

**STATE OF CALIFORNIA
CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SANTA ANA REGION**

**FEBRUARY 8, 2019
STAFF REPORT**

ITEM NO. 9

SUBJECT: General Waste Discharge Requirements for Inert Waste Disposal Facilities Within the Santa Ana Region, Order No. R8-2019-0008

Summary

Active inert waste disposal facilities (IWDFs) in the Santa Ana Region are currently regulated by either an authorization under the general waiver of waste discharge requirements (Order No. R8-2013-0015) that was adopted by the Regional Board on March 22, 2013 or individual waste discharge requirements adopted in the 1980s. The general waiver does not provide sufficient water quality protection, does not provide a clear definition of inert wastes, and does not contain sufficient disposal prohibitions to assure the protection of water quality. Furthermore, enforcement of the general waiver is difficult, and the general waiver does not contain any monitoring and reporting requirements. Some IWDFs are relatively large, and there have been complaints regarding disposal and management practices. In addition, the older waste discharge requirements for some facilities need to be updated to comply with the current laws and regulations.

Title 27 of the California Code of Regulations (Title 27) states that the Regional Board may prescribe general waste discharge requirements for disposal of inert wastes.

Under the general waiver, IWDFs are not allowed to accept any wastes other than those wastes that are defined as inert wastes. Further, inert wastes should not contain significant quantities of decomposable waste, hazardous waste, and many other types of waste. If managed and maintained in accordance with the conditions of the general waiver and regulations, IWDFs pose a less significant threat to water quality than other waste management facilities. However, there has been some confusion regarding the interpretation and determination of which wastes constitute "inert wastes" and whether they are eligible for acceptance at IWDFs. Since the general waiver does not contain regular monitoring and reporting requirements, many IWDFs may have accepted wastes that are not inert in nature. Consequently, IWDFs have the potential to affect water quality through acceptance and disposal of wastes that are not inert, and through significant erosion and discharge of wastes to surface waters and groundwaters if the facilities are not properly maintained and managed.

Discharges of pollutants to waters of the State, as a result of inadequate cover maintenance, drainage, erosion control, disposal of non-inert wastes, or other factors at

IWDFs, constitute waste discharges, and as such, waste discharge requirements are necessary and appropriate to ensure that discharges at and from these sites comply with water quality objectives established in the Basin Plan for groundwater and surface water in the Santa Ana Region.

Background

Inert waste is defined in Title 27 as that 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. In addition, California Code of Regulations Title 14 (Title 14) defines *inert debris* as 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, and shall not contain any putrescible wastes. Furthermore, Title 14 contains definitions for many other categories of similar wastes, including Type A inert debris, Type B inert debris, treated industrial waste, and construction and demolition waste (C&D waste).

Title 14 also contains definitions for different types of inert disposal facilities including:

- a. Inert Debris Type A Disposal Facility (Type A Facility)
- b. Inert Debris Engineered Fill Operation (IDEFO)
- c. Construction & Demolition Waste and Inert Debris Facility (CDI Waste Disposal Facility)

For the purposes of these proposed inert waste disposal WDRs, the term Inert Waste Disposal Facility (IWDF) includes Inert Debris Type A Disposal Facilities (Type A Facility) and Inert Debris Engineered Fill Operations (IDEFO). Individual CalRecycle permits (and corresponding Regional Board WDRs) are required for CDI Waste Disposal Facilities.

Discussion

Adopting general waste discharge requirements for IWDFs will facilitate better regulation and management of these facilities and will enable the following:

- a. Protection of groundwater and surface waters of the state from pollution.
- b. Simplification and expedition of the waste discharge requirements application process for the Discharger.
- c. Reduction in Regional Board staff time for preparing individual waste discharge requirements for each IWDF.
- d. Provision of consistency in the regulation of IWDFs in the Santa Ana Region.

The proposed Order establishes minimum standards for load monitoring, waste and facility management, and site maintenance at IWDFs. The proposed Order includes:

Findings: These statements establish the regulatory basis for the proposed Order, the proposed Monitoring and Reporting Program, and the annual fees.

Application Process: These statements describe the process for Dischargers to obtain coverage for an IWDF under this Order.

Compliance with other Regulations, Orders and Standard Provisions: These statements describe applicable site operation, site management, and site maintenance requirements contained in Title 27 and Title 14. In addition, closure requirements in accordance with Title 27 and Title 14 are described.

Prohibitions: These statements describe the discharge prohibitions applicable to IWDFs, including prohibitions for acceptance and disposal of specific types of materials.

Site Maintenance Specifications: These statements describe the specifications and requirements for site maintenance.

Load Checking: These statements contain the specifications and provisions regarding preparation and implementation of a load checking program.

Waste Management Practices: These statements contain the specifications and provisions regarding acceptance of different waste types, placement of wastes, and management of disposal methods and operations.

Provisions: These statements describe issues related to water quality oversight, such as providing Regional Board access to the IWDF, submittal of reports, Order severability, reporting and implementation provisions, and maintenance provisions. Specific provisions are included to:

- a. Allow the Executive Officer to add IWDFs for enrollment and to approve termination of coverage under this Order.
- b. Require the Discharger to record a deed notice advising prospective buyers of the presence of an IWDF, to prevent nuisance conditions from future inappropriate land uses.
- c. Ensure that IWDFs do not impair or degrade water quality.

Provisions for Accepting, Processing, and Recycling Drywall and Gypsum-Containing Materials: Disposal of drywall and gypsum-containing materials at IWDFs is prohibited; however, these materials can be processed and repurposed. The proposed Order contains provisions for accepting, processing, and recycling drywall and gypsum-containing materials at IWDFs.

Provisions for Accepting, Processing, Recycling, and Disposing of Drilling Mud:

Drilling mud (also known as drilling fluid) is a semi-solid material used for drilling water wells, oil wells, and other boreholes into and beneath the earth's surface. In some cases, drilling muds may contain constituents that could contaminate water resources. In other cases, drilling muds may contain only inert materials and do not pose a threat to water quality. These inert drilling muds can be harmlessly processed and recycled, or disposed. The proposed Order contains provisions for accepting, processing, recycling, and disposing of inert drilling muds at IWDFs.

Monitoring and Reporting Program (MRP): The proposed MRP requires Dischargers to perform regular monitoring, documenting, and reporting of site conditions and waste loads accepted at each IWDF, and to perform necessary facility management and maintenance activities. The MRP may be modified at any time by the Executive Officer. The proposed MRP includes the following items:

- a. **Facility Monitoring, Management, and Maintenance:** This section addresses periodic routine IWDF inspections, drainage system inspections, site weather characterization, and disposal capacity and duration.
- b. **Reporting:** This section establishes formats and requirements for collecting and submitting data, composition and submittal of annual reports and summaries to the Regional Board, including notification requirements, contingency response and reporting requirements.

The MRP represents typical monitoring and reporting provisions for an IWDF. However, each Discharger who enrolls under this Order will be issued an MRP by the Executive Officer that is customized for the Discharger's specific IWDF based on the specific circumstances relating to that IWDF.

IWDF Proposed for Coverage Under the Order

Regional Board staff reviewed existing data and documents for nine known IWDFs in the Santa Ana Region. Of these nine IWDFs, five currently receive waste on a regular basis and four do not currently receive waste. In addition, two of the five active IWDFs already have individual WDRs. Regional Board staff evaluated these nine IWDFs based on *potential* surface water and groundwater impacts, surface drainage controls, site maintenance, degree of monitoring being performed, and the amount of staff time expended on each IWDF. Based on our evaluation of the above factors, staff determined that seven IWDFs should initially be covered under this proposed General Order, while the two facilities with individual WDRs will need to have their WDRs rescinded concurrently with enrollment in the general WDRs at a later date. The nine IWDFs have a viable responsible party, and sufficient site conditions are known to determine whether these facilities could affect water quality.

The nine IWDFs can be divided into two groups: 1) Active facilities, and 2) Inactive facilities and are listed on Attachments A and B below. Attachment A lists each IWDF with its status and Attachment B includes a short summary for each IWDF. Active

IWDFs are open and currently receiving waste. Inactive IWDFs have stopped receiving waste and have not been closed, or the IWDF is open but has not yet begun receiving waste. Inactive IWDFs that have previously received waste continue to pose a potential threat to water quality. Following adoption of this Order by the Regional Board, the Executive Officer will request that the Dischargers operating the nine IWDFs submit a Notice of Intent (NOI) along with a Technical Report.

Regional Board staff previously provided the draft Order and associated documents to the Dischargers for their review and comment. Revisions to the draft Order and documents were made based on comments provided by the Dischargers.

RECOMMENDATION:

Adopt proposed Order No. RB-2019-0008 as presented.

ATTACHMENTS

Staff Report Attachment A – Inert Waste Disposal Facilities in Santa Ana Region

Staff Report Attachment B – Site Summaries of Inert Waste Disposal Facilities

General Waste Discharge Requirements (WDRs), Order No. R8-2019-0008

General WDRs Attachment 1 – Monitoring & Reporting Program, No. R8-2019-0008

General WDRs Attachment 2 – Notice of Intent

General WDRs Attachment 3 – Technical Report Requirements

Attachment A

Inert Waste Disposal Facilities in Santa Ana Region

No.	IWDF Name	Location	Status & IWDF Type
1	Maitri Road Recycling (a.k.a. Mayhew Aggregates)	24890 Maitri Road Corona, Riverside Co	Active IDEFO General Waiver
2	All-American Asphalt	1776 All American Way Corona, Riverside Co	Active IDEFO General Waiver
3	Granite Pit Mine (City of Riverside)	Mountain View Ave & Fremont St Riverside, Riverside Co	Active IDEFO General Waiver
4	Agua Mansa	588 E. Agua Mansa Rd Rialto, San Bernardino Co	Active IDEFO Individual WDRs
5	Philadelphia Recycling Mine	12000 Philadelphia St Mira Loma, Riverside Co	Active IDEFO Individual WDRs
6	Glen Ivy Mine (Werner Corporation)	25050 Maitri Road Corona, Riverside Co	Inactive Type A General Waiver
7	RJ Noble	15505 E. Lincoln Ave. Orange, Orange Co	Inactive Type A General Waiver
8	Chandler Rio Santiago	6145 E. Santiago Cyn Rd Orange, Orange Co	Inactive Type A General Waiver
9	Lake Street Property (Formerly WYROC)	18000 Lake Street Elsinore, Riverside Co	Inactive Type A - Closing General Waiver

Attachment B

Site Summaries of Inert Waste Disposal Facilities

- 1. Maitri Road Recycling (a.k.a. Mayhew Aggregates) (Active)**
Maitri Road Recycling is a former sand and gravel mining facility. The land at the site is being reclaimed as an Inert Debris Engineered Fill Operation (IDEFO). For compliance with the waiver, it is only permitted to accept uncontaminated earthen materials, uncontaminated concrete, brick, ceramics, crushed glass, and fully cured asphalt for disposal. However, the facility has been receiving drilling mud for disposal. The facility has two main disposal areas. In the smaller North Pit, only certain types of inert waste are placed. This waste will be re-excavated, engineered and re-compacted for future re-development at the site such as residential, commercial, or light industry. In the much larger South Pit, all types of inert wastes are placed without being engineered or compacted. This area is not designed to support any structures but is planned only for open space land uses. Maitri Road receives an average of 500 loads per month, which is approximately 12,000 tons of inert debris per month.
- 2. All-American Asphalt (Active)**
All-American Asphalt is a 321-acre quarry, and hot mix asphalt and paving materials plant located in Corona adjacent to Temescal Wash. Mining at the site commenced in the 1920s. Rock is mined on-site and processed through rock crushing, screening, and sand washing equipment to generate aggregate in the form of clay, sand, gravel, and rip-rap. These materials are used in several applications including roofing tiles, landfill liners, roadways, highways, airport runways, parking lots, water treatment, and building construction. Materials are also utilized on-site for hot mix production of asphaltic concrete. As an excavation area reaches its final excavated dimensions, All-American Asphalt backfills the pit with inert materials. Once the backfilled area reaches its final graded elevation, All-American can move its processing operations onto the backfilled area and begin excavating other areas which previously supported processing operations. As inert waste is placed, it is graded and compacted to comply with state building standards for foundations. All-American submitted an inert debris landfill operation plan with the Riverside County Local Enforcement Agency (LEA) in 2006. All-American estimates that site operations may continue for another 100 years.
- 3. Granite Pit Mine (City of Riverside) (Active)**
Granite Pit Mine is a 13.5-acre site located in the City of Riverside (City), and owned and operated by the City solely for City-related activities. It has been mined for decomposed granite since 1944; in addition, the City has used the site since the early 1980s, for disposal of inert debris including clean soil, broken concrete, and broken asphalt generated from City work projects. Backfilling with debris is enabling restoration of the property to its original grade. Approximately

202,000 cubic yards of inert fill materials have been placed at the site since the early 1980s.

4. Agua Mansa (Active – Individual WDRs)

Agua Mansa Landfill encompasses approximately 58 acres at a former sand and gravel mining operation site. Active mining for aggregate was still occurring in 1991 in the southwest portion of the pit. Permitted landfilling operations began in 1974 when the landfill was allowed to dispose of waste such as non-water-soluble, non-decomposable inert solids including earth, rock, gravel, concrete, asphalt, glass, plaster and plasterboard, brick, vehicle tires and inert rubber scrap, steel mill slag, clay and clay products, asbestos fiber and products thereof, and inert plastics. While the landfill was permitted for all of these wastes, it was used primarily for discarded construction tires and non-designated waste soil. Today, it accepts only inert wastes. Accepted waste material has been deposited above the 870 foot elevation since this is the historic high groundwater elevation for the site.

5. Philadelphia Recycling Mine (Active – Individual WDRs)

Philadelphia Recycling Mine is a former sand and gravel mining facility occupying approximately 33 acres. The land at the site is being used for several related operations and is individually regulated by the Regional Board under Order No. 84-68. Operations at the site include disposal of specified inert wastes for reclamation of the mining pit. Specified wastes include uncontaminated earthen materials, uncontaminated concrete, brick, ceramics, crushed glass, and fully cured asphalt. Other operations include acceptance and processing of concrete and asphalt into road base and aggregate, acceptance and recycling of drywall and gypsum-containing materials, acceptance and recycling of drilling mud, and acceptance and recycling of clean fine-grained earthen materials. The drywall and gypsum-containing materials are processed in accordance with an approved gypsum recycling plan.

6. Glen Ivy Mine (Inactive)

Glen Ivy Mine is a large sand and gravel mining operation located in Corona adjacent to Maitri Road Recycling. Glen Ivy Mine has not yet accepted any inert waste. Inert wastes will be accepted at the site for disposal as part of the reclamation of the land. They have obtained coverage under the Regional Board's general waiver in advance preparation of the inert waste acceptance activities at the site.

7. R.J. Noble Company (Inactive)

The R.J. Noble site comprises approximately 8 acres and is located in the City of Orange, adjacent to the Santa Ana River. The site operates primarily as an asphalt production facility. Aggregate, sand, gravels, broken concrete and similar materials are accepted and stored on-site for processing and recycling into various asphalt products. Inert wastes were disposed of on-site in the past; however, wastes are no longer disposed of at the facility.

8. Chandler Rio Santiago (Inactive)

Chandler Rio Santiago is a former sand and gravel mining operation occupying approximately 116 acres. Approximately half of this acreage was used for disposal. The site is located in the City of Orange adjacent to Santiago Creek. In 2010, disposal of inert materials was initiated at the site. Inert waste disposal was performed by MTS, Inc. (Material Transport Services). Materials accepted for disposal at the site included fully cured asphalt, rock and soil, uncontaminated concrete, brick, and ceramics. Materials were spread on land in lifts and compacted under controlled conditions. Disposal operations were suspended in 2015 to evaluate potential land development opportunities for the site.

9. Lake Street Property (Formerly WYROC) (Inactive/Closing)

The Lake Street Property site is a former sand and gravel quarry (operated as WYROC) located in the City of Lake Elsinore. The site was also used for processing and supplying aggregate materials for construction. Mining operations ended, but, the site continued to receive inert wastes for backfilling pits as well as processing and recycling used concrete and asphalt into aggregate. All operations at the site were discontinued in the late 2000s and remained idle for several years. However, large quantities of earth materials, broken concrete, broken asphalt and other inert materials remained stockpiled at the site, as well as all of the aggregate processing and recycling machinery. In 2017, the site was acquired by new ownership. Since acquisition, the new owners have cleaned up and regraded the site, and plan to use the site for a personal storage business. The site is closed as an inert waste disposal facility and no additional wastes will be disposed of at the site. Currently, they are working through the SMARA (Surface Mining and Reclamation Act) regulatory closure process.

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD

SANTA ANA REGION

ORDER NO. R8-2019-0008

GENERAL WASTE DISCHARGE REQUIREMENTS

FOR

**INERT WASTE DISPOSAL FACILITIES
WITHIN THE SANTA ANA REGION**

FINDINGS:

The California Regional Water Quality Control Board, Santa Ana Region (hereinafter Regional Board) finds that:

TITLE 27 APPLICABILITY

1. **California Code of Regulations Title 27** – Regulations governing nonhazardous solid waste landfills are included in the California Code of Regulations (CCR), Title 27, Division 2, Subdivision 1, Consolidated Regulations for Treatment, Storage, Processing, or Disposal of Solid Waste (CCR27).
2. **Discharge of Inert Wastes** – CCR27 §20230(b) states that inert wastes do not need to be discharged at classified Units.
3. **WDRs for Inert Wastes** – CCR27, §20230(c) states the Regional Water Quality Control Board (Regional 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. Further, inert wastes are not permitted to contain significant quantities of decomposable waste. If managed and maintained in accordance with regulations, IWDFs pose a less significant threat to water quality than other waste management facilities. However, there may be some confusion in regards to many wastes and whether or not they are inert and/or decomposable. Consequently, 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, erosion control, 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 current property owner(s) and operator(s) of an Inert Waste Disposal Facility (IWDF). The definition is consistent with the definition of "Discharger" under CCR27, §20164: "any person who discharges waste which could affect the quality of waters of the state."
7. **General Waste Discharge Requirements (WDRs)** – Section 13263(i) of the California Water Code (CWC) states that a regional board may prescribe general WDRs for a category of discharges if the regional board finds or determines that specified criteria apply to that category. These criteria include similarity of operations, similarity in types of wastes, similar treatment standards, and that the discharges are more appropriately regulated under general WDRs than individual WDRs.

SCOPE OF THESE GENERAL WASTE DISCHARGE REQUIREMENTS

8. **Application of these General WDRs** – These general WDRs apply only to the discharge and/or disposal of inert wastes, as defined and limited herein, at an inert waste disposal facility. Individual or other general waste discharge requirements are required for discharge and/or disposal of other types of wastes.
9. **Inert Waste Disposal Facility** – For the purposes of these WDRs, the term Inert Waste Disposal Facility (IWDF) includes Inert Debris Type A Disposal Facilities (Type A Site) and Inert Debris Engineered Fill Operations (IDEFO).
10. **CDI Waste Disposal Facilities** – CDI waste disposal facilities are specifically defined in 14CCR, §17388. Section 17388.5 of 14CCR, states that CDI waste disposal facilities shall obtain full solid waste facilities permits and shall comply with all requirements promulgated by the board as set forth in CCR27 in the same manner as if they were municipal solid waste landfill units. CDI means any combination of construction and demolition waste and inert debris. CDI waste disposal facilities are not covered by these WDRs.
11. **Disposal of Type B Inert Debris** – As stated in CCR14 §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 (CCR14 §§17388(l) & (m)).

12. **Limitation on Discharge of Wastes** – This Order requires that discharge of wastes at an 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.
13. **Waste Characterization** – CCR27, §20200 states that Dischargers shall be responsible for accurate characterization of any wastes, whether or not such wastes are required to be managed as hazardous wastes. These WDRs apply this regulation to the Discharger at an IWDF evaluating a waste for deposition or disposal at an IWDF.
14. **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 (CCR22 §66261.3 et seq.)
 - b. Designated wastes (CCR27 §20210; CWC §13173)
 - c. Special Wastes (CCR27 §20164 and CCR22 §66261)
 - d. Non-hazardous solid wastes (CCR27 §20220(a))
 - e. Sewage sludge or water treatment sludge (CCR27 §20220)
 - f. Materials of a toxic nature such as insecticides or poisons (CCR22 §66261)
 - 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 (CCR14 §17897; Cal Health and Safety Code §25143.7)
 - i. Wastes containing volatile organic compounds, semi-volatile compounds, or petroleum hydrocarbons, other than fully cured asphaltic waste as defined in CCR14 §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 (Cal Public Resources Code §42463(f))
 - m. Type B Inert Debris (CCR14, §17388(k))
 - n. Concrete grinding residues or remnant concrete slurries.
 - o. Green waste, woodwaste, or any other organic materials (CCR27, §20230(a))
 - p. Gypsum-board, drywall, or any other gypsum-related materials

- q. Wastes containing any free liquids (CCR27, §20200(d))
 - r. Any asphaltic materials that are not fully cured (CCR14, §17388(i))
15. **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 a Waste Acceptance Plan (WAP) prepared and submitted to the Regional Board by the Discharger and approved by the Executive Officer as required in these WDRs.
16. **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 shall not 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.
17. **Processing and Recycling of Gypsum-Board, Drywall or Other Gypsum-Related Materials** – Gypsum-board, drywall or other gypsum-related materials shall not be disposed of 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. **Wastes Prohibited From Disposal at an IWDF in Direct Contact with Standing or Pounded Water, or Groundwater** – These WDRs prohibit the disposal at an IWDF of the materials listed below in direct contact with standing or ponded water, or with groundwater.
- a. Any asphaltic materials
 - b. Any concrete or other inert wastes that contain any steel or other metal materials
19. **Additional Requirements** – If it is determined that an IWDF poses a threat to water quality, the Regional Board may impose additional requirements if necessary, to accommodate regional or site-specific conditions (CCR27, §20080(a)(1)).
20. **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.

21. **Implementation of a Monitoring and Reporting Program** – This Order requires the implementation of a Monitoring and Reporting Program (MRP) 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.
22. **Maintenance and Monitoring** – This Order establishes standards for maintenance and monitoring of IWDFs and includes the attached Monitoring and Reporting Program (MRP) (Order No. RB-2018-0028). In the event of an inconsistency between the provisions of this Order and the Basin Plan, the more protective water quality provision shall prevail.
23. **Technical and Monitoring Reports** – CWC §13267(b) authorizes regional 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 (Order No. RB-2018-0028) 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.
24. **Monitoring and Reporting Program** – The MRP for this Order requires the Discharger to perform regular monitoring and reporting of waste acceptance, disposal, and management activities, and to confirm completion of necessary site maintenance activities. The MRP may be modified as needed by the Executive Officer for each discharger. The monitoring and reporting requirements are necessary to assess compliance with this Order and to ensure implementation of all necessary long-term maintenance activities.
25. **Site Maintenance and Monitoring** – The adoption in this Order of maintenance and monitoring requirements at IWDFs will assist in:
 - a. Protecting groundwater and surface waters of the State from pollution.
 - b. Simplifying and expediting the application process for the Discharger.
 - c. Reducing Regional Board staff time preparing individual waste discharge requirements for each IWDF.
 - d. Providing consistency for regulation of IWDFs in the Santa Ana Region.
26. **Closure** – CCR14, §17388.3(g) states that upon the final placement of waste at an IWDF, the operator 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.

27. **Basin Plan** – A Water Quality Control Plan for the Santa Ana River Basin (Basin Plan) became effective on January 24, 1995. The Basin Plan, and 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.
28. **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.

APPLICATION PROCESS

29. **Notice of Intent** – California Water Code (CWC), §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 board a report of the discharge (Report of Waste Discharge (ROWD)) containing the information which may be required by the regional board. If the Regional 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 WDRs and authorization for the discharge. Accordingly, pursuant to these general WDRs, any discharger proposing to discharge inert wastes must submit a Notice of Intent (NOI) along with a Technical Report that includes a load checking program in accordance with the requirements of these general WDRs (a copy of the NOI is found in Attachment 2 and the requirements for Technical Report are found in Attachment 3).
30. **Technical Report** – This Order requires the Discharger to take any and 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, but is not limited to, the items described in Attachment 3, and must include a waste acceptance program (WAP) and a load checking program (LCP) that describe the procedures for material characterization, acceptance and tracking, load inspection, employee training, and large source verification to prevent the disposal of any substance at the IWDF that may cause pollution of water resources.
31. **Absence of NOI** – In accordance with CWC §13263(d), the Regional Board may prescribe requirements although no NOI has been filed.

32. **Request for NOI by Executive Officer** – The Executive Officer will request a Discharger to submit an NOI for any IWDF that the Executive Officer determines should be covered under this Order.
33. **Annual Fee** – CWC, §13260(d)(1)(A) states that each person who is subject to §13260(a) shall submit an annual fee according to a fee schedule established by the state board.
34. **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 CCR Title 23, §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 a IWDF that may have changed. If the TTWQ and Complexity Rating are changed, the annual fee could also change.

OTHER REGULATORY CONSIDERATIONS

35. **Review of WDRs** – CWC, §13263(e) states that all WDRs shall be reviewed periodically and, upon such review, may be revised by the Regional Board to comply with changing state or federal laws, regulations, policies, or guidelines.
36. **Antidegradation Policy** – California State Water Resources Control Board (State Board) Resolution 68-16 ("Statement of Policy with Respect to Maintaining High Quality of Waters in California") requires that whenever the existing quality of water is better than the quality established in policies as of the date on which such policies become effective, such existing high quality must be maintained. Resolution 68-16 only allows change in the existing high quality if it has been demonstrated to the Water Board that the change is consistent with maximum benefit to the people of the State, will not unreasonably affect present and anticipated beneficial uses of such water, and will not result in water quality less than that prescribed in the policies. Resolution 68-16 further requires that discharges meet WDRs which will result in the best practicable treatment or control of the discharge necessary to assure that (a) pollution or nuisance will not occur and (b) the highest water quality consistent with the maximum benefit to the people of the State will be maintained. Resolution 68-16 incorporates the federal "antidegradation" policy (CCR Title 40, §131.12). This Order is consistent with these policies.

This Order prohibits discharges of waste to surface waters except in specified circumstances that are consistent with federal regulations, requires dischargers to manage waste and waste disposal to prevent degradation of groundwater, and requires Dischargers to manage waste to minimize odors and prohibit nuisance conditions. The Regional 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 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.
37. **Exemption from CEQA** – This project of adopting waste discharge requirements is being initiated by the Regional Board. The action to adopt waste discharge requirements is intended to protect the environment. These waste discharge requirements are for existing IWDFs and as such are exempt from provisions of the California Environmental Quality Act (Public Resources Code, §21000, et seq.) in accordance with Title 14, California Code of Regulations, Chapter 3, §15301.
38. **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.
39. **Compliance With Storm Water Industrial General Permit** – Pursuant to §402(p) of the Clean Water Act (33USC §1342(p)) and Title 40 of the Code of Federal Regulations (40CFR) parts 122, 123, and 124, the California State Water Resources Control Board (State 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 Board Order 2014-0057-DWQ). It has been determined that IWDFs are an industrial activity that must comply with the requirements of the IGP. This Order requires submittal of documentation demonstrating compliance with the IGP.
40. **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 Landfill will not adversely impact ground and surface water resources, thereby protecting human health and ensuring that water is safe for domestic use.
41. **Waiver of Waste Discharge Requirements (WDRs)** – Inert waste disposal operations in the Santa Ana Region are currently regulated under a Waiver of Waste Discharge Requirements for Specific Types of Discharges, Resolution No. R8-2013-0015 (General Waiver). The requirements in this order for Inert Waste Disposal Facilities supersede and replace the requirements for such operations set forth in the General Waiver.

42. **Notification and Public Hearing** – The Regional Board has notified interested agencies, the Dischargers, and all currently known interested parties of its intent to adopt general waste discharge requirements for IWDFs, and has provided interested persons with an opportunity to submit written comments and make oral comments at a hearing. The Regional Board in a public meeting heard and considered all comments pertaining to waste disposal at IWDFs.
43. **Consideration of Comments** – The Regional Board, in a public meeting, heard and considered all comments pertaining to the adoption of general waste discharge requirements for IWDFs.

DEFINITIONS

44. **Definitions** – Definitions of terms used in this Order shall be as set forth in this Order, in CCR27 §20164, CCR14 §17381, CWC §13050, and other applicable state and federal regulations.
45. **Scope of Definitions** – For the purposes of this General Order, the terms, phrases, or abbreviations that follow have a narrow scope of meaning, and are as described below.
46. **C&D Waste** – CCR14 §17388(c) states that *Construction and Demolition Waste* or *C&D Waste* means the nonhazardous waste building materials, packaging and rubble resulting from construction, remodeling, repair and demolition operations on pavements, houses, commercial buildings and other structures.
47. **CDI Waste Disposal Facility** – CCR14, §17388(d) states that *CDI Waste Disposal Facility* means a facility at which Construction & Demolition (C&D) waste, C&D waste together with inert debris (Type A or B) or inert debris (Type B) only is disposed.
48. **Concrete Grinding Residue** – A semi-solid liquid waste generated from grinding 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.
49. **Remnant Concrete Slurry** – A semi-solid liquid waste concrete material such as that which remains in a concrete mixer after depositing concrete at a construction site.
50. **Constituents of Concern** – means any element, compound, waste constituent(s), reaction product(s), or hazardous constituent(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 to the IWDF.

51. **De-watered Drilling Mud** – De-watered drilling mud is the residual semi-solid drilling mud from which free liquid has been evaporated or otherwise removed (based on CCR27, §20164).
52. **Drilling Mud** – Drilling mud is 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.
53. **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.
54. **Engineered Fill Activity** – CCR14, §17388(g) states that *engineered fill activity* means 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 shall 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.
55. **Free Liquid** – CCR27, §20164 states that *Free Liquid* means 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).
56. **Fully Cured Asphalt** – CCR14 §17381(i) states that *fully cured asphalt* means that the material must be at ambient temperature, be substantially hardened, and be inelastic.
57. **Inert Debris** – California Code of Regulations Title 14, Chapter 3, Article 5.95 (CCR14), §17388(k) defines *inert debris* as 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 shall not contain any putrescible wastes.
58. **Inert Debris Engineered Fill Operation** – CCR14, §17388(l) states that *inert debris engineered fill operation* (IDEFO) means 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.

59. **Inert Debris Type A Disposal Facility** – CCR14 §17388(m) states that *Inert Debris Type A Disposal Facility* means 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.
60. **Inert Waste** – CCR27, §20230(a) states that *inert waste* is that 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.
61. **Treated Industrial Waste** – Treated industrial waste 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 (CCR27, §20164)
62. **Type A Inert Debris** – CCR14, §17388(k)(1) states that “*Type A*” *inert debris* 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 Resources Control Board (State 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 Board may consider statewide and site-specific factors in making this determination.

63. **Type B Inert Debris** – CCR14, §17388(k)(2) states that *Type B inert debris* is solid waste that is *specifically determined* to be inert by the applicable Regional Board, such as treated industrial wastes and de-watered bentonite-based drilling mud but excluding Type A inert debris.

IT IS HEREBY ORDERED

IT IS HEREBY ORDERED that any Discharger who has received authorization to discharge under this Order to meet the provisions contained in Division 7 of the California Water Code and regulations adopted there under, shall comply with the following:

A. DISCHARGE SPECIFICATIONS

1. **Limitations on Discharge of Wastes** – Wastes discharged at any IWDF shall be limited to inert wastes as defined in CCR27, §20230(a) and as limited by the specifications, prohibitions, provisions, and requirements contained in these 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 an IWDF and whether or not such wastes are required to be managed as hazardous wastes (CCR27, §20200).
3. **Management of Unacceptable Wastes** – The Discharger shall remove and relocate to a legal point of disposal any wastes that are discharged 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 California regional water quality control board, and is in full compliance therewith. In the event that 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.
4. **Acceptance, Management, and Placement of Asphalt Materials** – The Discharger shall only dispose of fully cured asphaltic waste at the IWDF and shall ensure that any asphaltic waste that is 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
 - 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.

5. **Acceptance, Management, and Placement of Concrete or Other Inert Waste That Contains Steel or Other Metal Materials** – The Discharger shall ensure that any concrete or other inert waste, which contains 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.
 - 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.
6. **Management of Drilling Muds** – Drilling muds may be accepted at the IWDF for processing, recycling, and/or disposal provided that the drilling muds are managed at the IWDF in accordance with a Drilling Mud Management Plan submitted and approved by the Executive Officer as required in these WDRs. Dischargers shall not 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.
7. **Precipitation and Drainage Control** – The IWDF shall be designed, constructed, and maintained to limit, to the greatest extent 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. In addition, the Discharger shall comply with the following:
 - a. Units shall be designed, constructed, and maintained to achieve compliance with the requirements in Title 27, §20365.
 - b. Top deck surfaces shall be constructed to achieve a minimum one-percent slope and to direct flows to downdrains and other drainage control features.
 - c. Downdrains and other necessary drainage structures must be constructed for all sideslopes.

B. PROHIBITIONS

1. **Limitations on Discharge of Wastes** – 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.
2. **General Prohibition** – Neither the treatment nor the discharge of waste at an IWDF shall create a pollution, contamination or nuisance, as defined by CWC §13050. In addition, the discharge of waste classified as hazardous, as defined in California Code of Regulations, Title 23, §2521(a) is also prohibited.
3. **No Discharge to Surface Waters** – No waste discharge, including storm water runoff, to surface waters from the IWDF shall occur.
4. **Pollution or Nuisance** – Neither the discharge nor any treatment of wastes at the IWDF shall cause pollution or nuisance.
5. **Prevention of Erosion** – Erosion of deposited materials at the IWDF by surface flow shall be prevented.
6. **Prevention of Ponding** – Ponding of water or other liquids on surfaces overlying waste disposal areas shall be prevented.
7. **Hazardous Wastes, Designated Wastes and Special Wastes** – No hazardous wastes (as defined in CCR22 §66261.3 et seq.), designated wastes (as defined in CWC §13173), or special wastes (CCR27 §20164, as categorized in CCR22 §§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.
8. **Non-Hazardous Solid Wastes** – No non-hazardous solid wastes (as described in CCR27 §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.
9. **Sewage Sludge** – No sewage sludge or water treatment sludge shall be disposed of or deposited at the IWDF.
10. **Toxic Materials** – No materials of a toxic nature such as insecticides and poisons shall be disposed of or deposited at the IWDF.

11. **Radioactive Materials** – No radioactive materials as determined by a regulatory agency with jurisdictional authority shall be disposed of or deposited at the IWDF.
12. **Asbestos** – No asbestos or asbestos products shall be disposed of or deposited at the IWDF.
13. **Prohibited Wastes** – The Discharger shall not dispose of any organic materials, green waste, woodwaste, gypsum-board, drywall or other gypsum-related materials at the IWDF.
14. **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 CCR14, 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.
15. **No Wastes Containing Free Liquids** – The Discharger shall ensure that any wastes accepted for disposal at the IWDF do not contain any free liquids.
16. **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.
17. **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.
18. **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.
19. **Electronic Waste** – The Discharger shall not accept any electronic waste for disposal or deposition at the IWDF.
20. **Type B Inert Debris** – The Discharger shall ensure that no Type B Inert Debris is disposed of or deposited at the IWDF.

C. PROVISIONS

1. **Requirement for Notice of Intent (NOI)** – Any discharger operating or intending to operate an IWDF shall submit a Notice of Intent (NOI) as provided in

Attachment 2 for any IWDF that the Executive Officer determines should be covered under this Order.

2. **Technical Report** – NOIs for operation and management of an IWDF shall include a Technical Report as described in Attachment 3 and that addresses and achieves compliance with all of the requirements of this Order and that documents compliance with the Storm Water Industrial General Permit (State Board Order 2014-0057-DWQ). Management and operation of the IWDF and placement of waste materials shall be performed in accordance with the facility's Technical Report and the requirements of this Order.
3. **Load Checking Program** – The Discharger shall prepare a Load Checking Program (LCP) and include it as part of the Technical Report. The Discharger shall implement the LCP and take all other necessary measures to prevent any prohibited, unauthorized, or unapproved wastes or materials from being discharged at the IWDF. The LCP shall address the requirements of Title 27, §20870 and include procedures for material acceptance and tracking, load inspection, employee training, and large source verification, that meets the requirements of this Order to prevent the disposal of any substance at the IWDF that may cause pollution to water resources.
4. **Waste Acceptance Plan** – The Discharger shall prepare and submit for approval by the Executive Officer a **waste acceptance plan** (WAP) and include it as part of the Technical Report. The WAP shall describe the steps, procedures, methods, and criteria that will be used to ensure that earth materials accepted at the facility for deposition or disposal do not contain any constituents of concern at concentrations that could pollute or contaminate or threaten to pollute or contaminate water resources. The Discharger may submit for approval by the Executive Officer a proposal for modification or revision of the WAP. In addition, the Executive Officer may modify or revise the WAP as determined to be necessary to protect water resources.
5. **Processing and Recycling of Gypsum Materials** – As stated in Prohibition B.13 above, gypsum-board, drywall or other gypsum-related materials shall not be disposed of at the IWDF. 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 such gypsum materials at the IWDF, the Discharger must submit for approval by the Regional 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 such gypsum materials at the IWDF, the Discharger must receive approval of the GRP by the Regional Board's Executive Officer
 - d. The Discharger must implement, operate, and manage the gypsum materials recycling operation in accordance with the GRP 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 materials at the facility.
6. **Acceptance, Processing, Recycling, and/or Disposal of Drilling Mud** – The Discharger may accept drilling mud 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 Regional 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 approval of the DMMP by the Regional Board's 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 any drilling mud at the IWDF 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.

7. **Operation and Maintenance** – The Discharger shall, at all times, properly operate and maintain all facilities and systems of management 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 funding, adequate operator staffing and training, and adequate process controls. This provision requires the operation of backup or auxiliary facilities or similar systems only when necessary to achieve compliance with the conditions of this Order. (CWC, §13263(f))
8. **Adequate Maintenance and Management** – The Discharger shall ensure proper and adequate maintenance and management of cover materials, cover configuration, drainage facilities, erosion control measures, and other factors and practices at the IWDF to prevent waste discharge to waters of the state.
9. **Submittal of Reports** – The Discharger shall furnish, under penalty of perjury, technical or monitoring program reports in accordance with CWC §13267. Failure or refusal to furnish these reports or falsifying any information provided therein renders the Discharger guilty of a misdemeanor and subject to the penalties stated in CWC §13268. Monitoring reports shall be submitted in accordance with the specifications contained in the MRP, as directed by the Executive Officer. Additionally, as applicable, technical and monitoring reports shall be prepared by, or under the supervision of, and signed by a California professional civil engineer or professional geologist. The MRP is subject to periodic revisions as warranted and approved by the Executive Officer.
10. **Monitoring Program and Devices** – The Discharger shall furnish, under penalty of perjury, technical monitoring program reports; such reports shall be submitted in accordance with specifications prepared by the Executive Officer, which specifications are subject to periodic revisions as may be warranted. (CWC, §13267)
11. **Implementation of the MRP** – The Discharger shall implement the attached MRP No. R8-2018-0028, and revisions thereto, which is incorporated herein by reference, 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, to evaluate facility operations, to ensure implementation of all necessary short-term and long-term maintenance activities, and to ensure compliance with his Order.
12. **Availability** – The Discharger shall maintain copies of this Order and the facility's Operation Plan at the IWDF so as to be available at all times to personnel operating the IWDF.

13. **Failure to Submit 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 Regional Board, it shall submit such facts or information within fourteen (14) days of its discovery of the omission. (CWC, §13260 and §13267)
14. **Compliance With the Storm Water Industrial General Permit** – The Discharger shall comply with the requirements of State Board Order 2014-0057-DWQ, 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.
15. **Certification of All Submitted Documents** – All applications, reports, or information submitted to the Regional Board shall be signed and certified as follows:
 - a. Applications, NOIs, or similar documents shall be signed as follows:
 - i. For a corporation – by a principal executive 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. 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:
 - i. The authorization is made in writing by a person described in paragraph [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 section 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."

16. **Change in Discharge** – In the event of a material change or proposed change in the character, location, boundaries, quantity, or volume of its discharge, the Discharger shall file with this Regional Board a new Notice of Intent (NOI) at least 120 days prior to the date of such proposed change (CWC, §13260(c)). A material change includes, but is not limited to, the following:
 - a. Addition of a major industrial waste discharge or the addition of a new process or product by an IWDF resulting in a change in the character of the waste.
 - b. Significant change in disposal method,
 - c. 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.
 - d. Increase in discharge quantity beyond that specified in the IWDF's NOI.
 - e. Increase in the area or depth to be used for waste disposal beyond that specified in the waste discharge requirements. (CCR23, §2210)
17. **Change in Ownership** – The Discharger must notify the Executive Officer, in writing at least 30 days in advance of any proposed transfer of this Order's responsibility and coverage to a new discharger containing a specific date for the transfer of this Order's responsibility and coverage between the current discharger and the new discharger. This agreement shall include an acknowledgement that the existing discharger is liable for violations up to the transfer date and that the new discharger is liable from the transfer date forward. (CWC, §13267 and §13263)
18. **Investigation and Inspections** – 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's 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. (CWC, §13267)
 - e. Except for material determined to be confidential in accordance with applicable law, all reports prepared in accordance with the terms of this Order shall be available for public inspection at the office of the Regional Board. Data on waste discharges, water quality, geology, and hydrogeology shall not be considered confidential.
19. **Notification of Violations** – The Regional 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 Regional Board in the same manner as stated above, and shall also be included in the next scheduled monitoring report.
20. **Cessation of Disposal Operations** – Ninety (90) days prior to cessation of disposal operations at the IWDF, the Discharger shall submit a technical report to the Regional 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. Such methods and controls shall comply with the foregoing technical report and the WDRs. The report shall be prepared under the direct supervision of a California registered geologist or professional civil engineer, or a California-certified engineering geologist.
21. **Final Cover** – In accordance with CCR14, §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, erosion, 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 three to four percent slope.

22. **Continuing Responsibility** – This Regional Board considers the Discharger to have continuing responsibility for correcting any problems which may arise in the future as a result of this waste discharge or water applied to the IWDF during subsequent use of the land for other purposes.
23. **Compliance with Other Laws, Regulations, or Ordinances** – This Order does not exempt the Discharger from compliance with any other laws, regulations, or ordinances which may be applicable; they do not legalize this waste disposal facility, and they leave unaffected any further restraint on the disposal of wastes at the Landfill which may be contained in other statutes or required by other agencies.
24. **Order Subject to Rescission or Modification** – In accordance with CWC §13263(g), this Order shall not create a vested right to continue to discharge and is subject to rescission or modification. All discharges of waste into the waters of the State are privileges, not rights.
25. **Noncompliance** – The Discharger shall comply with all conditions of this Order and any additional conditions prescribed by the Regional Board in addenda thereto. Noncompliance with this Order constitutes a violation of the CWC and is grounds for:
 - a. enforcement action;
 - b. termination, revocation and re-issuance, or modification of this Order;
 - c. denial of a NOI in application for new or revised WDRs; or
 - d. any combination of the foregoing.
26. **Civil Liability** – Failure to comply with the terms and conditions of this Order may result in imposition of civil liability against the Discharger by this Regional Board, either by the Board or judicially by the Superior Court, in accordance with CWC §13350 et. seq. and/or referral to the Attorney General of the State of California for such legal action as may be deemed appropriate.
27. **Endangered Species Acts** – This Order does not authorize any act that results in the taking of a threatened or endangered species or any act that is now prohibited, or becomes prohibited in the future, under either the California Endangered Species Act (Fish and Game Code §§2050-2097) or the federal Endangered Species Act (16 U.S.C. §§1531 -1544). The Discharger shall be responsible for meeting all applicable requirements of the Endangered Species Acts. A discharge which is deleterious to fish, plant life, mammals, or bird life or otherwise in violation of Fish and Game Code §5650 is not a discharge which is

authorized nor in compliance with the terms and conditions of this Order. The Discharger shall obtain permits as necessary and comply with permit conditions and all other applicable federal, state, county, and local laws and regulations.

28. **Conditions of this Order Maintained** – 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.
29. **Severability** – 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.
30. **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 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.
31. **Duty to Comply** – The Discharger must comply with all conditions of these waste discharge requirements. A responsible party has been designated for each IWDF and is legally bound to maintain the monitoring program and permit. Violations may result in enforcement actions, including Regional Board orders or court orders requiring corrective action or imposing civil monetary liability, or in modification or revocation of these waste discharge requirements by the Regional Board. (CWC, §§13261, 13263, 13265, 13268, 13300, 13301, 13304, 13340, and 13350). Failure to comply with any waste discharge requirement, monitoring and reporting requirement, or other order or prohibition issued, reissued or amended by the Regional Board or State Water Resources Control Board is a violation of these waste discharge requirements and the Water Code, which can result in the imposition of civil liability. (CWC, §13350(a))
32. **Vested Rights** – 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, do not protect the Discharger from its liability under Federal, State or local laws, nor do they create a vested right for the discharger to continue the waste discharge. (CWC, §13263(g))
33. **Notification Requirement** – Except for a discharge which is in compliance with these waste discharge requirements, any person who, without regard to intent or negligence, causes or permits any hazardous substance or sewage to be discharged in or on any waters of the State, or discharged or deposited where it is, or probably will be, discharged in or on any waters of the State, shall, as soon

as (a) that person has knowledge of the discharge, (b) notification is possible, and (c) notification can be provided without substantially impeding cleanup or other emergency measures, immediately notify the Office of Emergency Services of the discharge in accordance with the spill reporting provision of the State toxic disaster contingency plan adopted pursuant to Article 3.7 (commencing with §8574.7) of Chapter 7 of Division 1 of Title 2 of the Government Code, and immediately notify the State Board or the appropriate Regional Board of the discharge. This provision does not require reporting of any discharge of less than a reportable quantity as provided for under subdivisions (f) and (g) of §13271 of the Water Code unless the discharger is in violation of a prohibition in the applicable Water Quality Control Plan. (CWC, §13271(a))

34. **Oil or Petroleum Releases** – Except for a discharge which is in compliance with these waste discharge requirements, any person who without regard to intent or negligence, causes or permits any oil or petroleum product to be discharged in or on any waters of the State, or discharged or deposited where it is, or probably will be, discharged in or on any waters of the State, shall, as soon as (a) such person has knowledge of the discharge, (b) notification is possible, and (c) notification can be provided without substantially impeding cleanup or other emergency measures, immediately notify the Office of Emergency Services of the discharge in accordance with the spill reporting provision of the State oil spill contingency plan adopted pursuant to Article 3.5 (commencing with §8574.1) of Chapter 7 of Division 1 of Title 2 of the Government Code. This provision does not require reporting of any discharge of less than 42 gallons unless the discharge is also required to be reported pursuant to §311 of the Clean Water Act or the discharge is in violation of a prohibition in the applicable Water Quality Control Plan. (CWC, §13272)
35. **Operations Failure** – In an enforcement action, it shall not be a defense for the Discharger that it would have been necessary to halt or to reduce the permitted activity in order to maintain compliance with this Order. Upon reduction, loss, or failure of operations at the facility, the Discharger shall, to the extent necessary to maintain compliance with this Order, control operations or all discharges, or both, until the facility is restored, or an alternative method of operation is provided. This provision applies, for example, when the primary source of power of the treatment facility fails, is reduced, or is lost. (CWC, §13263(f))
36. **Endangerment to Health and Environment** – 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 Discharger becomes aware of the circumstances. A written submission shall also be provided within five days of the time the Discharger 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, and 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.

37. **Maintenance of Records** – The discharger shall retain records of all monitoring information including all maintenance records, copies off all reports required by this Order, and a record of all information used to complete the application for this Order. Records and reports shall be maintained for a minimum of three years from the date of submission to the Regional Board. This period may be extended during the course of any unresolved litigation regarding this discharge or when requested by the Regional Board Executive Officer. Records of monitoring information shall include:
- a. The date, exact place, and time of recording;
 - b. The individual(s) who documented the record;
38. **Supersede and Replace** – This Order supersedes and replaces any, and only those, requirements for inert waste disposal operations contained in Regional Board Resolution No. R8-2013-0015 Waiver of Waste Discharge Requirements for Specific Types of Discharges (General Waiver).
39. **Revision** – These waste discharge requirements are subject to review and revision by the Regional Board. (CWC, §13263)
40. **Effective Date** – This Order becomes effective on the date of adoption by this Regional Board.

I, Hope A. Smythe, 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, Santa Ana Region, on February 8, 2019.

Hope A. Smythe
Executive Officer

Attachment 1 – Monitoring and Reporting Program

Attachment 2 – Notice of Intent Form (NOI)

Attachment 3 – Technical Report

ATTACHMENT 1

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SANTA ANA REGION

ORDER NO. RB-2019-0008

MONITORING AND REPORTING PROGRAM
FOR
INERT WASTE DISPOSAL FACILITIES
WITHIN THE SANTA ANA REGION

The California Regional Water Quality Control Board, Santa Ana Region (hereinafter Regional Board) finds that:

A. GENERAL

1. The Discharger shall comply with all monitoring programs required under this Monitoring and Reporting Program (MRP).
2. At any time, the Discharger may file a written request, including appropriate supporting documents, with the Regional Board's Executive Officer (EO), proposing modifications to MRP No. R8-2019-0008. The Discharger shall implement any changes in the revised MRP approved by the EO upon receipt of a signed copy of the revised MRP.
3. This MRP may be revised and approved by the EO of the Regional Board as necessary to reflect changes in the required water quality programs.
4. **Effective Date** – This Order becomes effective on the date that General Waste Discharge Requirements for Inert Waste Disposal Facilities within the Santa Ana Region, Order No. R8-2019-0008 is adopted by this Regional Board.
5. **Notice of Intent** – The Discharger shall submit a Notice of Intent (NOI) to comply with the General Waste Discharge Requirements Order No. R8-2019-0008 in accordance with the schedule described in Table A of this MRP. The NOI shall include an attached Technical Report that meets the requirements for technical reports stated in the General WDRs.
6. **Compliance With the Storm Water Industrial General Permit** – The Discharger shall comply with the requirements of State Board Order 2014-0057-DWQ, General Permit for Storm Water Discharges Associated with Industrial Activities (Industrial General Permit (IGP)) and submit the appropriate documentation listed below in all Annual Monitoring Reports to illustrate compliance with the IGP.

- a. Indicate the Waste Discharge Identification Number (WDID) for the facility
- b. Provide a copy of the active Notice of Intent (NOI) for the facility
- c. Provide a copy of the most recent documentation illustrating that the annual storm water report for the facility has been uploaded to Storm Water Multiple Application and Report Tracking System (SMARTS)
- d. Provide a copy of the Notice of Non-Applicability (NONA) for the facility.

B. INERT WASTE MONITORING PROGRAM

1. **Monitoring and Reporting Program** – The MRP for this Order requires the Discharger to perform regular monitoring and reporting of waste acceptance, management, and disposal activities, and to document performance and completion of necessary site monitoring, management, and maintenance activities.
2. **Implementation of Technical Report** – The Discharger shall implement operations, at the IWDF as required in the WDRs and as described in the Discharger's Technical Report for the facility and approved by the Regional Board's Executive Officer. Operations shall include a Load Checking Program (LCP) and all other measures necessary to prevent any prohibited, unauthorized, and unapproved wastes or materials from being discharged at the IWDF. The LCP shall address the requirements of the WDRs and include procedures for material acceptance and tracking, load inspection, employee training, and large source verification, that meet the requirements of this Order to prevent the disposal of any substance at the IWDF that may cause pollution to water resources.
2. **Implementation of Load Checking Program** – The Discharger shall implement the Load Checking Program for the IWDF as described and required in the general WDRs and shall take all other necessary measures to prevent any prohibited, unauthorized, or unapproved wastes or materials from being discharged at the IWDF.
3. **Implementation of Waste Acceptance Plan** – The Discharger shall implement the Waste Acceptance Plan (WAP) for the IWDF as described and required in the general WDRs to ensure that earth materials accepted at the IWDF do not contain any constituents of concern at concentrations greater than those contained in the WAP.
4. **Monitoring and Documentation** – The Discharger shall monitor and document all deliveries of inert waste to the IWDF and shall prepare annual reports containing summaries of inert wastes accepted for management and disposal at the IWDF. These reports shall be submitted to the Regional Board annually in accordance with the requirements contained in this Order.

5. **Inert Waste Monitoring Program** – Inert waste acceptance, management, discharge, and disposal information shall be compiled and submitted to the Regional Board in Annual Summary Reports. For each annual reporting period, the Discharger shall tabulate and report upon each type of inert waste accepted, managed, and discharged at the IWDF. Types of inert materials that must be recorded include, but are not limited to, concrete materials, fully cured asphaltic materials, soils and other earth materials, bricks, ceramic materials, glass, fiberglass, roofing shingles, and slag. Details that must be tabulated and reported upon include the following:
 - a. Name of the agency, organization, or corporation (generator) that generated the inert waste
 - b. Names and locations of the sites of origination from which the inert waste was generated
 - c. Owner of the originating site property, if available
 - d. Type or types of operation(s) conducted at the site(s) of origination
 - e. Type or types of activity(ies) or operation(s) which produced the inert wastes
 - f. Discrete and total quantities of inert wastes
 - g. Dates that discrete quantities of inert waste were delivered to and accepted at the IWDF
 - h. Number of truckloads used to transport discrete quantities of inert wastes
 - i. Type of end use or location of disposal for each discrete quantity of inert waste
6. **UNAUTHORIZED WASTES** – The Discharger shall document pertinent details regarding any shipments of unauthorized wastes that are brought to the IWDF. These details include, but are not limited to, quantities, types, origin, number of truckloads, Discharger response, and ultimate disposition (if available) of each shipment.

C. FACILITY MONITORING, MANAGEMENT, AND MAINTENANCE

1. **Facility and Systems Monitoring** – The Discharger shall regularly inspect and evaluate the IWDF and associated systems to evaluate and determine their condition and effectiveness in disposing and managing wastes discharged at the site and in managing and maintaining facility containment and control systems at the IWDF. These regular inspections and evaluations shall include the following:
 - a. Monthly, the Discharger shall inspect all waste management and disposal areas and shall evaluate their condition and effectiveness in achieving compliance with Discharge Specifications, Prohibitions, and Provisions in the WDRs. All areas of slope failure, differential settlement, fissuring, erosion, ponding, at the landfill shall be identified and documented. All such field conditions and events shall be photographed for the record.

- b. At a minimum, all run-on and runoff drainage control structures shall be inspected and evaluated monthly to determine their condition and effectiveness in achieving compliance with Discharge Specification A.7. of the WDRs. During dry weather conditions, the condition and effectiveness of site drainage control systems shall be evaluated on the basis of the system's ability to achieve compliance with the WDRs. All deficiencies shall be identified, repaired, documented, and recorded.
 - c. The Discharger shall regularly monitor and evaluate site conditions to determine whether any wastes or materials placed or managed at the IWDF have been discharged off-site. Evidence of such discharge includes visible signs and observations of off-site waste discharge, unexplained stress in biological communities, unexplained changes in soil conditions and characteristics, and any other change to the environment that could reasonably be expected to be the result of waste discharge from the facility and associated systems. All such discharges shall be identified, repaired or remediated, documented, and recorded.
2. **Weather Monitoring** – The Discharger shall regularly monitor weather conditions, patterns, and events that occur at the IWDF, and collect and report such data that characterizes these conditions, patterns, and events.
 3. **Remaining Disposal Capacity and Duration** – Annually, the Discharger shall calculate and report an estimate of the remaining disposal capacity (in cubic yards) and duration (in years and months) at the IWDF. Results of these calculations shall be included in Annual Monitoring Reports.
- D. REPORTING**
1. **Submittal of Technical Report** – The Discharger shall prepare a Technical Report (Report) as described and required in the general WDRs, and submit the Report with the Notice of Intent (NOI) to the Regional Board within ninety days of adoption of the WDRs. The Report shall comply with the WDRs and shall address and contain all of the items described in the WDRs.
 2. **Annual Monitoring Report** – The Discharger shall submit an annual report to the Regional Board covering the previous monitoring year (January 1 through December 31 of the previous year). The annual summary reports are due on February 28 of each year and shall include, but not be limited to, the following:
 - a. **Summary and Tabulation of Monitoring Data** – Inert waste monitoring, including performance of the LCP, shall be summarized in writing and all waste monitoring data obtained during the reporting period shall be presented in tabular form in the annual report

- b. **Waste Type and Placement** – The quantities and types of wastes discharged, as described in Item B.4. above, and a map indicating the locations at the IWDF where waste has been placed since submittal of the previous such report;
- c. **Results and Findings of Facility and Systems Monitoring** – At a minimum, the following information shall be included in the report:
 - i. **Waste Management Areas** – Monthly field inspection records for waste management areas and statements describing the condition and performance of these areas;
 - ii. **Site Containment and Control Systems** – Monthly evaluation records for evaluation of drainage containment and control structures; and
 - iii. **Off-Site Discharge** – Monthly evaluation records for determination of off-site discharges.
 - iv. **Maintenance and Repair Activities** – Descriptions of regular and routine maintenance activities, as well as discrete repair activities and events for areas, locations, or instances where facility management and control systems failed, broke down, or were otherwise deteriorating.
- d. **Summary of Changes** – A written summary of monitoring results and monitoring and control systems, indicating any changes made or observed since the previous annual report;
- e. **Remaining Disposal Capacity and Duration** – A written summary describing the results of calculations for the remaining disposal capacity (in cubic yards) and duration (in years and months) at the IWDF.
- f. **Copy of Certification** – The Discharger shall provide a copy of the annual certification of fill for the facility by a civil engineer or certified engineering geologist as required in CCR14 §17388.
- g. **Compliance Record Discussion** – A comprehensive discussion of the compliance record, and of any corrective actions taken or planned which may be needed to bring the Discharger into full compliance with the IWDF's waste discharge requirements;
- h. **Storm Water Industrial General Permit (IGP)** – Documentation identified in Item A.6. above that shows continuing compliance with the IGP

- i. **Weather Summary** – Each annual report shall contain a descriptive summary and a tabular data summary of weather conditions, patterns and events that occurred at the IWDF during the reporting period, as well as a description of the performance of facility systems in response to these conditions, patterns and events.
 - j. **Conclusions** – Each report shall include a summary of any relevant conclusions regarding the findings and results of monitoring activities that were conducted during the monitoring period.
3. **Storm Event Report** – In the event of a major storm event at the facility (defined as any storm that results in the site receiving more than 0.5 inches of precipitation within a 24-hour period), the Discharger shall submit a brief storm event report to the Regional Board within 30 days of the cessation of precipitation. This report shall include a brief description of facility systems performance during the storm event, a tabulation of the amount of precipitation at the site, pertinent photographs, the identification of any deficiencies, and the date and type of corrective action that has, or will be, taken to correct these deficiencies if necessary.
4. **Reporting Schedule** – The discharger shall submit the reports and documents in accordance with the deadlines specified in Table A: Monitoring and Reporting Schedule. Such submittal shall entail electronic uploading of reports and documents onto the State's database (GeoTracker) by February 28 of each year following the end of the reporting period to the Regional Board and notifying the Regional Board by email that the submittal has occurred.
5. **Facility Failure** – The Discharger shall notify Regional Board staff by telephone and/or email within 48 hours (or two business days) of any slope failure or failure of facilities necessary to maintain compliance with the requirements in this Order. Within seven (7) days, the notification shall be submitted in writing to Regional Board staff. Any failure that threatens the integrity of waste containment features or the IWDF shall be promptly corrected after a remediation workplan and schedule have been approved by Regional Board staff, unless it poses an immediate threat to the environment or landfill containment structures. Then it will be corrected as soon as possible.
6. **Signature** – All reports shall be signed by a responsible officer or a duly authorized representative of the discharger and shall be submitted under penalty of perjury.

I, Hope Smythe, 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, Santa Ana Region, on February 8, 2019.

Hope Smythe
Executive Officer

TENTATIVE

TABLE A: MONITORING AND REPORTING SCHEDULE

TASK DESCRIPTION	MONITORING PERIOD	REPORT DUE DATE
Notice of Intent and Technical Report	One-Time Report	Within Ninety Days of Adoption of WDRs
Annual Report (MRP R8-2019-0008, D.1)	January 1 to December 31 of each year	February 28 of the following year
Storm Event Report (MRP R8-2019-0008, D.2)	Major Storm Event	Within 30 Days of Cessation of Precipitation

ATTACHMENT 2 – NOTICE OF INTENT

**SANTA ANA REGIONAL WATER QUALITY CONTROL BOARD
ORDER R8-2019-0008
GENERAL WASTE DISCHARGE REQUIREMENTS FOR
INERT WASTE DISPOSAL FACILITIES**

1. DISCHARGER INFORMATION

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

Operator Name (if different than above):				
Mailing Address:				
City/Locale:	County:	State:	Zip:	Telephone Number:
Facsimile Number:		Email Address:		

2. 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	Facility Acreage (acres):			
	Total Facility Capacity (cubic yards):			
	Average Weekly Throughput (cubic yards per week):			
Assessor Parcel Number(s):	LATITUDE: _____ LONGITUDE: _____			

3. 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 2 – NOTICE OF INTENT
 GENERAL WASTE DISCHARGE REQUIREMENTS FOR INERT WASTE DISPOSAL FACILITIES
 ORDER R8-2019-0008

4. 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

5. 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:

6. 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:

7. DISPOSAL

Allowable 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:

8. 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):

9. TECHNICAL REPORT

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

10. FILING FEE

Pursuant to California Water Code section 13260 et seq., Dischargers enrolled under this General Order are required to pay an annual fee, as determined by the State Water Resources Control 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 this General Order will be assigned a threat to water quality and complexity rating as described in the General Order 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 Resources Control Board for the payment of the filing fee, and delivered to the Regional Board.

11. 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 3 – TECHNICAL REPORT REQUIREMENTS

SANTA ANA REGIONAL WATER QUALITY CONTROL BOARD ORDER R8-2019-0008 GENERAL WASTE DISCHARGE REQUIREMENTS FOR INERT WASTE DISPOSAL FACILITIES

The technical report required as part of 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 entire General Order should be thoroughly reviewed for its requirements prior to preparation of this technical report. The minimum information needed to provide a complete review of your application by the Regional Water Board is listed below. 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 this General Order, 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. Property owner's contact information including business name, main point of contact, address, telephone number, facsimile number, email address, and type of ownership (e.g., individual, corporation, etc.).
2. Resume of operation and management organization that will operate the facility. In addition, please provide the operator's contact information including business name, main point of contact, address, telephone number, facsimile number, and email address.
3. Information including name, address, telephone number, facsimile number, and email address where legal notices may be served (if different than above).
4. Legal business name and location of inert waste disposal facility. Use the most accurate location, which may include: address; nearest town; cross streets; and latitude and longitude.
5. Please provide a description of the Facility 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. Permitted Operational Capacity expressed in cubic yards of all materials received, processed, and disposed on site at any given time;
 - e. Land uses within one mile from the perimeter of the operation; and
 - f. Description of water supply.

ATTACHMENT 3 – TECHNICAL REPORT REQUIREMENTS
GENERAL WASTE DISCHARGE REQUIREMENTS FOR INERT WASTE DISPOSAL
FACILITIES, ORDER R8-2019-0008

6. Please provide a copy of the operator's Injury and Illness Prevention Plan (as applicable under current law).
7. Provide 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 may 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 waste types accepted at the facility and include estimates for daily, monthly, and annual weights and volumes. Also, include description of waste sources and source operations.
 - c. Describe all methods of onsite transport, placement, management, processing, and compaction.
 - d. Provide process flow diagram showing movement of waste materials from initial source contact to final placement. Include average amount of time waste materials remain in each part of the process.
 - e. For previous years of operation, if applicable, provide a table depicting the average and total monthly and annual quantities (tonnage and yardage) for each type of waste accepted at the facility for each year of operation and each type of operation (e.g., IDEFO, Type A Facility).
 - f. Use of water on-site, including specific processes and volumes, as well as generation, treatment, and disposal of any wastewaters.
 - g. Describe provisions for managing unusual peak loading.
 - h. Describe transfer, recovery, and processing equipment, including classification, capacity and the number of units.
 - i. Methods for storage and removal of salvaged materials.
 - j. Describe methods for road building and for seasonal tipping area design.
8. Provide a detailed site map showing the following:
 - a. Location and size (in acres) of the disposal area or areas used for the disposal of inert wastes;
 - 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 wastewaters and 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; and
 - h. Location of any water supply wells within and/or near the property boundary.
 - i. Location and size of gypsum/drywall processing and recycling area, if applicable;
 - j. Location and size of drilling mud processing, recycling, and disposal areas, if applicable;

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9. Please provide a description of the method(s) for storage and removal of hazardous wastes, and unauthorized, prohibited, or unapproved waste or materials.
10. Please provide documentation demonstrating compliance with the State's Industrial General Storm Water Permit (IGP) Order No. 2014-0057-DWQ.

B. SITE CONDITION INFORMATION

1. Climatology – Provide numerical and descriptive climatological information for the facility based upon measurements collected at a nearby climatologically similar station and provide the source data, together with the name, location, and period of record of the measuring station. These measurements shall include:
 - a. Maximum, minimum, and average annual precipitation in inches/year;
 - b. Mean evaporation in inches/year;
 - c. 25-year, 24-hour design storm event.
2. Geology:
 - a. Map and Cross Section – Provide a geologic map and geologic cross section showing lithology and structural features underlying the facility.
 - b. Materials – Provide a description of natural geologic materials in and underlying the facility, including identification of lithology, distribution and dimension features, physical characteristics, special physical or chemical features (i.e., alteration other than weathering), susceptibility to natural surface/near-surface processes, and all other pertinent lithologic data, all in accordance with current industry practices.
3. Groundwater Conditions – Provide 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.
4. Describe and discuss 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.
5. Discuss whether the operation is located within a 100-year flood plain based on the Federal Emergency Management Agency's (FEMA) designation and any design features to prevent inundation of the facility. Include a reference to the appropriate FEMA Flood Hazard Map. Operations located within a 100-year floodplain may be subject to state and/or local land use restrictions and permits.
6. Provide information identifying 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. DESIGN INFORMATION

1. Provide the current and/or proposed design of all working and operational surfaces, berms, and conveyance ditches for the disposal or storage of waste or other materials, along with information demonstrating that these containment structures comply with appropriate design specifications of this General Order.

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Submit for each operational area detailed preliminary and/or (if existing, or later upon completion) as-built plans, specifications, and descriptions for all working surfaces or other containment structures and drainage/conveyance systems. In addition, the report shall contain a description of, and location data for, ancillary facilities including roads, waste handling areas, detention ponds, buildings, and equipment cleaning facilities.

2. Provide a water and wastewater management plan describing how water and wastewater will be managed at the facility. Information must include a description of and/or plan illustrating all precipitation controls, containment structures, (i.e., conveyance systems for wastewater and detention ponds), best management practices, and contingency plan including:
 - a. A wastewater conveyance system for controlling run-on and runoff from working surfaces and disposal areas.
 - b. A description of how all water, process water, quench water, and wastewater is generated, used, treated, and/or disposed at the facility.
 - c. A description of how the operation collects and manages wastewater. Information may include, but is not limited to, the quantities that are recycled/reused back into facility processes, description of wastewater treatment systems, other water quality permits, and best management practices (i.e. covering materials) that reduce the production of wastewater.
 - d. If using a detention pond for compliance with the Industrial General Storm Water Permit (IGP), provide a description of the water balance for the pond demonstrating compliance with the requirements of the IGP.

D. SITE OPERATIONS AND MONITORING INFORMATION

1. Include a proposal for an annual survey of the operation prior to the rainy season to assure that the site has been graded and prepared for the rainy season to eliminate or minimize erosion, ponding, infiltration, inundation, slope failure, and washout in compliance with the requirements of this General Order.
2. Describe the inspection program that will be undertaken regularly during facility operations, to assess and evaluate containment structures for evidence of erosion, ponding, or surface failures such as cracking, spilling, or subsidence, in compliance with the specifications of this General Order.
3. Describe the maintenance program that will be implemented regularly to ensure the elimination or minimization of ponding, infiltration, inundation, erosion, slope failure, and washout in compliance with the specifications of this General Order.
4. Describe the means by which facility operations will be conducted in a manner that does not cause, threaten to cause, or contribute to conditions of contamination, pollution, or nuisance.
5. Provide a description of the operations during periods of wet weather to ensure integrity of the containment systems.

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E. WASTE ACCEPTANCE PROCEDURES

1. Please provide a detailed description of the facility's **load checking program** (LCP) that ensures compliance with the General WDRs and Title 27, §20870, and is designed to prevent the acceptance, deposition, or disposal of hazardous wastes, or any other prohibited, unauthorized, or unapproved waste or materials at the facility.
2. Please submit for approval by the Executive Officer a **waste acceptance plan** (WAP) describing the steps, procedures, and criteria that ensure that earth materials accepted at the facility for deposition or disposal do not contain any constituents of concern at concentrations that could pollute or contaminate or threaten to pollute or contaminate water resources. This program should include the following at a minimum:
 - a. Descriptions of the types of materials that will be sampled
 - b. Identification and descriptions of the types and number of samples that will be collected per discrete quantity of waste
 - c. Identification of the laboratory methods that will be used for sample analyses
 - d. Identification and tabulation of the constituents of concern and their corresponding threshold acceptance concentrations enabling acceptance of materials at the facility.
 - e. Any other pertinent or critical steps, procedures, or methods that will ensure compliance with the general waste discharge requirements

F. SITE CLOSURE INFORMATION

The technical report must include a plan for site closure activities upon completion and cessation of operations under this General Order to protect public health, safety, and the environment. The plan must describe how the site will be restored in compliance with the requirements in the General Order regarding cessation of operations and placement of closure cover. In addition, please 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.

G. COMPLIANCE SCHEDULE (EXISTING FACILITIES)

The technical report shall include a proposed schedule for achieving compliance with this General Order. Proposed schedules for implementation of the identified collection, control, and monitoring practices must ensure compliance as soon as practicable, supported with appropriate technical or economic justification and in no case may the schedule exceed **two years** from the date of the NOI. The Regional Water Board may modify the schedules based on evidence that meeting the compliance date is technically or economically infeasible.

H. 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 Sections A.6 Drilling Mud Management Plan (DMMP) and C.11.a. Gypsum Material Recycling Plan (GMRP) of Order No. R8-2019-0008. These plans should be attached as appendices or addendums to the Technical Report.