

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SANTA ANA REGION

Riverside Office
3737 Main Street, Ste. 500
Riverside, CA 92501

[Regional Board Website](https://www.waterboards.ca.gov/santaana) (https://www.waterboards.ca.gov/santaana)

**GENERAL WASTE DISCHARGE
REQUIREMENTS ORDER R8-2023-0018**

ORDER INFORMATION

Order Type: General Waste Discharge Requirements (WDRs)
Status: ADOPTED
Program: Title 27 Discharges to Land
Facilities: Inert Waste Disposal Facilities in the Santa Ana Region
Previous Order: R8-2019-0008

CERTIFICATION

I, JAYNE JOY, Executive Officer, hereby certify that the following is a full, true, and correct copy of the order adopted by the California Regional Water Quality Control Board, Santa Ana Region, on 5 May 2023.

Jayne Joy
Executive Officer

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SANTA ANA BASIN REGION

ORDER R8-2023-0018

GENERAL WASTE DISCHARGE REQUIREMENTS
FOR
DISCHARGES OF WASTE FROM INERT WASTE DISPOSAL FACILITIES
WITHIN THE SANTA ANA REGION

FINDINGS

The Santa Ana Regional Water Quality Control Board (Santa Ana Water Board) hereby finds as follows:

Introduction

1. **California Code of Regulations Title 27** – Regulations governing nonhazardous solid waste landfills are included in the California Code of Regulations, title 27, division 2, subdivision 1, *Consolidated Regulations for Treatment, Storage, Processing, or Disposal of Solid Waste* (Title 27).
2. **Discharge of Inert Wastes** – Title 27, section 20230(b) provides that inert wastes do not need to be discharged at classified waste management units.
3. **WDRs for Inert Wastes** – Title 27, section 20230(c) states a California Regional Water Quality Control Board (Regional Water Board) can prescribe individual or general waste discharge requirements (WDRs) for discharges of inert wastes.
4. **Potential to Affect Water Quality** – Inert Waste Disposal Facilities (IWDFs) are not permitted to accept any wastes other than inert wastes that are defined in regulations. Inert wastes do not contain hazardous wastes or soluble pollutants at concentrations in excess of water quality objectives and do not contain significant quantities of decomposable waste. If managed and maintained appropriately, IWDFs pose a less significant threat to water quality than other waste management facilities. However, IWDFs still have the potential to affect water quality through acceptance and disposal of non-inert wastes, and through significant erosion or discharge of wastes to surface waters and groundwaters if they are not properly maintained and managed.
5. **Necessity of Waste Discharge Requirements** – Discharges of pollutants to waters of the state, as a result of inadequate cover maintenance, drainage, and erosion control, illicit disposal of non-inert wastes, or other factors at IWDFs, constitute waste discharges, and as such, waste discharge requirements are necessary to ensure that discharges at and from these sites comply with water quality objectives established in the Basin Plan for groundwater and surface water.

6. **Discharger** – The term Discharger within this Order is defined as the property owner(s) and operator(s) of an Inert Waste Disposal Facility (IWDF). The definition is consistent with the definition of "Discharger" under Title 27, section 20164: "'Discharger' means any person who discharges waste which could affect the quality of waters of the state."
7. **General Waste Discharge Requirements (WDRs)** – Water Code, section 13263(i) provides that a Regional Water Board may prescribe General WDRs for discharges of waste produced by the same or similar operations, involving the same or similar types of wastes, and requiring the same or similar treatment standards. This Order finds that General WDRs are appropriate for the regulation of IWDFs within the Santa Ana Region as these facilities all involve the disposal of similar types of inert wastes to land, as well as similar facility operations, and need the same types of requirements to appropriately control the discharge or potential discharge of wastes.
8. **Replacement of Prior Order** – Except for enforcement purposes, this Order will supersede and replace Order R8-2019-0008. Order R8-2019-0008 previously served as General WDRs regulating IWDFs located within the Santa Ana Region and will continue in effect for 180 days following the effective date of this Order to allow Dischargers currently enrolled in Order R8-2019-0008 sufficient time to transition their enrollment to this Order.

Scope and Applicability

9. **Application of General WDRs** – These General WDRs apply only to the discharge and/or disposal of inert wastes to land, as defined and limited herein, at an Inert Waste Disposal Facility.
10. **Inert Waste Disposal Facility** – For the purposes of this Order, the term Inert Waste Disposal Facility (IWDF) includes Inert Debris Type A Disposal Facilities (Type A Site) and Inert Debris Engineered Fill Operations (IDEFO).
11. **Responsibility for Compliance** – IWDF owners and/or operators as Dischargers are responsible for compliance with this Order, which prescribes General WDRs regulating the operation of IWDFs. IWDFs in the Santa Ana Region that are eligible for enrollment are listed in Attachment A – Inert Waste Disposal Facilities Located in the Santa Ana Region Eligible for Enrollment along with their operational and enrollment status under Order R8-2019-0008 at the time of issuance of this Order.
12. **Exclusion of CDI Waste Disposal Facilities** – Construction Demolition and Inert Debris (CDI) means any combination of construction and demolition waste and inert debris. CDI waste disposal facilities are specifically defined in California Code of Regulations, title 14, section 17388. Title 14, section 17388.5 provides that CDI waste disposal facility operators must obtain full solid waste facility permits and shall comply with all requirements in Title 27 in the same

manner as if they were municipal solid waste landfill units. CDI waste disposal facilities are not covered by these WDRs.

13. **Exemption Authorization** – There are sites within the Santa Ana Region that receive only small amounts of inert waste and/or earth materials annually or that receive a limited, specified quantity of inert waste and/or earth materials within a limited and defined period of time. Such sites pose little threat to water quality provided they accept only inert waste and/or earth materials that meet the requirements contained in this Order. Accordingly, subject to verification by Santa Ana Water Board staff, these General WDRs provide an exemption for facilities that accept small amounts (less than 10,000 cubic yards) of inert waste or earth materials annually or that accept a limited quantity (100,000 cubic yards or less) of such materials for a one-time earth-fill project that will be completed within a defined period of time (two years or less).
14. **Disposal of Type B Inert Debris** – As provided in Title 14, section 17388(k)(2), only a CDI Waste Disposal Facility may accept Type B Inert Debris for disposal. Type B inert debris must not be disposed at a Type A Inert Debris Disposal Facility or an Inert Debris Engineered Fill Operation (Cal. Code Regs., tit. 14 §17388(l) & (m)).
15. **Wastes Prohibited from Disposal or Deposition at an IWDF** – These WDRs prohibit the disposal or deposition of the materials listed below at an IWDF.
 - a. Hazardous wastes (Cal. Code Regs., tit. 22, §66261.3 et seq.)
 - b. Designated wastes (Cal. Code Regs., tit. 27, §20210; Wat. Code, §13173)
 - c. Special Wastes (Cal. Code Regs., tit. 27, §20164 and Cal. Code Regs., tit. 22, §66261)
 - d. Non-hazardous solid wastes that are not inert wastes (Cal. Code Regs., tit. 27, §20220(a))
 - e. Sewage sludge or water treatment sludge (Cal. Code Regs., tit. 27, §20220)
 - f. Materials of a toxic nature such as pesticides, herbicides, insecticides or poisons (Cal. Code Regs., tit. 22, §66261.1 et seq.)
 - g. Radioactive materials as determined by a regulatory agency with jurisdictional authority (Regional Board Cleanup and Abatement Order R8-2002-0092)
 - h. Asbestos, asbestos products, or asbestos containing waste (Cal. Code Regs., tit. 14, §17897; Health & Saf. Code, §25143.7)
 - i. Wastes containing volatile organic compounds, semi-volatile compounds, or petroleum hydrocarbons, other than fully cured asphaltic waste as

defined in Title 14 section 17388(i), at concentrations greater than those specified in a waste acceptance plan approved by the Executive Officer. Further, this prohibition does not apply to inert waste materials, such as concrete, brick, and fully cured asphalt, that may contain incidental amounts of petroleum hydrocarbons, such as is found in oil and grease stains on roadways, parking lots, etc.

- j. Wastes containing dissolved solids or any other soluble pollutant at concentrations greater than applicable water quality objectives (Basin Plan, Chapter 4)
 - k. Wastes that have a pH less than 6 pH units or greater than 9 pH units (Basin Plan, Chapter 4)
 - l. Electronic waste (Pub. Resources Code, §42463(f))
 - m. Type B Inert Debris (Cal. Code Regs., tit. 14, §17388(k))
 - n. Concrete grinding residues or remnant concrete slurries.
 - o. Green waste, woodwaste, or any other organic materials (Cal. Code Regs., tit. 27, §20230(a))
 - p. Gypsum-board, drywall, or any other gypsum-related materials
 - q. Wastes containing any free liquids (Cal. Code Regs., tit. 27, §20200(d))
 - r. Any asphaltic materials that are not fully cured (Cal. Code Regs., tit. 14, §17388(i))
 - s. Incinerator ash (*City of Chicago v. Environmental Defense Fund*, 114 S. Ct 1588 (1994))
 - t. Cathode ray tube waste (CRT waste) (40CFR part 261)
16. **Acceptance of Earth Materials at the IWDF** – Earth materials may be accepted at the IWDF for processing, recycling and/or disposal provided that these materials do not contain constituents of concern in concentrations greater than those specified in Attachment E – Criteria for Soils and Other Earth Materials.
17. **Acceptance, Processing, and Recycling of Gypsum-Related Materials** – Gypsum-board, drywall or other gypsum-related materials shall not be disposed at an IWDF; however, these materials may be accepted for processing and recycling provided they are managed at the IWDF in accordance with the requirements of these WDRs.
18. **Acceptance of Drilling Muds at the IWDF for Processing, Recycling, and/or Disposal** – Drilling muds may be accepted at the IWDF for processing, recycling and/or disposal provided that drilling muds are managed at the IWDF in accordance with a Drilling Mud Management Plan submitted and approved as required in these WDRs. Dischargers cannot accept any drilling mud at an IWDF that was generated in or otherwise associated with petroleum industry drilling operations, exploration, or production, or that contains any petroleum

hydrocarbons or any other constituents at concentrations that may contaminate or pollute the State's water resources.

Application Process

19. **Notice of Intent** – Water Code section 13260(a)(1) states that any person discharging waste, or proposing to discharge waste, that could affect the quality of the waters of the state shall file with the appropriate Regional Water Board a report of the discharge (Report of Waste Discharge [ROWD]) containing the information required by the Regional Water Board. If the Regional Water Board has adopted General WDRs to regulate the discharge, the Discharger must submit a Notice of Intent (rather than an ROWD) to obtain coverage under the General WDRs and authorization for the discharge. Accordingly, pursuant to this Order, any Discharger proposing to discharge inert wastes must submit a Notice of Intent (NOI) along with a Technical Report. A copy of the NOI is found in Attachment C and the requirements for Technical Report are found in Attachment D).
20. **Technical Report** – This Order requires Dischargers to take all necessary measures to protect waters of the State during inert waste disposal operations at the IWDF and to prevent pollution of water resources during operation and following closure of the IWDF. The Discharger is required to develop, submit, and implement a Technical Report as an attachment to the Notice of Intent. This Technical Report must include at a minimum the items described in Attachment D and describe the procedures used at the IWDF to prevent the disposal of any substances that are prohibited by these General WDRs or that may cause pollution of water resources.
21. **Request for NOI by Executive Officer** – The Executive Officer may request a Discharger to submit an NOI for any IWDF that the Executive Officer determines should be covered under this Order.
22. **Annual Fee** – Water Code section 13260(d)(1)(A) states that each person who is subject to section 13260(a) shall submit an annual fee according to a fee schedule established by the State Water Resources Control Board (State Water Board).
23. **Threat to Water Quality (TTWQ) and Complexity Rating** – The annual fee for Dischargers covered under this Order is assessed based on the IWDF's Threat to Water Quality (TTWQ) and Complexity Rating, as defined by Title 23, section 2200 (<http://www.waterboards.ca.gov/resources/fees/>). The Executive Officer can change a facility's TTWQ and Complexity Rating based on information submitted by the Discharger (e.g., corrective action verification has been completed), or based on conditions at an IWDF that may have changed. If the TTWQ and Complexity Rating are changed, the annual fee could also change.

24. **Threat-Complexity Rating** – For the purposes of these WDRs, IWDFs have a threat-complexity rating of **3-C**, where:
- a. Threat Category “3” reflects waste discharges that could either degrade water quality without violating water quality objectives, or cause beneficial use impairments that are minor relative to Categories 1 and 2; and
 - b. Category “C” – Any discharger for which waste discharge requirements have been prescribed pursuant to Water Code section 13263 not included in Category A or Category B as described above. Included are dischargers having no waste treatment systems or that must comply with best management practices, dischargers having passive treatment and disposal systems, or dischargers having waste storage systems with land disposal.

Other Regulatory Considerations

25. **Discharge Requirements** – This Order is issued in part pursuant to Water Code section 13263, subdivision (a), which provides as follows:

The regional [water board], after any necessary hearing, shall prescribe requirements as to the nature of any proposed discharge, existing discharge, or material change in an existing discharge..., with relation to the conditions existing in the disposal area ... into which, the discharge is made or proposed. The requirements shall implement any relevant water quality control plans that have been adopted, and shall take into consideration the beneficial uses to be protected, the water quality objectives reasonably required for that purpose, other waste discharges, the need to prevent nuisance, and the provisions of [Water Code] Section 13241.

26. **Basin Plan** – This Order implements the Water Quality Control Plan for the Santa Ana River Basin (Basin Plan), which became effective on January 24, 1995. The Basin Plan, including its subsequent amendments, specifies beneficial uses and water quality objectives for waters in the Santa Ana Region. The requirements specified in this Order are necessary to protect the water quality objectives and the beneficial uses.
27. **Beneficial Uses** – Existing and potential beneficial uses of groundwater and surface waters within the Santa Ana Region are specified, by water body, in Table 3-1 of the Basin Plan. Groundwater and surface waters that do not have beneficial uses designated in Table 3-1 of the Basin Plan have the same beneficial uses as the streams, lakes or reservoirs to which they are tributary or the groundwater management zones to which they are tributary.
28. **Antidegradation Policy** – The State Water Board’s *Statement of Policy with Respect to Maintaining High Quality Waters in California*, Resolution 68-16 (*Antidegradation Policy*) prohibits the Santa Ana Water Board from authorizing

degradation of “high quality waters” unless it is shown that such degradation: (1) will be consistent with the maximum benefit to the people of California; (2) will not unreasonably affect beneficial uses, or otherwise result in water quality less than as prescribed in applicable policies; and (3) is minimized through the discharger’s best practicable treatment or control. The Santa Ana Water Board finds that under normal operating conditions:

- a. The discharge conditions and water quality protection standards established in this Order will ensure that the existing beneficial uses and quality of waters of the state in the Santa Ana Region will be maintained and protected, and
 - b. Discharges regulated by this Order will not degrade existing water quality if the terms and conditions of this Order are met.
29. **California Environmental Quality Act** – Applicants are required to provide information concerning the facility’s compliance with the California Environmental Quality Act (CEQA), Public Resources Code section 21000 et seq. The issuance of this Order, which prescribes requirements and monitoring of waste discharges at existing facilities, with negligible or no expansion of their existing use, is exempt from CEQA pursuant to California Code of Regulations, title 14, section 15301. The discharges authorized under this Order are substantially within parameters established under the prior General WDRs, particularly with respect to character and volume of discharges. To the extent any new facilities may seek to enroll under this Order, documentation of compliance with CEQA is required prior to enrollment.
30. **Authority of Other Agencies** – This Order does not preempt or supersede the authority of municipalities, flood control agencies, or other federal, state or local agencies to prohibit, restrict, or control discharges of waste subject to their jurisdiction.
31. **Compliance With Storm Water Industrial General Permit** – Pursuant to section 402(p) of the Clean Water Act (33 USC §1342(p)) and 40 Code of Federal Regulations (40 CFR) parts 122, 123, and 124, the State Water Board adopted a National Pollutant Discharge Elimination System (NPDES) General Permit to regulate storm water discharges associated with industrial activities in California (Industrial General Permit [IGP], State Water Board Order 2014-0057-DWQ as amended in 2015 and 2018). IWDFs must comply with the requirements of the IGP, and this Order requires submittal of documentation demonstrating compliance with the IGP.
32. **Right to Safe, Clean, Affordable, and Accessible Water** – It is the policy of the State of California that every human being has the right to safe, clean, affordable, and accessible water adequate for human consumption, cooking, and sanitary purposes. This Order promotes the policy by including requirements that ensure

the IWDFs will not adversely impact groundwater and surface water resources, thus protecting human health and ensuring that water is safe for domestic use.

33. Environmental Justice – Pursuant to Water Code section 13149.2, the Santa Ana Water Board has taken into account environmental justice, tribal impact, and racial equity considerations in issuing this Order. The discharges regulated by this Order may occur in the area of one or more disadvantaged communities or tribal communities. IWDFs have the potential to affect water quality through acceptance and disposal of non-inert wastes, and through significant erosion or discharge of wastes to surface waters and groundwaters if they are not properly maintained and managed. This Order addresses potential adverse impacts to water quality by limiting the types of waste that may be discharged at IWDFs and requiring procedures to prevent the disposal of any wastes that are prohibited by this Order or that may cause pollution of water resources. The Order also contains requirements to ensure adequate cover maintenance, drainage, and erosion control of IWDFs and proper closure of the facilities.
34. **Outreach and Public Hearing** – Consistent with Water Code section 189.7, the Santa Ana Water Board has conducted outreach to potentially affected disadvantaged and/or tribal communities concerning this Order. The Santa Ana Water Board has notified the Dischargers and all currently known interested parties of its intent to adopt General WDRs for the discharges covered under this Order and has provided them with an opportunity to submit written comments and give oral testimony at a public hearing. The Santa Ana Water Board in a public meeting heard and considered all comments pertaining to the tentative General WDRs.

Definitions

35. **Definitions** – Unless otherwise specified, all terms used in this Order shall be as set forth in Title 27 section 20164, Title 14 section 17381, Water Code section 13050, and other applicable state and federal regulations.
36. **C&D Waste** – Also known as Construction and Demolition Waste, means nonhazardous waste building materials, packaging and rubble resulting from construction, remodeling, repair and demolition operations on pavements, houses, commercial buildings and other structures. (See Cal. Code Regs., tit. 14, §17388(c).)
37. **CDI Waste Disposal Facility** – A facility at which only Construction & Demolition (C&D) waste, together with inert debris (Type A or B) or inert debris (Type B), is disposed. (See Cal. Code Regs., tit. 14, §17388(d).)
38. **Concrete Grinding Residue** – A semi-solid liquid waste generated from grinding the surfaces of concrete freeways, highways, and other surfaces as they are resurfaced. Water is injected into the process to cool the grinding equipment and to more easily manage the powder grindings. The residuum is then vacuumed into tanker trucks or other similar storage and transportation vehicles.

39. **Remnant Concrete Slurry** – A semi-solid liquid waste concrete material such as that which remains in a concrete mixer after depositing concrete for construction.
40. **Constituents of Concern** – Any waste constituent(s), hazardous constituent(s), element, compound, or reaction product(s), which occurs in waste, is likely to be derived from waste, or that is reasonably expected to be in or derived from waste or any other material contained in or discharged at the IWDF.
41. **Dewatered Drilling Mud** – The residual semi-solid drilling mud from which free liquid has been evaporated or otherwise removed. (See Cal. Code Regs., tit. 27, §20164.)
42. **Drilling Mud** – The semi-solid material used for drilling water wells, oil wells, and other boreholes into and beneath the earth's surface. Drilling muds are a complex material comprised of several specialty components but may include such general components as a base fluid, weighting agents, a clay, and stabilizing agents.
43. **Earth Materials** – For the purposes of these WDRs, earth materials means soil, sand, silt, clay, gravel materials or mixtures thereof, and that may include boulders or other similarly sized inert materials, under consideration for disposal or deposition at an IWDF.
44. **Engineered Fill Activity** – Fill that has been designed by an engineer to act as a structural element of a constructed work and has been placed under engineering inspection, usually with density testing. An engineered fill activity must meet specifications prepared and certified for a specific project by a Civil Engineer, Certified Engineering Geologist, or similar professional licensed by the State of California, and includes requirements for placement, geometry, material, compaction and quality control. (See Cal. Code Regs., tit. 14, §17388(g).)
45. **Free Liquid** – Liquid which readily separates from the solid portions of waste under ambient temperature and pressure. Free liquids are not present when a 100 milliliter representative sample of the waste can be completely retained in a standard 400 micron conical paint filter for 5 minutes without loss of any portion of the waste from the bottom of the filter (or an equivalent test approved by the Department of Toxic Substances Control). (See Cal. Code Regs., tit. 27, §20164.)
46. **Fully Cured Asphalt** – Asphalt material that at ambient temperature, must be substantially hardened, and inelastic. (See Cal. Code Regs., tit. 14, §17381(i).)
47. **Inert Debris** – Solid waste and recyclable materials that are source separated or separated for reuse and do not contain hazardous waste or soluble pollutants at concentrations in excess of applicable water quality standards. Inert debris must not contain any putrescible wastes. (See Cal. Code Regs., tit. 14, §17388(k).)

48. **Inert Debris Engineered Fill Operation** – An activity exceeding one year in duration in which only the following inert debris may be used: fully cured asphalt, uncontaminated concrete (including steel reinforcing rods embedded in the concrete), crushed glass, brick, ceramics, clay and clay products, which may be mixed with rock and soil. Those materials are spread on land in lifts and compacted under controlled conditions to achieve a uniform and dense mass which is capable of supporting structural loading, as necessary, or supporting other uses such as recreation, agriculture and open space in order to provide land that is appropriate for an end use consistent with approved local general and specific plans (e.g., roads, building sites, or other improvements) where an engineered fill is required to facilitate productive use(s) of the land. Filling above the surrounding grade shall only be allowed upon the approval of all governmental agencies having jurisdiction. The engineered fill shall be constructed and compacted in accordance with all applicable laws and ordinances and in accordance with specifications prepared and certified at least annually by a Civil Engineer, Certified Engineering Geologist, or similar professional licensed by the State of California and maintained in the operating record of the operation. (See Cal. Code Regs., tit. 14, §17388(l).)
49. **Inert Debris Type A Disposal Facility** – A site where only Type A inert debris is disposed to land. Inert debris Type A disposal facilities do not include inert debris engineered fill operations. (See Cal. Code Regs., tit. 14, §17388(m).)
50. **Inert Waste** – A subset of solid waste that does not contain hazardous waste or soluble pollutants at concentrations in excess of applicable water quality objectives and does not contain significant quantities of decomposable waste. (See Cal. Code Regs., tit. 27, §20230(a).)
51. **Treated Industrial Waste** – Waste that includes all types of solid wastes and semi-solid wastes which result from industrial processes and manufacturing operations and that have been acted upon using any method, technique, or process designed to change the physical, chemical, or biological characteristics of waste so as to render it less harmful to the quality of the waters of the state, safer to handle, or easier to contain or manage (See Cal. Code Regs., tit. 27, §20164.)
52. **Type A Inert Debris** – A subset of inert debris that includes, but is not limited to, concrete (including fiberglass or steel reinforcing bar embedded in the concrete), fully cured asphalt, crushed glass, fiberglass, asphalt or fiberglass roofing shingles, brick, slag, ceramics, plaster, clay and clay products. Type A inert debris is waste that does not contain soluble pollutants at concentrations in excess of water quality objectives and has not been treated in order to reduce such pollutants. The California Department of Resources Recycling and Recovery (CalRecycle), upon consultation with the State Water Board, will determine on a case-by-case basis whether materials not listed in this subdivision qualify as Type A inert debris. CalRecycle and the State Water

Board may consider statewide and site-specific factors in making this determination. (See Cal. Code Regs., tit. 14, §17388(k)(1).)

53. **Type B Inert Debris** – A subset of inert debris that is *specifically determined* to be inert by the Santa Ana Water Board, such as treated industrial wastes and de-watered bentonite-based drilling mud but excluding Type A inert debris. (See Cal. Code Regs., tit. 14, §17388(k)(2).)

Monitoring and Reporting Requirements

54. **Waste Management Practices** – Site maintenance at IWDFs is necessary to provide positive drainage, minimize erosion, minimize water infiltration through waste, and to prevent ponding. Under this Order, the Dischargers are required to maintain proper waste management practices, to minimize erosion, and to provide adequate surface drainage control.
55. **Implementation of a Monitoring and Reporting Program** – This Order requires the implementation of a Monitoring and Reporting Program (MRP R8-2023-0018) by the Discharger to assess or discern any unauthorized discharge of waste constituents to the IWDF or waters of the state, or any unreasonable impairment of beneficial uses associated with (or caused by) discharge of wastes to the IWDF, and to evaluate facility operations and compliance with this Order. The MRP for this Order requires the Discharger to perform regular monitoring and reporting of waste acceptance and management activities. The MRP may be modified as needed by the Executive Officer for each Discharger.
56. **Authority for Technical and Monitoring Reports** – Water Code section 13267(b) authorizes Regional Water Boards to require a person who discharged waste or is suspected of having discharged waste to furnish technical and monitoring reports. The technical and monitoring reports required by this Order and the attached MRP (MRP R8-2023-0018) are necessary to assure compliance with these WDRs. The burden, including costs, of these reports, bears a reasonable relationship to the need for the reports and the benefits to be obtained – namely, confirmation that the IWDF is not causing adverse impacts to water quality or beneficial uses.

REQUIREMENTS

IT IS HEREBY ORDERED, pursuant to Water Code sections 13263 and 13267, that the Dischargers and their agents, employees and successors shall comply with the following.

A. COVERAGE REQUIREMENTS

1. **Notice of Intent (NOI)** – These General WDRs apply to discharges of certain types of inert waste at IWDFs, as described in Findings 1 through 18. Any Discharger operating or intending to operate an IWDF shall submit a Notice of Intent (NOI) with the information identified in **Attachment C** for any IWDF that

the Executive Officer determines should be covered under this Order. Dischargers enrolled under Order R8-2019-0008 shall timely submit an NOI to allow sufficient time to transition to coverage under this Order, as Order R8-2019-0008 will terminate within 180 days from the effective date of this Order.

2. **Technical Report** – NOIs for operation and management of an IWDF shall include a Technical Report containing all elements described in **Attachment D** and that addresses achievement of compliance with all the requirements of this Order, as well as documents compliance with the Industrial General Permit (State Water Board Order 2014-0057-DWQ, as amended in 2015 and 2018).
3. **Responsibility of Owners and Operators** – As provided in Finding 6, the term “Discharger” within this Order is defined as the property owner(s) and operator of the IWDF. If the property owner(s) and operator are separate legal entities, primary responsibility for Order compliance is assigned to the operator and secondary responsibility to the owner(s). If the operator fails to meet the requirements of this Order, then the owner(s) will become the primary responsible party for Order compliance.
4. **Notice of Applicability** – If the Santa Ana Water Board’s Executive Officer determines that coverage under this Order is appropriate, the Executive Officer shall issue a Notice of Applicability (NOA) to the Discharger. If the Discharger is enrolled in Order R8-2019-0008, its enrollment under that order will terminate upon issuance of the NOA or within 180 days following issuance of this Order, whichever occurs first. The Discharger shall comply with this Order upon receipt of the NOA. If coverage under this Order is not appropriate, the Executive Officer will inform the Discharger in writing and may request that the Discharger submit an ROWD to obtain an individual permit for the discharge of waste.
5. **Transferability** – This Order is not transferable to any person without written approval by the Santa Ana Water Board’s Executive Officer. Prior to any change in ownership, the Discharger shall notify the Santa Ana Water Board’s Executive Officer in writing at least 30 days in advance. The notice shall include a written transfer agreement between the existing owner/operator and the new owner/operator. At a minimum, the transfer agreement shall contain a specific date for transfer of responsibility for compliance with this Order and an acknowledgement that the new owner or operator is liable for compliance with this Order from the date of transfer. The Santa Ana Water Board may require submittal of a new NOI to change the name of the Discharger and any appropriate revisions to the facility’s Technical Report.
6. **Termination of Coverage** – The Discharger may terminate coverage under this Order by providing a written notice to the Santa Ana Water Board’s Executive Officer at least 30 days prior to the termination date. At a minimum, the written notice must include the reason for terminating. The Discharger shall continue to comply with this Order until the Santa Ana Water Board notifies the Discharger in writing that coverage has been terminated.

7. **Exemption Authorization** – Dischargers may receive authorization from the Santa Ana Water Board’s Executive Officer for an exemption from enrollment in this Order if they satisfy either of the two conditions below. Dischargers must submit a written exemption request containing a description of facility operations to the Executive Officer, and the conditions of the operation must be verified by Santa Ana Water Board staff.
 - a. The facility accepts an estimated 10,000 cubic yards or less of inert waste and/or earth materials annually; or
 - b. The facility accepts an estimated total of 100,000 cubic yards or less of inert waste and/or earth materials for a one-time earth-fill project that will be completed within a two-year period.

B. DISCHARGE SPECIFICATIONS

1. **Discharge Limited to Inert Wastes** – Wastes discharged at any IWDF shall be limited to inert wastes as defined in Title 27, section 20230(a) and as limited by the specifications, prohibitions, provisions, and requirements contained in these General WDRs. All such wastes shall be placed, managed, and maintained on property owned or controlled by the Discharger.
2. **Waste Characterization** – The Discharger shall be responsible for accurate characterization of any wastes under consideration for disposal or deposition at their respective IWDF, whether or not such wastes are required to be managed as hazardous wastes. (See Cal. Code Regs., tit. 27, §20200.)
3. **Prohibited Wastes Prevention** – The Discharger shall take and implement all measures needed to prevent any prohibited, unauthorized, or unapproved wastes or materials from being discharged at the IWDF.
4. **Removal of Prohibited Wastes Disposed at IWDF** – The Discharger shall remove and relocate to a legal point of disposal any wastes that are discharged at the IWDF in violation of the requirements of this Order. For the purposes of these requirements, a legal point of disposal is defined as one for which WDRs have been established by a Regional Water Board. If the Discharger opts for a legal point of disposal outside the state, a legal point of disposal means a facility that is lawfully permitted under applicable state and federal laws to receive the waste involved. If the Discharger is unable to remove or relocate the violative wastes, the Discharger shall submit a report to the Santa Ana Water Board: explaining how the violative discharge(s) occurred; why the waste(s) cannot be feasibly removed; and proposing waste acceptance program updates to prevent reoccurrences. If the infeasibility is economic, cost estimates shall be provided as part of the report.
5. **Compliance with Technical Report** – Management and operation of the IWDF and placement of waste materials shall be performed in accordance with the facility’s approved Technical Report and the requirements of this Order.

Operations shall include development and implementation of a Load Checking Program (LCP) as required by the applicable Local Enforcement Agency (LEA) and all other measures necessary to prevent any prohibited, unauthorized, and unapproved wastes or materials from being discharged or deposited at the IWDF.

6. **Acceptance, Management, and Placement of Asphalt Materials** – The Discharger shall ensure that any asphaltic waste accepted for disposal or deposition at the IWDF is fully cured and shall ensure that it is placed in accordance with the following:
 - a. Any asphaltic material accepted for deposition or disposal shall not be placed directly into any standing or ponded water; and
 - b. Any asphaltic material accepted for deposition or disposal shall be placed at an elevation no less than five feet above the historical high groundwater elevation for the facility.

7. **Acceptance, Management, and Placement of Concrete or Other Inert Waste Containing Steel or Other Metal Materials** – The Discharger shall ensure that any concrete or other inert waste, containing steel or other metal materials, that is accepted for disposal or deposition at the IWDF is processed to a reasonable and practicable extent to remove the steel or other metal materials before being permanently disposed of at the IWDF. Disposal or deposition at the IWDF of any concrete or other inert waste, processed or unprocessed, that still contains steel or other metal materials shall be performed in accordance with the following:
 - a. The concrete or inert waste shall not be placed directly into any standing or ponded water; and
 - b. The concrete or inert waste shall be placed at an elevation no less than five feet above the historical high groundwater elevation for the facility.

8. **Management of Gypsum-Related Materials** – As stated below, acceptance of gypsum-board, drywall or other gypsum-related materials for disposal at the IWDF is prohibited. However, the Discharger may accept gypsum-board, drywall, or other gypsum-related materials (gypsum materials) at the IWDF only for processing and recycling provided that the Discharger complies with the following:
 - a. Prior to accepting any type of gypsum-related materials at the IWDF, the Discharger must submit for approval by the Santa Ana Water Board's Executive Officer a Gypsum Material Recycling Plan (GMRP) for accepting, managing, processing, and recycling gypsum-board, drywall, or any other type of gypsum material.
 - b. Gypsum material processing and recycling area must be sufficiently lined and constructed to protect water resources.

- c. Prior to accepting any type of gypsum-related materials at the IWDF, the Discharger must receive written approval of the GMRP by the Executive Officer.
 - d. The Discharger must implement, operate, and manage the gypsum-related materials recycling operation in accordance with the GMRP approved by the Executive Officer.
 - e. The Discharger must take all other necessary steps and precautions to protect the state's water resources from contamination or pollution associated with processing, managing, and recycling gypsum-related materials at the facility.
9. **Management of Drilling Muds** – Drilling muds may be accepted at the IWDF for processing, recycling, and/or disposal provided that the Discharger complies with the following:
 - a. Prior to accepting any type of drilling mud at the IWDF, the Discharger must submit for approval by the Santa Ana Water Board's Executive Officer a Drilling Mud Management Plan (DMMP) for accepting, managing, processing, recycling, and/or disposing of drilling mud.
 - b. Prior to accepting any type of drilling mud at the IWDF, the Discharger must receive written approval of the DMMP by the Executive Officer
 - c. The Discharger must implement, operate, and manage the drilling mud management operation in accordance with the DMMP approved by the Executive Officer.
 - d. Drilling mud processing and recycling area must be sufficiently lined and constructed to protect water resources.
 - e. The Discharger must take all other necessary steps and precautions to protect the state's water resources from contamination or pollution associated with accepting, processing, recycling, and disposing of drilling mud at the facility.
 - f. The Discharger shall not accept at the IWDF any drilling mud that was generated in or otherwise associated with petroleum industry drilling operations or that contains any petroleum hydrocarbons or any other constituents at concentrations that may contaminate or pollute the state's water resources.
10. **Precipitation and Drainage Control** – The IWDF shall be designed, constructed, and maintained to limit, to the extent reasonably possible, ponding, infiltration, inundation, erosion, slope failure, and washout which could occur as a result of precipitation from a 100-year, 24-hour frequency storm.

11. **Limited Use of Water** – The Discharger shall limit water used for facility maintenance within IWDF areas to the minimum amount necessary for dust control and construction.

C. DISCHARGE PROHIBITIONS

1. **General Prohibition** – Neither the treatment, disposal, deposition, nor the discharge of waste at an IWDF shall create a condition of pollution, contamination, or nuisance, as defined by Water Code section 13050.
2. **No Degradation** – The discharge of wastes at the IWDF shall not cause surface water or groundwater to be degraded or further degraded, to exceed water quality objectives, unreasonably affect beneficial uses, or cause a condition of pollution or nuisance.
3. **No Discharge to Surface Waters** – No discharge of waste to surface waters from the IWDF shall occur.
4. **Discharge Outside of IWDF** – The discharge of wastes outside of the IWDF or any area at the IWDF specifically designed for their containment is prohibited.
5. **Hazardous Wastes, Designated Wastes and Special Wastes** – No hazardous wastes (as defined in Cal. Code Regs., tit. 22, §66261.3 et seq.), designated wastes (as defined in Wat. Code, §13173), or special wastes (Cal. Code Regs., tit. 27, §20164, as categorized in Cal. Code Regs., tit. 22, §§66261.120, 66261.122, and 66261.124), such as liquids, oils, waxes, tars, soaps, solvents, or readily water-soluble solids, such as salts, borax, lye, caustic or acids shall be disposed of or deposited at the IWDF.
6. **Non-Hazardous Solid Wastes** – Except for inert wastes, no non-hazardous solid wastes (as described in Cal. Code Regs., tit. 27, §20220(a), including decomposable organic refuse such as, but not necessarily limited to, ordinary household and commercial refuse, tin cans, metals, paper and paper products, plasterboard, cloth and clothing, wood and wood products, lawn clippings, sod, shrubbery, hair, hide, bones, dead animals, roofing paper, tar paper, unquenched ashes mixed with refuse, market refuse, garbage, etc.) shall be disposed of or deposited at the IWDF.
7. **Soils and Other Earth Materials** – The Discharger shall not accept for disposal any soils or other earth materials that could pollute or contaminate or threaten to pollute or contaminate water resources or that contain constituents of concern at concentrations greater than the criteria contained in Attachment E – Criteria for Soils and Other Earth Materials.
8. **Sewage Sludge** – No sewage sludge or water treatment sludge shall be disposed of or deposited at the IWDF.

9. **Toxic Materials** – No materials of a toxic nature such as insecticides and poisons shall be disposed of or deposited at the IWDF
10. **Radioactive Materials** – No radioactive materials as determined by a regulatory agency with jurisdictional authority shall be disposed of or deposited at the IWDF.
11. **Asbestos** – No asbestos or asbestos products shall be disposed of or deposited at the IWDF.
12. **Organic Materials and Wastes** – The Discharger shall not dispose of any organic materials, green waste, wood waste, or treated wood waste at the IWDF.
13. **Gypsum-Related Materials** – The Discharger shall not accept for processing, recycling, or disposal at the IWDF any gypsum-board, drywall or other gypsum-related materials except as authorized or otherwise permitted in these WDRs (Discharge Specification B.8 above).
14. **Drilling Muds** – The Discharger shall not accept for processing, recycling, or disposal at the IWDF any drilling muds except as authorized or otherwise permitted in these WDRs (Discharge Specification B.9 above). Notwithstanding this exception, Dischargers shall not accept at an IWDF any drilling mud that was generated in or otherwise associated with petroleum industry drilling operations, exploration, or production, or that contains any petroleum hydrocarbons or any other constituents of concern at concentrations that may contaminate or pollute the State's water resources.
15. **Wastes Containing Petroleum Hydrocarbons** – The Discharger shall not accept for disposal at the IWDF any waste containing volatile organic compounds, semi-volatile organic compounds, or petroleum hydrocarbons, other than fully cured asphaltic waste as defined in Title 14, at concentrations greater than those specified in a Waste Acceptance Plan (WAP) approved by the Executive Officer. This prohibition does not apply to inert waste materials, such as concrete, brick, and fully cured asphalt, that may contain incidental amounts of petroleum hydrocarbons, such as is found in oil and grease stains on roadways, parking lots, etc.
16. **Pesticides, Herbicides, and Similar Constituents** – The Discharger shall not accept for disposal at the IWDF any wastes containing pesticides, herbicides, or similar constituents.
17. **No Wastes Containing Free Liquids** – The Discharger shall ensure that any wastes accepted for disposal at the IWDF do not contain any free liquids.
18. **Concentrations of Dissolved Solids or Soluble Pollutants in Wastes** – The Discharger shall ensure that any wastes accepted for disposal or deposition at the IWDF do not contain dissolved solids or any other soluble pollutant at concentrations greater than applicable water quality objectives.

19. **pH Levels in Wastes** – The Discharger shall ensure that any wastes accepted for disposal or deposition at the IWDF do not have a pH less than 6 pH units nor more than 9 pH units.
20. **Concrete Grinding Residues and Remnant Concrete Slurries** – The Discharger shall not accept any concrete grinding residues or remnant concrete slurries for deposition or disposal at the IWDF.
21. **Electronic Waste** – The Discharger shall not accept any electronic waste for disposal or deposition at the IWDF.
22. **Incinerator Ash** – The Discharger shall not accept any incinerator ash for disposal or deposition at the IWDF.
23. **Cathode Ray Tube Waste** – The Discharger shall not accept any cathode ray tube waste for disposal or deposition at the IWDF.
24. **Type B Inert Debris** – The Discharger shall not accept any Type B Inert Debris for disposal or deposition at the IWDF.

D. CLOSURE SPECIFICATIONS

1. **Cessation of Disposal Operations Technical Report** – Ninety (90) days prior to cessation of disposal operations at the IWDF, the Discharger shall submit a technical report to the Santa Ana Water Board describing the methods and controls to be used to assure protection of the quality of receiving waters during final operations and with any proposed subsequent use of the land.
2. **Closure & Post-Closure Maintenance Specifications** – The Discharger shall comply with all of the requirements and specifications contained in Title 14 with respect to cessation of disposal activities, closure of its IWDF, and post-closure maintenance of the IWDF as determined and required by the applicable Local Enforcement Agency (LEA).
3. **Final Cover Requirements** – Consistent with Title 14, section 17388.3(g), upon the final placement of waste at an IWDF, the Discharger shall cover the site of fill with three feet of compacted soil above the fill area or with other final cover as determined by the Local Enforcement Agency (LEA). The LEA may determine, on the basis of substantial evidence, that a lesser amount of final cover or no final cover is needed, based on potential impacts to the public health, safety and the environment. The final Cover shall be designed, constructed, and maintained to prevent, to the greatest extent possible, ponding, infiltration, inundation, erosions, slope failure, and washout which could occur as a result of precipitation from a 100-year, 24-hour frequency storm. The final cover shall be constructed and graded to achieve an average of one to two percent slope.
4. **Deed Notice** – Due to the nature of the wastes discharged, the Discharger shall file a deed notice with the Recorder of the County in which the site is located,

which identifies the prior uses and waste discharge practices at the IWDF property. The notice shall include a property description and a map that identifies the location of the buried wastes. Confirmation of recordation and a copy of the deed notice shall be provided to the Executive Officer within 60 days of site closure.

E. PROVISIONS

1. **Noncompliance** – The Discharger shall comply with all of the terms, requirements, and conditions of this Order and MRP R8-2023-0018. Noncompliance is a violation of the Porter-Cologne Water Quality Control Act (Wat. Code, §13000 et seq.) and grounds for: (1) an enforcement action; (2) termination, revocation and re-issuance, or modification of this Order; or (3) denial of an Order renewal application.
2. **Implementation of the MRP** – The Discharger shall implement the attached MRP Order R8-2023-0018 (Attachment A), and revisions thereto, which is incorporated herein by reference, to assess or discern discharge of any unauthorized or prohibited waste constituents to the IWDF or waters of the state, or any unreasonable impairment of beneficial uses associated with (or caused by) discharge of wastes to the IWDF, to evaluate facility operations, to ensure implementation of all necessary short-term and long-term maintenance activities, and to ensure compliance with his Order.
3. **Proper Operation and Maintenance** – The Discharger shall, at all times, properly operate and maintain all facilities and systems of management and control (and related appurtenances) installed or used by the Discharger to achieve compliance with this Order. Proper operation and maintenance includes, but are not limited to, effective performance, sufficient funding, appropriate quality assurance procedures, proper operator staffing and training, and adequate process controls. This provision requires the operation of backup or auxiliary facilities or similar systems when necessary to achieve compliance with the conditions of this Order.
4. **Reporting of Noncompliance** – The Santa Ana Water Board shall be notified of any incidents at the IWDF that are in violation of this Order and that may endanger the environment, by telephone within 24 hours from the time the Discharger becomes aware of the circumstances, and in writing within 14 days of the time that the Discharger becomes aware of the circumstances. The written notification shall fully describe the incident including what occurred, when it occurred, the duration of the incident, when correction occurred (or when correction will occur if it is a continuing incident), and the steps taken or planned to reduce, eliminate, and/or prevent recurrence of the incident. All instances of noncompliance with this Order shall also be reported to the Water Board in the same manner as stated above and shall also be included in the next scheduled monitoring report.

5. **Duty to Mitigate** – The Discharger shall take all reasonable steps to minimize or prevent any discharge in violation of this Order that has a reasonable likelihood of adversely affecting human health or the environment.
6. **Material Changes** – In the event of a material change or proposed change in the location or boundaries of waste discharge at the IWDF, the Discharger shall submit to the Santa Ana Water Board a new Notice of Intent (NOI) at least 120 days prior to the date of such proposed change. (See Wat. Code, §13260(c)). A material change includes, but is not limited to, the following:
 - a. Significant change in the disposal area, e.g., moving the discharge to another drainage area, or to a disposal area significantly removed from the original area potentially causing different water quality or nuisance problems.
 - b. Increase in the area or depth to be used for waste disposal beyond that specified in the waste discharge requirements. (Cal.Code Regs., tit. 23, §2210)
7. **Discovery of Omission of Relevant Facts** – Where the Discharger becomes aware that it failed to submit any relevant facts in an NOI or submitted incorrect information in an NOI or in any report to the Water Board, it shall submit such facts or information within fourteen (14) days of its discovery of the omission.
8. **Inspection and Entry** – The Discharger shall allow the Santa Ana Water 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's premises where a regulated facility or activity is located or conducted, or the place 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 purpose of assuring compliance with this Order, or as otherwise authorized by the Water Code, any substances or parameters at any location. (Wat. Code, §13267)
9. **Records Retention** – The Discharger shall retain copies of all reports required by this Order and the associated MRP. Records shall be maintained for a minimum of five years from the date of the sample, measurement, report, or application. Records may be maintained electronically. This period may be

extended during the course of any unresolved litigation regarding this discharge or when requested by the Santa Ana Water Board's Executive Officer.

10. **Format of Technical Reports** – The Discharger shall furnish, under penalty of perjury, technical or monitoring program reports in accordance with Water Code section 13267. Failure or refusal to furnish these reports or falsifying any information provided therein renders the Discharger guilty of a misdemeanor and subject to penalties including, but not limited to, those specified in Water Code section 13268. Monitoring reports shall be submitted in accordance with the specifications contained in the MRP, as directed by the Executive Officer.
11. **Qualified Professionals** – In accordance with Business and Professions Code sections 6735, 7835, and 7835.1, engineering and geologic evaluations and judgments shall be performed by or under the direction of California registered professionals (i.e., civil engineer, engineering geologist, geologist, etc.) competent and proficient in the fields pertinent to the required activities. All technical reports required under this Order that contain work plans, describe the conduct of investigations and studies, or contain technical conclusions and recommendations concerning engineering and geology shall be prepared by or under the direction of appropriately qualified professional(s), even if not explicitly stated. Each technical report submitted by the Discharger shall contain a statement of qualifications of the responsible licensed professional(s) as well as the professional's signature and/or stamp of the seal. Additionally, all field activities are to be conducted under the direct supervision of one or more of these professionals.
12. **Compliance With Storm Water Industrial General Permit** – The Discharger shall comply with the requirements of State Water Board Order 2014-0057-DWQ, as amended in 2015 and 2018, General Permit for Storm Water Discharges Associated with Industrial Activities (Industrial General Permit (IGP)) and submit documentation demonstrating compliance with the IGP in Annual Monitoring Reports as specified in the MRP.
13. **Certification of Submitted Documents** – All documents submitted to the Santa Ana Water Board shall be signed and certified as follows:
 - a. Documents shall be submitted with signatures from the following persons, depending on the type of Discharger:
 - i. For a corporation – by a responsible corporate officer of at least the level of vice-president.
 - ii. For a partnership or sole proprietorship – by a general partner or the proprietor, respectively.
 - iii. For a municipality, state, federal or other public agency – by either a principal executive officer or ranking elected official.

- iv. For a military installation – by the base commander or the person with overall responsibility for environmental matters in that branch of the military.
 - b. A duly authorized representative of a person identified in subsection (a) of this provision may sign and certify documents only if:
 - i. The authorization is made in writing by the person described in subsection (a) of this provision;
 - ii. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity; and
 - iii. The written authorization is submitted to the Executive Officer.
 - c. Any person signing a document under this provision shall make the following certification:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."
- 14. **Compliance with Other Laws** – This Order does not authorize the violation of any other applicable federal, State, or local laws and regulations. This Order leaves unaffected any further restraint on the disposal of wastes at the IWDF which may be contained in other laws or required by other public agencies.
- 15. **No Vested Right to Discharge** – In accordance with Water Code section 13263(g), this Order does not create a vested right to continue to discharge and is subject to rescission and/or modification. The discharge of waste into the waters of the state is a privilege, not a right.
- 16. **Modification, Revocation, Termination.** This Order may be modified, revoked, and reissued, or terminated for cause. The filing of a request by the Discharger for an Order modification, rescission, or reissuance, or the Discharger's notification of planned changes or anticipated noncompliance, does not stay any Order condition. Causes for modification include, but are not limited to, the violation of any term or condition contained in this Order, a material change in the character, location, or volume of discharge, a change in land application plans or disposal practices, or the adoption of new regulations by the State Water Board,

Santa Ana Water Board (including revisions to the Basin Plan), or federal government.

17. **Severability** – The provisions of this Order are severable. If any provision of this Order is found invalid, the remainder of this Order shall not be affected.
18. **Effective Date and Replacement** – This Order becomes effective on the date of adoption by the Santa Ana Water Board and is intended to supersede and replace Order R8-2019-0008. Order R8-2019-0008 terminates 180 days from the effective date of this Order, except for enforcement purposes.

LIST OF ATTACHMENTS

Attachment A – IWDFs in the Santa Ana Region Eligible for Enrollment

Attachment B – Notice of Intent

Attachment C – Technical Report Requirements

Attachment D – Criteria for Soils and Other Earth Materials

ENFORCEMENT

The Santa Ana Water Board reserves the right to take any enforcement action authorized by law. Accordingly, failure to timely comply with any provisions of this Order may subject the Discharger to enforcement action. Such actions include, but are not limited to, the assessment of administrative civil liability pursuant to Water Code sections 13323, 13268, and 13350, a Time Schedule Order (TSO) issued pursuant to Water Code sections 13300 and 13308, or referral to the California Attorney General for recovery of judicial civil liability. Failure to comply with this Order may result in the assessment of administrative civil liability of up to \$10,000 per violation, per day, depending on the violation. The Santa Ana Water Board reserves its right to take any enforcement actions authorized by law.

ADMINISTRATIVE REVIEW

Any person aggrieved by this Santa Ana Water Board action may petition the State Water Board for review in accordance with Water Code section 13320 and California Code of Regulations, title 23, section 2050 et seq. To be timely, the petition must be received by the State Water Board by 5:00 pm on the 30th day after the date of this Order; if the 30th day falls on a Saturday, Sunday or state holiday, the petition must be received by the State Water Board by 5:00 pm on the next business day. The law and regulations applicable to filing petitions are available on the [State Water Board website \(http://www.waterboards.ca.gov/public_notices/petitions/water_quality\)](http://www.waterboards.ca.gov/public_notices/petitions/water_quality). Copies will also be provided upon request.

ATTACHMENT A

INERT WASTE DISPOSAL FACILITIES LOCATED IN THE SANTA ANA REGION ELIGIBLE FOR ENROLLMENT					
Facility	Operator	Property Owner	Facility Location	Threat-Complexity Rating	Status
Mayhew Aggregates and Mine Reclamation	Maitri Road Recycling	Mayhew Aggregates and Mine Reclamation	24890 Maitri Road Corona, Riverside Co	3C	Active (enrolled)
Philadelphia Recycling Mine	Plyley Enterprises, Inc.	JDM Partnership	12000 Philadelphia St Mira Loma, Riverside Co	3C	Active (enrolled)
Glen Ivy Mine	Werner Corporation	Werner Corporation	25050 Maitri Road Corona, Riverside Co	3C	Active (enrolled)
Milan REI X, LLC	Milan REI X, LLC	Milan Capital Management, Inc.	6145 E. Santiago Cyn Rd, Orange Orange Co	3C	Inactive (enrolled)
Agua Mansa Landfill	Agua Mansa Properties, Inc	Agua Mansa Properties, Inc	588 E. Agua Mansa Road, Rialto San Bernardino Co	3C	Active (not enrolled)
All American Asphalt – Corona Quarry	All American Asphalt	TMDR, LLC	1776 All American Way, Corona Riverside Co	3C	Active (not enrolled)
Gilman Springs Mine IDEFO	Chandler Aggregates – Gilman	Gilman Springs Partners, LLC	36060 Gilman Springs Road, Moreno Valley Riverside County	3C	Proposed (NOI rec'd)

ATTACHMENT B
NOTICE OF INTENT

ATTACHMENT B – NOTICE OF INTENT FORM

**SANTA ANA REGIONAL WATER QUALITY CONTROL BOARD
ORDER R8-2023-0018
GENERAL WASTE DISCHARGE REQUIREMENTS FOR
INERT WASTE DISPOSAL FACILITIES**

1. INERT WASTE DISPOSAL FACILITY INFORMATION

Inert Waste Disposal Facility Name:				
Street Address:				
City/Locale:	County:	State:	Zip:	Telephone Number:
Type (check one): <input type="checkbox"/> Existing Inert Waste Disposal Facility <input type="checkbox"/> New Inert Waste Disposal Facility		Total Facility Capacity (cubic yards):		
Facility Acreage (acres):		Average Weekly Throughput (cubic yards per week):		
Assessor Parcel Number(s):		LATITUDE: _____ LONGITUDE: _____		

2. OPERATOR/DISCHARGER INFORMATION

Facility Operator Name (Discharger):			
Mailing Address:			
City/Locale:	County:	State:	Zip Code:
Telephone Number:		Email Address:	

3. PROPERTY OWNER INFORMATION

Property Owner Name:			
Street Address:			
City/Locale:	County:	State:	Zip Code:
Telephone Number:		Email Address:	
Owner Type (check one):	<input type="checkbox"/> Individual	<input type="checkbox"/> Corporation	<input type="checkbox"/> Partnership <input type="checkbox"/> Other:

4. REASONS FOR FILING

<input type="checkbox"/> New Discharge	<input type="checkbox"/> Existing Discharge	<input type="checkbox"/> Expansion or Change in Operations
<input type="checkbox"/> Changes in Ownership/Operator		<input type="checkbox"/> Other:

ATTACHMENT B – NOTICE OF INTENT
 GENERAL WASTE DISCHARGE REQUIREMENTS FOR
 INERT WASTE DISPOSAL FACILITIES, ORDER R8-2023-0018

5. STORM WATER PERMIT

Is there an Industrial Storm Water Permit for this facility? Yes No If yes, WDID Number: _____
 Related to storm water, have you received a “No Exposure Certification”, “Notice of Termination”, or “Notice of Exemption” for this facility? Yes No If yes, please provide a copy.
 The Notice of Intent for coverage under the Industrial Storm Water Permit may be obtained over the internet at:
http://www.waterboards.ca.gov/water_issues/programs/stormwater/industrial.shtml

6. OTHER PERMITS

Has another agency issued permits or other entitlements (e.g., solid waste facility permit, notification permit, conditional use permit, building permits, air permits) for the unit? Yes No

For each permit or entitlement, list the type, issuing agency, and date of issuance:

7. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

Has a CEQA determination been made by an agency? <input type="checkbox"/> Yes <input type="checkbox"/> No	Name of Agency:
Type and Date of Determination:	State Clearinghouse Number:

8. INERT WASTE MATERIALS

Allowable Waste Materials (check all that apply, and specify the monthly quantity received):			
<input type="checkbox"/> Fully Cured Asphalt	tons or cu. yds.:	<input type="checkbox"/> Inert Earth Materials (soil, rock, etc.)	tons or cu. yds.:
<input type="checkbox"/> Concrete	tons or cu. yds.:	<input type="checkbox"/> Asphalt or Fiberglass Roofing Shingles	tons or cu. yds.:
<input type="checkbox"/> Fiberglass	tons or cu. yds.:	<input type="checkbox"/> Brick	tons or cu. yds.:
<input type="checkbox"/> Crushed Glass	tons or cu. yds.:	<input type="checkbox"/> Slag	tons or cu. yds.:
<input type="checkbox"/> Ceramics	tons or cu. yds.:		
Current Daily and Monthly Disposal Capacity (cubic yards):			
Months during which waste materials will be received:			

9. SITE CONDITIONS

Highest historic groundwater elevation (feet above mean sea level):
Annual average precipitation (inches per year):
Distance to nearest water supply well (feet):
Closest surface water and distance (name, feet):

ATTACHMENT B – NOTICE OF INTENT
 GENERAL WASTE DISCHARGE REQUIREMENTS FOR
 INERT WASTE DISPOSAL FACILITIES, ORDER R8-2023-0018

10. TECHNICAL REPORT

In accordance with the General WDRs, please provide a complete Technical Report with all the information specified in Attachment C including a load checking plan, waste acceptance plan, and documentation demonstrating compliance with the State Water Resources Control Board's (State Water Board) Industrial General Storm Water Permit (IGP) Order No. 2014-0057-DWQ.

11. FILING FEE

Pursuant to Water Code section 13260 et seq., Dischargers enrolled under the General WDRs are required to pay an annual fee, as determined by the State Water Board. The filing fee accompanying this NOI is the first year's annual fee. The annual fee is based on the threat to water quality and complexity of the discharge in accordance with California Code of Regulations, title 23, section 2200. Dischargers enrolled under the General WDRs will be assigned a threat to water quality and complexity rating as described in the General WDRs and will be assessed the corresponding fee, plus any applicable surcharges. The NOI is to be accompanied by a check, made out to the State Water Board for the payment of the filing fee, and delivered to the Santa Ana Water Board.

12. 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."

Signature (Owner or Authorized Representative)	Date
Print Name	Title
Telephone Number	Email

ATTACHMENT C
TECHNICAL REPORT REQUIREMENTS

ATTACHMENT C – TECHNICAL REPORT REQUIREMENTS

SANTA ANA REGIONAL WATER QUALITY CONTROL BOARD ORDER R8-2023-0018 GENERAL WASTE DISCHARGE REQUIREMENTS FOR INERT WASTE DISPOSAL FACILITIES

The Technical Report required to be submitted concurrently with the Notice of Intent (NOI) must be organized such that each item listed below is addressed in the same format, including the numbering scheme. The General WDRs should be thoroughly reviewed for its requirements in preparing the Technical Report. The information listed below must be provided, at a minimum, in the Technical Report to ensure a complete review of your application by the Santa Ana Water Board. This list may not reference all information needed for every Inert Waste Disposal Facility.

The Business and Professions Code sections 6735, 7835, and 7835.1 require that engineering and geologic evaluations and judgments be performed by or under the direction of licensed professionals. Any plan or report submitted in compliance with the requirements of the General WDRs, which requires technical interpretation, or proposes either a design, or a design change that might affect the inert waste disposal facility's containment features or detention ponds, must be prepared by, or under the direction of, appropriately licensed professionals (e.g., registered civil engineer, professional geologist, or other registered certified specialty geologist) by the State of California. In addition, the licensee must sign and provide his or her registration number, and/or stamp the submitted plan or report.

A. GENERAL INFORMATION

- 1. Facility Name and Location** – The name and location of the inert waste disposal facility (IWDF). Use the most accurate location, which may include the address, nearest town, cross streets, and latitude and longitude.
- 2. Property Owner** – Contact information for the IWDF property owner including business name, main point of contact, address, telephone number, cellphone number, email address, and type of ownership (e.g., individual, corporation, etc.).
- 3. Legal Notices** – Information including name, address, telephone number, and email address where legal notices may be served.
- 4. Management Organization** – A detailed resume of the management organization (i.e., operator/discharger) that will operate the facility. In addition, please provide the operator's contact information including business name, main point of contact, address, telephone number, cellphone number, and email address.

5. Facility Description – A description of the IWDF that includes the following:

- a. Assessor's Parcel Number(s);
- b. Legal description including Section, Township, and Range;
- c. Total Operational Footprint (acres) including ancillary activities;
- d. Operational Capacity of the IWDF expressed in cubic yards of all materials received, processed, and disposed on site, both currently and the lifetime maximum capacity of the IWDF; and
- e. Description of water supply.

6. Operational Information – Background information on the inert waste disposal operation, including history and a description of methods and operation used including the following:

- a. Days and hours of operation. If the hours of waste receipt differ from the hours of material processing, each schedule must be stated. For facilities with continuous operations, indicate the start of the operating day for the purpose of calculating the amount of waste received per operating day. Also, indicate when activities such as routine maintenance will occur.
- b. Describe all inert waste types accepted at the facility and include estimates for daily, monthly, and annual weights and volumes.
- c. Methods for storage and removal of salvaged materials.

7. Site Map – A detailed site map depicting the following:

- a. Location, delineation, and size (in acres) of the entire IWDF property and each of the area or areas that are used for, or will be used for, the disposal of inert wastes, processing/recycling of inert wastes/materials, or storage of inert wastes/materials;
- b. Locations of facility access and transport pathways;
- c. Location of facility entry and exit;
- d. Facility drainage pattern(s);
- e. Berms and ditches for the conveyance of rainfall runoff;
- f. Location, size (in acres), and capacity (in acre feet) of all detention ponds, if applicable;
- g. Location of all sampling points for the monitoring of storm water runoff under the Industrial General Storm Water Permit, if applicable;
- h. Location of any water supply wells within and/or near the property boundary.
- i. Location, delineation, and size of gypsum/drywall processing and recycling area, if applicable; and
- j. Location, delineation, and size of drilling mud processing, recycling, and disposal area, if applicable.

8. **Management of Hazardous and Prohibited Wastes and Materials** – A description of the method(s) for management and removal of hazardous wastes, and prohibited, unauthorized, or unapproved wastes and materials.
9. **Industrial General Storm Water Permit** – Documentation demonstrating compliance with the State Water Resources Control Board's *Industrial General Permit for Storm Water Discharges Associated with Industrial Activities* (IGP) Order No. 2014-0057-DWQ as amended in 2015 and 2018.

B. SITE CONDITION INFORMATION

1. **Groundwater Conditions** – A description and evaluation of the groundwater conditions at the facility within the uppermost groundwater zone, along with the highest historic groundwater elevation and average groundwater elevation of first encountered groundwater (in feet relative to mean sea level) and the source(s) of the information.
2. **Water Wells** – Description of the location and distance (in feet) to the nearest water supply wells (e.g., municipal supply, domestic supply, agricultural wells) within 1 mile of the nearest property boundary of the facility.
3. **Water Bodies** – Identify all nearby surface water bodies, including streams, ditches, canals, and other drainage courses. Provide distances from the nearest property boundary of the operation to these areas on a map.

C. WASTE ASSESSMENT AND ACCEPTANCE PROCEDURES

A description of the facility's waste assessment and acceptance procedures that ensures compliance with the General WDRs and designed to prevent the acceptance, deposition, or disposal of hazardous wastes, or any other prohibited, unauthorized, or unapproved waste or materials at the IWDF.

D. SITE CLOSURE INFORMATION

Inert Waste Disposal Facilities must be closed in accordance with the requirements of California Code of Regulations, title 14. Accordingly, the Technical Report must include a plan for site closure activities upon completion and cessation of operations under the General WDRs to protect public health, safety, and the environment. The closure plan must describe the steps and procedures for closing the site and include a map with 2-foot contours depicting the final topography and grade of the closed site. In addition, the closure plan must provide a general description of the proposed final productive use(s) of the fill area. The description shall specify generally what area(s) within the boundaries of the operation will be capable of supporting a structure upon closure. Further, the compaction standards for density and design should also be clearly specified.

E. ATTACHMENTS FOR OPTIONAL OPERATIONS

Please submit for approval by the Executive Officer plans for any additional material management operations at the facility as described in Discharge Specification B.8 *Gypsum Material Recycling Plan (GMRP)* and Discharge Specification B.9 *Drilling Mud Management Plan (DMMP)* of Order R8-2023-0018. These plans should be attached as appendices or addendums to the Technical Report.

ATTACHMENT D
CRITERIA FOR SOILS AND OTHER EARTH MATERIALS

CRITERIA FOR SOILS AND OTHER EARTH MATERIALS

Soils and other earth materials containing constituents of concern at concentrations greater than the thresholds identified below may not be disposed of at the IWDF.

- A. Petroleum Hydrocarbons:** For soils and other earth materials containing petroleum hydrocarbons, the maximum concentrations allowable in milligrams per kilogram (mg/kg) are as follows:

Gasoline Range (C4-C12)	50 mg/kg
Diesel Range (C13-C22),	100 mg/kg
Heavy Oil Range (C23+)	1000 mg/kg
Total for all petroleum hydrocarbons (gasoline, diesel, and heavy oils) 1,000 mg/kg.	

- B. Other Constituents:** Soils and other earth materials accepted for disposal at an IWDF shall not contain concentrations of constituents of concern that exceed the levels specified below.
- 1. Regional Screening Levels** – Soils and other earth materials shall not contain contaminant-specific concentrations that exceed a Regional Screening Level (RSL) for residential sites as established by the U.S. Environmental Protection Agency (USEPA).
 - 2. Environmental Screening Levels** – In the absence of RSL limits, soils and other earth materials shall not contain a contaminant-specific concentrations that exceed an Environmental Screening Level (ESL) for “Soil Tier 1” as established by the San Francisco Bay Regional Water Quality Control Board.
 - 3. Ten Times MCLs** – In the absence of RSL or ESL limits, soils and other earth materials shall not contain contaminant-specific concentrations that are 10 times the maximum contaminant level (MCL) for drinking water (on a per weight basis) as established by the USEPA or the State Water Board’s Division of Drinking Water, whichever is more stringent.
 - 4. pH** – Soils and other earth materials with pH that exceed 9 pH units or fall below 6 pH units shall not be accepted for disposal at an IWDF.
 - 5. Specific Conductance** – Soils and other earth materials containing constituents that result in the exceedance of a specific conductance concentration of 2,000 micromhos per centimeter ($\mu\text{mhos/cm}$) shall not be accepted for disposal at an IWDF.
 - 6. Metals** – Soils and other earth materials shall not be accepted for disposal at an IWDF if they contain concentrations of any metal constituents that exceed the concentrations defined for hazardous waste or that will result in exceedances of water quality standards in surface waters or groundwater adjacent to, surrounding, or in proximity to the IWDF.