

Los Angeles Regional Water Quality Control Board

December 29, 2016

To Interested Agencies and Persons:

PUBLIC NOTICE: TENTATIVE CONDITIONAL WAIVER OF WASTE DISCHARGE REQUIREMENTS FOR DISASTER RELATED EMERGENCY WASTE HANDLING AND DISPOSAL WITHIN THE LOS ANGELES REGION (FILE NO. 08-021)

This letter is to notify you of the opportunity to comment on and attend a hearing regarding tentative Conditional Waiver for Disaster Related Emergency Waste Handling and Disposal (Order) for the Los Angeles Region. The tentative Order would simplify the permitting requirements to expedite cleanup of emergency/disaster wastes while including conditions to minimize the potential impact to waters of the State from waste handling and disposal following an emergency or disaster and to protect public health. The tentative Order and associated attachments may be downloaded from our website, at http://www.waterboards.ca.gov/losangeles/board_decisions/tentative_orders/index.shtml.

In accordance with administrative procedures, this Regional Board will consider the tentative Order and comments thereon, at a public hearing to be held at 9:00 AM on April 6, 2017, at the Board Room, Metropolitan Water District of Southern California located at 700 North Alameda Street, Los Angeles, California. The Regional Board will hear any testimony pertinent to this discharge and the tentative requirements. It is expected that the Regional Board will take action at the hearing; however, as testimony indicates, the Regional Board at its discretion may postpone action.

Written comments regarding the tentative Order must be received at the Regional Board office by 5:00 PM on February 17, 2017. Comments received after this date will not be accepted into the record unless determined by the Chair of the Regional Board not to prejudice any party or the Regional Board. The agenda for the meeting will be posted on the Regional Board's website (http://www.waterboards.ca.gov/losangeles/board_info/agenda/index.shtml) approximately one week prior to the meeting.

Should you have any questions, please contact Dr. Enrique Casas, Project Manager, at (213) 620-2299 or me at (213) 620-2253.

Sincerely,



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

Enclosure

cc: Mailing List

IRMA MUÑOZ, CHAIR | SAMUEL UNGER, EXECUTIVE OFFICER

Mailing List

Ms. Nadine Langley, State Water Resources Control Board
Ms. Shannon Hill, California Department of Resources Recycling and Recovery
Mr. Michael Wochnick, California Department of Resources Recycling and Recovery
Mr. Angelo Bellomo, Los Angeles County Environmental Health Division, Solid Waste
Mr. Sean Debley, County of Ventura, Environmental Health Division
Mr. David Thompson, City of Los Angeles, Environmental Affairs Department
Mr. Charlie Tupac, South Coast Air Quality Management District
Mr. Ted Kowalczyk, South Coast Air Quality Management District
Mr. Mark Johnson, California Emergency Management Agency
Mr. Ed Pert, Department of Fish and Wildlife
Mr. Mark Stuart, Department of Water Resources, Southern District
Mr. Martin Aiyitiwa, Los Angeles County Department of Public Works
Ms. Kristen Ruffel, County Sanitation Districts of Los Angeles County
Mr. Mike Dean, Waste Connections, Inc.
Mr. Dave Schickling, City of Whittier
Mr. Scott Tignac, Waste Management, Inc.
Mr. John Molinar, City of Burbank
Ms. Patti Costa, Sunshine Canyon Landfill
Mr. Matthew Baumgardner, Ventura Regional Sanitation District
Mr. John Robertson, Chandler's Sand and Gravel
Mr. Bob Willis, Claremont University Consortium
Mr. Ken Barker, United Rock Products Corporation
Mr. Jim Mnoian, Mnoian Management, Inc.
Ms. Terri Grant, Los Angeles County Department of Public Works, Watershed Management
Mr. John Edwards, Arcadia Reclamation, Inc.
Mr. William Tam, City of Irwindale
Mr. Dan Zeller, Vulcan Materials Company
Mr. Brian Gordon, Navy Facility Engineering Command, Southwest
Mr. Nick Bubalo, S.L.S. & N., Inc.
Mr. Kenneth Bradbury, Montebello Land and Water Co.
Mr. Michael Rogers, Hanson Aggregates West
Mr. John McNamara, CR&R Environmental Services
Mr. Jeff Pratt, Director, Ventura County Public Works Agency
Mr. Gerhardt Hubner, Deputy Director, Ventura County Watershed Protection Agency
Mr. Tom Fox, Public Works Director, Camarillo
Mr. David Klotzle, Public Works Director / City Engineer, Moorpark
Mr. Greg Grant, Public Works Director, Ojai
Mr. Daniel Rydberg, Interim Utilities Director, Oxnard
Mr. Fred Camarillo, Public Works Director, Port Hueneme
Mr. Tulson Clifford, Public Works Director, San Buenaventura
Mr. Brian J. Yanez, Interim Public Works Director, Santa Paula
Mr. Ron Fuchiwaki, Public Works Director, Simi Valley
Mr. Jay T. Spurgin, Public Works Director, Thousand Oaks
Mr. Ramiro Adeva, Director of Public Works / City Engineer, Agoura Hills
Ms. Mary Chavez, Public Works Director, Alhambra
Mr. Tom Tait, Public Works Director, Arcadia
Mr. Rudy Gonzales, Public Works Superintendent, Artesia
Mr. Daniel Bobadilla, Interim Public Works Director, Azusa
Mr. Daniel Wall, Public Works Director, Baldwin Park

Mr. Joe Perez, Public Works Director/Planning Director, Bell
Mr. Chau Vu, Acting Public Works Director, Bell Gardens
Mr. Bernie Iniguez, Environmental Services Manager, Bellflower
Mr. David D. Gustavson, Director of Public Works & Transportation, Beverly Hills
Mr. Elroy Kiepke, City Engineer, Bradbury
Ms. Bonnie Teaford, Public Works Director, Burbank
Mr. Robert Yalda, Public Works Director / City Engineer, Calabasas
Mr. Darren Shultz, Public Works Director, Carson
Mr. Hal Arbogast, Director of Public Works / City Engineer, Cerritos
Ms. Loretta Mustafa, Public Works Director / City Engineer, Claremont
Ms. Maryam Babaki, Director of Public Works & Development Services, Commerce
Mr. Glen Kau, Public Works Director, Compton
Mr. Alex Gonzalez, Public Works Director, Covina
Mr. Michael Allen, Acting Community Services Director, Cudahy
Mr. Charles Herbertson, Director of Public Works / City Engineer, Culver City
Mr. David Liu, Director of Public Works, Diamond Bar
Mr. Mohammad Mostahkami, Director of Public Works, Downey
Mr. Rafael O. Casillas, Public Works Division Manager, Duarte
Ms. Elaine Jeng, Director of Public Works, El Monte
Ms. Stephanie Katsouleas, Public Works Director, El Segundo
Mr. Edward Medrano, Streets & Development Director, Gardena
Mr. Roubik Golanian, Director of Public Works / City Engineer, Glendale
Mr. Dave Davies, Deputy Director of Public Works, Glendora
Mr. Joe Vasquez, Public Works Superintendent, Hawaiian Gardens
Mr. Arnold Shadbehr, Chief General Service and Public Works, Hawthorne
Ms. Diane Strickfaden, Assistant to City Manager, Hermosa Beach
Mr. Dirk Lovett, Planning Director, Hidden Hills
Mr. Claude Bilodeau, Public Works Superintendent, Huntington Park
Mr. John Ballas, Director of Public Safety, Industry
Mr. Louis Atwell, Director of Public Works, Inglewood
Mr. William Tam, Director of Public Works, Irwindale
Mr. Edward G. Hitti, Director of Public Works, La Canada Flintridge
Ms. Lori Askew, Public Works Manager, La Habra Heights
Mr. Mark Stowell, Public Works Director, La Mirada
Mr. David Carmony, City Manager, La Puente
Mr. Daniel Keesey, Director of Public Works, La Verne
Ms. Lisa Ann Rapp, Public Works Director, Lakewood
Ms. Nasser Abbaszadeh, Public Works Director, Lawndale
Mr. Mark McAvoy, Public Works Director / City Engineer., Lomita
Mr. John Reamer, Inspector of Public Works, Los Angeles
Mr. Emilio Murga, Public Works Director, Lynwood
Mr. Robert L. Brager, Public Works Director / City Engineer, Malibu
Mr. Tony Olmos, Public Works Director, Manhattan Beach
Mr. Reuben Martinez, Interim CAO, Maywood
Mr. Carl Hassel, Public Works Director, Monrovia
Mr. Danilo Batson, Public Works Director, Montebello
Mr. Ron Bow Assistant, City Manager, Monterey Park
Mr. Gary DiCorpo, Director of Public Services, Norwalk
Mr. Ken Rukavina, Director of Public Works, Palos Verdes Estates
Mr. Chris Cash, Public Works Director, Paramount
Ms. Siobhan Foster, Public Works Director, Pasadena

Mr. James Enriquez, Public Works Director / City Engineer, Pico Rivera
Ms. Rene Salas, Public Works Director, Pomona
Mr. Michael Throne, Public Works Director, Rancho Palos Verdes
Mr. Ted Semaan, Interim Public Works Director, Redondo Beach
Mr. Greg Grammer, Assistant City Manager, Rolling Hills Estates
Ms. Kathy Garcia, Assistant City Manager / Interim Public Works Director, Rosemead
Mr. Krishna Patel, Public Works Director, San Dimas
Mr. Chris Marcarello, Deputy City Manager / Public Works Director, San Fernando
Mr. Robert Bustos, Public Works Director, San Gabriel
Mr. Dean Werner, Acting Public Works Manager, San Marino
Mr. Robert G. Newman, Director of Public Works, Santa Clarita
Mr. Noe Negrete, Public Works Director / City Engineer, Santa Fe Springs
Mr. Martin Pastucha, Director of Public Works, Santa Monica
Mr. Bruce Inman, Director of Public Works, Sierra Madre
Mr. Barbara Munoz, Public Works Director, Signal Hill
Mr. Daniel Ojeda, Interim Public Works Director, South El Monte
Mr. Art Cervantes, Public Works Director / City Engineer, South Gate
Mr. Paul Toor, Public Works Director / City Engineer, South Pasadena
Mr. Bryan Cook, City Manager, Temple City
Mr. Robert J. Beste, Director of Public Works, Torrance
Mr. Derek Wieske, Director of Public Works, Water and Development Services, Vernon
Mr. David Gilbertson, City Engineer, Walnut
Mr. Chino Consunji, Engineering Technician, West Covina
Mr. Oscar Delgado, Public Works Director, West Hollywood
Mr. Gary Hildebrand, County of Los Angeles Assistant Deputy Director
Mr. Richard Slade, Upper Los Angeles River Area Watermaster

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

ORDER NO. R4-2017-XXXX

**CONDITIONAL WAIVER OF WASTE DISCHARGE REQUIREMENTS FOR
DISASTER RELATED EMERGENCY WASTE HANDLING AND DISPOSAL WITHIN THE
LOS ANGELES REGION**

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

1. Fires, storms, floods, landslides, earthquakes, mass mortality of animals, spills, and other emergencies can create large amounts of waste that must be removed for disposal or recycling in order to restore property and public service facilities, repair and reopen highways, protect public health and the environment, protect water quality, and/or otherwise prevent or mitigate an emergency. These cleanup activities often necessitate temporary waste staging areas on land or at regulated waste management facilities, may involve wastes that would not normally be accepted at a particular regulated waste management facility, and may create unusually large amounts of waste for landfills to handle in a short amount of time. For purposes of this Conditional Waiver of Waste Discharge Requirements for Disaster Related Emergency Waste Handling and Disposal within the Los Angeles Region (hereafter "Conditional Waiver" or "Order"), such wastes are considered to be "disaster related emergency waste" and referred to as "emergency wastes" herein.
2. Cleanup, management, and disposal of emergency wastes may result in the discharge of multiple waste streams, which can adversely affect the quality of surface water and/or groundwater. The issuance of waste discharge requirements (WDRs) prior to cleanup of emergency wastes would take time and may significantly impede the cleanup of emergency wastes, which would likely increase the threat to public health and the environment. Under emergency conditions, there is usually not time for those performing cleanup of emergency wastes to prepare a formal report of waste discharge (ROWD) and for the Regional Board to prescribe new WDRs or to revise existing WDRs. Therefore, to expedite the cleanup of emergency wastes, issuing a general conditional waiver for these types of discharge is in the public interest.
3. Temporary waste staging areas are portions of regulated waste management facilities, or other designated areas where emergency wastes are temporarily discharged, stored, or treated, or sorted for recycling, and where containment features and ancillary features for precipitation and drainage control are present. Temporary emergency waste staging areas are temporary de facto waste management units.
4. Discharges of emergency wastes or the temporary staging of large amounts of wastes at regulated waste management facilities could cause a violation of the facility's WDRs unless coverage under this Conditional Waiver is obtained and its conditions are met.
5. The following active landfills and respective owners may be designated to receive emergency wastes. Each landfill has waste management units underlain by engineered composite liner systems and leachate collection and removal systems, pursuant to WDRs implementing title 27 of the California Code of Regulations Division 2 (27 CCR), State

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Water Resources Control Board (State Water Board) Resolution No. 93-62, and federal Municipal Solid Waste Landfill Criteria in title 40 of the Code of Federal Regulations (40 CFR), Parts 257 and 258:

- a. Calabasas Landfill, Los Angeles County (File No. 60-118),
 - b. Chiquita Canyon Landfill, Los Angeles County (File No. 67-020),
 - c. Savage Canyon Landfill, Los Angeles County (File No. 63-082),
 - d. Simi Valley Landfill, Ventura County (File No. 69-090),
 - e. Burbank Landfill, Los Angeles County (File No. 72-035),
 - f. Sunshine Canyon Landfill, Los Angeles County (File No. 58-076), and
 - g. Toland Road Landfill, Ventura County (File No. 69-091)
6. The owners/operators of the landfills identified in Finding 5 of this Conditional Waiver may find it necessary to establish temporary staging areas and temporary waste piles for short-term storage and treatment of emergency wastes from cleanup efforts.
 7. Other agencies and jurisdictions or persons engaged in cleanup of emergency areas may find it necessary to establish temporary staging areas or temporary waste piles for short term storage and treatment of emergency wastes from cleanup efforts. These staging areas may not necessarily be located at regulated waste management facilities.
 8. Emergency wastes for purposes of this Conditional Waiver may consist of or contain two or more categories of wastes (e.g., non-hazardous solid wastes, household hazardous wastes, universal wastes, or inert wastes) that have been damaged and mixed such that the individual waste components may not be practicably separated for the purpose of waste management. Temporary staging areas provide an opportunity for some separation and sorting of waste, and facilitate appropriate permanent disposal of both mixed emergency wastes and segregated emergency wastes.
 9. "Non-hazardous solid waste" is defined in 27 CCR, section 20220 as all putrescible and non-putrescible solid, semi solid, and liquid wastes, including garbage, trash, refuse, paper, rubbish, ashes, industrial wastes, demolition and construction wastes, abandoned vehicles and parts thereof, discarded home and industrial appliances, manure, vegetable or animal solid and semi solid wastes and other discarded waste (whether of solid or semi solid consistency); provided that such wastes do not contain wastes which must be managed as hazardous wastes, or wastes which contain soluble pollutants in concentrations which exceed applicable water quality objectives, or could cause degradation of waters of the state (i.e., designated waste).
 10. "Universal waste" is defined in title 22 of the California Code of Regulations (22 CCR), section 66261.9. to include:
 - a. Batteries, as described in section 66273.2(a);
 - b. Electronic devices, as described in section 66273.3(a);
 - c. Mercury-containing equipment, as described in section 66273.4(a);
 - d. Lamps, as described in section 66273.5(a);
 - e. Cathode ray tubes, as described in section 66273.6(a);
 - f. Cathode ray tube glass, as described in section 66273.7(a); and
 - g. Aerosol cans, as specified in Health and Safety Code section 25201.16

11. 27 CCR, section 20230, 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."* Inert wastes may include uncontaminated demolition debris (e.g., concrete, brick, and metal) that may be suitable for recycling or reuse.

APPLICABILITY, CONDITIONS, AND NOTICE OF INTENT

12. **Applicability and Conditions** - This Conditional Waiver conditionally waives the legal requirement for persons (including any city, county, district, landfill owner/operator, or other entity) discharging emergency wastes from cleanup of an emergency or disaster area ("Dischargers") to submit a ROWD, and for the Regional Board to prescribe WDRs for the following types of emergencies and discharges of emergency wastes:
- a. Discharges necessary to protect life or property during emergency cleanup actions following fires, storms, floods, landslides, earthquakes, mass mortality of animals, or other emergency in a regional disaster-stricken area in which the Governor has proclaimed a "State of Emergency", or in a local disaster-stricken area where a County or City government has proclaimed a State of Emergency and an Incident Commander working through the Standardized Emergency Management System has determined that wastes must be discharged to prevent or mitigate the emergency. Such regional or local disaster-stricken areas are referred to as Declared Disaster Areas in this Conditional Waiver. The requirements for obtaining coverage under this Conditional Waiver and the conditions applicable to each type of discharge are as follows:
 - i. **Discharges to Existing Waste Management Units at Regulated Facilities** - Emergency wastes disposed of at regulated waste disposal facilities and for which such discharge would or could otherwise cause a violation of the WDRs for the facility. Refer to Finding 13 below and Section B of this Conditional Waiver.
 - ii. **Discharges to Temporary Staging Areas at Regulated Facilities** - Emergency wastes discharged to temporary staging areas or temporary waste piles located at regulated waste disposal facilities. Refer to Finding 13 below and Section C of this Conditional Waiver.
 - iii. **Discharges to Temporary Staging Areas not at Regulated Facilities** - Emergency wastes discharged to temporary staging areas or temporary waste piles not located at regulated waste disposal facilities. Refer to Finding 13 below and Section D of this Conditional Waiver.
 - iv. **Discharges to Temporary Surface Impoundments** - Emergency wastes discharged to temporary surface impoundments. Refer to Finding 13 below and Section E of this Conditional Waiver.
 - b. General conditions applying to all discharges under this Conditional Waiver are included in Section A of this Conditional Waiver.
13. **Notice of Intent** - Dischargers seeking coverage under this Conditional Waiver must submit a fully executed Notice of Intent (NOI) (Attachment A) to the Regional Board that

meets the conditions of this Conditional Waiver and has been completed with all required information and signed by the owner or authorized representative of the entity proposing to discharge emergency wastes. To terminate coverage, Dischargers must send a fully executed Notice of Termination (NOT) (Attachment B) to the Regional Board that meets the conditions of this Conditional Waiver.

14. When applicable, Dischargers with coverage under this Conditional Waiver must also apply for coverage under the General Permit for Storm Water Discharges Associated with Construction Activities (Construction Storm Water Permit), and comply with its requirements. The Construction Storm Water Permit (State Board Order No. 2009-0009-DWQ) may be found on the Internet at: http://www.waterboards.ca.gov/water_issues/programs/stormwater/construction.shtml. Compliance with the requirements in the Construction Storm Water Permit, shall prevent construction pollutants from contacting storm water and prevent products of erosion from moving off site into receiving waters, and are relevant and appropriate to apply to temporary waste staging areas.

REGULATORY AND LEGAL CONSIDERATIONS

15. California Water Code (Water Code) Section 13269 authorizes the Regional Board to waive the requirement to submit a ROWD and the issuance of WDRs, as set forth in sections 13260(a), 13263(a), and 13264(a) of the Water Code, as summarized below, for specific discharges or specific types of discharges where such a waiver is consistent with any applicable state or regional water quality control plan and is in the public interest.
 - a. Section 13260(a) requires a ROWD from any person or agency proposing to discharge.
 - b. Section 13263(a) provides the Regional Board with authority to issue WDRs for any proposed or existing discharge that could affect water quality.
 - c. Section 13264(a) prohibits waste discharge without discharger submittal of a ROWD and Regional Board adoption of WDRs or a waiver.
16. Except as provided under Water Code section 13269, subdivision (d), and upon notification of the Regional Board, Water Code section 13269, subdivision (c) provides that neither submittal of a ROWD, nor the adoption of WDRs, is required for discharges resulting from certain emergency activities. The emergency activities described in Water Code section 13269, subdivision (c) are:
 - a. Immediate emergency work necessary to protect life or property or immediate emergency repairs to public service facilities necessary to maintain service as a result of a disaster in a disaster-stricken area in which a State of Emergency has been proclaimed by the Governor pursuant to the Government Code, section 8550 et seq.; and
 - b. Emergency projects undertaken, carried out, or approved by a public agency to maintain, repair, or restore an existing highway, as defined in Vehicle Code, section 360, except for a highway designated as an official state scenic highway pursuant to section 262 of the Streets and Highways Code, within the existing right-of-way of the highway, damaged as a result of fire, flood, storm, earthquake, land subsidence, gradual earth movement, or landslide within one year of the damage.

This paragraph does not exempt from this section any project undertaken, carried out, or approved by a public agency to expand or widen a highway damaged by fire, flood, storm, earthquake, land subsidence, gradual earth movement, or landslide.

17. Water Code section 13269 requires that waivers be conditional and may be terminated at any time by the Regional Board. Waivers may be granted for waste discharges to land and may not be granted for waste discharges to surface waters or conveyances thereto that are subject to the federal Clean Water Act requirements for National Pollutant Discharge Elimination System (NPDES) permits. A waiver may not exceed five years in duration, but may be renewed by the Regional Board. Each waiver must also include a monitoring program unless the Regional Board determines that the waste discharge does not pose a significant threat to water quality.
18. Pursuant to Water Code section 13350(a)(2), any person who discharges waste in violation of any waiver condition shall be liable civilly, and remedies may be proposed, in accordance with section 13350(d) or (e).
19. Pursuant to Water Code section 13263(g), no discharge of waste into the waters of the state, whether or not the discharge is made pursuant to waste discharge requirements, shall create a vested right to continue the discharge. All discharges of waste into waters of the state are privileges, not rights.
20. Water Code section 13267(b) provides that: "In conducting an investigation specified in subdivision (a), the regional board may require that any person who has discharged, discharges, or is suspected of having discharge or discharging, or who proposed to discharge within its region, or any citizen or domiciliary, or political agency or entity of this state who had discharged, discharges, or is suspected of having discharged or discharging, or who proposed to discharge waste outside of its region that could affect the quality of the waters of the state within its region shall furnish, under penalty of perjury, technical or monitoring program reports which the regional board requires. The burden, including costs of these reports, shall bear a reasonable relationship to the need for the reports and the benefits to be obtained from the reports." The technical reports required by this Conditional Waiver are necessary to assure compliance with its conditions.

BASIN PLAN

21. 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). This Conditional Waiver contains conditions and is consistent with the Basin Plan (including its subsequent amendments).
22. The designated beneficial uses of groundwater in the Los Angeles Region, as specified in the Basin Plan, include, but are not limited to, municipal and domestic water supply, agricultural supply, industrial service supply, and industrial process supply.
23. The beneficial uses of surface water in the Los Angeles Region are specified in the Basin Plan for specific water bodies including major rivers, creeks, and lakes, and also apply to tributaries to these water bodies. The designated beneficial uses and potential uses include municipal and domestic supply, agricultural supply, industrial process supply, industrial service supply, ground water recharge, freshwater replenishment, navigation, hydropower

generation, water contact recreation, limited water contact recreation, non-contact water recreation, commercial and sport fishing, aquaculture, warm freshwater habitat, cold freshwater habitat, inland saline water habitat, estuarine habitat, wetland habitat, marine habitat, wildlife habitat, preservation of biological habitats, rare, threatened, or endangered species, migration of aquatic organisms, spawning, reproduction, and/or early development, shellfish harvesting. Refer to the Basin Plan for beneficial uses of surface water for a given body of water in the Los Angeles Region.

24. The Conditional Waiver is consistent with the Basin Plan for the following reasons:
- a. The Conditional Waiver for waste discharges during an emergency is intended to facilitate cleanup activities and emergency resolution, enable efficient proper handling and disposal of emergency wastes to minimize threat to water quality, enable staff resources to be used effectively in a timely fashion and avoid unnecessary expenditures of limited resources.
 - b. The Conditional Waiver complies with Water Code sections 13260, 13263, and 13269 and other applicable law.
 - c. The Conditional Waiver requires compliance with the Basin Plan.
 - d. The Conditional Waiver includes conditions that are intended to reduce and prevent pollution and/or nuisance, protecting beneficial uses of waters of the State.
 - e. Dischargers may not discharge any waste not specifically regulated by this Conditional Waiver, except when in compliance with the Water Code.
 - f. Dischargers who violate the conditions of the Conditional Waiver are subject to enforcement pursuant to Water Code section 13350 and/or other applicable laws.

ANTIDegradation

25. State Board Resolution No. 68-16, *Statement of Policy with Respect to Maintaining High Quality of Waters of California* (hereafter Resolution 68-16) requires that disposal of waste into the waters of the state be regulated to achieve the highest water quality consistent with maximum benefit to the people of the state. The quality of some waters of the state is higher than that established by adopted policies, and that higher quality water shall be maintained to the maximum extent possible consistent with Resolution 68-16. Resolution 68-16 requires the following:
- a. Maintenance of existing high quality waters of the state unless limited degradation is consistent with maximum benefit to the people of the state, will not unreasonably affect present and anticipated beneficial use of the water, and will not result in water quality less than that prescribed in state policies.
 - b. Any activity that produces or may produce a waste and discharges or proposes to discharge to existing high quality waters will be required to meet WDRs that will result in best practice treatment or control (BPTC) of the discharge necessary to assure pollution or nuisance will not occur, and the highest water quality consistent with maximum benefit to the people of the state will be maintained.

26. When enrolling Dischargers under this Conditional Waiver, the Regional Water Board must assure that Dischargers implement BPTC as necessary to maintain the highest water quality consistent with maximum benefit to the people of the state.
27. This Conditional Waiver does not allow discharges to surface water or groundwater. All dischargers are required to maintain sufficient separation from groundwater and surface water to prevent any discharge to waters of the state by placing all emergency wastes in areas with a relatively impermeable surface or landfill areas underlain by a composite liner system. Furthermore, Dischargers must prevent surface run-off/run-on from contacting wastes derived from the disaster-related impacts and prevent erosion and the transport of soils or emergency wastes or waste constituents by surface runoff from all temporary waste piles. Pursuant to Water Code 13267, the Executive Officer may impose monitoring and reporting requirements on any Discharger enrolled in this Conditional Waiver. Because this Conditional Waiver will not impact high quality waters, it is consistent with Resolution 68-16. This includes conditions that require Dischargers to utilize BPTC to maintain the highest water quality consistent with the maximum benefit to the people.

CALIFORNIA ENVIRONMENTAL QUALITY ACT

28. The California Environmental Quality Act (CEQA) defines emergency as follows: "Emergency" means a sudden, unexpected occurrence, involving a clear and imminent danger, demanding immediate action to prevent or mitigate loss of, or damage to, life, health, property, or essential public services. "Emergency" includes such occurrences as fire, flood, earthquake, or other soil or geologic movements, as well as such occurrences as riot, accident, or sabotage." (Public Resources Code section 21060.3.) Specific actions necessary to prevent or mitigate an emergency are exempt from CEQA. Emergency activities do not include long-term projects undertaken for the purpose of preventing or mitigating a situation that has a low probability of occurrence in the short-term. [CCR Title 14, section 15259(c).] For purposes of this Conditional Waiver, "emergency" has the same meaning as under CEQA.
29. This Order is exempt from CEQA because the Conditional Waiver will apply to emergency activities in a disaster area in which a State of Emergency has been proclaimed by the Governor [CCR Title 14, section 15269(a) and Public Resources Code section 21080(b)(4)]. For emergencies declared by a local government, this Order is exempt from CEQA because the Conditional Waiver will apply only to activities necessary to prevent or mitigate an emergency, as defined by CEQA [CCR Title 14, section 15269(c) and Public Resources Code section 21080(b)(4)].

GENERAL FINDINGS

30. This Conditional Waiver will simplify and streamline the regulatory process without compromising the protection of water quality. The conditions for each listed discharge type are subject to enforcement under the Water Code.
31. Discharges of emergency wastes that comply with the specific conditions in this Conditional Waiver are not expected to pose a significant threat to the quality of waters of the State.

32. This Conditional Waiver does not impose specific monitoring and reporting requirements because landfills that can accept emergency wastes are already required to implement robust monitoring and reporting programs. Dischargers operating temporary waste stage areas are required to implement management measures (MMs) and/or best management practices (BMPs) to prevent the pollution of surface and ground waters. Pursuant to Water Code section 13267, the Regional Board's Executive Officer may impose monitoring and reporting requirements on any discharger enrolled in this Conditional Waiver. These monitoring and reporting requirements may also be revised, as necessary, as deemed appropriate by the Executive Officer.
33. Issuance of this Conditional Waiver does not supersede other more stringent local, state, or federal regulations prescribed by other agencies or departments.
34. Although a discharge may qualify for Conditional Waiver enrollment, the Regional Board has the authority to regulate the discharge through other programs or actions (i.e., individual WDRs, cleanup and abatement order, general WDRs, enforcement orders, etc.).
35. This Conditional Waiver may be terminated at any time by the Regional Board and may be revised by the Regional Board after a public hearing. The Executive Officer may terminate the applicability of the Conditional Waiver with respect to a specific discharger upon notice to the discharger.
36. This Conditional Waiver (1) is conditional, (2) does not permit any illegal activity, (3) does not preclude the need for permits that may be required by other state or local government agencies, and (4) does not preclude the Regional Board from administering enforcement remedies (including civil liability) pursuant to the Water Code.
37. Water Code section 13269(a)(4)(A) authorizes the Regional Board to include the payment of an annual fee as a condition of a waiver. Because the waiver applies to temporary activities, in temporary staging areas, or at permitted facilities that already pay an annual fee, this Conditional Waiver does not include as a condition, the payment of an annual fee.
38. On [December 29, 2016](#), the Water Board notified known interested agencies and persons of its intent to conditionally waive discharge requirements for disaster related emergency waste handling and disposal, and has provided the opportunity to review the proposed Conditional Waiver and submit written comments.
39. On [April 6, 2017](#), the Regional Board held a public hearing providing an opportunity for public comments and considered all the comments and evidence concerning this matter. Notice of this hearing was given to all known interested persons in accordance with title of the California Code of Regulations (23 CCR), Division 3, Chapter 15, Article 1, and Section 647.2.
40. Any person aggrieved by this action of the Regional Board may petition the State Water Board to review the action in accordance with section 13320 of the Water Code and 23 CCR, sections 2050 and following. The State Water Board must receive the petition by 5:00 p.m., 30 days after the date of adoption of this Order, except that if the thirtieth day following the date of adoption of this Order falls on a Saturday, Sunday, or state holiday, the petition must be received by the State Water 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 or will be provided upon request.

THEREFORE, IT IS HEREBY ORDERED, pursuant to authority in Water Code Sections 13263, 13267, and 13269, the Regional Board waives the requirement to submit a ROWD and the requirement to obtain WDRs for discharges of wastes resulting from cleanup during or after fires, storms, floods, landslides, earthquakes, mass mortality of animals, spills, and other emergencies in a Declared Disaster Area or for other discharges of wastes resulting from cleanup of emergencies that are not in a Declared Disaster Area, as provided in Paragraph 12 above, when the following conditions are met:

A. Waiver Conditions that Apply to All Discharges of Emergency Wastes Covered Under this Conditional Waiver

1. This Conditional Waiver applies only to emergency wastes from Declared Disaster Areas, as defined in Finding No. 12.a above.
2. Coverage for discharges of emergency wastes under the Conditional Waiver does not become active and available until 1) a regional or local Declared Disaster Area has been determined, and 2) the Discharger notifies the Regional Board by e-mail or telephone (or voicemail if after business hours) of the location, type of discharge, and contact information. This Conditional Waiver then becomes available only for the discharge or handling of emergency wastes from that area.
3. All conditions of this Conditional Waiver remain applicable until they have been met and the Discharger submits a complete NOT, or the discharge becomes covered under WDRs or a site-specific waiver of WDRs. However, authorization to discharge under this Conditional Waiver is only in effect temporarily and shall expire under the following conditions, whichever is the earliest, unless otherwise provided in writing by the Regional Board Executive Officer in response to a written request for an extension by the Discharger:
 - a. If the Governor, Legislature, or local government terminates the State of Emergency; or
 - b. The Regional Board terminates enrollment of individual Dischargers, or all Dischargers temporarily enrolled under the Conditional Waiver for a particular emergency, or terminates this Conditional Waiver in its entirety; or
 - c. Six (6) months have elapsed since the Governor or local government issued a proclamation of the State of Emergency in question; or
 - d. Six (6) months have elapsed since emergency activities began.
4. The Regional Board shall be allowed, at any time, with reasonable prior notification:
 - a. Entry upon sites or locations of emergency waste temporary staging areas, temporary waste piles, temporary surface impoundments, and final disposal locations for the purpose of determining compliance with this Conditional Waiver.

- b. Access to copy any records that must be kept under the conditions of this Conditional Waiver.
 - c. To photograph, sample, and monitor for the purposes of determining compliance with this Condition Waiver.
- 5. The Discharger shall accurately classify emergency wastes in accordance with applicable regulatory requirements provided in 27 CCR Division 2; 23 CCR, Division 3, Chapter 15; and/or 22 CCR Division 4.5. Waste characterization documentation shall be submitted to the Regional Board for review prior to final disposal of emergency waste.
- 6. Emergency waste management and cleanup activities shall minimize or eliminate the discharge of any wastes that could adversely affect the quality or beneficial uses of the waters of the State.
- 7. The Discharger shall prevent the direct or indirect discharge of emergency wastes to waters of the state.
- 8. Emergency waste management operations shall not be performed in a manner that creates, or contributes, to a condition of pollution or nuisance.
- 9. Emergency 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.
- 10. Emergency 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.
- 11. Emergency 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 hazardous or restricted waste.
- 12. Emergency wastes covered under this Conditional Waiver shall only originate from disaster or emergency impacted areas. These emergency wastes shall be discharged for treatment or permanent disposal only into:
 - a. Liquid waste management or treatment units as allowed by WDRs issued by the Regional Board, or as approved by the Executive Officer, or
 - b. Solid waste management units or disposal facilities (e.g., regulated landfills underlain with engineered composite liners and leachate collection systems that satisfy the requirements of State Board Resolution No. 93-62, and that have WDRs); or
 - c. Other categories of waste management units regulated under WDRs issued by the Regional Board that allow that type of waste.

B. Specific Waiver Conditions for Emergency Wastes Discharged to Existing Waste Management Units at Regulated Waste Disposal Facilities

1. Dischargers that are owners/operators of regulated waste management or disposal facilities proposing to discharge emergency waste from disaster-impacted areas to the regulated waste disposal facility and for which such discharge would or could otherwise cause a violation of the WDRs for the facility, shall submit a NOI to the Regional Board within 30 days after the initial discharge of any emergency wastes from Declared Disaster Areas. The NOI shall contain the information listed in Attachment A of this Conditional Waiver.
2. The Discharger shall comply with all applicable conditions in Section A of this Conditional Waiver.
3. The Discharger (regulated waste disposal facility owner/operator) shall properly identify emergency wastes pursuant to 27 CCR, section 20200(c).
4. The Discharger shall identify emergency wastes that may be used as alternative daily cover (ADC). Solid wastes that may be used as ADC at a regulated disposal facility include:
 - a. Solid wastes that are classified as inert wastes.
 - b. Solid wastes that meet the criteria for ADC as prescribed in 27 CCR, sections 20690 to 20705, and
 - c. Other solid wastes identified by the Local Enforcement Agency (LEA) as being suitable for use as ADC with Regional Board Executive Officer approval.
5. Wastes (not otherwise suitable for recycling or reuse) derived from cleanup of emergency/disaster-impacted areas and managed under provisions of this Conditional Waiver shall only be discharged for permanent disposal into waste management units that are underlain with an engineered composite liner system and a leachate collection system meeting the requirements of 27 CCR, State Water Board Resolution No. 93-62, and 40 CFR, Part 258.
6. Emergency wastes derived from cleanup of disaster-impacted areas and discharged into regulated waste disposal facilities shall be isolated, to the extent practicable, from areas of the facility that are not lined.
7. Food wastes, animal carcasses, and other putrescible wastes derived from cleanup of disaster-impacted areas shall be discharged for disposal in compliance with conditions of this waiver and covered expeditiously.
8. Wastes such as paint cans, gas cans, solvents, poisons, household cleaners, drums with unknown contents, electronic wastes, refrigerators, or any potentially hazardous wastes (other than ash from fire disaster areas) shall be removed from the emergency wastes to the extent practicable and managed in accordance with applicable regulatory requirements.

9. Disposal of large numbers of animal carcasses, and other high moisture emergency wastes (e.g., mass mortality, spill, etc.), may cause exceedance of the moisture-holding capacity at regulated Municipal Solid Waste landfills. To limit the impacts from high moisture content emergency wastes, the owner/operator responsible for the regulated waste disposal facility shall:
 - a. Discharge high-moisture wastes (animal carcasses, animal related wastes, saturated fire waste, flood debris/waste, etc.) only in areas of the composite lined unit with a considerable thickness of other waste beneath the disposal area.
 - b. Cover each layer of high-moisture wastes (e.g., animal carcasses, animal related wastes, etc.) with at least three feet of other waste or soil.
 - c. For disaster related mass mortality waste streams that are in a liquid form (e.g. raw eggs, etc.), reduce the moisture content to less than 50 percent prior to discharge by mixing with an absorbent material (e.g., saw dust, mulch, soil, etc.).
10. The Discharger shall manage temporary waste staging areas or temporary waste piles located at a regulated disposal facility in accordance with the specific conditions in Section C of this Conditional Waiver.
11. Within 30 days after the completion of discharges for each emergency, the owner/operator of a regulated waste disposal facility that accepted waste from disaster-impacted areas shall submit an amendment to their ROWD (amendment to the facility's Joint Technical Document) describing the material change to their discharge, pertaining to the temporary acceptance, management, and disposal of the waste. The ROWD shall include a completed NOT form (Attachment B) and information about the waste types accepted, location of the discharge including a map, and approximate volumes discharged.

C. Specific Waiver Conditions for Emergency Wastes Discharged to Temporary Staging Areas or Temporary Waste Piles Located at Regulated Waste Disposal Facilities

1. Owners/operators of regulated waste management or disposal facilities proposing to accept discharges of waste from disaster-impacted areas to a temporary waste staging area or temporary waste pile located at a regulated waste disposal facility shall submit a NOI to the Regional Board within 30 days after the initial discharge of any emergency wastes from Declared Disaster Areas. The NOI shall contain the information listed in Attachment A of this Conditional Waiver.
2. The Discharger shall comply with all applicable conditions in Section A of this Conditional Waiver.
3. All emergency wastes shall be placed at least five feet above the highest historically known or anticipated groundwater depth.

4. All emergency wastes shall be placed at least 100 feet from any surface water bodies.
5. All emergency wastes shall be protected from flooding and inundation, in compliance with the current WDRs for the regulated waste disposal facility.
6. All emergency wastes (excluding mass mortality and high moisture wastes) shall be placed in areas covered by a relatively impermeable surface (e.g., asphalt, concrete, etc.) or in landfill areas underlain by a composite liner system.
7. The Discharger shall prevent surface run-off/run-on from contacting emergency wastes derived from cleanup of disaster-impacted areas and shall prevent erosion and transport of soils or emergency wastes or waste constituents by surface runoff from all temporary waste piles. The Discharger shall implement management measures (MMs) and/or best management practices (BMPs) for storm water conveyance and control.
8. The Discharger shall manage any storm water runoff that comes into contact with the emergency wastes or containing waste constituents as leachate.
9. The Discharger shall manage temporary waste piles for mass mortality and high moisture emergency wastes as follows:
 - a. Temporary waste piles for mass mortality and high moisture wastes can only be located in landfill areas underlain by a composite liner system and a significant thickness of other types of solid wastes beneath the disposal area of the mass mortality waste.
 - b. The Discharger shall implement a plan to prevent wild animals (e.g., birds, mammals, reptiles, etc.) from coming into contact with mass mortality and high moisture wastes (e.g., provide and maintain adequate cover for temporary waste piles).
 - c. The Discharger shall ensure that all temporary waste piles containing mass mortality and high moisture wastes are discharged into an appropriate landfill prior to the end of the working day, unless sufficient information is provided to demonstrate that a proposed alternative is protective of water quality and human health for a given temporary waste pile.
 - d. The Discharger shall ensure that all mass mortality and high moisture wastes are covered with immediately after it is discharged into the landfill to ensure effective vector control.
10. Mass mortality and high moisture emergency wastes discharged to temporary waste piles at regulated waste management or disposal facilities temporarily enrolled under this Conditional Waiver, together with any materials used to contain the temporary waste piles, shall be removed from the temporary discharge site no later than 60 days after authorization to discharge under this Conditional Waiver has expired (refer to Condition A.3), or as approved by the Regional Board Executive Officer.

11. Owners/operators of regulated waste management or disposal facilities shall submit a NOT to the Regional Board within 10 working days of completing removal of all emergency wastes from temporary waste staging areas or temporary waste piles and restoring the site to its original condition. The NOT shall contain the information listed in Attachment B of this Conditional Waiver.

D. Specific Waiver Conditions for Emergency Wastes Discharged to Temporary Waste Piles Not Located at Regulated Waste Disposal Facilities

1. Dischargers proposing to establish a temporary waste pile not located at a regulated waste disposal facility shall submit a NOI to the Regional Board within 30 days after the initial discharge of any emergency wastes from a Declared Disaster Area. The NOI shall contain the information listed in Attachment A of this Conditional Waiver.
2. The Discharger shall comply with all applicable conditions in Section A of this Conditional Waiver.
3. The Discharger shall site, design, construct, operate, and maintain temporary waste piles not located at a regulated waste disposal facility 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 any water supply well or surface water bodies.
 - b. Temporary waste piles shall be protected from inundation or washout due to floods with a 100-year return frequency.
 - c. Temporary waste piles shall not be located in areas of potential rapid geologic change (e.g., landslides, debris flows, flash flood areas, etc.).
 - d. Temporary waste piles shall be underlain by a temporary impermeable barrier (e.g. heavy gauge plastic) 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 geologic materials from contact with the waste and leachate. If emergency conditions prevent the use of a low permeable barrier, the Executive Office may require more substantial groundwater and/or soil investigations and site cleanup to verify adequate site restoration.
 - e. Temporary waste piles shall be adequately covered when rainfall, wind, or other conditions exist or are predicted to exist in order to prevent rainwater infiltration and runoff, and to control fugitive dust, vectors, odors, blowing litter, and scavenging. The cover shall not consist of or contain material classified as a designated waste pursuant to Water Code section 13173.
 - f. 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

in accordance with the specific conditions in Section E of this Conditional Waiver.

- g. Temporary waste piles shall be designed, constructed and operated to limit, to the greatest extent possible, 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 MMs/BMPs for proper storm water control and conveyance.
4. When applicable, the Dischargers of temporary waste piles not located at a regulated waste disposal facility shall obtain coverage under the Construction Storm Water Permit and prepare a Storm Water Pollution Prevention Plan (SWPPP) to obtain coverage under this Conditional Waiver.
5. The Discharger of temporary waste piles not located at a regulated waste disposal facility shall discharge any return water or ponded water contained within the temporary waste pile to a sanitary sewer system with approval from the sewerage entity, a regulated facility permitted to receive the wastewater, or a temporary surface impoundment managed in accordance with the specific conditions in Section E of this Conditional Waiver.
6. The Discharger of temporary waste piles not located at a regulated waste disposal facility shall post at least one clearly visible sign listing the following minimum information: a) project name, b) brief project description, and c) operator name and phone number. The sign or signs shall be in English, Spanish and any other language common in the local community to more effectively communicate the minimum contact information. The sign(s) shall be maintained as required to keep them legible and shall remain in place while temporary waste piles remain on site.
7. Solid wastes discharged to temporary waste piles not located at a regulated waste disposal facility temporarily enrolled under this Conditional Waiver, together with any materials used to contain the temporary waste piles, shall be removed from the site as expeditiously as possible and the site shall be restored to its original state. Based on waste characterization, threat to water quality, and site MMs or BMPs, the Executive Officer may require additional site investigation to verify adequate site restoration.
8. The Discharger of temporary waste piles not located at a regulated waste disposal facility shall submit a NOT to the Regional Board within 10 working days of completing removal of all wastes and restoring the site to its original condition. The NOT shall contain the information listed in Attachment B of this Conditional Waiver.

E. Specific Waiver Conditions for Emergency Wastes Discharged to Temporary Surface Impoundments

1. Dischargers proposing to establish a temporary surface impoundment shall submit a NOI to the Regional Board within 30 days after the initial discharge of any emergency wastes from a Declared Disaster Area. The NOI shall contain the information listed in Attachment A of this Conditional Waiver.

2. The Discharger shall comply with all applicable conditions in Section A of this Conditional Waiver.
3. The Discharger shall site, design, construct, operate, and maintain temporary surface impoundments to ensure compliance with the following minimum prescriptive and performance standards:
 - a. The bottom of a temporary surface impoundment shall be placed at least five feet above the highest historically known or anticipated level of groundwater, and more than 100 feet from any water supply well or surface water bodies.
 - b. Temporary surface impoundments shall be protected from inundation or washout due to floods with a 100-year return frequency.
 - c. Temporary surface impoundments shall not be located in areas of potential rapid geologic change (e.g., landslides, debris flows, flashflood areas, etc.).
 - d. Temporary surface impoundments shall be underlain by a temporary impermeable barrier (e.g., heavy gauge plastic with water-tight seams) or a relatively impermeable surface (e.g., asphalt, concrete, etc.). The liner shall be installed prior to establishing a temporary surface impoundment and shall protect all natural geological materials from contact with the waste. If emergency conditions prevent the use of a low permeable barrier, the Executive Officer may require more substantial groundwater and/or soil investigations and site cleanup to verify adequate site restoration.
 - e. Berms and containment structures of temporary surface impoundments shall be constructed with materials that minimize leakage of the wastewater and shall 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.
 - f. Temporary surface impoundments shall 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 shall be designed and constructed to prevent overtopping as a result of wind conditions likely to accompany precipitation events.
 - g. Direct pipeline discharges of liquid can occur only into temporary surface impoundments with automatic or manually operated fail-safe systems to prevent overfilling.
 - h. Temporary surface impoundments shall be designed and constructed to prevent scouring of containment structures at the points of liquid discharge into the impoundments.
 - i. Temporary surface impoundments shall be designed, constructed, and operated to limit, to the greatest extent possible, 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 impoundment through implementation of MMs/BMPs for storm water control and conveyance.

4. Liquid hazardous wastes shall not be discharged to temporary surface impoundments.
5. When applicable, the Discharger of temporary surface impoundments shall obtain coverage under the Construction Storm Water Permit and prepare a SWPPP to obtain coverage under this Conditional Waiver.
6. The Discharger of temporary surface impoundments shall ensure that only emergency wastes are discharged into temporary surface impoundments.
7. All visible portions of synthetic liner systems in temporary surface impoundments shall be inspected weekly, or daily as necessary, until all free liquid is removed from the surface impoundment as part of closure. 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.
8. The Discharger of temporary surface impoundments shall post at least one clearly visible sign listing the following minimum information: a) project name, b) brief project description, and c) operator name and phone number. The sign or signs shall be in English and any other language common in the local community to more effectively communicate the minimum contact information. The sign(s) shall be maintained as required to keep them legible and shall remain in place while temporary surface impoundments remain on site.
9. Wastes discharged to temporary surface impoundments, together with any materials used to contain the temporary surface impoundments, shall be removed from the site as expeditiously as possible and the site shall be restored to its original state. Based on waste characterization, threat to water quality, and site MMs or BMPs, the Executive Officer may require additional site investigation to verify adequate site restoration.
10. The Discharger of temporary surface impoundments shall submit a NOT to the Regional Board within 10 working days of completing removal of all emergency wastes and restoring the site to its original condition. The NOT shall contain the information listed in Attachment B of this Conditional Waiver.

G. Compliance Summary Table

DISCHARGE TYPE	SECTION
Discharge to Existing Waste Management Units at Regulated Facilities	A and B
Discharge to Temporary Staging Areas at Regulated Facilities	A and C
Discharge to Temporary Staging Areas Not at Regulated Facilities	A and D
Discharges to Temporary Surface Impoundments	A and E
COMPLIANCE DOCUMENTS	ATTACHMENT
Notice of Intent	A
Notice of Termination	B

I, Samuel Unger, Executive Officer of the California Regional Water Quality Control Board, Los Angeles Region, do hereby certify 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 April 6, 2017.

Samuel Unger, P.E.
Executive Officer

Attachments: A. Notice of Intent to Comply with Conditions Required
B. Notice of Termination of Coverage under Conditional Waiver

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

TO COMPLY WITH
CONDITIONAL WAIVER OF WASTE DISCHARGE REQUIREMENTS
FOR DISASTER-RELATED WASTES DURING A STATE OF EMERGENCY
WITHIN THE LOS ANGELES REGION

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

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

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

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.

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 conditions of the Conditional Waiver (see Section A and appropriate applicable Sections under B through F). Use additional pages as needed.

VII. MAILING INFORMATION

The Los Angeles Water Board has implemented a Paperless Office system to reduce paper usage, increase efficiency, and provide a more effective way for our staff and the public to view water quality documents. To reduce paper usage and ensure that your application is processed efficiently, please submit your Notice of Intent electronically in a searchable PDF format and email to:

losangeles@waterboards.ca.gov. PDF documents that exceed 100 MB should be transferred to a CD and mailed to us, or alternatively an email with instructions to access an FTP site for file download. Los Angeles Water Board staff may request some documents be submitted on paper, particularly drawings or maps that require a large size to be readable, or in other electronic formats where evaluation of data is required.

VIII. 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

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

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

NOTICE OF TERMINATION

 OF COVERAGE UNDER
CONDITIONAL WAIVER OF WASTE DISCHARGE REQUIREMENTS
FOR DISASTER-RELATED WASTES DURING A STATE OF EMERGENCY
WITHIN THE LOS ANGELES REGION

I. FINAL WASTE DISPOSAL INFORMATION

Final Disposition of Waste: <input type="checkbox"/> Off-site/Landfill Disposal On-site Reuse/Disposal <input type="checkbox"/> Off-site Reuse/Disposal <input type="checkbox"/> Other: _____			
Property Owner/Discharger Name:			
Property Owner/Discharger Contact and Title:			
Property Owner/Discharger Mailing Address:			
City:	County:	State:	Zip:
Telephone:	Fax:	Email:	
Assessor Parcel Number(s):			
Date(s) Waste Disposed:			
Quantity of Waste Disposed: (in cubic yards, tons, or gallons for each disposal date. Attach additional information as needed.)			
Final Disposal / Restoration Site Information: (Attach information including a map of the temporary waste piles, surface impoundments, and/or disposal area(s) with locations, approximate volumes, waste types, and dates of disposal or operation. Also, summarize and evaluate the overall effectiveness of management measures and best management practices used to protect water quality and comply with the Conditional Waiver. For temporary waste piles or surface impoundments, attach information including photographs showing that all wastes have been removed and the site has been restored to its original condition. Please note, based on waste characterization, threat to water quality, and effectiveness of site management measures or best management practices, additional site investigation may be necessary to verify adequate site restoration.)			

II. FINAL DISPOSAL 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