

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

ORDER NO. 90-148

GENERAL WASTE DISCHARGE REQUIREMENTS
FOR
LAND TREATMENT OF PETROLEUM HYDROCARBON CONTAMINATED SOIL
IN LOS ANGELES AND SANTA CLARA RIVER BASINS
(FILE NO. 90-60)

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

1. Soils contaminated with high concentrations of petroleum hydrocarbon, where identified and left unmitigated, are considered to be a discharge of waste that could affect the quality of the waters of the State, as defined in Section 13260 of the California Water Code.
2. Land treatment of these soils is proving to be an efficient and economical means of mitigating the effects of such hydrocarbon contamination. The threat to waters of the State is thereby eliminated or reduced to non-significant levels of contamination and the soil rendered suitable for reclamation and reuse. Such land treatment operations involve the discharge to land of petroleum hydrocarbon contaminated soil.
3. Section 2532(b)(5) of Chapter 15, Division 3, Title 23 of the California Code of Regulations, requires that Regional Boards shall specify in Waste Discharge Requirements, the elements of land treatment programs by dischargers who treat or dispose of wastes in land treatment waste management units.
4. Each month this Board receives a large number of Reports of Waste Discharge for the land treatment of hydrocarbon contaminated soils. Such requests far exceed the capacity of staff to review and bring to the Board for adoption, individual waste discharge requirements. These circumstances create the need for an expedited system for processing the numerous requests.

Revised October 22, 1990

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5. The adoption of general waste discharge requirements would 1) simplify the application process for dischargers, 2) free up staff for higher priority work, and 3) reduce Board time involved by enabling the Executive Officer to notify the discharger, in appropriate cases, of the applicability of the general requirements adopted by the Regional Board. The vast majority of these discharges is characterized by low volume, short term discharges to land primarily for the purpose of allowing reuse of the soil during site cleanup and development.
6. These general waste discharge requirements for land treatment of up to 100,000 cubic yards of petroleum hydrocarbon contaminated soil for durations not exceeding 365 days under the direction of the Executive Officer, would benefit the public, staff and the Board through a streamlined process without loss of significant regulatory oversight.
7. The Board adopted revised Water Quality Control Plans for Santa Clara River Basin and Los Angeles River Basin on April 27, 1978 and November 27, 1978, 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 these Water Quality Control Plans.
8. All ground waters in both the Los Angeles and Santa Clara River Basins have beneficial uses which include municipal and domestic supply, agricultural supply, industrial process supply, and groundwater recharge.
9. The waste discharge requirements contained in this order would regulate such land treatment programs in accordance with Title 23, Division 3, Chapter 15, of the California Code of Regulations.
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:
(1) The lead agency has prepared a negative declaration

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

11. This land treatment operation is a one time, short term process, and is not anticipated to require in excess of 365 days to complete at which time these requirements will expire.
12. These general waste discharge requirements are not intended to alter any existing working arrangements relating to cleanup cases with local governmental agencies.

The Board has notified the interested agencies and persons of its intent to adopt general waste discharge requirements for land treatment projects and has provided 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. This Order shall serve as General Waste Discharge Requirements for the temporary discharge of petroleum hydrocarbon contaminated soil to an on-site land treatment facility for land treatment processing of the soil. Upon receipt of a Report of Waste Discharge describing such a discharge, the Executive Officer shall determine if such discharge 1) involves 100,000 cubic yards or less of contaminated soil to be land treated, 2) involves a process that will bioremediate the contaminated soil to acceptable levels as determined by the Executive Officer, but not exceeding 1000 ppm, 3) will be completed within 365 days, and 4) is covered by adequate site assessment which characterizes the nature and extent of the soil contamination including sufficient water quality data, collected under the direction of an appropriate regulatory

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agency, to determine the impact on ground water resulting from such soil contamination. In the event the Executive Officer so finds, he shall notify the applicant (hereinafter called the Discharger) in writing that the proposed land treatment operation is subject to this Order.

Notwithstanding the provisions of the above paragraph, appropriate cases may be brought to the Board for adoption of individual requirements when the Executive Officer deems it desirable or necessary to do so.

B. The operation of any temporary land treatment facility shall be in conformance with Title 23, Division 3, Chapter 15, of the California Code of Regulations, "Discharge of Waste To Land", including but not limited to Sections 2510; 2532(b-5); 2549; 2550; 2580; 2584; 2590 and the following special provisions:

1. Wastes discharged on-site for biodegradation by a land treatment process shall be limited to hydrocarbon contaminated soil found on site. No other waste material shall be imported for land treatment on-site. The land treatment process, which includes water, nutrients and bacterial addition to soil along with soil aeration in the treatment zone, shall be conducted in such a way that no contaminants are added to surface water or ground waters.
2. For any proposed development on-site during the land treatment, closure and post-closure period, as defined in Title 23, Division 3, Chapter 15 of the California Code of Regulations, the discharger shall submit to this Board, written notification of such development.
3. During the land treatment operations, surface runoff from the drainage area tributary to this site shall be prevented from passing over or percolating through the treatment zone. Adequate facilities shall be provided to divert all surface runoff from storms away from the treatment area.
4. The treatment zone shall be bermed in such a way that storm water falling directly on the treatment zone will be contained. Standing water within the contained treatment zone shall be pumped down immediately and

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removed to treatment facilities on site or disposed of at a legal disposal site. For the purpose of this requirement, a legal point of disposal is defined as one for which waste discharge requirements have been established by a California Regional Water Quality Control Board, and which is in full compliance therewith.

5. No condition of pollution or nuisance shall be caused by the handling, treatment or reuse of the wastes or from any excavation operation conducted in association with this land treatment operation.
6. Odors from the handling, treatment or reuse of these wastes shall not be perceivable beyond the limits of the property owned or controlled by the discharger. The discharger shall demonstrate, to the satisfaction of the Executive Officer, a positive method for odor control, prior to beginning a full-scale land treatment operation.
7. All required state and local health department permits and/or variances and air quality permits and/or variances shall be obtained by the discharger prior to commencing the land treatment operation.
8. During full-scale operation of the land treatment operation, a sampling and analysis program shall be implemented, in accordance with a Monitoring and Reporting program prescribed by the Executive Officer, to verify that complete degradation and transformation of the petroleum hydrocarbon is occurring to levels approved by the Executive Officer. Reporting of this data shall comply with the Monitoring and Reporting Section of this Order.
9. Maximum land treatment zone thickness shall not exceed 18 inches or the maximum depth of penetration of the aeration equipment, whichever is less, except with prior written approval of the Executive Officer.

C. The following General Provisions Shall Apply:

1. A copy of these requirements shall be maintained at the discharge facility and be available at all times to operating personnel.

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2. In the event of any change in name, ownership, or control of these land treatment facilities, the discharger shall notify this Board in writing and shall notify the succeeding owner or operator of the existence of this Order by letter, a copy of which shall be forwarded to the Board.
3. In the event the discharger is unable to comply with any of the conditions of this Order due to:
 - (a) Breakdown of waste treatment 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.

4. In accordance with Section 13260 of the California Water Code, the discharger shall file a report with this Regional Board of any material change or proposed change in the character, location or volume of the discharge.
5. In accordance with Section 13267 of the California Water Code, 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.
6. Wastes discharged or reclaimed for reuse as soil backfill shall not contain any substance in concentrations toxic to human, animal, plant, or aquatic life.
7. Any off-site disposal of wastes shall be to a legal point of disposal and in accordance with the provisions of Division 7.5 of the Water Code. A legal point of disposal is defined in item A4 above.

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8. The Regional Board and other authorized representative shall be allowed:

- (a) Entry upon premises where a regulated facility or activity is located or conducted, or where records are kept under the conditions of this Order;
- (b) Access to copy any records that are kept under the conditions of this Order;
- (c) To inspect any facility, equipment (including monitoring and control equipment), practices, or operations regulated or required under this Order; and
- (d) To photograph, sample, and monitor for the purpose of assuring compliance with this Order, or as otherwise authorized by the California Water Code.

9. Following completion of the land treatment program on site, the discharger shall, implement a land treatment facility closure plan, which complies with the requirements of Article 8, Chapter 15, Division 3, Title 23, of the California Code of Regulations. As a minimum the plan shall include but not be limited to the following:

- (a) continue all operations necessary to maximize degradation of waste constituents within the treatment zone,
- (b) continue all ground water and unsaturated zone monitoring,
- (c) continue all operations in the treatment zone to prevent runoff from the site containing waste constituents, and
- (d) maintain the precipitation and drainage control systems.

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10. In accordance with Section 13263 of the Water Code, these waste discharge requirements are subject to periodic review and revision by this Regional Board.
 11. These requirements do not exempt the discharger from compliance with any other laws, regulations, or ordinances which may be applicable, they do not legalize these land treatment and disposal facilities and they leave unaffected any further restraints on those facilities which may be contained in other statutes or required by other regulatory agencies.
 12. An appropriate Health and Safety Plan for all assessment and mitigation activities at the site shall be filed with this Board prior to commencing any land treatment activities.
- E. The attached Monitoring and Reporting Program is made a requirement of the order.
- F. The Waste Discharge Requirements regulating a specific short term land treatment expire 365 days after the Executive Officer has determined the applicability of this Order 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 October 22, 1990.



ROBERT P. GHIRELLI, D.Env.
Executive Officer