

EXECUTIVE OFFICER SUMMARY REPORT
October 12, 2016

- ITEM: 7
- SUBJECT: Rescission of WDRs: Mission Avenue Sanitary Landfill, City of Oceanside, San Diego County (Tentative Order No. R9-2016-0141). *(Roger Mitchell)*
- PURPOSE: To consider adopting Tentative Order No. R9-2016-0141 (Supporting Document 1).
- RECOMMENDATION: Adoption of Tentative Order No. R9-2016-0141.
- KEY ISSUES:
1. Waste discharge requirements (WDRs) for the closed Mission Avenue Sanitary Landfill in Order No. 88-53 are obsolete,¹ and no longer reflect current landfill post-closure requirements.
 2. Order No. R9-2012-0001, *General Waste Discharge Requirements for the Maintenance and Monitoring of Closed, Abandoned, or Inactive Nonhazardous Solid Waste Units within the San Diego Region* (CAI General Order),² imposes the necessary controls needed to protect waters of the State from potential discharges of solid wastes, waste constituents, and degradation products from the Landfill.
 3. Upon rescission of Order No. 88-53, the Landfill will be enrolled in the CAI General Order.
- PRACTICAL VISION: Controlling discharges through WDRs is a key part of the strategy to achieve healthy waters in the San Diego Region. Imposing those controls through the CAI General Order, which incorporates controls for industrial storm water discharges, in place of outdated Order No. 88-53, is a prudent use of the Board's authority that protects water

¹ The current regulations for the construction, monitoring and maintenance of non-hazardous waste management units, in coordination with existing federal requirements found in title 40 Code of Federal Regulations, were initially promulgated within title 27, California Code of Regulations, by the State Water Resources Control Board, in 1997.

² http://www.waterboards.ca.gov/sandiego/board_decisions/adopted_orders/2012/R9-2012-0001.pdf

quality, while minimizing impacts upon limited staff resources.

DISCUSSION:

The City of Oceanside (City) owns the Mission Avenue Sanitary Landfill, located in San Diego County. The Landfill operated from 1971 to 1979, and contains approximately 790,000 cubic yards of solid non-hazardous waste, and 100,000 cubic yards of digested sewage sludge. Pursuant to waste discharge requirements prescribed in Order No. 88-53 and the statewide Industrial Storm Water Permit,³ the City is responsible for ensuring the integrity of the landfill cover for waste containment, and for controlling the discharges of storm water, solid wastes, waste constituents, and degradation products from the Landfill.

The Landfill is similar to other closed, abandoned, or inactive waste management units (CAI Units) within the San Diego Region, in that it is an unlined facility containing non-hazardous solid wastes. A release of solid wastes, waste constituents, or degradation products from the Landfill has the potential to create conditions of pollution or nuisance in waters of the State as defined under Water Code section 13050.

Order No. 88-53 is over 28 years old, contains obsolete waste discharge requirements, and requires the Landfill to be enrolled in the statewide Industrial Storm Water Permit. Order No. 88-53 is further complicated by three addenda which modified the original order between 2002 and 2005. Enrollment of the Landfill in the CAI General Order will update discharge specifications and reporting requirements, providing a level of water quality protection that is better than that provided by both Order No. 88-53 and the statewide Industrial Storm Water Permit. Under the CAI General Order, the Landfill will continue to implement a detection monitoring program essential for determining, at the earliest possible time, if waste constituents or degradation products have been released to groundwater from the Landfill.

Rescission of Order No. 88-53 saves San Diego Water Board staff resources that would otherwise be used to review and reissue an individual Order for the Landfill. The rescission action also reduces the economic burden on the City by eliminating its obligation to submit an annual fee to

³ Order No. 2014-0057-DWQ, *National Pollutant Discharge Elimination System General Permit for Storm Water Discharges Associated with Industrial Activities*.

the State Water Resources Control Board for both Order No. 88-53 and the statewide Industrial Storm Water Permit.

In a letter dated July 27, 2015 (Supporting Document 2), the City requested rescission of Order No. 88-53 and proposed the Landfill be enrolled in the CAI General Order. On July 14, 2016, San Diego Water Board staff inspected (Supporting Document 3) and verified that the Landfill is eligible for enrollment in the CAI General Order.

LEGAL CONCERNS:

None.

SUPPORTING DOCUMENTS:

1. Tentative Order No. R9-2016-0141.
2. City letter with attachment dated July 27, 2015, requesting rescission of the individual Order and enrollment in the CAI General Order.
3. July 14, 2016 Landfill Inspection Letter.
4. Landfill Location Map.
5. Notification Letter for Public Hearing and Comment Period.

SIGNIFICANT CHANGES:

Rescission of individual WDRs in Order No. 88-53.

COMPLIANCE RECORD:

Historically, the San Diego Water Board cited the City for the following violations of Order No. 88-53: failure to submit semi-annual reports in 1992 and 1993, ponding or surface water and erosion and inadequate storm water controls in 1997 and 1999), observation of exposed waste in 1999, violation of groundwater quality objectives in 2000, failure to notify San Diego Water Board prior to implementing significant grading of the landfill cover in 2002, and late submission of annual groundwater report in 2005. There are no outstanding compliance issues at the Landfill.

PUBLIC NOTICE:

Notification of this action was sent to known interested parties by email on July 22, 2016 (Supporting Document 5). A Notice of Public Hearing and Written Comment Period and the Tentative Order were also posted on the San Diego Water Board website on July 22, 2016.