

## Los Angeles Regional Water Quality Control Board

November 25, 2015

Mr. Peter D. Zak  
Lyon Housing (Pumpkin Patch) XLV, LLC  
4901 Birch Street  
Newport Beach, CA 92660

### **GENERAL WASTE DISCHARGE REQUIREMENTS FOR POSTCLOSURE MAINTENANCE - MARKET PLACE LANDFILL, LONG BEACH (FILE NO. 60-089, CI-2767, GEOTRACKER GLOBAL ID. T10000004438)**

Dear Mr. Zak:

The California Regional Water Quality Control Board, Los Angeles Region (Regional Board), is in receipt of a Report of Waste Discharge (ROWD, Form 200), dated October 10, 2015, submitted by Lyon Housing (Pumpkin Patch) XLV, LLC (Discharger). The ROWD applies for regulatory supervision from the Regional Board for the environmental investigation associated with the proposed development of a property at 7001 East Pacific Coast Highway, Long Beach, California (Figure 1), that includes the inactive Market Place Landfill, also known as the City Dump Salvage No. 2 Landfill (Landfill).

#### **Background**

In 1960, the City Dump and Salvage, Inc. (Operator) leased the property from the Bixby Ranch Company to develop a municipal waste landfill. The County of Los Angeles, Industrial Waste Division, permitted waste acceptance on the eastern half of the property that complied with the following criteria:

- Non-water soluble, non-decomposable inert solids;
- Ordinary household and commercial refuse, including decomposable organic refuse and scrap metal;
- Garbage and market refuse.

The disposal of liquids, semi-liquids, and hazardous classified waste was not permitted. The Landfill was operated to its permitted capacity from mid-1960 to early 1961.

Currently, there is an active oil field pumping unit and surface and subsurface pipelines for oil delivery on the eastern portion of the property. A conceptual plan for proposed redevelopment of the property that will expand oil field operations, including well heads, storage tanks, and office space is shown on Figure 2. The Discharger proposes to develop the referenced 7.08-acre property that consists of three parcels (Figure 3) identified as Assessor's Parcel Numbers (APNs) 7237-020-043 [Parcel 4], APN 7237-020-044 [Parcel 5], and APN 7237-020-045 [Parcel 6]. Currently, the westernmost parcel of the subject property, Parcel 4 (4.34 acres), consists of open space that is used for seasonal pumpkin and Christmas tree sales. Active oil field

operations are conducted on the eastern parcels, Parcel 5 (1.36 acres) and Parcel 6 (1.38 acres).

The Discharger completed a Phase I Environmental Site Assessment (ESA) in May 2011, and a follow-up Phase II ESA soil and groundwater assessment in 2012. Results of the ESAs recognized the potential for soil and groundwater contamination associated with the historic landfilling on the property. In July 2015, the Discharger updated the ESA investigations and concluded that determining the vertical and horizontal extent of hydrocarbons, volatile organic compounds (VOCs), polynuclear aromatic hydrocarbons (PNAs), mercury, and polychlorinated biphenyl (PCBs) associated with the former Landfill was warranted to support the proposed redevelopment project. The Discharger proposes characterization of site conditions that includes:

- Advancing five soil borings with a hollow-stem auger drill rig to identify the upper contamination limits as well the vertical and lateral extent of chemicals of potential concern (COPCs) associated with the Landfill;
- Collecting soil samples to analyze for COPCs;
- Constructing five groundwater monitoring wells in the area of the Landfill;
- Conducting a groundwater monitoring program, for a minimum of one year, to establish potential COPCs contamination trends at the subject property.

#### **Applicability for Postclosure Maintenance General WDRs**

This Regional Board adopted Order No. R4-2002-022 (Order) on January 24, 2002, that includes general WDRs for the postclosure maintenance of closed, abandoned, or inactive (CAI) landfills as defined in section 20164 of title 27 of the California Code of Regulations (27 CCR). The Order is specifically targeted towards CAI landfills undergoing redevelopment or modifications in end use. The Landfill is classified as a CAI unit because it ceased operations prior to the November 27, 1984, effective date of 27 CCR regulations. The Landfill meets enrollment criteria of the Order because of the potential release of pollutants to the environment during and after the proposed development.

Regional Board staff has completed review of the ROWD and determined that the Landfill is appropriate to be regulated under the Order. Individual WDRs for the proposed project are therefore not required. Pursuant to Requirement A of the Order, Monitoring and Reporting Program (MRP) No. CI-8372 referenced in the Order is hereby replaced with MRP No. CI-2767 that is specifically prescribed for the Landfill. Enclosed are WDRs for the Landfill, comprising:

1. General Waste Discharge Requirements (Order No. R4-2002-022);
2. Monitoring and Reporting Program (CI-2767);
3. Standard Provisions.

#### **Conditions and Amendments**

As provided under Requirement A.2.b (Page 7) of the Order, the following conditions and amendments are applied to the coverage of the Landfill under the general WDRs:

1. The characterization of existing Landfill conditions is deemed to meet the requirements of the general WDRs. The Soil and Groundwater Assessment Work Plan, dated July 2015, is hereby approved. Any modification of assessment work plan must be reported to Regional Board staff. Substantial changes, as determined by Regional Board staff, must be approved by the Regional Board Executive Officer before being implemented;
2. The postclosure groundwater monitoring program proposed in the Plan is deemed to update of the Solid Waste Assessment Test (SWAT), required in Section C of the Order, which was completed for the Landfill in January 30, 1996. The submittal of a separate SWAT proposal for the Landfill is therefore not required;
3. The proposed postclosure groundwater monitoring network, which includes groundwater monitoring wells MW-1 through MW-6 (Figure 2), shall be installed within 90 days following enrollment under the general Order ;
4. Groundwater monitoring pursuant to MRP CI-8372 shall start immediately following the installation of groundwater monitoring wells and shall be continued until the Regional Board Executive Office determines that such monitoring may be discontinued;
5. The Discharger must comply with any gas migration control or monitoring requirements prescribed by the County of Los Angeles Environmental Health Division; and
6. Enrollment of the project under the general Order does not relieve the Discharger from requirements of other oversight agency(ies) for land use or oil field development, operations, or remediation, including the City of Long Beach, the California Division of Oil, Gas, and Geothermal Resources, and the California Coastal Commission.

If you have any questions regarding this matter, please contact Dr: Enrique Casas, Project Manager, at (213) 620-2299.

Sincerely,

  
Samuel Unger, P.E.  
Executive Officer

cc: Ms. Leslie Graves, State Water Resources Control Board  
Mr. Gerardo Villalobos, Los Angeles County Environmental Health Division  
Mr. Martin Perez, CalRecycle

Figure 1: Site Location

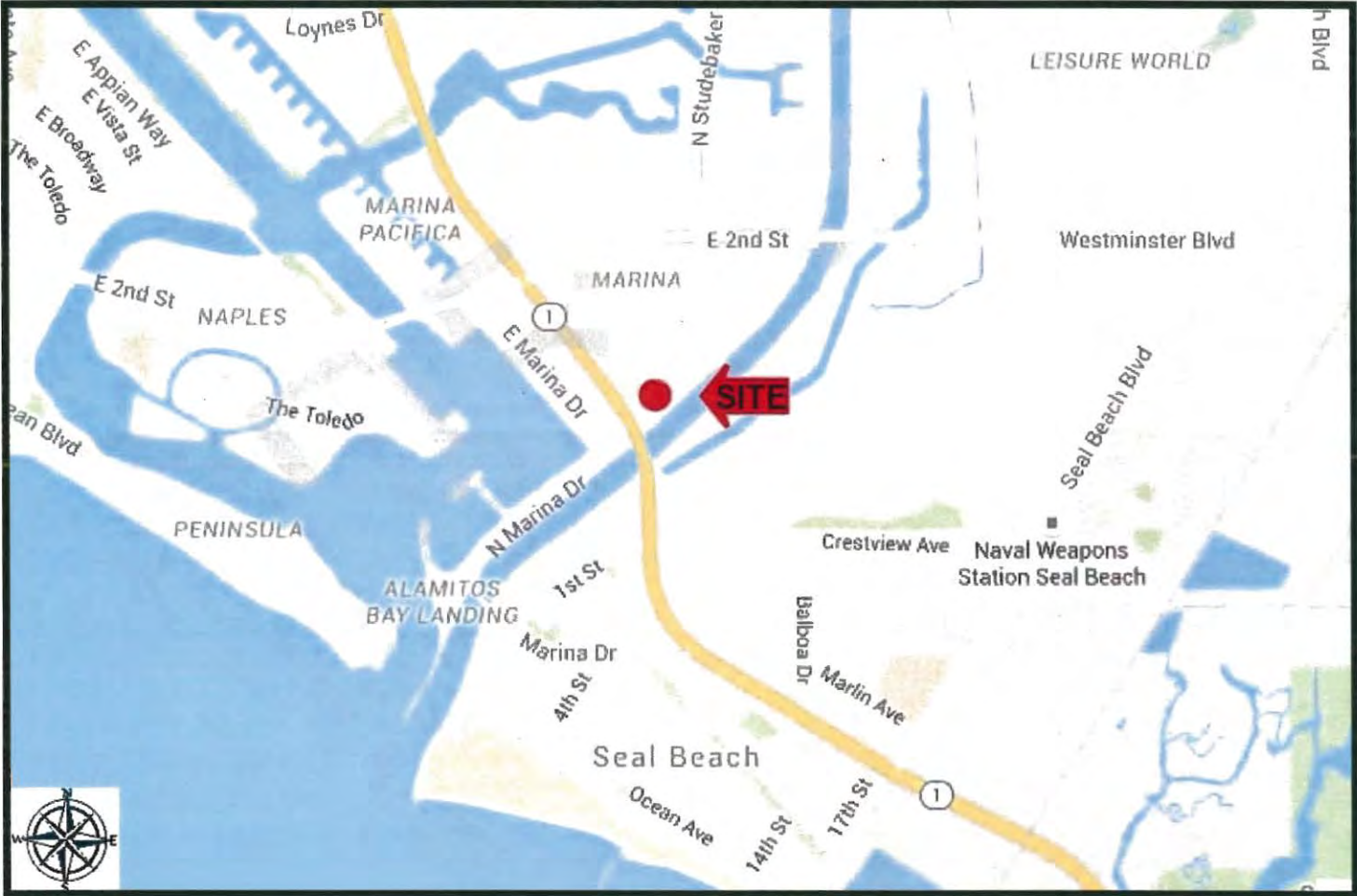


Figure 2:  
Property Redevelopment and Groundwater Monitoring Plan





STATE OF CALIFORNIA  
CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
LOS ANGELES REGION

ORDER NO. R4-2002-022

GENERAL WASTE DISCHARGE REQUIREMENTS

FOR POST-CLOSURE MAINTENANCE OF  
INACTIVE NONHAZARDOUS WASTE LANDFILLS  
WITHIN THE LOS ANGELES REGION

The California Regional Water Quality Control Board, Los Angeles Region (Regional Board), finds that:

BACKGROUND

1. Nonhazardous solid waste landfills (which include former Class II-2 landfills, former Class III landfills and burn dumps) have been regulated by the State Water Resources Control Board (State Board) and the Regional Boards since the 1960's through the issuance of Waste Discharge Requirements (WDRs). The applicable regulations governing landfills in California, Division 3, Chapter 15 (Discharges of Waste to Land) of Title 23, California Code of Regulations (Title 23) are now contained in Division 2 (commencing with section 20005) of Title 27 of the California Code of Regulations (hereafter this combination of division and title is simply referred to as "Title 27").
2. Pursuant to Title 27 section 20080(g), landfills that are closed, abandoned, or inactive on (or before November 27, 1984) are not specifically required to be closed in accordance with Chapter 3, Subchapter 5 (Closure and Post-Closure Maintenance) (commencing with section 20950) requirements of Title 27. However, these landfills are subject to prior post-closure maintenance requirements that are carried over in Title 27, section 21090 (b) and (c).
3. Regional Board staff estimates that there are in excess of 700 landfills in the Los Angeles Region, the majority of which were closed, abandoned, or inactive prior to November 27, 1984. With increased redevelopment in the Los Angeles Region, Regional Board staff is increasingly being requested to evaluate groundwater monitoring and post-closure maintenance requirements for these closed, abandoned, or inactive landfills. For each such request, staff has to evaluate the need for a groundwater monitoring program and the potential impact from the redeveloped end use to waters of the state. Such requests are anticipated to continue, and far exceed the capacity of staff to review and bring to the Board for consideration of individual waste discharge requirements in a timely manner. These circumstances create the need for an expedited system for processing the numerous

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requests for implementing groundwater monitoring and post-closure maintenance requirements for these closed, abandoned, or inactive landfills.

4. Many of the closed, abandoned and inactive landfills in the Los Angeles Region contain a variety of nonhazardous materials, including municipal, agricultural, and/or petroleum wastes. However, these facilities also received waste during a time period when record-keeping and other environmental requirements were not as stringent. The facilities sometimes received a variety of waste materials commingled with more common, inert and or nonhazardous wastes. As a result, the groundwater monitoring requirements specified by this Order and its attachments are intended to screen and sample for a wide variety of wastes (including pesticides and solvents) that may have been disposed in the facilities subject to this Order.
5. Pursuant to Title 27 section 20080(g), persons responsible for discharges at landfills that are closed, abandoned, or inactive may be required to develop and implement a monitoring program. If water quality impairment is found, such persons may be required to develop and implement a corrective action program based on the provisions of Chapter 3, Subchapter 3, Article 1 (Water Quality Monitoring and Response Programs for Solid Waste Management Units), of Title 27 section 20380 et seq.
6. The Regional Board may require formal closure of a landfill in accordance with Title 27 Chapter 3, Subchapter 5, Articles 1 (commencing with section 20950) and 4 (commencing with section 21430) under the following conditions listed below, consistent with Title 27 section 22190:
  - a. when there is a proposed site development or land use change that jeopardizes the integrity of the existing cover;
  - b. when water quality impairment is found, as part of a groundwater monitoring program; or
  - c. when nuisance conditions exist that warrant such activity.
7. Pursuant to California Water Code (CWC), section 13263, this Regional Board issues WDRs for post-closure maintenance of inactive landfills. In accordance with CWC section 13263(d) the Regional Board may prescribe requirements although no Report of Waste Discharge (ROWD) has been filed.
8. The State Board has developed a fee rating system (Title 23, section 2200) for WDRs that considers a discharge's threat to water quality and complexity. The two-dimensional



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rating system requires the Regional Board to assign each discharge a category of threat to water quality between "1" (most threatening) and "3" (least threatening) based on certain factors. Similarly, the Regional Board must assign each discharge a complexity rating between "A" (most complex) and "C" (least complex). As discussed below, this Order covers two classes of discharge: those with a fee rating of 1-B or 3-C.

9. CWC section 13273 requires the State Board to develop a ranked list of all known landfills throughout the state on the basis of the threat to water quality. Section 13273 requires the operator of each solid waste disposal site on the ranked list to conduct and submit to the appropriate Regional Board the results of a Solid Waste Assessment Test (SWAT) report to determine if the site is leaking hazardous waste.
10. SWAT reports indicated that landfills which contain decomposable waste have leaked hazardous waste to groundwater. Volatile organic constituents in groundwater near the inactive landfills may have occurred through landfill gas migration. These impacts to groundwater adversely affect beneficial uses and could cause a long-term loss of a designated beneficial use.
11. Because of the potential impact to groundwater quality, from leaking inactive landfills, the Regional Board considers such landfills as a category "1" threat to water quality, in accordance with Title 23, section 2200. As former Class II or Class III waste management facilities, the inactive landfills subject to this Order are assigned a complexity ranking of category "B".
12. Landfills that do not contain decomposable waste such as those that were operated by open burning of refuse may also impact water quality. The residual waste material may contain soluble constituents which are leachable to waters of the state under acidic conditions. Potential water quality impacts from these landfills could result from erosion during the rainy season, if waste is exposed and is not contained onsite. Surface water quality objectives may be exceeded in cases of extreme erosion of these landfill surfaces. For purposes of this Order, the Regional Board considers landfills a category "3" threat to water quality when potential discharges could degrade water quality without violating water quality objectives or cause a minor impairment of designated beneficial uses. The "complexity" rating is a category "C" for discharges that must comply with best management practices such as erosion control measures.
13. The issuance of this Order establishing general WDRs is consistent with this Regional Board's goal to provide water resources protection, enhancement, and restoration, while balancing economic and environmental impacts as stated in the Strategic Plan of the State

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Water Resources Control Board and the Regional Boards, and in conformance with the Porter-Cologne Water Quality Control Act (CWC, section 13000, et seq.).

14. The issuance of this Order may supersede existing site-specific orders that were issued by this Regional Board to landfills that are in post-closure maintenance.
15. The adoption of general WDRs for inactive landfills for post-closure maintenance would assist in:
  - a. Protecting the groundwaters and surface waters of the state from pollution or contamination;
  - b. Simplifying and expediting the application process for WDRs by dischargers; and
  - c. Reducing time expended by Regional Board staff on preparing and considering individual WDRs for each project.
16. The Regional Board has determined that the issuance of general WDRs for post-closure maintenance of inactive, nonhazardous waste landfills is appropriate. The classes of facilities are similar in nature, present similar threats to water resources, can be similarly managed, and lend themselves to general requirements for the entire class of facilities covered by this Order.
17. The Regional Board adopted a revised Water Quality Control Plan for the Los Angeles Region (Basin Plan) on June 13, 1994. The Basin Plan contains beneficial uses (municipal and domestic supply, agricultural supply, industrial process supply, industrial service supply, groundwater recharge, and freshwater replenishment) and water quality objectives for groundwater in the Los Angeles Region. The requirements in this Order, as they are met, will be in conformance with the goals of the Basin Plan.
18. Inactive landfills are existing facilities and as such are exempt from the provisions of the California Environmental Quality Act in accordance with Title 14, California Code of Regulations, section 15301.
19. The Regional Board, in establishing the requirements contained herein, considers factors identified in CWC section 13263(a) including, but not limited to the following:
  - a. Past, present, and probable future beneficial uses of water;

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- b. Environmental characteristics of the hydrologic unit under consideration, including the quality of water available thereto;
  - c. Water quality conditions that could reasonably be achieved through the coordinated control of all factors that affect water quality in the area;
  - d. Economic considerations;
  - e. Beneficial uses to be protected and water quality objectives reasonably required for that purpose;
  - f. Other waste discharges;
  - g. The need to prevent nuisance.
20. The Regional Board has considered all water resource related environmental factors associated with the discharge of waste associated with these inactive landfills.
21. In accordance with the Governor's Executive Order requiring any proposed activity be reviewed to determine whether such activity will cause additional energy usage, Regional Board staff have determined that implementation of these general WDRs will not result in a change in energy usage.
22. The Regional Board has notified interested agencies and all known interested parties of its intent to issue post-closure maintenance requirements for these inactive landfills.
23. The Regional Board in a public meeting heard and considered all comments pertaining to post-closure maintenance of these inactive landfills.

**IT IS HEREBY ORDERED**, that:

**A. ELIGIBILITY**

- 1. Enrollment into Order R4-2002-022 is not mandatory and is only applicable to landfills closed, abandoned, or inactive on or before November 27, 1984 per Title 27 section 20080(g). Landfills will only be enrolled Order R4-2002-022 under three scenarios:

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- a. the discharger is required to enroll into the program to satisfy a Conditional Use Permit, or equivalent requirement and submits the required filing materials, or
  - b. the discharger elects to be enrolled under the program and submits the required filing materials.
  - c. the Executive Officer directs the discharger to be enrolled under the program because site conditions may pose a threat to water quality.
2. In order for the Executive Officer to enroll an inactive landfill under this Order, the discharger shall submit a complete ROWD and an appropriate filing fee (pursuant to Title 23, section 2200 [Annual Fee Schedule]) for each inactive landfill. The ROWD shall include the following:
- a. Form 200, *Application for Facility Permit/Waste Discharge*.
  - b. A discussion of the landfill and waste characteristics including:
    - i. Identification of the period during which waste was disposed of at the site;
    - ii. Description of landfill disposal methods, operation and maintenance activities;
    - iii. Description of types and quantities of waste disposed of;
    - iv. Identification of the total volume of waste disposed of at the site;
    - v. Any closure or post-closure activities conducted at the landfill subsequent to ceasing operation; and
    - vi. Present and future land use of the inactive landfill.
  - c. Documentation of how the discharger will comply with all applicable requirements of this Order for the inactive landfills.
  - d. A topographic scale map showing the location, users, and uses of all wells located within one mile of the inactive landfill.

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- e. Any other information pertinent to the protection of water quality and the prevention of nuisance.
2. The discharger shall receive authorization from the Executive Officer, stating that it is appropriate to regulate the inactive landfill under this Order and that individual WDRs are not required. The authorization letter shall specify the following:
  - a. Any modification to monitoring and reporting program(s) accompanying these WDRs.
  - b. Any other conditions necessary to ensure that the facility can conform to this Order in order to protect the beneficial uses of receiving waters.
3. It may be necessary for a discharger, authorized under this Order, to apply for and obtain individual WDRs with more specific requirements. When individual WDRs with specific requirements are issued to a discharger, the applicability of these general WDRs to the individual permittee shall be terminated on the effective date of the individual permit.
4. Notwithstanding the conditions specified above, individual cases may be brought to the Regional Board for consideration of WDRs when deemed appropriate by the Executive Officer.

**B. PROHIBITIONS**

1. Discharges of waste to land as a result of inadequate post-closure maintenance practices, and that have not been specifically described to the Regional Board and for which valid WDRs are not in force, are prohibited.
2. The discharge of waste shall not:
  - a. Cause the Regional Board's objectives for the ground or surface waters as established in the Basin Plan, to be exceeded;
  - b. Cause pollution, contamination, or nuisance, or adversely affect beneficial uses of ground or surface waters as established in the Basin Plan;

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- c. Cause the occurrence of coliform or pathogenic organisms in waters pumped from a groundwater basin;
  - d. Cause the occurrence of objectionable tastes and odors in waters pumped from a groundwater basin;
  - e. Cause waters pumped from a groundwater basin to foam;
  - f. Cause the presence of toxic materials in waters pumped from a groundwater basin; or
  - g. Cause the pH of waters pumped from a groundwater basin to fall below 6.0, or rise above 9.0.
3. Odors, vectors, and other nuisances of waste origin beyond the limits of the landfill site are prohibited.
  4. The discharge of waste to surface drainage courses is prohibited.
  5. Basin Plan prohibitions shall not be violated.
  6. The use of pressurized water lines overlying waste is prohibited unless the water lines are designed in accordance with Maintenance Specification D.5 (Irrigation Systems Control) discussed below.

**C. GROUNDWATER MONITORING**

1. Groundwater monitoring is a critical component of the post-closure maintenance program prescribed in this Order. Therefore, the discharger shall demonstrate through either completion of a SWAT questionnaire or a SWAT report that there has been no discharge of contamination to groundwater. Otherwise, the discharger shall complete a SWAT monitoring program as part of post-closure maintenance per this Order. For all landfills that have not completed a SWAT, the discharger shall submit a SWAT proposal as defined in section 13273 of the CWC within 90 days of when the landfill is enrolled under this Order. Based on the results of the SWAT program, the Regional Board will either issue a letter to the discharger indicating that further groundwater monitoring at the site is not required or require implementation of a groundwater quality monitoring program per requirements listed below and in section C of monitoring and reporting program CI-8372.

SWAT Monitoring Program

2. The discharger shall provide the following basic information in conformance with the State Board's SWAT Technical Guidance Manual for use by owners/operators in preparing SWAT reports (Attachment I):
  - a. Description of the disposal site and its history.
  - b. Thorough description of the site hydrogeology.
  - c. Rationale for the location and design of all monitoring points.
  - d. Well logs and sample analysis data.
  - e. Interpretation of the data relative to hazardous waste leakage.
  - f. Certification of the preparer's credentials.
  
3. The SWAT program consists of the following:
  - a. Initial submittal of a SWAT Proposal or "Workplan" to the Regional Board containing the discharger's plans for compliance with the SWAT law.
  - b. Establishment of a monitoring network that meets all requirements of Title 27.
  - c. Either inclusion of upgradient monitoring points or acceptance of responsibility by the discharger for all pollutants detected through downgradient monitoring.
  - d. Sampling at least four different times over a year in order to ensure detecting any seasonal discharges.
  - e. Analysis of water quality samples for:
    - i. Volatile Organics (EPA 624)
    - ii. Semi-volatile Organics (EPA 625)

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iii. ICAP Metals

- f. Quality Control/Quality Assurance of all laboratory chemical analyses.
4. The SWAT Program shall focus on groundwater monitoring. However, in cases where there was an apparent threat to surface water quality, surface water monitoring points shall also be established, and when approved by the Executive Officer, shall be monitored by the discharger in conformance with an approved monitoring plan.
  5. Vadose zone monitoring shall be implemented during the SWAT program. However, the Regional Board's Executive Officer may waive this requirement for sites where the waste is very close to or present in groundwater; that is, where little or no vadose zone exists, and where it was assumed that the groundwater analysis will show any leakage.
  6. In cases where a site is already being addressed through another program or action by the Regional Board, the Regional Board's Executive Officer may consider reports submitted for the other program or action to be equivalent to a SWAT report. Examples include submittals of Hydrogeological Assessment Reports (HARs) for compliance with the Toxic Pit Cleanup Act, reports prepared in response to a Cleanup and Abatement Order, or monitoring under the core regulatory waste discharge requirement program for waste discharges to land (Land Disposal).

**Groundwater Monitoring Program**

7. The discharger shall use the constituents listed in Monitoring and Reporting Program No. CI-8372 and revisions thereto, as "monitoring parameters". These monitoring parameters are a short list of constituents and parameters used shall be used for the majority of monitoring activity and are subject to the most appropriate statistical or non-statistical tests under the attached Monitoring and Reporting Program No. CI-8372 and any revised monitoring and reporting program approved by the Regional Board's Executive Officer.
8. The discharger shall implement the attached Monitoring and Reporting Program No. CI-8372 and revisions thereto in order to detect, at the earliest opportunity, any unauthorized discharge of waste constituents from the landfill or any unreasonable impairment of beneficial uses associated with (caused by) discharges of waste to the landfill.



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9. The discharger shall follow the Water Quality Protection Standards (WQPS) for detection monitoring established by the Regional Board in this Order pursuant to Title 27 section 20390. WQPS may be modified by the Regional Board based on more recent or complete groundwater monitoring data such as from the monitoring network required by this Order, changes in background water quality, or for any other valid reason. The following are five parts of WQPS as established by this Regional Board:

- a. For facilities enrolled under this Order, groundwater quality limits for the following constituents are established based on region-wide limits in the Basin Plan or based on site-specific data as allowed in the Basin Plan.
- b. The discharger shall test for the monitoring parameters listed below and in Monitoring and Reporting Program No. CI-8372 and revisions thereto for:

| <u>Monitoring Parameters</u>                 | <u>Test Method</u> |
|--|--------------------|
| 1. Chemical Oxygen Demand (COD)              | EPA 410.4          |
| 2. Total Organic Halides (TOX)               | EPA 9020           |
| 3. Total Organic Carbon (TOC)                | EPA 415.1          |
| 4. Total Dissolved Solids (TDS)              | EPA 160.1          |
| 5. Chloride                                  | EPA 300.0          |
| 6. Sulfate                                   | EPA 300.0          |
| 7. Boron                                     | EPA 6010           |
| 8. Hydroxide Alkalinity (CaCO <sub>3</sub> ) | Std. M2320B        |
| 9. Total Hardness (as CaCO <sub>3</sub> )    | Std. M2340         |
| 10. Volatile Organics                        | EPA 8260*          |

\*All peaks greater than 10% of the internal standard shall be identified and quantified for gas chromatography analyses.

- c. The concentration limit for each monitoring parameter for each monitoring point shall be its background value as obtained during that reporting period.
- d. Monitoring points and background monitoring points for detection monitoring shall be those used during the SWAT monitoring program and any revised monitoring and reporting program approved by the Regional Board's Executive Officer.

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- e. The minimum duration of the compliance period for the landfill is five (5) years. Each time the standard is not met (i.e., releases discovered), the landfill begins a compliance period on the date the Regional Board directs the discharger to begin an Evaluation Monitoring Program (EMP). If the discharger's Corrective Action Program (CAP) has not achieved compliance with the standard by the scheduled end of the compliance period, the compliance period is extended until the landfill has been in continuous compliance for at least three consecutive years.
10. For each monitoring point described in this Order, the discharger shall monitor semiannually for the monitoring parameters listed in Specification No. C.9.b and for the monitoring parameters listed below, for the detection monitoring program. In determining whether measurably significant evidence of a release from the waste management unit exists, concentration limits, listed in Specification No. C.9.c of this Order, shall be used for the monitoring parameters.

| <u>Monitoring Parameters</u> | <u>Test Method</u> |
|------------------------------|--------------------|
| Electrical Conductivity      | Field              |
| pH                           | Field              |
| Groundwater Elevation        | Field              |

11. Once each year, during the Spring/Summer monitoring period, all wells shall be sampled and also analyzed for the following expanded list of constituents of concern (COCs). COCs are those constituents which are likely to be in the waste in the landfill or which are likely to be derived from waste constituents, in the event of a release. Based on the results of the SWAT monitoring program or any additional source(s) of monitoring information, the discharger may propose a modified list of COC parameters for approval by the Executive Officer. If approved by the Executive Officer the monitoring and reporting program for the site will be amended with the revised COC monitoring parameters.

| <u>Monitoring Parameters</u> | <u>Test Method</u>         |
|------------------------------|----------------------------|
| Semi-volatiles*              | EPA 3510/8270              |
| Pesticides*                  | EPA 3510/8080              |
| PCBs*                        | EPA 3510/8080              |
| Metals**                     | EPA 6010 (else, see below) |
| Biological Oxygen Demand     | EPA 405.1                  |
| Foaming Agents               | EPA 425.1                  |
| Herbicides                   | EPA 8150                   |
| Nitrate (as N)               | EPA 300.0                  |

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|                |                |
|----------------|----------------|
| Nitrite        | EPA 300.0      |
| Oil and Grease | EPA 413.2      |
| Sulfides       | EPA 376.2      |
| Total cyanide  | EPA 335.2      |
| Total phenols  | EPA 420.1      |
| Turbidity      | NTU; EPA 180.1 |

\*All peaks greater than 10% of the internal standard shall be identified and quantified for gas chromatography analyses.

\*\* Aluminum, Antimony, Arsenic (EPA 7060), Barium, Beryllium, Cadmium, Calcium, Chromium, Cobalt, Copper, Hexavalent chromium (Std. Method 3500 CrO), Lead, Magnesium, Mercury (EPA 7470), Molybdenum, Nickel, Potassium, Selenium (EPA 7740), Silver, Sodium, Strontium, Thallium, Tin, Vanadium, and Zinc

**D. POST-CLOSURE MAINTENANCE SPECIFICATIONS**

**General Maintenance Requirements**

1. The discharger shall prepare a post-closure maintenance plan within 90 days of being enrolled in these general WDRs which contains, but is not limited to, the following:
  - a. The persons, companies, or agencies responsible for each aspect of landfill maintenance, along with their addresses and phone numbers;
  - b. Location map(s) indicating property boundaries and the existing limits of waste, internal roads, and structures within the property boundary.
  - c. Location map(s) of current monitoring and control systems including drainage and erosion control systems and landfill gas monitoring and control systems.
  - d. A description of the methods, procedures, schedules, and processes that will be used to maintain, monitor and inspect the landfill.
2. The landfill maintenance period shall continue until the Regional Board's Executive Officer determines that remaining wastes in all waste management units (WMUs) at the site will not threaten water quality.

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3. Landfilled areas shall be adequately protected from any washout, erosion of wastes or cover materials. The surface drainage system shall be designed to adequately handle the rainfall from a 100-year, 24-hour storm event.
4. The structural integrity and effectiveness of all containment structures and the existing cover shall be maintained as necessary to correct the effects of settlement or other adverse factors.
5. For inactive landfills with water lines overlying waste, the design shall consider, but not be limited to, the following:
  - a. Flexible connectors;
  - b. Secondary containment;
  - c. Moisture sensors within secondary containment;
  - d. Rain sensors;
  - e. Annual leak testing;
  - f. Automatic shutoff valves; and
  - g. A maintenance plan describing the inspection and maintenance schedule for all mitigation devices.

**Erosion Control**

9. Any necessary erosion control measures shall be implemented, and any necessary construction, maintenance, or repairs of precipitation and drainage control facilities shall be completed to prevent erosion, ponding, flooding, or to prevent surface drainage from contacting or percolating through wastes at the facility on an annual basis. The annual erosion control measures shall be completed prior to the anticipated rainy season but not later than October 31. In addition, maintenance, and repairs necessitated by changing site conditions shall be made at any time of year.
10. Silt fences, hay bales, and other erosion control measures shall be used to manage surface water runoff from landfill areas where landfill cover has recently been

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constructed, and from areas where landfill containment system construction is occurring.

11. All areas, including surface drainage courses, shall be maintained to minimize erosion. Landfill cover shall be maintained to minimize percolation of liquids through wastes.

**Surface Drainage**

12. Surface water runoff within the boundaries of the landfill (i.e., precipitation that falls on the landfill cover) shall be collected by a system of berms, ditches, downchutes, swales and drainage channels, and shall be diverted off the landfill to either desilting basins or to natural watercourses offsite.
13. Surface drainage from tributary areas and internal site drainage from surface and subsurface sources shall not contact or percolate through waste and shall either be contained onsite or be discharged in accordance with applicable storm water regulations.
14. Surface drainage from the landfill is subject to State Board Order No. 97-03-DWQ, National Pollutant Discharge Elimination System (NPDES) General Permit No. CAS000001, "Waste Discharge Requirements for Discharges of Storm Water Associated with Industrial Activities Excluding Construction Activities".
15. Where flow concentrations result in erosive flow velocities, surface protection such as asphalt, concrete, riprap, silt fences or other erosion control materials shall be used for protection of drainage conveyance structures. Interim bench ditches shall be provided with erosion control material and riprap to control erosion where necessary.
16. Where high velocities occur at terminal ends of downchutes, or where downchutes cross landfill cover access roads, erosion control material shall be applied to exposed soil surfaces. Energy dissipaters shall be installed to control erosion at locations where relatively high erosive flow velocities are anticipated.

**Expanded Post-Closure Maintenance Requirements**

17. If results of a SWAT program indicate statistically significant evidence of a release from the landfill, the discharger shall implement the following expanded post-closure maintenance requirements and revised post-closure maintenance

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requirements approved by the Regional Board's Executive Officer.

18. The discharger shall comply with all applicable requirements of Title 27 Chapter 3, Subchapter 5, Article 2 (Closure and Post-Closure Maintenance Standards for Disposal Sites and Landfills) (commencing with section 21090, hereafter "Post Closure Maintenance Regulations").
19. Any vegetation used at the site shall be selected to require minimum irrigation and maintenance, and shall not impair the integrity of containment structures including the existing cover.
20. For all inactive landfills with decomposable waste that have a final cover system that differs from the prescriptive design described in Title 27 section 21090 (a)(1-3), the discharger shall submit a technical report to the Regional Board, for approval by the Executive Officer, that evaluates the effectiveness of the existing alternative cover in limiting infiltration into the waste per Title 27 section 20080 (b)(2)(A) and (B). The technical report shall be submitted no later than 180 days after the landfill has been enrolled under these general WDRs.
21. The migration of landfill gas from the site shall be controlled, as necessary, to ensure that landfill gases and gas condensate are not discharged to surface waters or groundwaters. Condensate shall be collected and removed from the site except as defined in Title 27, section 20090(e).

E. PROVISIONS

1. Neither the treatment nor the discharge of waste shall create a pollution, contamination, or nuisance, as defined by CWC section 13050.
2. This Order includes the "*Standard Provisions Applicable to Waste Discharge Requirements*", adopted November 7, 1990 (Attachment 2). If there is any conflict between provisions stated herein and the Standard Provisions, these provisions stated herein will prevail.
3. The discharger shall comply with all conditions of this Order and any additional conditions prescribed by the Regional Board in addenda thereto. Noncompliance with this Order constitutes a violation of the CWC and is grounds for:
  - a. enforcement action;

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- b. termination, revocation and reissuance, or modification of this Order; or
  - c. other actions allowed by law.
4. The discharger shall take all reasonable steps to minimize or correct any adverse impact on the environment resulting from noncompliance with this Order, including such accelerated or additional monitoring as may be necessary to determine the nature and impact of the noncompliance.
5. The discharger shall, at all times, properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the discharger to achieve compliance with conditions of this Order. Proper operation and maintenance includes effective performance, adequate laboratory and process controls including appropriate quality assurance procedures.
6. This Order may be modified, revoked and reissued, or terminated for cause including, but not limited to, the following:
  - a. Violation of any terms or conditions of this Order;
  - b. Obtaining this Order by misrepresentation or failure to disclose fully all relevant and material facts required by the ROWD; or
  - c. A change in any condition that requires either a temporary, permanent reduction, or elimination of the authorized discharge.
7. The filing of a request by the discharger for the modification, revocation and reissuance, or termination of this Order, or notification of planned changes or anticipated noncompliance does not stay any condition of this Order.
8. This Order is not transferable to any person except after notice to the Executive Officer. The Regional Board may require modification or revocation and reissuance of this Order to change the name of the discharger and incorporate such other requirements as may be necessary under the CWC. The discharger shall submit notice of any proposed transfer of this Order's responsibility and coverage as described under Reporting Requirement F.3 of this Order.

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9. In accordance with CWC section 13263(g), these requirements shall not create a vested right to continue to discharge. All discharges of waste into the waters of the State are privileges, not rights, and are subject to rescission or modification.
10. The discharger shall allow the Regional Board, or an authorized representative, upon the presentation of credentials and other documents as may be required by law to:
  - a. Enter upon the discharger's 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 CWC, any substances or parameters at any location.
11. A copy of this Order shall be maintained at the local offices of the discharger and shall be available to operating personnel at all times.
12. The provisions of this Order are severable, and if any provision of this Order, or the application of any provision of this Order to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this Order, shall not be affected thereby.
13. This Order becomes effective on the date of adoption by this Regional Board.

**F. REPORTING REQUIREMENTS**

1. The discharger shall file the following reports in accordance with the following schedule:
  - a. Report of Waste Discharge



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The discharger shall file a new ROWD at least 120 days prior to the following:

- i. Significant change in post-closure maintenance activities which would significantly alter existing drainage patterns and slope configurations, or pose a potential threat to the integrity of the site;
- ii. Change in land use other than as described in the findings of this Order;
- iii. Significant change in disposal area, e.g. excavation and relocation of waste on site; or
- iv. Any planned change in the regulated facility or activity which may result in noncompliance with this Order.

b. Workplan

The discharger shall submit a workplan at least 30 days prior to any maintenance activities, for approval by the Executive Officer, which could alter existing surface drainage patterns or change existing slope configurations. These activities may include, but not be limited to, significant grading activities, the importation of fill material, the design and installation of soil borings, groundwater monitoring wells and other devices for site investigation purposes.

c. Written Notification

The discharger shall provide verbal notification at least two working days prior to any maintenance activities that are routine in nature, do not add a significant amount of water, do not inhibit drainage, have limited potential for impacts to beneficial use of water, and will not interfere with future routine maintenance. These activities may include, but not be limited to:

- i. routine maintenance grading and dust control;
- ii. landscaping with minimal/no water application;
- iii. gas surveys with temporary probes; or

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- iv. replacement/removal of gas collection wells.
2. The discharger shall furnish to the Executive Officer, within a reasonable time, any information which the Executive Officer may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this Order. The discharger shall also furnish to the Executive Officer, upon request, copies of records required by this Order.
3. The discharger shall notify the Executive Officer, in writing, at least 30 days in advance of any proposed transfer of this Order's responsibility and coverage between the current owner and new owner for construction, operation, closure, or post-closure maintenance of a landfill. This agreement shall include an acknowledgement that the existing owner is liable for violations up to the transfer date and that the new owner is liable from the transfer date on. The agreement shall include an acknowledgement that the new owners shall accept responsibility for compliance with this Order that includes the post-closure maintenance of the landfill.
4. Where the discharger becomes aware that it failed to submit any relevant facts in a ROWD or submitted incorrect information in a ROWD or in any report to the Regional Board, it shall promptly submit such facts or information.
5. The discharger shall report any noncompliance that may endanger health or the environment. Any such information shall be provided verbally to the Executive Officer within 24 hours from the time the owner becomes aware of the circumstances. A written submission shall also be provided within seven days of the time the owner becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and times, and if the noncompliance has not been corrected; the anticipated time it is expected to continue, and steps taken or planned to reduce, eliminate, or prevent recurrence of the noncompliance. The Executive Officer, or an authorized representative, may waive the written report on a case-by-case basis if the oral report has been received within 24 hours.
6. The discharger shall notify the Executive Officer immediately of any slope failure occurring in a waste management unit. Any failure which threatens the integrity of the containment features or the waste management unit shall be promptly corrected after approval of the method and schedule by the Executive Officer.

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7. The discharger shall comply with the attached monitoring and reporting program CI-8372. Monitoring results shall be reported at the intervals specified in monitoring and reporting program CI-8372.
8. All applications, reports, or information submitted to the Executive Officer shall be signed and certified as follows:
  - a. The ROWD shall be signed as follows:
    - i. For a corporation - by a principal executive officer of at least the level of vice-president.
    - ii. For a partnership or sole proprietorship - by a general partner or the proprietor, respectively.
    - iii. For a municipality, state, federal or other public agency - by either a principal executive officer or ranking elected official.
    - iv. For a military installation - by the base commander or the person with overall responsibility for environmental matters in that branch of the military.
  - b. All other reports required by this Order and other information required by the Executive Officer shall be signed by a person designated in paragraph 8.a of this provision, or by a duly authorized representative of that person. An individual is a duly authorized representative only if:
    - i. The authorization is made in writing by a person described in paragraph 8.a of this provision;
    - ii. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity; and
    - iii. The written authorization is submitted to the Executive Officer.
  - c. Any person signing a document under this section shall make the following certification:

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"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."

9. The discharger shall submit reports required under this Order and other information requested by the Executive Officer, to:

California Regional Water Quality Control Board  
Los Angeles Region  
320 W. 4<sup>th</sup> Street, Suite 200  
Los Angeles, California 90013  
ATTN: Technical Services Unit

10. The discharger shall perform quarterly inspections of the landfill site and report the results semi-annually. The report shall contain information on the site condition and a discussion of any significant findings with regard to:
- a. General site conditions;
  - b. Surface cover and slope;
  - c. Drainage facilities;
  - d. Groundwater and vadose zone monitoring networks;
  - e. Methane gas control systems;
  - f. Observation of seepage from the site; and
  - g. Maintenance activities at the site.

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11. A copy of the Storm Water Pollution Prevention Plan for the site shall be submitted to this Regional Board by April 30 on an annual basis, or as it is updated.

G. NOTIFICATIONS

1. These requirements have not been officially reviewed by the United States Environmental Protection Agency and are not issued pursuant to section 402 of the Clean Water Act.
2. The CWC provides that any person who intentionally or negligently violates any WDRs issued, reissued, or amended by this Regional Board is subject to administrative civil liability of up to 10 dollars per gallon of waste discharged, or if no discharge occurs, up to \$1,000 per day of violation. The Superior Court may impose civil liability of up to \$10,000 per day of violation or, if a cleanup and abatement order has been issued, up to \$15,000 per day of violation.
3. The CWC provides that any person failing or refusing to furnish technical or monitoring program reports, as required under this Order, or falsifying any information provided in the monitoring reports is guilty of a misdemeanor and may be subject to administrative civil liability of up to \$1,000 per day of violation.
4. Post-closure maintenance of this waste management unit may be subject to regulations of the California Integrated Management Board, the South Coast Air Management District or the Ventura County Air Pollution Control District.
5. Definitions of terms used in this Order shall be as set forth in Title 27, section 20164.

I, Dennis A. Dickerson, Executive Officer, do certify that the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, Los Angeles Region, on January 24, 2002.



Dennis A. Dickerson  
Executive Officer

**STATE OF CALIFORNIA  
CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
LOS ANGELES REGION**

**LYON HOUSING (PUMPKIN PATCH) XLV, LLC  
MONITORING AND REPORTING PROGRAM CI-2767**

**FOR POST-CLOSURE MAINTENANCE OF  
INACTIVE NONHAZARDOUS WASTE LANDFILLS  
WITHIN THE LOS ANGELES REGION**

**A. MONITORING PROVISIONS**

1. All analyses shall be performed in a laboratory certified to perform such analyses by the State Water Resources Control Board's Division of Drinking Water or a laboratory approved by the Executive Officer. Specific methods of analysis must be identified. If methods other than U. S. EPA approved methods or standard methods are used, the exact methodology must be submitted for review and must be approved by the Executive Officer prior to use. The director of the laboratory whose name appears on the certification shall supervise all analytical work in his/her laboratory and shall sign all reports of such work submitted to the Regional Board.
2. If the discharger monitors any pollutants more frequently than required by Order No. R4-2002-022, using the most recent version of Standard U. S. EPA Methods, or as specified in Order No. R4-2002-022, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the discharger's monitoring report. The increased frequency of monitoring shall also be reported.
3. The discharger shall report all instances of noncompliance not reported under Reporting Requirement F.5 of Order No. R4-2002-022 at the time monitoring reports are submitted. The reports shall contain the information listed in the requirements.
4. Sample collection, storage, and analysis shall be performed according to the most recent version of Standard U. S. EPA Methods, and in accordance with an approved sampling and analysis plan.
5. All monitoring instruments and equipment which are used by the discharger to fulfill the prescribed monitoring program shall be properly calibrated and maintained as necessary to ensure their continued accuracy.
6. The discharger shall retain records of all monitoring information, including all calibration and maintenance records and copies of all reports required Order No. R4-2002-022. Records shall be maintained for a minimum of five years from the date of the sample, measurement, report or application. This period may be extended during the course of any unresolved litigation regarding this discharge or when requested by the Executive Officer.
7. Records of monitoring information shall include:
  - a. The date, identity of sample, monitoring point from which it was taken, and time of sampling or measurement;

- b. The individual(s) who performed the sampling or measurements;
  - c. Date and time that analyses were started and completed, and the name of the personnel performing each analysis;
  - d. The analytical techniques or method used, including method of preserving the sample and the identity and volumes of reagents used;
  - e. Calculation of results;
  - f. Results of analyses, and the maximum detection limit (MDL) for each parameter, and
  - g. Laboratory quality assurance results (e.g. percent recovery, response factor).
8. The monitoring reports shall be signed by an authorized person as required by Reporting Requirement F.8 of Order No. R4-2002-022.
  9. The discharger shall perform quarterly inspections of the landfill site and report the results semi-annually. The report shall contain information on the site's condition and a discussion of any significant findings with regard to:
    - a. General site condition;
    - b. Surface cover and slope;
    - c. Drainage facilities;
    - d. Groundwater and vadose zone monitoring networks;
    - e. Methane gas control system;
    - f. Observation of seepage from the site; and
    - g. Maintenance activities at the site.

**B. GROUNDWATER MONITORING PROGRAM**

1. The discharger shall establish and maintain groundwater wells at the landfill site to be used as part of the groundwater quality monitoring program.
2. If a measurably significant evidence of a release from the waste management unit is determined, the discharger shall conduct required monitoring and response programs in accordance with Title 27 section 20385. (A detection monitoring program per Title 27 section 20420, an evaluation monitoring program per Title 27 section 20425, and a corrective action program per Title 27 section 20430).

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Monitoring and Reporting Program CI-2767**

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3. Prior to pumping monitoring wells for sampling, the static water level shall be measured in each well.
4. Prior to sampling monitoring wells, the presence of a floating immiscible layer in all wells shall be determined at the beginning of each sampling event. This shall be done prior to any other activity which may disturb the surface of the water in a monitoring well (e.g. water level measurements). If an immiscible layer is found, this Regional Board shall be notified within 24 hours.
5. The discharger shall submit a compliance evaluation summary of the groundwater data obtained. The summary shall contain a table that includes the following information:
  - a. Monitoring parameters;
  - b. Detection limit of monitoring equipment;
  - c. Measured concentrations found in the current sampling event.
6. For each monitored groundwater body, the discharger shall measure the water level in each well and determine groundwater flow rate and direction at least semi-annually, including the times of expected highest and lowest elevations of the water level for the respective groundwater body. Groundwater elevations for all background and downgradient wells for a given groundwater body shall be measured within a period of time short enough to avoid temporal variations in groundwater flow which could preclude accurate determination of groundwater flow rate and direction.
7. As provided under Requirement C.9 (Page 11) of the Order, the discharger shall test for the monitoring parameters listed and revisions thereto. The monitoring parameter for the Landfill are as follows:

Monitoring Parameters

Total Dissolved Solids

Chloride

Sulfate

Total Petroleum Hydrocarbons as carbon chain (TPH-cc)

Volatile Organic Compounds

Polynuclear Aromatic Hydrocarbons

CA Title-22 (CAM-17) Metals

Polychlorinated Biphenyl

**C. REPORTING REQUIREMENTS**

1. Required monitoring reports shall be submitted to the Regional Board in accordance with the following schedule:

Report Frequency

Semiannually

Report Period

April – September

October – March

Report Due

October 30

April 30



2. The Discharger shall submit all scheduled reports required in the Order and this MRP electronically, in accordance with 23 CCR section 3890 et. seq., or as directed by the Regional Board Executive Officer. Until directed otherwise by the Regional Board Executive Officer, all reports shall be submitted to the State Board GeoTracker data system in searchable PDF files (GeoTracker Global ID. T10000004438). In addition, all groundwater analytical data and monitoring well locations shall be submitted to GeoTracker in Electronic Deliverable Format (EDF). Documents that cannot be conveniently reviewed in electronic format, such as large maps or drawings, shall be submitted as hard copies to the Regional Board office as instructed by Regional Board staff.
3. All required groundwater monitoring reports shall be submitted no later than one month following the end of their respective reporting period. The reports shall be comprised of at least the following in addition to the specific contents listed for each respective report type:

- a. Transmittal Letter

A letter summarizing the essential points shall be submitted with each report. The transmittal letter shall include:

- i. A discussion of any requirement violations found since the last such report was submitted and shall describe actions taken or planned for correcting the violations. If the discharger has previously submitted a detailed time schedule for correcting said requirement violations, a reference to the correspondence transmitting such schedule will be satisfactory. If no violations have occurred since the last submittal, this shall be stated in the transmittal letter; and
- ii. A statement certifying that, under penalty of perjury, meets Reporting Requirement E.8 of Order No. R4-2002-022.

- b. Semi-Annual Report

The semi-annual report shall contain, but not be limited to the following:

- i. A summary of all activities involving the site characterization that occurred during the monitoring period, including, but not limited to, installation of groundwater monitoring wells.
- ii. Site maintenance outlined in section B of this monitoring and reporting program.
- iii. Groundwater analysis and flow rate outlined in section C of this monitoring and reporting program.
- iv. A map (or copy of an aerial photograph) showing the locations of observation stations, monitoring points, and background monitoring points.

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Monitoring and Reporting Program CI-2767**

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c. Annual Summary

The discharger shall submit a summary of the monitoring program results covering the previous monitoring year. The summary information shall be combined with the October - March semiannual report and shall include:

- i. For each monitoring point, submit in graphical format the laboratory analytical data for all samples taken within at least the previous five calendar years. Each graph shall plot the concentration of the constituent over time for a given monitoring point, at a scale appropriate to show trends or variations in water quality.
- ii. A comprehensive discussion of the compliance record, results of any corrective actions taken or planned which may be needed to bring the discharger into full compliance with the waste discharge requirements.
- iii. A written summary of the monitoring results and monitoring system(s), indicating any changes made or observed since the previous annual report.
- iv. A topographic map at appropriate scale, showing the direction of groundwater flow at the landfill site.

4. All hard copy reports required in this MRP shall be addressed to:

California Regional Water Quality Control Board  
Los Angeles Region  
320 W. 4th Street, Suite 200  
Los Angeles, California 90013  
ATTN: Information Technology Unit

Ordered by



Samuel Unger, P.E.  
Executive Officer  
November 25, 2015

STANDARD PROVISIONS  
APPLICABLE TO WASTE DISCHARGE REQUIREMENTS

1. DUTY TO COMPLY

The discharger must comply with all conditions of these waste discharge requirements. A responsible party has been designated in the Order for this project, and is legally bound to maintain the monitoring program and permit. Violations may result in enforcement actions, including Regional Board orders or court orders requiring corrective action or imposing civil monetary liability, or in modification or revocation of these waste discharge requirements by the Regional Board. (Water Code, Sections 13261, 13263, 13265, 13268, 13300, 13301, 13304, 13340, and 13350). Failure to comply with any waste discharge requirement, monitoring and reporting requirement, or other order or prohibition issued, reissued or amended by the Los Angeles Water Board or State Water Resources Control Board is a violation of these waste discharge requirements and the Water Code, which can result in the imposition of civil liability. (Water Code, Section 13350, subdivision (a).)

2. GENERAL PROHIBITION

Neither the treatment nor the discharge of waste shall create a pollution, contamination or nuisance, as defined by California Water Code section 13050. In addition, the discharge of waste classified as hazardous, as defined in California Code of Regulations, Title 23, Section 2521, subdivision (a) is also prohibited.

3. AVAILABILITY

A copy of these waste discharge requirements shall be maintained at the discharge facility and be available at all times to operating personnel. (Water Code, Section 13263)

4. CHANGE IN OWNERSHIP

The discharger must notify the Executive Officer, in writing at least 30 days in advance of any proposed transfer of this Order's responsibility and coverage to a new discharger containing a specific date for the transfer of this Order's responsibility and coverage between the current discharger and the new discharger. This agreement shall include an acknowledgement that the existing discharger is liable for violations up to the transfer date and that the new discharger is liable from the transfer date forward. (Water Code, Sections 13267 and 13263)

5. CHANGE IN DISCHARGE

In the event of a material change in the character, location, or volume of a discharge, the discharger shall file with this Regional Board a new Report of Waste Discharge. (Water Code, Section 13260, subdivision (c)). A material change includes, but is not limited to, the following:

- (a) Addition of a major industrial waste discharge to a discharge of essentially domestic sewage, or the addition of a new process or product by an industrial facility resulting in a change in the character of the waste.

Standard Provisions Applicable to  
Waste Discharge Requirements

- (b) Significant change in disposal method, e.g., change from a land disposal to a direct discharge to water, or change in the method of treatment which would significantly alter the characteristics of the waste.
- (c) Significant change in the disposal area, e.g., moving the discharge to another drainage area, to a different water body, or to a disposal area significantly removed from the original area potentially causing different water quality or nuisance problems.
- (d) Increase in flow beyond that specified in the waste discharge requirements.
- (e) Increase in the area or depth to be used for solid waste disposal beyond that specified in the waste discharge requirements. (California Code of Regulations, Title 23, Section 2210)

6. REVISION

These waste discharge requirements are subject to review and revision by the Regional Board. (Water Code, Sections 13263)

7. NOTIFICATION

Where the discharger becomes aware that it failed to submit any relevant facts in a Report of Waste Discharge or submitted incorrect information in a Report of Waste Discharge or in any report to the Regional Board, it shall promptly submit such facts or information. (Water Code, Sections 13260 and 13267)

8. VESTED RIGHTS

This Order does not convey any property rights of any sort or any exclusive privileges. The requirements prescribed herein do not authorize the commission of any act causing injury to persons or property, do not protect the discharger from his liability under Federal, State or local laws, nor do they create a vested right for the discharger to continue the waste discharge. (Water Code, Section 13263, subdivision (g).)

9. SEVERABILITY

Provisions of these waste discharge requirements are severable. If any provisions of these requirements are found invalid, the remainder of the requirements shall not be affected.

10. OPERATION AND MAINTENANCE

The discharger shall, at all times, properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the discharger to achieve compliance with conditions of this Order. Proper operation and maintenance includes effective performance, adequate funding, adequate operator

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staffing and training, and adequate laboratory and process controls including appropriate quality assurance procedures. 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. (Water Code, Section 13263, subdivision (f).)

11. NOTIFICATION REQUIREMENT

Except for a discharge which is in compliance with these waste discharge requirements, any person who, without regard to intent or negligence, causes or permits any hazardous substance or sewage to be discharged in or on any waters of the State, or discharged or deposited where it is, or probably will be, discharged in or on any waters of the State, shall, as soon as (a) that person has knowledge of the discharge, (b) notification is possible, and (c) notification can be provided without substantially impeding cleanup or other emergency measures, immediately notify the Office of Emergency Services of the discharge in accordance with the spill reporting provision of the State toxic disaster contingency plan adopted pursuant to Article 3.7 (commencing with Section 8574.7) of Chapter 7 of Division 1 of Title 2 of the Government Code, and immediately notify the State Board or the appropriate Regional Board of the discharge. This provision does not require reporting of any discharge of less than a reportable quantity as provided for under subdivisions (f) and (g) of Section 13271 of the Water Code unless the discharger is in violation of a prohibition in the applicable Water Quality Control plan. (Water Code, Section 13271, subdivision (a).)

12. OIL OR PETROLEUM RELEASES

Except for a discharge which is in compliance with these waste discharge requirements, any person who without regard to intent or negligence, causes or permits any oil or petroleum product to be discharged in or on any waters of the State, or discharged or deposited where it is, or probably will be, discharged in or on any waters of the State, shall, as soon as (a) such person has knowledge of the discharge, (b) notification is possible, and (c) notification can be provided without substantially impeding cleanup or other emergency measures, immediately notify the Office of Emergency Services of the discharge in accordance with the spill reporting provision of the State oil spill contingency plan adopted pursuant to Article 3.5 (commencing with Section 8574.1) of Chapter 7 of Division 1 of Title 2 of the Government Code. This provision does not require reporting of any discharge of less than 42 gallons unless the discharge is also required to be reported pursuant to Section 311 of the Clean Water Act or the discharge is in violation of a prohibition in the applicable Water Quality Control Plan. (Water Code, Section 13272)

13. INVESTIGATIONS AND INSPECTIONS

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

- (a) Enter upon the discharger's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this Order;

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- (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 California Water Code, any substances or parameters at any location. (Water Code, Section 13267)
- (e) Except for material determined to be confidential in accordance with applicable law, all reports prepared in accordance with the terms of this Order shall be available for public inspection at the office of the Los Angeles Water Board. Data on waste discharges, water quality, geology, and hydrogeology shall not be considered confidential.

14. MONITORING PROGRAM AND DEVICES

The discharger shall furnish, under penalty of perjury, technical monitoring program reports; such reports shall be submitted in accordance with specifications prepared by the Executive Officer, which specifications are subject to periodic revisions as may be warranted. (Water Code, Section 13267)

All monitoring instruments and devices used by the discharger to fulfill the prescribed monitoring program shall be properly maintained and calibrated as necessary to ensure their continued accuracy. All flow measurement devices shall be calibrated at least once per year, or more frequently, to ensure continued accuracy of the devices. Annually, the discharger shall submit to the Executive Office a written statement, signed by a registered professional engineer, certifying that all flow measurement devices have been calibrated and will reliably achieve the accuracy required.

The analysis of any material required pursuant to Division 7 of the Water Code shall be performed by a laboratory that has accreditation or certification pursuant to Article 3 (commencing with Section 100825) of Chapter 4 of Part 1 of Division 101 of the Health and Safety Code. However, this requirement does not apply to field tests, such as test for color, odor, turbidity, pH, temperature, dissolved oxygen, conductivity, and disinfectant residual chlorine. (Water Code, Section 13176). Unless otherwise permitted by the Regional Board Executive officer, all analyses shall be conducted at a laboratory certified for such analyses by the State Water Resources Control Board's Division of Drinking Water. All analyses shall be required to be conducted in accordance with the latest edition of "Guidelines Establishing Test Procedures for Analysis of Pollutants" (40CFR Part 136) promulgated by the United States, Environmental Protection Agency (USEPA). (California Code of Regulation, Title 23, Section 2230)

## Standard Provisions Applicable to Waste Discharge Requirements

The Quality Assurance-Quality Control Program must conform to the USEPA Guidelines "Laboratory Documentation Requirements for Data Validation", January 1990, USEPA Region 9) or procedures approved by the Los Angeles Regional Water Quality Control Board.

All quality assurance and quality control (QA/QC) analyses must be run on the same dates when samples were actually analyzed. All QA/QC data shall be reported, along with the sample results to which they apply, including the method, equipment, analytical detection and quantitation limits, the percent recovery, and explanation for any recovery that falls outside the QC limits, the results of equipment and method blanks, the results of spiked and surrogate samples, the frequency of quality control analysis, and the name and qualifications of the person(s) performing the analyses. Sample results shall be reported unadjusted for blank results or spike recoveries. In cases where contaminants are detected in QA/QC samples (e.g., field, trip, or lab blanks); the accompanying sample results shall be appropriately flagged.

The Discharger shall make all QA/QC data available for inspection by Regional Board staff and submit the QA/QC documentation with its respective quarterly report. Proper chain of custody procedures must be followed and a copy of that documentation shall be submitted with the quarterly report.

### 15. TREATMENT FAILURE

In an enforcement action, it shall not be a defense for the discharger that it would have been necessary to halt or to reduce the permitted activity in order to maintain compliance with this Order. Upon reduction, loss, or failure of the treatment facility, the discharger shall, to the extent necessary to maintain compliance with this Order, control production or all discharges, or both, until the facility is restored or an alternative method of treatment is provided. This provision applies, for example, when the primary source of power of the treatment facility fails, is reduced, or is lost. (Water Code, Section 13263, subdivision (f).)

### 16. DISCHARGE TO NAVIGABLE WATERS

A person who discharges pollutants or proposes to discharge pollutants or proposes to discharge pollutants to the navigable waters of the United States within the jurisdiction of this state or a person who discharges dredged or fill material or proposes to discharge dredged or fill material into the navigable waters of the United States within the jurisdiction of this state shall file a report of waste discharge in compliance with the procedures set forth in Water Code section 13260. (Water Code, Section 13376)

### 17. ENDANGERMENT TO HEALTH AND ENVIRONMENT

The discharger shall report any noncompliance which may endanger health or the environment. Any such information shall be provided verbally to the Executive Officer within 24 hours from the time the discharger becomes aware of the circumstances. A written submission shall also be provided within five days of the time the discharger becomes aware of the circumstances. The written submission shall contain a description

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of the noncompliance and its cause; the period of noncompliance, including exact dates and times, and if the noncompliance has not been corrected; the anticipated time it is expected to continue and steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance. The Executive officer, or an authorized representative, may waive the written report on a case-by-case basis if the oral report has been received within 24 hours. The following occurrence(s) must be reported to the Executive Office within 24 hours:

- (a) Any bypass from any portion of the treatment facility.
- (b) Any discharge of treated or untreated wastewater resulting from sewer line breaks, obstruction, surcharge or any other circumstances.
- (c) Any treatment plan upset which causes the effluent limitation of this Order to be exceeded. (Water Code, Sections 13263 and 13267)

18. MAINTENANCE OF RECORDS

The discharger shall retain records of all monitoring information including all calibration and maintenance records, all original strip chart recordings for continuous monitoring instrumentation, copies off all reports required by this Order, and record of all data used to complete the application for this Order. Records shall be maintained for a minimum of three years from the date of the sample, measurement, report, or application. This period may be extended during the course of any unresolved litigation regarding this discharge or when requested by the Regional Board Executive Officer.

Records of monitoring information shall include:

- (a) The date, exact place, and time of sampling or measurement;
  - (b) The individual(s) who performed the sampling or measurement;
  - (c) The date(s) analyses were performed;
  - (d) The individual(s) who performed the analyses;
  - (e) The analytical techniques or method used; and
  - (f) The results of such analyses.
19. (a) All application reports or information to be submitted to the Executive Office shall be signed and certified as follows:
- (1) For a corporation – by a principal executive officer or at least the level of vice president.
  - (2) For a partnership or sole proprietorship – by a general partner or the proprietor, respectively.



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- (3) For a municipality, state, federal, or other public agency – by either a principal executive officer or ranking elected official.
- (b) A duly authorized representative of a person designated in paragraph (a) of this provision may sign documents if:
- (1) The authorization is made in writing by a person described in paragraph (a) of this provision.
  - (2) The authorization specifies either an individual or position having responsibility for the overall operation of the regulated facility or activity; and
  - (3) The written authorization is submitted to the Executive Officer.

Any person signing a document under this Section shall make the following certification:

"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. (Water Code Sections 13263, 13267, and 13268)"

20. OPERATOR CERTIFICATION

Supervisors and operators of municipal wastewater treatment plants and privately owned facilities regulated by the Public Utilities Commission, used in the treatment or reclamation of sewage and industrial waste shall possess a certificate of appropriate grade in accordance with California Code of Regulations, title 23, section 3680. State Boards may accept experience in lieu of qualification training. (California Code of Regulations, Title, 23, Sections 3680 and 3680.2.) In lieu of a properly certified wastewater treatment plant operator, the State Board may approve use of a water treatment plant operator of appropriate grade certified by the State Department of Public Health where reclamation is involved. (California Code of Regulations, Title, 23, Section 3670.1, subdivision (b).)

ADDITIONAL PROVISIONS APPLICABLE TO  
PUBLICLY OWNED TREATMENT WORKS' ADEQUATE CAPACITY

21. Whenever a regional board finds that a publicly owned wastewater treatment plant will reach capacity within four years, the board shall notify the discharger. Such notification shall inform the discharger that the regional board will consider adopting a time schedule order pursuant to Section 13300 of the Water Code or other enforcement order unless

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the discharger can demonstrate that adequate steps are being taken to address the capacity problem. The notification shall require the discharger to submit a technical report to the regional board within 120 days showing how flow volumes will be prevented from exceeding existing capacity or how capacity will be increased. A copy of such notification shall be sent to appropriate local elected officials, local permitting agencies and the press. The time for filing the required technical report may be extended by the regional board. An extension of 30 days may be granted by the executive officer. Longer extensions may be granted by the regional board itself. (California Code of Regulations, Title, 23, Section 2232.)

STATE OF CALIFORNIA  
CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
LOS ANGELES REGION

MONITORING AND REPORTING PROGRAM (CI-2181)  
FOR  
Penrose, LLC  
PENROSE LANDFILL

This Monitoring and Reporting Program (MRP) for Penrose, LLC (Discharger) for the Penrose Landfill (Landfill) is issued pursuant to California Water Code (CWC) section 13267(b), and is incorporated by reference into Los Angeles Region (Regional Board) Order No. R4-2015-0203 (Order). The Discharger shall begin implementing this MRP following the adoption of the Order.

**I. REQUIRED REPORTS AND CONTINGENCY RESPONSE**

**A. GENERAL REQUIREMENTS FOR REPORT SUBMITTAL**

1. **Schedule:** The Discharger shall submit all regular reports required in this MRP to this Regional Board in accordance with the following schedule:

| <u>Report</u>  | <u>Date due to the Regional Board</u> |
|--|---------------------------------------|
| First Semi-Annual Report<br>(for the period from January 1 to June 30)   | August 15                             |
| Second Semi-Annual Report<br>(for the period from July 1 to December 31) | February 15                           |

The Compliance Index number (**CI-2181**), as well as the period that the report covers, shall be clearly displayed on the cover page of each report.

2. **Transmittal Letter** - A letter transmitting the essential points shall accompany each report. Such a letter shall include a discussion of any violations found since the last such report was submitted, and shall describe actions taken or planned for correcting those violations. If the Discharger has previously submitted a time schedule for correcting said violations, a reference to the correspondence transmitting such schedule will be satisfactory. If no violations have occurred since the last submittal, this shall be stated in the transmittal letter.
3. **Signature, certification, and perjury statement requirements:** All letters transmitting monitoring reports shall follow the signature, certification, and perjury statement requirements provided in Section G.7 of the Order.
4. **Electronic Data Submittal** - The Discharger shall submit all scheduled reports required in the Order and this MRP electronically, in accordance with 23 CCR section 3890 et. seq., or as directed by the Regional Board Executive Officer. Until directed otherwise by the Regional Board Executive Officer, all reports shall be submitted to the State Board GeoTracker data system in searchable Portable Document Format (PDF) files (Geotracker Global ID. L10009967534). In addition, all groundwater analytical data and monitoring well locations shall be submitted to GeoTracker in Electronic Deliverable Format (EDF). Documents that cannot be conveniently reviewed in electronic format,

October 8, 2015