

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

EXECUTIVE OFFICER SUMMARY REPORT

February 12, 2025

ITEM 5

SUBJECT

Consideration of Tentative Order No. R9-2025-0004, *Waste Discharge Requirements for Orange County Waste and Recycling, Prima Deshecha Zone 1 Landfill, Orange County* (Tentative Order No. R9-2025-0004). (Josh Hufferd)

STAFF RECOMMENDATION

Staff recommend adoption of Tentative Order No. R9-2025-0004 (**Supporting Document 1**).

KEY ISSUES

1. Tentative Order No. R9-2025-0004 establishes waste discharge requirements (WDRs) for Orange County Waste and Recycling (Discharger) to continue operations and development at the waste management unit in Zone 1 (Landfill) of the Prima Deshecha Landfill complex in San Juan Capistrano, Orange County (**Supporting Document 2**). Tentative Order No. R9-2025-0004, if adopted, will replace Order No. R9-2003-0306, the current WDRs for the Landfill. These WDRs are consistent with Division 2 of California Code of Regulations title 27 (CCR title 27) and Code of Federal Regulations title 40, part 258 (40 CFR).
2. Tentative Order No. R9-2025-0004 also establishes:
 - Expanded reporting requirements for emergency responses actions at the Landfill.
 - Protocols for the acceptance of special wastes (e.g., fire debris) to facilitate future emergency waste disposal needs associated with cleanup operations.
 - Prospective requirements for material recovery operations (e.g., composting, chipping and grinding, etc.) co-located at the Landfill.

PRACTICAL VISION

The San Diego Water Board's issuance of WDRs for landfills is a proactive approach to maintaining high quality waters and protecting the beneficial uses within the region. Tentative Order No. R9-2025-0004 provides technical criteria for the design, construction, operation, maintenance, and monitoring of the Landfill, which are intended to protect human health and the environment. The Board's adoption of Tentative Order No. R9-2025-0004 aligns with the mission of the Practical Vision chapter on *Strategizing for Healthy Waters*, by supporting the Board's ongoing efforts to protect and restore the chemical, physical, and biological integrity of the waters in the San Diego Region.

DISCUSSION

The purpose of this item is to provide the San Diego Water Board with information to assist in its consideration of Tentative Order No. R9-2025-0004. Adoption of Tentative Order No. R9-2025-0004 establishes the requirements for the continued construction, operation, maintenance, and monitoring of a 327-acre waste management unit within the Prima Deshecha Landfill complex. The Discharger began waste disposal operations at the Landfill in 1980 and developed the Landfill in phased lateral expansions. The current waste disposal operations area of the Landfill is 269-acres.

The Prima Deshecha Landfill complex property straddles the boundary between the cities of San Juan Capistrano and San Clemente in southern Orange County. The Prima Deshecha complex is owned by the County of Orange, and encompasses 1,530-acres, divided into five zones, which includes two historical waste disposal areas, WMU1 and WMU2. The Discharger has operated an active landfill at the Prima Deshecha complex since 1972 and anticipates reaching full waste capacity of the Landfill in the year 2050. The Discharger is proposing the construction of a new landfill in Zone 4 to continue to meet the waste disposal needs for southern Orange County through the year 2102. The remaining zones, 2, 3, and 5, are designated for open space and habitat to mitigate for impacts within the zones 1 and 4 waste footprints.

Tentative Order No. R9-2025-0004 contains waste discharge requirements consistent with CCR title 27 and 40 CFR. These requirements include siting and design criteria that consider site-specific geologic, hydrologic and seismic hazard conditions. Tentative Order No. R9-2025-0004 also includes construction and operation specifications, and requirements for groundwater, surface water, and landfill gas monitoring and reporting.

Board staff expanded reporting requirements in Tentative Order No. R9-2025-0004 to address instances of noncompliance or damage at the Landfill and established conditional triggers for the Discharger to develop corrective action workplans. The expanded reporting requirements are, in-part, a response to climate change. As extreme storm events become normal occurrences, the Landfill is subject to cycles of prolonged drought, punctuated by intense precipitation events. Board staff anticipate these climatic changes may adversely impact the Landfill, especially if the ancillary

stormwater management systems are unable to accommodate peak stormwater run-on and run-off. Tentative Order No. R9-2025-0004 requires the Discharger, every five-years, to include as part of expanded reporting requirements a recalculation of a 100-year, 24-hour storm event, and if necessary, evaluate the need to expand the Landfill's stormwater conveyance structures to accommodate peak stormwater run-on and run-off.

Board staff also developed Attachments C through F to Tentative Order No. R9-2025-0004, which establish design, construction, operation, maintenance and monitoring requirements for the acceptance of special wastes and the allowance of other waste management activities to be co-located with the Landfill footprint. Specifically:

- Attachment C provides the waste acceptance criteria for dredged sediments, treated wood waste, dewatered sludge and contaminated soils, and requires the Discharger to report the qualitative and quantitative data demonstrating compliance with applicable regulations. The allowance of these wastes at the Landfill supports the potential need for upland disposal associated with cleanup projects. The allowance of these wastes also supports the potential emergency disposal of natural disaster debris from flood and fires, classified as designated wastes, to be discharged at the Landfill.
- Attachments D, E, and F support the Discharger's ability to implement chipping and grinding operations, composting operations, or Materials Recovery Facility operations within the footprint of the Landfill, which also supports the Discharger's goals to attain the State's waste diversion mandates.

Board staff developed these attachments with the intent to efficiently and effectively support the Discharger's current and future waste management needs, while minimizing disruption to ongoing waste disposal operations and avoiding using limited staff resources to prepare revised WDRs.

RESPONSE TO COMMENTS

The San Diego Water Board received two comment letters (**Supporting Documents 3 and 4**) during the public review and comment period, from the Discharger and Geosyntec Consultants. Both comment letters were received on September 26, 2024. Board staff prepared written responses to the comments (**Supporting Document 5**), many of which were not substantive in nature and therefore did not require significant revisions to Tentative Order No. R9-2025-0004. Board staff did address responsive comments pertaining to the monitoring and reporting requirements by providing additional clarification and rationale for the proposed requirements.

PUBLIC NOTICE

Notification of this action was sent to the Discharger and known interested parties on August 26, 2024 (**Supporting Documents 6 and 7**). The San Diego Water Board also

posted Tentative Order No. R9-2025-0004 on its website on August 26, 2024, previously published as Tentative Order No. R9-2024-0002. Additionally, the San Diego Water Board sent a Notice of Public Hearing (**Supporting Document 8**) to the Discharger and known interested parties on December 2, 2024, and posted the agenda for this hearing on January 22, 2025. These actions satisfy the 30-day public comment period and 45-day public notification requirements of Water Code, division 7, section 13167.5, and CCR title 27, section 21730(b).

SUPPORTING DOCUMENTS

1. Revised Tentative Order No. R9-2025-0004
2. Vicinity Map
3. Public Comment Letter from OCWR
4. Public Comment Letter from Geosyntec Consultants
5. Response to Public Comments
6. Transmittal Letter
7. Notice of Public Comment Period
8. Notice of Public Hearing