



September 26, 2024

California Regional Water Quality Control Board  
San Diego Region  
2375 Northside Drive, Suite 100  
San Diego, California 92108-2700

**Subject: Comments on Tentative Order No. R9-2024-0002  
L10003995148:JHufferd**

To Whom it may Concern:

Enclosed please find OC Waste & Recycling's comments on Tentative Order No. R9-2024-0002, Waste Discharge Requirements for Prima Deshecha Zone 1 Landfill. If you have any questions you can contact me by phone at (714) 834-4123 or by e-mail at [emily.jackson@ocwr.ocgov.com](mailto:emily.jackson@ocwr.ocgov.com).

Sincerely,

Emily L. Jackson, P.E.  
Senior Civil Engineer  
Environmental Services

Enclosure

## Comments on Tentative Order R9-2024-0002

### OC Waste & Recycling

#### A. Findings

- a. *Section 1, Facility description (p.4)*: Attachment A should be mentioned in the document before Attachment B
- b. *Section 4, Development of Zone 1 (p.4)*: 4<sup>th</sup> sentence should read “Phases B1 and C2 in 2006”

#### B. Prohibitions – **No comments**

#### C. Permits – **No comments**

#### D. Landfill Construction Standards and Specifications

- a. *Section 4.b (p.11)*: How does one demonstrate that the proposed design will offer the equivalent protection and performance standards?
- b. *Section 4.c (p.11)*: How does one demonstrate that deviations from the approved design will offer the equivalent protection and performance standards?
- c. *Section 12.f (p.17)*: How does one test the LCRS System, particularly when all the pipes are buried?
- d. *Section 13.e (p.19)*: Is the ELLS a one-time test?

#### E. Landfill Operation Specifications

- a. *Sections 3.a (p.20) & 3.b (p.21)*: Do both conditions a & b need to be met or just one of them?
- b. *Section 8 (p.21)*: Are there publicly available templates to assist in the recalculation of the 100-year, 24 hour storm? The size/addition of stormwater conveyance/containment structures are designed years in advance; it will be extremely difficult to alter their size or add on to them.

#### F. Discharge Specifications for Allowable Wastes – **No comments**

#### G. Closure and Post-Closure Specifications – **No comments**

#### H. Provisions

- a. *Sections 2 and 3(pp.25-26)*: Are “new waste management” and “new stage” synonymous with “new phase”?
- b. *Section 3.c (p.26)*: Why would reducing or eliminating authorized discharge be cause for changing or terminating the Order?

#### I. Reporting Requirements

- a. *Section 6 (p.29)*: Would these activities include installation of drainage pipes and construction of wet decks?
- b. *Section 7 (p.29)*: What if the 48-hour period ends on a Saturday, Sunday, or major holiday? Would the following Monday or the day after the holiday be acceptable? Could “48-hours” be replaced with “2 business days” or “72-hours” instead?
- c. *Section 9 (p.30)*: Do these “noncompliances” include general landfill operations which do not affect the liner, cover, or groundwater/stormwater systems?
- d. *Section 9.i (p.31)*: Temperature readings of perimeter landfill gas probes are not routinely collected.

- e. *Section 13 (p.32)*: Remaining capacity calculations are done at the end of the calendar year (December 31) and at the end of OCWR's fiscal year (June 30). Would the calendar year calculations be acceptable?
  - f. *Section 16.a (p.32)*: Does this mean that only the Director of OC Waste & Recycling, and not his duly authorized representative (DAR) can sign a JTD or ROWD?
  - g. *Section 16.b (p.32)*: Is the current DAR for Zone 1 automatically stay as the DAR or must a new Signature Authority Statement be submitted?
  - h. *Section 18 (pp.33-34)*: If paper copies are sent, is it acceptable if the copies are postmarked on or before the due date as long as the email and Geotracker versions are submitted on time?
- J. Declarations by the San Diego Water Board – **No comments**

Figure 3: The WMU 1 contours need to be updated due to the landslide circa 2010.

## ATTACHMENT A MONITORING AND REPORTING PROGRAM

### Part 1 – Findings – **No comments**

### Part II – Sampling and Analysis Plan

#### A. Standard Monitoring Provisions –

- a. *Section beginning paragraph (p.41)*: Does this require a new SAP or will the current one be sufficient?
- b. *Section A.3 (p.42)*: Is sampling which is done for internal use only still need to be reported? If so, why?

#### B. Record Retention – **No comments**

#### C. Standard Sampling, Analysis, & Reporting Protocols – **No comments**

#### D. Detection Groundwater Monitoring

- a. *Section D.2 (pp.45-46)*: The numbers aren't consistent – it says two background wells but three are listed; same for the compliance wells
- b. *Table 1 (p.47)*: Please confirm the superscripts assigned to the Monitoring Parameters in the first column. Should the "13"s be "21"s and "14" be a "22"? For clarity, please revise the name of the last two parameters listed in Table 1 as "Appendix I Volatile Organic Compounds" and "Appendix I Metals", respectively.

#### E. Surface Water Monitoring

- a. *Section E.3 (p.49)*: Under Zone 1's current WDR, surface water samples are analyzed for the same parameters as groundwater samples. This section states that "surface water samples must be analyzed for the monitoring parameters found in the IGP." Please clarify. Does this mean the surface water samples

should be sampled for the monitoring parameters outlined in the Site's latest SWPPP?

F. Leachate Monitoring

- a. *Section F.1.a (p.49)*: Am assuming this will take effect in 2025 or later depending on when the WDR is approved.
- b. *Section F.1.b (p.49)*:
  - i. The revised list must be noted in the record within 14 days of when? Are these calendar or business days?
  - ii. Written notification must be sent within seven calendar days or business days?
- c. *Section F.2 (p.50)*: Establishing New COC Background: How?

G. Five Yearly COC Scan

- a. *Section G 2<sup>nd</sup> Paragraph (p.51)*: Depending on what the new constituents are, the 30-day limit may be difficult to achieve – herbicides, pesticides, SVOCs and TOX tests can take a long time to get results.

H. Schedule of Activities – **No comments**

Part III – Methods of Analysis

A. Detection Mode Monitoring – **No comments**

B. Tracking Mode Monitoring – **No comments**

C. Water Quality Protection Standard

- a. *Section C 1<sup>st</sup> paragraph (p.52)*: Please define “successful proof period”.

D. Validation of Background Datasets

- a. *Section D.3 (pp.53-54)*: Please define “synthetic organic constituents” (SOCs) and give a few examples. Also please clarify the phrase “If SOCs are detected in more than 10% of analyses in background wells”. Does this mean 10% of all constituents tested for in all the background wells combined, 10% of the wells have at least 1 SOC detected, 10% of the wells have the same SOC, etc?

E. California Non-Statistical Data Analysis Method

- a. *Section E.2 (p.55)*: Please define “discrete retest” and “measureably significant”. It may be problematic to determine the source of a background well contaminant, especially if the source is offsite and/or we cannot get permission from the property owner to investigate.

F. Synthetc Organic COCs in Background Wells – “**Synthetc**” should be “**Synthetic**”

Part IV – Reports to Be Filed with the San Diego Water Board

A. Groundwater Monitoring Report

- a. *Section A.1 (p.57)*: Due to the inability to upload GIS files to Geotracker, they will only be sent via email

B. Annual Compliance Report

- a. *Section B.10 (p.61)*: Please clarify which months should be included (i.e. April-March, January-December). If the ending month is neither June nor December, please confirm that monthly volumes can be estimated instead of measured.

Monthly weights in tonnages will be measured values based on scale data collected at our Fee Booths. Volumes would be calculated by dividing the measured weights by the Site's most current AUF. These AUF values are re-calculated annually based on measured volume data.

- C. Other **Report** to Be **Filled** – Should be “Other **Reports** to be **Filed**”
- a. *Section C.4 (p.63)*: Five Year COC Reports: The previous COC report was done in October 2021; therefore the next COC report should be due on April 30, 2026.
  - b. *Section C.7 (p.63)*: What if the 48-hour period ends on a Saturday, Sunday, or major holiday? Would the following Monday or the day after the holiday be acceptable? Could “48-hours” be replaced with “2 business days” or “72-hours” instead?
  - c. *Section C.9.a (p.64)*: Please define.
  - d. *Section C.9.i. (p.65)*: High Heat Events: Am assuming that the 170°F pertains to subsurface temperatures; please clarify.
- D. Reporting Schedule
- a. *D. Table (pp.66-67)*: Please confirm reporting period and due dates for the groundwater and surface water COC reports. The dates listed in this table conflict with other sections of the MRP. Part II.E.3 on page 49 implies that both COC reports are prepared during the same monitoring period, while this table implies they conducted two years apart. Part IV.C.4 on page 63 implies reports are due October 30, 2026.
- E. Standard Reporting Requirements
- a. *Section E.1 (p.68)*: Submission Procedures:
    - i. Previously the San Diego Water Board wanted no paper copies. Does it now want all paper copies or just the 8.5” x 14” and larger maps?
    - ii. Geotracker has a size limit of 400 MB – is the 150 MB size requirement simply for easier downloading for the San Diego Water Board? What is the maximum size your servers can handle?
    - iii. Does the San Diego Water Board also want the report sent via email?
  - b. *Section E.3 (p.68)*: Electronic Data Submittals: Are current monitoring wells already in the Geotracker system grandfathered in?
  - c. *Section E.4.c (p.70)*:
    - i. “**Principle**” should be **Principal**”
    - ii. Will a new signatory designation be required if the DAR will be the same person as now?

## Part V – Contingency Reporting

- A. Notification of a Release – **No comments**
- B. Evaluation of a Release – **No comments**
- C. Notification and Evaluation of Excessive Leachate **Reduction**
  - a. *Section C Heading (p.72)*: “**Reduction**” should be “**Production**”

- b. *Section C Below Heading (p.72)*: The definition of a “significant increase” (the leachate production rate three times greater than the previous month) is problematic, as this would probably occur at the start of every rainy season.
  - c. *Section C.2 (p.72)*: Ceasing the use of leachate for onsite dust control – this may also prove problematic.
- D. Release Beyond the Facility Boundary – **No comments**

Part VI – Notifications – **No comments**

**ATTACHMENT B**  
**INFORMATION SHEET FOR ORDER NO. R9-2024-0002**

- A. Introduction and Background – **No comments**
- B. Geology and Hyrdrology of the Site – **No comments**
- C. Applicable Plans, Policies, and Regulations – **No comments**
- D. Compliance with the Antidegradation Policy – **No comments**
- E. Compliance with California Public Resources Code for Solid Waste Diversion – **No comments**
- F. Rationale for Discharge Prohibitions – **No comments**
- G. Rationale for Liner Design Requirements – **No comments**
- H. Rationale for Design Specifications – **No comments**
- I. Rationale for Climate Change Impact Mitigation – **No comments**
- J. Rationale for Provisions – **No comments**
- K. Rationale for Financial Assurance Requirements – **No comments**
- L. Rationale for Monitoring and Reporting Requirements
  - a. *Bottom of 2<sup>nd</sup> paragraph (p.84)*: Are the \$100,00-\$250,000 costs one-time or annual?
- M. Rationale for Special Waste Acceptance
  - a. *Bottom of 2<sup>nd</sup> Paragraph (p.87)*: Can leachate/condensate generated in Zone 1 be used in Zone 4 and vice versa?
- N. Rationale for Co-Located Chipping and Grinding Operations
  - a. *(p.88)*:The last two paragraphs appear to be a requirement to designate a specific area for chipping & grinding (C&H); however, the C&H operations area moves in response to the movement of the active face, so a designated C&H area needs to be dynamic in nature. Can the entrance and exit requirements for the C&H area can be fulfilled by using signs to direct traffic?
- O. Rationale for Co-Located Compost Operations – **No comments**
- P. Rationale for Co-Located Material Recovery Operations – **No comments**
- Q. Rationale for Notifications – **No comments**
- R. Other Permits Required – **No comments**
- S. Practical Vision –
  - a. *(pp.90-91)*: Please define “Practical Vision”
- T. Public Participation – **No comments**

Figure 1 – **No comments**

Figure 2 – (*p.94*): Contours are not correct in WMU-1 area – a new updated map from after the landslide southeast of the waste prism (circa 2010) needs to be included

### **ATTACHMENT C** **SPECIAL WASTES ACCEPTANCE REQUIREMENTS**

- A. General Requirements for the Acceptance of Special Wastes – **No comments**
- B. Treated Wood Waste – **No comments**
- C. Dewatered Sludge – **No comments**
- D. Dredged Sediments – **No comments**
- E. Contaminated Soils – *pp 97-103*
  - a. Is it to be assumed that the soil does NOT contain any contaminants other than TPH, VOCs, SVOCs, BCPs, CAM metals, or organochloride pesticides? If not, how would we determine this?
  - b. The list is restricted to only the constituents listed above. Is there a way to add others to the list, i.e. PFAS?
  - c. Why are only the STLC and TCLP methods prescribed? CCR title 22, section 66261.24 and 40 CFR sections 261.31-33 only describe what characteristics make it toxic, NOT how it should be analyzed.
  - d. STLP and STLC are reported in mg/L or ug/L and is used to simulate a landfill environment; soil is a solid which makes converting from liters to kilograms not terribly accurate.
  - e. TTLC, which is also a California requirement for hazardous waste, reports its values in kilograms (mg/kg, ug/kg, ppm, ppv) and characterizes the total amount of compound in the sample. TTLC also costs less than STLC.
  - f. Many laboratories start their testing with TTLC and only go to STLC/TCLP if high values are encountered.
  - g. Haulers who wish to bring their soil to an Orange County landfill go through a long-standing OCWR acceptance procedure; the haulers usually request a particular landfill but they can take their soil to a different landfill if necessary.
  - h. Acceptance criteria is the same for all landfills in Orange County (with the exception of arsenic)
  - i. The haulers' laboratory results are almost always reported as mg/kg, ug/kg, ppv, and/or ppm.
  - j. As of now very few haulers are taking their soil to Prima, but this could change in the future once Olinda Alpha Landfill closes. To avoid having the haulers pay for duplicate tests, either a "conversion table" translating TTLC values to STLC/TCLP values OR Prima using TTLC values is preferred.
  - k. The Santa Ana Region landfills have two (2) thresholds for acceptance. Soils that pass the more stringent (also called the primary or residential) level can bring their soil for beneficial reuse (usually for free or for a reduced fee). The less stringent

- (secondary or industrial) level allows the landfill to accept the soil but it can only be buried as waste (haulers pay the standard dumping fee).
- l. Only one set of limits is included in Tables 1,2, and 3. Are these beneficial reuse or burial limits? Is it a question of either beneficial reuse or not bringing it in at all?
  - m. Our other landfills in the Santa Ana Region, as prescribed by R8-2016-0052, require all landfills in the region to use EPA’s Regional Screening Level (RSL) Summary Table <https://semspub.epa.gov/work/HQ/404463.pdf> to determine both beneficial reuse and disposal level acceptance. This table, which has > 800 constituents, only lists soil results in mg/kg.

**ATTACHMENT D**  
**CHIPPING AND GRINDING OPERATION REQUIREMENTS**

- A. Designated Area – **No comments**
- B. Water Use – **No comments**
- C. Allowable Feedstocks – **No comments**
- D. Management of Chipping and Grinding Materials – **No comments**
- E. Inspection and Maintenance – **No comments**

**ATTACHMENT E**  
**REQUIREMENTS FOR CO-LOCATED COMPOSTING OPERATIONS**

- A. Enrollment in Order No. WQ-2020-0012-DWQ
  - a. (p.108): There is already a composting operation at the site (Capistrano Greenery). Is an additional NOI, filing fee, and technical report required?
- B. Design, Construction, and Operation Requirements – **No comments**
- C. Updating Enrollment Documents – **No comments**
- D. General Site Maintenance – **No comments**
- E. Corrective Action Workplan – **No comments**
- F. Other Applicable Requirements – **No comments**

**ATTACHMENT F**  
**MATERIAL RECOVERY FACILITY OPERATION REQUIREMENTS**

*First sentence, second line (p.112):* should be “Material Recovery **Facility**”, not “Material Recovery **Facilities**”

- A. Designated Area – **No comments**
- B. Stormwater Management – **No comments**
- C. Inspection and Maintenance – **No comments**