CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION

ORDER R2-2025-0018

UPDATED WASTE DISCHARGE REQUIREMENTS AND TERMINATION OF ORDER R2-2004-0029 FOR:

EAST CANYON HOLDINGS, LLC
EAST CANYON LANDFILL
BENICIA, SOLANO COUNTY

FINDINGS

The California Regional Water Quality Control Board, San Francisco Bay Region, (Regional Water Board) finds that:

FACILITY

1. The East Canyon Landfill (Site or Landfill) is a closed, unlined, Class III landfill that is currently owned and maintained by East Canyon Holdings, LLC (Discharger). The Landfill was historically considered part of the former Braito Landfill, which was also known as the "Solano County Sanitary Landfill." The Landfill is currently being used as an open space park by the City of Benicia and covers approximately 12.5 acres of land located north of Interstate 780 off the Columbus Parkway exit, 400 feet east of the terminus of Palace Court (see Figures 1 and 2).

2. The Landfill is situated in a westward-draining canyon, referred to as the East Canyon. An unnamed creek with intermittent flow drains the East Canyon and flows to Southampton Bay located about one mile to the south. Single-family homes within the Southampton residential development overlook the Landfill on three sides. Single-family homes are also located several hundred feet downhill from the mouth of the canyon along Palace Court.

PURPOSE OF ORDER

3. The primary objectives of this Order are to:

    a. Terminate the self-monitoring program requiring groundwater, leachate, and surface water sampling;

    b. Require financial assurance for post-closure monitoring and maintenance; and

    c. Update the Landfill's Waste Discharge Requirements (WDRs), which were most previously prescribed via Order R2-2004-0029 (2004 WDRs Order).

REGULATORY FRAMEWORK

4. Pursuant to Water Code section 13263, subdivision (a), the Regional Water Board is authorized to "prescribe [WDRs] as to the nature of any … existing discharge … with relation to the conditions existing in the disposal area…."

5. California Code of Regulations, title 27, section 20005 et seq. (Title 27) additionally sets forth prescriptive standards for the regulation of landfills, surface impoundments, and other waste management units (WMUs) that receive nonhazardous solid waste. These standards, which must be incorporated in WDRs,[1] extend to WMU siting, construction, operation, closure, post-closure maintenance, monitoring and financial assurances. However, Title 27 standards do not apply prescriptively to WMUs that were "closed, abandoned, or inactive on or before November 27, 1984." (Title 27, § 20080, subd. (g).) Such WMUs are commonly referred to as "CAI Units."

6. In this case, the Landfill, which was closed and inactive prior to 1984, is considered a "CAI Unit" and therefore exempt from Title 27 prescriptive standards. Nevertheless, the Regional Water Board retains its authority to impose certain Title 27 standards on a discretionary basis under Water Code section 13263.

SITE AND REGULATORY HISTORY

7. From 1950 through 1977, Mr. Urban J. Braito owned and operated the Solano County Sanitary Landfill, which included two canyon-fill areas known as the "East Canyon" and the "North Canyon." In 1977, a new ownership group ("Southampton Group") purchased the property containing the East and North Canyon fill areas from Mr. Braito, and thereafter began construction of the Southampton residential development, which consisted primarily of single-family homes. Although the Landfill was closed to the public in September 1978, Mr. Braito retained rights to operate the Landfill on a reduced basis through June 1979. After acquiring the Solano County Sanitary Landfill from Mr. Braito in 1977, the Southampton, et al. group began construction of the Southampton residential development, which consisted primarily of single-family homes.

8. The Landfill was officially closed in 1981. A final cover consisting of at least three feet of compacted soil was placed in accordance with the 1979 closure plan. Groundwater and leachate monitoring began in 1987.

9. On April 1, 2003, East Canyon Holdings, LLC (Discharger) became the legal owner and operator of the East Canyon property (Landfill). The City of Benicia remains contractually responsible for maintaining site access and perimeter fencing related to the Landfill's use as an open space park.

[1] Because Title 27 standards are prescriptive, the Board lacks discretion to forgo imposing them.

10. Table 1 summarizes the history and status of all Regional Water Board orders affecting the East Canyon Landfill.

Table 1. Previously Adopted Regional Water Board Orders

Order	Date	Purpose	Status
75-036	6/17/75	WDRs for Operation of Solano County Sanitary Landfill	Rescinded by Order 79-146
78-003	2/10/78	Cleanup and Abatement Order (CAO) for silt and sediment discharges from “Southampton” residential development project	Rescinded by Order R2-2004-0029
78-009	5/10/78	CAO amending Order 78-003 for silt and sediment discharges from “Southampton” residential development project	Rescinded by Order 78-017
78-017	9/11/78	CAO amending Order 78-003 for silt and sediment discharges from “Southampton” residential development project; rescinds Order 78-009	Rescinded by Order R2-2004-0029
78-039	6/20/78	WDRs for silt and sediment discharges for “Southampton” residential development project; specifies erosion control measures	Rescinded by Order R2-2004-0029
79-146	10/16/79	WDRs for closure of Solano County Sanitary Landfill, including North Canyon and East Canyon fill areas; Rescinds Order 75-036	Rescinded by Order 86-096
86-003	3/6/86	CAO for leachate discharges to creek; requires correction of future leachate buildup and discharge problems	Rescinded by Order 86-096
86-006	6/16/86	Administrative Civil Liability for leachate discharges in violation of Orders 79-146 and 86-003	Settled June 30, 1986
86-096	12/7/86	WDRs for post-closure maintenance and monitoring of East Canyon Landfill according to the 1986 ROWD and new landfill regulations; Rescinds Order 79-146 and 86-003	Rescinded by Order R2-2004-0029

Order	Date	Purpose	Status
95-081	4/19/95	WDRs to amend Order 86-096 and reflect changes in containment measures, monitoring programs, and information from recent investigations	Rescinded by Order R2-2004-0029
95-227	12/7/95	CAO for removal of waste in "South Swale" area of the East Canyon Landfill, discovered during installation of gas probes	Rescinded by Order R2-2004-0029
R2-2004-0029	5/19/04	WDRs to rescind Orders 78-017, 78-039, 86-096, 95-081, and 95-227, update ownership information and the self-monitoring program	Terminated by this Order

11. Semiannual stormwater sampling at the Landfill was previously required under the State Water Resources Control Board's (State Water Board) General Permit for Storm Water Discharges Associated with Industrial Activities, NPDES Permit CAS000001 (Industrial General Permit or IGP). Stormwater was sampled at a single location designated "SWO," which is located at the outlet of the stormwater discharge pipe just upstream of surface water sampling point "CRD-3" shown on Figure 2. At the Discharger's request,[2] on October 6, 2015, the Regional Water Board terminated the Landfill's permit coverage under the Industrial General Permit.

12. On May 15, 2020, the Discharger requested the rescission of the 2004 WDRs Order. However, in a letter dated October 23, 2020, the Regional Water Board responded that a rescission of WDRs was inappropriate at that time primarily due to a detection of diesel-range petroleum hydrocarbons (TPH-d) in the creek at sampling location CRD-3 in 2019 (see Figure 2). All surface water monitoring samples collected before and after the 2019 monitoring event were non-detect for TPH-d, indicating it was an anomalous detection.

13. On December 19, 2024, the Discharger requested Revised WDRs authorizing the discontinuance of groundwater, leachate, and surface water sampling, analysis, and reporting, as concentrations have been stable to decreasing over the last 30 years of monitoring. The Discharger proposes a prohibition on future land uses and activities that could disturb the final cover and/or the underlying waste, and continuing the existing lease agreement with the City of Benicia for maintaining the Site as an open space and continued passive collection of landfill leachate at the base of the toe berm for discharge to the City of Benicia's sanitary sewer system. Appendix A of the Request includes a Post-Closure Maintenance Plan detailing continued perimeter landfill gas monitoring and reporting to the LEA, as well as monitoring and maintenance of the final cover.

[2] Unless otherwise specified, all of the Discharger's requests were made through its consultant, TRC.

GEOLOGY AND HYDROGEOLOGY

14. The Landfill is located north of the Carquinez Strait, in a westward draining canyon of the Coast Range physiographic province. East Canyon drains to North Canyon and into Southampton Bay, which is located approximately one mile south of the site. The Landfill is underlain by a relatively thin layer of alluvial sediments, which overlay the upper Cretaceous Panoche Formation. Alluvial sediments in East Canyon typically range from 0 to 25 feet in thickness and are comprised of clayey sands derived from the weathering of the underlying Panoche Formation. The underlying Panoche Formation is comprised of interbedded fine-grained sandstone and shale. The upper 5 to 15 feet of the formation is heavily weathered and highly fractured, with larger fractures exhibiting clay infilling. There are no faults mapped at the Site. The nearest active fault is the Green Valley Fault, which is located approximately three miles to the east.

15. Groundwater beneath the Landfill is first encountered between about 8 and 45 feet below the ground surface (bgs) and occurs within three zones, from top to bottom: (1) alluvial soils, (2) heavily weathered bedrock underlying the alluvial soils, and (3) fractured, moderately weathered bedrock underlying the heavily weathered bedrock. The general groundwater flow direction parallels the axis of the canyon with a hydraulic gradient of approximately 0.05 and a flow rate of approximately 130 feet per year.

16. Springs located upgradient from the landfill discharge into two ponds, North Pond and East Pond, also located upgradient of the landfill (see Figures 2 and 3). The springs appear to flow continually throughout the year. Surface runoff from the North and East Pond areas was diverted to the unnamed creek at the base of the toe berm, on the downgradient side of the Landfill. Landfill surface runoff drains to a v--ditch along the Landfill perimeter, which ultimately discharges into the unnamed creek downstream from the Landfill.

MONITORING PROGRAMS

17. Surface Water: Surface water was previously monitored at two upgradient locations (at the upstream ends of the North and East Pond discharge pipes) and two downgradient locations (at the unnamed creek and a downstream storm drain), as shown in Figure 2. Impacts to surface water quality from the Landfill were evaluated by comparing analytical results at upgradient and downgradient locations.

18. Groundwater: Seven groundwater monitoring wells were previously sampled annually (see Figure 2 and Finding 8). Four of the monitoring wells were constructed as pairs such that each pair monitors both the upper alluvium and lower fractured bedrock zones at the same location.

19. Leachate: Five leachate monitoring wells were previously sampled annually (see Figure 2 and Finding 8). A leachate collection and recovery system, consisting of a low-permeability toe berm keyed into native soil, is constructed at the base of the

landfill across the western end of the canyon. Leachate is collected at the toe of the landfill via two 4-inch drainpipes and discharged to the City of Benicia sewer system. The discharge to the City's sewer system was sampled at location L-1 (see Figure 2).

20. Landfill Gas: The current landfill gas monitoring network consists of 20 probes (see Figure 2) located between the Landfill and the surrounding residential areas that are monitored quarterly. Methane has generally not been detected in these probes, although low concentrations (well below the lower explosive and regulatory reporting limits for methane) have occasionally been reported. The results indicate that methane gas is not migrating off site. Landfill gas monitoring continues to be required by the LEA.

WATER QUALITY IMPACTS

21. Surface Water: Over 30 years of surface water monitoring events indicate that no downgradient impacts to surface water from the Landfill have been observed with the exception of the anomalous TPH-d detection in 2019, as noted in Finding 12 above. At this time, Regional Water Board staff have determined that surface water monitoring is no longer necessary under the circumstances. Accordingly, this Order no longer requires the Discharger to conduct surface water sampling and analysis.

22. Leachate: Diesel-range petroleum hydrocarbons (TPH-d) and iron have been detected in leachate monitoring wells L-1, GR-2R, GR-4, GR-7, GR-8, and GR-10 (see Figure 2) above established concentration limits. Concentrations of TPH-d are compared to proposed concentration limits (PCLs) of 100 parts per billion (ppb), and iron concentrations are compared to the secondary maximum contaminant level (MCL) of 300 ppb. Over the last 30 years of monitoring, concentrations of TPH-d have ranged from 200 – 2,600 ppb, and iron ranged from 6,560 – 21,600 ppb. Leachate is passively collected at the toe of the landfill via a drainpipe and discharged to the City of Benicia's sanitary sewer system for treatment.

    While concentrations of TPH-d and iron exceed their respective concentration limits in some wells, groundwater monitoring indicates that leachate does not pose a threat to groundwater quality. Regional Water Board staff have therefore determined that leachate monitoring is no longer necessary. Accordingly, this Order no longer requires the Discharger to conduct leachate sampling and analysis. Leachate will nevertheless be collected and treated as long as it continues to be generated.

23. Groundwater: Low levels of TPH-d have been detected in some groundwater monitoring wells, both in the shallow alluvium and weathered bedrock zones (wells E-5s, 5d, 6s, 7s, 7d, 8s, and E-10). Monitoring over the last 30 years showed that TPH-d concentrations in groundwater range from not detected to 140 ppb, slightly above the PCL of 100 ppb. Metals, including barium and iron, are also detected in some groundwater samples at concentrations below PCLs. Groundwater quality is stable and does not appear to be significantly impacted by the landfill. At this time,

Regional Water Board staff have determined that groundwater monitoring is no longer necessary under the circumstances. Accordingly, this Order no longer requires the Discharger to conduct groundwater sampling and analysis.

WATER QUALITY CONTROL PLAN AND BENEFICIAL USES OF WATER

24. WDRs are required to "implement any relevant water quality control plans that have been adopted, and shall take into consideration the beneficial uses to be protected…," as well as "the water quality objectives reasonably required for that purpose…." (Wat. Code, § 13263, subd. (a).)

Basin Plan

25. The Water Quality Control Plan for the San Francisco Bay Basin (Basin Plan) is the Regional Water Board's master water quality control planning document. It designates beneficial uses and water quality objectives for waters of the State, including surface waters and groundwater. It also includes programs of implementation to achieve water quality objectives. The Basin Plan was duly adopted and amended by the Regional Water Board and approved by the State Water Board, U.S. EPA, and the Office of Administrative Law where required.

Beneficial Uses of Groundwater

26. State Water Board Resolution 88-63 ("Sources of Drinking Water Policy") and Regional Water Board Resolution 89-39 define potential sources of drinking water to include all groundwater, with limited exceptions for areas containing high total dissolved solids or electrical conductivity, high background contaminant levels, low well yields, or specific energy-related uses. Based on the hydrogeologic characterization and water quality data for the site, groundwater underlying the site qualifies as a potential source of drinking water in accordance with Regional Water Board Resolution 89-39. Therefore, all of the above current and potential beneficial uses apply to groundwater beneath the site. However, as groundwater at the site occurs within low-yield alluvial sediments, sandstone, and shale, with measured permeability values of 10^{-7} to 10^{-3} cm/s, the landfill is an unlikely site for future water supply wells.

27. The Landfill is situated within the boundaries of the Suisun/Fairfield Valley Groundwater Basin, as defined in the Basin Plan. The existing and potential beneficial uses identified for groundwater in this basin, according to the Basin Plan, are:

    a. Municipal and Domestic Supply (MUN)

    b. Industrial Process Supply (PROC)

    c. Industrial Service Supply (IND)

d. Agricultural Supply (AGR)

Beneficial Uses of Surface Water

28. Existing or potential beneficial uses identified for surface water in the Carquinez Strait, the surface water body to which the unnamed creek ultimately flows, according to the Basin Plan, are:

    a. Ocean Commercial and Sport Fishing (COMM)

    b. Estuarine Habitat (EST)

    c. Industrial Water Supply (IND)

    d. Navigation (NAV)

    e. Preservation of Rare and Endangered Species (RARE)

    f. Water Contact Recreation (REC1)

    g. Non-Water Contact Recreation (REC2)

    h. Fish Migration (MIGR)

    i. Fish Spawning (SPWN)

    j. Wildlife Habitat (WILD)

COMPLIANCE WITH CALIFORNIA ENVIRONMENTAL QUALITY ACT

29. The issuance of this Order, which regulates an existing facility with no expansions in existing uses, is categorically exempt from the procedural requirements of the California Environmental Quality Act (CEQA) (Pub. Resources Code, § 21000 et seq.), in accordance with section 15301 of the CEQA Guidelines (Cal. Code Regs., tit. 14, § 15000 et seq.).

30. This Order is further exempt per CEQA Guidelines section 15304 (minor alterations to land), section 15306 (information collection), and section 15308 (protection of environment).

FINANCIAL ASSURANCES

31. Under Title 27, permittees are required to provide financial assurances of their ability to pay for landfill closure (§§ 22205, 22207) and post-closure maintenance and monitoring (§§ 22210, 22212). Such assurances are provided through the authorized mechanisms listed in Title 27, Division 2, Subdivision 1, Chapter 6, Subchapter 3 (§§ 22225 – 22254).

32. Although the Title 27 prescriptive standards do not apply to the Landfill as a "CAI Unit" (see findings above), in view of the continuing post-closure maintenance requirements, it is necessary and appropriate to also require the Discharger to demonstrate its ability to comply with those requirements. It is also necessary and appropriate to require the Discharger to provide financial assurances of its ability to fund any monitoring and maintenance needed for the WMU.

33. Section C.2 of the Landfill's prior WDRs (Order R2-2004-0029) required the Discharger to provide financial assurances for post-closure maintenance and corrective action. However, nothing was ever submitted. This Order continues to require such a demonstration for post-closure maintenance.

COMPLIANCE WITH ANTIDEGRADATION POLICY

34. The State Water Board established California's antidegradation policy through State Water Board Resolution 68-16, which requires that existing high-water quality be maintained unless degradation is justified based on specific findings. Adoption of this order will not result in lower water quality and complies with the antidegradation policy. It requires existing water quality in the vicinity of the landfill to be maintained; directs the continued operation of the groundwater containment system and maintenance of the landfill cap; and requires verification that degradation has not occurred through regular monitoring and inspections.

PUBLIC PARTICIPATION

35. In developing these WDRs, Regional Water Board staff have complied with Water Code section 189.7, subdivision (a)(1), which requires "equitable, culturally relevant community outreach to promote meaningful civil engagement from potentially impacted communities of proposed discharges of waste that may have disproportionate impacts on water quality in disadvantaged communities or tribal communities…."

36. Water Code section 13149.2, subdivision (d) requires that the Regional Water Board, "[w]hen issuing … individual WDRs … that regulate activity or a Facility that may impact a disadvantaged[3] or tribal community,[4] and that includes a time schedule in accordance with subdivision (c) of Section 13263 for achieving an applicable water quality objective, an alternative compliance path that allows time to come into compliance with water quality objectives, or a water quality variance…,"

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[3] For the purposes of this requirement, a "disadvantaged community" is defined as a "community in which the median household income is less than 80 percent of the statewide annual median household income level." (Wat. Code, § 13149.2, subd. (f)(1).)

[4] For the purposes of this requirement, a "tribal community" is defined as a "community within a federally recognized California Native American tribe or non-federally recognized Native American tribe on the contact list maintained by the Native American Heritage Commission for the purposes of Chapter 905 of the Statutes of 2004." (Wat. Code, § 13149.2, subd. (f)(2).)

must include finding(s) regarding "potential environmental justice,[5] tribal impact, and racial equity considerations" that are relevant to the permitting action. This Order does not incorporate a time schedule for compliance with applicable water quality objectives, or any of the other provisions described in Water Code section 13149.2, subdivision (d). Accordingly, no additional findings are necessary under section 13149.2.

37. The Regional Water Board has notified the Discharger and interested agencies and persons of its intent to update WDRs and has provided them with an opportunity to submit their written views and recommendations.

38. The Regional Water Board in a public meeting heard and considered all comments pertaining to the proposed WDRs for the Landfill.

39. 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 liability under Federal, State, or local laws, nor do they create a vested right for the Discharger to initiate or continue discharging waste.

REQUIREMENTS

IT IS HEREBY ORDERED, pursuant to Water Code sections 13263 and 13267, that R2-2004-0029 is terminated (except for enforcement purposes); and that the Discharger shall comply with the following requirements.

A. PROHIBITIONS

1. No additional waste shall be discharged to the WMU[6] or otherwise accepted at the Landfill property for disposal.[7]

2. Wastes in the WMU shall not be permitted to contact or remain in contact with ponded water or any other surface waters.

3. Waste in the WMU shall not be daylighted, exposed or relocated to any position where they can migrate from the Landfill to surface water or groundwater.

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[5] Water Code section 13149.2 incorporates the general definition of "environmental justice" in Public Resources Code section 30107.3, subdivision (a): "the fair treatment and meaningful involvement of people of all races, cultures, incomes, and national origins, with respect to the development, adoption, implementation, and enforcement of environmental laws, regulations, and policies." (Wat. Code, § 13149.2, subd. (f).)

[6] For purposes of this Order, the Waste Management Unit (WMU) is defined as the portion of the facility at which solid waste has been discharged, and including all waste containment features.

[7] This prohibition does not apply to the use of the Landfill property as open space.

4. Waste material shall not be relocated from the WMU without prior Regional Water Board written approval.

5. Any wastes related to historical disposal activities that are discovered outside the current boundary of the existing WMU shall be immediately removed.

6. The Discharger shall not damage the Landfill erosion-resistant layer of the final cover (i.e., cap) during vegetative growth control.

7. Leachate generated by the Landfill and collected in the passive collection system shall neither be returned to the WMU, nor discharged anywhere on the property other than into the City's sewer system for treatment, or alternatively, tanked and hauled offsite for disposal at a permitted wastewater treatment facility.

8. Waste in the Landfill's WMU shall not cause the following conditions to exist in groundwater or surface water at any place outside the Landfill property boundary:

    a. In Surface Waters:

        (1) Floating, suspended, or deposited macroscopic particulate matter or foam that may be detrimental for aquatic life;

        (2) Bottom deposits or aquatic growth that cause nuisance or adversely affect beneficial uses;

        (3) Adverse changes in temperature, turbidity, or apparent color beyond natural background levels;

        (4) Visible, floating, suspended, or deposited oil or other products of petroleum origin; or

        (5) Toxic or other deleterious substances to exist in concentrations or quantities that may cause deleterious effects on aquatic biota, wildlife, or waterfowl, or that render any of these unfit for human consumption either at levels created in the receiving waters, or as a results of biological concentrations.

    b. In Groundwater:

        (1) Degradation of groundwater quality; or

        (2) Significant migration of pollutants through subsurface transport

B. SPECIFICATIONS

1. The Discharger shall implement the Post-Closure Maintenance Plan dated January 1, 2025 (or subsequent revisions thereto approved in writing by the Executive Officer). The Discharger shall routinely provide monitoring and

maintenance of the landfill cover, drainage systems, perimeter landfill gas probes, and other waste containment structures.

2. Containment and collection of leachate shall continue as long as leachate is generated at the Landfill.

3. The Landfill property shall be protected from any washout or erosion of wastes from inundation which could occur as a result of a 100-year, 24-hour precipitation event, or as the result of flooding with a return frequency of 100 years.

4. The Discharger shall ensure devices for leachate collection and landfill gas monitoring shall be maintained to withstand conditions generated during the maximum probable earthquake.

5. The Landfill's existing final cover shall be maintained to maximize lateral runoff of precipitation and to prevent ponding/infiltration of water within the WMU footprint.

6. The Discharger shall maintain all devices installed in accordance with this Order, such that they continue to operate as intended without interruption.

7. The Discharger shall provide and maintain a minimum of two surveyed permanent monuments near the landfill from which the location and elevation of wastes, containment structures, and monitoring facilities can be determined throughout the operation and post-closure maintenance periods. These monuments shall be installed by a licensed land surveyor or registered civil engineer.

8. The Discharger shall notify the Regional Water Board immediately of any slope failure occurring within the Landfill property. Any such failure that threatens the integrity of the WMU's structures or waste containment/control features shall be promptly corrected after approval of the method and schedule by the Executive Officer.

C. PROVISIONS

1. **Financial Assurances:** The Discharger shall demonstrate its ability to fund post-closure maintenance activities in accordance with the provisions below, subject to Executive Officer approval.

    a. Financial assurances for post-closure maintenance activities shall be based on cost estimates contained in or derived from the operative Post-Closure Maintenance Plan dated January 1, 2025 (or subsequent revisions thereto approved in writing by the Executive Officer). At a minimum, cost estimates shall further account for: all post-closure monitoring activities (e.g., landfill gas sampling and analysis, as required by the LEA); maintenance, repair, and replacement of the Landfill WMU or any portion of its waste containment

system (e.g., final cover); and maintenance or repair of remaining monitoring systems.

b. No later than September 30, 2025, the Discharger shall develop a cost estimate for monitoring and maintenance of the Landfill WMU. This cost estimate shall accompany the Discharger's financial assurances demonstration for corrective action.

c. Financial assurances shall be demonstrated through mechanism(s) listed in Title 27, sections 22240 through 22254 (e.g., trust fund, letter of credit, financial means test, guarantee, etc.). Additionally, the Discharger's demonstration shall comply with all applicable requirements specified in Title 27, sections 22225 through 22237. The value of the mechanism(s) shall be at least equal to the current cost estimates for post-closure maintenance.

d. Updated financial assurances cost estimates[8] and demonstrations shall be submitted every five years, on September 30 of that year, for the remaining duration of the post-closure monitoring period. In particular, the Discharger shall submit a report that includes a description of the financial assurance mechanism(s) and supporting documentation evidencing the mechanism's existence.

COMPLIANCE DATE: September 30, 2025, then every five years thereafter

2. **Well Destruction Report**: Within 60 days of the destruction or decommissioning of any existing groundwater or leachate monitoring well, the Discharger shall submit, for Executive Officer approval, a technical report with well construction details and geologic boring logs.

COMPLIANCE DATE: 60 days following well destruction

3. **Earthquake Inspection**: In the event of a Significant Earthquake Event,[9] the Discharger shall:

a. Immediately notify the Regional Water Board;

b. Immediately (or as soon as it is safe to do so) visually inspect[10] the Landfill, including the final cover and leachate collection system; and

[8] Estimates shall be supported with calculations and an itemization of anticipated expenses.
[9] For purposes of this section, a "Significant Earthquake Event" is a seismic event that either:
(1) generates a ground shaking of moment magnitude 6.0 or greater, and occurring within 30 miles; or
(2) is capable of generating ground motions exceeding a site peak ground acceleration of 0.15g, and occurring within 60 miles.
[10] Any visually observed damage to the leachate collection and conveyance system, the final cover or other waste containment futures shall be immediately reported to the Executive Officer when such damage could potentially result in a release from the WMU to surface water or groundwater or any other unauthorized discharges.

c. Within six weeks of the event, submit, for Executive Officer approval, a detailed Post-Earthquake Inspection Report describing any potential impacts to containment and control features.

NOTIFICATION DUE: Immediately after qualifying earthquake
WRITTEN REPORT DUE: Within 6 weeks of earthquake

4. **Change in Landfill Conditions**: The Discharger shall immediately notify the Regional Water Board of any observed flooding, ponding, settlement, equipment failure, slope failure, exposure of waste, or other change in site conditions that could impair the integrity of the Landfill's final cover, waste or leachate containment facilities, and/or drainage control structures and shall immediately make repairs. Within 30 days of the observance, the Discharger shall submit, for Executive Officer approval, a technical report documenting all corrective measures taken.

   NOTIFICATION DUE: Immediately upon observation
   WRITTEN REPORT DUE: 30 days after initial notification

5. **Availability:** The Discharger shall maintain a copy of this Order, which shall be made available to all employees or contractors performing work (maintenance, monitoring, repair, construction, etc.) on the site.

6. **Change In Ownership**: 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 to a new Discharger. The notice shall include a written agreement between the existing Discharger and the 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 acknowledgment that the Discharger is liable for violations up to the transfer date and that the new owner is liable from the transfer date on. The request shall contain the requesting entity's full legal name and the address and phone number of the person responsible for contact with the Regional Water Board.

7. **Supplemental Reporting**: The Discharger shall promptly submit a supplemental report upon becoming aware of any inadvertent omission of relevant facts from a Report of Waste Discharge or from a technical report submitted under this Order.

8. **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, and adequate operator staffing and training.

9. **Reporting of Hazardous Substance Release**: If any hazardous substance is 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, the Discharger shall report such discharge to the Regional Water Board by calling (510) 622-2369. A written report shall be filed with the Regional Water Board within five working days. The report shall describe: the nature of the hazardous substance, estimated quantity involved, duration of incident, cause of release, estimated size of affected area, nature of effect, corrective actions taken or planned, schedule of corrective actions planned, and persons/agencies notified.

10. **Endangerment of Health or the Environment**: The Discharger shall report any noncompliance that may endanger health or the environment. Any such information shall be verbally provided to the Executive Officer, or an authorized representative, within 24 hours from the time the Discharger becomes aware of the circumstances. A written submission to the Regional Water Board shall also be provided within five days of the time a Discharger 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, 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.

11. **Document Distribution**: Copies of all correspondence, technical reports, and other documents pertaining to compliance with this Order shall be provided to the following agencies:

    a. San Francisco Bay Regional Water Quality Control Board;

    b. City of Benicia;

    c. Solano County Department of Environmental Management;

    d. CalRecycle; and

    e. Any other agencies, entities, or individuals identified by the Executive Officer.

ENFORCEMENT

If, in the opinion of the Executive Officer, the Dischargers fail to comply with the provisions of this Order, the Executive Officer may refer this matter to the Attorney General for judicial enforcement, may issue a complaint for administrative civil liability, or may take other enforcement actions. Failure to comply with this Order may result in the assessment of Administrative Civil Liability of up to $10,000 per violation, per day, depending on the violation, pursuant to the Water Code, including sections 13268, 13350, and 13385. The Regional Water Board reserves its right to take any enforcement actions authorized by law.

ADMINISTRATIVE REVIEW

Any person aggrieved by this Regional Water Board action may petition the State Water Board for review in accordance with Water Code section 13320 and California Code of Regulations, title 23, section 2050 et seq. To be timely, the petition must be received by the State Water Board by 5:00 pm on the 30th day after the date of this Order; if the 30th day falls on a Saturday, Sunday, or state holiday, the petition must be received by the State Water Board by 5:00 pm on the next business day. The law and regulations applicable to filing petitions are available on the State Water Board website (http://www.waterboards.ca.gov/public_notices/petitions/water_quality). Copies will also be provided upon request.

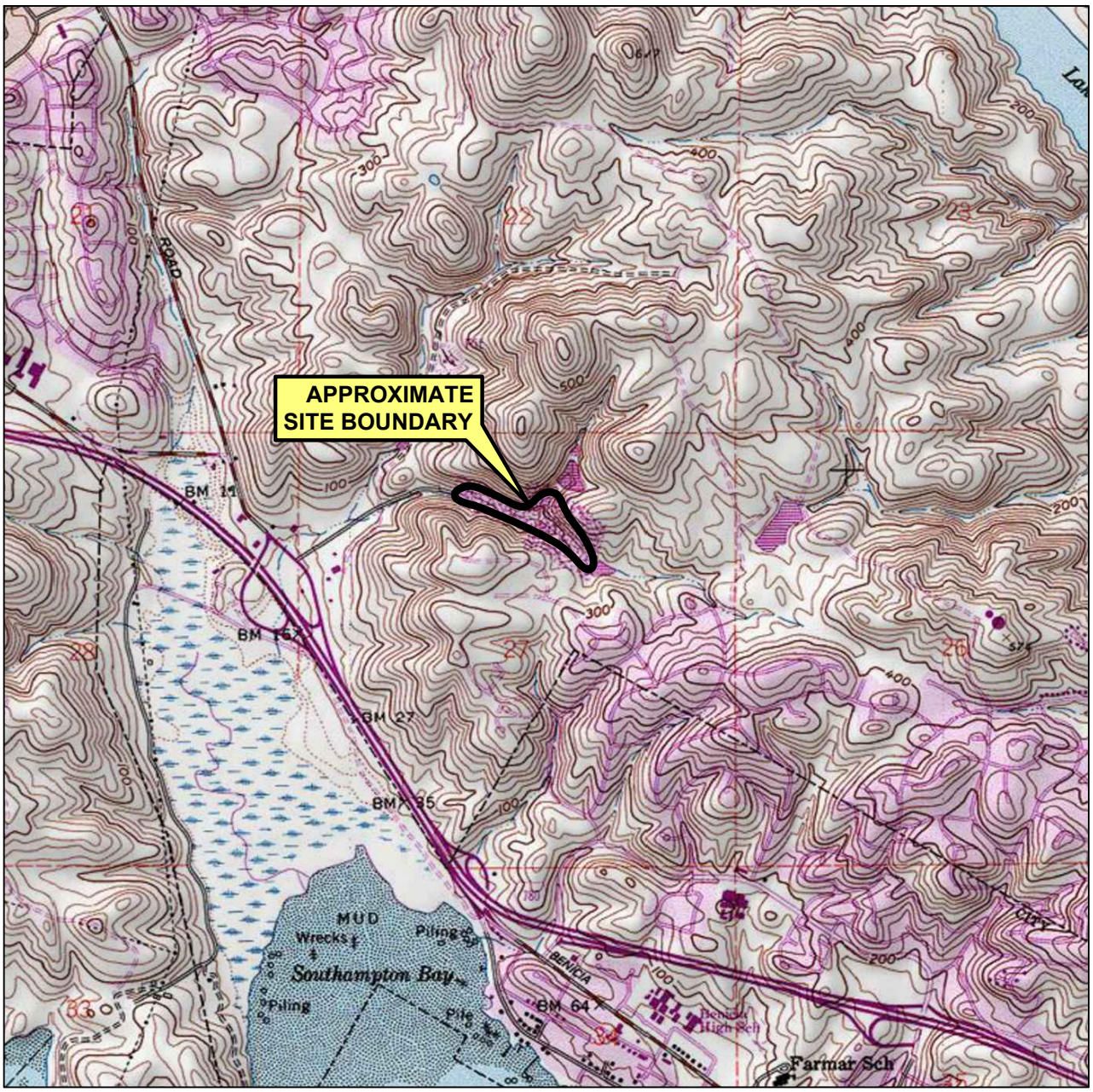
CERTIFICATION

I, Eileen M, White, Executive Officer, do hereby certify that the foregoing is a full, complete, and correct copy of an Order adopted by the California Regional Water Quality Control Board, San Francisco Bay Region, on June 11, 2025.

Eileen M. White

Eileen M. White, P.E.
Executive Officer

Attachments: Figure 1 - Vicinity Map
Figure 2 - Site Plan



1 MILE 3/4 1/2 1/4 0 1 MILE

SCALE 1 : 24,000

N

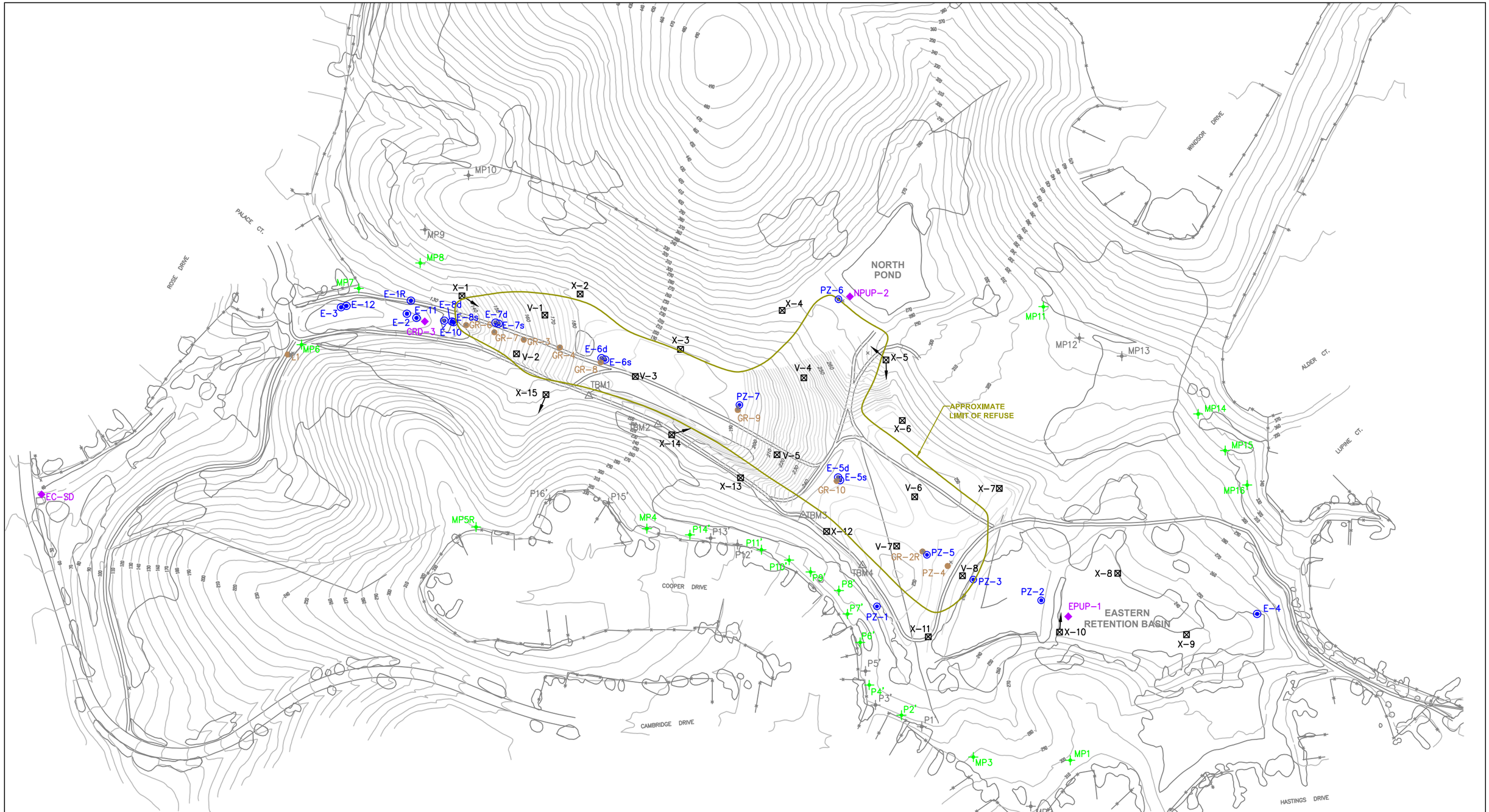
SOURCE:
United States Geological Survey
7.5 Minute Topographic Maps:
Benicia Quadrangle

VICINITY MAP

East Canyon Landfill
Benicia, California

TRC

FIGURE 1



LEGEND

- Landfill gas probe
- Landfill gas probe not currently monitored
- Leachate monitoring point
- Groundwater monitoring point
- Surface–water sample location
- Surface observation point (V=landfill; X=perimeter)
- Photographic observation point
- Permanent survey marker

SOURCE: Topographic survey by Ronald Greenwell and Associates, October 23, 2003.

N

SCALE (FEET)

0 300 600

SITE PLAN

East Canyon Landfill
Benicia, California

TRC

FIGURE 2