

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

ORDER NO. R4-2008-0013

**AN EMERGENCY CONDITIONAL TEMPORARY WAIVER OF STATUTORY
REQUIREMENTS TO FILE A REPORT OF WASTE DISCHARGE AND TO ADOPT
WASTE DISCHARGE REQUIREMENTS FOR MANAGEMENT AND DISPOSAL OF
SOLID WASTE FROM WILDFIRES**

(File No. 08-021)

1. The devastation caused by wildfires throughout the Los Angeles Region (Region) has resulted in damage or destruction of many structures, including private and public property. This destruction has created a very large volume of solid waste consisting of, or containing, pollutants that could affect the waters of the state. The nature of these waste include, but is not limited to, burn ash, concrete, wood, green waste, electrical appliances, computer equipment, dead animals, food items, cars, chemicals, paint, refrigerators, etc. These wastes are collectively referred to as fire debris.
2. On October 21, 2007, the Governor issued a proclamation identifying seven southern California counties, including Los Angeles, and Ventura Counties, as being in a state of emergency.
3. Fire debris derived from the cleanup of burned areas may be taken to designated existing regulated active Class III lined landfills for treatment, sorting, storage, or disposal, and to temporary staging areas at sites not currently regulated as Class III landfills for treatment, storage, and recycling. These may be inert landfills or other designated areas.
4. Composite liner systems that are required for discharges of municipal solid waste (MSW), pursuant to State Water Resources Control Board Resolution No. 93-62, or engineered alternatives to those prescriptive standards, satisfy minimum containment standards for Class III MSW landfills promulgated in State Water Resources Control Board regulations governing discharges of designated waste (California Code of Regulations, title 27, sections 20260 and 20310).
5. The following active Class III MSW landfills in this region have been designated to receive fire debris, and are underlain by engineered composite liner systems and leachate collection and removal systems, pursuant to waste discharge requirements implementing California Code of Regulations (CCR), title 27, State Water Resources Control Board Resolution No. 93-62, and federal MSW landfill criteria in title 40 Code of Federal Regulations 258:

January 18, 2008
Revised March 6, 2008

A. Los Angeles County:

1. Puente Hills Landfill (Order Nos. 93-062, 93-070, 94-103)
County Sanitation Districts of Los Angeles County
2. Chiquita Canyon Landfill (Order Nos. 93-062, 98-086)
Republic Waste Services
3. Sunshine Canyon Landfill (Order Nos. R4-2003-0155, R4-2007-0023-002)
Browning-Ferris Industries of California
4. Calabasas Landfill (Order Nos. 00-077, 89-053, 93-062)
County Sanitation Districts of Los Angeles County

B. Ventura County:

1. Simi Valley Landfill (Order Nos. R4-2003-0152, 93-062)
Waste Management of California, Inc.
 2. Toland Road Landfill (Order Nos. R4-2002-023, 93-062)
Ventura Regional Sanitation District
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6. Temporary waste staging areas are portions of MSW landfills, inert landfills, or other designated areas where fire debris is temporarily discharged, stored, treated, or sorted for recycling, and where containment features and ancillary features for precipitation and drainage control are present. Temporary waste staging areas are temporary de facto waste management units.
 7. The owners/operators of the Class III MSW identified in Finding 5 of this Order may find it necessary to establish temporary waste piles for purposes of waste staging at their facilities to facilitate the emergency cleanup and disposal of fire debris.
 8. Other agencies and jurisdictions or persons engaged in cleanup of burned areas may find it necessary to establish temporary staging areas and temporary waste piles for short-term storage and treatment of fire debris from the cleanup of burned areas. These staging areas may not necessarily be located at MSW landfills or inert landfills.
 9. Fire debris consists of or contains two or more categories of wastes (e.g., nonhazardous wastes, household hazardous wastes, universal wastes, or inert wastes) that have been damaged and mixed such that the individual waste components are not practicably separable for purposes of waste management. Wastes from cleanup of property damaged by fire are often referred to as "mixed wastes."

10. Universal waste is defined in CCR title 22, section 66261.9.
11. Inert wastes (CCR, title 27, section 20230) may include uncontaminated demolition debris (e.g., concrete, brick, wood, and metal) that are suitable for recycling or reuse. Such wastes do not require permanent disposal at an MSW landfill.
12. Application of the requirements in Statewide General Construction Stormwater Permit, Order No. 99-08-DWQ, pertaining to best management practices that will prevent construction pollutants from contacting storm water and will prevent products of erosion from moving off site into receiving waters, is relevant and appropriate for temporary fire debris staging areas.
13. Material used to cover waste piles at temporary waste staging areas shall adequately minimize rainwater infiltration; control fugitive dust, vectors, odors, and blowing litter; and prevent scavenging. Any material classified as a designated waste cannot be used for daily cover [CCR, title 27, section subdivision (e)(1)].
14. Under the provisions of California Water Code (CWC) section 13269, subdivisions (c)(1) and d, it is not against the public interest to waive issuance of waste discharge requirements for the expeditious management and disposal of solid wastes resulting from the cleanup of burned areas provided that certain conditions are met.
15. Granting conditional waivers of CWC sections 13260, subdivisions (a) and (b), 13263, subdivision (a), and 13264, subdivision (a), would enable Los Angeles Regional Board (Regional Board) staff resources to be used more effectively during the state of emergency.
16. A temporary conditional waiver of the requirements set forth in CWC sections 13260, subdivisions (a) and (b), 13263, subdivision (a), and 13264, subdivision (a) for the discharge of fire debris derived from cleanup of burned areas as a result of wildfires, and for short term discharges to temporary waste piles, would not be against the public interest because these discharges would comply with the conditions of this Order, would be effectively regulated by other public agencies, and would not result in violation of the Water Quality Control Plan for the Los Angeles Region (Basin Plan) (CWC section 13269, subdivision (d)).
17. Waiver of reports of waste discharge and issuance of waste discharge requirements are categorically exempt from the California Environmental Quality Act (CEQA) documentation because the waiver applies only to emergency activities in a disaster area in which a state of emergency has been proclaimed by the Governor (CCR, title 14, section 15269).

THEREFORE BE IT ORDERED THAT, pursuant to CWC, section 13269, the Regional Board waives the requirements to submit a report of waste discharge (CWC sections 13260, subdivisions (a) and (b) and 13264, subdivision (a)) and establish waste

discharge requirements [CWC §13263(a)] for the discharges of solid wastes derived from cleanup of burned areas as a result of wildfires provided that the conditions set forth below are met. The conditions set forth in this Order are applicable only to the Class III MSW landfills identified in Finding No. 5, above, and to any discharger who establishes a temporary waste management unit to temporarily store and segregate wastes from cleanup of burned areas. These conditions do not apply to fire debris generated during non state of emergency periods. Solid waste generated by "normal fires" such as regularly occur in urban and suburban areas may continue to be disposed at Class III landfills with approved waste load checking programs permitted by this Regional Board.

A. Conditions for Discharge of Fire Debris at Regulated Class III MSW Landfills within the Region.

1. Fire debris derived from cleanup of burned areas shall be discharged **only** to MSW landfills underlain by engineered liners and leachate collection systems that satisfy the requirements of CCR, title 27, SWRCB Resolution No. 93-62, and Regional Board waste discharge requirements. Fire debris derived from cleanup of burned areas shall also be isolated from areas of the landfill that are not lined. Fire debris does not include residual fire debris waste received by permitted Class III landfills from transfer/processing facilities and transformation facilities permitted by the California Integrated Waste Management Board.
2. Liquid hazardous wastes or "restricted hazardous wastes," as defined by California Health and Safety Code section 25122.7, derived from cleanup of burned areas shall not be discharged to any Class III MSW landfill.
3. The discharge of fire debris derived from cleanup of burned areas shall not create or contribute to a condition of pollution or nuisance as defined in CWC section 13050.
4. The discharge of fire debris derived from cleanup of burned areas shall not create or contribute to conditions that violate the discharge prohibitions of the Basin Plan.
5. Food wastes, animal carcasses, and other putrescible wastes derived from cleanup of burned areas shall be covered expeditiously.
6. "Mixed wastes" (as defined in Finding 9 of this Order) derived from cleanup of burned areas shall be separated and recycled when appropriate.
7. The following categories of fire debris derived from burned areas may be discharged as alternative daily cover (ADC) to a Class III MSW landfill:
 - a) Solid wastes that are classified as inert wastes (per CCR, title 27, section 20230)

- b) Solid wastes that meet the criteria for ADC (per CCR, in title 27, section 20690 *et seq.*
- c) Solid wastes identified by the Local Enforcement Agency (LEA) and approved by Regional Board staff as being suitable for use as ADC.

- 8. **Required Notification to the Regional Board:** Within 60 days after accepting fire debris from large regional fires for which the Governor has declared a State of Emergency, the owner/operator of the landfills shall submit an amendment to their report of waste discharge (Joint Technical Document) describing the material change to their discharge pertaining to the temporary acceptance of fire debris derived from cleanup of burned areas.

B. Conditions for Discharge of Wildfire Wastes to Temporary Waste Staging Areas at Regulated Class III MSW Landfills in the Region.

In addition to Conditions 1 through 4 in Section A of this Order, any person discharging fire debris from burned areas to temporary staging areas at a regulated municipal solid waste landfill shall also comply with the following conditions.

- 1. **Required Notification to the Regional Board:** The discharger shall submit a fully executed Notice of Intent to Establish Temporary Fire Debris Staging Operations (Attachment No. 2) to the Executive Officer of the Regional Board within 30 days of the initial discharge of any waste piles established under this Order. The discharger shall submit a fully executed Notice of Termination of Temporary Wildfire Waste Staging Operations (Attachment No. 3) to the Executive Officer within ten working days of completing removal of all waste and restoring the site to its original condition. All wastes shall be removed and the site returned to its original condition within six months of a declaration of emergency by the Governor or prior to filing a Notice of Termination, whichever occurs first, or as required by the Los Angeles Water Board.
- 2. **Liner:** Heavy gauge plastic sheeting (not less than 20 mils thick) or other impermeable material (*e.g.*, asphalt, concrete, compacted Class II roadbase, etc.) shall be installed prior to establishing a temporary waste pile to protect all natural geological materials from contact with the waste or its leachate.
- 3. **Run-on/Runoff Protection:** The discharger shall prevent surface run-on from contacting fire debris and shall prevent erosion and transport of soils containing fire debris by surface runoff from all waste piles established under this waiver. All runoff from the fire debris waste piles should be fully contained and properly disposed. The discharger shall employ applicable best management practices (BMPs) to the maximum extent practicable for storm water conveyance and control.

4. **Ground Water Protection:** All waste derived from cleanup of burned areas shall be placed at least five feet above the highest anticipated ground water elevation.
5. **Surface Water Protection:** All waste piles derived from cleanup of burned areas shall be located not less than 100 feet from any surface water identified in the Water Quality Control Plan for the Los Angeles Region (Basin Plan).
6. **Flood Protection:** All waste derived from cleanup of burned areas shall be protected from flooding and inundation.
7. **Clean Closure of Temporary Waste Piles:** Wastes discharged to temporary waste piles at regulated landfills under this waiver, together with any materials used to contain the temporary waste piles, shall be removed from the temporary storage/staging location within six months of a declaration of emergency by the Governor or prior to filing a Notice of Termination, whichever occurs first, or as required by the Los Angeles Water Board. Alternatively, the discharger shall file an amended Report of Waste Discharge and obtain amended waste discharge requirements from the Regional Board for any waste piles that will continue to exist after the expiration of this waiver. The temporary waste staging site shall be restored to its original state. All wastes shall be removed and the site returned to its original condition within six months of a declaration of emergency declared by the Governor or prior to filing a Notice of Termination, whichever occurs first, or as required by the Los Angeles Water Board.

C. Conditions for Temporary Waste Staging Areas NOT Located at a Regulated Class III MSW Landfill Identified in Finding No. 5 of This Order.

1. **Temporary Waste Piles:** The discharge of solid wastes into temporary waste piles located at temporary staging areas shall comply with conditions 1 through 4 of Section A of this Order. Temporary waste piles at transfer/processing facilities or transformation facilities that are permitted by the California Integrated Waste Management Board do not have to comply with this Order.
2. **Required Notification to the Regional Board:** Any person proposing to discharge fire debris from burned areas to temporary waste staging areas that are not located at a regulated solid waste management facility identified in Finding 5, shall submit a signed/completed Notice of Intent to the Executive Officer to Establish Temporary Wildfire Waste Staging Operations (Attachment No. 1), within 30 days of the initial discharge of any wildfire waste pile(s) established under this Order. The discharger shall submit a signed/completed Notice of Termination of Temporary Wildfire Waste Staging Operations (Attachment No. 2) to the Executive Officer within ten working days of completing removal of all wildfire waste and restoring the site to its original condition. All wastes shall be removed within six months of a declaration of emergency by the

Governor or prior to filing a Notice of Termination, whichever occurs first, or as required by the Los Angeles Water Board.

3. **Cover:** All temporary waste staging units/piles shall be covered with either a heavy gauge plastic or other material that meets the classification criteria for wastes described in Finding 9 of this Order. A material that would be classified as a designated waste cannot be utilized for daily or intermediate cover at a temporary waste staging area. Cover on the temporary waste staging units/piles shall prevent rainwater infiltration and runoff, and shall control fugitive dust, vectors, odors, blowing litter, and scavenging.
4. **Liner:** Heavy gauge plastic sheeting (not less than 20 mils thick) or other impermeable material (e.g., asphalt, concrete, compacted Class II roadbase, etc.) shall be installed prior to establishing a temporary waste pile to protect all natural geological materials from contact with the waste or leachate.
5. **Surface Water Protection:** All waste piles derived from cleanup of burned areas shall be located not less than 100 feet from any surface water identified in the Basin Plan.
6. **Precipitation and Drainage Controls:** Temporary waste piles shall be designed, constructed, and operated to limit ponding, infiltration, inundation, erosion, slope failure, and washout to the greatest extent possible. Surface drainage from outside the temporary waste pile shall be diverted away from the waste piles through implementation of BMPs for storm water control and conveyance to the maximum extent practicable.
7. **Return/Ponded Water:** A discharger shall submit written notification to the Executive Officer 30 days prior to initiating the discharge of return water or ponded water contained within the temporary staging area if the discharge is to a location other than a sanitary sewer system. Based on the Executive Officer's determination, the discharger may receive: 1) waste discharge requirements; 2) a waiver of waste discharge requirements; or 3) a written determination that the disposal of the return water or ponded water is not subject to regulation by the Regional Board.

8. **Public Notification Requirement:** The discharger shall post at least one clearly visible sign (in English) listing the following minimum information: a) project name, b) brief project description, and c) operator name and phone number. The discharger shall post additional signs as necessary (in languages other than English) to more effectively communicate the minimum contact information as listed above to the local community. The sign(s) shall be maintained as required to keep them legible and shall remain in place while temporary waste piles remain on site.

9. **Closure of Temporary Waste Piles:** Wastes discharged to temporary waste staging areas for the purpose of storage and treatment as established under this Order, and any materials used to contain the temporary wastes, shall be removed for disposal in accordance with applicable federal, state, and local requirements prior to the expiration of this waiver. The owner/operator of the temporary waste staging area shall submit a completed and signed Notice of Termination of Temporary Wildfire Waste Staging Operations (Attachment No. 2) to the Executive Officer within ten working days of completing removal of all wildfire waste and restoring the site to its original condition. All wastes shall be removed within six months of a declaration of emergency declared by the Governor or prior to filing a Notice of Termination, whichever occurs first.

BE IT FURTHER ORDERED THAT, this conditional waiver of statutory requirements in CWC §§13260(a) and (b), 13263(a), and 13264(a) shall remain in effect until **March 6, 2013**, unless the Regional Board takes action to extend, revise, or rescind these requirements.

BE IT FURTHER RESOLVED THAT, this conditional waiver is only in effect temporarily and shall expire under the following conditions:

- a) The state of emergency declared by the Governor expires, or
- b) The Los Angeles Water Board takes action to terminate enrollment of an individual or all dischargers/Units temporarily granted a waiver, or
- c) Six (6) months has elapsed since the Governor issued a declaration of the State of emergency for all or any portion of the Los Angeles Region, or emergency activities began, unless otherwise directed by the Los Angeles Water Board.

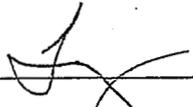
BE IT FURTHER RESOLVED THAT, the requirements of this Emergency Conditional Temporary Waiver apply only to waste derived from the cleanup of areas burned by wildfires. All discharges of waste not associated with cleanup of fire debris from burned areas shall comply with discharge prohibitions and discharge specifications established in waste discharge requirements for the solid waste management units identified in Finding 5 of this Order.

BE IT FURTHER RESOLVED THAT, the Regional Board may consider extending the waiver in particular cases for good cause, provided that a letter of request from the discharger is received at least ten working days prior to the maximum period allowed under the applicable conditions.

BE IT FURTHER RESOLVED THAT, the Regional Board may issue specific waste discharge requirements for discharges of waste derived from burned areas.

BE IT FURTHER RESOLVED THAT, any waiver of waste discharge requirements is conditional; may be terminated at any time; does not authorize or excuse an illegal discharge; does not preclude the need for any permits, licenses, or authorizations which may be required by other state or local governmental agencies or landowners; and does not preclude the Regional Board from administering enforcement remedies pursuant to CWC §13300, et seq.

I, Tracy J. Egoscue, Executive Officer, do hereby certify that the foregoing is a full, true, and correct copy of an emergency Order adopted by the California Regional Water Quality Control Board, Los Angeles, on March 6, 2008.



Tracy J. Egoscue
Executive Officer

**CONDITIONS FOR
CONDITIONAL WAIVERS OF WASTE DISCHARGE REQUIREMENTS
FOR MANAGEMENT AND DISPOSAL OF SOLID WASTES FROM
WILDFIRES**

In order for the conditional waiver to be consistent with the *Water Quality Control Plan for the Los Angeles Region (4)* (Basin Plan), the following general overall conditions apply to be eligible for a conditional waiver:

- The discharge shall not create a nuisance¹ or pollution² as defined in the Porter-Cologne Water Quality Control Act (Water Code section 13000 et seq.):
- The discharge shall not cause a violation of any applicable water quality standard for receiving waters adopted by the California Regional Water Quality Control Board, Los Angeles Region (Los Angeles Water Board), or the State Water Resources Control Board (State Water Board), as required by the Federal Water Pollution Control Act (Clean Water Act); and
- The discharge of any substance in concentrations toxic to animal or plant life is prohibited.

In addition to the general overall conditions listed above, the Los Angeles Water Board determined that it is consistent with the Basin Plan and in the public interest to issue conditional waivers under one or more of the following circumstances:

- The type of discharge is effectively regulated by other public agencies; or
- The type of discharge does not adversely affect the quality or the beneficial uses of the waters of the state; or
- The type of discharge is not readily amenable to regulation through adoption of waste discharge requirements (WDRs), but warrants Los Angeles Water Board oversight to ensure compliance with the mandated conditions (e.g. Basin Plan water quality objectives).

¹ "Nuisance" is defined by Water Code section 13050(m) as anything which meets all of the following requirements: (1) is injurious to health, or is indecent or offensive to the senses, or an obstruction to the free use of property so as to interfere with the comfortable enjoyment of life or property; (2) Affects at the same time an entire community or neighborhood, or any considerable number of persons, although the extent of the annoyance or damage inflicted upon individuals may be unequal; and (3) Occurs during, or as a result of the treatment or disposal of wastes.

² "Pollution" is defined by Water Code section 13050 (1) as an alteration of the quality of the waters of the state by waste to a degree which unreasonably affects either of the following: (A) waters for beneficial uses. (B) facilities which serve these beneficial uses. Pollution may include contamination.

A. Conditional Waiver Conditions for Discharges of Emergency/Disaster Related Wastes

1. This conditional waiver does not become active and available until one of the following occurs:
 - a) The Governor of California issues a proclamation, pursuant to Government Code sections 8625 and 8558, subdivision (b), identifying all or any portion of the Los Angeles Region as being in a state of emergency, and applies only to disaster related waste streams from disaster-impacted areas;
 - b) A discharge occurs resulting from emergency activities that are described in Water Code section 13269, subdivision(c).
2. This conditional waiver is only in effect temporarily and shall expire under the following conditions:
 - a) The state of emergency declared by the Governor expires, or
 - b) The Los Angeles Water Board takes action to terminate enrollment of an individual or all dischargers/Units temporarily granted a waiver, or
 - c) Six (6) months has elapsed since the Governor issued a declaration of the State of emergency for all or any portion of the Los Angeles Region, or emergency activities began, unless otherwise directed by the Los Angeles Water Board.
3. Emergency/disaster related waste management and cleanup activities shall minimize or eliminate the discharge of any pollutants that could adversely affect the quality or beneficial uses of the waters of the state.
4. For all temporary waste piles and surface impoundments used to manage emergency/disaster related waste, the following conditions apply:
 - a) Emergency/disaster related waste management must prevent the direct or indirect discharge of emergency/disaster related wastes to any surface waters of the state (including ephemeral streams and vernal pools).
 - b) Emergency/disaster related waste management operations shall not be performed in a manner that creates, or contributes to a condition of pollution or nuisance.
 - c) Emergency/disaster related waste management operations shall not be performed in a manner that creates, or contributes to conditions which violate the waste discharge prohibitions promulgated in the Basin Plan.
 - d) Emergency/disaster related wastes shall not be managed in a manner that causes corrosion, decay, or otherwise reduces or impairs the integrity of containment structures at any waste management unit.³

³ Pursuant to California Code of Regulations Title 27, section 20200, subdivision (b)(1).

- e) Emergency/disaster related wastes shall not be managed in a manner that mixes or commingles other wastes that can produce a violent reaction (including heat, pressure, fire or explosion), that can produce toxic byproducts, or that can produce any reaction products requiring a higher level of containment, or results in the mixture being classified as a restricted waste.⁴
- f) Liquid hazardous wastes or "restricted hazardous wastes"⁵ cannot be discharged to municipal solid waste (MSW) landfills, temporary waste piles, or temporary surface impoundments.
- g) Temporary waste piles shall be covered to adequately prevent rainwater infiltration and runoff, and control fugitive dust, vectors, odors, blowing litter and scavenging. The cover shall not consist of or contain material classified as a designated waste.⁶
- h) Inert wastes⁷ that are suitable for reuse or recycling do not require permanent disposal at a classified waste management or disposal facility (i.e., permitted landfill).
- i) Waste streams shall only originate from disaster-impacted areas of the Los Angeles Region. These waste streams shall be discharged for treatment and permanent disposal **only** into:
 - i) Waste management or treatment units (e.g., liquid wastes into wastewater treatment plants) as allowed by WDRs issued by the Los Angeles Water Board, or
 - ii) Solid waste management units or disposal facilities (e.g., solid wastes into Class III MSW landfills underlain with engineered composite liners and leachate collection systems and that satisfy the requirements of State Water Board Resolution No. 93-62); or
 - iii) Emergency landfills established in accordance with the conditions of this waiver; and
 - iv) As allowed by valid WDRs issued by the Los Angeles Water Board for other categories of waste management units.

B. Specific Waiver Conditions for Disaster Related Wastes Discharged to Temporary Waste Piles NOT Located at Regulated Waste Disposal Facilities

1. Any agency, jurisdiction or person proposing to establish a temporary waste pile not located at a regulated facility shall submit a Notice of Intent to the Los Angeles Water Board within 30 days of the initial discharge of any disaster related wastes. The Notice of Intent shall contain the name and contact information of the owner/operator the property where the temporary waste pile facility is located, facility

⁴ Pursuant to California Code of Regulations Title 27, section 20200, subdivision (b)(2).

⁵ Defined in California Health and Safety Code section 25122.7.

⁶ Defined in California Water Code, section 13173.

⁷ Defined in California Code of Regulations Title 27, section 20230.

address and contact information, description of temporary waste management unit, certification, and signature of the owner, operator, and/or authorized representative. The certification shall include the statement, *"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."*

2. Owners/operators of temporary waste piles not on regulated facilities shall ensure that they are sited, designed, constructed, operated, and maintained to ensure compliance the following minimum prescriptive and performance standards:
 - a) The bottom of a temporary waste pile shall be placed at least five feet above the highest historically known or anticipated level of groundwater, and more than 100 feet from, and at an elevation that is higher than, any surface water of the state.
 - b) Temporary waste piles shall be protected from inundation or washout due to floods with a 100-year return period.
 - c) Temporary waste piles cannot be located on a known Holocene fault.
 - d) Temporary waste piles cannot be located in areas of potential rapid geologic change (e.g., landslides, debris flows, flashflood areas, etc.).
 - e) Temporary waste piles shall be underlain by a temporary impermeable barrier (e.g., heavy gauge plastic – at least 20 mils) or located in an area covered by a relatively impermeable surface (e.g., asphalt, concrete, etc.). The liner shall be installed prior to establishing a temporary waste pile to protect all natural geological materials from contact with the waste and from contact with leachate.
 - f) Temporary waste piles shall be covered daily with either a heavy gauge plastic or material that meets the classification criteria for inert wastes. A material that would be classified as a designated waste cannot be utilized for daily cover at a temporary waste staging area. Cover on the temporary waste piles shall be designed, installed and maintained to prevent rainwater infiltration and runoff, and control of fugitive dust, vectors, odors, blowing litter and scavenging.
 - g) Temporary waste management operations that include wastes with a liquid content exceeding its moisture-holding capacity and/or containing free liquids, shall comply with requirements for temporary surface impoundments.
 - h) Temporary waste piles shall be designed, constructed and operated to limit ponding, infiltration, inundation, erosion, slope

- failure, and washout. Surface drainage from outside of the temporary waste pile shall be diverted from the location of the temporary waste pile through implementation of best management practices (BMPs) for storm water control and conveyance.
3. Owners/operators of temporary waste piles not on regulated facilities shall submit written notification to the Los Angeles Board at least 30 days prior to initiating the discharge of return water or ponded water contained within the temporary waste pile if the discharge is to a location other than a sanitary sewer system. Based on the Los Angeles Water Board determination, the discharger may receive: 1) WDRs; 2) a waiver of WDRs, or 3) written determination that the disposal of the return water or ponded water is not subject to regulation by the Los Angeles Water Board.
 4. Owners/operators of temporary waste piles not on regulated facilities shall post at least one clearly visible sign in English (all letters and numbers shall be at least six inches high) listing the following minimum information: a) project name, b) brief project description, and c) operator name and phone number. The discharger shall post additional signs as necessary (in languages other than English) to more effectively communicate the minimum contact information (listed above) to the local community. The sign(s) shall be maintained as required to keep them legible and shall remain in place while temporary waste piles remain on site.
 5. Solid wastes discharged to temporary waste piles not at regulated waste management or disposal facilities temporarily granted a waiver, together with any materials used to contain the temporary waste piles, shall be removed from the site. The site shall be restored to its original state no later than six months after a declaration of emergency by the Governor, emergency activities began, or as required by the Los Angeles Water Board.
 6. Owners/operators of temporary waste piles not on regulated facilities shall submit a Notice of Termination to the Los Angeles Water Board within ten working days of completing removal of all disaster related wastes and restoring the site to its original condition. The Notice of Termination shall contain the name and contact information of the owner/operator the property where the temporary waste pile facility was located, facility address and contact information, description of waste that was temporarily stored/staged in the temporary waste management unit, the final waste disposal location, certification, and signature of the owner, operator, and/or authorized representative. The certification shall include the statement, *“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.”

C. Specific Waiver Conditions for Disaster Related Wastes Discharged to Temporary Surface Impoundments NOT Located at Regulated Waste Disposal Facilities

1. Any agency, jurisdiction or person proposing to establish a temporary surface impoundment not located at a regulated facility must submit a Notice of Intent to the Los Angeles Water Board within 30 days of the initial discharge of any disaster related wastes. The Notice of Intent must contain the name and contact information of the owner/operator the property where the temporary surface impoundment facility is located, facility address and contact information, description of temporary waste management unit, certification, and signature of the owner, operator, and/or authorized representative. The certification must include the statement, *“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.”*
2. Owners/operators of temporary surface impoundments not on regulated facilities must ensure that they are sited, designed, constructed, operated, and maintained to ensure compliance the following minimum prescriptive and performance standards:
 - a) The bottom of a temporary surface impoundment must be placed at least five feet above the highest historically known or anticipated level of groundwater, and more than 100 feet from any surface water of the state.
 - b) Temporary surface impoundments must be protected from inundation or washout due to floods with a 100-year return period.
 - c) Temporary surface impoundments cannot be located on a known Holocene fault.
 - d) Temporary surface impoundments cannot be located in areas of potential rapid geologic change (e.g., landslides, debris flows, flashflood areas, etc.).
 - e) Temporary surface impoundments must be underlain by a temporary impermeable barrier (e.g., heavy gauge plastic – at least 20 mils) or a relatively impermeable surface (e.g., asphalt, concrete, etc.). The liner must be installed prior to establishing a temporary surface impoundment to protect all natural geological materials from contact with the waste.
 - f) Berms and containment structures of temporary surface impoundments must be composed of inert materials that will not cause adverse reactions (e.g., corrosion, decay, or otherwise

reduce or impair the integrity of the containment structure) when placed in contact with the liquid wastes stored within the temporary surface impoundment.

- g) Temporary surface impoundments must be designed, operated and maintained to ensure that liquid wastes are at least two feet below the top of the impoundment (measured vertically from the surface of the liquid up to the point on the surrounding lined berm or dike having the lowest elevation), and must be designed and constructed to prevent overtopping as a result of wind conditions likely to accompany precipitation conditions.
 - h) Direct pipeline discharges of liquid can occur only into temporary surface impoundments with automatic or manually operated fail-safe systems to prevent overfilling.
 - i) Temporary surface impoundments must be designed and constructed to prevent scouring of containment structures at points of liquid discharge into the surface impoundments.
 - j) Temporary surface impoundments must be designed, constructed and operated to limit inundation, erosion, slope failure, and washout. Surface drainage from outside of the temporary surface impoundments shall be diverted from the location of the temporary surface impoundments through implementation of BMPs for storm water control and conveyance.
3. Owners/operators of temporary surface impoundments not on regulated facilities must submit written notification to the Los Angeles Water Board at least 30 days prior to initiating the discharge of return water or ponded water contained within the temporary surface impoundment if the discharge is to a location other than a sanitary sewer system. Based on the Los Angeles Water Board determination, the discharger may receive: 1) WDRs; 2) a waiver of WDRs, or 3) written determination that the disposal of the return water or ponded water is not subject to regulation by the Los Angeles Water Board.
 4. Owners/operators of temporary surface impoundments not on regulated facilities must ensure that only wild fire disaster related waste streams are discharged into temporary surface impoundments.
 5. All visible portions of synthetic liner systems in temporary surface impoundments must be inspected weekly, or daily as necessary, until all free liquid is removed from the surface impoundment as part of closure.⁸ If, during the active life of the temporary surface impoundment, the wastes are removed and the bottom of the impoundment is cleaned down to the liner, an inspection shall be made of the bottom of the liner prior to refilling the impoundment.
 6. Owners/operators of temporary surface impoundments not on regulated facilities must post at least one clearly visible sign in English (all letters and numbers shall be at least six inches high) listing the following minimum information: a) project name, b) brief project

⁸ Pursuant to California Code of Regulations Title 27 section 21400(a)

- description, and c) operator name and phone number. The facility owner/operator must post additional signs as necessary (in languages other than English) to more effectively communicate the minimum contact information (listed above) to the local community. The sign(s) shall be maintained as required to keep them legible and shall remain in place while temporary surface impoundments remain on site.
7. Solid wastes discharged to temporary surface impoundments not at regulated waste management or disposal facilities, together with any materials used to contain the temporary surface impoundments, shall be removed from the site. The site shall be restored to its original state no later than the 60 days after expiration of this waiver, or as required by the Los Angeles Water Board.
 8. Owners/operators of temporary surface impoundments not on regulated facilities must submit a Notice of Termination to the Los Angeles Water Board within ten working days of completing removal of all disaster related wastes and restoring the site to its original condition. The Notice of Termination must contain the name and contact information of the owner/operator the property where the temporary surface impoundment facility was located, facility address and contact information, description of waste that was temporarily stored/staged in the temporary waste management unit, the final waste disposal location, certification, and signature of the owner, operator, and/or authorized representative. The certification must include the statement, *"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."*

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

320 W. 4th Street, Suite 200
Los Angeles California 90013



**NOTICE OF INTENT
TO ESTABLISH TEMPORARY FIRE DEBRIS STAGING OPERATIONS
IN COMPLIANCE WITH EMERGENCY ORDER NO. R4-2008-0013**

I. PROPERTY/FACILITY INFORMATION

Property/Facility Name:			
Property/Facility Contact:			
Property/Facility Address:			
City:	County:	State:	Zip:
Telephone:	Fax:	Email:	
Assessor Parcel Number(s):		Hydrologic Area/Subarea:	

II. PROPERTY/FACILITY OWNER INFORMATION

Property/Facility Owner Name:			
Property/Facility Owner Mailing Address:			
City:	County:	State:	Zip:
Telephone:	Fax:	Email:	

III. PROPERTY/FACILITY OPERATOR INFORMATION

Property/Facility Operator Name:			
Mailing Address:			
City:	County:	State:	Zip:
Telephone:	Fax:	Email:	

IV. DESCRIPTION OF DISCHARGE

Describe the discharge (i.e., source(s) of discharge, pollutants of concern, period and frequency, etc.). Use additional pages as needed. Provide a map of the property/facility if necessary.

V. DESCRIPTION OF MANAGEMENT MEASURES AND BEST MANAGEMENT PRACTICES

Describe what management measures (MMs) and best management practices (BMPS) will be implemented to minimize or eliminate the discharge of pollutants to waters of the state. Use additional pages as needed. Provide a map of the property/facility showing locations of MMs/BMPs if necessary.

VI. ADDITIONAL INFORMATION

Please provide additional information, as needed or required, about the discharge and/or how the discharger intends to comply with the waiver conditions of the conditional waiver. Use additional pages as needed.

VII. 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.

_____ Signature (Owner or Authorized Representative)	_____ Date
_____ Print Name	_____ Title
_____ Telephone Number	_____ Email

