

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
CENTRAL VALLEY REGION

ORDER NO. R5-2017-XXXX

WASTE DISCHARGE REQUIREMENTS  
FOR  
INTERMOUNTAIN LANDFILL, INC.  
INTERMOUNTAIN LANDFILL  
POST-CLOSURE MAINTENANCE  
SHASTA COUNTY

The California Regional Water Quality Control Board, Central Valley Region (“Central Valley Water Board”) finds that:

1. Intermountain Landfill, Inc. (“Discharger”) owns and maintains the Intermountain Landfill (“Facility”), which is situated about 5 miles northeast of Burney in Section 36, T36N, R3W, MDB&M. A location map for the Facility, attached to this Order as “Attachment A,” is incorporated herein. The Facility is a closed municipal solid waste (“MSW”) landfill regulated under authority given in Water Code section 13000 et seq.; California Code of Regulations, title 27, section 20005 et seq. (“Title 27”); and Code of Federal Regulations, title 40, part 258, in accordance with State Water Resources Control Board (“State Water Board”) Resolution 93-62.
2. The Facility is on a 40-acre property at 22244 Cassel Road, Cassel, designated as Assessor’s Parcel Number (“APN”) 023-320-26. The landfill area occupies approximately ten acres. The Facility accepted approximately 109,000 tons of waste during its eight years of operation (1985–1993). Waste was placed in four of six waste management units (“WMUs”). Existing landfill units consist of unlined landfills covering 4.5 acres and lined WMUs covering 4.6 acres. A site map for the Facility, included as “Attachment B,” is incorporated herein.
3. The following attached documents are incorporated as part of this Order:
  - a. Attachment A – Site Location Map;
  - b. Attachment B – Site Map;
  - c. Information Sheet; and
  - d. Standard Provisions and Reporting Requirements (“SPRRs”), dated December 2015.
4. On 20 May 1996, the Discharger submitted a Report of Waste Discharge (“ROWD”). The information in the ROWD has been used in updating these waste discharge requirements (“WDRs”). The ROWD contains, in part, the applicable information required in Title 27. The ROWD and supporting documents contain information related to this update of the WDRs.
5. On 9 August 1996, the Central Valley Water Board issued Order No. 96-222, in which three WMUs at the Facility were classified as “Class III” units for the discharge of non-hazardous waste and MSW. This Order continues to classify the landfill units as “Class III” units per Title 27.
6. The existing units authorized by this Order are described as follows:

<u>Unit</u>	<u>Area</u>	<u>Liner / LCRS<sup>1</sup> Components</u>	<u>Unit Classification &amp; Status</u>
WMU-1	4 acres	Clay lined with LCRS	Class III, closed
WMU-2	1/2 acre	Unlined, no LCRS	Unclassified, closed
WMU-3	1 acre	Unlined, no LCRS	Class III, clean-closed
WMU-4	1/4 acre	Clay lined pond	Unclassified, unused <sup>2</sup>
WMU-5	1/3 acre	Clay lined pond	Unclassified, unused
WMU-6	3 acres	Unlined, no LCRS	Class III, closed

<sup>1</sup> Leachate collection and removal system

<sup>2</sup> Used as secondary containment for the leachate collection tank

7. On-site features at the Facility include: groundwater monitoring wells, lysimeters, a leachate collection tank, and leachate overflow tank stored within WMU-4.
8. On 9 October 1991, the United States Environmental Protection Agency (“USEPA”) promulgated MSW regulations under the Resource Conservation and Recovery Act (“RCRA”), 42 U.S.C. § 6901 et seq. These regulations apply to all California Class II and Class III landfills that accept MSW. State Water Board Resolution 93-62 requires the Central Valley Water Board to implement in WDRs for MSW landfills the applicable provisions of the federal MSW regulations that are necessary to protect water quality, and in particular, the containment provisions and the provisions that are either more stringent or that do not exist in Title 27.
9. This Order implements the applicable regulations for discharges of solid waste to land through Prohibitions, Specifications, Provisions, and monitoring and reporting requirements. Prohibitions, Specifications, and Provisions are listed in Sections A through H of these WDRs below, and in the SPRRs. Monitoring and reporting requirements are included in the Monitoring and Reporting Program (“MRP”) No. R5-2017-XXXX and SPRRs. In general, requirements that are either in regulation or otherwise apply to all MSW landfills are considered to be “standard” and are therefore in the SPRRs. Any site-specific changes to a requirement in the SPRRs are included in the applicable section (A through H) of these WDRs, and the requirement in the WDRs supersedes the requirement in the SPRRs.
10. Title 27 contains regulatory standards for discharges of solid waste promulgated by the State Water Board and the California Department of Resources Recovery and Recycling (“CalRecycle”). In certain instances, this Order cites CalRecycle-promulgated regulations. Title 27, section 20012 allows the Central Valley Water Board to cite CalRecycle regulations from Title 27 where necessary to protect water quality provided it does not duplicate or conflict with actions taken by the Local Enforcement Agency in charge of implementing CalRecycle’s regulations.

## WASTE CLASSIFICATION AND UNIT CLASSIFICATION

11. The Facility has three closed Class III WMUs. WMU-1 is lined and accepted MSW, solid waste, wood waste, and ash. WMU-3 was unlined and clean-closed in 1995; the unit previously contained wood ash which was transferred to WMU-6 during the closure process. WMU-6 is unlined and contains wood waste and ash. WMU-6 was previously part of WMU-1, but is separated from WMU-1 by a clay berm.
12. The Facility has three unclassified WMUs that are closed (WMU-2) or unused for waste disposal (WMU-4 and WMU-5). WMU-2 is unlined and contains tires (inert material). WMU-4 is a clay-lined pond that is used as secondary containment for the leachate collection tank. WMU-5 is an unused clay-lined pond.
13. Leachate accumulating in the leachate sump underlying WMU-1, collected by the Leachate Collection and Removal System ("LCRS"), is gravity-fed into a leachate collection tank situated in WMU-4. A leachate overflow tank may receive leachate from the collection tank in the event that the collection tank is filled to capacity. Leachate is managed by evaporation from the collection tank, which is open to the atmosphere. When evaporation is insufficient in reducing leachate volume, leachate is pumped into a truck and delivered to Fall River Mills' septage ponds.

## SITE DESCRIPTION

14. Topography at the site of the Facility ranges from approximately 3,170 to 3,260 feet above mean sea level ("MSL") and consists of gently sloping ridges and hills. No springs have been observed within or adjacent to the Facility. The Facility generally slopes to the north toward an intermittent drainage which is a tributary of the Pit River. However, surface runoff from the Facility site is minimal due to soils with high infiltration rates. The Pit River is approximately 3.5 miles north of the Facility.
15. Land uses within one mile of the Facility include agriculture, timber production and light industry. Packway Materials, Inc. operates an aggregate mining and processing facility approximately one quarter mile to the east of the Facility.
16. The downgradient domestic water supply well nearest to the Facility is approximately 4,000 feet to the northeast.
17. The Facility is in the western part of the Modoc Plateau geologic province. The Facility is underlain by 20 to 50 feet of alluvial deposits consisting of sandy silt and silty clays, which are underlain by roughly 20 feet of diatomaceous earth. These deposits are underlain by fractured volcanic bedrock.
18. The controlling maximum credible earthquake ("MCE") for the Facility is a moment of magnitude 6.0 event along the Hat Creek Rim Fault at a closest rupture distance of six miles from the Facility. It is estimated that a MCE event would produce a peak ground acceleration of 0.3g at the Facility with a return period of 667 years.
19. The Facility receives an average of 28 inches of precipitation per year as measured at the Oak Drive KCACASSE4 Station in Cassel, California. The mean pan evaporation is 37 inches per year.

20. The 100-year, 24-hour precipitation event for the Facility is estimated to be 4.0 inches, based on Department of Water Resources' bulletin 195 entitled *Rainfall Depth-Duration-Frequency for California*, revised November 1982, and updated August 1986.
21. The Facility is not within a 100-year flood plain based on the Federal Emergency Management Agency's ("FEMA") Flood Insurance Rate Map, Community-Panel No. 06089C0775G
22. The Facility does not have any storm water sedimentation basins.

### **SURFACE WATER AND GROUNDWATER CONDITIONS**

23. The *Water Quality Control Plan for Sacramento and San Joaquin River Basins, Fourth Edition* ("Basin Plan") designates beneficial uses, establishes water quality objectives, and contains implementation plans and policies for all waters of the Basin.
24. Surface water drainage from the Facility is to an intermittent drainage which is a tributary of the Pit River.
25. The designated beneficial uses of the Pit River, as specified in the Basin Plan, are municipal and domestic supply; agricultural supply; water contact recreation; warm fresh water habitat; cold fresh water habitat; and spawning, reproduction, and/or early development.
26. The first encountered groundwater ranges from about seven feet to 35 feet below the native ground surface ("bgs") in a discontinuous perched water-bearing zone. Deeper groundwater is approximately 400 feet bgs and occurs in fractured volcanic rock. Groundwater elevations range from about 3,160 feet MSL to 3,190 feet MSL in perched water-bearing zones, with deeper groundwater ranging from 2,770 feet MSL to 2,860 feet MSL.
27. Monitoring data indicate background groundwater quality for first encountered groundwater has electrical conductivity ranging between 150 and 320 micromhos per centimeter and total dissolved solids ("TDS") ranging between 120 and 230 milligrams per liter ("mg/L").
28. The direction of groundwater flow is generally toward the north.
29. The designated beneficial uses of the groundwater, as specified in the Basin Plan, are domestic and municipal water supply, agricultural supply, industrial service supply, and industrial process supply.

### **GROUNDWATER AND UNSATURATED ZONE MONITORING**

30. The existing groundwater monitoring network for the Facility's landfill units consists of upgradient background monitoring well B-4 (installed in 1983), and downgradient monitoring wells B-1, B-6 and B-9 (installed in 1983, 1986 and 1990, respectively). Wells B-4, B-6, and B-9 screen to the base of the alluvial aquifer. Well B-1 is screened to 26 feet bgs. The downgradient monitoring wells often are dry at the time of sampling due to the intermittent nature of the perched groundwater zone.
31. At the time this Order is adopted, the Discharger's detection monitoring program ("DMP") for groundwater at the Facility does not satisfy two Title 27 requirements, discussed in further detail below.

- a. The current DMP does not establish detailed procedures for sample collection, preservation, shipment, analysis, and custody control. (See Cal. Code Regs., tit. 27, § 20415, subd. (e)(4).) Provision 7 requires submittal of a Sample Collection and Analysis Plan.
  - b. The current DMP does not have a complete Water Quality Protection Standard ("WQPS"). (Cal. Code Regs, tit. 27, § 20390.) The concentration limits have not been updated since June 1992. Provision 7 requires submittal of an updated WQPS Report.
32. The existing unsaturated zone monitoring system for the Facility's landfill units consists of vacuum lysimeter L-1, which monitors WMU-6, and L-3, which monitors WMU-1.
33. Volatile organic compounds ("VOCs") are often detected in a release from a MSW landfill and are often associated with releases of landfill gas rather than leachate. Since VOCs are not naturally occurring and thus have no background value, they are not amenable to the statistical analysis procedures contained in Title 27 for the determination of a release of wastes from a landfill unit. Title 27, section 20415, subdivisions (e)(8) and (9) allows the use of a non-statistical evaluation of monitoring data that will provide the best assurance of the earliest possible detection of a release from a landfill unit in accordance with Title 27, section 20415, subdivisions (b)(1)(B)2.-4. However, Title 27 does not specify a specific method for non-statistical evaluation of monitoring data.
34. The Central Valley Water Board may specify a non-statistical data analysis method pursuant to Title 27, section 20080, subdivision (a)(1). Water Code section 13360, subdivision (a)(1) allows the Central Valley Water Board to specify requirements to protect groundwater or surface waters from leakage from a solid waste site, which includes a method to provide the best assurance of determining the earliest possible detection of a release.
35. In order to provide the best assurance of the earliest possible detection of a release of non-naturally occurring waste constituents from a landfill unit, the SPRRs specify a non-statistical method for the evaluation of monitoring data for non-naturally occurring compounds. The specified non-statistical method for evaluation of monitoring data provides two criteria (or triggers) for making the determination that there has been a release of non-naturally occurring waste constituents from a landfill unit. The presence of two non-naturally occurring waste constituents above their respective method detection limit ("MDL"), or one non-naturally occurring waste constituent detected above its practical quantitation limit ("PQL") [i.e., laboratory reporting limit ("RL")], indicates that a release of waste from a unit has occurred. Following an indication of a release, verification testing must be conducted to determine whether there has been a release from the landfill unit or the detection was a false detection. The detection of two non-naturally occurring waste constituents above the MDL as a trigger is appropriate due to the higher risk of false-positive analytical results and the corresponding increase in sampling and analytical expenses from the use of one non-naturally occurring waste constituent above its MDL as a trigger.
36. For a naturally occurring constituent of concern ("COC"), Title 27 requires concentration limits for each COC be determined as follows:
- a. By calculation in accordance with a statistical method pursuant to Title 27, section 20415, subdivision (e)(8); or

- b. By an alternate statistical method meeting the requirements of Title 27, section 20415, subdivision (e)(8)(E).

37. The Discharger submitted a June 1992 WQPS Report which requires updating. Provision 7 requires submittal of an updated WQPS Report.

### **GROUNDWATER CONDITIONS**

38. Groundwater conditions at the Facility have historically shown no indications of a release from any of the WMUs. General chemistry analysis indicates that monitoring parameter concentrations are generally stable, showing seasonal fluctuations. Assessment of a release is hindered by limited amounts of groundwater in monitoring wells and lysimeters during monitoring events and because samples have not been analyzed for VOCs since 2005. Prior to the cessation of sampling, VOCs typically were not detected at values above the MDLs.

### **LINER PERFORMANCE DEMONSTRATION**

39. On 15 September 2000, the Central Valley Water Board adopted Resolution No. 5-00-213, *Request For The State Water Resources Control Board To Review The Adequacy Of The Prescriptive Design Requirements For Landfill Waste Containment Systems To Meet The Performance Standards Of Title 27*. The State Water Board responded, in part, that “a single composite liner system continues to be an adequate minimum standard” however, the Central Valley Water Board “should require a more stringent design in a case where it determines that the minimum design will not provide adequate protection to a given body of groundwater.”

In a letter dated 17 April 2001, the Executive Officer notified Owners and Operators of Solid Waste Landfills that “the Board will require a demonstration that any proposed landfill liner system to be constructed after 1 January 2002 will comply with Title 27 performance standards. A thorough evaluation of site-specific factors and cost/benefit analysis of single, double, and triple composite liners will likely be necessary.”

40. The Facility's WMU-1 has a clay liner which was constructed prior to the adoption of Resolution No. 5-00-213. The liner consists of the following components (in ascending order):

- a. One-foot thick clay layer with a maximum permeability of  $1 \times 10^{-6}$  centimeters per second (“cm/s”).
- b. One-foot thick pea gravel layer serving as the LCRS.

## LANDFILL CLOSURE

41. Closure of the Facility began in June 1995, and was completed in October 1996. Closure activities included the construction of caps over WMU-1, WMU-2, and WMU-6, construction of drainage controls, abandonment of monitoring wells B-0, B-3, B-7, B-8, B-10, and B-11, and abandonment of lysimeters L-2, L-4, L-5, and L-6.
42. Title 27, section 21090 provides the minimum prescriptive final cover components for landfills consisting of, in ascending order, the following layers:
  - a. Two-foot soil foundation layer.
  - b. One-foot soil low flow-hydraulic conductivity layer, less than  $1 \times 10^{-6}$  cm/s or equal to the hydraulic conductivity of any bottom liner system.
  - c. Geomembrane layer (this layer is required for composite-lined landfills for equivalency to bottom liner).
  - d. One-foot soil erosion resistant/vegetative layer.
43. The Discharger's June 1995 *Closure Implementation, Drainage Evaluation, and Construction Quality Assurance Plan* and October 1996 *Final Closure and Postclosure Maintenance Plan* describe the final cover for WMU-1 and WMU-6, which meets the minimum standards set forth by Title 27, section 21090, subdivision (a), and consists of the following layers in ascending order:
  - a. Two-foot soil foundation layer.
  - b. One-foot soil low flow-hydraulic conductivity layer, less than  $1 \times 10^{-6}$  cm/s or equal to the hydraulic conductivity of any bottom liner system.
  - c. One-foot soil erosion resistant/vegetative layer.
44. Side slopes for the closed landfill WMU-1 are sloped at 6H:1V at the top surface, with the north and west sides of the fill at a 1.5H:1V slope, and include a 15-foot wide bench every 50 vertical feet, per Title 27.
45. The Discharger performed a slope stability analysis, dated October 1994, for the proposed final cover. The Discharger's static and dynamic stability analysis used the computer program XSTABL which incorporated a total of 510 potential slip surfaces, and used a seismic coefficient 0.2g. The analysis used the Modified Bishop's method to analyze the driving forces and restraining forces, deriving a factor of safety from the ratio of restraining forces to driving forces. XSTABL produced ten surfaces with the lowest factors of safety, with the lowest factor of safety determined to be 1.58. The Discharger's static and dynamic stability analysis demonstrated that the side slopes of the final cover will be stable in accordance with the requirements of Title 27.
46. Title 27, section 21090, subdivision (e)(1) requires a survey of the final cover following closure activities for later comparison with iso-settlement surveys required to be conducted every five years. The Facility was closed before 18 July 1997 however, and thus is exempt from this requirement.

### LANDFILL POST-CLOSURE MAINTENANCE

47. The Discharger submitted an October 1996 *Final Closure and Postclosure Maintenance Plan* for closure and post-closure maintenance of WMU-1, WMU-2, and WMU-6. The plan includes inspection, maintenance, and monitoring of the landfill during the post-closure maintenance period, and includes a post-closure maintenance cost estimate for the entire facility. Inspection and maintenance will include the condition of the final cover, drainage features, LCRS, groundwater monitoring wells, unsaturated zone monitoring points, access roads, and site security. The plan will be implemented for a minimum period of 30 years or until the waste no longer poses a threat to environmental quality, whichever is greater.

### FINANCIAL ASSURANCES

48. Title 27, sections 21840 and 22211 require a cost estimate for landfill post-closure maintenance. A Postclosure Maintenance Plan, dated 24 August 2015, provided an updated cost estimate for post-closure maintenance. This Order requires that the Discharger maintain financial assurance with CalRecycle in at least the amount of the post-closure maintenance cost estimate adjusted annually for inflation. As of 2015, the balance of the post-closure maintenance fund was to satisfy the financial commitment of \$2,900 per year for 15 years, for a total of \$43,500.

49. Title 27, section 22221 requires a cost estimate for corrective action of all known or reasonably foreseeable releases. The Discharger submitted a 9 June 2017 cost estimate of \$5,682 for corrective action of all known or reasonably foreseeable releases. This Order requires that the Discharger maintain financial assurance with the CalRecycle in at least the amount of the cost estimate adjusted annually for inflation.

50. Title 27, section 22100, subdivision (b) requires owners and operators of disposal facilities that are required to be permitted as solid waste landfills to provide cost estimates for initiating and completing corrective action for known or reasonably foreseeable releases of waste. Title 27, section 22101 requires submittal of a *Water Release Corrective Action Estimate* and a *Non-Water Release Corrective Action Cost Estimate*. The *Water Release Corrective Action Estimate* is for scenarios where there is statistically significant evidence of a release of waste to ground or surface water when comparing Point-of-Compliance analyte concentrations to background concentrations. The *Non-Water Release Corrective Action Cost Estimate* is for complete replacement of the landfill final cover system, however a site-specific corrective action plan pursuant to Title 27, section 22101, subdivision (b)(2) may be provided in lieu of the final cover replacement cost estimate. Title 27, section 22221 requires establishment of financial assurances in the amount of an approved *Water Release Corrective Action Estimate* or an approved *Non-Water Release Corrective Action Cost Estimate*, whichever is greater.

### CEQA AND OTHER CONSIDERATIONS

51. The revision of WDRs for the Facility is exempt from the provisions of the California Environmental Quality Act ("CEQA"), Public Resource Code section 21000, et seq., in accordance with section 15301 of the CEQA Guidelines (Cal. Code Regs., tit. 14, § 15000 et seq.) promulgated thereunder.

52. This Order implements the standards, policies and goals set forth in the following:

- a. The Basin Plan;

- b. California Code of Regulations, title 27, section 20005 et seq.;
  - c. State Water Board Resolution 93-62, *Policy for Regulation of Discharges of Municipal Solid Waste*, adopted 17 June 1993, and revised on 21 July 2005; and
  - d. 40 C.F.R. part 258, as required by State Water Board Resolution 93-62.
53. Based on the threat and complexity of the discharge, the Facility is determined to be classified 3-B as defined below:
- a. Category 3 threat to water quality, which is defined as “discharges of waste that could degrade water quality without violating water quality objectives, or could cause a minor impairment of designated beneficial uses as compared with Category 1 and Category 2.”
  - b. Category B complexity, which defined as, “Any discharger not included in Category A that has physical, chemical, or biological treatment systems (except for septic systems with subsurface disposal), or any Class 2 or Class 3 waste management units.”
54. In October 1968, the State Water Board adopted its *Statement of Policy with Respect to Maintaining High Quality of Waters in California*, State Water Board Order WQ 68-16 (“Anti-Degradation Policy”). The Anti-Degradation Policy limits the Central Valley Water Board’s discretion to authorize the degradation of “high-quality waters.” The Anti-Degradation Policy has also been incorporated into the Board’s Basin Plans. “High-quality waters” are defined as those waters where water quality is more than sufficient to support beneficial uses designated in the Board’s Basin Plan. Whether or not a water is a high-quality water is established on a constituent-by-constituent basis, which means that an aquifer can be considered a high-quality water with respect to one constituent, but not for others. (State Water Board Order No. WQ 91-10.)
55. The Anti-Degradation Policy applies when an activity discharges to high quality waters and will result in some degradation of such high quality waters. When it applies, the Anti-Degradation Policy requires that WDRs reflect best practicable treatment or control (“BPTC”) of wastes and that any degradation of high quality waters (a) will be consistent with the maximum benefit to the people of the State, and (b) will not result in an exceedance of water quality objectives. If the activity will not result in the degradation of high quality waters, the Anti-Degradation Policy does not apply, and the Discharger need only demonstrate that it will use “best efforts” to control the discharge of waste.
56. Due to the presence of unlined waste disposal units at the Facility, waste discharged at the Facility could be discharged to waters of the State as a result of permitted activities at the Facility. The potential for waste constituents to discharge to waters of the State has decreased since landfill closure in 1996. Available groundwater quality data do not indicate that a release of waste constituents has occurred. The potential for on-going release of waste constituents is expected to continue to decrease over time. Compliance with this Order, the attached SPRRs, and MRP R5-2017-XXXX represent BPTC of the discharge of waste to waters of the State. Therefore, the Facility complies with the Anti-Degradation Policy.
57. Any degradation that may result from the Facility’s discharges to waters of the State would be consistent with the maximum benefit to the people of the State. Avoiding or preventing such degradation would require unearthing and re-engineering the Facility at significant expense to the

Discharger. From a water quality standpoint, implementing the BPTC measures required under this Order is a more effective use of the Discharger's limited resources.

58. Water Code section 13267, subdivision (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 proposes to discharge waste within its region, or any citizen or domiciliary, or political agency or entity of this state who has discharged, discharges, or is suspected of having discharged or discharging, or who proposes 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 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."
59. The technical reports required by this Order and the attached "Monitoring and Reporting Program No. R5-2017-XXXX" are necessary to assure compliance with these WDRs. The Discharger owns, operates and maintains the Facility that discharges the waste subject to this Order. Typical annual costs of the Site post-closure monitoring program range from \$2,900 to \$4,000 and are commensurate with similar programs at other landfills throughout the state. The Central Valley Water Board finds that, given the necessity of obtaining accurate and up to date information to inform management of this Facility's discharges, these costs bear a reasonable relationship to the benefit and need for the reports required by the MRP.

#### **PROCEDURAL REQUIREMENTS**

60. All local agencies with jurisdiction to regulate land use, solid waste disposal, air pollution, and to protect public health have approved the use of this Facility for the discharges of waste to land stated herein.
61. The Central Valley Water Board notified the Discharger and interested agencies and persons of its intent to prescribe WDRs for this discharge, and has provided them with an opportunity for a public hearing and an opportunity to submit their written views and recommendations.
62. The Central Valley Water Board, in a public meeting, heard and considered all comments pertaining to the discharge.

Any person aggrieved by this action of the Central Valley Water Board may petition the State Water Board to review the action in accordance with Water Code section 13320 and California Code of Regulations, title 23, sections 2050 and following. The State Water Board must receive the petition by 5:00 p.m., 30 days after the date that this Order becomes final, except that if the thirtieth day following the date that this Order becomes final 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](http://www.waterboards.ca.gov/public_notices/petitions/water_quality) or will be provided upon request.

IT IS HEREBY ORDERED, pursuant to California Water Code sections 13263 and 13267, that Order No. 96-222 is rescinded except for purposes of enforcement, and that Intermountain Landfill, Inc., its agents, successors, and assigns, in order to meet the provisions of Division 7 of the California Water Code and the regulations adopted thereunder, shall comply with the following:

## **A. PROHIBITIONS**

1. The discharge of any waste at this Facility is prohibited.
2. The Discharger shall comply with all Standard Prohibitions listed in Section C of the SPRRs.

## **B. DISCHARGE SPECIFICATIONS**

1. Water used for Facility maintenance shall be limited to the minimum amount for dust control, construction, or proper compaction of the cover during any necessary repairs.
2. The Discharger shall comply with all Standard Discharge Specifications listed in Section D of the SPRRs.

## **C. FACILITY SPECIFICATIONS**

1. The Discharger shall comply with all Standard Facility Specifications listed in Section E of the SPRRs.

## **D. CONSTRUCTION SPECIFICATIONS**

1. The Discharger shall comply with all Standard Construction Specifications listed in Section F of the SPRRs.
2. The Discharger shall comply with all Storm Water Provisions listed in Section L of the SPRRs.

## **E. CLOSURE AND POST-CLOSURE MAINTENANCE SPECIFICATIONS**

1. Discharger shall comply with all Standard Closure and Post-Closure Specifications listed in Section G of the SPRRs, as well as all Standard Construction Specifications that are applicable to closure per Section F of the SPRRs.

## **F. FINANCIAL ASSURANCE SPECIFICATIONS**

1. The Discharger shall obtain and maintain assurances of financial responsibility with CalRecycle for post-closure maintenance for the landfill in at least the amounts described in Finding 48, adjusted for inflation annually. A report regarding financial assurances for post-closure maintenance shall be submitted to the Central Valley Water Board by **1 June of each year**. This may be the same report that is submitted to CalRecycle for this purpose. If CalRecycle determines that either the amount of coverage or the mechanism is inadequate, then within 90 days of notification, the Discharger shall submit an acceptable mechanism to CalRecycle and the Central Valley Water Board for at least the amount of the approved cost estimate.
2. The Discharger shall obtain and maintain assurances of financial responsibility with CalRecycle for initiating and completing corrective action for all known or reasonably foreseeable releases from the landfill in at least the amount of the annual inflation-adjusted cost estimate described in Finding 49. A report regarding financial assurances for corrective action shall be submitted to the Central Valley Water Board by **1 June of each year**. This may be the same report that is submitted to CalRecycle for this purpose. If CalRecycle

determines that either the amount of coverage or the mechanism is inadequate, then within 90 days of notification, the Discharger shall submit an acceptable mechanism to CalRecycle and the Central Valley Water Board for at least the amount of the approved cost estimate.

3. The Discharger shall comply with all Standard Financial Assurance Specifications listed in Section H of the SPRRs.

## **G. MONITORING SPECIFICATIONS**

1. The Discharger shall comply with the DMP provisions of Title 27 for groundwater and the unsaturated zone, and in accordance with MRP No. R5-2017-XXXX, and the Standard Monitoring Specifications listed in Section I of the SPRRs.
2. The Discharger shall, for any landfill unit in a corrective action monitoring program, comply with the corrective action monitoring program provisions of Title 27, MRP No. R5-2017-XXXX, and the Standard Monitoring Specifications listed in Section I of SPRRs.
3. The Discharger shall comply with (a) the WQPS specified in this Order, (b) MRP No. R5-2017-XXXX, and (c) the SPRRs.
4. The concentrations of the COCs in waters passing the Point of Compliance (defined pursuant to Title 27, section 20164 as a vertical surface located at the hydraulically downgradient limit of the landfill unit that extends through the uppermost aquifer underlying the unit) shall not exceed the concentration limits established pursuant to MRP No. R5-2017-XXXX.
5. For each monitoring event, the Discharger shall determine whether the landfill is in compliance with the WQPS using procedures specified in MRP No. R5-2017-XXXX and the Standard Monitoring Specifications in Section I of the SPRRs.
6. As specified in MRP No. R5-2017-XXXX, the Discharger shall enter all monitoring data and monitoring reports into the online Geotracker database as required by Division 3 of Title 27 and Chapter 30, Division 3 of Title 23.
7. The Discharger shall comply with all Standard Monitoring Specifications and Response to a Release specifications listed in Sections I and J of the SPRRs.

## **H. PROVISIONS**

1. The Discharger shall maintain a copy of this Order at the Facility, including the MRP No. R5-2017-XXXX and the SPRRs, and make it available at all times to Facility operating personnel, who shall be familiar with its contents, and to regulatory agency personnel.
2. The Discharger shall comply with all applicable provisions of Title 27 and 40 C.F.R. part 258 that are not specifically referred to in this Order.
3. The Discharger shall comply with MRP No. R5-2017-XXXX.
4. The Discharger shall comply with the applicable portions of the Standard Provisions and Reporting Requirements for Waste Discharge Requirements for Nonhazardous Solid Waste Discharges Regulated by 40 C.F.R. part 258 and/or Title 27.

5. If there is any conflicting or contradictory language between the WDRs, the MRP, or the SPRRs, then language in the WDRs shall supersede either the MRP or the SPRRs, and language in the MRP shall supersede the SPRRs.
6. All reports required by this Order shall be submitted pursuant to Water Code section 13267.
7. The Discharger shall complete the tasks contained in these WDRs, in accordance with the following time schedule:

**Task**

**Deadline**

**A. Sample Collection and Analysis Plan**

Submit a Sample Collection and Analysis Plan for review and approval.	30 September 2018
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**B. Water Quality Protection Standard Report**

Submit a WQPS Report for review and approval, pursuant to Title 27, subchapter 3, article 1.	1 February 2019
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**C. Financial Assurance Review**

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|--|-------------------|
| 1. Submit an annual review of Financial Assurance for post-closure maintenance.                    | 1 June (annually) |
| 2. Submit an annual review of Financial Assurance for initiating and completing corrective action. | 1 June (annually) |

8. The Discharger shall comply with all General Provisions listed in Section K of the SPRRs.

I, PAMELA C. CREEDON, Executive Officer, do hereby certify that the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, Central Valley Region, on \_\_\_\_\_.

\_\_\_\_\_  
PAMELA C. CREEDON, Executive Officer

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