGRAM**



## ATTACHMENT D—MONITORING AND REPORTING PROGRAM

### A. Sampling and Analysis General Requirements

- 1. Testing and Analytical Methods.** The collection, preservation, and holding times of all samples shall be in accordance with U.S. Environmental Protection Agency (USEPA)-approved procedures. All analyses shall be conducted in accordance with the latest edition of either the USEPA's *Guidelines Establishing Test Procedures for Analysis of Pollutants Under the Clean Water Act* (40 C.F.R. part 136) or *Test Methods for Evaluating Solid Waste: Physical/Chemical Methods Compendium* (SW-846), unless otherwise specified in the MRP or approved by the Regional Water Board's Executive Officer.
- 2. Laboratory Certification.** All analyses shall be conducted by a laboratory certified by the State Water Board, Division of Drinking Water's Environmental Laboratory Accreditation Program (ELAP), unless otherwise approved by the Regional Water Board's Executive Officer.
- 3. Reporting Levels.** All analytical data shall be reported with method detection limits (MDLs) and with either the reporting level or limits of quantitation (LOQs) according to 40 Code of Federal Regulations part 136, Appendix B. The laboratory reporting limit for all reported monitoring data shall be no greater than the practical quantitation limit (PQL).
- 4. Sampling Location(s).** Samples shall be collected at the location(s) specified in the WDRs. If no location is specified, sampling shall be conducted at the most representative sampling point available.
- 5. Representative Sampling.** All samples shall be representative of the volume and nature of the discharge or matrix of material sampled. The time, date, and location of each grab sample shall be recorded on the chain of custody form for the sample. If composite samples are collected, the basis for sampling (time or flow weighted) shall be approved by Regional Water Board staff.
- 6. Instrumentation and Calibration.** All monitoring instruments and devices used by the Dischargers shall be properly maintained and calibrated to ensure their continued accuracy. Any flow measurement devices shall be calibrated at least once per year to ensure continued accuracy of the devices. In the event that continuous monitoring equipment is out of service for a period greater than 24 hours, the Dischargers shall obtain representative grab samples each day the equipment is out of service. The Dischargers shall correct the cause(s) of failure of the continuous



monitoring equipment as soon as practicable. The Dischargers shall report the period(s) during which the equipment was out of service and if the problem has not been corrected, shall identify the steps which the Dischargers is taking or proposes to take to bring the equipment back into service and the schedule for these actions.

7. **Field Test Instruments.** Field test instruments (such as those used to test pH, dissolved oxygen, and electrical conductivity) may be used provided that:
  - a. The user is trained in proper use and maintenance of the instruments,
  - b. The instruments are field calibrated prior to monitoring events at the frequency recommended by the manufacturer,
  - c. Instruments are serviced and/or calibrated by the manufacturer at the recommended frequency and
  - d. Field calibration reports are submitted.
  
8. **Records Retention.** The Dischargers shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, for a minimum of five (5) years from the date of the sampling or measurement. This period may be extended by request of the Regional Water Board's Executive Officer at any time. Records of monitoring information shall include:
  - a. The date, exact place, and time of sampling or measurement(s),
  - b. The individual(s) who performed the sampling or measurement(s),
  - c. The date(s) analyses were performed,
  - d. The individual(s) who performed the analyses,
  - e. The analytical techniques or method used and
  - f. All sampling and analytical results, including:
    - i. units of measurement used,
    - ii. minimum reporting limit for the analyses,

- iii. results less than the reporting limit but above the method detection limit (MDL),
- iv. data qualifiers and a description of the qualifiers,
- v. quality control test results (and a written copy of the laboratory quality assurance plan),
- vi. dilution factors, if used; and
- vii. sample matrix type.

**B. Inert Waste Monitoring**

1. **Monitoring and Documentation** – The Dischargers shall monitor and document all deliveries of inert waste to the Fill Operation and shall prepare annual reports containing summaries of inert wastes accepted for management and disposal at the Facility. These reports shall be submitted to the Regional Water Board annually in accordance with the requirements contained in this Order.
2. **Inert Waste Monitoring Program** – Inert waste acceptance, management, discharge, and disposal information shall be compiled and submitted to the Regional Water Board in Annual Summary Reports. For each annual reporting period, the Dischargers shall tabulate and report each type of inert waste accepted, managed, and discharged at the Facility. Types of inert materials that must be recorded include, but are not limited to, concrete materials, fully cured asphaltic materials, soils and other earth materials, bricks, ceramic materials, glass, fiberglass, roofing shingles, and slag. Details that must be tabulated and reported include the following:
  - a. Name of the agency, organization, or corporation (generator) that generated the inert waste;
  - b. Names and locations of the sites of origination from which the inert waste was generated;
  - c. Owner of the originating site property, if available;
  - d. Type or types of operations conducted at the site(s) of origination;

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- e. Type or types of activities or operations which produced the inert wastes;
  - f. Discrete and total quantities of inert wastes;
  - g. Dates that discrete quantities of inert waste were delivered to and accepted at the Facility;
  - h. Number of truckloads used to transport discrete quantities of inert wastes;
  - i. Type of end use or location of disposal for each discrete quantity of inert waste.
3. **Unauthorized Wastes** – The Dischargers shall document pertinent details regarding any shipments of unauthorized wastes, including drilling mud, that are brought to the Facility. These details include, but are not limited to, quantities, types, origin, number of truckloads, Dischargers response, and ultimate disposition (if available) of each shipment.

**C. Reporting Requirements**

1. Annual Self-Monitoring Report (SMRs) are due January 31st of each year following the monitoring period. Annual SMRs shall contain all information required to be reported on an annual basis, as well as the following:
  - a. **Cover Letter.** A transmittal letter summarizing the essential points in the report.
  - b. **Summary of Monitoring Data.** Inert waste monitoring, including performance of LCP, shall be summarized in writing and all waste monitoring data obtained during the reporting period shall be presented in tabular form in the annual report.
  - c. **Waste Type and Placement.** The quantities and types of wastes discharged, as described above, and a map indicating the locations at the Facility where waste has been placed since submittal of the previous such report.
  - d. **Results and Findings of Facility and Systems Monitoring** – At a minimum, the following information shall be included in the report:

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- i. Waste Management Areas – Monthly field inspection records for waste management areas and statements describing the condition and performance of these areas;
  - ii. Site Containment and Control Systems – Monthly evaluation records for evaluation of drainage containment and control structures;
  - iii. Off-Site Discharge – Monthly evaluation records for determination of off-site discharges; and
  - iv. Maintenance and Repair Activities – Descriptions of regular and routine maintenance activities, as well as discrete repair activities and events for areas, locations, or instances where facility management and control systems failed, broke down, or were otherwise deteriorating.
- e. **Results of Additional Monitoring Activity.** The results of any additional monitoring activity (including sampling and analyses) performed by the Dischargers (or on their behalf) during the subject reporting period.<sup>20</sup>
- f. **Summary of Changes.** A written summary of monitoring results and monitoring and control systems, indicating any changes made or observed since the previous annual report.
- g. **Remaining Disposal Capacity and Duration.** A written summary describing the results of calculations for the remaining disposal capacity (in cubic yards) and duration (in years and months) at the Facility.
- h. **Copy of Certification.** A copy of the annual certification of fill for the Facility by a civil engineer or certified engineering geologist.
- i. **Weather Summary.** A descriptive summary and a tabular data summary of weather conditions, patterns and events that occurred

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<sup>20</sup> This provision does not apply to the sampling and analyses of soil from offsite sources that the Dischargers must require to be performed by the generator per Section B.2 of the WDRs Order. However, all documentation of the results of such sampling and analyses shall be provided to Regional Water Board staff upon request.

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at the Facility during the reporting period, as well as a description of the performance of facility systems in response to these conditions, patterns and events.

- j. **Compliance Summary.** Identification of any violations found since the last report was submitted, and actions taken or planned for correcting each violation. If the Dischargers previously submitted a report describing corrective actions and/or a time schedule for implementing the corrective actions, reference to the previous correspondence will be satisfactory. If no violations have occurred since the last submittal, this shall be stated.
  - k. **Conclusions.** Each report shall include a summary of any relevant conclusions regarding the findings and results of monitoring activities that were conducted during the monitoring period.
2. **Storm Event Report** – In the event of a major storm event at the Facility (defined as any storm that results in the site receiving more than 0.5 inches of precipitation within a 24-hour period), the Dischargers shall submit a brief storm event report to the Regional Water Board within 30 days of the cessation of precipitation. This report shall include a brief description of facility systems performance during the storm event, a tabulation of the amount of precipitation at the site, pertinent photographs, the identification of any deficiencies, and the date and type of corrective action that has, or will be, taken to correct these deficiencies if necessary.
  3. **Facility Failure Report** – The Dischargers shall notify Regional Water Board staff by telephone and/or email within 48 hours (or two business days) of any slope failure or failure of facilities necessary to maintain compliance with the requirements in this Order. Within seven (7) days, the notification shall be submitted in writing to Regional Water Board staff. Any failure that threatens the integrity of waste containment features or the Facility shall be promptly corrected after a remediation workplan and schedule have been approved by Regional Water Board staff unless it poses an immediate threat to the environment or containment structures. Then it will be corrected as soon as possible.

**ATTACHMENT E—ACCEPTANCE CRITERIA FOR SOILS**

Soil from offsite sources shall not be accepted at the Facility for disposal unless it complies with the criteria set forth in Table 3 (Metals), Table 4 (Volatile Organic Compounds), Table 5 (Organochlorine Pesticides and Polychlorinated Biphenyls), Table 6 (Semi-Volatiles Organic Compounds) and Table 7 (Total Petroleum Hydrocarbons).

**Table 3. Acceptance Criteria for Metal Constituents  
 (USEPA Method 6010B)<sup>21</sup>**

<b>Metal</b>	<b>TTLIC (mg/kg)</b>	<b>STLC (mg/L)</b>	<b>TCLP (mg/L)</b>
Antimony	500	15	N/A
Arsenic	500	5	N/A
Barium	10,000	100	100
Beryllium	75	0.75	N/A
Cadmium	100	1	1.0
Chromium	500	5	N/A
Cobalt	8,000	80	N/A
Copper	2,500	25	N/A
Fluoride	18,000	180	N/A
Lead	350	5	5.0
Mercury	20	0.2	N/A
Molybdenum	3,500	350	N/A
Nickel	2,000	20	N/A

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<sup>21</sup> Non-Hazardous Screening Levels

<b>Metal</b>	<b>TTLIC (mg/kg)</b>	<b>STLC (mg/L)</b>	<b>TCLP (mg/L)</b>
Selenium	100	1	1.0
Silver	500	5	5.0
Thallium	700	7	N/A
Vanadium	2,400	24	N/A
Zinc	5,00	250	N/A

**Table 4. Acceptance Criteria for Volatile Organic Compounds  
 (USEP Method 8260B)<sup>22</sup>**

<b>Constituent</b>	<b>Acceptance Criteria (mg/kg)</b>
Acetone	0.5
Benzene	0.025
Bromoform (tribromomethane)	0.69
Bromodichloromethane	0.016
Bromomethane	0.36
Carbon Tetrachloride	0.011
Chlorobenzene	1.4
Chloroethane	1.2
Chloroform	0.023

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<sup>22</sup> 2019 Soil Leaching Screening Levels for Drinking Water in San Francisco Bay  
 Regional Water Quality Control Board Screening for Environmental Concerns  
 (Jan. 2019)

<b>Constituent</b>	<b>Acceptance Criteria (mg/kg)</b>
Chloromethane	6.4
1,2-dibromo-3-chloropropane	0.00059
1,2-Dibromoethane	0.00053
1,2-Dichlorobenzene	1
1,3-Dichlorobenzene	7.4
1,4-Dichlorobenzene	0.2
1,1-Dichloroethane	0.2
1,2-Dichloroethane	0.007
1,1-Dichloroethylene	0.54
1,2-Dichloropropane	0.065
1,4-Dioxane	0.00017
Ethylbenzene	0.43
Hexachlorobutadiene	0.028
Hexachloroethane	0.019
Methyl Ethyl Ketone (MEK)	6.1
Naphthalene	0.042
Styrene	0.92
Tert-Butyl alcohol	0.075
1,1,1,2-Tetrachloroethane	0.017
1,1,2,2-Tetrachloroethane	0.018
Tetrachloroethylene (PCE)	0.08



<b>Constituent</b>	<b>Acceptance Criteria (mg/kg)</b>
Toluene	3.2
1,2,4-Trichlorobenzene	1.2
1,1,1-Trichloroethane	7
1,1,2-Trichloromethane	0.076
Trichloroethylene (TCE)	0.085
Vinyl Chloride	0.0015
Xylenes	2.1

**Table 5. Acceptance Criteria for Organochlorine Pesticides and Polychlorinated Biphenyls (USEPA Method 8081A)<sup>23</sup>**

<b>Constituent</b>	<b>Acceptance Criteria (mg/kg)</b>
Aldrin	1.4
Chlorodane	2.5
DDT, DDE, DDD (Combined Total)	1.0
Dieldrin	0.00046
Endrin	0.0076
Heptachlor	4.7
Kepone	21.0
Lindane	4.0

<sup>23</sup> Non-Hazardous Screening Level or 2019 Soil Leaching Screening Levels for Drinking Water (whichever stricter)

<b>Constituent</b>	<b>Acceptance Criteria (mg/kg)</b>
Methoxychlor	0.013
Mirex	21.0
Toxaphene	5.0
Polychlorinated Biphenyls (Aroclor)	Not Accepted If Detected
Dioxin	Not Accepted If Detected
Furan	Not Accepted If Detected

**Table 6. Acceptance Criteria for Semi-Volatile Organic Compounds (USEPA Method 8270C)<sup>24</sup>**

<b>Constituent</b>	<b>Acceptance Criteria (mg/kg)</b>
Cresols	200.0
2,4-Dinitotoluene	0.023
Hexachlorobenzene	0.0008
Hexachlorobutadiene	0.028
Hexachloroethane	0.019
Nitrobenzene	2.0
Pentachlorophenol	0.098
Pyridine	5.0
2,4,5-Trichlorophenol	2.9

<sup>24</sup> Non-Hazardous Screening Level or 2019 Soil Leaching Screening Levels for Drinking Water (whichever stricter)

Constituent	Acceptance Criteria (mg/kg)
2,4,6-Trichlorophenol	0.04

**Table 7. Acceptance Criteria for Total Petroleum Hydrocarbons  
 (USEPA Method 8015)<sup>25</sup>**

Range	Acceptance Criteria (mg/kg)
Gasoline (C4-C12)	50 mg/kg
Diesel (C13-C22)	100 mg/kg
Oil (C23-C35)	500 mg/kg

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<sup>25</sup> San Francisco Bay Regional Water Quality Control Board Screening for Environmental Concerns, Tier 1 ESLs for Soil (Jan. 2019)