

**STATE OF CALIFORNIA
REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION
895 Aerovista Place, Suite 101
San Luis Obispo, CA 93401-7906**

REVISED WASTE DISCHARGE REQUIREMENTS ORDER NO. R3-2004-0002
Waste Discharger Identification No. 3400300001

FOR

**CHICAGO GRADE CLASS III LANDFILL
SAN LUIS OBISPO COUNTY**

The California Regional Water Quality Control Board, Central Coast Region (hereafter Regional Board) finds that:

LANDFILL OWNER AND LOCATION

1. The Chicago Grade Landfill and Recycling, LLC owns the Chicago Grade Class III Landfill (hereafter "Landfill"). Chicago Grade Landfill, Inc. operates the Landfill. Chicago Grade Landfill and Recycling, LLC and Chicago Grade Landfill, Inc. are collectively referred to as "Discharger." Mr. Michael Hoover (51% owner), Mr. William Underwood (24.5% owner) and Mr. and Mrs. Craig Palonen (24.5% owner) are the co-owners of both the Chicago Grade Landfill and Recycling, LLC and Chicago Grade Landfill, Inc.
2. The Landfill is located approximately four miles northeast of the City of Atascadero, San Luis Obispo County, at 2290 Homestead Road, see Attachment A and B. The Landfill is approximately one and one-half mile east of the Salinas River.
3. The Landfill is in Section 1, Township 8 South, Range 12 East, Mount Diablo Base & Meridian. The Landfill includes 142.6 acres with assessor's parcel numbers (APN) 034-212-005 and 45.4 acres with APN 034-212-006. Both parcels are owned by the Discharger, refer to Attachment C.

PURPOSE OF ORDER

4. The Discharger submitted an Amended Report of Waste Discharge (ROWD) on October 31, 2001, which was subsequently updated and a replacement ROWD submitted on October 27, 2003.

5. Waste Discharge Requirements Order No. R3-2004-0002 (Order) is being issued to reflect the Discharger's proposed 15acre lateral expansion to the Landfill's current 28 acre Permitted Waste Management Unit Area, refer to Attachment C.
6. The Landfill expansion will be designed, constructed and operated pursuant to California Code of Regulations Title 27, Solid Waste (hereafter "Title 27") effective July 18, 1997, and pursuant to Code of Federal Regulations Title 40, Part 257 and 258 Solid Waste Facility Disposal Criteria, Final Rule, as promulgated on October 9, 1991 (hereafter "40CFR258").
7. The Landfill is currently subject to the Regional Board's Order No. 93-84 "Waste Discharge Requirements Amendment for all MSW Landfills in the Central Coast Region" (Order 93-84). Order 93-84 is general order intended to cover all Central Coast Regional Board landfills and make them subject to 40CFR258. This Order preempts the need to continue listing the Landfill as being subject to Order 93-84.
8. The Landfill is currently regulated by Waste Discharge Requirements Order No. 94-80 (hereafter "Order 94-80"), as adopted by the Board on September 9, 1994. This Order replaces Order No. 94-80.

CLASSIFICATION AND WASTE TYPE

9. The Landfill is classified by the Regional Board as a Class III landfill approved for discharge of

Item No. 32 Attachment No. 1
May 14, 2004 Meeting
Chicago Grade Landfill

Nonhazardous Solid Waste, pursuant to Title 27 §20200.

LANDFILL DESCRIPTION AND HISTORY

10. The existing waste footprint (Modules 1 and 2) occupies an area of about 28 acres within the 188 acres Waste Management Facility. Located in the northeast corner of the Waste Management Facility is a recycle area covering about four and one-half acres, refer to Attachment C.
11. Land use within a one-quarter mile radius of the Landfill consists primarily of low-density rural residential usage, agricultural use (cattle grazing) and unimproved watershed areas. Several single-family residences are located along Homestead Road west of the Landfill.
12. The average annual precipitation is about 16 inches, based on rainfall data collected at the Landfill. Most precipitation occurs from November to April. The estimated potential annual evaporation rate at the Landfill is 31 inches and occurs mainly from April to October.
13. The Landfill began operations in 1970. The method of discharge is area fill and cover. As of September 2003, total waste discharged at the Landfill (Modules 1 and 2) is estimated to be 1.2 million cubic yards (0.77 million tons, at 1,250 pounds per cubic yard).
14. The proposed 15-acre expansion (Modules 3, 4 and 5) to the Designated Disposal Area will extend the estimated remaining life of the Landfill by 15 years, until 2019, and increase the Landfill's waste capacity by 1.7 million cubic yards (1.0 million tons, at 1,250 pounds per cubic yard).

GEOLOGY/HYDROGEOLOGY

15. **Setting** – The Landfill is located in the hills on the east side of the Salinas River Valley. The Landfill is sited on the east side of a small north-south trending canyon, which merges immediately north of the Landfill with a larger east-west trending unnamed canyon. Drainage from the unnamed canyon is westerly to the Salinas River located approximately one mile west of the Landfill.

16. **Topography** – The Landfill occurs at elevations between 1,000 to 1500 feet above mean sea level (MSL), refer to Attachment D.

17. **Stratigraphy** – The Landfill overlies Quaternary age alluvium and Paso Robles Formation, which are primarily comprised of plastic silty sand and gravelly silt. Alluvium and the Paso Robles Formation are 12 to 87 feet thick beneath the existing waste footprint. A small portion of the western edge of Module 2 overlies Monterey Formation.

A granitic basement rock from the Franciscan Complex is exposed in the La Panza Range, located to the south of the Landfill. A relatively thick sequence of sedimentary rocks from the Monterey and Paso Robles Formations overlies the basement complex rocks. The Paso Robles Formation is approximately 300 feet thick at the eastern margin of the Landfill.

18. **Faulting** – The Landfill is located 1 mile east of the Rinconada fault. The Hosgri (magnitude 7.3 to 8.0) and San Andreas faults (magnitude 8.25 to 8.5) are located 24 miles west and east of the Landfill, respectively. The Rinconada fault, located about one-mile west of the Landfill, juxtaposes the Monterey shale to the east against the Paso Robles formation to the west. The Rinconada fault is estimated to have a maximum magnitude of 7.3, and a peak horizontal ground acceleration at the Landfill of 0.36g. There are two small north-south trending faults located through the 15-acre expansion (proposed Modules 3, 4 and 5). These two small faults are estimated to have been inactive for about 50,000 years and are likely related to the Rinconada Fault. No known Holocene faults are located within 200 feet of the Landfill.

19. **Hydrogeology** – The main groundwater-producing stratigraphic units are the recent alluvium and the Paso Robles Formation. The Monterey Formation is sufficiently fractured in the vicinity of the site to be water bearing. The permeability of the Paso Robles Formation and the alluvium at the Landfill is approximately 10^{-5} to 10^{-8} centimeters per second.

SURFACE WATER AND GROUNDWATER

20. The Landfill is located within the Salinas Hydrologic Unit east of, and approximately 400 feet above the Salinas River floodplain. The site is not within the 100-year flood plain, nor are there any designated wetlands on site.

21. Surface water runoff in the general vicinity of the Landfill is predominantly toward the west to southwest. Drainage from the Landfill enters an unnamed ephemeral creek located immediately north of the Landfill, which flows west toward the Salinas River.
22. Runoff above the Landfill is diverted away from waste by "V" ditches. Surface water runoff from the active landfill area is directed to a siltation basin located immediately west of Module 2, refer to Attachment C. The overflow from the siltation basin flows to the unnamed ephemeral creek described above.
23. East of the Rinconada Fault and in the vicinity of the Landfill, about 20 domestic water supply wells have been identified, which are completed in the Monterey Formation. West of the Rinconada Fault and in the vicinity of the Landfill, numerous domestic wells have been identified, which are completed in the older alluvial deposits. Domestic supply wells located to the west of the Rinconada Fault are completed to depths of 300 to 400 feet (elevation 700 to 600 feet above mean sea level) and yield water at 20 to 100 gallons per minute.
24. Groundwater occurs at a depth of 60 to 150 feet beneath the Landfill. Regional groundwater flow for the Monterey Formation is northwesterly to westerly at a hydraulic gradient of 0.009 foot per foot
25. The Landfill has three groundwater monitoring wells (well nos. MW-4, -7, and -10) completed in the Monterey Formation and two wells (MW-9a and -9b) completed in the Paso Robles Formation. There are 3 lysimeters (L-5, -6 and -8). There is one supply well located at the entrance of the Landfill (office well). There are also 24 gas wells (MW-1, -2, -11, and GW-2 through 22), refer to Attachment C.

BASIN PLAN

26. The Water Quality Control Plan, Central Coast Basin (Basin Plan), was adopted by the Regional Board on September 8, 1994, and approved by the State Water Resources Control Board on November 17, 1994. The Basin Plan incorporates statewide plans and policies by reference and contains a strategy for protecting beneficial uses

of State Waters. This Order implements the water quality objectives stated in that Plan.

27. The Basin Plan identifies the following present and anticipated beneficial uses for the unnamed surface water tributaries located adjacent and downstream of the Landfill:
 - a. Municipal and domestic supply
 - b. Protection of both recreation and aquatic life
28. Currently, groundwater use in the vicinity of the Landfill is agricultural and domestic water supply. The Basin Plan identifies the following present and anticipated beneficial uses of groundwater in the vicinity of the Landfill:
 - a. Agricultural water supply
 - b. Municipal and domestic water supply
 - c. Industrial use
29. The Basin Plan identifies the following present and anticipated beneficial uses for the Salinas River:
 - a. Agricultural
 - b. Cold and warm fresh water habitat
 - c. Commercial and sport fishing
 - d. Groundwater recharge
 - e. Industrial Process
 - f. Migration of aquatic organisms
 - g. Municipal and Domestic
 - h. Rare, threatened or endangered species
 - i. Spawning, reproduction and/or early development
 - j. Water contact and non-contact recreation
 - k. Wildlife habitat

CALIFORNIA ENVIRONMENTAL QUALITY ACT

30. This Order contains prohibitions, discharge specifications, water quality protection standards, and provisions intended to protect the environment by mitigating or avoiding impacts of the project on water quality. The Order addresses both an existing facility and a lateral expansion. The existing facility is exempt from provisions of the California Environmental Quality Act (Public Resources Code, §21000, and et seq.) in accordance with Title 14, Chapter 3, §15301.

The lateral expansion that includes Modules 3, 4 and 5 is addressed by a Mitigated Negative Declaration, which was filed with the State Clearinghouse (SCH #1995071081) and adopted by the Environmental Coordinator's Office of the San

Luis Obispo County Building and Planning Department on April 25, 2003.

GENERAL FINDINGS

31. In accordance with Title 27 §20260(b)(1) and 40CFR 258.40, the Regional Board finds that all new waste management units constructed at the Landfill must have prescriptive composite liners, except for engineered alternatives as provided in Title 27 20080(b) and 40 CFR 258.40(a)(1) and (c).
32. This Landfill is regulated under California Solid Waste Facility Permit No. 40-AA-0008.
33. On February 24, 2004, the Board notified the Discharger and interested agencies and persons of its intent to issue Waste Discharge Requirements for the Landfill, and has provided the opportunity to review a copy of the proposed Order and submit written views and comments.
34. After considering all comments pertaining to this discharge during a public hearing on May 14, 2004, this Order was found consistent with the above findings.

IT IS HEREBY ORDERED pursuant to authority in §13263 of the California Water Code, the Discharger, its agents, successors, and assigns in maintaining the Chicago Grade Class III Landfill shall comply with the following:

A. COMPLIANCE WITH OTHER REGULATIONS AND ORDERS

1. Discharge of waste, operations and monitoring shall comply with all applicable requirements contained in the California Code of Regulations Title 27, Division 2 Solid Waste (Title 27) and 40 CFR Parts 257 and 258 Solid Waste Facility Disposal Criteria (40CFR258). If any applicable regulation requirements overlap or conflict in any manner, the most water quality protective requirement shall govern in all cases, unless specifically stated otherwise in this Order, or as directed by the Executive Officer.
2. This Landfill is no longer subject to this Regional Board's Order No. 93-84 "Waste Discharge Requirements Amendment for All MSW Landfills in the Central Coast Region" (Order No. 93-84).

3. The Discharger shall monitor potential releases from the Landfill to surface water runoff by complying with all requirements contained in the "State Water Resources Control Board Water Quality Order No. 97-03-DWQ National Pollutant Discharge Elimination System General Permit No. CAS000001 Waste Discharge Requirements for Discharge of Storm Water Associated with Industrial Activities Excluding Construction Activities" (General Permit).

B. PROHIBITIONS

1. Discharge of waste to areas outside the Permitted Area for Waste Management Units, as shown on Attachment C, is prohibited.
2. Discharge of waste within the "Permitted Area for Waste Management Units" (Attachment C) is prohibited except as provided in **Specification C.3**.
3. Discharge of hazardous waste or hazardous constituents, except for waste that is hazardous due only to its asbestos content, is prohibited.
4. Discharge of waste or leachate to ponded water, drainageway(s) or waters of the State, including groundwater, is prohibited.
5. Discharge of liquid waste, meaning any waste materials that are determined to contain free liquids through visual inspection, or as defined by Method 9095 (Paint Filter Liquids Test), is prohibited.
6. Discharge of waste within 50 feet of the property line, 100 feet of surface waters, or 100 feet of domestic water supply wells is prohibited.

C. SPECIFICATIONS

1. Discharge of waste shall not cause a condition of pollution or contamination to occur through a statistically significant release of pollutants, contaminants and/or waste constituents, as indicated by the most appropriate statistical [or non-statistical] data analysis method and retest method listed in Monitoring and Reporting Program No. R-3-2004-0002 (MRP R3-2004-0002). Discharge, collection, and treatment of waste shall not create nuisance, as defined by California Water Code Section 13050(m).
2. Waste shall not be discharged to areas inside the "Permitted Area for Waste Management Units"

- (Attachment C), which had not received waste as of November 28, 1984, unless the discharge is to an area equipped with an Executive Officer approved containment system, as follows:
- a. "Prescriptive Containment System" is to be a composite liner and a leachate collection and removal system consisting of the following components (from bottom to top of liner system):
 - i. Lower Component a minimum six-inches of scarified and re-compacted subgrade.
 - ii. Middle Component a layer of compacted soil that is at least two feet thick and that has an hydraulic conductivity of no more than 1×10^{-7} cm/sec (0.1 feet/year).
 - iii. Upper Component a synthetic liner at least 40-mils thick (or at least 60-mils thick if of high-density polyethylene) that is installed in direct and uniform contact with the Middle Component.
 - iv. Leachate Collection and Removal System
Side Slopes: Geocomposite drain mat covered with a 24-inch operations layer, or 12-inch drainage layer having a hydraulic conductivity of 1×10^{-2} centimeters per second covered with a 12-inch operations layer. Base: 12-inches of sub-rounded graded gravel, covered with non-woven geotextile (with sufficient weight and structure to prevent clogging), covered with a 12-inch operations layer.
 - b. "Engineered Alternative" designs must satisfy the performance criteria in 40 CFR 258.40(a)(1) and (c), and satisfy the criteria for an engineered alternative to the Prescriptive Design, as provided by Title 27 §20080(b), where the performance of the alternative design components, in combination, equal or exceed the waste containment capability of the regulatory prescriptive design.
3. All Landfill containment structures and drainage facilities shall be designed, constructed, and maintained to limit, to the greatest extent possible, ponding, infiltration, inundation, erosion, slope failure, washout, overtopping, and damage due to natural disasters (e.g., 100 years 24-hour precipitation, the maximum probable earthquake, and severe wind storms).
 4. The Discharger shall prevent formation of a habitat for carriers of pathogenic microorganisms.
 5. Discharge of condensate or leachate shall comply with the following:
 - a. Liquids returned to only a waste management unit equipped with a containment system that meets or exceeds the performance standard of Title 27, CFR, Part 258.40(a)(2), or in this Order, whichever is more protective of water quality;
 - b. Liquids measured by volume and recorded on a monthly basis. These monthly volumes shall be included as a part of monitoring submittals as required in MRP No. R3-2004-0002;
 - c. Have a second containment system sized to hold 100% of the primary containment system holding capacity;
 - d. Be discharged in compliance with this Order.
 - e. Not discharge leachate within 48 hours of any forecasted rain event, during any rain event, or 48-hours after any rain event; and,
 - f. Have an approved alternate method of leachate disposal (e.g., wastewater treatment plant) that is acceptable to the Executive Officer.
 6. Daily cover shall prevent nuisance and excess leachate generation, and promote lateral runoff of precipitation/surface water away from the active disposal area. Upon Executive Officer approval, alternative daily cover materials may be utilized. Shredded tires are approved as daily cover during the dry season (May through October of each year).
 7. If adequate daily cover material is not accessible during inclement weather, such material shall be stockpiled during favorable weather to ensure year-round compliance.
 8. The Discharger shall operate the Landfill and configure the final Landfill contours, in conformance with the most recent Executive Officer approved Operations Plan, and/or Report of Waste Discharge/Joint Technical Document (collectively Plan) except where the Plan conflicts with this Order. The most recently approved Plan is the Discharger's October 2003 "Report of Waste Discharge." In the event of conflict, this Order shall govern in cases where it is more protective of water quality. Any change to the Plan that may affect compliance with this Order shall be approved in writing by the Executive Officer prior to the change being implemented.
 9. All Landfill surfaces and working faces shall be graded and operated to minimize precipitation/surface water from infiltrating into

waste, to prevent ponding of water, and to resist erosion. Positive drainage to divert precipitation/surface water runoff from areas containing waste shall be provided.

10. Storage facilities associated with precipitation and drainage control systems shall be emptied immediately following each storm, or otherwise managed, to maintain the design capacity of the system.
11. A minimum of two feet of freeboard shall be maintained in all stormwater/sediment containment ponds.
12. Waste management units, containment structures, and drainage facilities shall be designed, constructed, and maintained to limit, to the greatest extent possible, ponding, infiltration, inundation, erosion, slope failure, washout, overtopping, and damage due to natural disasters (e.g., floods with a predicted frequency of once in 100 years, the maximum probable earthquake, and severe wind storms).
13. All Landfill areas that have not reached final fill elevation, but will remain inactive over one-year, shall be provided with an Executive Officer approved long-term interim cover. The thickness and permeability of the long-term intermediate cover shall be based primarily on site-specific conditions including, but not limited to length of exposure time; volume of underlying material, permeability, thickness and composition of existing cover; amount of yearly rainfall; depth to groundwater; beneficial uses of underlying groundwater; site-specific geologic and hydrogeologic conditions; and effectiveness of existing monitoring system.
14. Wastes discharged in violation of this Order, shall be removed and relocated.

D. WATER QUALITY PROTECTION STANDARDS

1. The discharge of waste shall not cause a statistically significant difference in water quality over background concentrations for proposed Concentration Limits for each Constituent of Concern or Monitoring Parameter (per MRP No. R3-2004-0002) at the Point of Compliance. The Concentration Limits shall be maintained for as long as the waste poses a threat to water quality.

Discharge of waste shall not adversely impact the quality of State waters.

2. Discharge of waste shall not cause concentrations of chemicals and radionuclides in groundwater down-gradient of the Landfill to exceed the State Department of Health Services latest recommended Drinking Water Action Levels or Maximum Contaminant Levels of the California Code of Regulations Title 22, Division 4, Chapter 15, Article 5.5.
3. Discharge of waste shall not cause a violation of any applicable water quality standard for receiving waters adopted by the Regional Board or the State Water Resources Control Board.
4. Discharge of waste shall neither cause nor contribute to any surface water impacts, including, but not limited to:
 - a. Floating, suspended, or macroscopic particulate matter or foam.
 - b. Increases in bottom deposits or aquatic growth.
 - c. An adverse change in temperature, turbidity, or apparent color beyond natural background levels.
 - d. The creation or contribution of visible, floating, suspended, or oil or other products of petroleum origin.
 - e. The introduction or increase in concentration of toxic or other pollutants/contaminants resulting in unreasonable impairment of State waters' beneficial uses.
5. Constituents of Concern and monitoring parameters for groundwater and landfill gas are listed in MRP No. R3-2004-0002. Monitoring points and background monitoring points shall be those specified in MRP No. R3-2004-0002.
6. The Compliance Period, pursuant to Title 27 §20380(d)(1) and §20410, is estimated to be the year 2048 [based on the Landfill estimated closure date of 2018 plus 30 years, pursuant to 40 CFR 258.61(a)], or until waste discharged at the Landfill no longer poses a threat to water quality, whichever is longer [except as provided by 40 CFR 258.61(b)1].

E. PROVISIONS

1. Order No. 94-80 adopted by this Regional Board on September 9, 1994 is hereby rescinded.

2. The Discharger is responsible for waste containment, monitoring and correcting any problems resulting from the discharge of waste for as long as the waste poses a threat to water quality.
 3. The Discharger shall comply with "Monitoring and Reporting Program (MRP) No. R3-2004-0002," as specified by the Executive Officer.
 4. By **October 1 of each year**, all necessary runoff diversion and erosion prevention measures shall be implemented. All necessary construction, maintenance, or repairs of precipitation and drainage control facilities shall be completed.
 5. By **October 1, of each year**, vegetation shall be planted (as necessary) and maintained over all slopes within the entire Landfill area to prevent erosion. Vegetation shall be selected to require a minimum of irrigation and maintenance and shall have a rooting depth not in excess of the vegetative soil layer thickness. Upon Executive Officer approval, non-hazardous sludge may be utilized as a soil amendment to promote vegetation. Soil amendments and fertilizers (including wastewater sludge) used to establish vegetation shall not exceed the vegetation's agronomic rates (i.e., annual nutrient needs), unless approved by the Executive Officer.
 6. Should additional data become available through monitoring or investigation that indicates compliance with this Order is not adequately protective of water quality, the Regional Board will review and revise this Order as appropriate.
 7. If the Discharger or the Regional Board determines, pursuant to Title 27, §20420, that there is evidence of a release from any portion of the Landfill, the Discharger shall immediately implement the procedures outlined in Title 27 Sections 20380, 20385, 20430 and MRP No. R3-2004-0002.
 8. The Regional Board shall be allowed, when Landfill staff are on site and without prior notification:
 - a. Entry upon the Landfill area or where records are kept under the conditions of this Order and MRP No. R3-2004-0002.
 - b. Access to copy any records that must be kept under the conditions of this Order and MRP No. R3-2004-0002.
 - c. To inspect any facility, equipment (including monitoring and control equipment), practices, or operations regulated or required under this Order and MRP No. R3-2004-0002.
 - d. To photograph, sample, and monitor for the purpose of showing compliance with this Order.
- When public health or safety are threatened, Regional Board shall be allowed access to the Landfill (excluding the Discharger's personal residence/offices, unless Landfill staff is present) at any time, with or without prior notification or the presence of Landfill staff.
9. The Discharger shall take all reasonable steps to minimize or correct adverse impacts on the environment resulting from non-compliance with this Order.
 10. After notice and opportunity for a hearing, this Order may be terminated or modified for cause, including, but not limited to:
 - a. Violation of any term or condition contained in this Order.
 - b. Obtaining this Order by misrepresentation, or by failure to disclose fully all relevant facts.
 - c. A change in any condition or endangerment to human health or environment that requires a temporary or permanent reduction or elimination of the authorized discharge.
 - d. A material change in character, location, or volume of the waste being discharge to land.
 11. At least **180-days** prior to construction a waste management unit the Discharger must submit design plans and a construction quality assurance plan (hereafter CQA plan). Executive Officer will provide comments on the design plans and CQA plan to the Discharger no later than 90-days after receiving the document. Prior to beginning construction, the Discharger must receive Executive Officer approval on the waste management unit's design and CQA plan.
 12. **Two-weeks** prior to constructing each phase of a waste management unit (e.g., preparing foundation, installing liner, install leachate collection and removal system, placing operations layer, etc.), the Discharger must arrange for a Regional Board staff inspection.
 13. Construction Quality Assurance Plan must be prepared and implemented by a third party (e.g.,

unrelated to the Discharger, Landfill operator, project designer, contractor), and approved by the Executive Officer prior to starting construction.

14. Prior to beginning discharge of waste into any newly constructed waste management unit, the Discharger must receive a final inspection and written approval from the Executive Officer.
15. Sewage sludge or water treatment sludge with greater than 50% moisture content may be discharged at the Landfill if all the following criteria are met:
 - Sludge shall be discharged only to Waste Management Units that have a leachate collection and removal system designed such that leachate gravity drains to a collection point/sump and is removed through either gravity or pumping to a holding tank or sanitary sewer for volume measurement, testing and disposal.
 - A daily minimum solids-to-sludge ratio of 5 to 1, based on weight, shall be maintained when co-disposing sludge with solid waste.
 - Primary and mixtures of primary and secondary sewage sludge shall contain at least 20 percent solids by weight.
 - Secondary sewage sludge and water treatment sludge shall contain at least 15 percent solids by weight.

REPORTING

16. All reports shall be signed as follows:
 - a. By either a principal executive officer or ranking elected official.
 - b. Their "duly authorized representative."
 - c. A California Registered Civil Engineer or Certified Engineering Geologist must sign engineering reports.
17. Any person signing a report makes the following certification, whether its expressed or implied: "I certify under penalty of perjury I have personally examined and am familiar with the information submitted in this document and all attachments and, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe the information is true, accurate, and complete. I am aware there are significant penalties for submitting false information, including the possibility of fine and imprisonment."

18. Except for data determined to be confidential under §13267 (b)(2) of the California Water Code, all reports prepared in accordance with this Order shall be available for public inspection at the Regional Board office.
19. Reports shall be submitted in advance of any planned changes in the permitted Landfill or any activity that could potentially result in noncompliance. Advance submittal should reflect relative need for Regional Board review and concurrence.
20. By **October 1 of each year**, the Discharger shall submit a Wet Weather Preparedness Report (WWPR). The WWPR shall describe compliance with Provisions E.4 and E.5, above. The report shall also detail preparedness actions taken to ensure discharges to surface or groundwater do not occur during the impending rainy season, and ensure compliance with all other relevant Title 27 and 40CFR258 criteria.
21. The Discharger shall notify the Regional Board with a written request of any proposed change in ownership or responsibility for construction or operation of the Landfill in accordance with Title 27, §21710 (c)(1). The written request shall be given at least 90-days prior to the effective date of change in ownership or responsibility and shall:
 - a. Be accompanied by an amended Report of Waste Discharge and any technical documents that are needed to demonstrate continued compliance with these Waste Discharge Requirements.
 - b. Contain the requesting entity's full legal name, the state of incorporation if a corporation, the name and address and telephone number of the persons responsible for contact with the Regional Board.
 - c. Contain a statement indicating that the new owner or operator assumes full responsibility for compliance with this Order.
22. Request for change in ownership or responsibility may be approved or disapproved in writing by the Executive Officer. In the event of any change in ownership of this Landfill, the Discharger shall notify the succeeding owner or operator, in writing, of the existence of this Order. A copy of that notification shall be sent to the Executive Officer.

23. The Discharger shall furnish, within a reasonable time, any information the Executive Officer may request to determine compliance with this Order or to determine whether cause exists for modifying or terminating this Order.
24. The Discharger or persons employed by the Discharger shall comply with all notice and reporting requirements of the State Department of Water Resources and with concurrence of the Executive Officer regarding the construction, alteration, destruction, or abandonment of all monitoring wells used for compliance with this Order or with the MRP No. R3-2004-0002, as required by §13750.5 through §13755 and §13267 of the California Water Code.
25. Should the Discharger discover that it failed to submit any relevant facts or that it submitted incorrect information, it shall promptly submit the missing or corrected information.
26. The Discharger shall notify the Executive Officer, within 24 hours by telephone and within 14 days in writing, of:
- Any noncompliance potentially or actually endangering health or the environment.
 - Any flooding, equipment failure, slope failure, or other change in Landfill conditions which could impair the integrity of waste containment facilities or of precipitation and drainage control structures.
 - Leachate seep occurring on or in proximity to the Landfill
 - Violation of a Discharge Prohibition.
27. Reports of compliance or noncompliance with, or any progress reports on, final requirements contained in any compliance schedule shall be submitted within 14-days following each scheduled date. If reporting noncompliance, the report shall include a description of:
- The reason for non-compliance.
 - A description of the non-compliance.
 - Schedule of tasks necessary to achieve compliance.
 - An estimated date for achieving full compliance.
28. Any noncompliance, which threatens the Landfill's containment integrity, shall be promptly corrected. Correction schedules are subject to the approval of the Executive Officer,
- except when delays will threaten the environment and/or the Landfill's integrity (i.e., emergency corrective measures). Corrections initiated prior to Executive Officer approval shall be so stated in the above described report.
29. By **January 31 of every year** or the next working day, the Discharger shall submit a Compliance Report addressing compliance with all terms of this Order. The report can be included in the Landfill's Annual Report to the Executive Officer.
30. By **December 15, 2008**, the Discharger must submit a Report of Waste Discharge (hereafter "ROWD") pursuant to CCR Title 27 §21710, to the Executive Officer. The ROWD is to be submitted in the form of a Joint Technical Document (hereafter "JTD"), in accordance with Title 27 §21585 et al, and meet the following criteria:
- Contain information on waste characteristics, geologic and climatologic characteristics of the Unit and the surrounding region, installed features, precipitation and drainage controls, and closure and post closure maintenance plans, in accordance with CCR Title 27 §21740, §21750, §21760, and §21769.
 - Include a completed SWRCB JTD Index, in accordance with CCR Title 27 §21585(b),
 - Discuss whether, in the Discharger's opinion, there is any portion of this Order that is incorrect, obsolete, or otherwise in need of revision.
 - Include any other technical documents needed to demonstrate continued compliance with this Order and all pertinent State and Federal requirements.
 - Include detailed information regarding regulatory considerations, operating provisions, environmental monitoring, and closure and postclosure.
31. By **December 15, 2008** or earlier as needed, submit for the Regional Board Executive Officer's review and approval an updated report on financial assurance for corrective action.
32. By **January 31 of every year** or the next working day, the Discharger shall submit evidence (e.g., an acceptance letter from the California Integrated

Waste Management Board – Financial Assurance Division) that a financial assurance instrument(s) is in place for closure, post-closure and corrective action, in accordance with Title 27 §22207 (Closure Fund), §22212 (Post-Closure Fund) and §22222 (Corrective Action Fund). This can be included in the Landfill's Annual Report to the Executive Officer.

ENFORCEMENT

33. The Discharger must comply with all conditions of this Order. Non-compliance violates state law and is grounds for enforcement action or modification of the Order.
34. Any person failing or refusing to furnish technical or monitoring program reports as required by subdivision (b) of §13267 of the California Water Code, or falsifying any information provided therein, is guilty of a misdemeanor.
35. The Discharger and any person who violates Waste Discharge Requirements and/or who intentionally or negligently discharges waste or causes or permits waste to be discharged into surface waters or groundwater of the state may be liable for civil and/or criminal remedies, as appropriate, pursuant to Sections 13350, 13385, and 13387 of the California Water Code.
36. Provisions of this Order are severable. If any provision of this Order is found invalid, the remainder of this Order shall not be affected.
37. This Order does not authorize commission of any act causing injury to the property of another, does not convey any property rights of any sort, does not remove liability under federal, state, or local laws, and does not guarantee a capacity right.
38. All technical and monitoring reports submitted pursuant to this Order are being requested pursuant to §13267 of the California Water Code. Failure to submit reports in accordance with schedules established by this Order, attachments to this Order, or failure to submit a report of sufficient technical quality to be acceptable to the Executive Officer may subject the Discharger to enforcement action pursuant to §13268 of the California Water Code.
39. The Discharger must comply with all conditions of these Waste Discharge Requirements. 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 Sections 13261, 13267, 13263, 13265, 13268, 13300, 13301, 13304, 13340, 13350].

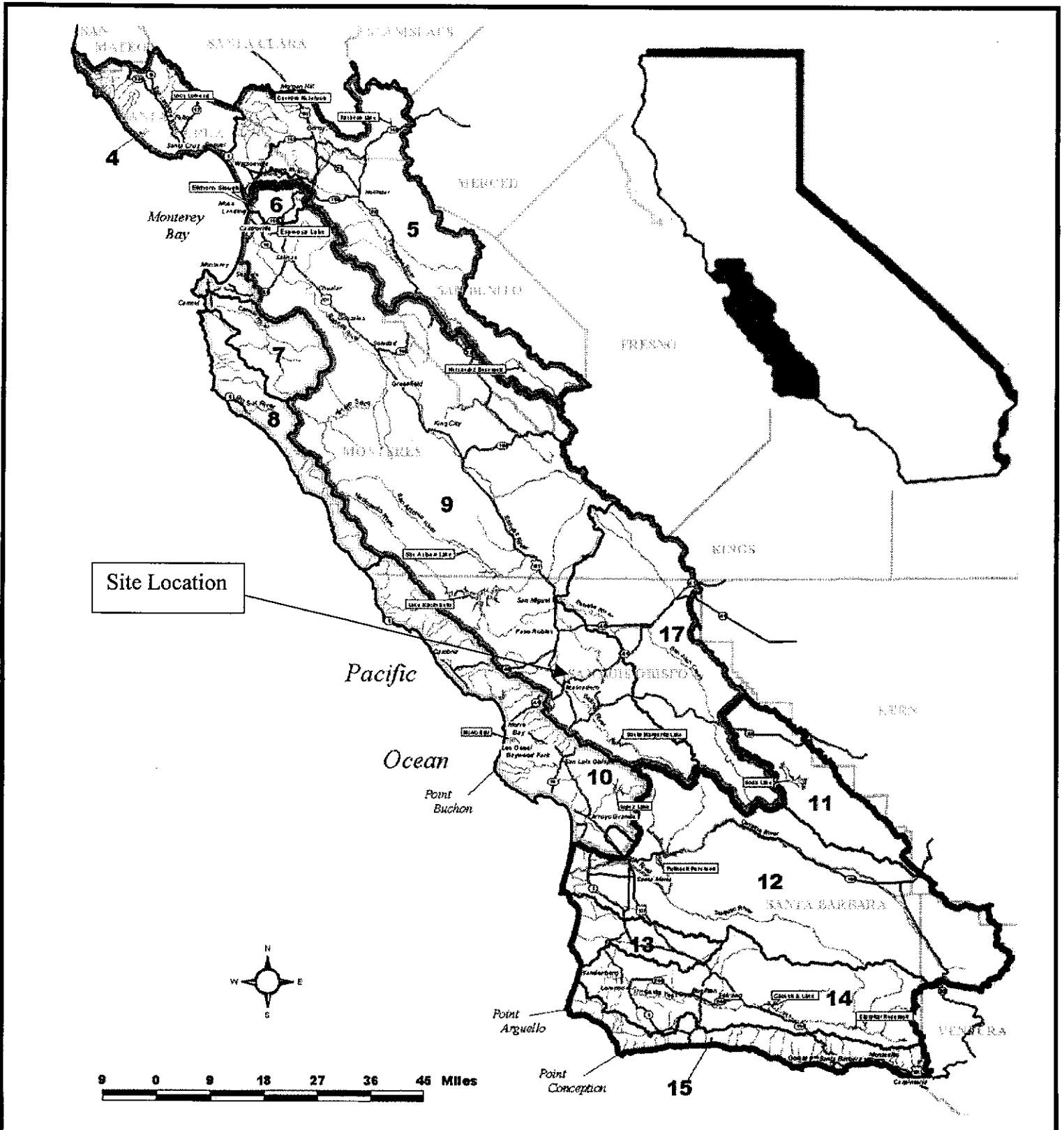
40. The Discharger shall comply with the following submittal and implementation schedule for all tasks and/or reports required by this Order.

REPORT AND IMPLEMENTATION DATE SUMMARY

<u>TASK</u>	<u>IMPLEMENTATION DATE</u>
Runoff diversion and erosion prevention [Provision No. E.4]	October 1, of each year
Vegetation placement over entire Landfill area [Provision No. E.5]	October 1, of each year
Design Plans and CQA [Provision No. E11]	180-days prior to construction
Arrange for Regional Board Inspection [Provision No. E.12]	Two-weeks prior to constructing each phase
Wet Weather Preparedness Report [Provision No. E.20]	October 1, of each year
Compliance Report [Provision No. E.29]	January 31, of each year
<u>TASK</u>	<u>IMPLEMENTATION DATE</u>
ROWD/JTD [Provision No. E.30]	December 15, 2008
Financial Assurance Report for corrective action [Provision No. E.31]	December 15, 2008 or earlier as needed
Financial Assurance Verification [Provision No. E.32]	January 31, 2005 and every year thereafter.

I, **Roger W. Briggs, Executive Officer**, do hereby certify the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, Central Coast Region, on May 14, 2004.

Executive Officer

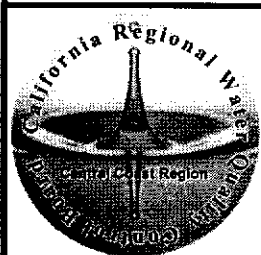
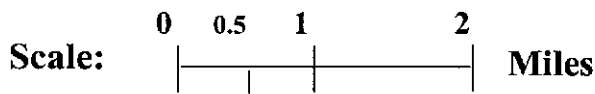
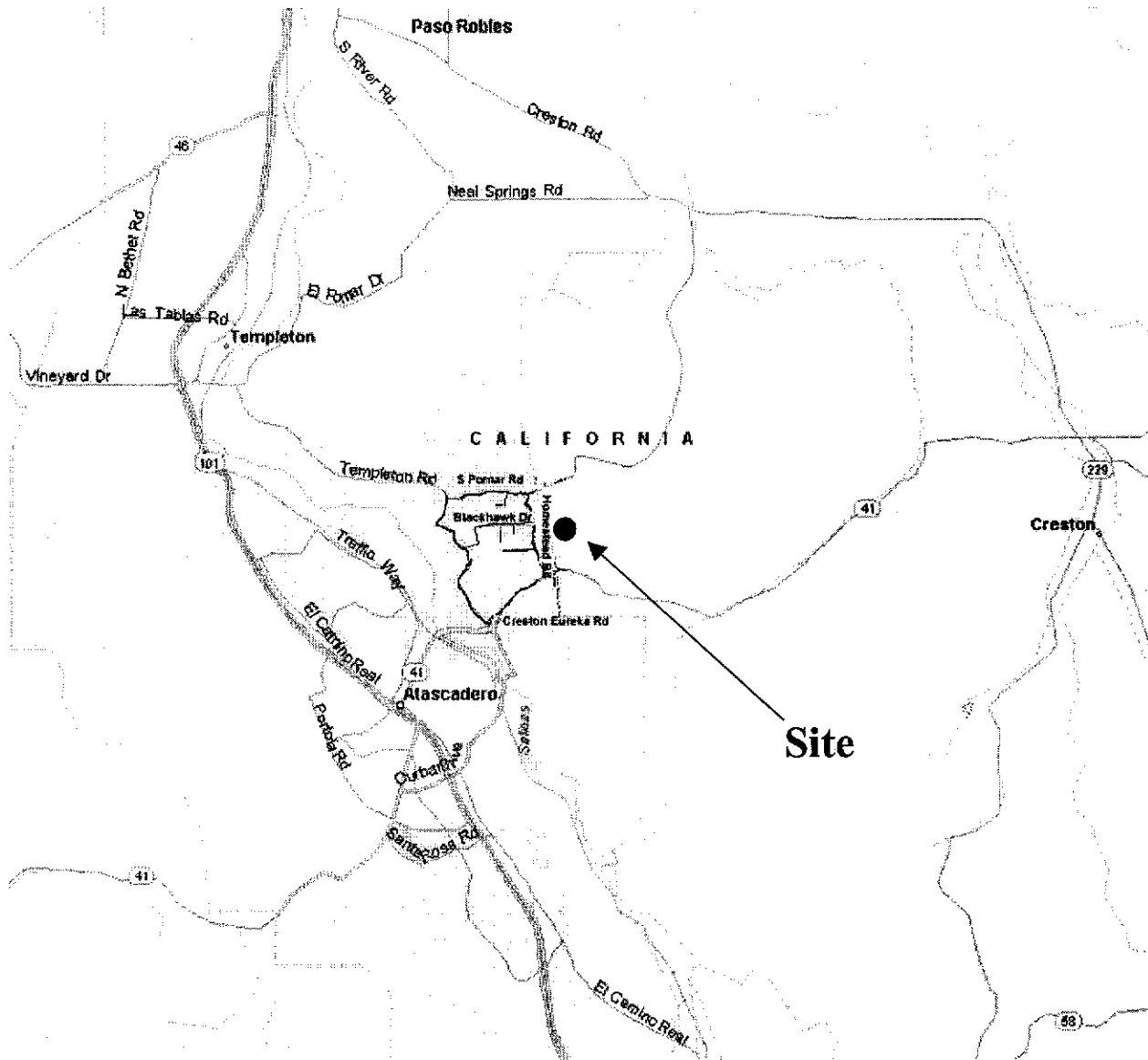


**Chicago Grade Class III Landfill
San Luis Obispo County**

**Attachment
A**

Vicinity Map

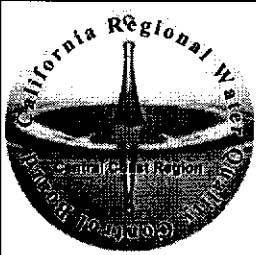
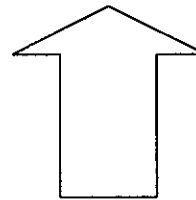
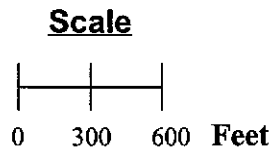
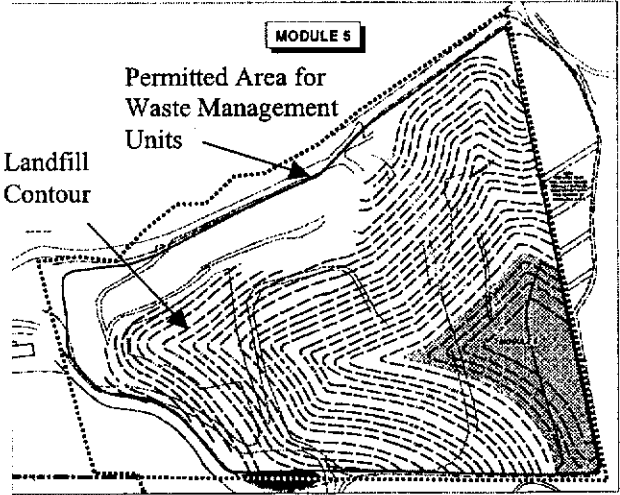
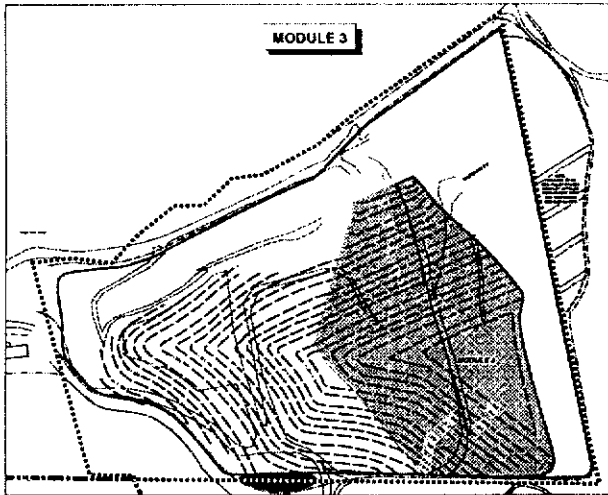
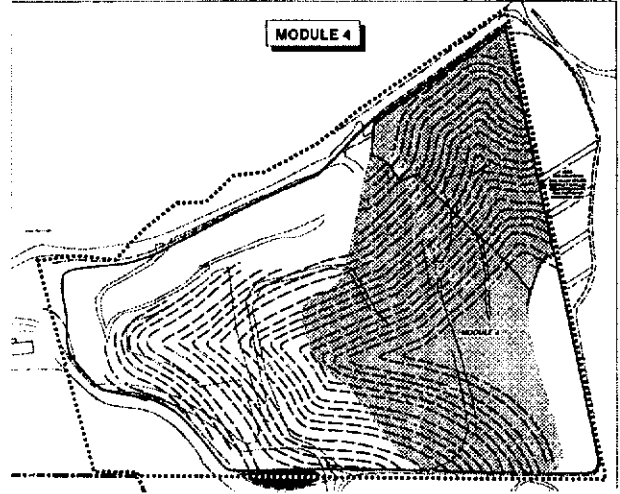
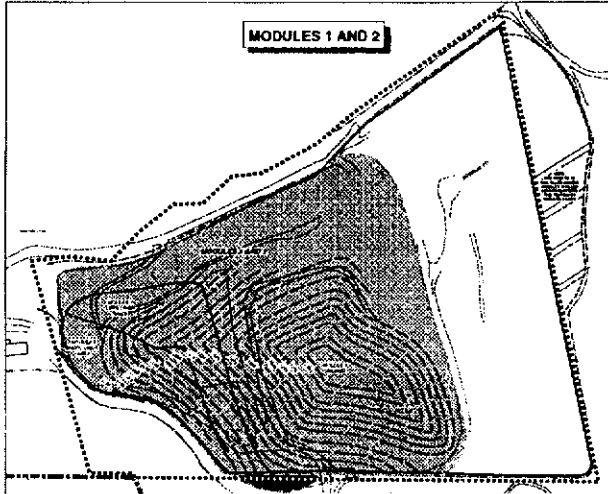




**Chicago Grade III Landfill
San Luis Obispo County**

**Attachment
B**

Location Map



**Chicago Grade Class III Landfill
San Luis Obispo County**

Construction Sequencing Plan

**Attachment
D**