

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN DIEGO REGION

CLEANUP AND ABATEMENT ORDER NO. R9-2002-330
FOR
A MORATORIUM ON THE DISPOSAL DECOMMISSIONED MATERIALS TO CLASS III AND
UNCLASSIFIED
WASTE MANAGEMENT UNITS

The San Diego Regional Water Quality Control Board (Regional Water Board) finds that:

1. Attachment 1 contains a list of the Class III and unclassified waste management units in the San Diego Region.
2. The disposal of radioactive waste is a highly regulated industry.
3. The federal Atomic Energy Act (AEA) established a comprehensive federal program for regulating radioactive materials.
4. The AEA allows States to regulate the disposal of low level radioactive waste.
5. The Department of Health Services (DHS), pursuant to state law, established a program for the disposal of low level radioactive waste.
6. Under the DHS program, low level radioactive waste is disposed at licensed disposal sites.
7. It has recently been determined that certain types of low level radioactive waste, known as decommissioned materials, are not required to be disposed at licensed sites.
8. Decommissioned materials are radioactive materials in excess of local background levels that have been released for unrestricted use as part of a decommissioning action by the appropriate state or federal agency.
9. Decommissioned materials are residual radioactive materials that can be disposed of in waste management units.
10. In the absence of further action, decommissioned materials would be allowed to be disposed at Class III and unclassified waste management units.
11. Class III waste management units are disposal sites designed to accept municipal waste.
12. Unclassified waste management units are disposal sites that receive inert waste.
13. The disposal of hazardous waste is prohibited at Class III and unclassified sites.

14. Decommissioned material is not covered by the definition of hazardous waste.
15. Under Water Code section 13304, a Cleanup and Abatement Order may be issued to take remedial action to abate the effects of discharges of waste, including radioactive waste, which threaten to cause a condition of pollution or nuisance.
16. The disposal of decommissioned materials at Class III and unclassified disposal sites threatens conditions of pollution or nuisance.
17. Executive Order No. D-62-02 by the Governor, directs the State Water Resources Control Board and the Regional Water Boards to impose a moratorium on the disposal of decommissioned materials into Class III and unclassified waste management units, which will remain in effect until DHS completes its assessment of the public health and environmental safety risks associated with the disposal of decommissioned materials and its regulations setting dose standards for decommissioning take effect.
18. Adoption of this enforcement action is exempt from the California Environmental Quality Act pursuant to Title 14, California Code of Regulations section 15321.

IT IS HEREBY ORDERED that, pursuant to Water Code section 13304 and Executive Order No. D-62-02, the Dischargers identified in Attachment 1 shall comply with the following:

1. A moratorium on the disposal of decommissioned material from decommissioned sites into Class III and unclassified waste management units is established.
2. This moratorium shall remain in effect until DHS completes its assessment of the public health and environmental safety risks associated with the disposal of decommissioned materials and its regulations setting dose standards for decommissioning take effect.
3. Dischargers that make a good faith effort to comply with this moratorium, including informing generators and other entities that dispose of waste of the moratorium, and placing appropriate signage at its waste management units, shall be deemed to be in compliance with this order.



JOHN H. ROBERTUS
Executive Officer

Date issued: October 11, 2002

ATTACHMENT 1 TO

CLEANUP AND ABATEMENT ORDER NO. R9-2002-0330

FOR

A MORATORIUM ON THE DISPOSAL DECOMMISSIONED MATERIALS TO CLASS III AND
UNCLASSIFIED WASTE MANAGEMENT UNITS
IN THE SAN DIEGO REGION

A. CLASS III WASTE MANAGEMENT UNITS/LANDFILLS

No.	Landfill Name	WDID No.	Order No.	Facility Type	Operator/ Owner	Address
1	Otay Annex	9000000214	90-09 93-86	Class III	San Diego Landfill Systems/Allied Waste	Mr. Neil Mohr, Otay Landfill, Inc. 8514 Mast Blvd., San Diego, CA 92071
2	Ramona	9000000248	2000-006	Class III	San Diego Landfill Systems/Allied Waste	Mr. Neil Mohr, Ramona Landfill, Inc. 8514 Mast Blvd., San Diego, CA 92071
3	Sycamore	9000000252	99-074	Class III	San Diego Landfill Systems/Allied Waste	Mr. Neil Mohr, Sycamore Landfill, Inc. 8514 Mast Blvd., San Diego, CA 92071
4a	West Miramar	9000000314	87-54 93-86	Class III	City of San Diego	Mr. Steve Fontana, City of San Diego – Environmental Services Division, 9601 Ridgehaven Court, Suite 310, San Diego, CA 92123
4b	West Miramar	9000000314	87-54 93-86	Class III	U.S. Marine Corps	Commanding General, Marine Corps Air Station – Miramar PO BOX 452013, San Diego, California 92145-5005
5	Prima Deshecha	9 000000261	89-012 93-86	Class III	County of Orange	Ms. Jan Goss, County of Orange, Waste Management Dept. 320 North Flower Street, Suite 400 Santa Ana, California 92703
6	Las Pulgas	9000000013	2000-054	Class III	U.S. Marine Corps	Mr. Lupe Armas, Building 22165, U.S. Marine Corps Base, Camp Pendleton, CA 92055
7	San Onofre	9000000012	2000-008	Class III	U.S. Marine Corps	Mr. Lupe Armas, Building 22165, U.S. Marine Corps Base, Camp Pendleton, CA 92055
8	Anza	9000000204	87-53 93-86	Class III	County of Riverside	Mr. Mubashar Ahmad, Waste Management Dept., 14310 Fredrick Street, Moreno Valley, CA 92553
9	San Marcos	9000000278	92-02 93-86	Class III	County of San Diego	Mr. Jon Rollin, DPW – IWMD, 5469 Kearny Villa Road, Suite 305, San Diego, CA 92123-1295

ATTACHMENT 1(continued)

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FOR
A MORATORIUM ON THE DISPOSAL DECOMMISSIONED MATERIALS TO CLASS III AND
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**B. UNCLASSIFIED WASTE MANAGEMENT UNITS
IN THE SAN DIEGO REGION**

No.	Landfill Name	WDID No.	Order No.	Facility Type	Operator/ Owner	Address
1	Lakeside Land	9000000536	92-014	Unclassified	Lakeside Land Company	Mr. Jerry Lester, Lakeside Land Company, 10101 Riverford Road Lakeside, CA 92040
2	Skinner Plant Landfill	9000000001	79-024	Unclassified	Metropolitan Water District	Mr. George Muse, Operations Support Services - Metropolitan Water District of Southern California, P.O. Box 54153 Los Angeles, CA 90054-0153
3	Robert Weese Filtration Plant	9000000106	83-031	Unclassified	City of Oceanside	Mr. T. Scott Tucker, City of Oceanside, 300 N. Coast Highway Oceanside, CA 92054
4	Hansons Aggregates-Miramar Plant	9000000081	94-063	Unclassified	Hansons Aggregates	Mr. Tom Ferrell Hansons Aggregates Pacific SW Region PO Box 639069 San Diego, CA 92163-9069
5	Calmat-Lakeside Plant	9000000266	93-120	Unclassified	Calmat- Vulcan	Mr. Tony Varisco PO Box 3098 San Diego, CA 92163
6	Calmat-Carroll Canyon	9000000264	93-121	Unclassified	Calmat-Vulcan	Mr. Tony Varisco PO Box 3098 San Diego, CA 92163
7	Puerta La Cruz Conservation Camp	9000000033	93-012	Unclassified	CA Dept of Forestry	Mr. Mike Ng, California Department of Forestry, 32363 Highway 79, Warner Springs, CA 92086
8	Pine Valley Sanitation District Plant	9000000099	94-161	Unclassified	County of San Diego	Mr. Lawrence Watt, County of San Diego- DPW, 5555 Overland Avenue, MS 0384, San Diego, CA 92123
9	Rainbow Conservation Camp	9000000533	95-020	Unclassified	CA Dept of Forestry	Mr. Mike Harris, California Department of Forestry, 2524 Mulberry Street, Riverside, CA 92502