

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
LAHONTAN REGION

BOARD ORDER NO. 6-95-116A1
WDID NO. 6B140300004

AMENDED WASTE DISCHARGE REQUIREMENTS

FOR

INDEPENDENCE CLASS III LANDFILL

Inyo County

The California Regional Water Quality Control Board, Lahontan Region (Regional Board) finds:

1. Dischargers

On May 20, 1996 the County of Inyo submitted information that constitutes a complete amended Report of Waste Discharge (RWD) for the active Independence Class III Landfill. The RWD includes a time schedule for compliance with State and Federal financial assurance requirements. The County of Inyo and the Los Angeles Department of Water and Power (landowner) are referred to as the "Dischargers."

2. Facility

For the purposes of this Order, the unlined Independence Class III Landfill is referred to as the "Landfill". The Landfill is located approximately one mile southeast of the City of Independence, Inyo County, within the SW/4 of Section 21, T13S, R35E, MDB&M.

3. Regional Board Order

The Regional Board previously adopted Revised Waste Discharge Requirements (WDRs) for the Landfill in Board Order No. 6-95-116, which was adopted on November 9, 1995. The Findings, Discharge Specifications, and Provisions of Board Order No. 6-95-116 not specifically amended by this Order remain in effect.

4. Reason For Action

Board Order No. 6-95-116 contains a time schedule for the submittal of several technical documents required by State and Federal regulations. The time schedule was developed by the Dischargers in coordination with regulatory agencies, including the Regional Board. However, due to financial and physical constraints, the Dischargers have been unable to comply with the time schedules contained in the Order for the submittal of financial assurance. The Dischargers have proposed a revised time schedule for compliance with financial assurance requirements. The Regional Board has discretion to set time schedules for Dischargers to attain compliance with these requirements. This Order amends the WDRs to incorporate the revised time schedule proposed by the Dischargers.

5. Time Schedules

The time schedule submitted by the Dischargers and contained in this Order is reasonable based on the financial and physical constraints of the County of Inyo. The submitted time schedule demonstrates a commitment by the Dischargers toward compliance with State and Federal regulations. The Regional Board intends to take formal enforcement action in the case of non-compliance with the time schedule contained in this Order.

6. California Environmental Quality Act Compliance

This amendment to Board Order No. 6-95-116 governs an existing facility which is currently operating and is therefore exempt from the provisions of the California Environmental Quality Act Compliance (Public Resources Code, Section 2100 et seq.) in accordance with Section 15301, Chapter 3, Title 14, California Code of Regulations.

7. Public Notification

The Regional Board has notified the Dischargers and interested agencies and persons of its intent to amend WDRs for the Landfill. The Regional Board, in a public meeting, heard and considered all comments pertaining to the discharge.

IT IS HEREBY ORDERED that the following Provisions be incorporated into Board Order No. 6-95-116:

PROVISIONS

V. TIME SCHEDULE

E. Financial Assurance

1. No later than **October 1, 1996** the Dischargers shall submit financial assurance to the Regional Board for closure and post-closure maintenance.
2. No later than **March 1, 1997** the Dischargers shall submit a technical report to the Regional Board detailing the reasonably foreseeable release scenario for the Facility and estimating the necessary financial assurance to conduct necessary cleanup and abatement actions for the release.

3. No later than **July 1, 2000** the Dischargers shall submit financial assurance to the Regional Board for the reasonably foreseeable release from the Landfill.

I, Harold J. Singer, 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, Lahontan Region, on September 5, 1996.



HAROLD J. SINGER
EXECUTIVE OFFICER

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
LAHONTAN REGION

BOARD ORDER NO. 6-95-116
WDID NO. 6B140300004

REVISED WASTE DISCHARGE REQUIREMENTS

FOR

INDEPENDENCE CLASS III LANDFILL

Inyo County

The California Regional Water Quality Control Board, Lahontan Region (Regional Board) finds:

1. Dischargers

On May 15, 1995 the County of Inyo submitted a complete revised Report of Waste Discharge for the Independence Class III Landfill. For the purpose of this Regional Board Order (Order), the County of Inyo and the City of Los Angeles Department of Water and Power are referred to as the "Dischargers."

2. Facility

The Independence Class III Landfill is the facility that receives and stores waste. For the purposes of this Order, the Independence Class III Landfill is referred to as the "Landfill."

3. Order History

The Regional Board previously adopted Waste Discharge Requirements (WDRs) for the Landfill under Board Order No. 6-86-63, which was adopted on May 20, 1986. Board Order No. 6-93-10015 was adopted on September 9, 1993, and amended the WDRs to incorporate the requirements of Title 40, Code of Federal Regulations, Parts 257 and 258 (Subtitle D) as implemented in the State of California under State Water Resources Control Board (SWRCB) Resolution No. 93-62. Board Order No. 6-86-63A1 was adopted on June 8, 1995, and amended the WDRs to incorporate a time schedule proposed by the Dischargers for compliance with specific requirements of Subtitle D and Chapter 15, Title 23, California Code of Regulations.

4. Reason for Action

The Regional Board is revising these WDRs to require the Dischargers to achieve compliance with the revised requirements of Article 5, Chapter 15, Title 23, California Code of Regulations (Chapter 15) and to incorporate requirements of the previously adopted Board Order amendments No. 6-93-10015 and 6-86-63A1.

5. Time Schedules

Board Order No. 6-93-10015 contained a time schedule for the Dischargers to comply with Subtitle D and Chapter 15. Specific elements of the time schedule were not complied with. Board Order No. 6-86-63A1 amended the WDRs to incorporate an alternative time schedule for compliance with Chapter 15 and Subtitle D. The alternative time schedule was developed by the Dischargers based on financial and physical constraints. This Order incorporates the remaining elements of the time schedule contained in Board Order No. 6-86-63A1. The Board intends to take formal enforcement action in the case of non-compliance with the time schedule contained in this Order.

6. Landfill Location

The Landfill is located approximately one mile southeast of the City of Independence, Inyo County, within the SW/4 of Section 21, T13S, R35E, MDB&M, as shown on Attachment "A," which is made part of this Order.

7. Description of Landfill

The Landfill is an unlined landfill which receives less than 100 tons of waste per day. The Landfill is permitted to receive 10 tons of waste per day by the Integrated Waste Management Board. Based on the quantity of waste currently received per day, the Landfill is a Small Landfill as defined in Subtitle D. As such, Subtitle D requirements became effective for this Landfill on April 9, 1994. Regional Board staff have reviewed information submitted by the Dischargers which illustrates the footprint of waste discharged as of April 9, 1994. The footprint documents the limits of waste which are exempt from Subtitle D requirements for composite liners, and is shown as Attachment "B," which is made a part of this Order.

8. Authorized Disposal Sites

The footprint of waste shown in Attachment "B" is the only authorized disposal site. A revised Report of Waste Discharge is required if the Dischargers propose to discharge waste outside the footprint area.

9. Waste Classification

The Landfill receives waste derived from the City of Independence and nearby communities. The waste is defined in Sections 2523 and 2524 of Chapter 15, Title 23, California Code of Regulations, as inert and non-hazardous solid waste, respectively. The waste is defined as municipal solid waste in Subtitle D.

10. Waste Management Unit Classification

Pursuant to Section 2533, Chapter 15, Title 23, California Code of Regulations, the Landfill is classified as a Class III waste management unit. The Landfill is classified as a Small Landfill in Subtitle D.

11. Subtitle D Compliance Status

Board Order amendment No.'s 6-93-10015 and 6-86-63A1 required the submittal of several items in order to comply with Subtitle D. The Dischargers have submitted complete information regarding the acceptance of liquids, the existing waste footprint, the distance from the Landfill to the nearest drinking water source, and whether the Landfill is located in a 100 year floodplain or a wetlands. This Order includes a time schedule to submit a revised Water Quality Protection Standard (WQPS) which meets the requirements of Subtitle D and Chapter 15. The above listed items which have already been submitted in conjunction with the submittals required by this Order fulfill the submittal requirements of Subtitle D as implemented by SWRCB Resolution No. 93-62.

12. Water Quality Protection Standard

The WQPS consists of constituents of concern (including monitoring parameters), concentration limits, monitoring points, and the point of compliance. The standard applies over the active life of the Landfill, closure and post-closure maintenance period, and the compliance period. The constituents of concern, monitoring points, and point of compliance are described in Monitoring and Reporting Program No. 95-116, which is attached to and made a part of this Order. This Order includes a time schedule for the Dischargers to propose concentration limits for all constituents of concern.

13. Statistical Methods

Statistical analysis of monitoring data is necessary for the earliest possible detection of a statistically significant release of waste from the Landfill. The Chapter 15 and Subtitle D regulations require statistical data analysis. Monitoring and Reporting Program No. 95-116 includes general methods for statistical data analysis. This Order also includes a time schedule for the Dischargers to submit site-specific statistical methods to be used for monitoring data analysis.

14. Detection Monitoring

Pursuant to Section 2550.8 of Chapter 15, Title 23, California Code of Regulations, the Dischargers have proposed a detection monitoring program. The current detection monitoring program has been designed to monitor the ground water for evidence of a release. No evidence of a release has been noted to date. This Order includes a time schedule for the Dischargers to consistently implement the proposed Detection Monitoring Program.

15. Evaluation Monitoring

An evaluation monitoring program may be required, pursuant to Section 2550.9 of Chapter 15, Title 23, California Code of Regulations, to evaluate evidence of a release if detection monitoring and/or verification procedures indicate evidence of a release.

16. Corrective Action

A corrective action program (CAP) to remediate released wastes from the Landfill may be required pursuant to Section 2550.10 should results of an evaluation monitoring program warrant a CAP.

17. Site Geology

The Landfill is located on alluvial deposits of gravel, sand, silt, and clay. These deposits have moderate to high permeability dependant upon the quantity of gravel and clay. A fault is located approximately one mile north of the Landfill. It is unknown if this fault is active.

18. Site Hydrogeology

Depth to ground water is approximately 50 feet below ground surface at the Landfill and flows from west to east toward the Owens River. Ground water beneath the Landfill is present in the alluvial deposits. Several production wells owned by the Los Angeles Department of Water and Power are located within 1/2 mile of the Landfill.

19. Site Surface Hydrology and Storm Water Runoff

The Owens River is approximately 4 miles east of the Landfill. There is no perennial surface water flow at the Landfill. All storm water from the Landfill is regulated under the state Amended General Industrial Activities Storm Water Permit.

20. Site Topography

Site topography is shown on Attachment "A", which is made a part of this Order.

21. Climatology

The precipitation in the area of the Landfill is approximately 6.0 inches annually. The evaporation rate is approximately 80 inches annually.

22. Land Uses

The land uses at and surrounding the Landfill consists of the following:

- a. various maintained residences and commercial buildings in the City of Independence; and,
- b. open desert land.

23. Closure and Post-Closure Maintenance

The Dischargers have not submitted a Preliminary Closure and Post-Closure Monitoring Plan (CPCMP). This Order includes a time schedule which requires that the Dischargers submit a CPCMP. This Order also requires that the Dischargers review the plan annually to determine if significant changes in the operation of the Landfill warrant an update of the plan.

24. Financial Assurance

The Dischargers have not provided financial assurance for site closure or potential future corrective action at the Landfill as required by Chapter 15. This Order includes a time schedule for the Dischargers to provide financial assurance to the Integrated Waste Management Board (IWMB) for closure and the Regional Board for potential corrective action requirements. The Regional Board can access the closure financial assurance provided to the IWMB. The IWMB does not require financial assurance for potential releases.

25. Receiving Waters

The receiving waters are the ground waters of the Owens Valley Ground Water Basin (Department of Water Resources Hydrologic Unit No. 6-12).

26. Lahontan Basin Plan

The Regional Board adopted a Water Quality Control Plan for the Lahontan Region (Basin Plan) which became effective on March 31, 1995. This Order implements the Basin Plan.

27. Beneficial Ground Water Uses

The present and probable beneficial uses of the ground waters of Owens Valley Ground Water Basin as set forth and defined in the Basin Plan are:

- a. municipal and domestic supply;
- b. agricultural supply;
- c. industrial service supply;
- d. freshwater replenishment; and,
- e. wildlife habitat.

28. California Environmental Quality Act

These WDRs govern an existing facility that the Dischargers are currently operating. The project consists only of the continued operation of the Landfill and is therefore exempt from the provisions of the California Environmental Quality Act (CEQA) (Public Resources Code Section 21000 et seq.) in accordance with Section 15301 of the CEQA Guidelines.

29. Notification of Interested Parties

The Regional Board has notified the Dischargers and all known interested agencies and persons of its intent to adopt revised WDRs for the project.

30. Consideration of Interested Parties

The Regional Board, in a public meeting, heard and considered all comments pertaining to the discharge.

IT IS HEREBY ORDERED that the Dischargers shall comply with the following:

I. DISCHARGE SPECIFICATIONS

A. Receiving Water Limitations

The discharge of waste shall not cause the presence of the following substances or conditions in ground waters of the Owens Valley Ground Water Basin:

1. any perceptible color, odor, taste, or foaming;
2. any presence of toxic substances in concentrations that individually, collectively, or cumulatively cause detrimental physiological response in humans, plants, animals, or aquatic life; and
3. the presence of constituents of concern in concentrations that exceed background levels.

II. REQUIREMENTS AND PROHIBITIONS

A. General

1. The discharge shall not cause a pollution as defined in Section 13050 of the California Water Code, or a threatened pollution.
2. The discharge shall not cause a nuisance as defined in Section 13050 of the California Water Code.

3. The discharge of solid wastes, leachate, or any other deleterious material to the ground waters of the Owens Valley Ground Water Basin is prohibited.
4. The discharge of waste except to the authorized disposal site is prohibited.
5. The disposal site shall be protected from inundation, washout, or erosion of wastes and erosion of covering materials resulting from a storm or a flood having a recurrence interval of once in 100 years.
6. Surface drainage from tributary areas, and internal site drainage from surface or subsurface sources shall not contact or percolate through solid wastes discharged at the site.
7. The exterior surfaces of the disposal site shall be graded to promote lateral runoff of precipitation and to prevent ponding.
8. Water used for dust control during disposal site operations shall be limited to a minimal amount. A "minimal amount" is defined as that amount which will not result in runoff.
9. Wastes other than inert wastes shall not be placed in ponded water from any source whatsoever.
10. No hazardous or designated wastes shall be discharged at the Landfill.
11. The discharge of wastes in a manner that does not maintain a five foot soil separation between the wastes and the seasonal high ground water elevation is prohibited.
12. Waste discharged to the Landfill shall have a solids content of 50 percent or greater.
13. The Dischargers shall remove and relocate any waste which is or has been discharged at the disposal site in violation of these requirements. The waste shall be relocated to a site which is permitted to receive such wastes. All removal and relocation projects shall be coordinated with regulatory agencies, including the County of Inyo Environmental Health Services Department.
14. During periods of precipitation, the disposal activity shall be confined to the smallest area possible based on the anticipated quantity of wastes.

15. At closure, all facilities must be closed in accordance with a final CPCMP approved by the Regional Board.
16. At any given time, the concentration limit for each constituent of concern shall be equal to the background value of that constituent.
17. The concentration limits for each constituent of concern shall not be exceeded.

B. Detection Monitoring Program

The Dischargers shall maintain a detection monitoring program as required in Section 2550.1(a)(1) of Chapter 15. This Order includes a time schedule for the Dischargers to consistently implement the proposed detection monitoring program.

C. Evaluation Monitoring Program

The Dischargers shall establish an evaluation monitoring program whenever there is statistically significant evidence of a release from the Landfill as required in Section 2550.1(a)(2) or (3) of Chapter 15.

D. Corrective Action Program

The Dischargers shall institute a CAP when required pursuant to Section 2550.1(a)(4) of Chapter 15.

III. DATA ANALYSIS

A. Statistical Analysis

Statistical analysis of ground water and unsaturated zone detection monitoring program data shall be conducted. Analysis shall be conducted in accordance with statistical methods detailed in Monitoring and Reporting Program No. 95-116.

B. Nonstatistical Analysis

The Dischargers shall determine whether there is significant physical evidence of a release from the Landfill. Significant physical evidence may include unexplained volumetric changes in the Landfill, unexplained stress in biological communities, unexplained changes in soil characteristics, visible signs of leachate migration, unexplained water table mounding beneath or adjacent to the Landfill, or any other change to the environment that could reasonably be expected to be the result of a release from the Landfill.

C. Verification Procedures

1. The Dischargers shall immediately initiate verification procedures as specified below whenever there is a determination by the Dischargers or Executive Officer that there is statistical or non-statistical evidence of a release. If the Dischargers decline the opportunity to conduct verification procedures, the Dischargers shall submit a technical report as described below under the heading Technical Report Without Verification Procedures.
2. The verification procedure shall only be performed for the constituent(s) that has shown evidence of a release, and shall be performed for those monitoring points at which a release is indicated.
3. The Dischargers shall either conduct a composite retest using data from the initial sampling event with all data obtained from the resampling event or shall conduct a discrete retest in which only data obtained from the resampling event shall be analyzed in order to verify evidence of a release.
4. The Dischargers shall report to the Regional Board by certified mail the results of the verification procedure, as well as all concentration data collected for use in the retest within seven days of the last laboratory analysis.
5. The Dischargers shall determine, within 45 days after completion of sampling, whether there is statistically significant evidence of a release from the Landfill at each monitoring point. If there is statistically significant evidence of a release, the Dischargers shall immediately notify the Regional Board by certified mail. The Executive Officer may make an independent finding that there is statistical evidence of a release.
6. If the Dischargers or Executive Officer verifies evidence of a release, the Dischargers are required to submit, within 90 days of a determination that there is or was a release, a technical report pursuant to Section 13267(b) of the California Water Code. The report shall propose an evaluation monitoring program **OR** make a demonstration to the Regional Board that there is a source other than the Landfill that caused evidence of a release.

D. Technical Report Without Verification Procedures

If the Dischargers choose not to initiate verification procedures, a technical report shall be submitted pursuant to Section 13267(b) of the California Water Code. The report shall propose an evaluation monitoring program, **OR**, attempt to demonstrate that the release did not originate from the Landfill.

IV. PROVISIONS

A. Rescission of Waste Discharge Requirements

Board Orders No. 6-86-63, 6-93-10015, and 6-86-63A1 are hereby rescinded.

B. Standard Provisions

The Dischargers shall comply with the "Standard Provisions for Waste Discharge Requirements," dated September 1, 1994, in Attachment "C", which is made part of this Order.

C. Monitoring and Reporting

1. Pursuant to the California Water Code Section 13267(b), the Dischargers shall comply with the Monitoring and Reporting Program No. 95-116 as specified by the Executive Officer.
2. The Dischargers shall comply with the "General Provisions for Monitoring and Reporting," dated September 1, 1994, which is attached to and made part of the Monitoring and Reporting Program.

D. Closure and Post-Closure Monitoring

This Order requires the submittal of a preliminary CPCMP. Once the preliminary CPCMP is submitted, it shall be updated if there is a substantial change in operations. A report shall be submitted annually indicating conformance with existing operations. To comply with Chapter 15, a final CPCMP shall be submitted at least 180 days prior to beginning any partial or final closure activities or at least 120 days prior to discontinuing the use of the site for waste treatment, storage or disposal, whichever is greater. The California Integrated Waste Management Board, pursuant to Title 14, California Code of Regulations, requires the submittal of a final closure plan a minimum of two years prior to closure.

E. Financial Assurance

This Order requires the submittal of financial assurance for closure and for reasonably foreseeable releases. Once the required financial assurance is submitted, the Dischargers shall submit a report annually providing evidence that adequate financial assurance pursuant to the requirements of the WDRs has been provided for closure and for potential releases. Evidence shall include the total amount of money available in the fund developed by the Dischargers.

In addition, the Dischargers shall either provide evidence that the amount of financial assurance is still adequate or increase the amount of financial assurance by the appropriate amount. An increase may be necessary due to inflation, a change in regulatory requirements, a change in the approved closure plan, or other unforeseen events.

F. Modifications to the Landfill

If the Dischargers intend to expand the capacity of the Landfill, a report shall be filed no later than 90 days after the total quantity of waste discharged at this site equals 75 percent of the reported capacity of the site. The report shall contain a detailed plan for site expansion. This plan shall include, but is not limited to a time schedule for studies design, and other steps needed to provide additional capacity. If site expansion is not undertaken prior to the site reaching the reported capacity, the total quantity discharged shall be limited to the reported capacity.

V. TIME SCHEDULE

A. Closure Plan

By March 1, 1997 the Dischargers shall submit a Preliminary Closure and Post-Closure Maintenance Plan to the Regional Board which proposes the manner and methods by which the Landfill will be closed and monitored in accordance with Article 8 of Chapter 15 and Part 258 of Subtitle D.

B. Water Quality Protection Standard

By March 1, 1997 the Dischargers shall submit a complete WQPS to the Regional Board which complies with Article 5 of Chapter 15.

C. Statistical Methods

By March 1, 1997 the Dischargers shall submit a technical report which proposes site-specific statistical methods to be used for monitoring data analysis.

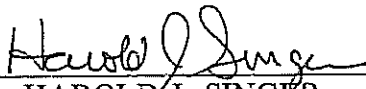
D. Detection Monitoring Program

By June 15, 1997, the Dischargers shall submit a technical report which documents consistent implementation of the detection monitoring program for the Landfill. The technical report shall include the laboratory results and statistical analysis of ground water monitoring data for upgradient and downgradient monitoring points.

E. Financial Assurance

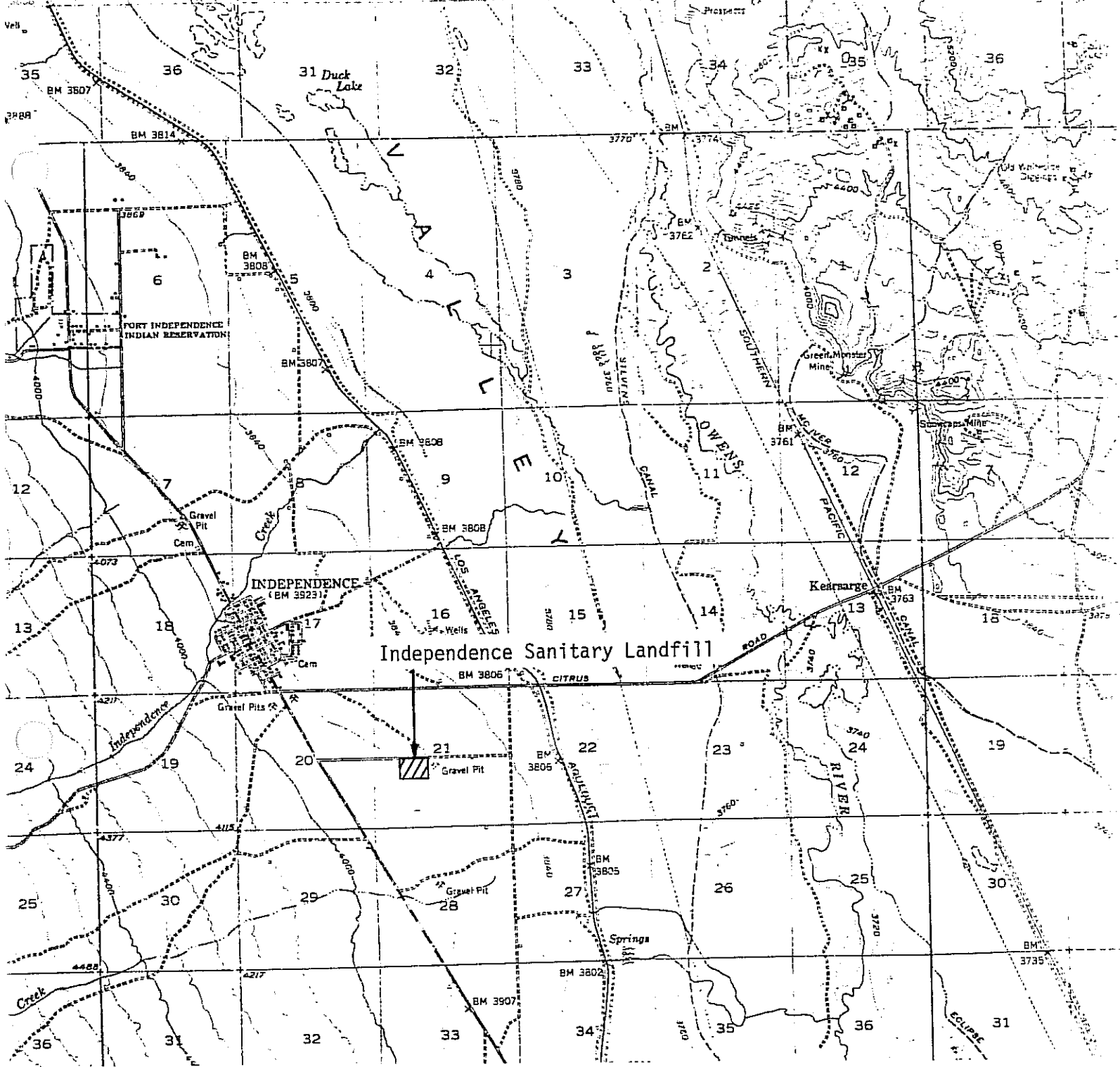
By **June 1, 1998**, the Dischargers shall submit financial assurance for closure and potential future corrective action requirements.

I, Harold J. Singer, 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, Lahontan Region, on November 9, 1995.



HAROLD J. SINGER
EXECUTIVE OFFICER

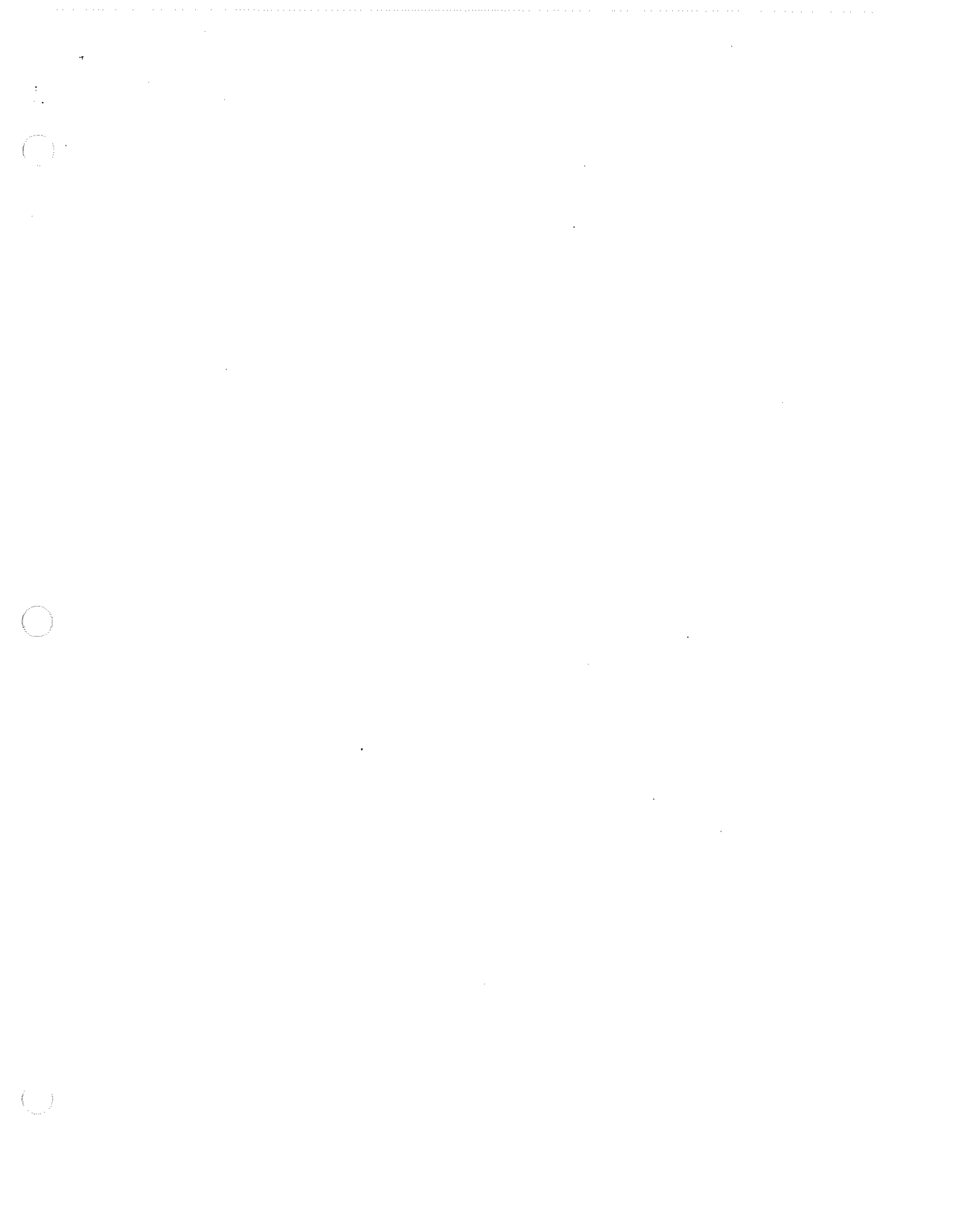
- Attachments: A. Location and Topography Map
B. Landfill Footprint of Waste
C. Standard Provisions for Waste Discharge Requirements



ATTACHMENT "A"
 INDEPENDENCE CLASS III SANITARY LANDFILL
 Inyo County
 N/2, N/2, SW/4, Section 21, T13S, R35E, MDB&M
 USGS Independence 15 Minute Quadrangle

ATTACHMENT "B"

**LANDFILL FOOTPRINT OF WASTE
CONTAINED ONLY IN ORIGINAL ORDER**



CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD

**STANDARD PROVISIONS
FOR WASTE DISCHARGE REQUIREMENTS****1. Inspection and Entry**

The Discharger shall permit Regional Board staff:

- a. to enter upon premises in which an effluent source is located or in which any required records are kept;
- b. to copy any records relating to the discharge or relating to compliance with the Waste Discharge Requirements;
- c. to inspect monitoring equipment or records; and
- d. to sample any discharge.

2. Reporting Requirements

- a. Pursuant to California Water Code 13267(b), the Discharger shall immediately notify the Regional Board by telephone whenever an adverse condition occurred as a result of this discharge; written confirmation shall follow within two weeks. An adverse condition includes, but is not limited to, spills of petroleum products or toxic chemicals, or damage to control facilities that could affect compliance.
- b. Pursuant to California Water Code Section 13260(c), any proposed material change in the character of the waste, manner or method of treatment or disposal, increase of discharge, or location of discharge, shall be reported to the Regional Board at least 120 days in advance of implementation of any such proposal. This shall include, but not limited to, all significant soil disturbances.
- c. The Owners/Discharger of property subject to Waste Discharge Requirements shall be considered to have a continuing responsibility for ensuring compliance with applicable Waste Discharge Requirements in the operations or use of the owned property. Pursuant to California Water Code Section 13260(c), any change in the ownership and/or operation of property subject to the Waste Discharge Requirements shall be reported to the Regional Board. Notification of applicable Waste Discharge Requirements shall be furnished in writing to the new owners and/or operators and a copy of such notification shall be sent to the Regional Board.
- d. If a Discharger becomes aware that any information submitted to the Regional Board is incorrect, the Discharger shall immediately notify the Regional Board, in writing and correct that information.
- e. Reports required by the Waste Discharge Requirements, and other information requested by the Regional Board, must be signed by a duly authorized representative of the Discharger. Under Section 13268 of the California Water Code, any person failing or refusing to furnish technical or monitoring reports, or falsifying any information provided therein, is guilty of a misdemeanor and may be liable civilly in an amount of up to one thousand dollars (\$1,000) for each day of violation.

- f. If the Discharger becomes aware that their Waste Discharge Requirements (or permit) is no longer needed (because the project will not be built or the discharge will cease) the Discharger shall notify the Regional Board in writing and request that their Waste Discharge Requirements (or permit) be rescinded.

3. Right to Revise Waste Discharge Requirements

The Regional Board reserves the privilege of changing all or any portion of the Waste Discharge Requirements upon legal notice to and after opportunity to be heard is given to all concerned parties.

4. Duty to Comply

Failure to comply with the Waste Discharge Requirements may constitute a violation of the California Water Code and is grounds for enforcement action or for permit termination, revocation and reissuance, or modification.

5. Duty to Mitigate

The Discharger shall take all reasonable steps to minimize or prevent any discharge in violation of the Waste Discharge Requirements which has a reasonable likelihood of adversely affecting human health or the environment.

6. Proper Operation and Maintenance

The Discharger shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) that are installed or used by the Discharger to achieve compliance with the Waste Discharge Requirements. Proper operation and maintenance includes adequate laboratory control, where appropriate, and appropriate quality assurance procedures. This provision requires the operation of backup or auxiliary facilities or similar systems that are installed by the Discharger, when necessary to achieve compliance with the conditions of the Waste Discharge Requirements.

7. Waste Discharge Requirement Actions

The Waste Discharge Requirements may be modified, revoked and reissued, or terminated for cause. The filing of a request by the Discharger for waste discharge requirement modification, revocation and reissuance, termination, or a notification of planned changes or anticipated noncompliance, does not stay any of the Waste Discharge Requirements conditions.

8. Property Rights

The Waste Discharge Requirements do not convey any property rights of any sort, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of federal, state or local laws or regulations.

9. Enforcement

The California Water Code provides for civil liability and criminal penalties for violations or threatened violations of the Waste Discharge Requirements including imposition of civil liability or referral to the Attorney General.

10. Availability

A copy of the Waste Discharge Requirements shall be kept and maintained by the Discharger and be available at all times to operating personnel.

11. Severability

Provisions of the Waste Discharge Requirements are severable. If any provision of the requirements is found invalid, the remainder of the requirements shall not be affected.

12. Public Access

General public access shall be effectively excluded from disposal/treatment facilities.

13. Transfers

Providing there is no material change in the operation of the facility, this Order may be transferred to a new owner or operator. The owner/operator must request the transfer in writing and receive written approval from the Regional Board's Executive Officer.

14. Definitions

- a. "Surface waters" as used in this Order, include, but are not limited to, live streams, either perennial or ephemeral, which flow in natural or artificial water courses and natural lakes and artificial impoundments of waters. "Surface waters" does not include artificial water courses or impoundments used exclusively for wastewater disposal.
- b. "Ground waters" as used in this Order, include, but are not limited to, all subsurface waters being above atmospheric pressure and the capillary fringe of these waters.

15. Storm Protection

- a. All facilities used for collection, transport, treatment, storage, or disposal of waste shall be adequately protected against overflow, washout, inundation, structural damage or a significant reduction in efficiency resulting from a storm or flood having a recurrence interval of once in 100 years.

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
LAHONTAN REGION

MONITORING AND REPORTING PROGRAM NO. 95-116
WDID NO. 6B140300004

FOR

INDEPENDENCE CLASS III LANDFILL

Inyo County

I. WATER QUALITY PROTECTION STANDARD

A. Ground Water

1. Point of Compliance and Monitoring Points

The Point of Compliance as defined in Chapter 15 is "a vertical surface located at the hydraulically downgradient limit of the waste management unit that extends through the uppermost aquifer underlying the unit." Ground water monitoring wells have been installed at monitoring points upgradient of the Landfill and at the Point of Compliance as part of the detection monitoring program. The locations of the ground water monitoring wells are illustrated on Attachment "A", which is made part of this Monitoring and Reporting Program.

2. Monitoring Parameters and Constituents of Concern

The monitoring parameters are the metal surrogates chloride, sulfate, nitrate as nitrogen, total dissolved solids, and volatile organic constituents as defined by Appendix I of 40 CFR. The constituents of concern are those constituents listed in Appendix II of 40 CFR.

3. Concentration Limits

a. The Dischargers have collected background water quality data for the monitoring parameters contained in this Monitoring and Reporting Program. Background water quality data for all constituents of concern have not been collected. The WDRs includes a time schedule to submit a complete Water Quality Protection Standard, which includes concentration limits that define background water quality for all constituents of concern.

b. The concentration limit for each man-made organic constituent which is not proven to have originated from a source other than the Landfill is the laboratory detection limit for that constituent.

II. MONITORING

A. Discharge

The following shall be reported semi-annually:

1. The volume of solid waste (in-place compacted volume in cubic yards) discharged to the disposal site for the monitoring period.
2. The percent of the total landfill volume used for solid waste disposal, including waste disposed this monitoring period.
3. Comments describing effectiveness of the load checking program.

B. Detection Monitoring

A detection monitoring program has been developed by the Dischargers as required by Article 5, Chapter 15, Title 23, California Code of Regulations and Title 40, Code of Federal Regulations, Parts 257 and 258 (Subtitle D). The WDRs includes a time schedule for the Dischargers to begin consistently submitting monitoring reports semi-annually which report the results of ground water monitoring conducted in accordance with the detection monitoring program. Monitoring shall be completed as follows:

1. Ground Water

a. Monitoring Points

Wells MW-2, MW-3, and MW-4 are utilized as monitoring points for detection monitoring at the point of compliance. Well MW-1 is utilized for background water quality monitoring. The ground water monitoring well locations are shown in Attachment "A" of this Monitoring and Reporting Program.

b. Monitoring Parameters

Once the Detection Monitoring Program has been initiated, ground water samples shall be collected and submitted for laboratory analysis at all monitoring points semi-annually for the monitoring parameters listed in this Monitoring and Reporting Program.

c. Constituents of Concern

Once the Detection Monitoring Program has been initiated, ground water samples shall be collected and submitted for laboratory analysis at all monitoring points once every five years for constituents of concern listed in this Monitoring and Reporting Program.

d. Aquifer Characteristics

Once the Detection Monitoring Program has been initiated, the parameters listed in Table 1 shall be calculated and reported in graphic and tabular form semi-annually.

Table No. 1 - Ground Water Field Measurements

<u>Parameter</u>	<u>Units</u>
Depth to Ground Water	feet bgs
Static Water Level	feet above mean sea level
Electrical Conductivity	micromhos/cm
pH	pH Units
Temperature	deg. F or C
Turbidity	NTUs

Ground Water Calculations

<u>Parameter</u>	<u>Units</u>
Slope of Ground Water Gradient	ft/mile
Direction of Ground Water Gradient	degrees
Velocity of Ground Water Flow	feet/year

III. DATA ANALYSIS

A. General Statistical Analysis Method

The report titled "Statistical Analysis of Ground Water Monitoring Data at RCRA Facilities" (U.S. EPA, 1989), shall be used to select the statistical test to use for comparing detection monitoring well data to background monitoring data.

If more than 50 percent of the observations in the detection monitoring wells are below the detection limit, then the Test of Proportions will be used. If more than 50 percent are above the detection limit, then a One-Way Analysis of Variance (ANOVA) will be used (i.e., Bartlett's Test for Equality of Variances). For multiple well computations the computed F Statistic will be compared to the tabulated F Statistic at the five (5) percent significance level. If the calculated F value exceeds the tabulated value, then the hypothesis of equal means will be rejected. The Bonferroni t-Statistics will be computed to determine if the significant F is due to differences between background and compliance wells at the five (5) percent significance level.

B. Site Specific Statistical Analysis Method

The WDRs include a time schedule for the Dischargers to propose methods for site-specific data statistical analysis. The Executive Officer may approve statistical methods which are different from the general methods listed in this Monitoring and Reporting Program provided that such methods are capable of determining a statistically significant release from the Landfill.

C. Nonstatistical Method

In accordance with the WDRs, evaluation monitoring will be initiated without statistical verification if there is significant physical evidence of a release. Physical evidence can include time series plots, vegetation loss, or soil discoloration. Each semi-annual report shall comment on these physical elements.

IV. REPORTING REQUIREMENTS

A. Scheduled Reports To Be Filed With The Regional Board

The following periodic reports shall be submitted to the Regional Board as specified below. The WDRs include a time schedule for the Dischargers to initiate a Detection Monitoring Program, which will include ground water sampling. The ground water monitoring data is to be submitted once the Detection Monitoring Program has been initiated.

Semi-Annual Detection Monitoring Reports

1. Results of sampling and laboratory analysis of ground water.
2. Results of statistical analysis of monitoring data.
3. A letter transmitting the essential points in each report shall accompany each report. The letter shall include a discussion of any requirement violations found since the last report was submitted, and shall describe actions taken or planned for correcting those violations.

4. If the Dischargers have previously submitted a detailed time schedule for correcting requirement violations, a reference to the correspondence transmitting this schedule will be satisfactory. If no violations have occurred since the last submittal, this shall be stated in the letter of transmittal.
5. For each monitored ground water body, a description and graphical presentation of the velocity and direction of ground water flow under/around the Unit, based upon water level elevations taken during the collection of the water quality data submitted in the report.
6. A map or aerial photograph showing the locations of vadoze zone and ground water monitoring points.

B. Unscheduled Reports To Be Filed With The Regional Board

1. Notice of Tentative Release

Should the appropriate statistical or non-statistical data analysis indicate, for a given constituent of concern, that a release is tentatively identified, Dischargers shall:

- a. Immediately notify the Regional Board verbally as to the monitoring point(s) and constituent(s) or parameter(s) involved;
- b. Provide written notification by certified mail within seven days of such determination (Section 2550.8(j)(1), Article 5, Chapter 15, Title 23, California Code of Regulations). The notification should indicate the Discharger's intent to conduct verification sampling, initiate evaluation monitoring procedures, or demonstrate that a source other than the Landfill is responsible for the release.
- c. If the Dischargers choose to attempt to demonstrate that a source other than the Landfill is responsible for the release, the Dischargers shall submit a supporting technical report within 90 days of detection of the release.

2. Evaluation Monitoring

The Dischargers shall, within 90 days of verifying a release, submit a technical report pursuant to Section 13267(b) of the California Water Code proposing an Evaluation Monitoring Program. If the Dischargers decide not to conduct verification procedures, or decide not to make a demonstration that a source other than the Landfill is responsible for the release, the release will be considered verified.

3. Engineering Feasibility Study Report

The Dischargers shall, within 180 days of verifying the release, submit an Engineering Feasibility Study (Section 2550.8(k)(6) of Article 5) to preliminarily propose methods for corrective action.

C. General Provisions

The Dischargers shall comply with Attachment B, the "General Provisions for Monitoring and Reporting," dated September 1, 1994, which is made part of this Monitoring and Reporting Program.


D. Submittal Periods

Semi-annual monitoring reports shall be submitted to the Regional Board on the 15th day of the month following the semester.

E. Annual Report

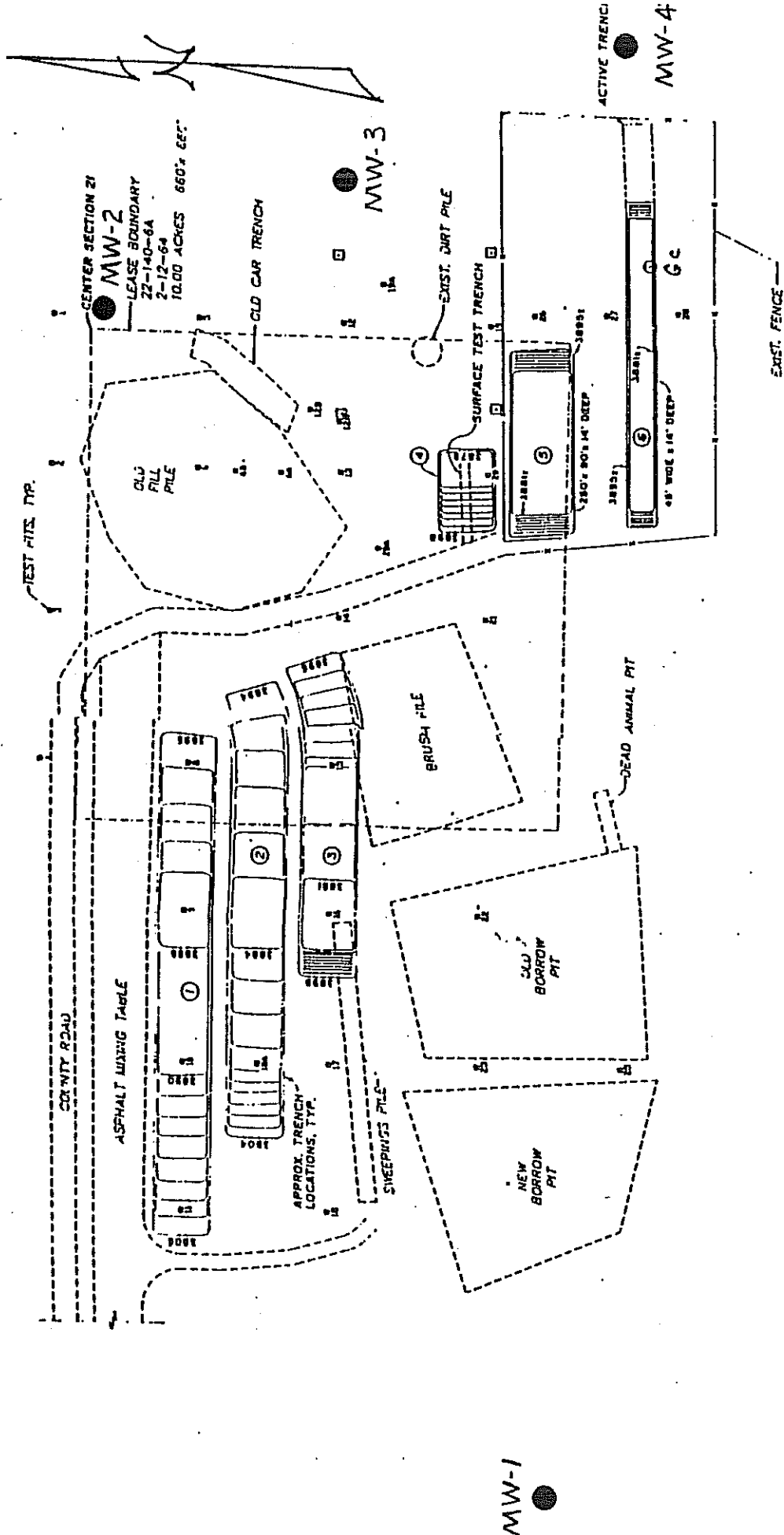
On or before **November 30, 1996**, and before **November 30** every year thereafter the Dischargers shall submit an annual report to the Regional Board. This report shall include the items described in the General Provisions for Monitoring and Reporting, or, if the Landfill has not yet become operative, a status report indicating a projected date for initiation of Landfill operations.

Ordered by:


HAROLD J. SINGER
EXECUTIVE OFFICER

Dated: **November 9, 1995**

- Attachments: A. Location of Ground Water Monitoring Points
B. General Provisions for Monitoring and Reporting



Independence

ATTACHMENT "A"

LOCATION OF GROUND WATER MONITORING POINTS



ATTACHMENT "B"

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
LAHONTAN REGION

GENERAL PROVISIONS
FOR MONITORING AND REPORTING

1. SAMPLING AND ANALYSIS

- a. All analyses shall be performed in accordance with the current edition(s) of the following documents:
 - i. Standard Methods for the Examination of Water and Wastewater
 - ii. Methods for Chemical Analysis of Water and Wastes, EPA
- b. All analyses shall be performed in a laboratory certified to perform such analyses by the California State Department of Health Services or a laboratory approved by the Regional Board. Specific methods of analysis must be identified on each laboratory report.
- c. Any modifications to the above methods to eliminate known interferences shall be reported with the sample results. The method used shall also be reported. If methods other than USEPA approved methods or Standard Methods are used, the exact methodology must be submitted for review and must be approved by the Regional Board prior to use.
- d. The Discharger shall establish chain-of-custody procedures to ensure that specific individuals are responsible for sample integrity from commencement of sample collection through delivery to an approved laboratory. Sample collection, storage and analysis shall be conducted in accordance with an approved Sampling and Analysis Plan (SAP). The most recent version of the approved SAP shall be kept at the facility.
- e. The Discharger shall calibrate and perform maintenance procedures on all monitoring instruments and equipment to ensure accuracy of measurements, or shall ensure that both activities will be conducted. The calibration of any wastewater flow measuring device shall be recorded and maintained in the permanent log book described in 2.b, below.
- f. A grab sample is defined as an individual sample collected in fewer than 15 minutes.
- g. A composite sample is defined as a combination of no fewer than eight individual samples obtained over the specified sampling period at equal intervals. The volume of each individual sample shall be proportional to the discharge flow rate at the time of sampling. The sampling period shall equal the discharge period, or 24 hours, whichever period is shorter.

2. OPERATIONAL REQUIREMENTS

a. Sample Results

Pursuant to California Water Code Section 13267(b), the Discharger shall maintain all sampling and analytical results including: strip charts; date, exact place, and time of sampling; date analyses were performed; sample collector's name; analyst's name; analytical techniques used; and results of all analyses. Such records shall be obtained for a minimum of three years. This period of retention shall be extended during the course of any unresolved litigation regarding this discharge, or when requested by the Regional Board.

b. Operational Log

Pursuant to California Water Code Section 13267(b), an operation and maintenance log shall be maintained at the facility. All monitoring and reporting data shall be recorded in a permanent log book.

3. REPORTING

- a. For every item where the requirements are not met, the Discharger shall submit a statement of the actions undertaken or proposed which will bring the discharge into full compliance with requirements at the earliest time and submit a timetable for correction.
- b. Pursuant to California Water Code Section 13267(b), all sampling shall be made available to the Regional Board upon request. Results shall be retained for a minimum of three years. This period of retention shall be extended during the course of any unresolved litigation regarding this discharge, or when requested by the Regional Board.
- c. The Discharger shall provide a brief summary of any operational problems and maintenance activities to the Regional Board with each monitoring report. Any modifications or additions to, or any major maintenance conducted on, or any major problems occurring to the wastewater conveyance system, treatment facilities, or disposal facilities shall be included in this summary.
- d. Monitoring reports shall be signed by:
 - i. In the case of a corporation, by a principal executive officer at least of the level of vice-president or his duly authorized representative, if such representative is responsible for the overall operation of the facility from which the discharge originates;
 - ii. In the case of a partnership, by a general partner;

- iii. In the case of a sole proprietorship, by the proprietor;
 - iv. In the case of a municipal, state or other public facility, by either a principal executive officer, ranking elected official, or other duly authorized employee.
- e. Monitoring reports are to include the following:
- i. Name and telephone number of individual who can answer questions about the report.
 - ii. The Monitoring and Reporting Program Number.
 - iii. WDID Number.
- f. Modifications

This Monitoring and Reporting Program may be modified at the discretion of the Regional Board Executive Officer.

4. NONCOMPLIANCE

Under Section 13268 of the Water Code, any person failing or refusing to furnish technical or monitoring reports or falsifying any information provided therein, is guilty of a misdemeanor and may be liable civilly in an amount of up to one thousand dollars (\$1,000) for each day of violation under Section 13268 of the Water Code.