

IN THE MATTER OF )

Ms. Vicky Gallagher )  
County of San Diego )  
Department of Public Works )  
5201 Ruffin Road, Suite D )  
San Diego, CA 92123 )

NOTICE OF VIOLATION  
NO. R9-2009-0085

June 1, 2009

Investigative Order No. R9-2008-0097

Site: Bonsall Landfill, Twin Oaks Valley Road, Bonsall, CA

**YOU ARE HEREBY NOTIFIED THAT:**

The County of San Diego (County) is in violation of Investigative Order No. R9-2008-0097 directing the County of San Diego to submit an Amended Report of Waste Discharge (ROWD). These violations subject the County to possible further enforcement action by the California Regional Water Quality Control Board, San Diego Region (Regional Board), including administrative enforcement orders requiring you to cease and desist from violations, or to clean up waste and abate existing or threatened conditions of pollution or nuisance; imposition of administrative civil liability in amounts of up to \$1,000 per day per violation;<sup>3</sup> referral to the State Attorney General for injunctive relief; and referral to the District Attorney for criminal prosecution.

The Regional Board received a report titled *Amended Report of Waste Discharge and Engineering Feasibility Study, Bonsall Landfill, San Diego County, California* (the Report) on April 30, 2009. The Report failed to provide specific information required by Order No. R9-2008-0097 as summarized below.

**Summary of Violations:**

**I. VIOLATION OF REPORTING DIRECTIVE A.1.b OF ORDER NO. R9-2008-0097**

Directive A.1.b: "The Water Standard shall include a list of constituents of concern (COC). The COC list shall include all waste constituents, reaction products, and hazardous constituents that are reasonably expected to be in or derived from the landfill."

The Report provides several separate lists of constituents which were detected in groundwater, condensate, or soil-gas samples collected at or near the site. However, a comprehensive list of all waste constituents of concern, including reaction/degradation products was not provided in the Report.

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<sup>3</sup> Under authority of California Water Code section 13268.

June 1, 2009

**II. VIOLATION OF REPORTING DIRECTIVE A.1.c.II.A OF ORDER  
NO. R9-2008-0097**

Directive A.1.c.II.A: "The Discharger shall develop a plan for public participation in the corrective action process."

The Report includes a discussion of possible public participation activities, however, this discussion does not constitute a public participation plan.

Although the report states "The proposed corrective action alternatives described herein do not appear to warrant preparation of a Public Participation Plan at this time." "If required, a public participation plan will be implemented..." The Investigative Order requires such a plan.

*Julie Chan*

Julie Chan, Supervising Engineering Geologist  
Groundwater Basins Branch

*June 1, 2009*

DATE

JAC:jro:clp