

**CALIFORNIA WATER QUALITY CONTROL BOARD
SAN DIEGO REGION**

**ORDER NO. 94-28
CLOSURE AND POST-CLOSURE MAINTENANCE REQUIREMENTS
FOR
CITY OF SAN DIEGO, ALLRED COLLINS PARTNERSHIP, AND U.S. NAVY
SOUTH MIRAMAR LANDFILL
CITY OF SAN DIEGO**

The California Regional Water Quality Control Board, San Diego Region (hereinafter Regional Board), finds that:

1. On November 24, 1959, Vern Parker, Director of Public Works, City of San Diego submitted a Report of Waste Discharge (RWD) proposing the establishment of a refuse disposal site to be located in the vicinity of Kearny Mesa on land owned by the U.S. Navy in portions of Section 25 and 26, Township 15S, Range 3W, San Bernardino Base and Meridian (SBB&M) co-ordinate system. The RWD proposed landfilling on approximately 122 acres in three phases.
2. On February 19, 1960, the State of California San Diego Regional Water Pollution Control Board adopted Resolution 60-R3, "**A Resolution Prescribing Requirements Regulating the Discharge of Waste from a Sanitary Landfill to be Operated in and by the City of San Diego.**" The disposal site would be known as Miramar Sanitary Landfill during its operating life. The City of San Diego began sanitary canyon-type landfill operations at the Miramar Sanitary Landfill in December 1959 (figure 1).
3. The City of San Diego estimates that during its active life a total of 4,200,000 cubic yards of refuse was disposed of in three phases at the Miramar Sanitary Landfill. Landfilling operations were terminated at Miramar Sanitary Landfill on May 5, 1973. Subsequent to cessation of landfill disposal operations at Miramar Sanitary Landfill, filling operations moved to an adjacent site to the north. Since that time the Miramar Sanitary Landfill has become known as the South Miramar Landfill.
4. The southern portion of the South Miramar Landfill is now physically separated from the main landfill unit due to the construction of State Route Highway 52 (SR-52) beginning in 1986 (figure 2).
 - a. The portion known alternately as the NAS Convoy site or the Allred Collins Business Park East is located approximately on Phase II. The site was purchased from the U.S. Navy on July 29, 1987 by a partnership of the Douglas Allred Company and the Collins Development Company known as NAS Convoy Partnership.
 - b. The portion known as the Sander site is located approximately on Phase I. The site was purchased on June 16, 1992, from the U.S. Navy by the City of San Diego.

- c. On September 22, 1986, construction began to extend SR-52 from State Route Highway 163 to Interstate Highway 15. Construction was complete February 3, 1988. On February 17, 1988, a Grant of Easement from the U.S. Navy was given to the California Department of Transportation for SR-52 which bisects the southern portion of the South Miramar Landfill.
5. On February 13, 1990, the City of San Diego submitted a Report of Waste Discharge (RWD) in application of Closure and Post Closure Maintenance requirements entitled, **"Report of Waste Discharge for North and South Miramar Landfill, San Diego, California."** The RWD noted the possibility of one to seven million gallons of various liquid industrial wastes may have been disposed of at the Miramar Sanitary Landfill between 1959 and 1967. In 1967 the City of San Diego formally announced that industrial wastes would no longer be accepted for disposal at the Miramar Sanitary Landfill.
6. Regional Board staff, by letter dated September 1990, indicated the RWD was incomplete and that additional information was necessary to evaluate closure of the landfill. To date, the additional information has not been submitted. Since that time the City of San Diego, requested a clarification of the criteria used to determine when a landfill must be closed in accordance with current California Code of Regulations, Chapter 15 requirements.
7. Pursuant to Chapter 15, Section 2510(g), persons responsible for discharges at waste management units which are closed, abandoned, or inactive on the effective date of these regulations (November 1984) may be required to develop and implement a monitoring program in accordance with Article 5. There are no specific requirements that these older landfills also implement a closure plan in accordance with Article 8.
8. The South Miramar Landfill ceased operations prior to 1984 and, in accordance with Section 2510(g), is hereinafter considered a closed landfill. The owner/operator of the landfill may be required to comply with Article 8 closure requirements under the following conditions: a) when there is a proposed site development or land use change that jeopardizes the integrity of the existing cover; b) if water quality impairment is found, as part of a corrective action program; and c) when other nuisance conditions exist that warrant such activity.
9. The South Miramar Landfill is also subject to the requirements of Water Code Section 13273, which requires the operator of each solid waste disposal site on the ranked list to conduct and submit to the appropriate Regional Board the results of a solid waste water quality assessment test (SWAT) to determine if the site is leaking hazardous waste. The City of San Diego submitted a SWAT report on February 9, 1994. The SWAT is currently under review by Regional Board staff.
10. On December 1, 1993, the NAS Convoy Partnership submitted a Report of Waste Discharge (RWD) entitled, **"Allred Collins Business Park East, Closure and Post-Closure Maintenance Plan."** The RWD included:

- a. Form 200, Application for Facility Permit/Waste Discharge together with an application fee of \$4000.
 - b. A final Environmental Impact Report (EIR), dated August 24, 1992.
 - c. Supplemental information to the RWD, dated October 5 & 8, and November 16 & 18, 1993.
11. Allred Collins Business Park East covers approximately 18 acres of which 5.5 acres are underlain by landfill. The site is located on a portion of the north 1/2 of the southeast 1/4, Section 26, Township 15 south, Range 3 west of the San Bernardino Base and Meridian coordinate system.
 12. Regional Board staff, by letter dated December 21, 1993, indicated that enough of the technical issues regarding closure of the site had been addressed to issue Waste Discharge Requirements in order to implement California Code of Regulation Title 23, Chapter 15 for Closure and Post-Closure Maintenance of the Allred Collins Business Park East. The letter also indicated that additional demonstration that the final cover complies with minimum standards of Chapter 15 and to ensure that closure proceeded in accordance with Chapter 15 requirements would be required.
 13. The RWD indicates the site is proposed to be developed as an industrial/commercial development including a 1,000-space parking lot. The portion of the site underlain by landfill material will be developed as the parking area, which includes landscaping in potted tree wells. Of the total site area of approximately 18 acres, approximately 4.5 acres would contain commercial buildings with the remainder developed as parking areas, landscaping, or street improvements. The proposed buildings will be placed on the west and east sides of the site that did not receive refuse material.
 14. The RWD indicates that approximately 40 feet of fill materials were placed on the site to attain the post landfill topographic elevation of approximately 400 feet mean sea level (MSL). Assuming a refuse density of 1,200 pounds per cubic yard and cover soil making up 25 percent of the total volume, it is estimated that 195,000 cubic yards of landfill materials underlie the subject site.
 15. The RWD indicates that anticipated settlement of the Allred Collins Business Park East site may range from two to three feet over the next 30 years due to compression and decomposition of refuse under the landfilled site. These effects are noted primarily by surface expressions above areas where fill material was placed. Numerous storage depressions, which may be classified as vernal pools, are also observed throughout the remaining portions of South Miramar Landfill.
 16. The RWD, in order to establish a post-closure maintenance fund, estimated that annual maintenance and site monitoring will be \$35,000. This includes: \$25,000 for quarterly monitoring and maintenance of gas collection system, and \$10,000 for annual asphalt sealing and repairs.

17. The RWD indicated that landscaping overlying the landfill portion of the site shall be in single walled concrete planters, using water proofing mastic on the inside. These planters will sit above the asphalt.
18. The RWD indicated that the irrigation system will be comprised of a double lined flexible PVC type pipe. The system will be designed to slope from west to east such that if there is a leak, it will flow down the outer pipe which will be connected to the storm drain. A low flow drip irrigation system shall be installed such that if it senses any increase in flow from normal, the system will shut down.
19. The RWD indicated that a landfill gas control system (LGCS) approved by the San Diego County Air Pollution Control District (APCD) will be installed at the site. The LGCS is to consist of fourteen gas extraction wells connected to a central blower and flare via a system of headers. Headers will be buried within the sub-base material above the landfill cap cover. In order to facilitate drainage of gas condensate, the header pipes shall be designed with sufficient slopes to drain the condensate to a collection sump where it can be pumped and removed from the site.
20. The City of San Diego has prepared and certified a final Environmental Impact Report, dated August 24, 1992. The EIR identified potential significant impacts to vernal pools and wetlands on the site. The grading of the site will eliminate any future ponding for vernal pools or surface drainage to feed wetlands. A specific off-site mitigation program has been accepted by the City of San Diego, which includes relocation of wetlands to a site in northern San Diego county.
21. The geology of the area of the South Miramar Landfill consists of recent alluvium in canyon bottoms, beach and nearshore sediments of the Linda Vista Formation, marine sediments of the Mission Valley Formation, non-marine and nearshore (lagoonal) sediments of the Friars Formation, and beach and nearshore (marine) sediments of the Scripps Formation.
22. Near-surface groundwater immediately beneath the South Miramar Landfill has not been fully characterized. Groundwater levels from monitoring wells north of San Clemente Canyon vary in elevation from 150 to 250 feet mean sea level (MSL). Groundwater flow direction north of San Clemente Canyon flows to the west-southwest. Water wells in the vicinity of the site are likely producing from sand and gravel interbeds in the Friars Formation.
23. Faults nearest the site include the Rose Canyon fault zone and the Torrey Pines fault. The Rose Canyon fault zone lies approximately 4 miles to the west of the site and includes several northwest trending faults which strike north-northwest. These faults are at least 15 miles in length and have vertical separations of several hundred feet. The Torrey Pines fault lies approximately 4 miles to the northwest of the site and has a vertical separation of approximately 400 feet.

24. This Order, which supersedes Resolution 60-R3, establishes Waste Discharge Requirements for closure and post-closure maintenance of Allred Collins Business Park East and the South Miramar Landfill.
25. The South Miramar Landfill is located within the Miramar Hydrologic Area Boundary (6.40) of the Penasquitos Hydrologic Unit. The landfill is located in the area of Kearny Mesa, which is incised by tributary canyons that drain to San Clemente Canyon which drains to Rose Canyon and then to Mission Bay.
26. The **Comprehensive Water Quality Control Plan Report, San Diego Basin (9) (Basin Plan)**, adopted by this Regional Board on March 17, 1975; approved by the State Board on March 20, 1975. Subsequent revisions to the Basin Plan have also been adopted by the Regional Board and approved by the State Board.
27. The Basin Plan establishes the following beneficial uses for the waters of the Miramar Hydrologic Area (906.40) of the Penasquitos Hydrologic Unit:
 - a. Inland Surface Waters
 1. Industrial service supply
 2. Water contact recreation
 3. Non contact water recreation
 4. Warm fresh-water habitat
 5. Cold fresh-water habitat
 6. Wildlife habitat
 7. Preservation of rare, threatened, and endangered species
 - b. Groundwater
 1. Industrial service supply (does not apply west of Interstate Highway 15).

28. The Basin Plan established the following water quality objectives for water of the Miramar Hydrologic Area (6.40):

Constituent	Surface Water	Ground Water ¹
Total Dissolved Solids	500 mg/l	750 mg/l
Chloride	250 mg/l	300 mg/l
Percent Sodium	60%	60%
Sulfate	250 mg/l	300 mg/l
Nitrate (as NO ₃)	---	10 mg/l
Nitrogen & Phosphorus	---	---
Iron	0.3 mg/l	0.3 mg/l
Manganese	0.05 mg/l	0.05 mg/l
Methylene Blue Active Substances	0.5 mg/l	0.5 mg/l
Boron	0.5 mg/l	0.5 mg/l
Dissolved Oxygen	---	---
Odor	none	none
Turbidity	20 NTU	5 NTU
Color	20 Units	15 Units
Fluoride	1.0 mg/l	1.0 mg/l

The above concentrations not to be exceeded more than 10% of the time.

Note: mg/l = milligrams per liter NTU = Nephelometric Turbidity Units

1. The beneficial uses do not apply west of Interstate Highway 15.
2. Concentrations of nitrogen and phosphorus, by themselves or in combinations with other nutrients, shall be maintained at levels below those which stimulate algae and emergent plant growth. Threshold total Phosphorus (P) concentrations shall not exceed 0.05 mg/L in any stream at the point where it enters any standing body of water, nor 0.025 mg/L in any standing body of water. A desired goal in order to prevent plant nuisances in streams and other flowing waters appears to be 0.1 mg/L total P. These values are not to be exceeded more than 10 percent of the time unless studies of the specific water body in question clearly show that water quality objective changes are permissible and changes are approved by the Regional Board. Analogous threshold values have not been set for nitrogen compounds; however, natural ratios of nitrogen to phosphorus are to be determined by surveillance and monitoring and upheld. If data are lacking, a ratio of N:P = 10:1 shall be used.
3. Ninety percent or more of natural seasonal minimum oxygen concentration and more than 5.0 mg/l maintained at least 90 percent of the time.

29. The Basin Plan contains the following prohibitions which are applicable to the site:

- a. "The dumping or deposition of oil, garbage, trash or other solid municipal, industrial or agricultural waste directly into inland waters or watercourses or adjacent to watercourses in any manner which may permit its being washed into the watercourse is prohibited."
- b. "Dumping or deposition of oil, garbage, trash or other solid municipal, industrial or agricultural waste into natural or excavated sites below historic water levels or deposition of soluble industrial wastes at any site is prohibited, unless such site has been specifically approved by the Regional Board for that purpose."
- c. "Land grading and similar operations causing soil disturbance which do not contain provisions to minimize soil erosion and limit suspended matter in are runoff are prohibited."

30. The Regional Board, in establishing the requirements contained herein, considered factors including, but not limited to the following:

- a. Past, present, and probable future beneficial uses of water.
- b. Environmental characteristics of the hydrographic unit under consideration, including the quality of water available thereto.
- c. Water quality conditions that could reasonably be achieved through the coordinated control of all factors which affect water quality in the area.
- d. Economic considerations.
- e. The need for developing housing within the region.
- f. Beneficial uses to be protected and water quality objectives reasonably required for that purpose.
- g. Other waste discharges.
- h. The need to prevent nuisance.

31. The Regional Board has considered all water resource related environmental factors associated with the Allred Collins Business Park East site.

32. The Regional Board has notified the NAS Convoy Partnership, the City of San Diego, the U.S. Navy, and all known interested parties of the intent to issue Waste Discharge Requirements for closure and post-closure maintenance of the South Miramar Landfill and the Allred Collins Business Park East.
33. The Regional Board in a public meeting May 12, 1994, heard and considered all comments pertaining to the South Miramar Landfill and the Allred Collins Business Park East site.

IT IS HEREBY ORDERED, That the Allred Collins Business Park East Partnership, the City of San Diego, and the U.S. Navy, hereinafter referred to as the discharger, in order to meet the provisions contained in Division 7 of the California Water Code and regulations adopted thereunder, shall comply with the following at their respective sites:

A. PROHIBITIONS

1. Discharges of wastes to lands which have not been specifically described to the Regional Board and for which valid Waste Discharge Requirements are not in force are prohibited.
2. The discharge of waste shall not:
 - a. Cause the occurrence of coliform or pathogenic organisms in waters pumped from the basin;
 - b. Cause the occurrence of objectionable tastes and odors in water pumped from the basin;
 - c. Cause waters pumped from the basin to foam;
 - d. Cause the presence of toxic materials in waters pumped from the basin;
 - e. Cause the pH of waters pumped from the basin to fall below 6.0 or rise above 9.0; and
 - f. Cause this Regional Board's objectives for the ground or surface waters of the Miramar Hydrologic Area, as established in the Basin Plan, to be exceeded.
3. Odors, vectors, and other nuisances of waste origin beyond the limits of the landfill site are prohibited.
4. The discharge of waste in a manner other than as described in the findings of this Order or in the Report of Waste Discharge is prohibited unless the discharger obtains revised Waste Discharge Requirements that provide for the proposed change.

5. The discharge of waste from the South Miramar Landfill inclusive of the Allred Collins Business Park East and Sander site, to surface drainage courses or to usable ground water is prohibited.
6. Basin Plan prohibitions shall not be violated.

B. CLOSURE SPECIFICATIONS & POST-CLOSURE MAINTENANCE

1. The discharger shall implement the approved closure and post-closure plan, at their respective sites, described in the findings of this Order. Any proposed amendments to the closure and post-closure plan must be approved in writing by the Executive Officer.
2. General closure and post-closure maintenance specifications apply to the entire South Miramar Landfill, including the Allred Collins Business Park East, and the Sander site include the following:
 - a. The migration of methane gas from the landfilled areas shall be controlled as necessary to prevent creation of a nuisance.
 - b. The landfilled areas shall be adequately protected from any washout, erosion of wastes or covering material. Adequate protection is defined as protection from at least a 100-year 24 hour storm event.
 - c. Annually, prior to the anticipated rainy season but not later than October 31, any necessary erosion control measures shall be implemented, and any necessary construction, maintenance, or repairs of precipitation and drainage control facilities shall be completed to prevent erosion or flooding of the facility and to prevent surface drainage from contacting or percolating through wastes.
 - d. All necessary facilities shall be provided to ensure that landfill gases from wastes are not discharged to surface waters or to usable ground waters.
 - e. The landfill site shall be graded and maintained to prevent ponding and to provide slopes necessary to carry off surface drainage. Areas subject to erosion by water and/or wind shall be provided with a lining, planted with vegetation, or otherwise designed and constructed to prevent such erosion.
 - f. Throughout the post-closure maintenance period, and for as long as the wastes contained in the South Miramar Landfill pose a threat to water quality the discharger shall:
 - (1) Maintain the structural integrity and effectiveness of all containment structures, and maintain the final cover as necessary to correct the effects of settlement or other adverse factors.

- (2) Maintain monitoring systems and monitor the ground water, surface water, and the unsaturated zone in accordance with applicable requirements of Article 5 of Chapter 15.
 - (3) Prevent erosion and related damage of the final cover due to adverse affects.
 - (4) Protect and maintain surveyed monuments.
3. Specific closure and post-closure maintenance requirements that apply to the Allred Collins Business Park East:
- a. Application of a final cover to obtain a minimum final cover in accordance with requirements of Chapter 15, Section 2581. Final cover shall consist of a minimum of two-foot of clean fill material over the landfill material as a foundation layer, overlain by a one-foot thick clay layer. The clay layer shall have a permeability of less than 10^{-6} cm/sec and is to slope towards a perimeter subdrain system. Overlying the clay layer shall be two feet of clean sub-base material, six to eight inches of Class II base material, and a surface layer of four inches of asphalt. Total thickness of cap from landfill to final asphalt grade will be approximately six feet. Grading shall be performed in lifts of eight to twelve inches depending upon field test results.

During the interim period before the asphalt paving is applied to the base material, the site shall be maintained to prevent ponding. Prior to the anticipated rainy season, but no later than October 31, 1994, erosion control measures shall be implemented. This includes hydro-seeding if necessary. If asphalt cover is not applied by September of 1995, the site shall be graded to three percent to prevent ponding in accordance with Chapter 15, Section 2581(b)(1).
 - b. The final cap will serve to trap landfill gas and serve as an infiltration barrier.
 - c. Paved surfaces will have a slope of 1.75 percent that will drain to the perimeter and to the underground storm drain system.
 - d. Vegetation used at the site shall be selected to require minimum irrigation and maintenance, and shall not impair the integrity of containment structures including the final cover.
 - e. Closure shall be under the direct supervision of a California registered civil engineer or a certified engineering geologist.
 - f. The site shall be provided with at least two permanent monuments installed by a licensed land surveyor or a registered civil engineer, from which the location and elevation of wastes, containment structures, and monitoring facilities can be determined throughout the post-closure maintenance period.

- g. The discharger shall establish an irrevocable closure fund or provide other means to ensure post-closure maintenance of this portion of the waste management facility. Funds shall be accessible only for intended purposes of post-closure maintenance as defined by Chapter 15, Article 10, Section 2601.
 - h. The discharger shall establish a landfill gas control system (LGCS) that is approved by the San Diego County Air Pollution Control District (APCD). The LGCS is to consist of fourteen gas extraction wells connected to a central blower and flare via a system of headers. Headers will be buried within the sub-base material above the landfill cap cover. In order to facilitate drainage of gas condensate, the header pipes shall be designed with sufficient slopes to drain the condensate to a collection sump where it can be pumped and removed from the site.
 - i. The surface drainage system shall be designed to adequately handle the rainfall from a 100-year 24 hour storm event.
4. The discharger shall prepare a water quality monitoring program for the South Miramar Landfill, prepared in accordance with Chapter 15, Article 5 requirements. Article 5 establishes requirements for implementation of a detection monitoring program for ground water, surface water, and the unsaturated zone and, if necessary, corrective action programs.
5. Water Quality Protection Standard (Standard) for Detection Monitoring. The five parts of the Water Quality Protection Standard [Standard] of 23 CCR §2550.2 are as follows:
- a. Constituents of Concern [23 CCR §2550.3]. The list of Constituents of Concern (1) for water-bearing media [i.e., ground water and soil pore gas] consists of all constituents in Appendix II to 40 CFR Part 258 in addition to TDS, Sulfate, Carbonate, pH, and Chloride, and (2) for soil pore gas consists of all volatile organic constituents [VOCs] detectable via gas chromatography. The discharger shall monitor all COCs every five years as described in E.3 of Monitoring and Reporting Program No. 94-28.
 - b. Concentration Limits
- The concentration limit for any given Constituent of Concern or Monitoring Parameter in a given monitored medium (e.g., the uppermost aquifer) at an MSW landfill **shall be as follows**, and shall be used as the basis of comparison with data from the Monitoring Points in that monitored medium:
- (i) **Background per revised Article 5** The background value established in the WDRs by the Regional Board for that constituent and medium, pursuant to 23 CCR §§2550.4 and 2550.7(e)(6,7,10, and 11);

- (ii) **Concurrent background** — The constituent's background value, established anew during each Reporting Period using only data from all samples collected during that Reporting Period from the Background Monitoring Points for that monitored medium. Either:
 - (1) The mean (or median, as appropriate) and standard deviation (or other measure of central tendency, as appropriate) of the constituent's background data; or
 - (2) The constituent's MDL, in cases where less than 10% of the background samples exceed the constituent's MDL; or
 - (iii) **CLGB option for corrective action** - A concentration limit greater than background, as approved by the Regional Board for use during-or-after corrective action [see 23 CCR §§2550.4(c-i)].
 - c. Monitoring Points and Background Monitoring Points for Detection Monitoring [23 CCR §2550.5] shall be those listed in E.4 of Monitoring and Reporting Program No. 94-28 which are shown on Attachment No. 1 to this Order.
 - d. Point of Compliance [23 CCR §2550.5]. The Point of Compliance is shown on Attachment No. 1 to this Order, and extends down through the Zone of Saturation [23 CCR §2601].
 - e. Compliance Period [23 CCR §2550.6]. The estimated duration of the Compliance Period for this Unit is 38 years. Each time the Standard is broken (i.e., a release is discovered), the Unit begins a Compliance Period on the date the Regional Board directs the discharger to begin an Evaluation Monitoring Program. If the discharger's Corrective Action Program (CAP) has not achieved compliance with the Standard by the scheduled end of the Compliance Period, the Compliance Period is automatically extended until the Unit has been in continuous compliance for at least three consecutive years [23 CCR §2550.6(c)].
6. Monitoring Parameters for Detection Monitoring.

The discharger shall analyze water samples from each water-bearing medium separately for the following Monitoring Parameters— unless the Regional Board approves alternative Monitoring Parameters that meet the requirements of both 23 CCR §§2550.0 *et seq.* and 40 CFR §§258.54—and shall test the resulting data using either the statistical and non-statistical methods listed in Section F of Monitoring and Reporting Program No. 94-28 or alternative methods the Regional Board finds meets the requirements of 23 CCR §§2550.7(e)(6-10) and 40 CFR §258.53:

- a. The **Monitoring Parameters for water samples** include:

- 1) pH, Total Dissolved Solids [TDS], Chloride, Sulfate, Nitrate Nitrogen, and each VOC that exceeds its respective MDL in at least ten percent of the samples taken from the Background Monitoring Points for a monitored water-bearing medium [surface water body, aquifer, or vadose zone gas] during a given Reporting Period. These Monitoring Parameters are subjected to the most appropriate statistical test under F.1A of Monitoring and Reporting Program No. 94-28; and
 - 2) VOC_{water} , a composite parameter that encompasses a variety of constituents [VOC]. The constituents addressed by the VOC_{water} Monitoring Parameter and the special non-statistical analysis it uses are both described in F.2 of Monitoring and Reporting Program No. 94-28.
- b. The **Monitoring Parameters for soil pore gas** samples include:
- 1) methane, CO_2 , and each VOC that exceeds its respective MDL in at least ten percent of the samples taken from the Background Monitoring Points during a given Reporting Period. These Monitoring Parameters are subjected to the most appropriate statistical test under F.1A of Monitoring and Reporting Program No. 94-28; and
 - 2) VOC_{spg} , a composite parameter that encompasses a variety of gaseous-phase VOCs. The constituents addressed by the VOC_{water} Monitoring Parameter and the special non-statistical analysis it uses are both described in F.A2 of Monitoring and Reporting Program No. 94-28.
7. Additional Monitoring Points or Background Monitoring Points. The discharger shall, in a timely fashion, install any additional ground water, soil pore gas, or leachate monitoring devices required to fulfill the terms of any Monitoring & Reporting Program issued by the Executive Officer.

C. PROVISIONS

1. Neither the treatment nor the discharge of waste shall create a pollution, contamination, or nuisance, as defined by Section 13050 of the California Water Code.
2. The discharger shall comply with applicable provisions of Chapter 15 and all conditions of this Order. Any noncompliance with this Order constitutes a violation of the California Water Code and is grounds for: (a) enforcement action; (b) termination, revocation and reissuance, or modification of this Order; or (c) denial of a Report of Waste Discharge in application for new or revised Waste Discharge Requirements.

3. In an enforcement action, it shall not be a defense for the discharger that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with this Order.
4. The discharger shall take all reasonable steps to minimize or correct any adverse impact on the environment resulting from noncompliance with this Order, including such accelerated or additional monitoring as may be necessary to determine the nature and impact of the noncompliance.
5. The discharger shall, at all times, properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the discharger to achieve compliance with conditions of this Order. Proper operation and maintenance includes effective performance, adequate laboratory and process controls including appropriate quality assurance procedures.
6. This Order may be modified, revoked and reissued, or terminated for cause including, but not limited to, the following:
 - a. Violation of any terms or conditions of this Order;
 - b. Obtaining this Order by misrepresentation or failure to disclose fully all relevant facts;
or
 - c. A change in any condition that requires either a temporary or permanent reduction or elimination of the authorized discharge. The filing of a request by the discharger for the modification, revocation and reissuance, or termination of this Order, or notification of planned changes or anticipated noncompliance does not stay any condition of this Order.
7. This Order does not convey any property rights of any sort or any exclusive privileges. The requirements prescribed herein do not authorize the commission of any act causing injury to persons or property, nor protect the discharger from liability under federal, state, or local laws, nor create a vested right for the owner and operator to continue the regulated activity.
8. The discharger shall allow the Regional Board, or an authorized representative upon the presentation of credentials and other documents as may be required by law to:
 - a. Enter upon the discharger premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this Order;
 - b. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this Order;

- c. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this Order; and
 - d. Sample or monitor at reasonable times, for the purposes of assuring compliance with this Order or as otherwise authorized by the California Water Code, any substances or parameters at any location.
9. A copy of this Order shall be maintained at the local offices of the Allred Collins Business Park East site and at the City of San Diego Waste Management Department and shall be available to operating personnel at all times.
 10. The provisions of this Order are severable, and if any provision of this Order, or the application of any provision of this Order to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this Order, shall not be affected thereby.
 11. Alternatives, exceptions, and exemptions of waivers from requirements of Chapter 15 shall be subject to the approval of the Executive Officer and shall be authorized only as provided for by Chapter 15. Implemented alternatives to Chapter 15 requirements shall meet the conditions for approval of such alternatives established in Chapter 15 throughout the post-closure period.
 12. This Order becomes effective on the date of adoption by the Regional Board. This Order supersedes Order No. 60-R3. Order No. 60-R3 is hereby rescinded.
 13. Closure of this waste management facility may be subject to regulations of the California Integrated Waste Management Board and the San Diego County Air Pollution Control District.

D. REPORTING REQUIREMENTS

1. The discharger shall file a new Report of Waste Discharge at least 120 days prior to the following:
 - a. Change in the closure plan from that described in the findings of this Order.
 - b. Any planned change in the regulated facility or activity which may result in noncompliance with this Order.
2. The discharger shall furnish to the Executive Officer of this Regional Board, within a reasonable time, any information which the Executive Officer may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this Order. The discharger shall also furnish to the Executive Officer upon request, copies of records required to be kept by this Order.

3. The discharger shall notify the Executive Officer, in writing, at least 30 days in advance of any proposed transfer of this Order's responsibility and coverage between the current owner and the new owner. This agreement shall include an acknowledgement that the existing owner is liable for violations up to the transfer date and that the new owner is liable from the transfer date on.
4. Where the discharger becomes aware that it failed to submit any relevant facts in a Report of Waste Discharge or submitted incorrect information in a Report of Waste Discharge or in any report to the Regional Board, it shall promptly submit such facts or information.
5. The discharger shall report any noncompliance which may endanger health or the environment. Any such information shall be provided verbally to the Executive Officer within 24 hours from the time the owner becomes aware of the circumstances. A written submission shall also be provided within five days of the time the owner becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and times, and if the noncompliance has not been corrected; the anticipated time it is expected to continue, and steps taken or planned to reduce, eliminate, or prevent recurrence of the noncompliance. The Executive Officer, or an authorized representative, may waive the written report on a case-by-case basis if the oral report has been received within 24 hours.

6. For the Allred Collins Business Park East site, the discharger shall submit the following technical reports, in accordance with the following time schedule, unless modified by the Executive Officer:

No.	Task	Compliance Date	Report Date
a	Certification, by a California registered civil engineer or certified engineering geologist, certifying the adequacy of each component of the closure and post closure plan in accordance with closure specifications B.3e of this Order.	6/10/94	7/10/94
b	Installation of at least two permanent monuments in accordance with closure specification B.3f of this Order.	6/10/94	7/10/94
c	Demonstration of establishment of an irrevocable closure fund or other means to ensure closure and post-closure maintenance of the landfill in accordance closure specification B.3g of this Order.	6/10/94	7/10/94
d	Completion of testing and analysis of final cover in accordance with closure specification B.3a of this Order.	6/10/94	7/10/94
e	Implementation of a unsaturated zone monitoring and leachate monitoring program in accordance with closure specification B.3h of this Order.	9/10/94	10/10/94

7. The discharger shall implement a landfill gas migration control and detection system as required by the Air Pollution Control Board (APCB) and the County of San Diego, Local Enforcement Agency (LEA).
8. The discharger shall, for their respective sites, comply with the attached Monitoring and Reporting Program No. 94-28. Monitoring results shall be reported at the intervals specified in Monitoring and Reporting Program No. 94-28.
9. The discharger shall, for their respective sites, conduct such monitoring as may be necessary in order to provide information requested by the Executive Officer.
10. The discharger shall submit to the Executive Officer, within six months of adoption of this Order, a ground water, surface water, and unsaturated zone water quality monitoring program for the South Miramar Landfill, including the Allred Collins Business Park east site and the Sander site in accordance with closure specification B.2f of this Order. The monitoring program shall be prepared to comply with Chapter 15, Article 5 requirements and in accordance with the following time schedule, unless modified by the Executive Officer;

No.	Task	Compliance Date	Report Date
a	A demonstration that the monitoring program provides representative samples of ground water, surface water, and unsaturated zone water in all significant potential pollutant escape routes.	7/10/95	8/10/95
b	Rationale, including supporting data for the location, depth, and design of each point of compliance of the monitoring program.	7/10/95	8/10/95
c	Preparation of ground water surface and hydraulic gradient maps and all relevant well data used to construct these maps.	7/10/95	8/10/95
d	Specifications of well design, placement, rationale for their spatial distribution, screening, procedures for well development, as well as a detailed sampling and analysis plan.	7/10/95	8/10/95
e	As-built monitoring well construction details and boring logs.	7/10/95	8/10/95
f	Specific field activity well logs filled out by field personnel during each sampling event. The information shall include (but not be limited to), the name(s) and qualifications of the sampling personnel, time sampling at the well is initiated, weather conditions, presence of an immiscible layer, depth to water.	7/10/95	8/10/95

11. All applications, reports, or information submitted to the Executive Officer of this Regional Board shall be signed and certified as follows:

- a. The Report of Waste Discharge shall be signed as follows:
1. **For a corporation** - by a principal executive officer of at least the level of vice-president.
 2. **For a partnership or sole proprietorship** - by a general partner or the proprietor, respectively.
 3. **For a municipality, state, federal or other public agency** - by either a principal executive officer or ranking elected official.
 4. **For a military installation** - by the base commander or the person with overall responsibility for environmental matters in that branch of the military.

- b. All other reports required by this Order and other information required by the Executive Officer shall be signed by a person designated in paragraph (a) of this provision, or by a duly authorized representative of that person. An individual is a duly authorized representative only if:
 - 1. The authorization is made in writing by a person described in paragraph (a) of this provision;
 - 2. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity; and
 - 3. The written authorization is submitted to the Executive Officer.
- c. Any person signing a document under this Section shall make the following 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."

- 12. In the event of a release of harmful liquids, gases, vapors, or particulates, such release will be reported to the following agencies: National Response Center, California Office of Emergency Services, San Diego Air Pollution Control District, and County Department of Health Services- Hazardous Materials Management Division.
- 13. In the event of spill to storm drain, ditch, or other potential entry to Mission Bay, the following agencies will be contacted: Regional Water Quality Control Board, Department of Fish and Game, and County San Diego Department of Health Services- Hazardous Materials Management Division. In the event of a spill to the sewer, the Metropolitan Sewer Industrial Waste Program will be contacted.
- 14. The discharger shall submit reports required under this Order and other information requested by the Executive Officer, to:

Executive Officer
California Regional Water Quality Control Board
San Diego Region
9771 Clairemont Mesa Blvd., Suite B
San Diego, California 92124-1331

E. Notifications

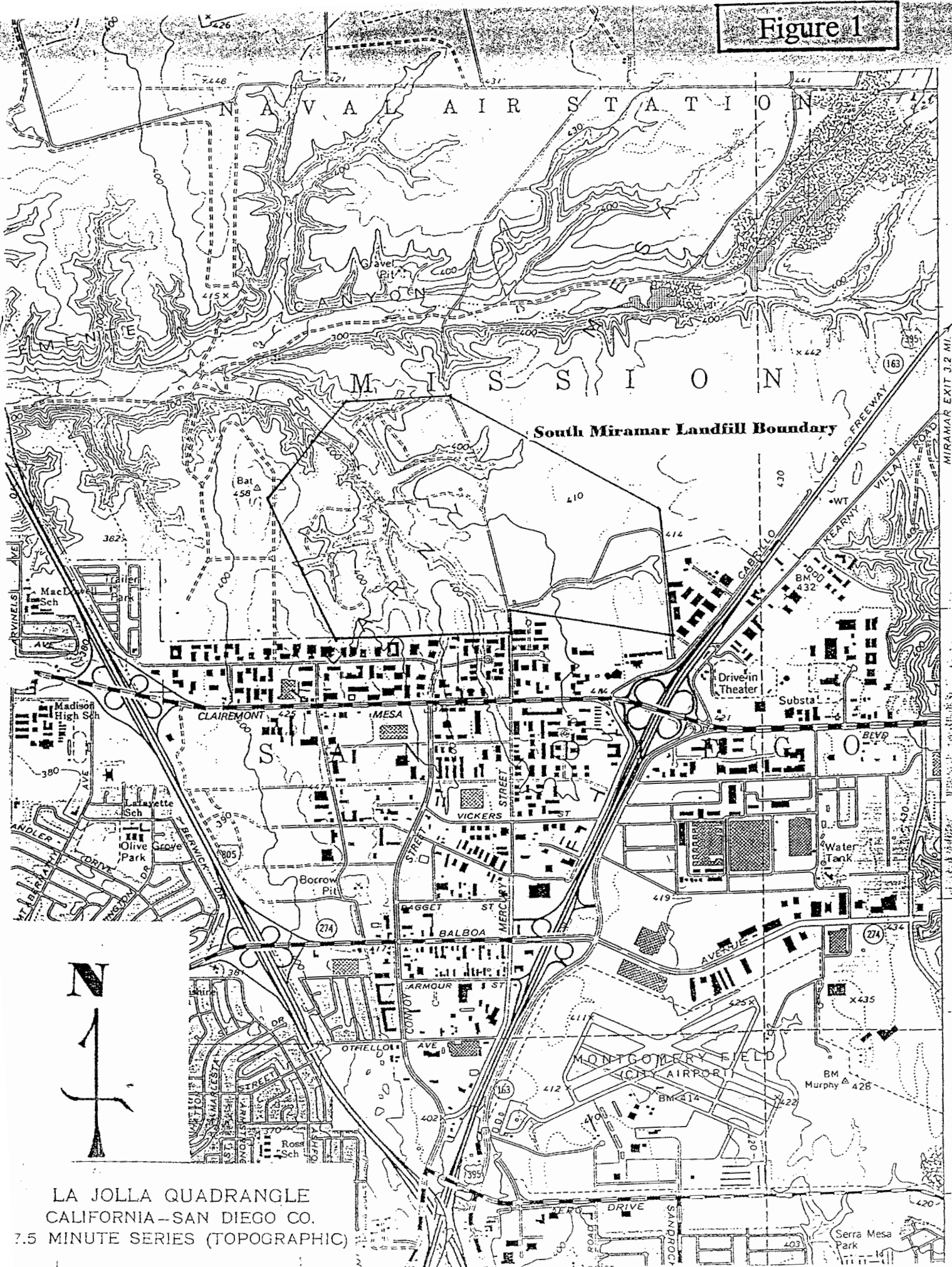
1. These requirements have not been officially reviewed by the United States Environmental Protection Agency and are not issued pursuant to Section 402 of the Clean Water Act.
2. The California Water Code provides that any person who intentionally or negligently violates any Waste Discharge Requirements issued, reissued, or amended by this Regional Board is subject to administrative civil liability of up to 10 dollars per gallon of waste discharged, or if no discharge occurs, up to 1000 dollars per day of violation. The Superior Court may impose civil liability of up to 10,000 dollars per day of violation or, if a cleanup and abatement order has been issued, up to 15,000 dollars per day of violation.
3. The California Water Code provides that any person failing or refusing to furnish technical or monitoring program reports, as required under this Order, or falsifying any information provided in the monitoring reports is guilty of a misdemeanor and may be subject to administrative civil liability of up to 1000 dollars per day of violation.
4. Definitions of terms used in this Order shall be as set forth in California Code of Regulations Chapter 15.

I, Arthur L. Coe, 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, San Diego Region, On May 12, 1994.



Arthur L. Coe
Executive Officer

Figure 1



LA JOLLA QUADRANGLE
CALIFORNIA—SAN DIEGO CO.
7.5 MINUTE SERIES (TOPOGRAPHIC)

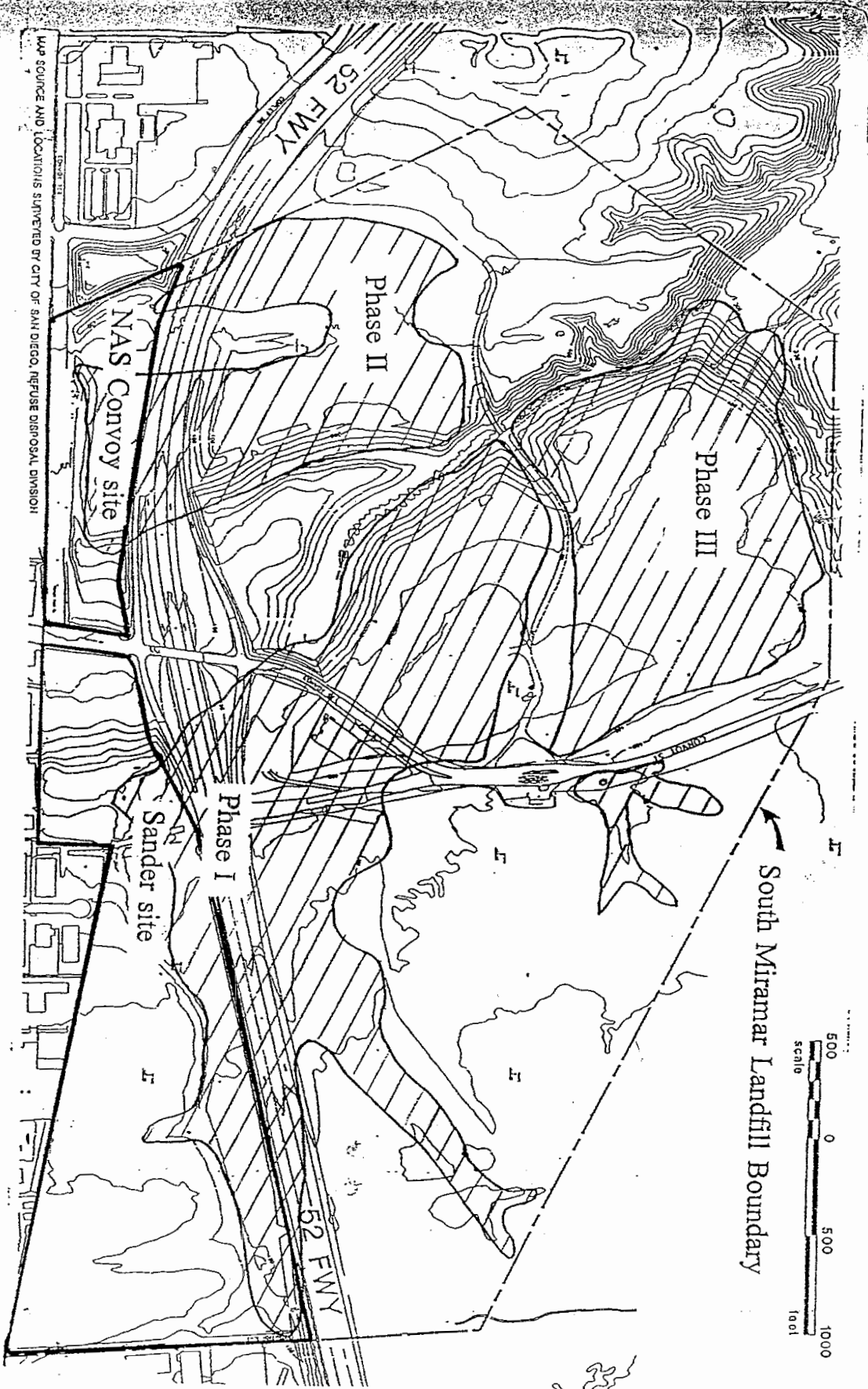


Figure 2