

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN DIEGO REGION**

EXECUTIVE OFFICER SUMMARY REPORT

December 10, 2025

ITEM NO. 5

SUBJECT

Consideration of Tentative Order No. R9-2025-0178, *Amendment No. 1 to 2nd REVISED Cease and Desist Order No. R9-2024-0008, United States Marine Corps, Las Pulgas Landfill, United States Marine Corps Base Camp Pendleton, San Diego County* (Tentative Order No. R9-2025-0178). (Frank Melbourn)

STAFF RECOMMENDATION

Staff recommends adoption of Tentative Order No. R9-2025-0178 (**Supporting Document 1**).

KEY ISSUE

Tentative Order No. R9-2025-0178, if adopted, will extend the following completion deadlines included in the 2nd REVISED Cease and Desist Order No. R9-2024-0008 (CDO) for the Las Pulgas Landfill (Landfill): Directive No. 36, the completion deadline for the Stormwater and Leachate Management Investigation Work Plan (IWP) will be changed from September 27, 2025, to October 1, 2026; and CDO Directive No. 37, the completion deadline for the Liner Evaluation Work Plan (EWP) will be changed from July 28, 2025, to October 1, 2026. Extending the deadlines will allow the Marine Corps to conduct investigative work including destructive testing and physical observation of Landfill construction after the 2025/26 rainy season. Completing the investigative work during the dry season will reduce the likelihood of a pollutant discharge.

Additionally, Tentative Order No. R9-2025-0178 removes language from the CDO that inappropriately delegated Board authority to amend the CDO to the Executive Officer.

PRACTICAL VISION

The CDO was a priority enforcement action because it addressed sources of pollution that could impact healthy ecosystems and local water supply. Stormwater from the Landfill drains to stormwater basins and then to Las Flores Creek (Supporting Document No. 2). The Landfill discharges to surface water and groundwater in the Las Pulgas Hydrologic Subarea (901.52) of the San Onofre Hydrologic Area (901.50) of the San Juan Hydrologic Unit (HU 901.00). Beneficial uses designated in the Water Quality Control Plan for the San Diego Basin (Basin Plan) for the San Onofre Hydrologic Area include agricultural supply, municipal and domestic supply. Beneficial uses designated in the Basin Plan for Las Flores Creek include agricultural supply, contact and non-contact recreation, warm freshwater habitat, and wildlife habitat.

The CDO advanced the Practical Vision through protection of stream, wetland, and riparian lands (PV Chapter 3) and protection of a resilient local water supply (PV Chapter 6). The adoption of Tentative Order No. R9-2025-0178 further advances the Practical Vision by reducing the likelihood that CDO compliance actions will cause environmental harm.

DISCUSSION

The Marine Corps operates the Landfill that is located on Basilone Road, North of Camp Pulgas, Marine Corps Base Camp Pendleton, California, 92055 (MCBCP, Site Maps, **Supporting Document 2**). The Landfill began operating in 1971 and the San Diego Water Board began regulatory oversight of the Landfill in 1974. It serves as the primary waste disposal site for MCBCP and only accepts municipal solid waste generated within MCBCP boundaries.

In February 2024, the Board adopted the CDO after San Diego Water Board staff identified several issues: 1) construction defects and liner damage in the Landfill; 2) exposure of waste in the Landfill and storm water management system; and 3) leachate¹ discharges to surface water and groundwater. The CDO required the Marine Corps to cease accepting waste at the Landfill and submit the IWP and the EWP. Developing and implementing the IWP and EWP are critical for the Marine Corps to demonstrate compliance with their existing waste discharge requirements (Order No. R9-2010-0004) and reopen the Landfill.

Pursuant to the IWP, the Marine Corps will investigate the Landfill's existing stormwater and leachate management systems, determine the cause of unauthorized discharges of pollutants to surface waters, identify measures needed to prevent future unauthorized discharges and propose actions to prevent future unauthorized discharges to surface waters. During implementation of the EWP, the Marine Corps will evaluate the side slope liner system currently under construction, assess any damage to the liner components, and determine whether the integrity of the liner system has been compromised. Further, the EWP will identify and propose what actions are needed to comply with Order No. R9-2010-0004 and title 27 of the California Code of Regulations, and prevent future damage to the Landfill's containment systems.

¹ Leachate means "any liquid formed by the drainage of liquids from waste or by the percolation or flow of liquid through waste." See CCR title 27 section 20164. Combined CalRecycle & State Water Resources Control Board Technical Definitions.

Following CDO adoption on February 14, 2024, the Marine Corps requested extensions for submitting the IWP and EWP on April 16, 2024. This request was due to contracting issues and the inability to conduct work during the wet season. The Executive Officer granted these extensions on August 23, 2024. In 2025, the Marine Corps submitted revised IWP and EWP plans which were reviewed by San Diego Water Board staff and letters of concurrence were issued on May 28, 2025 (EWP) and July 29, 2025 (IWP). The CDO mandates the completion of these plans within 60 days from the date of the letter of concurrence. Implementing the approved IWP and EWP during the wet season increases the risk of pollutants and waste discharges to surface water and groundwater. Therefore, adopting Tentative Order No. R9-2025-0178 will enable the Marine Corps to complete the IWP and EWP in a manner that best protects water quality and overcome contracting and financing issues.

Tentative Order No. R9-2025-0178 removes language from the CDO that inappropriately delegated Board authority to amend the CDO to the Executive Officer. Therefore, adopting Tentative Order No. R9-2025-0178 corrects this and ensures that any future changes to the CDO will be made solely by the Board.

PUBLIC NOTICE

Public notice of Board consideration of Tentative Order No. R9-2025-0178 was included in the Meeting Notice and Agenda for the December 10, 2025, San Diego Water Board meeting. This information along with a copy of Tentative Order No. R9-2025-0178, is available on the San Diego Water Board website.

SUPPORTING DOCUMENTS

1. Tentative Order No. R9-2025-0178, with attached CDO Redline/Strikeout Version
2. Site Map