



# California Regional Water Quality Control Board

## Los Angeles Region



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January 30, 2002

Gary Haden, Director of Solid Waste  
Ventura Regional Sanitation District  
1001 Partridge Drive, Suite 150  
Ventura, CA 93003-5562

Dear Mr. Haden:

### WASTE DISCHARGE REQUIREMENTS – TOLAND ROAD LANDFILL (FILE NO. 69-091)

Reference is made to our letter dated January 11, 2002, which transmitted a copy of revised tentative waste discharge requirements for the subject site.

Pursuant to Division 7 of the California Water Code, this Regional Board at a public meeting held on January 24, 2002, reviewed the tentative requirements, considered all factors in the case, and adopted Order No. R4-2002-023 relative to the Toland Road Landfill. A copy of the order is attached.

All monitoring reports should be sent to the Regional Board, Attention: Information Technology Unit. Please reference all technical and monitoring reports for the Toland Road Landfill to our Compliance File No. CI-5644.

If you have any questions, please call me at (213) 620-6119, or Mr. Enrique Casas at (213) 620-2299.

*Rodney H. Nelson*

Rodney H. Nelson  
Senior Engineering Geologist  
Landfills Unit

cc: See mailing list

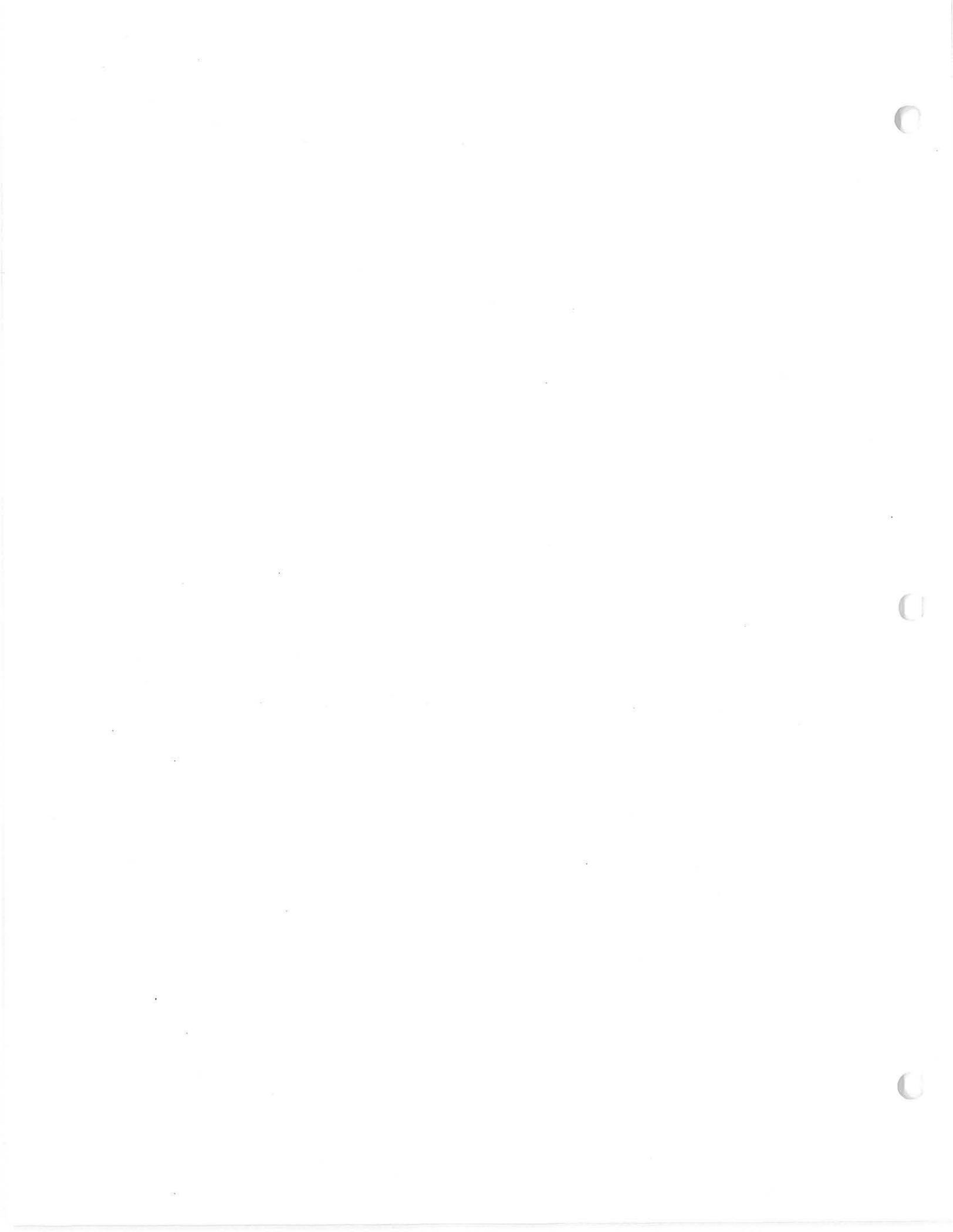
Enclosures (all)

### California Environmental Protection Agency

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Our mission is to preserve and enhance the quality of California's water resources for the benefit of present and future generations.



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

**ORDER NO. R4-2002-023**

**REVISED  
WASTE DISCHARGE REQUIREMENTS**

**VENTURA REGIONAL SANITATION DISTRICT  
(TOLAND ROAD LANDFILL)  
(File No. 69-091)**

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

1. The Ventura Regional Sanitation District (VRSD), 1001 Partridge Drive, Suite 150 Ventura, CA 93003-5562, owns and operates the 161-acre Toland Road Landfill located in an unincorporated area of Ventura County between the cities of Santa Paula and Fillmore (Figure 1, attached). The latitude of the landfill is 34° 24' 06"; its longitude is 118° 00' 49" (at the site scalehouse).
2. The Toland Road Landfill is a Class III municipal solid waste landfill.
3. The Toland Road Landfill began operations in 1970 on a 161 acre leased site and was operated by the Ventura County Public Works Agency. In 1972 VRSD assumed the lease and operations of the landfill. In 1986 VRSD purchased the land on which the landfill is located. In 1988, VRSD purchased an additional 53-acre parcel adjoining the subject property to the south. At present, total acreage for the landfill is approximately 214 acres of which 86 acres are permitted for landfiling.
4. Current permitted fill operations at the Toland Road Landfill became subject to waste discharge requirements (WDRs) under Regional Board Resolution No. 70-22 (adopted on March 11, 1970). On September 27, 1993, Resolution No. 70-22 was amended when the Regional Board adopted Order No. 93-062 incorporating federal Resource Conservation and Recovery Act Subtitle-D (Subtitle-D) regulations for municipal solid waste (Class III) landfills (Attachment 1). The WDRs were updated by Regional Board Order No. 96-053 (adopted July 15, 1996) which rescinded Resolution No. 70-22 and incorporated applicable expansion regulations of title 23, chapter 15 of the California Code of Regulations (Chapter 15). The Subtitle-D regulations were not rescinded by Order 96-053 so that the active WDRs for the Toland Road Landfill are contained in Orders 96-053 and 93-062.
5. On February 1, 1996, the VRSD Board of Directors certified a Final Environmental Impact Report (EIR) (SCH No. 95031009) for the expansion of the landfill in accordance with the California Environmental Quality Act (CEQA). The EIR determined that

expansion of the landfill would have significant impacts related to noise, air quality, and traffic and a statement of overriding considerations for these impacts was prepared and adopted by the Board of Directors on February 22, 1996.

6. On May 22, 1996, the Ventura County Board of Supervisors issued Conditional Use Permit (CUP) No. 3141(3) to VRSD which provided for the lateral and vertical expansion of the Toland Road Landfill for 31 years, or upon completion of the approved fill design, whichever came earlier. The approved fill design allows placement of approximately 15 million tons (30 million cubic yards) of refuse over the 86-acre landfill.
7. VRSD filed a complete Report of Waste Discharge (ROWD), dated October 6, 1995, for the disposal to land of nonhazardous solid waste and inert solid wastes, at the Toland Road Landfill, in accordance with title 23, chapter 15, section 2595 of the California Code of Regulations. VRSD proposed in the ROWD to expand operations, as approved under the existing CUP No. 3141(3).
8. In March 1998, the Ventura County Planning Division issued a permit adjustment to CUP 3141 (3) to add 2.5 acres of non-fill cut-slope to the permit boundary. On December 20, 2001 the Ventura County Planning Division adopted a revision of CUP No. 3141(3) to expand the refuse footprint by approximately 5.4 acres in order to fill a small V-shaped depression on the currently approved fill plan and change the final slopes from 1:1 (horizontal:vertical) to 2.5:1 or greater in the area being modified. The approved fill design is shown on Figure 2 (attached). The total volume of refuse in the landfill will not change from that previously approved.
9. The Toland Road Landfill is currently regulated by WDRs under Regional Board Order Nos. 93-062 and 96-053. These WDRs are being updated to incorporate ongoing expansion of the facility.
10. California Code of Regulations, title 27 (27 CCR) became effective on July 18, 1997. 27 CCR required clarification of the roles and responsibilities of the California Integrated Waste Management Board (Waste Board) and the State Water Resources Control Board (State Board) in regulating solid waste disposal sites. The approved 27 CCR regulations combine prior disposal site/landfill regulations of the Waste Board and State Board that were maintained in title 14 and title 23, chapter 15 of California Code of Regulations.
11. The Toland Road Landfill is located within the Fillmore Hydrologic Subarea of the Sespe Hydrologic Subunit in the Santa Clara-Calleguas Hydrologic Unit. The landfill is surrounded on three sides by ridges that restrict inflow by seasonal precipitation. The resultant groundwater flows in alluvium, weathered bedrock, or fractured bedrock, that generally follows the surface topography and exits the canyon to the south. Water exiting the canyon eventually enters the water bearing strata of the Santa Clara River watershed. The existing beneficial uses of the Fillmore Hydrologic Subarea of the Sespe Hydrologic Subunit in the Santa Clara-Calleguas Hydrologic Unit are municipal and domestic

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supply, agricultural supply, industrial service supply, groundwater recharge, freshwater replenishment, water contact and non-contact recreation, warm freshwater habitat, wetland habitat, wildlife habitat, rare, threatened and endangered species habitat, and migration of aquatic organisms habitat.

12. 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*".
13. VRSD has implemented a groundwater monitoring program that has regularly evaluated groundwater quality at the landfill since 1987. Groundwater monitoring conducted at the site indicates no release of pollutants from the landfill.
14. VRSD submitted preliminary closure and post closure maintenance plans (PCPCMP) on May 1996. The plans were updated and submitted in December 2001.
15. The Toland Road Landfill lies within the Transverse Ranges physiographic province which is dominated by east-west trending folded and faulted mountain ranges that are the result of tectonic compressional forces. In the vicinity of the site, the Ventura Basin is comprised mainly of the east-west trending Santa Clara syncline which is bounded on the south and north margins by the Oak Ridge and San Cayetano Faults, respectively. The Topatopa Mountains are being uplifted north of the Ventura Basin and are being thrust south over the basin sediments along the San Cayetano Fault (Figure 3, attached).
16. Regional Board Order No. 96-053 contained a provision (F.2) that prohibited VRSD from placing municipal solid waste closer than 200-feet to the trace of the Culbertson Fault as shown on Plate 2 of the Fugro-McClelland study entitled "Fault Exploration and Characterization Study - Toland Road Landfill Expansion" dated December 1992, unless approved by the executive officer. To the west of the landfill, the Culbertson Fault is mapped as a Holocene fault based on guidelines established by the California Division of Mines and Geology. Active faults are defined as Holocene Epoch faults that have exhibited surface movement in the last 11,000 years. VRSD conducted studies subsequent to the issuance of Order No. 96-053. The Executive Officer of the Regional Water Board determined that there was no compelling evidence of Holocene faulting at the site and rescinded the setback requirement contained in Provision F.2 in a letter dated November 25, 1996. The November 25, 1996, letter acknowledged that the recent studies indicated that the Culbertson Fault may possibly project north of the existing landfill and permitted VRSD to proceed with grading of the expansion area with the condition that VRSD suspend grading if it discovered any evidence of Holocene faulting during grading activities. State Board Order No. 97-05 denied a petition by "The Ventura County Citizens To Stop Toland Landfill" to stay the rescission of the 200-foot requirement contained in Order No. 96-053.

17. Structural geologic models for the region indicate that the Culbertson Fault, and other similar faults such as the Thorpe and Orcutt faults, are the result of flexural slip within the overturned limb of the syncline that lies south of, and structurally below the San Cayetano Fault. The San Cayetano Fault, the nearest major active fault, is located approximately 1.7 km (1.1 miles) north of the landfill. The San Cayetano, Culbertson, and other faults and the overturned syncline exist within and are the product of north-south tectonic compression (Figure 3, attached).
18. Geologic features in the northeastern portion of the Toland Road Landfill, identified through trenching studies by Fugro Consultants (1996, 1997, 1998, 2001), have been described as a possible trace of the Culbertson Fault. (Approximately 9,600 lineal feet of trenching was completed to evaluate the potential for onsite active faulting). A seismic evaluation completed by GeoLogic Associates, 2001, indicates that the episodic slip rates for this onsite fault can be ascribed to an aseismic slip model, indicating that the degree of risk associated with ground rupture along the fault is extremely low.
19. The Toland Road Landfill is underlain by Quarternary alluvial fan deposits and Tertiary aged marine bedrock of the Los Posas and Pico Formations. The bedrock formations, consisting of interbedded sandstones, siltstones, and claystones, are classified by the Department of Water Resources (1961) as non-waterbearing. Groundwater, when present, is limited to canyon alluvium and fractured and weathered pockets in bedrock that could move slowly downcanyon towards the Santa Clara-Sespe area of the Ventura Central Groundwater Basin. Generally, the Pico Formation acts as the regional aquitard to the highly-permeable Saugus Formation, which primarily composes this groundwater basin. The Saugus Formation does not underlie the landfill.
20. The Pico Formation which principally underlies the landfill is considered a bedrock and non-water-bearing geologic formation. Groundwater in the Pico Formation is distinctly sodium chloride and sodium sulfate in chemical nature, typically displaying total dissolved solids concentrations in excess of 5000 milligrams per liter.
21. During the summer and fall of 1999, pressure transducers (Trolls) were installed in all three alluvial monitoring wells existing at the site to evaluate the transient nature of water in the alluvial wells and to track the presence of shallow ground water to better corrodinate the timing of sampling of these wells.
22. The site is not located within a liquefaction hazard zone. Landslides known to exist at the site have been mapped (Figure 4, attached). However, for future proposed expansion areas, grading is expected to excavate the existing surficial slope failure features and the infilling of the canyon area with waste is expected to buttress the slopes against future failure.
23. Surrounding land uses of the Toland Road Landfill include open space and agricultural lands (Figure 5 attached).

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24. Climatic conditions at the Toland Road Landfill are semi-arid. Rainfall typically occurs between November and April with very little rainfall during the summer months. Average annual precipitation in the area is approximately 14.8 inches. Average annual evaporation in the area is approximately 57.2 inches.
25. The Toland Road Landfill is located outside of a 100-year flood plain according to the 1994 Ventura County General Plan (Figure 6 attached).
26. The Toland Road Landfill is operated as a modified "cut and cover" canyon landfill. Soil is excavated within the site property for use as daily cover. Waste is placed in lifts approximately 15- to 20-feet thick with maximum 3:1 perimeter slopes. The lifts consist of waste compacted in two-foot thick layers distributed across a daily working face approximately 100 feet-wide. Each lift is covered daily with soil or alternative daily cover placed in a manner to minimize the infiltration of precipitation.
27. Maximum elevation of the landfill will be approximately 1,435 feet above mean sea level.
28. The Toland Road Landfill is permitted to accept up to 1,500 tons of Class III municipal solid waste per day.
29. The total design capacity of the Toland Road Landfill including refuse and daily cover is 30 million cubic yards (yd<sup>3</sup>). As of June 2001, the net remaining disposal capacity of the Landfill is approximately 21,002,922 yd<sup>3</sup> of refuse which corresponds to a remaining site life of approximately 26 years at present disposal rates.
30. The proposed engineered containment features of the expanded landfill include composite liner systems installed beyond the existing waste footprint, a barrier layer installed on top of existing waste, a leachate collection and removal system (LCRS) for the entire area, groundwater and vadose zone monitoring systems, and a landfill gas collection and removal system, as described in the ROWD. These systems will be constructed to the prescriptive standards of 27 CCR or equivalent performance standards. This Order specifies that final design and construction methods for proposed engineered systems be reviewed and approved by this Regional Board's Executive Officer prior to installation and use.
31. VRSD continues to implement the Hazardous Waste Exclusion Program (a waste-load-checking program) described in the ROWD to prevent the disposal of hazardous wastes, designated wastes, or other unacceptable materials. Hazardous materials are temporarily stored in a dedicated hazardous waste storage area and disposed of at an appropriate hazardous waste facility according to hazardous waste laws.

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32. Surface water runoff from the landfill site drains primarily in a southerly direction. Storm water at the site is controlled by channeled ditches, pipelines, drainage benches and interim drainage structures that are designed and maintained to accommodate flows from the 100-year frequency, 24-hour duration storm.
33. The existing groundwater monitoring system around the Toland Road Landfill is indicated in Item No. 11 of Monitoring and Reporting Program No. CI-5644.
34. The Regional Board adopted a revised Water Quality Control Plan (Basin Plan) for the Los Angeles Region on June 13, 1994. The Basin Plan contains beneficial uses (municipal, domestic and agricultural supply, industrial service and process supply) and water quality objectives for groundwater in the Santa Clara – Santa Paula area of the Ventura Central Groundwater Basin. The requirements in this Order, as they are met, will be in conformance with the goals of the Basin Plan.
35. These WDRs govern the continuing disposal of municipal solid waste in the existing landfill unit. The Toland Road Landfill constitutes an existing facility, and the issuance of these requirements is therefore exempt from the provisions of the California Environmental Quality Act (Public Resource Code, section 21000 et seq.) in accordance with title 14, chapter 3, section 15301 of the California Code of Regulations.
36. In accordance with the Governor's Executive Order D-22-01, dated February 8, 2001, 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 WDRs will not result in a significant change in energy usage.

This Regional Board has notified VRSD and interested agencies and persons of its intent to adopt WDRs for this discharge and has provided them with an opportunity to submit their written views and recommendations.

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

**IT IS HEREBY ORDERED**, that VRSD shall comply with the following requirements at the Toland Road Landfill:

**A. SPECIFICATIONS**

1. Neither the disposal nor handling of wastes at this landfill shall create nuisance or pollution, as defined in section 13050 of the California Water Code (CWC).
2. The disposal of wastes at this landfill shall not cause degradation of any water supply.

3. All federal, state, and county sanitary health codes, rules, regulations, and ordinances pertinent to the disposal of wastes on land shall be complied with in the operation and maintenance of this landfill.

**Acceptable Materials**

4. VRSD shall only accept waste for disposal at the Toland Road Landfill as deemed acceptable for a Class III facility by the Regional Board through orders or regulations.
5. Wastes disposed of at this landfill shall be limited to certain nonhazardous solid wastes and inert solid wastes, as described in section 20220(a) and section 20230 of 27 CCR.
6. Nonhazardous solid waste means all putrescible and non-putrescible solid, semi-solid and liquid wastes, including garbage, trash, refuse, paper, rubbish, ashes, industrial wastes, demolition and construction wastes, abandoned vehicles and parts thereof, discarded home and industrial appliances, manure, vegetable or animal solid and semi-solid wastes, and other discarded waste (whether of solid or semi-solid consistency); provided that such wastes do not contain wastes which must be managed as hazardous wastes, or wastes which contain soluble pollutants in concentrations which exceed applicable water quality objectives, or could cause degradation to waters of the state (i.e., designated waste).
7. Dewatered sewage or water treatment sludge may be discharged under the following conditions:
  - a. In areas containing approved liner and LCRS systems, sludge may be discharged provided it contains at least 20 percent solids if primary sludge, or at least 15 percent solids if secondary sludge, mixtures of primary or secondary sludges, or water treatment sludge.
  - b. In areas where no approved liner and LCRS exist, sludge may be discharged if it contains at least 50 percent solids whether primary or secondary sludge, mixtures of primary or secondary sludges, or water treatment sludge.
  - c. A minimum solids to liquids ratio of 5:1 by weight shall be maintained to ensure that the co-disposal will not exceed the initial moisture-holding capacity of the nonhazardous solid waste.

**Unacceptable Materials**

8. No hazardous wastes (as defined in 22 CCR66261.3 et seq.), designated wastes

(as defined in CWC section 13173), or special wastes (as defined in 22 CCR), such as liquids, oils, waxes, tars, soaps, solvents, or readily water-soluble solids, such as salts, borax, lye, caustic or acids shall be disposed of at this landfill.

9. No semi-solid wastes shall be disposed of at this landfill, except sludges under conditions set forth in Specification No. 7 above, or unless they are first processed in a solidification operation approved by the Executive Officer. Semi-solid waste means waste containing less than 50 percent solids, as described in section 20200 of 27 CCR.
10. No materials that are of a toxic nature, such as insecticides, poisons, or radioactive materials, shall be disposed of at this landfill.
11. No infectious materials or hospital or laboratory wastes, except those authorized for disposal to land by official agencies charged with control of plant, animal and human disease, shall be disposed at this landfill.
12. No pesticide containers shall be disposed of at this landfill, unless they are rendered nonhazardous by triple rinsing. Otherwise, they must be hauled off site to a legal point of disposal.
13. No septic tank or chemical toilet wastes shall be disposed of at this landfill.

#### **Requirements for Disposal Site Operations**

14. Drainage controls, structures, and facilities shall be designed to divert any precipitation or tributary runoff and prevent ponding and percolation of water at the landfill in compliance with sections 20365 and 21090(b)(1) of 27 CCR. When necessary, temporary structures shall be installed as needed to comply with this requirement.
15. The landfill shall be graded and maintained to promote runoff of precipitation and to prevent ponding of liquids and surface water. Erosion or washout of refuse or cover materials by surface flow shall be controlled to prevent off-site migration.
16. Wastes deposited at this site shall be confined thereto, and shall not be permitted to blow, fall, or otherwise migrate off the site, or to enter offsite water drainage facilities or watercourses.
17. Waste material shall not be discharged on any ground surface that is less than five feet above the highest anticipated groundwater level.
18. VRSD shall comply with notification procedures contained in section 32171 of the CWC in regards to the discharge of hazardous wastes. VRSD shall remove

and relocate to a legal point of disposal, any wastes that are discharged at this site in violation of these requirements. For the purpose of these requirements a legal point of disposal is defined as one for which WDRs have been established by a California Regional Water Quality Control Board and is in full compliance therewith. The Regional Board shall be informed via quarterly monitoring reports submitted in accordance with the specifications contained in the attached Monitoring and Reporting Program No. CI-5644 when relocation of wastes is necessary. The source and final disposition (and location) of the wastes, as well as methods undertaken to prevent future recurrence of such disposal shall also be reported.

19. All wastes shall be covered at least once during each 24-hour period in accordance with sections 20680 and 20705 of 27 CCR. Intermediate cover over wastes discharged to this landfill shall be designed and constructed to minimize percolation of precipitation through wastes and contact with material deposited. Other measures will be taken as needed to prevent a condition of nuisance from fly breeding, rodent harborage, and other vector-related activities.
20. Alternative daily cover may be used consistent with section 20690 of 27 CCR.
21. The migration of gases from the landfill shall be controlled as necessary to prevent water pollution, nuisance, or health hazards.
22. The discharge of wastes or waste by-products (i.e., leachate or gas condensate) to natural surface drainage courses or to groundwater is prohibited.
23. Gas condensate gathered from the gas monitoring and collection system at this landfill shall not be returned to the landfill unless approved by the Executive Officer. Any proposed modifications or expansions to this system shall be designed to allow the collection, testing and treatment, or disposal by approved methods, of all gas condensate produced at the landfill.
24. VRSD shall intercept and remove any liquid detected in the leachate collection and removal system (LCRS) at this landfill to a legal point of disposal and leachate shall not be returned back to the landfill unless approved by the Executive Officer. If determined to be hazardous, collected leachate shall be transported by a licensed hazardous waste hauler to an approved treatment and disposal facility.
25. In any area within the landfill where a natural spring or seep is observed, provisions shall be made and/or facilities shall be provided to ensure that this water will not come in contact with decomposable refuse in this facility. The locations of all springs and seeps found prior to, during, or after placement of waste material that could affect this landfill shall be reported to the Regional

Board.

26. All containment structures and erosion and drainage control systems at the Toland Road Landfill shall be designed and constructed under direct supervision of a California-registered civil engineer or certified engineering geologist, and shall be certified by the individual as meeting the prescriptive standards and/or performance goals of 27 CCR.
27. VRSD shall, at all times, properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used to achieve compliance with conditions of this Order. Proper operation and maintenance includes effective performance, and adequate laboratory and process controls including appropriate quality assurance procedures.
28. Cut and subgrade slopes, fill slopes, refuse cells and visual berms shall be designed and excavated / constructed in a manner that will resist settlement and remain stable during the design earthquake event in accordance with section 20370 of 27 CCR.
29. No wastewater or storm water shall leave this site except as permitted by a National Pollutant Discharge Elimination System permit issued in accordance with the Federal Clean Water Act and the California Code of Regulations. VRSD shall maintain and modify, as necessary, the Stormwater Pollution Prevention Plan developed for this landfill.
30. Any abandoned wells or bore holes under the control of VRSD, and situated within the site boundaries, must be located and properly modified or sealed to prevent mixing of any waters between adjacent water-bearing zones. A notice of intent to decommission a well must be filed with the appropriate regulatory agencies prior to decommissioning. Procedures used to decommission these wells, or to modify wells still in use, must conform to the specifications of the local health department or other appropriate agencies.
31. VRSD shall report any noncompliance or any incident resulting from site operations that are in violation of Order R4-2002-023. Any such information shall be provided verbally to the Executive Officer within 24 hours from the time the VRSD becomes aware of the circumstances. A written submission shall also be provided within seven days of the time that the VRSD 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.

32. VRSD shall establish and maintain a sufficient number of benchmarks at the landfill to enable reference to key elevations and to permit control of critical grading and compaction operations.

**Water Quality Protection Standards**

33. VRSD shall follow the Water Quality Protection Standards (WQPS) for detection monitoring established by the Regional Board in this Order pursuant to 27 CCR, section 20390. The following are five parts of WQPS as established by the Regional Board:

- a. The following are WQPS established in the Basin Plan for the Santa Clara-Sespe area of the Ventura Central Groundwater Basin:

<u>Constituents</u>	<u>Units</u>	<u>Maximum Value</u>
Total dissolved solids (TDS)	mg/l	1000
Sulfate	mg/l	400
Chloride	mg/l	50
Boron	mg/l	0.7

Basin Plan 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.

- b. VRSD shall test for the monitoring parameters and the Constituents of Concern (COCs) listed in Summary of Self-Monitoring and Reporting Programs (Item No. 46) of Monitoring and Reporting Program No. CI-5644 and revisions thereto.
- c. Concentration Limits - The concentration limit for each monitoring parameter and COC for each monitoring point shall be its background value as obtained during that reporting period.
- d. Monitoring points (background monitoring points and points of compliance) for detection monitoring shall be those listed in Item No. 15 of the attached Monitoring and Reporting Program No. CI-5644 and any revised Monitoring and Reporting Program approved by the Regional Board's Executive Officer. The points of compliance extend through the zone of saturation.

- e. Compliance period - The estimated duration of the compliance period for the Toland Road Landfill, (i.e. the minimum period of time during which VRSD shall conduct a water quality monitoring program subsequent to a release from the site) is six 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 VRSD to begin an evaluation monitoring program. If VRSD's corrective action program has not achieved compliance with the standard by the scheduled end of the compliance period, the compliance period is automatically extended until the landfill has been in continuous compliance for at least three consecutive years.

#### **Requirements for Water Quality Monitoring**

34. VRSD shall conduct required monitoring and response programs in accordance with section 20385 of 27 CCR. (A detection monitoring program per section 20420 of 27 CCR, an evaluation monitoring program per section 20425 of 27 CCR, and a corrective action program per section 20430 of 27 CCR).
35. VRSD shall implement the attached Monitoring and Reporting Program No. CI-5644 and revisions thereto in order to detect, at the earliest opportunity, any unauthorized discharge of waste constituents from the Toland Road Landfill or any unreasonable impairment of beneficial uses associated with (caused by) discharges of waste to the landfill.
36. VRSD shall use the constituents listed in Item No. 24 of Monitoring and Reporting Program No. CI-5644 and revisions thereto, as "monitoring parameters". These monitoring parameters are subject to the most appropriate statistical or non-statistical tests under the attached Monitoring and Reporting Program No. CI-5644, Statistical and Non-Statistical Analyses of Sample Data during a Detection Monitoring Program (Items Nos. 32 through 34), and any revised monitoring and reporting program approved by the Regional Board's Executive Officer.
37. Unless otherwise approved by the Regional Board's Executive Officer, all analyses shall be conducted at a laboratory certified for such analyses by the State Department of Health Services. All analyses shall be conducted in accordance with the latest edition of "Guidelines Establishing Test Procedures for Analysis of Pollutants" promulgated by the United States Environmental Protection Agency (USEPA).
38. For each monitoring point described in Monitoring and Reporting Program CI-5644, VRSD shall monitor semiannually the monitoring parameters identified in Item No. 24 in groundwater, and the vadose zone for the detection monitoring program. In determining whether a measurably significant evidence of a release

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from the landfill exists, concentration limits listed in Specification No. 33(c) of this Order, shall be used.

39. For each point of compliance monitoring point described in Item No. 11 of Monitoring and Reporting Program CI-5644, VRSD shall monitor once each year, during the Spring/Summer monitoring period, for the COCs identified in Item No. 25 of Monitoring and Reporting Program CI-5644 in groundwater for the detection monitoring program.
40. For each point of compliance monitoring point described in Item No. 11 of Monitoring and Reporting Program CI-5644, VRSD shall monitor once every five years, alternating between the Spring/Summer and Fall/Winter monitoring periods, for the COCs identified in Item No. 26 of Monitoring and Reporting Program CI-5644 in groundwater for the detection monitoring program. In determining whether a measurably significant evidence of a release from the landfill exists, concentration limits listed in Specification No. 33(c) of this Order, shall be used.
41. VRSD shall furnish, under penalty of perjury, technical or monitoring program reports in accordance with section 13267 of the CWC. Failure or refusal to furnish these reports, or falsifying any information provided therein, renders VRSD guilty of a misdemeanor and subject to the penalties stated in section 13268 of the CWC. Monitoring reports shall be submitted in accordance with the specifications contained in the attached Monitoring and Reporting Program No. CI-5644, as directed by the Executive Officer. The attached monitoring and reporting program is subject to periodic revisions, as warranted and approved by the Executive Officer.
42. The effectiveness of all monitoring wells, monitoring devices, and leachate and gas collection systems shall be maintained for the active life of this site and during the closure and postclosure maintenance periods. If any of the monitoring wells and/or monitoring devices are damaged, destroyed, or abandoned for any reason, VRSD shall immediately provide substitutes acceptable to the Executive Officer to meet the monitoring requirements of this Order.
43. VRSD shall maintain all monitoring wells and/or piezometers in accordance with acceptable industry standards. If a well or piezometer is found to be inoperative, the Regional Board and other interested agencies shall be so informed in writing within seven days of such discovery, and this notification shall contain a time schedule for returning the well or piezometer to operating order. Changes to the existing monitoring program shall be submitted for Executive Officer approval at least 30 days prior to implementing the change(s).
44. VRSD shall provide for proper handling and disposal of water purged from the

monitoring wells during sampling. Water purged from the wells shall not be returned to that well (or any other well).

45. For any monitoring wells or piezometers installed in the future, VRSD shall submit technical reports for approval by the Executive Officer prior to installation. These technical reports shall be submitted at least 60 days prior to the anticipated date of installation of the wells or piezometers. These reports shall be accompanied by:
  - a. Maps and cross sections showing the locations of the monitoring points; and
  - b. Drawings and data showing construction details of the monitoring points. These data shall include:
    - (i) casing and test hole diameter;
    - (ii) casing materials;
    - (iii) depth of each hole;
    - (iv) the means by which the size and position of perforations shall be determined, or verified, if in the field;
    - (v) method of joining sections of casing;
    - (vi) nature of filter materials;
    - (vii) depth and composition of soils; and
    - (viii) method and length of time of well development.

#### **Requirements for Seepage Water Quality Monitoring**

46. VRSD shall monitor seepage water from the monitoring locations identified in Item No. 29 of Monitoring and Reporting Program No. CI-5644 semiannually, and report the findings to the Regional Board semiannually. For seepage monitoring points, VRSD shall monitor for the monitoring parameters identified in Item No. 29 of Monitoring and Reporting Program No. CI-5644.

#### **Requirements for On-Site Uses of Water**

47. Any water used for landscape irrigation, dust control, or other non-emergency uses, shall be subject to this Order, except for potable water and any other water allowed by this Order.
48. All use of landscape irrigation, or dust control water shall be within the boundaries of the landfill property. During an emergency, this water may be used for fire fighting on the site or on undeveloped areas off and adjacent to the site.
49. No water shall be routinely applied to the landfill except for landscape irrigation,

or for surface dust control. Water used for these purposes shall only be applied by spraying, and shall be applied only on completed lifts, in quantities not to exceed those necessary to reduce immediate dust hazards or support plant life and shall not enter the storm water collection system.

- 50. Washing of landfill equipment or vehicles shall be confined to areas where the waste water will not percolate into the disposal areas or native soils, or enter the storm water collection system, unless specifically permitted by this Order. Access road washdown shall also be confined to areas where the water will not percolate into the disposal areas or native soils. Access road washdown that enters the storm water collection system shall be subject to any NPDES requirements except for potable water and any other water allowed by this Order.
- 51. Waste water from cleaning site equipment, water purged from wells, and leachate removed from the site's LCRS intended to be used on-site for dust control or irrigation shall at all times be within the range of 6.0 to 9.0 pH units, and shall not exceed the following limits:

Constituent	Unit	Maximum Limit
COD	mg/l	240
Oil and Grease	mg/l	15
Coliform	MPN/100 ml	23
BNA <sup>1</sup>	mg/l	0.1
Total Heavy Metals <sup>2</sup>	mg/l	1.5
Purgeable Organics <sup>3</sup>	mg/l	45.0

<sup>1</sup> BNA shall include the summation of concentrations of all base/neutral and acid extractable organic priority pollutant compounds.

<sup>2</sup> Total heavy metals shall include the combined concentrations of the following metals: arsenic, cadmium, copper, lead, mercury, nickel, selenium, silver, and zinc.

<sup>3</sup> Purgeable organic compounds shall include the summation of concentrations including purgeable priority pollutants, acetone, and 2-butane. No individual parameters may exceed 20 percent of the Maximum Limit.

- 52. During periods of precipitation, when the reuse of any waste water is not necessary for the purpose specified in this Order, the waste water shall be stored or hauled to a legal point of disposal.
- 53. Any water used on-site for irrigation or dust control shall not exceed the maximum contaminant levels contained in 22 CCR, section 64431 for heavy metals, nitrates and organic chemicals, and in section 64672 for copper and lead. Radioactivity shall not exceed the limits specified in sections 64441 and 64443 of 22 CCR (or subsequent revisions).

54. Unless otherwise stated, all metals analyses shall be for total metal in a filtered sample.
55. A sampling station shall be established for each waste water source where representative samples can be obtained. Waste water samples shall be obtained at sampling stations prior to being mixed with other water(s). The minimum sampling frequency for waste waters is on a monthly basis except for water purged from wells where the minimum sampling frequency shall be quarterly.
56. Prior to the onsite use of any waste water, VRSD shall submit to the Regional Board a technical report concerning the complete description of each proposed waste water sampling station with the data to support the conclusion that the proposed station will provide samples representative of the entire flow from that source.

#### **Requirements for Containment Structures**

57. The landfill shall have containment structures which are capable of preventing degradation of the waters of the state. Construction standards for containment structures shall comply with 27 CCR requirements. Design specifications are subject to the Executive Officer's review and approval prior to construction of any containment structure.
58. VRSD shall submit detailed preliminary plans, specifications, and descriptions for all proposed containment structures and construction features for Executive Officer approval at least 90 days prior to construction.
59. The preliminary plans shall contain detailed quality assurance / quality control for the proposed construction as required by 27 CCR.
60. Prior to start of construction of any containment structure, a geologic map shall be prepared of the final excavation grade for review, approval and confirmation in the field by Regional Board staff.
61. Landfill refuse slopes shall be designed per requirements in 27 CCR and constructed in a manner that will resist settlement and prevent failure during a maximum probable earthquake (MPE) for interim slopes, or maximum credible earthquake (MCE) for final refuse slopes.
62. No disposal shall occur in a new area until the corresponding construction is completed, certified, and approved by Regional Board staff.
63. The construction report, including drawings documenting "as-built" conditions, shall be submitted within 60 days after the completion of construction. If the "as-

built” conditions are virtually identical to the approved preliminary plans and specifications, only change sheets need be submitted in lieu of a complete set of drawings.

64. VRSD shall perform an annual testing per 27 CCR section 20340(d) for any LCRS to demonstrate their operating efficiency during the operational, closure and postclosure maintenance periods of the landfill.

**Requirements for Reporting Scheduled Activities**

65. VRSD shall notify Regional Board staff 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.
66. VRSD shall furnish to the Executive Officer, within a reasonable time, any information that the Executive Officer may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this Order. VRSD shall also furnish to the Executive Officer, upon request, copies of records required by this Order.
67. VRSD 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 VRSD and a new owner for construction, operation, closure, or post-closure maintenance of the landfill. Any transfer agreement between VRSD and a new owner or operator shall include an acknowledgement that VRSD 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.
68. Where VRSD becomes aware that it failed to submit any relevant facts in any report to the Regional Board, it shall submit such facts or information within seven days of its discovery of the omission.
69. VRSD shall notify the Regional Board of changes in information submitted in the ROWD and supplementary information, including any material changes in the types, quantities or concentrations of wastes discharged, or site operations and features. VRSD shall notify the Regional Board before any material change is made in accordance with section 21710 of 27 CCR.
70. VRSD shall comply with the closure and postclosure maintenance requirements

and notification requirements contained in 27 CCR. Closure must be in accordance with a Closure Plan and Postclosure Maintenance Plan approved by the Executive Officer, Waste Board, and local enforcement agency.

71. VRSD shall report (on a quarterly basis) the total volume of all irrigation water used at the site each month and the area(s) where it is applied.
72. In accordance with section 21710 of 27 CCR, VRSD shall notify the Regional Board within seven days, if fluid is detected in a previously dry LCRS, or if a progressive increase in the liquid volume is detected in a LCRS.
73. VRSD shall submit or update an "Operations Plan" within 60 days after adoption of the order, for approval by the Executive Officer, describing those operations which could affect water quality, including but not limited to:
  - a. a description of proposed treatment, storage, and disposal methods;
  - b. contingency plans for the failure or breakdown of waste handling facilities or containment systems, including notice of any such failure, or any detection of waste or leachate in monitoring facilities, to the Regional Board, local governments, and water users downgradient of the landfill; and
  - c. a description of inspection and maintenance programs which will be undertaken regularly during disposal operations and the post closure maintenance period.
74. All applications, reports, or information submitted to the Executive Officer shall be signed and certified as follows:
  - a. The applications, reports, or information 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 [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 [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:

"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."

**B. PROHIBITIONS**

- 1. The waste discharge at the Toland Road Landfill shall not cause the release of pollutants or waste constituents in a manner which could cause a condition of contamination or pollution to occur, as indicated by the most appropriate statistical (or non-statistical) data analysis method and retest method listed in Statistical and Non-Statistical Analyses of Sample Data During a Detection Monitoring Program (Item Nos. 32 through 34) of the attached Monitoring and Reporting Program No. CI-5644 and revisions thereto.
- 2. The direct discharge of any waste to any surface waters or surface drainage courses is prohibited.
- 3. Odors, vectors, and other nuisances of waste origin beyond the limits of the landfill sites are prohibited.
- 4. Basin Plan prohibitions shall not be violated.

**C. PROVISIONS**

1. This Order does not authorize violation of any federal, state, or local laws or regulations.
2. VRSD shall comply with all other applicable provisions, requirements, and procedures contained in 27 CCR and any future amendments.
3. VRSD shall maintain a copy of this Order at its local offices and shall ensure that all site-operating personnel are familiar with its content and that it is available to operating personnel at all times.
4. VRSD shall allow the Regional Board, or an authorized representative, upon presentation of credentials and other documents as may be required by law, to:
  - a. Enter upon VRSD'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 shall 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 purpose of assuring compliance with this Order or as otherwise authorized by the CWC, any substances or parameters at this location.
5. All regulated disposal systems shall be readily accessible for sampling and inspection.
6. This Order includes the attached Regional Board Order No. 93-062 incorporating Federal Subtitle-D Regulations (Attachment 1) and "*Standard Provisions Applicable to Waste Discharge Requirements*", adopted November 7, 1990 (Attachment 2). If there is any conflict between provisions stated herein and the Subtitle-D regulations or Standard Provisions, these provisions stated herein will prevail.
7. VRSD is the responsible party for the WDRs and the monitoring and reporting program for the facility. VRSD shall comply with all conditions of these WDRs. 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 WDRs by the Regional Board.

8. VRSD shall within 48 hours of a significant earthquake event, submit to the Regional Board a detailed post-earthquake report describing any physical damages to the containment features, groundwater monitoring and/or leachate control facilities and a corrective action plan to be implemented at the landfill.
9. VRSD shall immediately notify the Regional Board of any flooding, slope failure or other change in site conditions which could impair the integrity of waste containment facilities or of precipitation and drainage control structures.
10. VRSD shall submit to this Regional Board and to the Waste Board, evidence of financial assurance for closure and post-closure maintenance, pursuant to 27 CCR, division 2, chapter 6. The post-closure period shall be at least 30 years. However, the post-closure maintenance period shall extend as long as wastes pose a threat to water quality.
11. Within 180 days of the adoption of this Order, VRSD shall submit to the Waste Board, in accordance with 27 CCR, division 2, chapter 6, assurance of financial responsibility in an amount acceptable to the Regional Board's Executive Officer for initiating and completing corrective action for all known or reasonably foreseeable releases from the landfill.
12. This Order is subject to Regional Board review and updating as necessary to comply with changing state or federal laws, regulations, policies, or guidelines.
13. VRSD 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;
  - b. termination, revocation and reissuance, or modification of this Order; or
  - c. denial of a ROWD in application for new or revised WDRs.
14. VRSD 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.
15. 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 facts; or
  - c. A change in any condition that requires either a temporary or permanent reduction, or elimination of the authorized discharge.
16. 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 VRSD and incorporate such other requirements as may be necessary under the CWC. VRSD shall submit notice of any proposed transfer of this Order's responsibility and coverage as described under Specification No. 67 of this Order.
  17. 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.
  18. The filing of a request by VRSD 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.
  19. 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.
  20. According to section 13263 of the CWC, these requirements are subject to periodic review and revision by this Regional Board.
  21. This Order becomes effective on the date of adoption by this Regional Board.
  22. Regional Board Order No. 96-053, adopted on July 15, 1996, is hereby rescinded.

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

FIGURE 1:  
TOLAND ROAD LANDFILL - LOCATION MAP

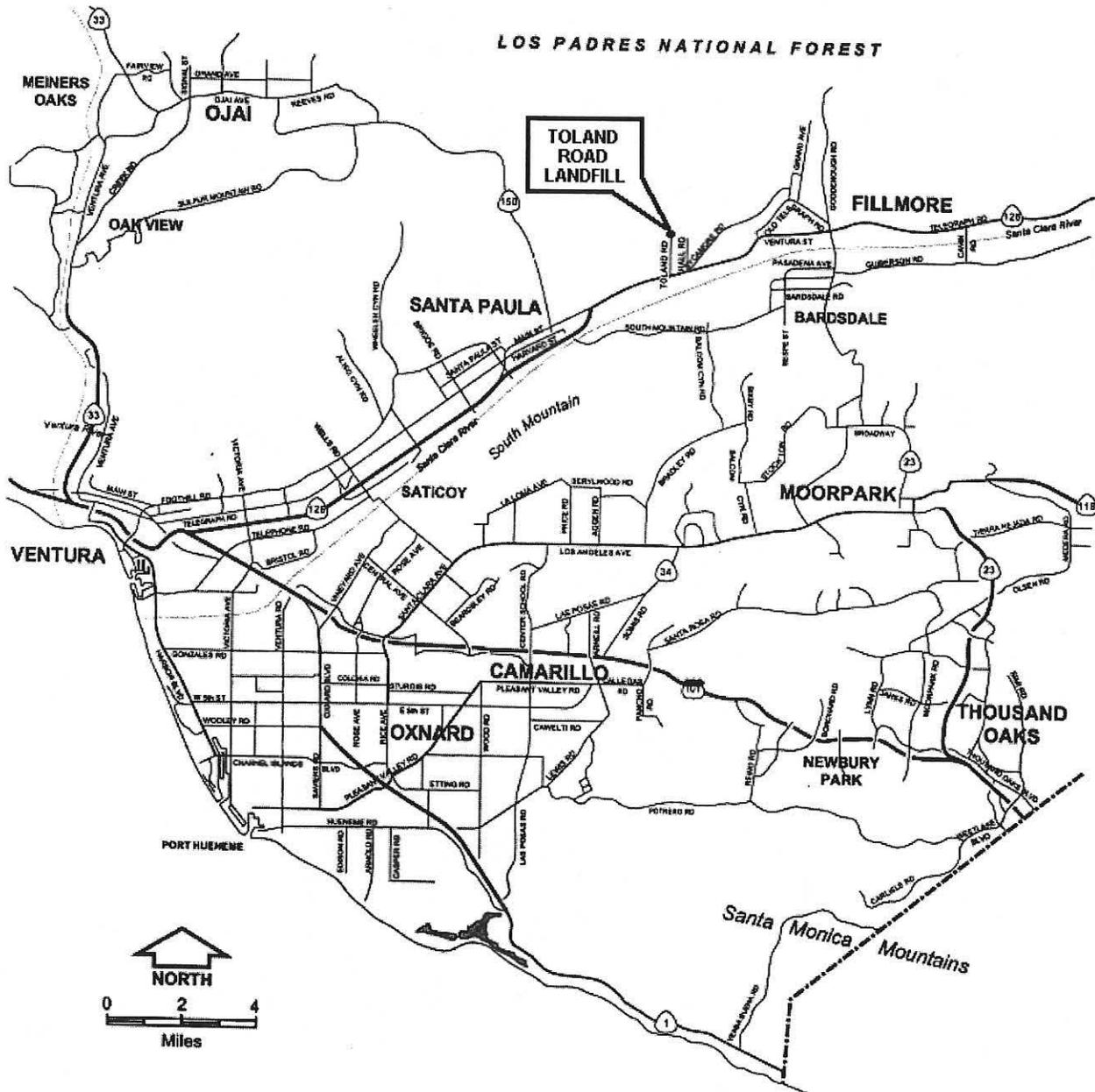


FIGURE 2:  
TOLAND ROAD LANDFILL - APPROVED FILL DESIGN

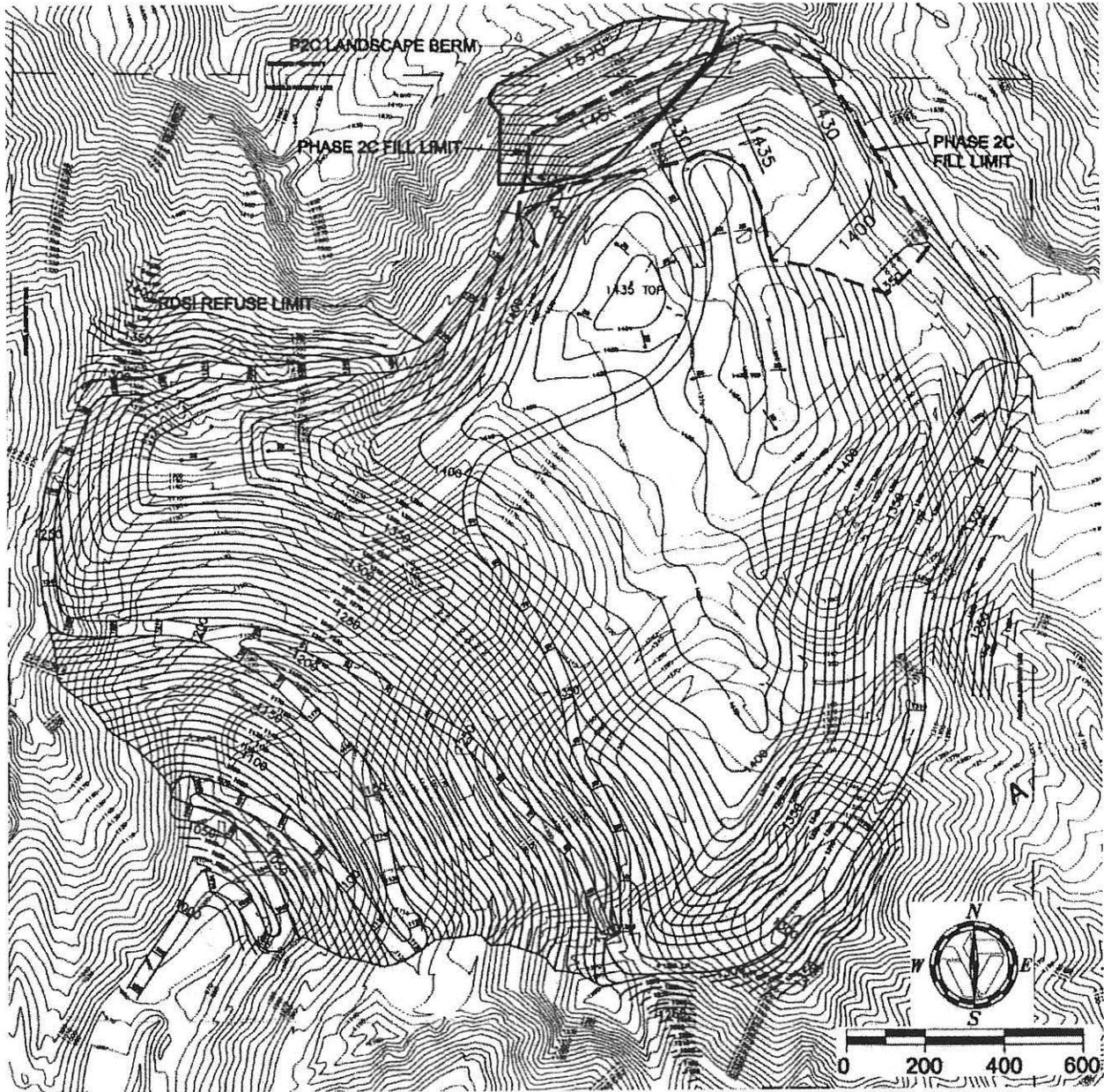


FIGURE 3:  
TOLAND ROAD LANDFILL – REGIONAL STRUCTURAL GEOLOGIC MODEL

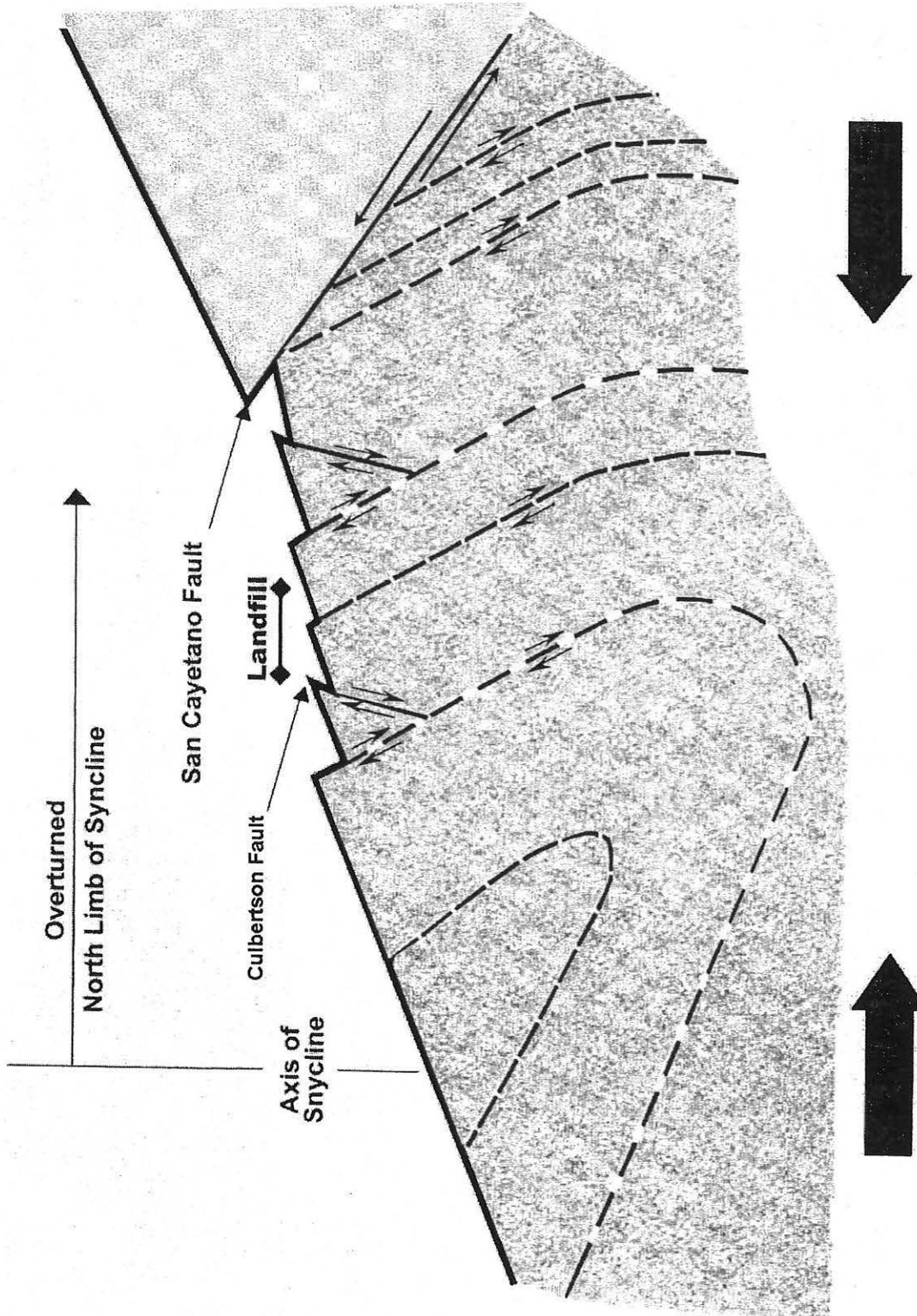
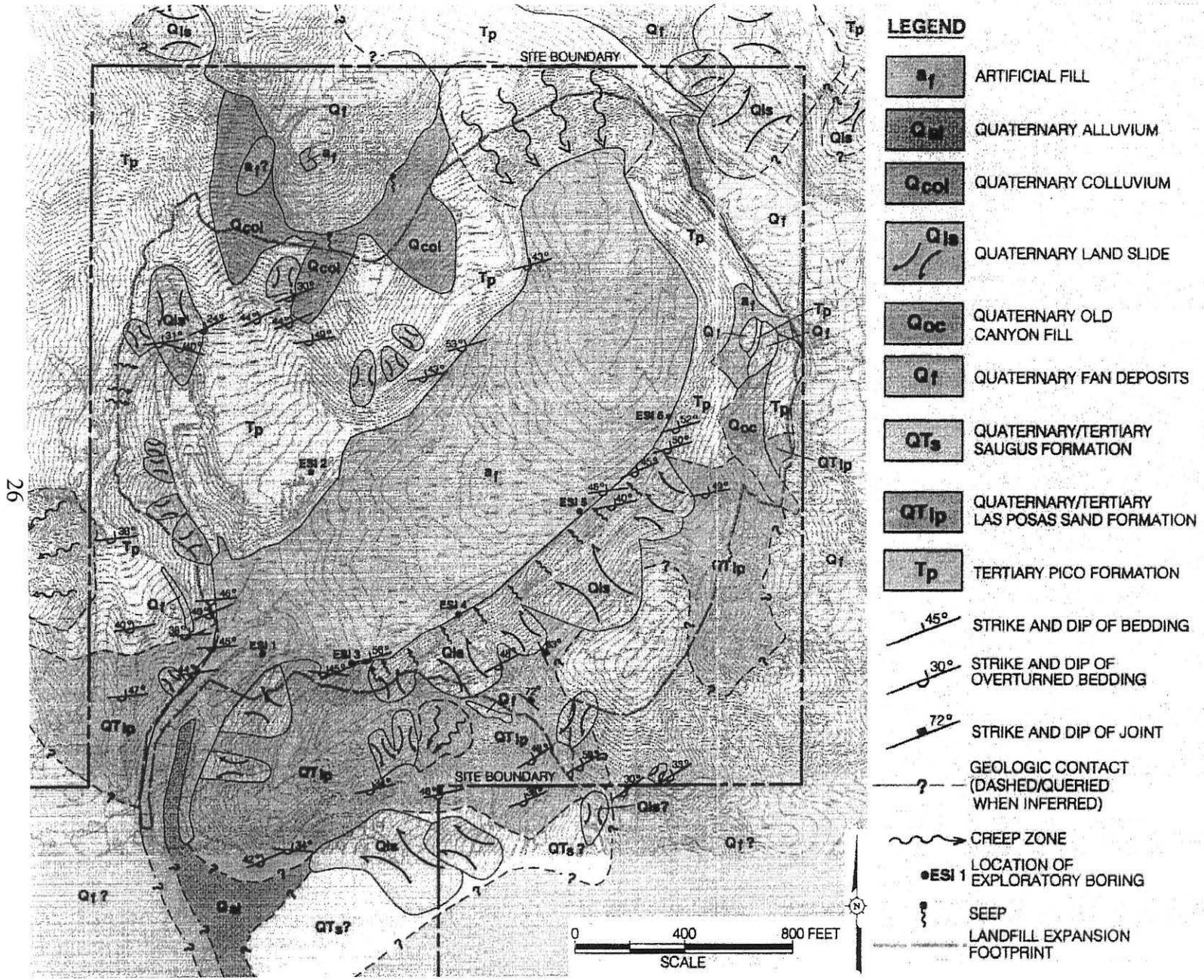


FIGURE 4:  
 TOLAND ROAD LANDFILL - GEOLOGIC MAP



- LEGEND**
- ARTIFICIAL FILL
  - QUATERNARY ALLUVIUM
  - QUATERNARY COLLUVIUM
  - QUATERNARY LAND SLIDE
  - QUATERNARY OLD CANYON FILL
  - QUATERNARY FAN DEPOSITS
  - QUATERNARY/TERTIARY SAUGUS FORMATION
  - QUATERNARY/TERTIARY LAS POSAS SAND FORMATION
  - TERTIARY PICO FORMATION
  - STRIKE AND DIP OF BEDDING
  - STRIKE AND DIP OF OVERTURNED BEDDING
  - STRIKE AND DIP OF JOINT
  - GEOLOGIC CONTACT (DASHED/QUERIED WHEN INFERRED)
  - CREEP ZONE
  - LOCATION OF EXPLORATORY BORING
  - SEEP LANDFILL EXPANSION FOOTPRINT

FIGURE 5:  
TOLAND ROAD LANDFILL - AREA LAND USE MAP

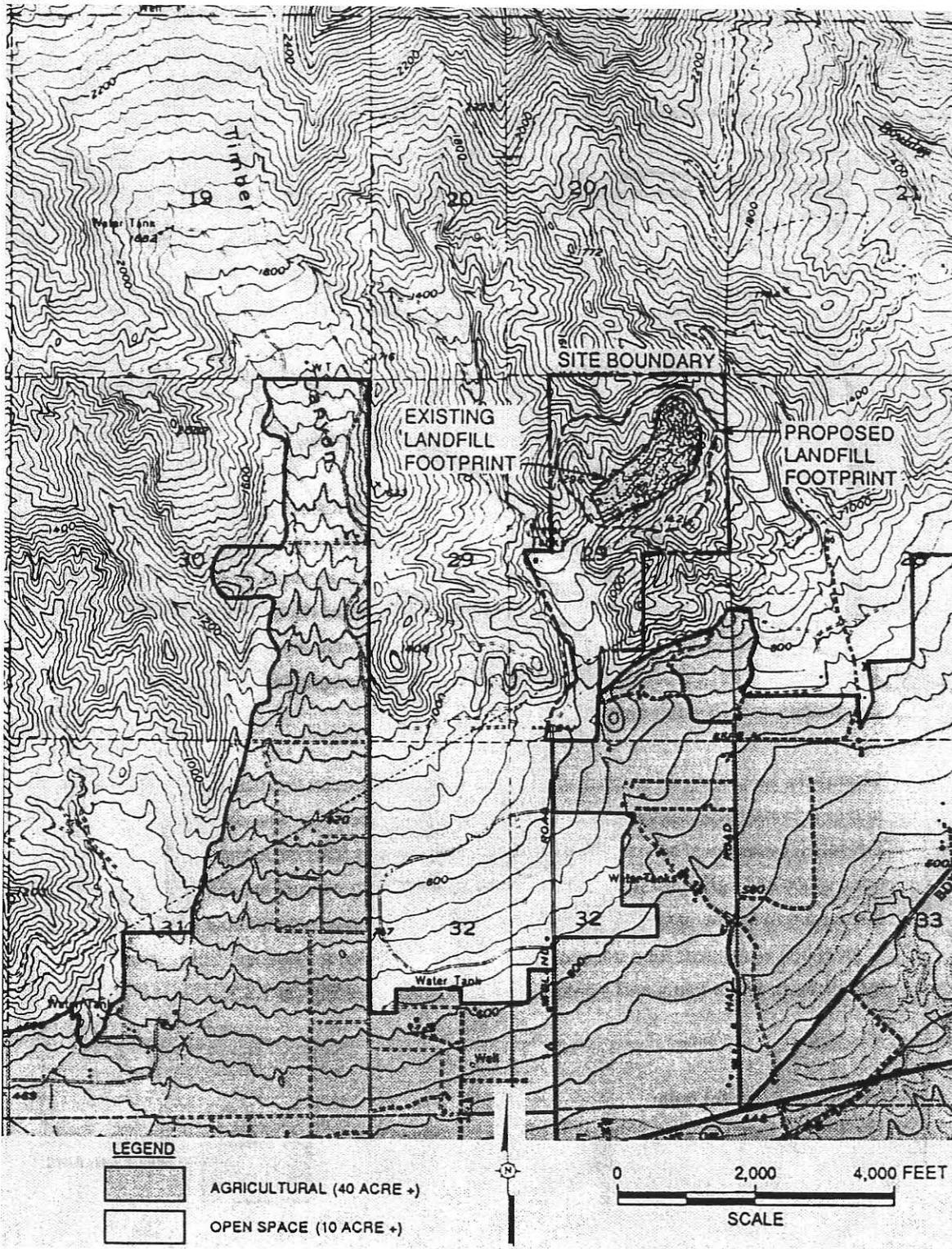
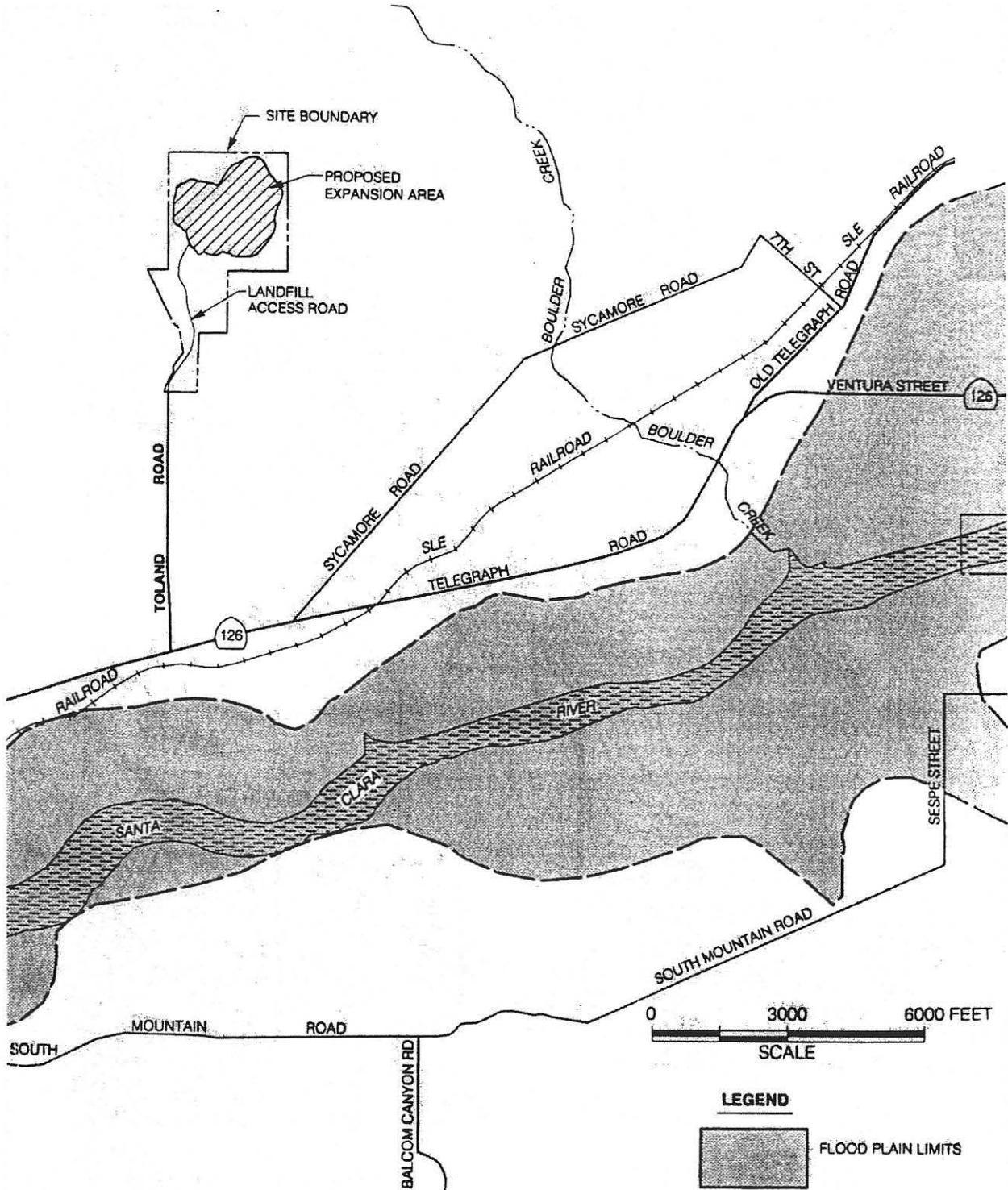


FIGURE 6:  
TOLAND ROAD LANDFILL – 100 YEAR FLOOD BOUNDARY MAP



**VENTURA REGIONAL SANITATION DISTRICT  
TOLAND ROAD LANDFILL  
ORDER NO. R4-2002-023**

**FILE NO. 69-091**

**ATTACHMENT 1:  
REGIONAL BOARD ORDER NO. 93-062  
INCORPORATING FEDERAL SUBTITLE-D REGULATIONS**



CALIFORNIA REGIONAL WATER QUALITY CONTROL REGIONAL BOARD  
LOS ANGELES REGION

ORDER NO. 93-062

AMENDED WASTE DISCHARGE REQUIREMENTS FOR ALL MUNICIPAL SOLID  
WASTE DISPOSAL SITES IN THE LOS ANGELES REGION IMPLEMENTING STATE  
WATER BOARD RESOLUTION NO. 93-62, ADOPTED JUNE 17, 1993, AS STATE  
POLICY FOR WATER QUALITY CONTROL UNDER SECTION 13140  
OF THE WATER CODE

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

1. **Federal authority** - The federal Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act (42 USC §6901, et seq., "SWDA"), authorizes development of nationwide standards for disposal sites for municipal solid waste (MSW), including criteria for sanitary landfills (SWDA §§1007, 4004, 42 USC §§6907, 6944);
2. **Federal MSW regulations** - On October 9, 1991, the United States Environmental Protection Agency (USEPA) promulgated regulations that apply, in California, to dischargers who own or operate Class II or Class III landfills at which municipal solid waste is discharged (MSW landfills), regardless of whether or not a permit is issued (Title 40, Code of Federal Regulations [CFR], Parts 257 and 258, "federal MSW regulations"). The majority of the federal MSW regulations become effective on October 9, 1993;
3. **States to apply federal MSW regulations** - Each state must "...adopt and implement a permit program or other system of prior approval and conditions to assure that each...[MSW landfill]...within such state...will comply with the...[federal MSW landfill regulations]." State regulations promulgated to satisfy this requirement are subject to approval by USEPA. (SWDA §§4003, 4005, 42 USC §§6943, 6945);
4. **Approved state's authority** - The permitting authority in an "approved state" (e.g., the Regional Board) may approve engineered alternatives to certain prescriptive standards contained in the federal MSW regulations, provided that the alternative meets all applicable conditions and performance standards contained therein (40 CFR §256.21);
5. **State Policy For Water Quality Control** - On June 17, 1993, the State Water Resources Control Board (State Water Board) adopted Resolution No. 93-62, entitled *Policy for Regulation of Discharges of Municipal Solid Waste*, as State Policy For Water Quality Control (Policy), under Section 13140 *et seq.* of the California Water Code (WC §§13140 *et seq.*). The

Policy directs each Regional Board to revise the waste discharge requirements (WDRs) of each MSW landfill (MSWLF) in its respective region to comply with the federal MSW regulations;

6. **Policy applied through WDRs** - All State agencies, including this Regional Board, are required to comply with State Policy For Water Quality Control regarding any activities that could affect water quality (WC §13146). Regional Boards regulate discharges of waste that could affect the quality of waters of the state, including discharges of waste to land at MSWLFs, through the issuance and revision of WDRs (WC §13263);
7. **Concurrent WDR revision** - The Regional Board can revise the waste discharger requirements of a group of similarly situated dischargers through a single Regional Board action in cases where the revised requirements properly apply to each of the dischargers whose waste discharge requirements are so revised;
8. **Regional Board Land Disposal Program** - The Los Angeles Regional Board currently regulates 37 waste management sites through the issuance of waste discharge requirements. Approximately 20 of the 37 sites are Class III MSWLFs. This order, which revises the existing waste discharge requirements for these MSWLFs, includes provisions and monitoring requirements to require the owners/operators of these MSWLFs (hereinafter dischargers) to achieve compliance with Resolution No. 93-62 and the federal MSW regulations.
9. **Need to document Existing Footprint** - The federal MSW regulations apply only to those areas of the MSWLF that are outside what is herein referred to as landfill's Existing Footprint; therefore, it is to the advantage of both the discharger and the Regional Board to establish convincing documentation of the landfill's Existing Footprint;
10. **VOCs** - Virtually all MSWLFs produce several volatile organic compounds (VOCs). VOCs exist in detectable concentrations in the gas and leachate produced by the landfill, and are not easily attenuated after being released from such a landfill; therefore, the federal MSW regulations require the use of VOCs as monitoring parameters;
11. **Use of non-statistical tests** - Statistical data-comparison methods typically used to detect the migration of wastes from a waste management unit cannot be used in cases where the constituent to be monitored has a background concentration which does not exceed the constituent's detection limit in at least ten percent of the background samples. In such cases,

an alternative non-statistical testing methodology is necessary which is sensitive, reliable, and not prone to falsely identifying a release;

12. **Regional Board and Discharger exempt from CEQA** - Adoption of revisions to the existing waste discharge requirements (WDRs), for the dischargers listed in Section 1 of this Order, is categorically exempt from the provisions of the California Environmental Quality Act (Division 13, commencing with §21000, of the Public Resources Code, "CEQA"), because it is an action by a regulatory agency taken for the protection of the environment, within the meaning of Section 15308 of the Guidelines For Implementation of the California Environmental Quality Act in Title 14 of the California Code of Regulations (CEQA Guidelines).
13. **Public Meeting** - The Regional Board has notified the dischargers listed in Section 1 of this Order and interested agencies and persons of its intent to revise, hereby, the WDRs previously adopted for each such discharger, and has provided all notified parties with an opportunity to submit their written views and recommendations and heard all testimony pertinent to this Order in a public meeting.

IT IS HEREBY ORDERED THAT THE DISCHARGERS SHALL COMPLY WITH THE FOLLOWING:

**§1. APPLICABILITY**

Each discharger at the following MSWLFs shall comply with the applicable provisions and monitoring requirements contained in this Order in addition to provisions of existing WDRs. The provisions of this Order supersede any conflicting provisions in the existing WDRs. Notwithstanding any other provision contained herein, express or implied, this Order is not intended to supplement, diminish or otherwise modify the existing legal authority of any landfill to continue operating. Adoption of this Order is solely for the purpose of bringing the affected landfills into compliance with the Federal and State requirements noted in the Findings.

Order No.	Discharger*	Facility Name	Applicable Provisions/Monitoring Requirements**
91-122	City of LA	Lopez Canyon	§2, §§4-9, §§11-15, §17
89-006	CSDLAC	Spadra	§2, §§4-9, §§11-15, §17
91-017	WMNA	Bradley	§2, §§4-9, §§11-15, §17

Amended Waste Discharge Requirements  
 For Municipal Solid Waste Disposal Sites  
 To Implement State Board Resolution No. 93-62  
 Order No. 93-062

File No. 93-43

87-039	BKK	BKK	§2, §§4-9, §§11-15, §17
89-053	CSDLAC	Calabasas	§2, §§4-9, §§11-15, §17
72-070	Consolidated Disposal	Pebbly Beach	§2, §4, §§6-10, §§12-17
90-046	CSDLAC	Puente Hills	§§2-15, §17
89-102	City of Whittier	Savage Canyon	§§2-10, §§12-15, §17
72-071	Catalina	Two Harbors	§2, §4, §§6-10, §§12-17
89-052	Laidlaw	Chiquita Canyon	§§2-9, §§11-15, §17
88-101	City of Burbank	Stough Park	§§2-10, §12-15, §17
88-112	CSDLAC	Scholl Canyon	§§2-10, §§12-15, §17
87-158 90-091	BFI	Sunshine Canyon	§§2-15, §17
75-114	LA CO. DPW	Honor Rancho	§§2-10, §§12-17
70-22	VRSD	Toland Road	§§2-10, §§12-17
90-034	WMNA	Simi Valley	§§2-15, §17
83-005	VRSD	Santa Clara	§2, §§8-10, §§12-15, §17
88-027	VRSD	Coastal	§2, §§8-10, §§12-15, §17
93-060	VRSD	Bailard	§§2-6, §8, §9, §§11-15, §17
88-133	BFI	Azusa	§§2-4, §6, §§8-17

\*CSDLAC= County Sanitation Districts of Los Angeles County; WMNA= Waste Management of North America; BFI= Browning-Ferris Industries; VRSD=Ventura Regional Sanitation District

- \*\* §2 - Definitions
- §3 - 100-Year Floodplain
- §4 - Documenting the Landfill's Existing Footprint
- §5 - MSW Landfills on or Adjoining Wetlands
- §6 - Liquids Acceptance
- §7 - Containment Systems Installed Beyond the Existing Footprint
- §8 - Water Quality Protection Standard
- §9 - Monitoring Parameters

- §10 - Constituents of Concern (COCs) for Landfills Lacking a Functioning LCRS
- §11 - Constituents of Concern (COCs) for Landfills Having a Functioning LCRS
- §12 - Concentration Limits
- §13 - Detection Monitoring Program (DMP) Under Revised Article 5
- §14 - Closure/Post-Closure Plan
- §15 - Deed Notation at MSW Landfills
- §16 - Interim Classification
- §17 - Reporting

## §2. DEFINITIONS

The following terms of art(\*) apply to this Order:\*

- **"Affected Persons"** means all individuals who either own or occupy land outside the boundaries of the parcel upon which the landfill is located that has been or may be affected by the release of leachate or waste constituents (in gas or liquid phase) from an MSWLF.
- **"Background Monitoring Point"** means a device (e.g., well) or location (e.g., a specific point along a lakeshore), upgradient or sidegradient from the landfill and assigned by this Order, where water quality samples are taken that are not affected by any release from the landfill and that are used as a basis of comparison against samples taken from downgradient Monitoring Points.
- **"Composite liner"** means a liner that consists of two or more components, which include a Synthetic Liner in direct and uniform contact with an underlying layer of prepared, low-permeability soil such that the net permeability of the resulting combination is significantly less than would be expected by reference to the permeability of the individual components' layers.
- **"Constituents of Concern (COC)"** are those constituents which are likely to be in the waste in the MSWLF or which are likely to be derived from waste constituents in the event of a release. The Constituents of Concern for each MSWLF under §1 of this Order are those listed in the Monitoring and

<sup>5</sup>\_\_\_\_\_

\* Term of art means a word or phrase given a narrow meaning for use within a specific document.

Reporting Program for that MSWLF, pursuant to §9(c) of this Order.

- **"Existing Footprint"** means the portion of land covered by waste discharged to an MSWLF unit as of midnight on the day before the Federal Deadline. The term includes the area under the active face of the landfill as well as all portions of the landfill unit containing waste that is obscured from view by daily, intermediate, or permanent cover. The term includes only areas covered with waste that is discharged in a manner that is consistent either with past operating practices or with modifications thereof that ensure good management of the waste. The term has the same meaning as the area enclosed by the "waste boundaries of an existing MSWLF unit", as used in the definition of the federal term of art "lateral expansion" in 40 CFR §258.2.
- **"Federal Deadline"** means the date listed in 40 CFR §258(j)—currently October 9, 1993—when the majority of the provisions in the federal MSW regulations become effective.
- **"Federal MSW regulations"** means the regulations promulgated by the United States Environmental Protection Agency on October 9, 1991 (Title 40, Code of Federal Regulations [CFR], Parts 257 and 258).
- **"Matrix effect"** means any change in the method detection limit or practical quantitation limit for a given analyte as a result of the presence of other constituents—either of natural origin or introduced by man as a result of a release or spill—that are present in the sample of water or soil-pore gas being analyzed.
- **"MDL"** - see "Method detection limit (MDL)"
- **"Method detection limit (MDL)"** means the lowest concentration associated with a 99% reliability of a "non-zero" analytical result. The MDL shall reflect the detection capabilities of the specific analytical procedure and equipment used by the laboratory. MDLs reported by the laboratory shall not simply be restated from USEPA analytical method manuals. In relatively interference-free water, laboratory-derived MDLs are expected to closely agree with published USEPA MDLs. If a lab suspects that, due to matrix or other effects, the detection limit for a particular analytical run differs significantly from the laboratory-derived MDL, the results should be flagged accordingly, along with an estimate of the detection limit achieved.
- **"Monitoring Parameters"** means the short list of constituents

and parameters used for the majority of monitoring activity at a given MSWLF. The Monitoring Parameters for each MSWLF are listed in §10 of this Order. Monitoring for the short list of Monitoring Parameters constitutes "indirect monitoring", in that the results are used to indicate indirectly the success or failure of adequate containment for the longer list of Constituents of Concern.

- **"Monitoring Point"** means a device (e.g., well) or location (e.g., a specific point along a surface waterbody), downgradient from the landfill and that is assigned in this Order, at which samples are collected for the purpose of detecting a release by comparison with samples collected at Background Monitoring Points.
- **"MSW"** means municipal solid waste.
- **"MSW landfill"**-for the purpose of this Order, means a Class II or Class III landfill in this region that accepts, or has accepted, municipal solid wastes, and that is subject to regulation under either or both Chapter 15 and the federal MSW regulations.
- **"PQL"** see "Practical quantitation limit (PQL)"
- **"Practical quantitation limit (PQL)"** means the lowest constituent concentration at which a numerical concentration can be assigned with a 99% certainty that its value is within  $\pm 10\%$  of the constituent's actual concentration in the sample. The PQL shall reflect the quantitation capabilities of the specific analytical procedure and equipment used by the laboratory. PQLs reported by the laboratory shall not simply be restated from USEPA analytical method manuals. In relatively interference-free water, laboratory-derived PQLs are expected to closely agree with published USEPA PQLs. If the lab suspects that, due to matrix or other effects, the quantitation limit for a particular analytical run differs significantly from the laboratory-derived PQL, the results should be flagged accordingly, along with an estimate of the quantitation limit achieved.
- **"Reporting Period"** means the duration separating the submittal of a given type of monitoring report from the time the next iteration of that report is scheduled for submittal. Unless otherwise stated, the due date for any given report shall be 30 days after the end of its Reporting Period.
- **"Sample size":**
  - a. For Monitoring Points For Monitoring Points 3 For

Monitoring Points For Monitoring Points, means the number of data points-obtained from a given Monitoring Point during a given Reporting Period-used for carrying out the statistical or non-statistical analysis of a given analyte during a given Reporting Period; or

- b. For Background Monitoring Points For Background Monitoring Points For Background Monitoring Points For Background Monitoring Points, means the number of new and existing data points collected under Title 23, California Code of Regulations (23CCR) Chapter 15, §2550.7(e)(11 and 12) from all applicable Background Monitoring Points in a given monitored medium-used to collectively represent the background concentration and variability of a given analyte in carrying out statistical or non-statistical analysis of that analyte during a given Reporting Period.

- **"Synthetic Liner"** means a layer of flexible, man-made material that is installed in accordance with the standard of the industry over an area of land prior to the discharge of waste there.
- **"VOCs"** - see "volatile organic compounds (VOCs)"
- **"VOC<sub>water</sub>"** means the composite monitoring parameter encompassing all VOCs that are detectable in less than ten percent of applicable background samples from a monitored water-bearing medium (e.g., the unsaturated zone, the uppermost aquifer, a zone of perched ground water, or a surface water body). This parameter is analyzed via the non-statistical analytical method described elsewhere in this Order to identify a release to waters of the state of VOCs whose presence in background water is detected too infrequently to allow statistical analysis.
- **"Volatile organic compounds (VOCs)"** means the suite of organic constituents having a high vapor pressure. The term includes at least the 47 organic constituents listed in Appendix I to 40 CFR Part 258.

### §3. 100-YEAR FLOODPLAIN

The discharger owning or operating an MSWLF that will receive waste on or after the Federal Deadline, and that is located within the floodplain of a 100-year return interval storm shall comply with 40 CFR §§258.11 and 258.16 by doing either of the following:

- A. **Report (Floodplain)** - The discharger shall submit a report to the Regional Board by the Federal Deadline, that meets the

requirements of 40 CFR §258.11 by demonstrating, to the satisfaction of the Regional Board's Executive Officer, that during the flood from a 100-year return interval storm the landfill:

1. **Flow restriction** - Will not materially restrict the flow of the flood;
  2. **Temporary storage capacity** - Will not materially reduce the temporary water storage capacity of the floodplain; and
  3. **Physical damage** - Will not suffer washout, inundation, or other damage as a result of the flood; or
- B. **Closure absent compliance** - In case the requirements of §(a) of this section are not met to the satisfaction of the Regional Board, the discharger shall close the landfill in accordance with 40 CFR §§258.16 and 258.60, and with Article 8 of Chapter 15.

#### **§4. DOCUMENTING THE LANDFILL'S EXISTING FOOTPRINT**

The discharger owning or operating an MSWLF that will receive waste on or after the Federal Deadline, shall document the Existing Footprint of the waste using photographs and a topographic map, and shall submit a copy of such documentation in the form of a report to the Regional Board, which shall be submitted prior to, or as part of, the first scheduled monitoring report following the Federal Deadline.

#### **§5. MSW LANDFILLS ON OR ADJOINING WETLANDS**

Discharge of municipal solid waste to a wetland—as that term is defined in 40 CFR §232.2(r)—or to any portion thereof is prohibited, unless the Regional Board finds that the discharger has successfully completed all demonstrations required for such discharge under 40 CFR §258.12(a). Such determination shall be based upon a report containing (a) a copy of the material considered by the U.S. Army Corps of Engineers (Army Corps) in granting a Section 404 Permit for such discharge, (b) each Army Corps response to those submittals, and (c) any additional materials requested by the Regional Board.

#### **§6. LIQUIDS ACCEPTANCE**

The discharge of leachate or landfill gas condensate to an MSWLF is prohibited. As of the Federal Deadline the use of leachate or gas condensate for dust control or irrigation is prohibited unless:

- A. The landfill gas condensate or leachate is being returned to the landfill that produced it; and
- B. The portion of the landfill to which these materials are discharged is equipped with a containment system meeting the requirements of §7(a) (1 or 3) and (b) of this Order.
- C. The leachate/condensate meets reuse requirements as determined by the Regional Board.

**§7. CONTAINMENT SYSTEMS INSTALLED BEYOND THE EXISTING FOOTPRINT**

**Discharge prohibition Discharge prohibition Discharge prohibition**  
- As of the Federal Deadline, discharges of municipal solid waste to either an MSWLF that has not received waste as of that date, or to any area beyond the Existing Footprint of an MSWLF, are prohibited unless such discharge is to an area equipped with a containment system which is constructed in accordance with the standard of the industry, and which meets the following additional requirements for both liners and leachate collection systems.

**A. Standards for liners**

- 1. **Post-Federal Deadline construction** - Except as provided in either §7(a)(3) [for steep sideslopes] or §7(a)(2) [for new discharges to pre-existing liners], after the Federal Deadline, all containment systems shall include a composite liner that consists of an upper synthetic flexible membrane component (Synthetic Liner) and a lower component of soil, and that the Regional Board's Executive Officer agrees meets the following requirements. The composite liner either:
  - a. **Prescriptive Design:**
    - 1. **Upper component** - Has a Synthetic Liner at least 40-mils thick (or at least 60-mils thick if of high density polyethylene) that is installed in direct and uniform contact with the underlying compacted soil component described in §7(A)(1)(a)2.; and
    - 2. **Lower component** - as a layer of compacted soil that is at least two feet thick and that has an hydraulic conductivity of no more than  $1 \times 10^{-7}$  cm/sec (0.1 feet/year); or
  - b. **Alternative design** - Satisfies the performance criteria contained in 40 CFR §§258.40(a)(1) and (c), and satisfies the criteria for an engineered alternative to the above Prescriptive Design [as

provided by 23 CCR §2510(b)], where the performance of the alternative composite liner's components, in combination, equal or exceed the waste containment capability of the Prescriptive Design;

2. **New discharges to liners constructed prior to the Federal Deadline** - Except as provided in §7(a)(3) [for steep sideslopes], containment systems that will begin to accept municipal solid waste after the Federal Deadline, but which have been constructed prior to the Federal deadline, are not required to meet the provisions of §7(a)(1) if the containment system includes a composite liner meeting the following requirements to the satisfaction of the Regional Board's Executive Officer. The liner must:
  - a. **Prescriptive Design** - Feature as its uppermost component a Synthetic Liner at least 40-mils thick (or at least 60-mils if high density polyethylene) that is installed in direct and uniform contact with the underlying materials; and
  - b. **Performance** - Meet the performance criteria contained in 40 CFR §§258.40(a)(1) and (c);
3. **Steep Sideslopes** - Containment systems installed in those portions of an MSWLF where an engineering analysis shows, to the satisfaction of the Regional Board's Executive Officer, that sideslopes are too steep to permit construction of a stable composite liner that meets the prescriptive standards contained in §§7(a)(1 or 2), shall include an alternative liner that, to the satisfaction of the Regional Board's Executive Officer, both meets the performance criteria contained in 40 CFR §§258.40(a)(1) and (c) and either:
  - a. **Composite liner** - Is a composite liner and includes as its uppermost component a Synthetic Liner at least 40-mils thick (or at least 60-mils if high density polyethylene) that is installed in direct and uniform contact with the underlying materials; or
  - b. **Noncomposite liner** - Is not a composite liner, but includes a Synthetic Liner at least 60-mils thick (or at least 80-mils if of high density polyethylene) that is installed in direct and uniform contact with the underlying materials.

- B. **Standards for leachate collection** - All liner systems shall include a leachate collection and removal system which, to the satisfaction of the Regional Board's Executive Officer, conveys to a sump [or other appropriate collection area lined in accordance with §7(a)] all leachate reaching the liner, and which does not rely upon unlined or clay-lined areas for such conveyance.

**§8. WATER QUALITY PROTECTION STANDARD**

- A. **Monitoring program's beginning date** - Unless the discharger proposes, and the Regional Board approves, an alternative water quality protection standard that meets the requirements of both 23 CCR §2550.2 and 40 CFR §§258.50 et seq., the discharger shall monitor compliance with this Order using a water quality protection standard that is created in accordance with §§B and C of this section. The discharger shall implement the requirements of this section, as follows:
1. **Determination submittal** - Dischargers listed in Section 1 of this Order have until October 9, 1993, to submit a report that demonstrates, to the satisfaction of the Regional Board Executive Officer, that their respective MSWLF is not located within one mile of a drinking water intake, including any well, spring, or surface water intake used for such purpose;
  2. **One mile or less** - Unless the Regional Board finds that a landfill is not within one mile of a drinking water intake, the discharger shall submit a monitoring system report by no later than August 9, 1994, that meets the requirements of §§(b) and (c) of this section to the satisfaction of the Regional Board's Executive Officer, and shall implement applicable portions of the water quality monitoring program described in this Order by October 9, 1994;
  3. **More than one mile** - For any MSWLF that the Regional Board finds is more than one mile from the closest drinking water intake, the discharger shall submit a monitoring system report by no later than August 9, 1995, that meets the requirements of §§(b) and (c) of this section to the satisfaction of the Regional Board's Executive Officer, and shall implement applicable portions of the water quality monitoring program described in this Order by October 9, 1995.
- B. **Concentration Limits** - The Concentration Limit for each Constituent of Concern shall be as determined under §12 of this Order.

- C. **Report required (monitoring system)** - The report required under §(A)(2 or 3) of this section shall:
1. **Identification of ground water** - Identify all distinct bodies of ground water that could be affected in the event of a release from the landfill. This list shall include at least the uppermost aquifer underlying the landfill and any permanent or ephemeral zones of perched water underlying the landfill;
  2. **Monitoring system performance** - Demonstrate that the landfill's existing and proposed monitoring systems satisfy the following requirements:
    - a. **Ground water monitoring system(s)** - The ground water monitoring system for each distinct ground water body identified above must meet the requirements of 40 CFR §258.51(a,c, and d) and 23 CCR §2550.7(b); and
    - b. **Monitoring systems for other media** - Only for dischargers whose waste discharge requirements, as of the effective date of this Order, have not been revised to incorporate the July 1, 1991, revisions to Article 5 of Chapter 15:
      1. **Surface water monitoring system(s)** - An MSWLF in close proximity to any affectable surface water body must meet the requirements of 23 CCR §2550.7(c); and
      2. **Unsaturated zone monitoring system(s)** - An MSWLF overlying an unsaturated zone that can be monitored feasibly must meet the requirements of 23 CCR §2550.7(d);
      3. **Monitoring Points and Background Monitoring Points** - Include a map showing the Monitoring Points and Background Monitoring Points validated under §(b) of this section and showing the Point of Compliance under 23 CCR §2550.5 (i.e., the downgradient boundary of the unit, with respect to the flow direction of ground water in the uppermost aquifer);
      4. **Compliance Period** - Estimate the Compliance Period under 23 CCR §2550.6; and
      5. **Constituents of Concern** - Include a list of all Constituents of Concern under §§10 or 11

of this Order.

**§9. MONITORING PARAMETERS**

Beginning on the date established under §8(a) of this Order (on October 9 of either 1994 or 1995), the Discharger shall analyze water samples from each water-bearing medium, separately, for the following Monitoring Parameters - unless the Regional Board approves alternative Monitoring Parameters that meet the requirements of both 23 CCR §§2550.0 *et seq.*, and 40 CFR §258.54- and shall test the resulting data using either the statistical and non-statistical methods listed in §13(f) of this Order or alternative methods the Regional Board finds meets the requirements of 23 CCR §2550.7(e)(6-10) and 40 CFR §258.53:

**A. Monitoring Parameters that use statistical methods:**

1. **Metals surrogates under 40 CFR §258.54(a)(2)** - pH, total dissolved solids (TDS), chloride, sulfate, and nitrate-nitrogen;
2. **Each VOC in background** - Each VOC that exceeds its respective MDL in at least ten percent of the samples taken from the Background Monitoring Points for a monitored water-bearing medium (i.e., surface water body, aquifer, perched zone, or soil-pore liquid) during a given Reporting Period; and

**B. Monitoring Parameter that uses non-statistical method** - The composite monitoring parameter "VOC<sub>water</sub>".

**§10. CONSTITUENTS OF CONCERN (COCs) FOR LANDFILLS LACKING A FUNCTIONING LEACHATE COLLECTION AND REMOVAL SYSTEM (LCRS)**

As of the date established under §8(a) of this Order (on October 9 of either 1994 or 1995), for any MSWLF that does not have both a liner and a leachate collection and removal system (LCRS) that produces leachate:

**A. Known constituents plus Appendix II** - The "COC list" (list of Constituents of Concern required under 23 CCR §2550.3) is hereby revised to include all constituents listed in the waste discharge requirements as of the effective date of this Order, in addition to all constituents listed in Appendix II to 40 CFR Part 258 (Appendix II constituent). The discharger shall monitor all COCs every five years, pursuant to §13(b)(3) of this Order; and

**B. Background sampling for new constituents** - For each Appendix II constituent that is newly added to the MSWLF's COC list, the discharger shall establish a reference background value

by analyzing at least one sample each quarter from each Background Monitoring Point for a period of at least one year, beginning with the date of this Order. Once this reference set of background data is collected, the discharger shall include it as a separate, identified item in the next monitoring report submittal.

**§11. CONSTITUENTS OF CONCERN (COCs) FOR LANDFILLS HAVING A FUNCTIONING LCRS**

Beginning on the date established under §8(a) of this Order (on October 9 of either 1994 or 1995), for any MSWLF equipped both with a liner and with a leachate collection and removal system (LCRS) that produces leachate, the discharger shall develop and maintain the Constituent of Concern (under 23 CCR §2550.3, "COC list") as follows.

**A. Building and augmenting the COC list** - The Constituent of Concern list includes:

1. **Known constituents** - All waste constituents listed in the waste discharge requirements as of the effective date of this Order; and
2. **Ongoing leachate analysis program** - Each constituent listed in Appendix II to 40 CFR Part 258 (Appendix II constituent) that is not already a COC for the landfill, and that both:
  - a. **October leachate sample and report** - Is detected in a sample of the landfill's leachate which the discharger shall collect during October of each year. The discharger shall report to the Regional Board by no later than January 31 of a given year, the analytical results of the leachate sample taken the previous October, including an identification of all detected Appendix II constituents that are not on the landfill's Constituent of Concern list (non-COCs); and
  - b. **April retest of leachate and report** - Is also detected in a retest leachate sample collected the following April. The discharger need take and analyze this retest sample only in cases where the annual leachate sample, taken the previous October under §(a)(2)(A) of this section, identifies non-COCs. The retest sample shall be analyzed only for the non-COCs detected in the October sample. During any year in which an April leachate retest is carried out, the discharger shall submit a report to the Regional Board, by no later than

August 1 of that year, all constituents which must be added to the landfill's COC list as a result of having been detected in both the (previous calendar year's) October sample and in the April retest sample;

- B. **Background sampling for new constituents** - For each Appendix II constituent that is newly added to the MSWLF's COC list [pursuant to §(a)(2)(B) of this section], the discharger shall establish a reference background value in each monitored medium by analyzing at least one sample each quarter from each Background Monitoring Point for a period of at least one year following the date the constituent is submitted to the Regional Board as a new COC. Once this reference set of background data is collected, the discharger shall include it as a separate, identified item in the next monitoring report submittal.

#### §12. CONCENTRATION LIMITS

As of the date established under §8(a) of this Order (on October 9 of either 1994 or 1995), the concentration limit for any given Constituent of Concern or Monitoring Parameter in a given monitored medium (e.g., the uppermost aquifer) at an MSWLF shall be as follows, and shall be used as the basis of comparison with data from the Monitoring Points in that monitored medium:

- A. **Background per revised Article** - The background value established in the WDRs by the Regional Board for that constituent and medium, pursuant to 23 CCR §§2550.4 and 2550.7(e) (6,7,10, and 11);
- B. **Concurrent background** - The constituent's background value, established anew during each Reporting Period using only data from all samples collected during that Reporting Period from the Background Monitoring Points for that monitored medium. Either:
1. The mean (or median, as appropriate). The mean (or median, as appropriate). The mean (or median, as appropriate) and standard deviation (or other measure of central tendency, as appropriate) of the constituent's background data; or
  2. The constituent's MDL. The constituent's MDL. The constituent's MDL. The constituent's MDL, in cases where less than 10% of the background samples exceed the constituent's MDL; or

- C. **CLGB (Concentration Limit Greater Than Background) option for corrective action** - A concentration limit greater than background, as approved by the Regional Board for use during-or-after corrective action [see 23 CCR §§2550.4(c-i)].

**§13. DETECTION MONITORING PROGRAM (DMP) UNDER REVISED ARTICLE 5**

The following detection monitoring program begins to apply to each MSWLF listed in §1 of this Order on the date established under §8(a) of this Order (on October 9 of either 1994 or 1995), unless and until the Regional Board revises the waste discharger requirements for the landfill to include an alternative detection monitoring program that complies both with the federal MSW regulations and with the most recent revisions to Article 5 of Chapter 15.

- A. **SAMPLING AND ANALYTICAL METHODS** - Sample collection, storage, and analysis shall be performed according to the most recent version of Standard USEPA Methods (USEPA publication "SW-846"), and in accordance with an approved sampling and analysis plan. Water and waste analysis shall be performed by a laboratory approved for these analyses by the State of California. Specific methods of analysis must be identified. If methods other than USEPA-approved methods or Standard USEPA Methods are used, the exact methodology must be submitted for review and must be approved by the Regional Board 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. All monitoring instruments and equipment shall be properly calibrated and maintained to ensure accuracy of measurements. In addition, the discharger is responsible for seeing that the laboratory analysis of all samples from Monitoring Points and Background Monitoring Points meets the following restrictions:

1. **Method selection** - The methods of analysis and the detection limits used shall be appropriate for the expected concentrations. For detection monitoring of any constituent or parameter that is found in concentrations which produce more than 90% non-numerical determinations (i.e., "trace" or nondetect (ND)) in data from Background Monitoring Points for that medium, the analytical method having the lowest method detection limit (MDL) shall be selected from among those methods which would provide valid results in light of any Matrix Effects involved;
2. **"Trace" results** - Analytical results falling between the MDL and the practical quantitation limit (PQL)

shall be reported as "trace", and shall be accompanied both by the (nominal or estimated) MDL and PQL values for that analytical run;

3. **Nominal MDL and PQL** - MDLs and PQLs shall be derived by the laboratory for each analytical procedure, according to State of California laboratory accreditation procedures. These nominal MDLs and PQLs shall reflect the detection and quantitation capabilities of the specific analytical procedure and equipment used by the lab, rather than simply being quoted from USEPA analytical method manuals. If the lab suspects that, due to a change in matrix or other effects, the true detection limit or quantitation limit for a particular analytical run differs significantly from the laboratory-derived nominal MDL/PQL values, the results shall be flagged accordingly, along with an estimate of the detection limit and quantitation limit actually achieved;
4. **QA/QC data** - All QA/QC data shall be reported, along with the sample results to which it applies, including the method, equipment, and analytical detection limits, the recovery rates, an explanation for any recovery rate that is less than 80%, the results of equipment and method blanks, the results of spiked and surrogate samples, the frequency of quality control analysis, and the name of the person(s) performing the analyses. Sample results shall be reported unadjusted for blank results or spike recovery. In cases where contaminants are detected in QA/QC samples (i.e., field, trip, or lab blanks), the accompanying sample results shall be appropriately flagged;
5. **Common laboratory contaminants** - Upon receiving written approval from the Executive Officer, an alternative statistical or non-statistical procedure can be used for determining the significance of analytical results for a constituent that is a common laboratory contaminant (e.g., methylene chloride, acetone, diethylhexyl phthalate, and di-n-octyl phthalate) during any given Reporting Period in which QA/QC samples show evidence of laboratory contamination for that constituent. Nevertheless, analytical results involving detection of these analytes in any background or downgradient sample shall be reported and flagged for easy reference by Regional Board staff;
6. **Unknowns** - Unknown chromatographic peaks shall be reported, along with an estimate of the concentration of the unknown analyte. When unknown peaks are

encountered, second column or second method confirmation procedures shall be performed to attempt to identify and more accurately quantify the unknown analyte; and

7. **MDL and PQL** - The MDL and PQL shall be determined in accordance with the definitions of those terms in Section 2 of this Order.

**B. REQUIRED MONITORING REPORTS**

1. **Detection monitoring report twice-annually** - For each monitored medium, all Monitoring Points assigned to detection monitoring [under §§8(b)(2) and 8(c) of this Order], and all Background Monitoring Points shall be monitored once each Winter/Spring and Summer/Fall (Winter/Spring and Summer/Fall Reporting Periods end on March 31 and September 30, respectively) for the Monitoring Parameters listed in §9 of this Order. Monitoring for Monitoring Parameters shall be carried out in accordance with §§(d)(2) and (f) of this section, and the report shall meet the requirements of §(b)(4) of this section.
2. **Annual summary report** - The discharger shall submit an annual report to the Regional Board covering the previous monitoring year. The Reporting Period ends March 31. This report may be combined with the Winter/Spring detection monitoring report under §(b)(1) of this section, and shall meet the requirements of §(b)(4) of this section in addition to the following:
  - a. **Graphical Presentation of Analytical Data under 23 CCR §2550.7(e)(14)]** - For each Monitoring Point and Background Monitoring Point, submit in graphical format the laboratory analytical data for all samples taken within at least the previous five calendar years. Each such graph shall plot the concentration of one or more constituents over time for a given Monitoring Point or Background Monitoring Point, at a scale appropriate to show trends or variations in water quality. The graphs shall plot each datum, rather than plotting mean values. For any given constituent or parameter, the scale for background plots shall be the same as that used to plot downgradient data. On the basis of any aberrations noted in the plotted data, the Executive Officer may direct the discharger to carry out a preliminary investigation [23 CCR §2510(d)(2)], the results of which will determine whether or not a release is

indicated;

- b. **Table and diskette(s)** - Submit all monitoring analytical data obtained during the previous two six-month (Monitoring Parameter) Reporting Periods, in tabular form as well as on diskettes (either in MS-DOS/ASCII format or in another file format acceptable to the Regional Board's Executive Officer). Data sets too large to fit on a single diskette may be submitted on disk in a commonly available compressed format (e.g., PK-ZIP or NORTON BACKUP) acceptable to the Regional Board Executive Officer. The Regional Board regards the submittal of data in hard copy and on diskette as "...the form necessary for..." statistical analysis [23 CCR §2550.8(h)], in that this facilitates periodic review by the Regional Board's statistical consultant;
  - c. **Compliance record discussion** - Submit a comprehensive discussion of the compliance record, and of any corrective actions taken or planned which may be needed to bring the discharger into full compliance with the landfill's waste discharge requirements;
  - d. **Waste allocation map** - Submit a map showing the area, if any, in which filling has been completed during the previous calendar year;
  - e. **Summary of changes** - Submit a written summary of monitoring results and monitoring system(s), indicating any changes made or observed since the previous annual report; and
  - f. **Leachate control** - For units having leachate monitoring/control facilities, submit an evaluation of their effectiveness, pursuant to 23 CCR §§2543(b,c, & d).
3. **COC Report at least every five years** - In the absence of a release being indicated [i.e., under §§(b)(2)(A), (c)(3), (c)(6)(C), or (f)(3) of this section], the discharger shall monitor all constituents of concern (COCs) and submit a report (COC Report) as follows:
- a. **Reporting Period for COCs** - The discharger shall sample all Monitoring Points and Background Monitoring Points for each monitored medium for all COCs every fifth year, beginning with the Spring of 1996 (first Reporting Period ends



- b. **Compliance evaluation summary** - For Detection Monitoring and COC Reports only, a compliance evaluation summary containing at least:
1. **Flow rate/direction** - For each monitored ground water body, a description and graphical presentation (e.g., arrow on a map) of the velocity and direction of ground water flow under/around the Unit, based upon water level elevations taken during the collection of the water quality data submitted in the report;
  2. **Well information** - For each monitoring well addressed by the report, a description of the method and time of water level measurement, and a description of the method of purging used both before sampling to remove stagnant water in the well, and after sampling to remove the water that was in the well bore while the sample was being taken; and
  3. **Sampling Information** - For each Monitoring Point and Background Monitoring Point addressed by the report, a description of the type of pump-or other device-used and its vertical placement for sampling, and a detailed description of the sampling procedure (number and description of the samples, field blanks, travel blanks, and duplicate samples taken, the type of containers and preservatives used, the date and time of sampling, the name and qualifications of the person actually taking the samples, and any other observations);
- c. **Map** - A map (or copy of an aerial photograph) showing the locations of observation stations, Monitoring Points, and Background Monitoring Points;
- d. **Laboratory data** - For Detection Monitoring and COC Reports only, the laboratory results of all analyses, in compliance with §(a) of this section;
- e. **Leachate and run on/off control statement** - A statement as to the condition and performance of any leachate monitoring and control facilities, and of the run-off/run-on control facilities; and
- f. **Waste placement and type** - The quantity and types

of wastes discharged and the locations in the landfill where waste has been placed since submittal of the last such report.

C. **CONTINGENCY RESPONSES**

1. **Leachate seep** - The discharger shall immediately report by telephone concerning the discovery of any previously unreported seepage from the disposal area. A written report shall be filed with the Regional Board within seven days, containing at least the following information:
  - a. **Map** - A map showing the location(s) of seepage;
  - b. **Flow rate** - An estimate of the flow rate;
  - c. **Description** - A description of the nature of the discharge (e.g., all pertinent observations and analyses); and
  - d. **Corrective measures** - approved (or proposed for consideration) by the Regional Board's Executive Officer.
2. **Response to an initial indication of a release** - Should the initial statistical or non-statistical comparison [under §(f)(1 or 2) of this section, respectively] indicate, for any Constituent of Concern or Monitoring Parameter, that a release is tentatively identified, the discharger shall immediately notify their designated Regional Board staff contact verbally as to the Monitoring Point(s) and constituent(s) or parameter(s) involved, shall provide written notification by certified mail within seven days of such determination [23 CCR §2550.8(j)(1)], and shall carry out a discrete retest in accordance with §§(d)(2) and (f)(3) of this section. If the retest confirms the existence of a release, the discharger shall carry out the requirements of §(c)(4) of this section. In any case, the discharger shall inform the Regional Board of the outcome of the retest as soon as the results are available, following up with written results submitted by certified mail within seven days of completing the retest.
3. **Physical evidence of a release** - If either the discharger or the Regional Board's Executive Officer determines that there is significant physical evidence of a release [23 CCR §2550.1(3)], the discharger shall conclude that a release has been discovered and shall:

- a. **Notify** - Immediately notify the Regional Board of this fact by certified mail (or acknowledge the Regional Board's determination);
  - b. **Investigate** - Carry out the requirements of §(c)(4) of this section for all potentially-affected monitored media; and
  - c. **Additional work** - Carry out any additional investigations stipulated in writing by the Regional Board Executive Officer for the purpose of identifying the cause of the indication.
4. **Release discovery response** - If the discharger concludes that a release has been discovered:
- a. **COC scan** - If this conclusion is not based upon monitoring for all Constituents of Concern, pursuant to §(b)(3) of this section, then the discharger shall sample for all Constituents of Concern at all Monitoring Points and submit them for laboratory analysis within thirty days of discovery. Within seven days of receiving the laboratory analytical results, the discharger shall notify the Regional Board, by certified mail, of the concentration of all Constituents of Concern at each Monitoring Point; this notification shall include a synopsis showing, for each Monitoring Point, those constituents that exhibit an unusually high concentration. Because the data from this scan is not to be statistically tested against background, only a single datum is required for \*each Constituent of Concern at each Monitoring Point [23 CCR §2550.8(k)(1)];
  - b. **Submittal of proposed EMP** - The discharger shall, **within 90 days** of discovering the release, submit a Revised Report of Waste Discharge proposing an Evaluation Monitoring Program that 1.) meets the requirements of 23CCR §2550.8(k)(5) and §2550.9, and 2.) satisfies the requirements of 40 CFR §258.55(g)(1)(ii) by committing to install at least one monitoring well at the facility boundary directly downgradient of the center of the release, immediately after delineating the nature and extent of the release under 23 CCR §2550.9(b);
  - c. **Submittal of engineering feasibility study** - The discharger shall, within 180 days of discovering

the release, submit a preliminary engineering feasibility study meeting the requirements of 23 CCR §2550.8(k)(6); and

- d. **Initiation of nature-and-extent delineation** - The discharger shall immediately begin delineating the nature and extent of the release by installing and monitoring assessment wells as necessary to assure that the discharger can meet the requirement [under 23 CCR §2550.9(b)] to submit a delineation report within 90 days of when the Regional Board directs the discharger to begin the Evaluation Monitoring Program. This report shall show the vertical and horizontal limits of the release for all Constituents of Concern. This delineation effort shall be carried out in addition to any ongoing monitoring program (e.g., detection monitoring program); nevertheless, the discharger's delineation effort shall encompass all relevant monitoring data.
5. **Release beyond facility boundary** - Any time the discharger concludes (or the Regional Board's Executive Officer directs the discharger to conclude) that a release from the Unit has proceeded beyond the facility boundary, the discharger shall so notify all persons who either own or reside upon the land that directly overlies any part of the plume (Affected Persons).
    - a. **Initial notice** - Initial notification to Affected Persons shall be accomplished within 14 days of making this conclusion and shall include a description of the discharger's current knowledge of the nature and extent of the release.
    - b. **Updated notice** - Subsequent to initial notification, the discharger shall provide updates to all Affected Persons, including any persons newly affected by a change in the boundary of the release, within 14 days of concluding there has been any material change in the nature or extent of the release.
    - c. **Submittal** - Each time the discharger sends a notification to Affected Persons [under §§(c)(5(A or B), above)], the discharger shall provide the Regional Board, within seven days of sending such notification, with both a copy of the notification and a current mailing list of Affected Persons.

6. **Response to VOC Detection in Background**

- a. **Detection and verification** - Except for VOCs validated as not having come from the landfill, under §(c)(6)(B), any time the laboratory analysis of a sample from a Background Monitoring Point, sampled for VOCs under §(f) of this section, shows either 1.) two or more VOCs at-or-above their respective MDL, or 2.) one VOC at-or-above its respective PQL, then the discharger shall immediately notify the Regional Board by phone that possible background contamination has occurred, shall follow up with written notification by certified mail within seven days, and shall obtain two new independent VOC samples from that Background Monitoring Point and send them for laboratory analysis of all detectable VOCs within thirty days. If either or both these retest samples validates the presence of VOC(s) at that Background Monitoring Point, using the above procedure, the discharger shall:
1. **Notification** - Immediately notify the Regional Board about the VOC(s) verified to be present at that Background Monitoring Point, and follow up with written notification submitted by certified mail within seven days of validation; and
  2. **Report** - Within 180 days of validation, submit a report, acceptable to the Executive Officer, which examines the possibility that the detected VOC(s) originated from the Unit (e.g., using concentration gradient analyses) and proposes appropriate changes to the monitoring program.
- b. **VOCs not from landfill** - If, after reviewing the report submitted under §(c)(6)(A)2., the Executive Officer determines that the VOC(s) detected originated from a source other than the Unit, the Executive Officer will make appropriate changes to the monitoring program.
- c. **VOCs likely from landfill** - If, after reviewing the report submitted under §(c)(6)(A)2., the Executive Officer determines that the detected VOC(s) most likely originated from the Unit, the discharger shall conclude that a release has been detected and shall immediately begin carrying out the requirements of §(c)(4) of this section.

D. **WATER SAMPLING AND ANALYSIS FOR DETECTION MONITORING**

1. **Water quality monitoring systems** - The monitored media, and the Monitoring Points and Background Monitoring Points for each such medium, are those listed in the Monitoring and Reporting Program for the landfill, pursuant to §8(c) of this Order.

2. **Thirty-Day Sample Procurement Limitation**

a. **Latter third/thirty days** - For any given monitored medium, samples shall be taken from all Monitoring Points and Background Monitoring Points to satisfy the data analysis requirements for a given Reporting Period [under §(b) of this section] shall all be taken during the latter third of the Reporting Period within a span not exceeding 30 days, and shall be taken in a manner that insures sample independence to the greatest extent feasible [23 CCR §2550.7(e)(12)(B)]. Sample procurement shall be carried out as late in the Reporting Period as feasible, considering the time needed to analyze the samples, analyze the resulting data, and to prepare and submit the monitoring report within thirty days after the end of the Reporting Period.

b. **Elevation/Field Parameters** - Ground water sampling shall also include an accurate determination of the ground water surface elevation and field parameters (temperature, electrical conductivity, turbidity) for that Monitoring Point or Background Monitoring Point [23 CCR §2550.7(e)(13)]. Ground water elevations taken prior to purging the well and sampling for Monitoring Parameters shall be used to fulfill the Spring and Fall ground water flow rate/direction analyses required under §(e), below.

c. **Data analysis ASAP** - statistical or non-statistical analysis shall be carried out as soon as the monitoring data is available, in accordance with §(f) of this section.

E. **Quarterly Determination of Ground Water Flow Rate/Direction [23 CCR §2550.7(e)(15)]** - For each monitored ground water body, the discharger shall measure the water level in each well and determine ground water flow rate and direction at least quarterly, including the times of expected highest and lowest elevations of the water level for the respective

ground water body. This information shall be included in the twice-yearly monitoring reports required under §(b)(1) of this section.

- F. **Statistical and Non-Statistical Analysis of Sample Data During a Detection Monitoring Program** - The following data analysis methods shall be used at MSWLFs unless and until the discharger proposes, and the Regional Board revises the waste discharge requirements to include, data analysis methods that comply with the July 1, 1991 revision of Article 5 of Chapter 15 (revised Article 5); nevertheless, dischargers who own or operate MSWLFs having waste discharge requirements that have been revised to comply with revised Article 5 shall use the following non-statistical data analysis methods for constituents that cannot be addressed by statistical means and shall use the following statistical analysis scheme on those constituents for which the Regional Board has not yet approved a statistical method.

The discharger subject to this section shall use the most appropriate of the following methods to compare the downgradient concentration of each monitored constituent (or parameter) with its respective background concentration to determine if there has been a release from the Unit. For any given data set, the discharger shall first decide if statistical analysis is possible, by reference to the relative frequency with which the constituent is detected in background samples [see §(f)(1)]. For a constituent that qualifies for statistical analysis, the discharger shall proceed sequentially down the list of statistical analysis methods listed in §§(f)(1)(A-C), using the first method for which the data qualifies. Those constituents for which no statistical method [under §(f)(1)] is appropriate shall be analyzed by the non-statistical method in §(f)(2). If the initial statistical/non-statistical analysis tentatively indicates the detection of a release, the discharger shall implement the retest procedure under §(f)(3).

1. **Statistical Methods** - The discharger shall use one of the following statistical methods to analyze Constituents of Concern or Monitoring Parameters which exhibit concentrations which equal or exceed their respective MDL in at least ten percent of the background samples taken during that Reporting Period. Except for pH, which uses a two-tailed approach, the statistical analysis for all constituents and parameters shall be one-tailed (testing only for statistically significant increase relative to background):

- a. **One-Way Parametric Analyses of Variance (ANOVA), followed by multiple comparisons [§2550.7(e)(8)(A)]** - This method requires at least four independent samples from each Monitoring Point and Background Monitoring Point during each sampling episode. It shall be used when the background data for the parameter or constituent, obtained during a given sampling period, has not more than 15% of the data below the PQL. Prior to analysis, all "trace" determinations must be replaced with a value halfway between the PQL and the MDL values reported for that sample run, and all "non-detect" determinations must be replaced with a value equal to half the MDL value reported for that sample run. The ANOVA shall be carried out at the 95% confidence level. Following the ANOVA, the data from each downgradient Monitoring Point shall be tested at a 99% confidence level against the pooled background data. If these multiple comparisons cause the Null Hypothesis (i.e., that there is no release) to be rejected at any Monitoring Point, the discharger shall conclude that a release is tentatively indicated for that parameter or constituent and shall immediately implement the retest procedure under §(f)(3);
- b. **One-Way Non-Parametric ANOVA (Kruskal-Wallis Test), followed by multiple comparisons** - This method requires at least nine independent samples from each Monitoring Point and Background Monitoring Point; therefore, the discharger shall anticipate the need for taking more than four samples per Monitoring Point, based upon past monitoring results. This method shall be used when the pooled background data for the parameter or constituent, obtained within a given Sampling Period, has not more than 50% of the data below the PQL. The ANOVA shall be carried out at the 95% confidence level. Following the ANOVA, the data from each downgradient Monitoring Point shall be tested at a 99% confidence level against the pooled background data. If these multiple comparisons cause the Null Hypothesis (i.e., that there is no release) to be rejected at any Monitoring Point, the discharger shall conclude that a release is tentatively indicated for that parameter or constituent and shall immediately implement the retest procedure under §(f)(3); or
- c. **Method of Proportions** - This method shall be used if the "combined data set" (the data from a given

Monitoring Point in combination with the data from the Background Monitoring Points) has between 50% and 90% of the data below the MDL for the constituent or parameter in question. This method 1.) requires at least nine downgradient data points per Monitoring Point per Reporting Period, 2.) requires at least thirty data points in the combined data set, and 3. requires that  $n * P > 5$  (where n is the number of data points in the combined data set and P is the proportion of the combined set that exceeds the MDL); therefore, the discharger shall anticipate the number of samples required, based upon past monitoring results. The test shall be carried out at the 99% confidence level. If the analysis results in rejection of the Null Hypothesis (i.e., that there is no release), the discharger shall conclude that a release is tentatively indicated for that constituent or parameter, and shall immediately implement the retest procedure under §(f)(3).

2. **Non-Statistical Method** - The discharger shall use the following non-statistical method for analyzing all constituents which are not amenable to statistical analysis by virtue of having being detected in less than 10% of applicable background samples. A separate variant of this test is used for the VOC<sub>water</sub> Composite Monitoring Parameter and for qualifying Constituents of Concern. Regardless of the test variant used, the method involves a two-step process: a.) from all constituents to which the test variant applies, compile a list of those constituents which exceed their respective MDL in the downgradient sample from a given Monitoring Point, then b.) evaluate whether the listed constituents meet either of the test variant's two possible triggering conditions. For each Monitoring Point, the list described above shall be compiled based on either: the data from the single sample (for that constituent) taken during that Reporting Period from that Monitoring Point, or (where several independent samples have been analyzed for that constituent at a given Monitoring Point) the data from the sample which contains the largest number of detected constituents. Background shall be represented by the data from all samples taken from the appropriate Background Monitoring Points during that Reporting Period (at least one sample from each Background Monitoring Point). The method shall be implemented as follows:

- a. **Version for the Volatile Organics Composite Monitoring Parameter For Water Samples (VOC<sub>water</sub>)** - For any given Monitoring Point, the VOC<sub>water</sub> Monitoring Parameter is a composite parameter addressing all detectable VOCs, including at least all 47 VOCs listed in Appendix I to 40 CFR Part 258. The discharger shall compile a list of each VOC which 1.) exceeds its MDL in the Monitoring Point sample, and also 2.) exceeds its MDL in less than ten percent of the samples taken during that Reporting Period from that medium's Background Monitoring Points. The discharger shall conclude that a release is tentatively indicated for the VOC<sub>water</sub> composite Monitoring Parameter if the list either 1.) contains two or more VOCs ( $\geq$ MDL), or 2.) contains one VOC that equals or exceeds its PQL;
- b. **Version for Constituents of Concern** - As part of the Constituent of Concern monitoring effort required under §(b)(3) of this section, for each Monitoring Point, the discharger shall compile a list of constituents of concern that exceed their respective MDL at the Monitoring Point yet do so in less than ten percent of the background samples taken during that Reporting Period. The discharger shall conclude that a release is tentatively indicated if the list either 1. contains two or more constituents ( $\geq$ MDL), or 2. contains one constituent which equals or exceeds its PQL.
3. **Discrete Retest [23 CCR §2550.7(e)(8)(E)]** - In the event that the discharger concludes that a release has been tentatively indicated [pursuant to §§(f)(1 or 2), above], the discharger shall collect two new suites of samples (for VOC<sub>water</sub> or for the indicated Constituent[s] of Concern) from the indicating Monitoring Point within 30 days of such indication. Resampling of the Background Monitoring Points is optional. As soon as the retest data is available, the discharger shall use the same statistical method (or non-statistical comparison) as that which provided the tentative indication of a release to separately analyze each of the two suites of retest data for the affected Monitoring Point. For any indicated Monitoring Parameter or Constituent of Concern, if the test results of either (or both) of the retest data suites confirms the original indication, the discharger shall conclude that a release has been discovered and shall carry out the requirements of §(c)(4) of this section.

All retests shall be carried out only for those Monitoring Point(s) at which a release is tentatively indicated, and only for the Constituent(s) of Concern or Monitoring Parameter(s) which triggered the indication there, as follows:

- a. **ANOVA retest** - If a (parametric or non-parametric) ANOVA method was used in the initial test, the retest shall involve only a repeat of the multiple comparison procedure, carried out separately on each of the two new suites of samples taken from the indicating Monitoring Point;
- b. **Method of Proportions retest** - If the Method of Proportions statistical test was used, the retest shall consist of a full repeat of the statistical test for the indicated constituent or parameter, carried out separately on each of the two new suites of samples from the indicating Monitoring Point;
- c. **Non-Statistical Method retest** - If the non-statistical method was used:
  1. **For VOC<sub>water</sub>** - Because the VOC<sub>water</sub> composite Monitoring Parameter is a single parameter which addresses an entire family of constituents likely to be present in any landfill release, the scope of the laboratory analysis for each of the two retest samples shall include all VOCs detectable in that retest sample. Therefore, a confirming retest for either parameter shall have validated the original indication even if the detected constituents in the confirming retest sample(s) differs from those detected in the sample which initiated the retest;
  2. **For COCs** - Because all Constituents of Concern that are jointly addressed in the non-statistical test under §(f)(2)(B), above, remain as individual Constituents of Concern, the scope of the laboratory analysis for the non-statistical retest of Constituents of Concern shall address only those constituents detected in the sample which initiated the retest.

**§14. CLOSURE/POST-CLOSURE PLAN**

- A. **Older closed units exempted** - This section applies only to MSWLFs that have received waste on or after October 9, 1991.
- B. **Recently closed units** - The discharger who owns or operates an MSWLF that received waste on or after October 9, 1991, that will have stopped receiving waste by the Federal Deadline, and that will have completed final closure within six months after the last receipt of waste shall submit a report to the Regional Board by the Federal Deadline. This report shall either 1.) validate that the landfill's final cover meets the requirements of 40 CFR §258.60(a), or 2.) include any necessary updates to the closure plan and propose changes to the final cover necessary to bring the landfill into compliance with 40 CFR §258.60(a);
- C. **Operating units** - The discharger who owns or operates an MSWLF that received waste on or after October 9, 1991, and that will not have initiated final closure as of the Federal Deadline, shall submit a closure and post-closure maintenance plan (or submit suitable modifications to a pre-existing plan) by the Federal Deadline, that complies with 40 CFR §§258.60 and 258.61 and with Article 8 of Chapter 15.

**§15. DEED NOTATION AT MSW LANDFILLS**

- A. **Schedule** - All MSWLFs listed in §1 of this Order shall comply with the requirements of §(b) of this section in accordance with the following schedule:
1. **Early closures** - Dischargers owning or operating an MSWLF that completed final closure prior to October 9, 1991, shall comply with §(b) of this section and provide proof of such compliance to the Regional Board by October 9, 1995;
  2. **Closed since October 8, 1991** - For all MSWLFs that completed final closure between the close of business on October 8, 1991, and the effective date of this Order, the discharger shall comply with §(b) of this section and provide proof of such compliance to the Regional Board by the Federal Deadline;
  3. **Operating MSW landfills** - For all MSWLFs that are either operating or have not completed closure, as of the effective date of this Order, the discharger shall comply with §(b) of this section and provide proof of such compliance to the Regional Board within sixty days after completing final closure.

- B. **Notation** - In accordance with the deadline provided under §(a) of this section, the discharger shall provide proof to the Regional Board that the deed to the landfill facility property, or some other instrument that is normally examined during title search, has been modified to include, in perpetuity, a notation to any potential purchaser of the property stating that:
1. **Parcel history** - The parcel has been used as an MSWLF;
  2. **Parcel use limitations** - Land use options for the parcel are restricted in accordance with the post-closure land uses set forth in the post-closure plan and in WDRs for the landfill; and
  3. **New owner's responsibility** - In the event that the discharger defaults on carrying out either the post-closure maintenance plan or any corrective action needed to address a release, then the responsibility for carrying out such work falls to the property owner.

#### §16. INTERIM CLASSIFICATION

This section applies to all MSWLFs listed in §1 that, as of the effective date of this Order, have not been reclassified under 23 CCR §§2510(d,e), 2530(b), and 2591(c).

- A. **Interim Class III status granted** - MSWLFs subject to this section are hereby granted interim status as Class III landfills under Chapter 15, as of the effective date of this Order, unless and until the landfill is reclassified in accordance with that chapter. With respect to the Azusa Land Reclamation facility, this provision shall apply only to the extent authorized by the applicable WDRs, court rulings, and State Water Resources Control Board decisions.
- B. **Revised ROWD required** - Dischargers owning or operating an MSWLF, subject to this section, shall submit a revised report of waste discharge by October 9, 1994, that is in full compliance with Article 9 of Chapter 15, and that provides all information necessary for the Regional Board to reclassify the landfill pursuant to 23 CCR §§2510(d,e) and 2591(c). Dischargers who have submitted such a report prior to the effective date of this Order shall submit a letter to that effect, in place of resubmitting the report.

#### §17 REPORTING

- A. The dischargers shall submit the following reports/documents in accordance with the following deadlines required under applicable provisions §§2 through 16:

Amended Waste Discharge Requirements  
 For Municipal Solid Waste Disposal Sites  
 To Implement State Board Resolution No. 93-62  
 Order No. 93-062

File No. 93-43

Task Description	Report Due
100-year Flood Plain Report [see §3(a)]	October 9, 1993*
Closure and Postclosure Report [see §14(b)]	.
Closure and Postclosure Maintenance Plan [see §14(c)]	.
Deed Notation - Proof of Compliance [see §15(b)]	.
Distance from Drinking Well Determination Submittal [see §8(a)(1)]	.
Existing MSWLF Footprint Documentation - Photograph [see §4]	November 9, 1993
Existing MSWLF Footprint Documentation - Topography Map [see §4]	February 9, 1994
Monitoring System Report [see §8(a)(2)]	August 9, 1994
Revised Report of Waste Discharge [see §16(b)]	October 9, 1994
Monitoring System Report [see §8(a)(3)]	August 9, 1995
Deed Notation - Proof of Compliance [see §15(a)(1)]	October 9, 1995
October Leachate Sampling and Reporting [see §11(a)(2)(A)]	January 31 of each year
April Retesting of Leachate and Reporting [see §11(a)(2)(B)]	August 1 of each year
Semi-Annual Detection Monitoring Report [see §13(b)(2)]	March 31 and September 30 of each year
Annual Summary Report [see §13(b)(2)]	March 31 of each year
COCs Report [see §13(b)(3)]	March 31, 1996 and every fifth year thereafter

\*All landfills identified in §1 of this Order have met this requirement except for Pebbly Beach, Two Harbors, and Honor Rancho.

B. All reports shall be signed by a responsible officer or a duly authorized representative of the dischargers and shall be submitted under penalty of perjury.

**§18 EXISTING WASTE DISCHARGE REQUIREMENTS**

All terms and conditions contained in the existing waste discharge requirements as listed under §1 shall remain in effect and unchanged.

I, Robert P. Ghirelli, Executive Officer, do hereby certify that the foregoing is a full, true and correct copy of an order adopted

Amended Waste Discharge Requirements  
For Municipal Solid Waste Disposal Sites  
To Implement State Board Resolution No. 93-62  
Order No. 93-062

File No. 93-43

by the California Regional Water Quality Control Board, Los Angeles Region, on September 27, 1993.

Original Signed by

ROBERT P. GHIRELLI, D.Env.  
Executive Officer

**VENTURA REGIONAL SANITATION DISTRICT  
TOLAND ROAD LANDFILL  
ORDER NO. R4-2002-023**

**FILE NO. 69-091**

**ATTACHMENT 2:  
STANDARD PROVISIONS APPLICABLE TO  
WASTE DISCHARGE REQUIREMENTS**



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. [CWC Section 13261, 13263, 13265, 13268, 13300, 13301, 13304, 13340, 13350]

2. GENERAL PROHIBITION

Neither the treatment nor the discharge of waste shall create a pollution, contamination or nuisance, as defined by Section 13050 of the California Water Code (CWC). [H&SC Section 5411, CWC Section 13263]

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. [CWC 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 on. [CWC 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. [CWC Section 13260(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.

November 7, 1990  
WDR

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. [CCR Title 23 Section 2210]

6. REVISION

These waste discharge requirements are subject to review and revision by the Regional Board. [CCR Section 13263]

7. TERMINATION

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. [CWC 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. [CWC Section 13263(g)]

9. SEVERABILITY

Provisions of these waste discharge requirements are severable. If any provision of these requirements are found invalid, the remainder of the requirements shall not be affected. [CWC Section 921]

Standard Provisions Applicable to  
Waste Discharge Requirements

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 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. [CWC Section 13263(f)]

11. HAZARDOUS 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 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. [CWC Section 1327(a)]

12. 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. [CWC Section 13272]

Standard Provisions Applicable to  
Waste Discharge Requirements

13. ENTRY AND INSPECTION

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 California Water Code, any substances or parameters at any location. [CWC Section 13267]

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. [CWC 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.

Unless otherwise permitted by the Regional Board Executive officer, all analyses shall be conducted at a laboratory certified for such analyses by the State Department of Health Services. The Regional Board Executive Officer may allow use of an uncertified laboratory under exceptional circumstances, such as when the closest laboratory to the monitoring location is outside the State boundaries and therefore not subject to certification. 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 U.S. Environmental Protection Agency. [CCR Title 23, Section 2230]

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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. [CWC Section 13263(f)]

16. DISCHARGE TO NAVIGABLE WATERS

Any person discharging or proposing to discharge to navigable waters from a point source (except for discharge of dredged or fill material subject to Section 404 of the Clean Water Act and discharge subject to a general NPDES permit) must file an NPDES permit application with the Regional Board. [CCR Title 2 Section 22357]

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 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. [CWC 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 of all reports required by this Order, and record of all data used

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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.
  - (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:

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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. [CWC Sections 13263, 13267, and 13268]"

20. OPERATOR CERTIFICATION

Supervisors and operators of municipal wastewater treatment plants and privately owned facilities regulated by the PUC, used in the treatment or reclamation of sewage and industrial waste shall possess a certificate of appropriate grade in accordance with Title 23, California Code of Regulations Section 3680. State Boards may accept experience in lieu of qualification training. 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 Health Services where reclamation is involved.

Each plant shall be operated and maintained in accordance with the operation and maintenance manual prepared by the municipality through the Clean Water Grant Program [CWC Title 23, Section 2233(d)]

ADDITIONAL PROVISIONS APPLICABLE TO  
PUBLICLY OWNED TREATMENT WORKS' ADEQUATE CAPACITY

21. Whenever a publicly owned wastewater treatment plant will reach capacity within four years the discharger shall notify the Regional Board. A copy of such notification shall be sent to appropriate local elected officials, local permitting agencies and the press. The discharger must demonstrate that adequate steps are being taken to address the capacity problem. The discharger shall submit a technical report to the Regional Board showing flow volumes will be prevented from exceeding capacity, or how capacity will be increased, within 120 days after providing notification to the Regional Board, or within 120 days after receipt of notification from the Regional Board, of a finding that the treatment plant will reach capacity within four years. 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, and longer extensions may be granted by the Regional Board itself. [CCR Title 23, Section 2232]

