

## **Bradley Park Chronology**

- 1945-1968: Landfill operated as a Class II (now Class III) municipal solid waste landfill.
- 1948-1956: Site used to burn waste.
- 1968: Landfill closed; land deeded to the City of San Marcos.
- 1976: Passive landfill gas ventilation system installed.
- June 1986: Limited soil investigation conducted. Contractor cites strong odors associated with methane production; warns that landscape irrigation may accelerate decomposition of waste resulting in “substantial” settlement.
- August 1986: Joint Exercise of Powers Agreement established.
- March 1987: Regional Board provides the City of San Marcos with the requirements for applying for closure requirements (submittal of Report of Waste Discharge).
- April 1987: City of San Marcos submits application for Closure and Post-closure maintenance requirements from the Regional Board.
- May 1989: Sports field lighting project. Contractor indicates concern over drilling into the landfill cover and placing poles within waste. Concerned of settlement and shifting of poles; wants “non-responsibility for warranty” for light pole installation, or requests a change of project plans.
- June 1989: City of San Marcos responds to contractor regarding lighting project. City of San Marcos has not changed project plans, will not accept contractor’s “non-responsibility for warranty” because warranty was part of original agreement.
- June 1989: ~5000 cubic yards of materials imported to site for park development project.
- Nov. 1990: Resolution No. 90-3573 adopted. Resolution of the City Council of the City of San Marcos authorizing the granting of an easement through William Bradley Park for SDCWA pipeline extension purposes.
- May 1991: County of San Diego HMMD – observes excavation and pumping of leachate from landfill. Piping and storm drain were stained reddish-brown by flow. On May 29, 1991 HMMD and CIWMD visited the site and noted that 3 of 6 wells were operating with a flow rate of ~15-20

gallons per minutes. The material in the storm drain was reddish-brown in color and coming from the toe of the landfill.

- June 1991: Letter to County of San Diego from CIWMD. Letter states that based on CIWMB records, the Bradley Park landfill is, or should be, in the process of initiating corrective actions to remediate suspected leachate releases to surface water streams and potential leachate contaminations in the pipeline project area.
- Sept. 1991: County of San Diego submits SWAT report to RWQCB.
- Oct. 1991: County of San Diego HMMD conducts site inspection, observes six trench wells excavated within the easement, driven ~20 feet into the landfill. Water lines from trenches led to steel casing that led to a storm water drain at the corner of Pacific Street.
- March 1992: County of San Diego HMMD recommends the trench wells be excavated, filled with concrete or other approved material for proper destruction. In addition, borings 1-5 were to be relocated and properly abandoned accorder to appropriate regulatory standards.
- April 1992: Report by Moore and Taber. Report indicates that the landfill was disturbed during construction of the access road, installation of seven dewatering wells, and drilling of 5 exploratory borings. Refuse was reportedly encountered between 2 – 6 feet bgs, and water appeared to be perched within the trash. All waste encountered was transported to active MSW landfill.
- May 1993: County of San Diego LEA concurs with revised recommendations for dewatering well destruction (Camp Dresser & McKee, Inc. May 12, 1993), and reiterates to the City of San Marcos that if exploratory borings 1-5 have been improperly destroyed and cause future water quality problems with the site, it will be the responsibility of the County Water Authority and the City of San Marcos to perform necessary cleanup.
- NOTE: It is unknown as to whether or not the dewatering wells were properly destroyed and borings 1-5 located and properly abandoned. This information is not in the Regional Board files and was not submitted as part of the Appeal packages.
- Dec. 1993: Letter from Regional Board to County of San Diego regarding Final SWAT report submittal (September 1991) and review by Regional Board. Results indicate presence of 5 VOCs in groundwater; report did not provide definitive analysis of source of contamination. Regional

Board requests a water quality monitoring program be designed and implemented at the site.

- Nov. 1994: Notice of Violation from the Air Pollution Control District. Landfill gas emission exceeds 500 ppm at landfill.
- June 1996: Letter to City of San Marcos from County of San Diego LEA regarding fireworks displays at Bradley Park. Concern is due to the presence of methane gas at the site and possible fire and explosion hazards.
- July 1996: Letter from County of San Diego DPW to City of San Marcos regarding the use of Bradley Park for fireworks displays on the fourth of July. County of San Diego is concerned due to the presence of methane gas at the site and possible fire and explosion hazards.
- 1996-1997: County of San Diego participates in the voluntary monitoring program for the landfill.
- Sept 1997: Notice of Determination and Negative Declaration from City of San Marcos regarding no significant impact to the environment for the project including the addition of lighting, restrooms, 2 parking lots, open-play turf areas, shade structures, and pathways.
- January 1998: Letter to City of San Marcos from County of San Diego LEA regarding park expansion project. County of San Diego LEA has no objections to proposed project.
- Nov. 1998: Regional Board issues letter to City of San Marcos regarding Bradley Park expansion project. Regional Board raises issues concerning the possible exacerbation of ground water impacts by adding an irrigation system to the park.
- June 1999: City of San Marcos submits most recent site plan for development of Bradley Park, including a copy of the Negative Declaration and Notice of Determination to meet the requirements of CEQA.
- April 2000: Regional Board informs the City of San Marcos of its intent to add the Bradley Park landfill to General Waste Discharge Requirements Order No. 97-11.
- April 2000: Letter from the City of San Marcos to Regional Board regarding adding Bradley Park to Order 97-11, specifically regarding the naming of responsible parties.
- May 2000: Letter from Regional Board to City of San Marcos regarding responsibility for Bradley Park landfill. Citing the Fourth Appellate District, Division One

decision regarding the Duck Pond Landfill, the RWQCB informs the City of San Marcos of its decision not to pursue naming the County of San Diego on Order 97-11 as a responsible party for the Bradley Park Landfill.

- May 2000: Letter from County of San Diego to Regional Board – Notification of violations of WDRs observed during site visit. Observations include inadequate drainage from new ball field, infiltration of water into trash.
- June 2000: Letter from City of San Marcos to County of San Diego regarding violations of WDRs. City of San Marcos indicates they recently constructed a ball field which was lined to prevent infiltration. Over watering by contractor after hydroseeding appears to be cause of standing water in drainage area. City of San Marcos will install 6-inch PVC drainage pipe to direct drainage to creek ~100 feet north of ball field.
- July 2000: Letter to City of San Marcos from Regional Board – inspection at landfill. Regional Board informs City of San Marcos that a follow-up inspection to the County's inspection occurred May 26, 2000. Sample results from ponded water or orange-stained soil indicates the characteristics of leachate (high iron content). Regional Board suggests that the final design for the irrigation system associated with the new ball park does not match the design specified in WDRs for the site. Regional Board requests information pursuant to 13267 regarding the irrigation system at the site.
- August 2000: Letter from City of San Marcos to Regional Board in response to Regional Board letter dated July 17, 2000. City of San Marcos indicates implementation of mitigation measures outlined in may 1999 engineering report. City of San Marcos also enclosed information requested by Regional Board under authority of Water Code section 13267.
- April 2001: Inspection by Park Supervisor, City of San Marcos. Settlement noticed within parking lot between the playground area & turf, and caretaker's residence.
- Nov. 2001: Inspection by Park Supervisor, City of San Marcos. Settlement noticed at caretaker's residence, parking lot for Mac-Project, turf near restrooms. Rodent issues.
- Nov. 2001: Regional Board issues conditional waivers for WDRs Order Nos. 95-63 & 95-96 for the reuse/discharge of contaminated soils associated with the water line relocation project located near Bradley Park.
- January 2002: Inspection by County of San Diego LEA. Areas of concern include cracking and erosion of intermediate cover; drainage and erosion control issues on south-facing slope.

- April 2002: Inspection by Park Supervisor, City of San Marcos. Settlement noticed in south parking lot, at caretaker's residence, lower parking lot on Pacific. Ongoing baiting of squirrels and gophers.
- April 2002: Work Plan for Management of contaminated materials associated with the abandonment of pipelines 3 & 4 at Bradley Park.
- August 2002: Work plan for Phase I site assessment for management of hazardous materials associated with abandonment of pipelines 3&4 at Bradley Park.
- August 2002: Letter to City of San Marcos from County of San Diego LEA regarding approval of work plan for subsurface investigation associated with the pipeline abandonment project.
- August 2002: Inspection by Park Supervisor, City of San Marcos. Settlement noticed in south parking lot, and lower parking lot on Pacific. Crack in the soil cover near S.E. corner of park.
- January 2003: Notice of Violation R9-2003-0049 from RB regarding violations to WDRs observed during site inspection December 23, 2002. Violations include failure to perform adequate site maintenance and implement best management practices.
- January 2003: Response from County of San Diego regarding NOV R9-2003-0049. County of San Diego performed necessary site maintenance to come into compliance with WDRs.
- April 2003: Inspection by Park Supervisor, City of San Marcos. Settlement in south parking lot, lower lot on Pacific, NW corner for parking lot.
- February 2004: Regional Board Site inspection report. Areas of concern include high moisture on southern ball field, surficial settlement, drainage issues on upper deck.
- March 2004: Regional Board issues Compliant No. R9-2004-0077 for Administrative Civil Liability for Mandatory Minimum Penalties Under Water Code 13385, Violation of Order No. R9-2001-0096, NPDES No. CAG919002: Pipelines 3&4 relocation project.
- April 2004: Inspection by Park Supervisor, City of San Marcos. Settlement in south parking lot and lower lot on Linda Vistas Ave had cracking. Cracks also observed on road to caretaker's house.
- August 2004: County of San Diego submits Preliminary Site Conceptual Model and evaluation monitoring work plan.

- Nov. 2004: Inspection by Park Supervisor, City of San Marcos. Cracking on road to caretaker's house and parking lot on Rancho Santa Fe. Settlement in south parking lot.
- Nov. 2004: Regional Board Inspection. Area of concern noted during inspection was for tire ruts on the landfill cover caused by a vehicle driving on the cover when wet. Regional Board encouraged both the City of San Marcos and the County of San Diego staff to discontinue the practice of driving on the landfill cover and stick to the maintenance roads.
- Dec. 2004: County of San Diego submits a Seep Investigation Report.
- February 2005: Notice of Violation R9-2005-0046 for violations of WDRs regarding discharges of wastes to land, discharge of waste to surface drainage courses, failure to maintain the integrity of containment structures.
- March 2005: County of San Diego LEA inspection. Violations of drainage and erosion controls. Area of concern was for site security with the exposure of waste and burn ash in storm water channel.
- March 2005: Letter to City of San Marcos from Regional Board: Corrective Actions for Ground Water Seep at Bradley Park. Regional Board requires the City of San Marcos to implement a series of mitigation measures, including a perimeter fence around the affected areas, BMPs, corrective actions to terminate the seep, and monthly status reports to be submitted to the Regional Board.
- April 2005: Letter to Regional Board from City of San Marcos regarding the seep at Bradley Park. The City of San Marcos does not plan to secure the area with any kind of barrier. The City of San Marcos has a pending work order to place rock in the eroded channel. The City of San Marcos believes the seep has terminated and does not plan any additional corrective actions at this time. The City of San Marcos will continue to update the Regional Board monthly as requested.
- April 2005: Letter from City of San Marcos to County of San Diego LEA: Response to March 2004 Inspection. City of San Marcos requests that all correspondence regarding maintenance of the landfill be submitted to the County of San Diego instead of the City of San Marcos.
- April 2005: Letter to City of San Marcos from Regional Board regarding ground water seep – response to comments. The Regional Board is concerned about securing the area where waste is exposed, and the source of the seep. Regional Board encourages the City of San Marcos to take necessary steps to secure the site and determine the source of the seep.

- May 2005: Monthly status report from City of San Marcos regarding seep. City of San Marcos has capped the sub-drain in an attempt to terminate the discharge of leachate via the seep. The exposed waste area has not been secured.
- May 2005: Notice of Violation No. R9-2005-0172. Violations observed during follow-up site inspection on May 5, 2005. Violations of WDRs including discharge of waste to surface drainage courses, discharge of waste to waters of the state (CWC 13050); failure to implement BMPs in accordance with NPDES permit of County of San Diego.
- June 2005: Monthly status report from City of San Marcos regarding seep. No changes to site conditions from previous month.
- July 2005: Monthly status report from City of San Marcos regarding seep. The City of San Marcos has decided to install a 6-foot chain link fence around the area of exposed waste to keep people and animals out of the area.
- August 2005: Monthly status report from City of San Marcos regarding seep. Installation of fencing complete. No other changes in status of site.
- Sept. 2005: Monthly status report from City of San Marcos regarding seep. No changes in site status from previous month.
- Oct. 2005: Monthly status report from City of San Marcos regarding seep. No changes in site status from previous month.
- Oct. 2005: Inspection by Park Supervisor, City of San Marcos. Reports for May 2005 and August 2005 are included in submittal. In May and August cracking and settling on road to caretaker's house as well as parking lots was noted. In August, settling on turf areas through the park was observed.
- Nov. 2005: Monthly status report from City of San Marcos. No changes in site status from previous month.
- Dec. 2005: Monthly status report from City of San Marcos. No changes in site status from previous month.
- January 2006: Monthly status report from City of San Marcos. No changes in site status from previous month.
- March 2006: Monthly status report from City of San Marcos. No changes in site status from previous month.

- March 2006: County of San Diego LEA inspection report. Violations include drainage and erosion controls in drainage channel; final cover (installation of gravity sewer line). Areas of concern include site security.
- April 2006: Monthly status report from City of San Marcos. On March 27, 2006 a seep was observed in the same area as the original seep. Samples were collected and results submitted as part of the monthly status report. The City of San Marcos excavated along the sub-drain system to determine if it was faulty or leaking. The pipe was prepared and the trench backfilled.
- April 2006: Regional Board issues Investigative Order R9-2006-0044 to City of San Marcos for investigate the extent and impacts from the discharges of waste constituents to ground water, surface waters and soil vapors from the landfill.
- May 2006: Monthly status report from City of San Marcos. No seeping observed within the drainage channel.
- May 2006: City of San Marcos submits request for review of responsibility for Bradley Park by the Regional Board and requests the addition of the County of San Diego DPW as a responsible party on the investigative order.
- May 2006: Memo to file regarding appeal by City of San Marcos. Regional Board staff conferred with the Regional Board Attorney to discuss legality of the appeal. Regional Board attorney informed the City of San Marcos' attorney that the time frame for the City of San Marcos to appeal the Regional Board naming the County of San Diego as a joint responsible party on WDRs has passed and therefore the Regional Board will not amend the investigative order at this time.
- May 2006: Letter from County of San Diego, County Counsel regarding the City of San Marcos' request to have the County named a joint responsible party. The County of San Diego requests to be kept apprised of the situation, should the City of San Marcos continue its appeal, or the Regional Board decide to hold an informal hearing.
- June 2006: Letter from City of San Marcos Counsel. Letter serves as a follow-up to the County Counsel's letter (May 2006) regarding the issue of responsibility for the landfill.
- June 2006: Inspection by Park Supervisor, City of San Marcos. Inspection was conducted in April 2006 and settlement of turn areas throughout park, and parking lots was observed.
- July 2006: Work plan from the City of San Marcos in response to investigative order No. R9-2006-0044.



- August 2006: Regional Board comment letter regarding work plan. Work plan deemed incomplete; City of San Marcos told to revise and resubmit.
- August 2006: City of San Marcos reactivates its appeal regarding the responsibility of the County for the landfill.
- August 2006: County of San Diego responds to City of San Marcos' reactivation of appeal.
- Sept. 2006: Request for extension by City of San Marcos regarding Work plan for investigation at Bradley Park, Order No. R9-2006-0044.
- Sept. 2006: Addendum No. 1 to Investigative Order R9-2006-0044. Addendum revises due date for the work plan to October 31, 2006 due to deficiencies in the original report.
- Sept. 2006: Regional Board Inspection. Observations include exposed waste in storm water channel, source of contaminants measured in seep and ground water unknown.
- Sept. 2006: Monthly status report submitted by the City of San Marcos.
- Oct. 2006: Meeting held between the Regional Board, City of San Marcos and County of San Diego regarding the Evaluation Monitoring Program Workplan submitted by the City of San Marcos.
- Oct. 2006: Monthly status report submitted by the City of San Marcos.
- Nov. 2006: Letter from the City of San Marcos to the Regional Board regarding their request for an administrative appeal of Investigative Order R9-2006-0044.
- Nov. 2006: Inspection by County LEA. Violations include drainage and erosion control along storm water channel, exposed waste and burn ash in storm water channel, multi-colored sheen observed in ponded water within the channel where exposed waste occurs.
- Nov. 2006: City of San Marcos submits administrative appeal regarding Investigative Order R9-2006-0044.
- Nov. 2006: Monthly status report submitted by the City of San Marcos.
- Dec. 2006: County of San Diego submits their response to the City of San Marcos' administrative appeal regarding Investigative Order R9-2006-0044.

- Jan. 2007: City of San Marcos submits reply to County of San Diego's response to administrative appeal regarding Investigative Order R9-2006-0044.
- Jan. 2007: Addendum No. 2 to Investigative Order R9-2006-0044. Addendum revises dates for submittals based on extension granted for work plan submittal and the fact that it then had to be revised. Revised work plan submitted November 2006.
- Jan. 2007: Letter sent to the Regional Board from the County of San Diego regarding administrative appeal of Investigative Order R9-2006-0044.
- Feb. 2007: Regional Board provides comments on the Evaluation Monitoring Workplan submitted by the City of San Marcos in compliance with Investigative Order R9-2006-0044.
- Feb. 2007: Meeting between the Regional Board, City of San Marcos and County of San Diego regarding the administrative appeal of Investigative Order R9-2006-0044.
- Feb. 2007: City of San Marcos submits exhibits during an informal hearing between the City of San Marcos, County of San Diego, and the Regional Board.
- Feb. 2007: Letter from the County of San Diego to the Regional Board regarding the administrative appeal of Investigative Order R9-2006-0044.
- Feb. 2007: Monthly status report submitted by the City of San Marcos.
- Mar. 2007: Monthly status report submitted by the City of San Marcos.
- Mar. 2007: Letter to County of San Diego from City of San Marcos regarding work performed by the City of San Marcos in the Bradley Park Creek.
- Mar. 2007: Letter to the Regional Board from the City of San Marcos regarding the work recently performed in the Bradley Park Creek.
- Mar. 2007: City of San Marcos submits letter regarding the administrative appeal of Investigative Order R9-2006-0044 as a follow-up to February 9, 2007 inter-agency meeting.
- Mar. 2007: Correspondence set to the City of San Marcos by County of San Diego regarding the City's failure to copy the County on all correspondence regarding the administrative appeal of Investigative Order R9-2006-0044.
- Mar. 2007: County of San Diego submits aerial photographs for administrative appeal record.