ATTACHMENT 9

CONSTRUCTION PHASE 1 EXPANSION UNIT
AND CHRONOLOGY OF REGULATORY ACTIONS

The following is a chronology of correspondence between the Regional Board and USMC, regarding the permitting, compliance history, enforcement actions and construction of the Phase 1 expansion unit.


March 5, 1998: Submittal of “Final Environmental Assessment for Las Pulgas Landfill permitted Disposal Area Expansion and Leachate and Recovery System Installation” by USMC.

March 11, 1998: Submittal of “Final Environmental Assessment for Las Pulgas Landfill permitted Disposal Area Expansion and Leachate and Recovery System Installation” by USMC.

March 12, 1998: Letter sent from RWQCB (Mark Alpert) to Mr. Tom DeCosta, Waste management Division. RE: Reporting Schedule and Information update for the San Onofre and Las Pulgas Sanitary Landfills Pursuant to Regional Board Order No. 93-86. RWQCB conducting information update for landfills.


May 1, 1998: Letter from USMC (Tom DeCosta) to RWQCB (Brian McDaniel). RE: Contractor Quality Control Specifications for Construction of Landfill Liner Systems at San Onofre and Las Pulgas Landfills. Letter contained the CQA guidelines from the contract specifications for construction of the LCRS systems at both landfills.

July 22, 1998: Revisions to JTD submitted to RWQCB from the USMC. Attached was the GCL technical evaluation.


Sept. 15, 1998: Letter sent from RWQCB (John Robertus) to USMC (Tom DeCosta). RE: Joint Technical Document / Report of waste Discharge; San Onofre and Las Pulgas Sanitary Landfills. Letter acknowledges receipt of JTD (March 5, 1998), and subsequent revisions (July 22, August 3, August 24, and September 2, 1998). Letter outlines the conditions under which the USMC may proceed with the construction of the landfills as per the Water Code and Title 23.

Nov. 20, 1998: Letter from USMC (Tom DeCosta) sent to RWQCB (Mark Alpert). Letter was a summary of submittal dates for the ROWD for the expansion of the Las Pulgas and San Onofre Landfills.

Dec. 1, 1998: Letter from RWQCB (John Robertus) to USMC (Commanding General). RE: Letter explains that the 150-day waiting period to begin construction on the project expired on September 5, 1998 and therefore the USMC can commence with the construction of the lateral expansions of the landfills.

May 24, 1999: Construction of the liner and LCRS at Las Pulgas Landfill completed.

August 12, 1999: Letter from RWQCB (Mark Alpert) sent to Commanding General. RE: Compliance Inspection – Las Pulgas and San Onofre Landfills. A portion of the letter outlines what is required in the CQA Liner Certification Report, as requested by USMC Environmental Security during a post-inspection briefing.


March 24, 2000: Letter sent from RWQCB (John Robertus) to the Commanding General. RE: Waste Discharge Requirement Update – Request for Information. Letter requests the submittal of any additional information reflecting changes that have occurred since the submittal of the 1998 Joint Technical Document.


June 6, 2000: Submittal of Testing Summary for Camp Pendleton Landfills from Ninyo and Moore. This submittal was submitted as the final CQA Report for the Phase 1 expansion unit.

April 21, 2003 NOTICE OF VIOLATION NO. R9-2003-0154. On April 8, 2003, the California Regional Water Quality Control Board, San Diego Region (“Regional Board”) conducted a routine compliance inspection at the Las Pulgas Landfill after receiving an inspection report from the San Diego County LEA, informing the Regional Board of a series of violations at the site. The Regional Board staff observed that temporary measures had been installed on the affected slopes in an attempt to control erosion and runoff. On April 16, 2003, the Regional Board conducted a follow-up inspection after another storm event. The U.S. Marine Corps has failed to implement effective erosion and drainage control measures in the Phase 1 Expansion cell at the facility. Additional measures are required to effectively prevent further erosion and damage to drainage conveyance system parameters due to high volumes of runoff from the upper and lower decks of the Phase 1 expansion unit.

water Conveyance System at the Las Pulgus Landfill. The Order set a due date of September 27, 2003 for the USMC to provide the RWQCB with a technical report containing the results of their evaluation.

July 2003 USMC voluntarily halts discharges of solid waste into Phase 1 expansion cell at Las Pulgas Landfill.


Jan. 30, 2004 NOTICE OF VIOLATION NO. R9-2004-0044: Upon review of a technical report (Brown and Caldwell, 2003), the Regional Board staff identified a number of technical discrepancies between the as-built construction and the design specifications for the expansion of the Phase 1 waste cell. Some of those conditions are also associated with violations of WDR Order No. 2000-54.

In addition, reporting deficiencies were also identified in technical reports submitted to the Regional Board by the USMC pursuant to WDR Order No. 2000-54: “Waste Discharge Requirements for the U.S. Marine Corps, Marine Corps Base Camp Pendleton, Las Pulgas Landfill, San Diego County.” These deficiencies were associated with the WDR Discharge Specification No. B.34 requiring the U.S. Marine Corps to submit an acceptable final Construction Quality and Assurance (CQA) Report for the Phase 1 expansion unit at the Las Pulgas Landfill. Additionally, the cover letter failed to contain certification statement required by Order R9-2004-0044.


Dec. 1, 2004 RWQCB receives a technical report from the USMC:


Dec. 6, 2004 RWQCB requested (via email) the USMC to provide complete copies of the following technical reports:


Geotechnical Report for Las Pulgas and San Onofre Landfills, Camp Pendleton, prepared by EMCOM, dated August 1996 (Geotechnical Report).

Dec. 9, 2004 RWQCB received the requested technical reports from the USMC, as requested in the December 6, 2004 e-mail.

Dec. 13, 2004 RWQCB staff met with USMC staff/management from Environmental Security, Facilities Maintenance and ROICC staff to discuss EO/staff concerns and pending enforcement actions for Las Pulgas Landfill.


Jan. 20, 2005 USMC notifies the RWQCB that approximately 1000 gallons of leachate overflowed the LCRS above ground tank at the Las Pulgas landfill.

Feb. 1, 2005 RWQCB issues Notice of Violation No. R9-2005-0040 for violations of WDR Order No. 2000-54, caused by ~1,000 gallons of leachate overflowing the LCRS above ground tank, and discharging to unlined areas.

Feb. 3, 2005 USMC notifies RWQCB of an unauthorized release in the Phase 1 expansion area of the Las Pulgas landfill, in the form of a leachate seep.
Feb. 8, 2005  USMC provides RWQCB with an outline of protective measures to be initiated at the Las Pulgas Landfill to ensure security within the Phase 1 expansion area where the unauthorized release occurred.

Feb. 9, 2005  RWQCB issues Notice of Violation No. R9-2005-0071 for a leachate seep discovered by the USMC, on the side slope of the Phase 1 expansion unit.


Feb. 14, 2005  USMC informs the RWQCB of an unauthorized release in the Phase 1 expansion area of the Las Pulgas landfill, in the form of a leachate seep.

April 22, 2005  RWQCB issues Notice of Violation R9-2005-0119 for failure to provide a technical report to the RWQCB as required by Investigative Order R9-2005-0075.

April 27, 2005  USMC submits preliminary copy of leachate seep data from unauthorized release in Phase 1 expansion area.


Sept. 1, 2005  USMC submits a work plan for the evaluation of the base liner, subgrade and sideslopes in the Phase 1 expansion area.


Sept. 15, 2005  RWQCB attends coordination meeting between the USMC and San Diego County LEA regarding compliance issues associated with the Las Pulgas Landfill.

Jan. 27, 2006  RWQCB issues Cleanup and Abatement Order (CAO) R9-2006-0016 requiring the USMC to correct all defects in the waste containment system of the Phase 1 expansion area.
Feb. 24, 2006  RWQCB reissues CAO R9-2006-0016 after discussions with the USMC regarding the original due dates and the USMC’s budgetary constraints.

May 19, 2006  RWQCB issues Notice of Violation No. R9-2006-0072 for an unauthorized release of ~20,000 gallons (April 25, 2006) and ~15,000 gallons (May 15, 2006) of landfill leachate from bulk fuel bags used to store the leachate on site.

July 13, 2006  RWQCB attends coordination meeting between the USMC, San Diego County LEA, and the RWQCB to discuss compliance issues associated with the Las Pulgas Landfill.


Jan. 17, 2007  RWQCB attends coordination meeting between the USMC and the LEA regarding compliance issues associated with the Las Pulgas Landfill.

Feb. 26, 2007  RWQCB sends comment letter regarding CAP. RWQCB rejects the CAP as being unacceptable for the purpose of complying with CAO R9-2006-0016.

April 13, 2007  RWQCB issues Addendum 1 to CAO R9-2006-0016 to the USMC. The addendum requires the USMC to provide the RWQCB with a replacement Corrective Action Plan, by December 14, 2007, to implement either clean closure or corrective construction of Unit 1 at the Las Pulgas Landfill.