

State of California
CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD, LOS ANGELES REGION

ORDER NO. 91-93

GENERAL WASTE DISCHARGE REQUIREMENTS
FOR
DISCHARGE OF NON-HAZARDOUS CONTAMINATED SOILS AND OTHER WASTES
IN LOS ANGELES RIVER AND SANTA CLARA RIVER BASINS
(File No. 88-57)

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

1. The California Water Code requires that any person discharging wastes or proposing to discharge waste which could affect the quality of the waters of the state shall file a Report of Waste Discharge with the Regional Board. The Regional Board then shall prescribe requirements as to the nature of the proposed or existing discharge.
2. Soils contaminated with moderate concentrations of petroleum hydrocarbons, heavy metals and other special wastes are considered to be wastes whose discharge could affect the quality of the waters of the State.
3. Land disposal of these wastes to properly engineered and managed Class III Waste Management Units (Landfills) is proving to be an efficient and economical means of mitigating the effects of such contaminated waste. The threat to waters of the State is thereby eliminated or reduced to non-significant levels.
4. Each month this Board receives a large number of requests for the disposal of soils contaminated with hydrocarbons and other waste. For each such request, staff has to determine the concentration of the significant contaminants/pollutants in the waste, the regulatory limits, if any, for the contaminants/pollutants, and the potential impact on the waters of the State from the disposal of the waste. 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 requests for disposal of these moderately contaminated wastes.

June 12, 1991

General Waste Discharge Requirements
Discharge of Non-Hazardous Contaminated Soils

File No. 88-57

5. The adoption of general waste discharge requirements for the disposal of these non-hazardous contaminated soils and other similar wastes would: a) simplify the application process for dischargers, b) allow more efficient use of Regional Board staff time; and c) reduce Regional Board time by enabling the Executive Officer to notify the discharger of the applicability of the General Waste Discharge Requirements.
6. These general waste discharge requirements for the disposal of non-hazardous contaminated soils and other similar waste up to 100,000 cubic yards for durations not to exceed 90 days under direction of the Executive Officer would benefit the public, staff, and the Board by accelerating the review process without loss of regulatory jurisdiction and oversight.
7. The Board adopted revised Water Quality Control Plans for the Santa Clara River and Los Angeles River Basins on October 22, 1990 and June 3, 1991, respectively. These Water Quality Control Plans contain water quality objectives for ground water for all Hydrologic Subareas within the Region. The requirements contained in this Order, as they are met, will be in conformance with the goals of the Water Quality Control Plans.
8. Beneficial uses of ground water in the Los Angeles Region include municipal and domestic supply, agricultural supply, industrial process supply, and ground water recharge. Beneficial uses for individual Hydrologic Subareas are specified in the Water Quality Control Plans.
9. The Class III Landfill disposal is a one time, short term disposal, and is not anticipated to require in excess of 90 days to complete at which time these requirements will expire.
10. The issuance of Waste Discharge Requirements for the discharges subject to these general requirements is exempt from the provisions of Chapter 3, (commencing with Section 21100) of Division 13, of the Public Resources Code pursuant to one or more of the following provisions:

**General Waste Discharge Requirements
Discharge of Non-Hazardous Contaminated Soils**

File No. 88-57

(a) The lead agency has prepared an Environmental Impact Report or a negative declaration based on findings pursuant to California Code of Regulations, Title 14, Chapter 3, Section 15070 which show that there will be no significant impact on water quality; or

(b) The project would affect a minor alteration to the condition of land, and is exempt in accordance with Title 14, Chapter 3, Section 15304, California Code of Regulations.

11. These general waste discharge requirements are not intended to alter or supersede any existing restrictions or working arrangements relating to cleanup cases with local governmental agencies.

The Board has notified interested agencies and persons of its intent to adopt general waste discharge requirements for disposal of hydrocarbon contaminated soils and other similar wastes and has provides them with an opportunity to submit their written views and recommendations.

The Board in a public meeting heard and considered all comments pertaining to the tentative requirements.

IT IS HEREBY ORDERED THAT:

A. APPLICABILITY

1. This Order shall serve as General Waste Discharge Requirements for the discharge of non-hazardous contaminated soil and other similar wastes to properly engineered and managed Waste Management Units.
2. Upon receipt of a Report Waste Discharge describing such discharge, the Executive Officer shall determine if such discharge, a) involves 100,000 cubic yards or less of hydrocarbon contaminated soil and/or other similar waste, b) involves contaminated soils and/or other similar wastes at acceptable levels as determined by the Executive Officer, but total petroleum hydrocarbons (TPH) shall not exceed an average concentration of 1,000 mg/kg, c) will be completed within 90 days, and d) is covered by adequate soil characterization of the nature and extent of the soil contamination, and e) the threat to ground water from such soil and/or other waste discharge is reduced to non-significant levels.

**General Waste Discharge Requirements
Discharge of Non-Hazardous Contaminated Soils**

File No. 88-57

In the event the Executive Officer so finds, he shall notify the applicant (hereinafter called the Discharger) in writing that the proposed discharge is subject to this Order.

3. Notwithstanding the above provisions, individual cases may be brought to the Board for adoption of waste discharge requirements when deemed appropriate by the Executive Officer.

B. WASTE DISCHARGE REQUIREMENTS

1. No condition of pollution or nuisance shall be caused by the handling of the wastes or from any excavation operation conducted in association with this waste disposal operation.
2. Odors from the handling of these wastes shall not be perceivable beyond the limits of the property owned or controlled by the discharger.
3. All required state and local permits and/or variances shall be obtained by the discharger prior to commencing the disposal operations.
4. The discharge and disposal of waste shall be in conformance with Title 23, Division 3, Chapter 15, California Code of Regulations "Discharge of Waste to Land".
5. Wastes discharged shall be limited to material obtained from one site only; no other wastes shall be imported and/or commingled with those wastes.
6. Wastes may be discharged at a classified Waste Management Unit in the Los Angeles Region, provided the analyses are representative of the entire volume of material and with the concurrence of the site operator.
7. Waste discharged or reclaimed for reuse as soil backfill shall not contain any substance in concentrations toxic to human, animal, plant, or aquatic life.

General Waste Discharge Requirements
Discharge of Non-Hazardous Contaminated Soils

File No. 88-57

8. The discharge of wastes shall be to a legal point of disposal or to a site approved by the Executive Officer and in accordance with the provisions of Division 7.5 of the Water Code. For the purposes of these requirements, a legal disposal site is one for which requirements have been established by a California Regional Water Quality Control Board and which is in compliance therewith.

C. PROVISIONS

1. A copy of these requirements shall be maintained by the discharger at the proposed site and be available at all times to operating personnel.
2. In the event the discharger is unable to comply with any of the conditions of this Order due to:
 - (a) Breakdown of waste disposal equipment,
 - (b) Accidents caused by human error or negligence,
 - (c) Other causes such as acts of nature,
 - (d) Facility operations

The discharger must notify this Board by telephone within 24 hours of the incident and confirm it in writing within one week of the telephone notification.

3. In accordance with Section 13260 of the California Water Code, the discharger shall file a report of material change with this Regional Board of any material change in the character, location or volume of the discharge.
4. 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 premises where a regulated facility or activity is located or conducted, or where records are kept under the conditions of this Order;

General Waste Discharge Requirements
Discharge of Non-Hazardous Contaminated Soils

File No. 88-57

- (b) Have access to, and copy at reasonable times, any records that are kept under the conditions of this Order;
 - (c) Inspect, at reasonable times, any facility, equipment (including monitoring and control equipment), practices, or operations regulated or required under this Order; and
 - (d) To photograph, sample, or monitor, at reasonable times, for the purpose of assuring compliance with this Order, or as otherwise authorized by the California Water Code.
5. In accordance with Section 13263 of the Water Code, these waste discharge requirements are subject to periodic review and revision by this Regional Board.
6. These requirements do not exempt the discharger from compliance with any other laws, regulations, or ordinances which may be applicable, they do not legalize this soil disposal or similar waste and they leave unaffected any further restraints on those facilities which may be contained in other status or contained by other regulatory agencies.

D. EXPIRATION

These Waste Discharge Requirements regulating a specific short term soil or similar waste discharge expire 90 days after the Executive Officer has determined this Order is applicable to the specific project.

I, Robert P. Ghirelli, Executive Officer, do hereby 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 July 22, 1991.



ROBERT P. GHIRELLI, D.Env.
Executive Officer