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# California Regional Water Quality Control Board San Diego Region

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April 7, 2010

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In reply refer to:  
CIWQS 236607:AGROVE

Ms. Tracy Sahagun  
RCRA Management Division  
Environmental Security Office  
Bldg. 22165, U.S. Marine Corps Base  
Camp Pendleton, CA 92055-5008

Dear Ms. Sahagun:

**SUBJECT: LAS PULGAS LANDFILL, RESPONSE TO COMMENTS ON  
TENTATIVE WASTE DISCHARGE REQUIREMENTS & MONITORING  
AND REPORTING PROGRAM ORDER NO. R9-2010-0004**

Thank you for submitting comments on the tentative waste discharge requirements and monitoring and reporting program, by letter dated March 26, 2010. The comments propose 24 revisions to tentative Waste Discharge Requirements Order (Order) and Monitoring and Reporting Program (M&RP) No. R9-2010-0004. The California Regional Water Quality Control Board, San Diego Region (San Diego Water Board) incorporated 18 of the proposed revisions into the tentative Order and M&RP. The remaining six proposed revisions either were not incorporated into the tentative Order or M&RP, or were modified from what was originally proposed in the letter. Enclosed with this response to your comments is a copy of the Errata Sheet for the tentative Order and M&RP.

1. *Comment No. 20. "Tentative Monitoring and Reporting Program No. R9-2010-0004 Finding No. 5.b.: Request clarification that the Slope Stability Workplan and Monitoring Report is only for the 2:1 slope of the Phase II liner construction area."*

**Response.** The M&RP was revised to clarify that slope stability monitoring is only required in the Phase II areas where the side slopes are 2:1 (Errata Sheet, page 4, Item Nos. 1 and 3). The revision was made in **PART I – REPORTS TO BE FILED WITH THE SAN DIEGO WATER BOARD: CORE REPORTING, A.3,** and **SPECIAL REPORTS B.2** because these sections describe the purpose of the report and the need for the requested information.

2. *Comment No. 21. "Tentative Monitoring and Reporting Program, Page 6, Part I.B.1.: MCB Camp Request extending from 90 days to 365 days the*

*California Environmental Protection Agency*

*requirement for submitting a sampling and analysis work plan to allow time to amend an existing monitoring contract for the inclusion of developing a Sampling and Analysis Contract."*

**Response.** The M&RP was revised to extend the deadline for submittal of a revised Sampling and Analysis Plan. The San Diego Water Board has modified the language in this specification (Errata Sheet, page 4, Item No. 2) to require the USMC to submit a revised Sampling and Analysis Plan (SAP), if necessary, as an appendix to the Semi-Annual Report, due October 30, 2010. The modification of this specification allows the USMC approximately six months to revise the existing SAP and provide that information to the San Diego Water Board for review and comment. The proposed extension of time from 90 days to 365 days is unreasonable because a SAP already exists for the Las Pulgas Landfill and this specification is only requesting an update to that document.

3. *Comment No. 22. "Tentative Monitoring and Reporting Program No. R9-2010-0004 Part I, B.2.: "Request an extending from 90 days to 365 days the requirement for submitting the work plan for slope stability monitoring. Additional time is necessary to obtain funding and establishing a contract for this requirement. In addition, CH2M Hill, as part of their CQA scope will be mapping the geology of the cut slope during Phase II liner construction. This geologic mapping data will take longer than 90 days to compile and analysis and the information would support the workplan for the locations and amounts of inclinometer and/or permanent survey monument."*

**Response.** The M&RP was not modified to incorporate the proposed change. According to the information presented in the Phase II Design Report (Appendix I to the Joint Technical Document) the 2:1 slopes in the Phase II expansion area will be the most susceptible to movement after construction, prior to waste placement, and at the beginning stages of waste placement. If the information provided to the San Diego Water Board was true and accurate, then the slopes in question will need to be monitored as soon as construction is complete. The USMC is also required to begin corrective action of Phase I as soon as construction of Phase II is complete. The San Diego Water Board will not consider the Phase II expansion area complete, and will not allow the USMC to place waste in this area prior to the installation of the monitoring devices. Therefore, granting an extension in the submittal timeline would allow the slopes to remain vulnerable for an extended period of time, and would delay the initiation of corrective actions in Phase I, resulting in non-compliance with the existing corrective action plan time schedule.

4. *Comment No. 25. "Tentative Monitoring and Reporting Program Page 25, Part IV.B.6.a.i.: MCB Camp Pendleton does not have a statistician or mathematician on staff and requests an extension from 30 days to 365 days for this requirement."*

**Response.** The M&RP was not modified to incorporate the proposed change. CCR Title 27, sections 20420(k)(5) and 20425 establish a timeline for responding to a release of waste constituents from a landfill. As such, the San Diego Water Board does not have the authority to extend the designated timeline, as proposed by the USMC. It should also be noted that responding to a release of waste constituents into groundwater or surface water constitutes a "Known or Reasonably Foreseeable Release" from the Landfill, as defined in CCR Title 27, section 20380(b). The USMC provided copies of financial assurances for known or reasonably foreseeable releases in an appendix to the Joint Technical Document (JTD), indicating that these funds would be available, if necessary, to cover the costs associated with a release from the Landfill.

5. *Comment No. 26. "Tentative Monitoring and Reporting Program, Page 29, Part V.B.1.b.: Request allowing for 365 days to submit a revised Report of Waste Discharge proposing an Evaluation Monitoring Program meeting the requirements of CCR Title 27, sections 20420(k)(5), and 20425, and satisfies the requirements of 40 CFR, Part 258.55."*

**Response.** See Response to Comment No. 25 above.

6. *Comment No. 27. "Tentative Monitoring and Reporting Program, Page 32, Part V.C.4.c.: A minimum of 365 days will be needed to conduct NEPA, request funding and contracting out for a new well installation."*

**Response.** The M&RP was modified to extend the deadline for the report submittal and installation of the groundwater monitoring well. The text was revised to allow the USMC 180 days to submit a work plan for the installation of a new background or cross-gradient monitoring well (Errata Sheet, page 5, Item No. 6). Upon approval of the work plan by the San Diego Water Board, the USMC shall have an additional 90 days to install the new monitoring well. The proposed extension of time from 90 days to 365 days is unreasonable because it would result in the USMC being out of compliance with California Code of Regulations (CCR) Title 27, the tentative Order, and the M&RP for two monitoring and sampling cycles. In addition, 365 days to submit a work plan and install a monitoring well appears to be unnecessarily long. If NEPA documents are required and cannot be certified within the 180 days, the USMC may request an extension of the due date in this directive of the M&RP.

The heading portion of this letter includes a code number noted after "In reply refer to." In order to assist us in the processing of your correspondence please include this code number in the heading or subject line portion of all correspondence and reports to the San Diego Water Board pertaining to this matter.

If you have any questions regarding the above, please contact Ms. Amy Grove at (858) 637-7136 or [agrove@waterboards.ca.gov](mailto:agrove@waterboards.ca.gov).

Sincerely,



Julie Chan  
Chief, Groundwater Basins Branch

JC:rwm:alg

Enclosure: Errata Sheet

cc: Ms. Rebecca Lafreniere, County of San Diego local Enforcement Agency, 9325 Hazard Way, San Diego, CA 92123