



California Regional Water Quality Control Board Los Angeles Region



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Matthew Rodriguez
Secretary for
Environmental Protection

Edmund G. Brown Jr.
Governor

November 16, 2011

Mr. Ken Barker, Environmental Manager
United Rock Products Corporation
1245 Arrow Highway
Irwindale, CA 91706

REVISED WASTE DISCHARGE REQUIREMENTS – UNITED ROCK PRODUCTS PIT NO. 2, IRWINDALE, CALIFORNIA (FILE NO. 04-002, Order No. R4-2011-0179, CI - 8799)

Dear Mr. Barker:

Reference is made to our letter of August 30, 2011, which transmitted a copy of tentative waste discharge requirements (WDRs) for the subject site.

Pursuant to Division 7 of the California Water Code, this Regional Water Quality Control Board (Regional Board) at a public hearing held on November 10, 2011, reviewed the tentative requirements, considered all factors in the case, and adopted Order No. R4-2011-0179 (copy attached) relative to the subject site. The adopted WDRs will be posted on the Regional Board's website at http://www.waterboards.ca.gov/losangeles/board_decisions/adopted_orders/. Hard copies of the WDRs may be obtained by contacting the Regional Board staff listed below.

The Regional Board is implementing an Electronic Content Management (ECM, or Paperless Office) system. All reports required under the WDRs shall be submitted to the State Water Resources Control Board (State Board) GeoTracker database. All correspondences, including self-monitoring reports, shall be submitted to GeoTracker in searchable Portable Document Format (PDF). Groundwater monitoring data, including locations of groundwater monitoring points, shall also be submitted to GeoTracker in Electronic Deliverable Format (EDF). The Global ID for the subject site under GeoTracker is **L10006439432**.

Please refer to the State Board Electronic Submittal of Information (ESI) website at http://www.waterboards.ca.gov/ust/electronic_submittal/index.shtml for details on how to submit reports to GeoTracker. For further information about submitting reports under ECM, please refer to the Guidelines for Electronic Submittal of Documents at: <http://www.waterboards.ca.gov/losangeles/resources/Paperless/index.shtml>.

If you have any questions or need additional information, please contact me at (213) 620-2253.

Sincerely,

Wen Yang, Ph.D., C.E.G., C.H.G.
Senior Engineering Geologist
Land Disposal Unit

California Environmental Protection Agency

Mr. Ken Barker
United Rock Products

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Enclosures

cc: Leslie Graves, Land Disposal Program, State Water Resource Control Board
Cindy Chen, Los Angeles County, Department of Public Health
Kwok Tam, City of Irwindale
Carol Williams, Main San Gabriel Basin Watermaster
G. Thomas Davis, Davis Consulting Services

California Environmental Protection Agency

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

ORDER NO. R4-2011-0179

REVISED WASTE DISCHARGE REQUIREMENTS

For
UNITED ROCK PRODUCTS CORPORATION
United Rock Products Pit No. 2
(File No. 04-002)

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

1. United Rock Products Corporation (Discharger), a subsidiary of Sully Miller Contracting Company, owns and operates the United Rock Products Pit No. 2, also referred to as URP Pit No. 2 or Quarry No. 2 (Site), a construction aggregate mining pit at 1245 E. Arrow Highway, Irwindale, California. The Site is generally bounded on the north by the Buena Vista Flood Control Channel, on the south by Arrow Highway, and on the east by Avenida Barbosa (Figure 1). The center of the Site is located at approximately latitude 34°06'56"N and longitude 117°59'23"W.
2. The Discharger also operates a similar aggregate mining pit (URP Pit No. 3) to the north of the Site and a rock plant (Rock Plant) to the east of the Site (Figure 2). Aggregates extracted from the Site and URP Pit No. 3 are processed at the Rock Plant. Mining wastes generated at the Rock Plant (native geological materials consisting of fine sand, silt, and clay, or non-durable rock material) have been backfilled at the mining pits.
3. The Site includes approximately 134 acres of land and has been mined for sand and gravel by the Discharger and its predecessors since the early 1900s. The extraction of aggregates below groundwater table has created a lake of exposed groundwater at the Site. The average depth of the pit is approximately 295 feet below ground surface. In accordance with a Conditional Use Permit (CUP No. 5-04) granted by the City of Irwindale (City) on August 9, 2004, the Site may be mined to either a maximum depth of 410 feet or until December 31, 2020, whichever occurs first.
4. The Site is subject to reclamation as required by the State Surface Mining and Reclamation Act of 1975 (SMARA) (Public Resources Code § 2710 et seq.) and the City's Surface Mining Ordinance. In accordance with a Reclamation Plan approved by the City (dated July 8, 2004), the easterly one-third of the Site will be backfilled to street level at approximately 380 feet above mean sea level (amsl), the westerly one-third will be filled to approximately 75 feet below street grade (337 amsl), which is approximately ten feet above the historic high water elevation, and the remaining one-third will be filled to approximately 37 feet below street level (343 amsl). To meet the reclamation requirements, the Discharger has applied to discharge inert solid wastes at the Site concurrently with aggregate mine operations.
5. This Regional Board adopted Order Number R4-2004-0118 on August 5, 2004, that includes waste discharge requirements (WDRs) for the discharge of inert mining wastes at the Site. The WDRs limited materials that may be discharged at the Site to inert mining wastes generated by the Discharger's aggregate mining activities at or in the vicinity of the Site. The permitted discharge methods include backfilling waste material from the Rock Plant to the

November 10, 2011

Site by means of trucking or sluicing. The sluicing process involves mixing the waste materials (primarily clay and silt) with groundwater that has been used in the mining process and pumping the mixture to various locations at the Site. No chemicals are permitted to be added in either the mining or the sluicing processes.

6. On March 5, 2009, the Regional Board adopted Order No. R4-2009-0039 that amended R4-2004-0118 to allow the discharge of up to 1,000,000 cubic yards of inert broken concrete materials at the Site for the construction of stability buttresses and similar safety features.
7. On August 1, 2011, the Discharger submitted a revised Report of Waste Discharge (ROWD) to the Regional Board and requested that the WDRs be revised to allow the discharge of other inert wastes that are allowed under Title 14 of California Code of Regulations (14 CCR), Chapter 3, Article 5.95, Section 17388 for the operations of an Inert Debris Engineered Fill Operation (IDEFO)¹. The Discharger estimates that approximately 59.61 million tons of materials are needed to fill the Site as proposed.
8. Section 20230(a) of title 27, California Code of Regulations (27 CCR), provides that "*Inert waste is that subset of solid waste that does not contain hazardous waste or soluble pollutants at concentrations in excess of applicable water quality objectives, and does not contain significant quantities of decomposable waste.*"
9. Section 13050(q)(1) of the California Water Code (CWC) provides that, in part, "*Mining waste' means all solid, semisolid, and liquid waste materials from the extraction, beneficiation, and processing of ores and minerals.*"
10. The Discharger has developed a load checking program, as included in the revised ROWD, to prevent unauthorized wastes to be discharged at the Site. The Regional Board Executive Office (Executive Officer) may require the Discharger to submit updated load checking programs in response to changes of Site conditions or applicable state and federal regulations.
11. 27 CCR section 20230(c) provides that the Regional Board "can prescribe individual or general WDRs for discharges of inert wastes." CWC section 13263 (e) provides that all WDRs shall be reviewed periodically and, upon such review, may be revised by the Regional Board to comply with changing state or federal laws, regulations, policies, or guidelines.

¹ 14 CCR, Chapter 3, Article 5.95, Section 17388 (l) defines that "*Inert Debris Engineered Fill Operation*" means a disposal activity exceeding one year in duration in which fully cured asphalt, uncontaminated concrete (including steel reinforcing rods embedded in the concrete), brick, ceramics, clay and clay products, which may be mixed with rock and soil, are spread on land in lifts and compacted under controlled conditions to achieve a uniform and dense mass which is capable of supporting structural loading as necessary, and having other characteristics appropriate for an end use approved by all governmental agencies having jurisdiction (e.g., roads, building sites, or other improvements) where an engineered fill is required to facilitate productive use of the land. The engineered fill shall be constructed and compacted in accordance with all applicable laws and ordinances and shall be certified by a Civil Engineer, Certified Engineering Geologist, or similar professional licensed by the State of California.

12. The Site is located approximately one-half mile to the west of the Santa Fe Dam and the San Gabriel River channel. The area behind the dam and the unlined river channel are used for spreading groundwater for recharge purposes.
13. The Site overlies a major drinking water aquifer in the Main San Gabriel Basin in the Los Angeles-San Gabriel Hydrologic Area. Aquifers within the basin are comprised primarily of coarse sand and gravel. Recent groundwater level at the Site varies between 200 to 240 feet amsl, depending on the season of the year and the nearby groundwater recharge activities. The direction of groundwater flow at the Site is generally to the southwest and south and groundwater flow velocities have been measured at 6.82 to 7.20 feet/day at the vicinity of the Site.
14. Groundwater monitoring at the Site started in 2005 as required by Order No. R4-2004-0118. The current groundwater monitoring network of the Site includes a background monitoring well (IRW-1) located at the Rock Plant, two discrete sampling locations at the lake of exposed groundwater at the Site, and two groundwater monitoring wells (IRW-1A and IRW-1B) at the Nu-Way Arrow Landfill to the southeast of the Site that are used to obtain groundwater level information for the calculation of groundwater gradient and flow direction. The quality of the groundwater at the Site, as reported in the most recent self monitoring report (dated July 14, 2011) submitted to the Regional Board, is summarized as follow:

Parameter	Units	IRW-1(Background)	Lake*
Total dissolved solids	mg/L	140	145.
Chloride	mg/L	8.48	18.3
Sulfate	mg/L	20.9	30.1
Nitrate (as NO ₃)	mg/L	4.95	0.77
Boron	mg/L	0.112	0.103
pH	pH unit	7.01	8.16
Volatile Organics	ug/L	Not Detected	Not Detected

* Concentrations are averages of two samples taken from the lake of exposed groundwater on June 2, 2011.

15. The quality of water used in the sluicing of mining wastes (local groundwater used in the mining process), is as follow:

Parameter	Units	Average concentration*
Total dissolved solids	mg/L	187.0
Sulfate	mg/L	36.9
Chloride	mg/L	18.6
Nitrate (as NO ₃)	mg/L	0.77
Boron	mg/L	0.225
pH	pH unit	8.1
Pesticides and PCBs	ug/L	Not Detected

* Based on three samples taken in 2005. No sluicing of wastes occurred at the Site since the December 2005.

16. Pursuant to section 402 (p) of the Clean Water Act (33 USC §1342(p)) and title 40 of the Code of Federal Regulations (40 CFR) parts 122, 123, and 124, the California State Water Resources Control Board (State Board) adopted a National Pollutant Discharge Elimination System (NPDES) General Permit to regulate storm water discharges associated with industrial activities in California (State Board Order 97-03-DWQ). Storm water runoff from the Rock Plant, URP Pit No. 3, and the Site is currently regulated under the general NPDES permit (WDID No. 4 19S000779, enrolled on March 20, 1992). The Discharger is implementing a Storm Water Pollution Prevention Plan (SWPPP) as required by the general NPDES permit.
17. On June 13, 1994, this Regional Board adopted a revised *Water Quality Control Plan for the Coastal Watersheds of Los Angeles and Ventura Counties* (Basin Plan). The Basin Plan (including its subsequent amendments) designates the following beneficial uses for groundwater within the Main San Gabriel Basin: municipal and domestic supply, agricultural supply, industrial process supply, and industrial service supply. The requirements in this Order, as they are met, are in conformance with the goals of the Basin Plan.
18. On December 20, 2005, the City passed Resolution No. 2005-89-2106 that adopted technical guidelines for the backfilling of open-pit mines within the City, including: Guidelines for Stability Analyses of Open-pit Mine Slopes, Guidelines for Drainage and Erosion Control for Open-pit Mines, Guidelines for Underwater Backfilling of Open-Pit Mines, and Guidelines for Above-Water Backfilling of Open-Pit Mines. These guidelines are applicable to all aggregate mining operations in the City, including the Site.
19. On July 20, 2004, the City certified a Final Environmental Impact Report (SCH No. 2003101088) for the mining and reclamation of the Site under the California Environmental Quality Act (CEQA, Public Resource Code, Section 21000 et seq.). Revision of existing waste discharge requirements is exempt from CEQA in accordance with the California Water Code (CWC) Section 13389.

The Regional Board has notified the Discharger and interested agencies and persons of its intent to adopt revised WDRs for this disposal of waste at the Site, and has provided interested persons 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.

Any person aggrieved by this action of the Regional Board may petition the State Board to review the action in accordance with CWC section 13320 and California Code of Regulations, title 23, sections 2050 and following. The State Board must *receive* the petition by 5:00 p.m., 30 days after the date of this Order, except that if the thirtieth day following the date of this Order falls on a Saturday, Sunday, or state holiday, the petition must be received by the State Board by 5:00 p.m. on the next business day. Copies of the law and regulations applicable to filing petitions may be found on the Internet at: http://www.waterboards.ca.gov/public_notices/petitions/water_quality/index.shtml or will be provided upon request.

IT IS HEREBY ORDERED, that United Rock Products Corporation (Discharger) shall comply with the following:

A. Discharge Specifications

1. Wastes discharged at the Site shall be limited to inert wastes as defined in 27 CCR, section 20230(a), including but not limited to: native geological materials (such as clay, silt, gravel, etc.) generated by mining activities of the Discharger at the vicinity of the Site and materials that are acceptable at an Inert Debris Engineered Fill Operations as defined in Section 17381(I) of 14 CCR, including uncontaminated concrete, crushed glass, bricks, ceramics, clay and clay products, rock and clean soil, and fully cured asphalt. Asphalt material, including cured asphalt, shall not be dumped into standing water nor shall it be placed below the highest anticipated groundwater elevation, which is estimated to be at 280 feet amsl at the Site.
2. Mining wastes generated from the Rock Plant may be sluiced to the Site. Water used in sluicing must be local groundwater that has been used in processing aggregate products. No chemicals or any other additives, other than native geological materials and water, shall be added in the mining or sluicing processes. Discharge of wastes by sluicing shall be limited to the lake of exposed groundwater only. Sluicing shall be ceased once the Site is filled to above groundwater table.
3. Water used in the sluicing process shall not contain any pollutants in concentrations exceeding the Maximum Contaminant Levels (MCLs) for drinking water adopted by the California Department of Public Health pursuant to the California Safe Drinking Water Act (Health and Safety Code, Section 116275 et. seq.).
4. The Discharger shall implement a load checking program and take all necessary measures to prevent unauthorized wastes to be disposal of at the Site.
5. The Discharger shall remove and relocate to a legal point of disposal any wastes that are discharged 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. In the event that the Discharger opts for a legal point of disposal outside the State of California, the legal point of disposal means a facility that is lawfully permitted under applicable state and federal laws to receive the type of waste improperly disposed of at the Site.
6. The Discharger shall continue implementing the Stormwater Pollution Prevention Program (SWPPP) and Storm Water Monitoring Program as required by the General National Pollutant Discharge Elimination System (NPDES) Storm Water Permit at the Site, including all good housekeeping and other best management practices (BMPs).

B. Prohibitions

1. No hazardous wastes, designated wastes, tires, or liquid wastes other than water used in sluicing of mining wastes, shall be deposited at the Site.

2. Non-hazardous solid wastes (decomposable organic refuse such as, but not necessarily limited to, ordinary household and commercial refuse, tin cans, metals, paper and paper products, plasterboard, cloth and clothing, wood and wood products, lawn clippings, sod, shrubbery, hair, hide, bones, dead animals, roofing paper, tar paper, unquenched ashes mixed with refuse, market refuse, garbage, etc.) shall not be deposited at the Site.
3. Materials of a toxic nature such as insecticides and poisons shall not be deposited at the Site.
4. No radioactive material as determined by a regulatory agency with jurisdictional authority shall be deposited at the Site.
5. No asbestos or asbestos products shall be deposited at the Site.
6. Erosion of deposited materials by surface flow shall be prevented.
7. Neither the discharge nor any treatment of wastes shall cause pollution or nuisance.
8. No chemical additives shall be used at the Site unless such use is approved by the Executive Officer in advance.

C. Water Quality Protection Standards and Discharge Limits

1. In accordance with the Basin Plan, the following groundwater quality protection standards are established for the Site:

<u>Parameter</u>	<u>Units</u>	<u>Water Quality Protection Standard*</u>
Total dissolved solids	mg/L	450
Sulfate	mg/L	100
Chloride	mg/L	100
Nitrate (as NO ₃)	mg/l	45
Boron	mg/L	0.5
pH	pH unit	6.5 - 8.5

* Based on the water quality objectives in the Basin Plan for the western area of the Main San Gabriel Basin.

2. Groundwater protection standards for other inorganic and organic pollutants for the site are the MCLs adopted by the California Department of Public Health pursuant to the California Safe Drinking Water Act, or subsequent revisions.
3. Discharge limits of water used in sluicing wastes to the Site are set to the same levels as the water quality protection standards established in Sections C.1 and C.2 above. Concentrations of pollutants in the sluicing water, as analyzed for filtered samples, shall not exceed such limits.

4. The Regional Board may modify the water quality protection standards for the Site by revising the WDRs based on more recent and/or more complete groundwater monitoring data, changes in background water quality, or for any other valid reasons.
5. The points of compliance of groundwater protection standards for the Site shall be the downgradient groundwater monitoring points established in the attached Monitoring and Reporting Program (M&RP) No. CI 8799, which is incorporated herein by reference. The point of compliance for the discharge limits of sluicing water shall be at the end of sluicing pipeline.

D. Provisions

1. The Discharger shall implement the M&RP and revisions thereto, in order to detect, at the earliest opportunity, any unauthorized discharge of waste constituents or any unreasonable impairment of beneficial uses associated with (or caused by) discharges of waste at the Site.
2. The M&RP is subject to periodic revisions as warranted and approved by the Executive Officer. At any time, the Discharger may file a written request, including appropriate supporting documents, with the Executive Officer, proposing modifications to the M&RP. The Discharger shall implement any changes in the revised M&RP approved by the Executive Officer upon receipt of a signed copy of the revised M&RP.
3. The Discharger shall furnish, under penalty of perjury, technical or monitoring program reports in accordance with CWC section 13267. Failure or refusal to furnish these reports or falsifying any information provided therein renders the Discharger guilty of a misdemeanor and subject to the penalties stated in CWC section 13268. Monitoring reports shall be submitted in accordance with the specifications contained in the M&RP, as directed by the Executive Officer. Additionally, monitoring reports shall be prepared and signed by a registered civil engineer or registered geologist.
4. The Discharger shall use the statistical procedures contained in 27 CCR section 20415(e)(7), to determine if there is a statistically significant increase for any background indicator parameter. Upon approval of the Executive Officer, alternative statistical procedures may be used.
5. In the event that a statistically significant increase is observed for any background indicator parameter, the Discharger shall establish an evaluation program in accordance with 27 CCR section 20425, unless such a program has already been submitted.
6. If evaluation monitoring determines that there is a statistically significant increase of any background indicator parameter that is resulted by the discharge of waste at the Site, then the Discharger shall institute a corrective action monitoring program in accordance with 27 CCR Section 20430.

7. The Discharger shall maintain copies of this Order at the Site so as to be available at all times to personnel operating the Site.
8. The Discharger shall file with this Regional Board a report of any material change or proposed change in the character, location, boundaries or quantity of this waste discharge at least 120 days prior to the date of such proposed change.
9. Within thirty (30) days of any change in name of operator or in control or ownership of land or waste disposal facilities owned or controlled by the Discharger, the Discharger shall:
 - a. Notify this Regional Board in writing of such a change; and
 - b. Notify the succeeding owner or operator by letter, a copy of which shall be filed with this Regional Board, of the existence of this Order.
10. Ninety (90) days prior to cessation of disposal operations at the Site, the Discharger shall submit a technical report to the Regional Board describing the methods and controls to be used to assure protection of the quality of receiving waters during final operations and with any proposed subsequent use of the land. Such methods and controls shall comply with the foregoing technical report and the WDRs. The report shall be prepared under the direct supervision of a California Professional Geologist or Professional Engineer.
11. This Regional Board considers the Discharger to have continuing responsibility for correcting any problems which may arise in the future as a result of this waste discharge or water applied to the Site during subsequent use of the land for other purposes.
12. These requirements do not exempt the Discharger from compliance with any other laws, regulations, or ordinances which may be applicable; they do not legalize this waste disposal facility, and they leave unaffected any further restraint on the disposal of wastes at the Site which may be contained in other statutes or required by other agencies.
13. In accordance with CWC section 13263(g), these requirements shall not create a vested right to continue to discharge and are subject to rescission or modification. All discharges of waste into the waters of the State are privileges, not rights.
14. The Discharger shall comply with all conditions of this Order and any additional conditions prescribed by the Regional Board in addenda thereto. Noncompliance with this Order constitutes a violation of the CWC and is grounds for:
 - a. enforcement action;
 - b. termination, revocation and re-issuance, or modification of this Order;
 - c. denial of a ROWD in application for new or revised WDRs; or
 - d. any combination of the foregoing.

18. Failure to comply with the terms and conditions of this Order may result in imposition of civil liability against the Discharger by this Regional Board, either by the Board or judicially by the Superior Court, in accordance with CWC section 13350 et. seq. and/or referral to the Attorney General of the State of California for such legal action as may be deemed appropriate.
19. This Order includes the attached "Standard Provisions Applicable to Waste Discharge Requirements" (Attachment "W"), which is incorporated herein by references. If there is any conflict between provisions stated hereinbefore and the attached "Standard Provisions Applicable to Waste Discharge Requirements", those provisions attached hereinbefore prevail.
20. In accordance with CWC section 13263, these requirements are subject to periodic review and revision by this Regional Board.
21. The filing of a request by the Discharger for the modification, revocation and re-issuance, or termination of this Order or notification of planned changes or anticipated noncompliance does not stay any condition of this Order.
22. 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.
23. This Order becomes effective on the date of adoption by this Regional Board.

E. TERMINATION

1. Except for enforcement purposes, Regional Board Order No. R4-2004-0188, adopted on January 27, 1997, is hereby terminated.
2. Except for enforcement purposes, Regional Board Order No. R4-2009-0039, adopted on March 5, 2009, is hereby terminated.

I, Samuel Unger, Executive Officer, do hereby certify that the foregoing is a full, true and correct copy of an order adopted by the California Regional Water Quality Control Board, Los Angeles Region on November 10, 2011.


Samuel Unger, P.E.
Executive Officer

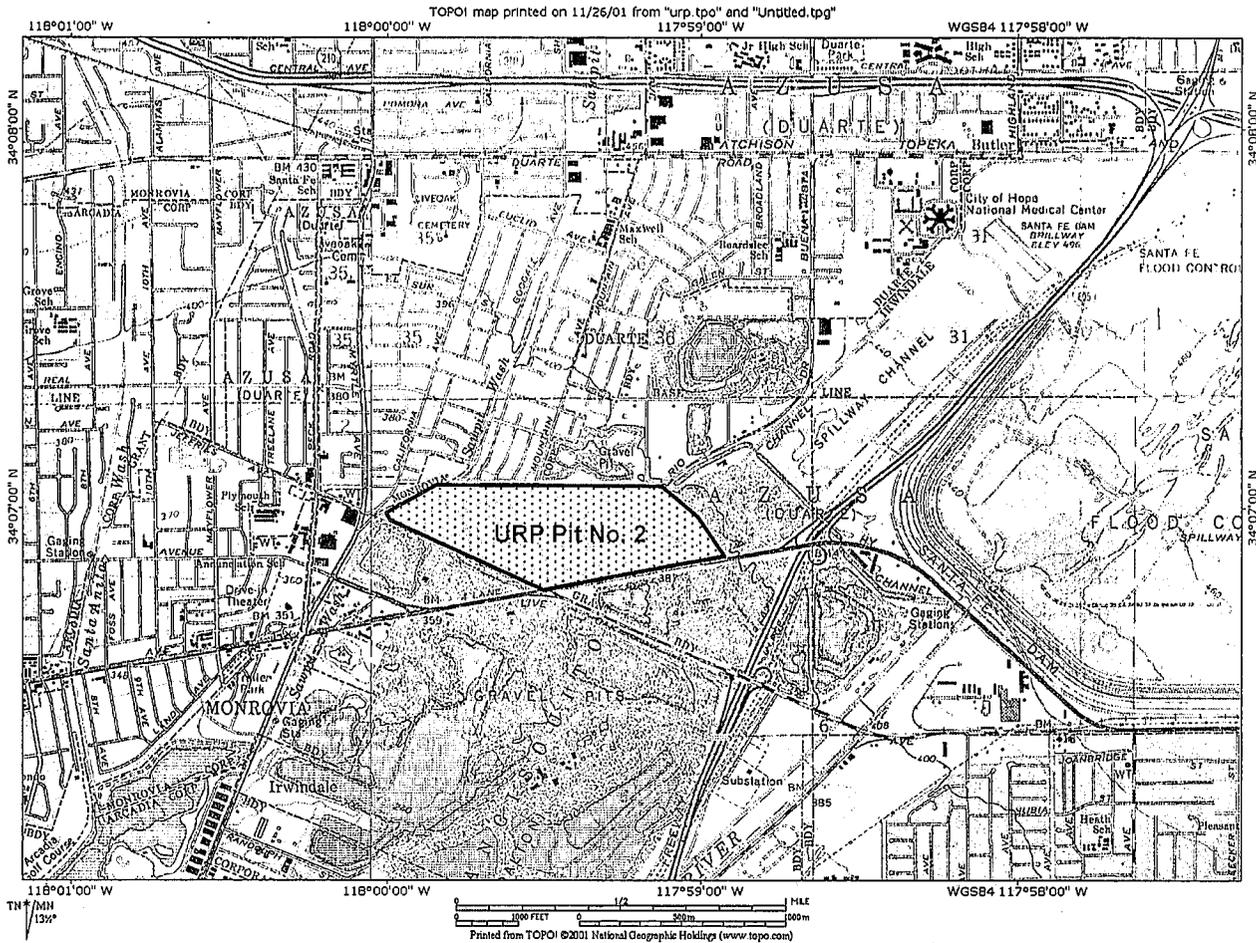


Figure 1. Location Map

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. The notice must include a written agreement between the existing and 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.

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 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 these 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 13271(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 Officer 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" [40 CFR Part 136] promulgated by the U.S. Environmental Protection Agency. [CCR Title 23, Section 2230]

Standard Provisions Applicable to
Waste Discharge Requirements

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. DISCHARGES 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 Officer 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 plant 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 records of all data used

Standard Provisions Applicable to
Waste Discharge Requirements

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 measurements;
 - (b) The individual(s) who performed the sampling or measurements;
 - (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 Officer 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:

Standard Provisions Applicable to
Waste Discharge Requirements

"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]

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

MONITORING AND REPORTING PROGRAM NO. CI 8799

for

UNITED ROCK PRODUCTS CORPORATION

United Rock Products Pit No. 2

(File No. 04-002)

United Rock Products Corporation (Discharger) shall implement this Monitoring and Reporting Program (M&RP) for the United Rock Products Pit No. 2 (Site) beginning the effective date of Board Order No. **R4-2011-0179**. The first monitoring report under this program is due by January 15, 2012.

I. Reporting

- A. Monitoring reports shall be submitted by the dates in the following schedule:

<u>Reporting Period</u>	<u>Report Due</u>
January - June	July 15
July - December	January 15

The semiannual reports shall include both the water quality data required in Section II and the waste disposal information required in Section III of this M&RP. The July - December report shall include a summary of the data obtained during the year.

- B. A transmittal letter that contains the essential points of the report shall accompany each report. Such a letter shall include a discussion of any violations found since the last such report was submitted, and shall describe actions taken or planned for correcting those violations. If the Discharger has previously submitted a time schedule for correcting said violations, a reference to the correspondence transmitting such schedule will be satisfactory. If no violations have occurred since the last submittal, this shall be stated in the transmittal letter. Monitoring reports and the letter transmitting the monitoring reports shall be signed by a principal executive officer at the level of vice president or above, or by his/her duly authorized representative, if such a representative is responsible for the overall operation of the facility from which the discharge originates. The letter shall contain a statement by the official, under penalty of perjury, that to the best of the signer's knowledge the report is true, complete, and correct.
- C. The Discharger shall arrange the data in tabular form so that the specified information is readily discernible. The data shall be summarized in such a manner as to clearly illustrate whether the facility is operating in compliance with waste discharge requirements.
- D. In the event that hazardous or other unacceptable wastes are detected, the Regional Board shall be notified by telephone, email, or facsimile within 24 hours and by writing within 7 days. The type, source, and final disposition of those wastes shall also be reported.
- E. If the Discharger performs analyses for any parameter more frequently than required by this M&RP, using approved analytical methods, the results shall be included in the monitoring report.

- F. The Discharger may submit additional data to the Regional Board that are not required by this M&RP in order to simplify reporting to other agencies.
- G. The Discharger shall retain records of all monitoring information, including all calibration and maintenance records regarding monitoring instrumentation, and copies of all data submitted to regulatory agencies, for a period of at least five years. This period may be extended by request of the Regional Board at any time, and shall be extended during the course of any unresolved litigation regarding all or any part of the Site.
- H. Each report submitted to the Regional Board shall contain the following statement:
- “I declare under the penalty of law that I have personally examined and am familiar with the information submitted in this document, 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 a fine and imprisonment for knowing violations.”
- I. A duly authorized representative of the Discharger may sign the documents if:
- a. The authorization is made in writing by the person described above;
 - b. The authorization specified an individual or person having responsibility for the overall operation of the regulated disposal system; and
 - c. The written authorization is submitted to the Executive Officer.
- J. The reporting period and the compliance file number (CI 8799) must be clearly displayed on the title page to facilitate routing to the appropriate staff and file.
- K. Electronic Data Submittal: Unless it is otherwise required by the Executive Officer, all reports required under this M&RP shall be submitted to the State Water Resources Control Board (State Board) Geotracker database system in the form of searchable Portable Document Format (PDF) files. In addition, any groundwater monitoring data shall also be submitted to Geotracker in Electronic Deliverable Format (EDF). A hard copy of the report, including all original laboratory reports and field records that are used in preparation of the reports, must be kept in the Landfill's Operating Record and be available for review by Regional Board staff. To accommodate the Regional Board's Paperless Office system, unless it is otherwise instructed by Regional Board staff, all correspondences related to the Landfill that are not required under this M&RP shall be submitted to losangeles@waterboards.ca.gov, or other electronic addresses under the Paperless Office.

II. Water Quality Monitoring

- A. The groundwater monitoring network of the Site shall include background monitoring well IRW-1 located at the Rock Plant, at least two discrete locations at the lake of exposed groundwater, and groundwater monitoring wells IRW-1A and IRW-1B at the Nu-Way Arrow Landfill¹ (Figure T-1). Sampling locations at the lake shall be selected for the early detection of pollutants that may be released from wastes discharged at the Site. All groundwater

¹ The Discharger is required to monitor wells IRW-1A and IRW-1B for groundwater levels only, for the calculation of the groundwater gradient and flow direction in the vicinity of the Site.

monitoring points must be sampled semi-annually. The downgradient groundwater monitoring points for the Site currently include discrete sampling locations at the lake comprised of exposed groundwater. The Executive Officer may require the Discharge to install additional groundwater monitoring points, including the installation of monitoring wells, with the progress of landfill operations at the Site.

- B. In addition to groundwater monitoring, the Discharger must also sample and analyze the sluicing water on a semi-annual basis. The sluicing water sample shall be taken at the end of the discharging pipeline and be filtered.
- C. All groundwater water and sluicing water samples shall be analyzed for the following constituents:

Parameter	Units
pH	pH units
Electrical conductivity	umhos/cm
Chemical oxygen demand	mg/l
Total dissolved solids	mg/l
Nitrates	mg/l
Chloride	mg/l
Sulfate	mg/l
Boron	mg/l
Total dissolved cadmium	µg/l
Total dissolved chromium	µg/l
Total dissolved lead	µg/l
Total dissolved nickel	µg/l
Diesel	µg/l
Volatile organic compounds (VOCs) (USEPA Method 8260B)	µg/l

- D. Semi-annual sampling shall be performed during the months of April and October. In the event sampling is not performed as above because of unforeseen circumstances, substitute sampling shall be performed as soon as possible after these times, and the reason for the delay shall be given.
- E. Groundwater monitoring is to be continued even during periods when no wastes are deposited at the Site, and throughout the active life of the disposal Site.
- F. All analyses shall be conducted at a laboratory certified for such analyses by the State Department of Public Health Environmental Laboratory Accreditation Program, or approved by the Executive Officer. Laboratory analyses must follow methods approved by the United States Environmental Protection Agency (EPA), and the laboratory must meet EPA Quality Assurance/Quality Control criteria.
- G. For any analyses performed for which no procedure is specified in the EPA guidelines, or in this Order, the constituent or parameter analyzed, and the method or procedure used, must be specified in the report.

- H. Analytical data reported as "less than" shall be reported as less than a numeric value, or below the limit of detection, for that particular analytical method.
- I. All analytical samples obtained for this M&RP shall be grab samples.
- J. The monitoring report must also include the following:
 - 1. Sampling protocol and analytical methods used;
 - 2. If any required samples were omitted during the reporting period, a statement to that effect shall be made and reasons given for any omission;
 - 3. Groundwater elevations measured to the nearest 0.01 foot relative to mean sea level. The velocity and direction of ground water flow under the Site shall be determined after each monitoring event and reported;
 - 4. For any monitored waste parameter which is listed as such by the EPA or by the State of California, the discharger shall compare such data to the most stringent allowable concentrations under all existing Federal and State regulations;
 - 5. An evaluation of the results of the testing signed by a California Professional Geologist or Professional Engineer.

III. Waste Disposal Reporting

All monitoring reports submitted to the Regional Board shall include the following information pertinent to the disposal of wastes at the Site:

- A. A map of the Site indicating the areas that are currently being filled.
- B. A tabular list of the estimated average quantities (in tons or cubic yards) of materials deposited at the Site in each month and the methods of disposal (i.e., by sluicing or trucking).
- C. An estimate of the remaining life of the Site in years and months.
- D. A certification that all wastes deposited are in compliance with the Regional Board's requirements and that no wastes have been deposited outside of the boundaries of the Site as specified in the Regional Board's requirements.
- E. If purged groundwater from the monitoring wells is used at the Site, the total volume, and areas of usage shall also be reported.

Ordered by: Samuel Unger
Samuel Unger, P.E.
Executive Officer

Date: November 10, 2011



Figure T - 1. Groundwater Monitoring Well Locations