

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

**RESPONSE TO COMMENTS FOR
TENTATIVE ORDER NO. R9-2025-0004
WASTE DISCHARGE REQUIREMENTS FOR
ORANGE COUNTY WASTE AND RECYCLING
PRIMA DESHECHA ZONE 1 LANDFILL, ORANGE COUNTY**

The California Regional Water Quality Control Board, San Diego Region (San Diego Water Board) staff prepared responses to the comments received regarding Tentative Order No. R9-2025-0004, *Waste Discharge Requirements for Orange County Waste and Recycling, Prima Deshecha Zone 1 Landfill, Orange County* (Tentative Order).

The San Diego Water Board provided the Tentative Order to all known interested parties on August 27, 2024, and received two comment letters during the public comment period. The letters were from Orange County Waste and Recycling (OCWR, Discharger) and Geosyntec Consultants on September 26, 2024. The comment period ended on September 26, 2024. San Diego Water Board staff (Staff) prepared the responses included herein to the comments received. OCWR provided comment nos. 1 through 70, and Geosyntec Consultants provided comment nos. 71 through 93. The comments are copied verbatim, and each response provided by Staff indicates whether the Tentative Order was revised in response to the comment.

No.	OCWR Comment	San Diego Water Board Response	Action Taken
1.	Tentative Order. A. Findings, Section 1 – Facility Description (p.4): Attachment A should be mentioned in the document before Attachment B.	Staff agree with the comment and have revised the Tentative Order as shown.	Staff revised the Tentative Order as follows: Waste Discharge Requirements. This Order establishes the requirements for the construction, maintenance and monitoring of a 269.2-acre waste management unit within the Prima Deshecha Zone 1 Landfill (Landfill) (Figure 2). <u>The Order includes a site-specific Monitoring and Reporting Program (MRP) (Attachment A), and general specifications for the acceptance of special wastes and the operation of ancillary facilities that may be co-located within the waste footprint including composting, chipping and grinding, and material recovery facilities.</u> The Information Sheet (Attachment B) provides additional site-specific information pertinent to the development of the Order and Monitoring and Reporting Program (MRP) including geology, hydrology, containment systems design, and site operation.
2.	Tentative Order. A. Findings, Section 4 0 Development of Zone 1 (p.4): 4 th sentence should read “Phases B1 and C2 in 2006”	Staff agree with the comment and have revised the Tentative Order as shown.	Staff revised the Tentative Order as follows: Development of Zone 1. The Discharger developed the Landfill in ten phased, lateral expansions. The Discharger completed construction and received certification from the Board of each phase are as follows: Phase A in 1998; Phase A1 in 2000; Phase C1 in 2002; Phase B in 2004; Phase A2 in 2005; Phases B1 and C2 in 2006; Phase C3 in 2015; and Phase D1 in 2019.; <u>and The Discharger completed construction on Phase D2 in 2024.</u>
3.	Tentative Order. D. Landfill Construction Standards and Specifications, Section 4.b (p.11): How does one	The San Diego Water Board does not dictate method and manner of compliance with the requirements set forth in California Code of Regulations (CCR) title 27. CCR title 27 allows the Discharger to	No revisions are made to the Tentative Order in response to this comment.

	demonstrate that the proposed design will offer equivalent protection and performance standards?	construct engineered alternatives to the prescriptive requirements for containment structures and systems. The Discharger is required to submit a demonstration for approval by the San Diego Water Board that the proposed engineered alternative offers the equivalent protection of the prescriptive design standards. The Discharger will need to consult with their contractor and consultant to determine the appropriate types of modeling and testing for the demonstration.	
4.	Tentative Order. D. Landfill Construction Standards and Specifications, Section 4.c (p.11): How does one demonstrate that deviations from the approved design will offer the equivalent protection and performance standards?	See response to Comment 3 above.	No revisions are made to the Tentative Order in response to this comment.
5.	Tentative Order. D. Landfill Construction Standards and Specifications, Section 12.f. (p.17): How does one test the LCRS System, particularly when all the pipes are buried?	The San Diego Water Board does not dictate method and manner of compliance with the requirements set forth in CCR title 27. The Discharger will need to research industry practices and consult with their contractor and consultant to determine the types of testing available to meet the regulatory standard and implement the method that best fits the needs and design of the system constructed at the Landfill. This is an existing requirement ¹ and should already be implemented at other landfills owned and operated by the Discharger. ¹ CCR title 27, section 20340(c).	No revisions are made to the Tentative Order in response to this comment.
6.	Tentative Order. D. Landfill Construction Standards and Specifications, Section 13.e (p.19): Is the ELLS a one-time test?	It is unclear if the comment is asking if the test is performed once for all of the Landfill or once for each stage of Landfill development. The Landfill Construction Standards and Specifications, section D.13.e of the Tentative Order states that the electrical leak location survey (ELLS) must be completed on any geomembrane installed during construction of liner system, for each cell or lateral expansion phase of Landfill development. The Discharger must perform an ELLS on both slope and base liner systems to ensure the integrity of the geomembrane component. For base liner systems, the ELLS must be performed after placement of the LCRS gravel layer.	Staff have revised Tentative Order <i>Landfill Construction Standards and Specifications</i> D.13.e as follows: e. Perform an electrical leak location survey (ELLS) <u>on any geomembrane installed during construction of the during construction of liner systems for each cell and/or lateral expansion phase. For base liner systems, the ELLS must be performed after placement of the LCRS gravel layer, and prior to the deployment of subsequent liner components.</u> The purpose of the ELLS is to check the integrity of the base <u>and slope</u> liner areas covered by a geosynthetic membrane component. Should the ELLS detect integrity issues with the <u>geomembrane, or if repairs must be made to the geomembrane due to damage or defect,</u> the Discharger must i. Take all necessary steps to identify and repair any defects located in the geosynthetic membrane component and <u>run the ELLS test again.</u> ii. Provide the results of the ELLS survey and any subsequent repairs to the geosynthetic membrane component in the relevant CQA Report. The results must include a text discussion of field activities, the daily logs for any needed defect repairs, the results from subsequent testing performed to assess the integrity of repairs made to the geosynthetic membrane, supporting photographs of all defects and

			<p>subsequent repairs, and a separate site plot plan indicating the location(s) of all defects and repairs performed for each geosynthetic membrane component. If the liner system contains more than one geosynthetic membrane component, then these site plot plans must use the same scale to facilitate comparison between geosynthetic membrane layers.</p> <p><u>All geomembrane panels must have a passing ELLS test for Staff to certify construction of the lined area.</u></p>
7.	Tentative Order. E. Landfill Operation Specifications, Section 3.a (p.20) & 3.b (p.21): Do both conditions a & b need to be met or just one of them?	San Diego Water Board staff reviewed sections E.3.a and E.3.b and confirmed that the Discharger must meet both conditions to reuse leachate or landfill gas condensate within the Landfill footprint.	No revisions are made to the Tentative Order in response to this comment.
8.	Tentative Order. E. Landfill Operation Specifications, 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.	San Diego Water Board staff are unaware of publicly available templates to recalculate the 100-year, 24-hour storm. This calculation is based on site-specific conditions including annual precipitation, geology, hydrology, the disturbed footprint, the developed footprint, etc., and must include a determination that the stormwater conveyance system is or is not adequately sized to manage the recalculated stormwater run-on and run-off.	No revisions are made to the Tentative Order in response to this comment.
9.	Tentative Order. H. Provisions, Section 2 and 3 (pp.25-26): Are “new waste management” and “new stage” synonymous with “new phase”?	<p>CCR title 27, section 20164, prescribes specific definitions of terms used in the State Water Resources Control Board-promulgated portion of division 7 of CCR title 27. CCR title 27 defines “waste management unit” or “Unit” as an area of land, or portion of a waste management facility, at which waste is discharged. The term includes containment features and ancillary features for precipitation and drainage control and for monitoring.</p> <p>Additionally, CCR title 27 defines “New Unit” as a Unit, or portion thereof, that began operating, or received all permits necessary for construction and operations, after November 27, 1984. CCR title 27 does not define “stage,” “new stage,” “phase,” or “new phase.”</p> <p>Dischargers may choose to apply terms of art like “stage” or “phase” when preparing a joint technical document to help describe how a waste management unit will be constructed as an iterative process. Board staff may incorporate both the terms defined in CCR title 27 and the Discharger’s terms of art into the draft waste discharge requirements to promote a linkage between the regulatory requirements and the engineering design.</p>	No revisions are made to the Tentative Order in response to this comment.
10.	Tentative Order. H. Provisions, Section 3.c (p.26): Why would reducing or eliminating authorized discharge be cause for changing or terminating the Order?	The Tentative Order prescribes waste discharge requirements that authorize the Discharger to discharge waste(s) as proposed in the Report of Waste Discharge (ROWD), which for the Landfill is the Joint Technical Document (JTD). The Discharger is required to submit a	No Revisions are made to the Tentative Order in response to this comment.

		<p>ROWD for any material change or proposed change in the character, location, or volume of the discharge in accordance the Porter-Cologne Water Quality Control Act (California Water Code), section 13260(c).¹ Therefore, reducing or eliminating an authorized discharge at the Landfill would require the Discharger to submit a new ROWD because those potential changes must be reflected in the Order to continue waste disposal operations at the Landfill.</p> <p>¹California Water Code, Division 7, Chapter 4.</p>	
11.	<p>Tentative Order. I. Reporting Requirements, Section 6 (p.29): Would these activities include installation of drainage pipes and construction of wet decks?</p>	<p>Staff’s review of a workplan is not necessary for activities related to preparing for rain events or accessing the Landfill during wet weather conditions because those are part of normal operations and are not considered significant maintenance. Significant maintenance involves activities outside of normal or waste acceptance activities, such as regrading or repair of damaged containment systems.</p> <p>The Discharger can document these activities in the Post-Rain Inspection Report. If the installation is for permanent drainage pipes or other structural stormwater best management practices (BMPs), the Discharger must propose the installation of these BMPs in a workplan for Staff’s review and concurrence and document these changes in a revised SWPPP.</p>	<p>Staff have revised Tentative Order <i>Reporting Requirement</i> I.6 as follows:</p> <p>Significant Maintenance Activity Workplan. The Discharger must submit a workplan for Staff review and concurrence prior to any significant maintenance activities that could alter the existing surface drainage patterns or change existing slope configurations. These activities may include importing and stockpiling fill materials, the design and installation of soil borings or groundwater monitoring wells, construction of stormwater conveyance features, and other devices used for site investigation or monitoring purposes. Unless otherwise directed by San Diego Water Board staff, the Discharger may initiate the activities proposed in the workplan 30 days after the San Diego Water Board received the workplan for review and consideration. <u>Activities associated with normal landfill operations, such as drainage pipe installations or wet deck construction, are not considered significant maintenance and do not require the Discharger to submit a Significant Maintenance Activity Workplan.</u></p>
12.	<p>Tentative Order. I. Reporting Requirements, 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?</p>	<p>Staff agree that the Tentative Order should clarify when the Post-Rain Inspection Report submittal falls on a non-operating day or major holiday. The Landfill operates six days a week, closed Sundays and for five major holidays. Therefore, Landfill operations personnel should be onsite within 48-hours of a rain event to complete the post-rain inspection and report their observations to the Board under the Discharger’s normal operating schedule,</p> <p>The 48-hour requirement advances the spirit and intent of the Tentative Order by ensuring timely identification of failures and damage after storm events.</p> <p>However, Staff disagree with the request to revise the Tentative Order replacing 48-hours with two business days or 72-hours. This change has the potential to delay notification to Staff of impacts to site conditions resulting from a qualifying storm event. For example, if the</p>	<p>Staff have revised Tentative Order <i>Reporting Requirement</i> I.7 as follows:</p> <p>Post Rain Inspection Reports. The Discharger must submit a Post-Rain Inspection Report within 48 hours of a rain event with a cumulative rainfall of 1-inch or greater over a 72-hour period. The Post-Rain Inspection Report must include the date(s) of the rain event, how much precipitation was received each day of the rain event, a narrative describing where run-off was captured, the quality and effectiveness of BMPs, and any erosion, ponding, or exposed wastes observed during the inspection. The Post-Rain Inspection Report must also include photographs of the detention basin, BMPs, top deck, side slopes, and any areas where damage is observed during the inspection.</p> <p><u>If the deadline to submit a Post-Rain Inspection Report coincides with a non-operational day when the Landfill is closed, the Discharger may submit the report by noon of the next business day.</u></p>

		qualifying storm event ends on a Saturday and Monday is a major holiday, under the proposed change, Staff would not receive the report until Wednesday or Thursday. Staff have revised K.7 to allow Discharger staff additional time to prepare the report if the 48-hour submittal deadline falls on a weekend or holiday, by adding the following: “The Post-Rain Inspection Report may be submitted by noon the next business day should the 48-hour submittal deadline fall on a weekend or holiday.”	
13.	Tentative Order. I. Reporting Requirements, Section 9 (p. 30): Do these “noncompliances” include general landfill operations which do not affect the liner, cover, or groundwater/stormwater systems?	Staff do not consider instances of noncompliance as acceptable general operation of the Landfill. The requirements contained within this Tentative Order apply to the design, construction, and ongoing maintenance of the Landfill, including general landfill operations. The Discharger must report any instances of noncompliance that threaten human health or the environment to the San Diego Water Board in the timeframe included in this directive.	No revisions are made to the Tentative Order in response to this comment.
14.	Tentative Order. I. Reporting Requirements, Section 9.i (p.31): Temperature readings of perimeter landfill gas probes are not routinely collected.	Statement Noted.	No revisions are made to the Tentative Order in response to this comment.
15.	Tentative Order. I. Reporting Requirements, 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?	Yes. The Discharger may submit the remaining capacity and site life estimations in any format as part of the Annual Compliance Report.	No revisions are made to the Tentative Order in response to this comment.
16.	Tentative Order. I. Reporting Requirements, 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?	A JTD or ROWD must be signed by the licensed engineer or certified engineering geologist that prepared the JTD or ROWD, in accordance with the California Business and Professions Code sections 6735, 7835, 7835.1. The cover letter of the JTD or ROWD must be signed by either the Director of OCWR or their duly authorized representative.	Staff have revised Tentative Order <i>Reporting Requirement I.16.a</i> as follows: Report Declaration. All applications, reports, or information submitted to the San Diego Water Board are part of the public record and must be signed and certified as follows: a. <u>All reports required by this Order and any other information required by the San Diego Water Board must be signed by a person designated below, or by a duly authorized representative of that person, as described in I.16.b.</u> <i>i. For a corporation – by a principal executive officer of at least the level of vice president.</i> <i>ii. For a partnership or sole proprietorship – by a general partner or the proprietor, respectfully.</i> <i>iii. For a municipality, or State, federal, or other public agency – by either a principal executive officer or ranking elected official.</i>

			<p>b. <u>The person designated above may defer signatory duties to a duly authorized representative. All other reports required by this Order and any other information required by the San Diego Water Board must be signed by a person designated in paragraph (1) of this section, or by a duly authorized representative of that person. An individual is a duly authorized representative only if:</u></p> <p><i>i. The authorization is made in writing by a person described in paragraph (1) of this provision.</i></p> <p><i>ii. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity.</i></p> <p><i>iii. The written authorization is submitted to the San Diego Water Board.</i></p> <p>The authorization, in the form of a Signature Authority Statement, must be submitted to the San Diego Water Board within 30 days from either (1) adoption of this Order, or (2) a change in the duly authorized representative.</p> <p>c. Any person signing a document pursuant to this section must make a certification statement regarding the accuracy and authenticity of the information provided in the document. The certification statement must be included as part of the transmittal letter submitted with any document referenced within this Order. The certification statement must read as follows:</p> <p><i>“I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for known violations.”</i></p>
17.	Tentative Order. / Reporting Requirements, 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?	The current duly authorized representative (DAR) for the Zone 1 Landfill will remain the Landfill’s DAR once the San Diego Water Board adopts the Tentative Order. The Discharger is not required to submit a new signature authority statement, unless the Discharger intends to name a new DAR.	No revisions are made to the Tentative Order in response to this comment.
18.	Tentative Order. / Reporting Requirements, Section 18 (pp. 33-34): If paper copies are sent, is it	Yes, the scenario described is acceptable.	No revisions are made to the Tentative Order in response to this comment.

	acceptable if the copies are postmarked on or before the due date as long as the email and Geotracker versions are submitted on time?		
19.	Tentative Order. Figure 3: The WMU1 contours need to be updated due to the landslide circa 2010.	Figure 3 was provided by the Discharger in the final iteration of the JTD as Figure B-6. Staff contacted the Discharger for clarification and a current figure, if necessary. The Discharger confirmed that Figure B-6 in the JTD is up to date and no updates are needed.	No revisions are made to the Tentative Order in response to this comment.
20.	Attachment A – Monitoring and Reporting Program. Part II, Sampling and Analysis Plan – A. Standard Monitoring Provisions, Section beginning paragraph (p. 41): Does this require a new SAP or will the current one be sufficient?	If the current Sampling and Analysis Plan (SAP) includes all required elements listed in <i>Part II, Sampling and Analysis Plan</i> of Attachment A, then a new SAP is not needed. If however, the existing SAP does not contain the required elements listed in this section of the Tentative Order, then a new SAP must be submitted within the required timeframe.	No revisions are made to the Tentative Order in response to this comment.
21.	Attachment A – Monitoring and Reporting Program. Part II, Sampling and Analysis Plan – A. Standard Monitoring Provisions, Section A.3 (p. 42): Is sampling which is done for internal use only still need to be reported? If so, why?	Attachment A, II.A.3 reads “All monitoring results, including results from additional sampling points or COCs that the Discharger monitors more frequently than required by this MRP, must be documented in the monitoring reports.” The Discharger must include all available sampling data in the Annual Compliance Report, including data obtained through internal use sampling, so that Staff can best fulfill the purpose of the detection monitoring program, which is to identify a release of COCs from the Landfill into groundwater.	No revisions are made to the Tentative Order in response to this comment.
22.	Attachment A – Monitoring and Reporting Program. Part II, Sampling and Analysis Plan – D. Detection Groundwater Monitoring, 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.	Staff agree with the comment and have corrected the number of wells in Attachment A, Part II as suggested by the Discharger.	Staff have revised Attachment A, Part II.D to correct the number of background wells and compliance wells. Additionally, Staff further revised Part II.D in response to Comment 79. The revised Part II.D is as follows: Detection Groundwater Monitoring Program. The groundwater monitoring network for the Landfill is comprised of two <u>four</u> background wells, two and three <u>and three</u> compliance wells, a downgradient monitoring point, and piezometers. The background monitoring wells are MW-1, MW-9R, and MW-13, and MW-14. The compliance monitoring wells are MW-4, MW-12, and J. The Discharger constructed MW-14 in 2024 as an additional upgradient compliance <u>background monitoring</u> well for the Landfill until the southern portion of the Zone 4 Landfill is developed. The Discharger will then transition MW-14 to a downgradient <u>compliance monitoring</u> well for the Zone 4 Landfill. The piezometers for measuring groundwater elevations are MP-10, 08, P4, 08P-11, and 08-12.

23.	<p>Attachment A – Monitoring and Reporting Program. Part II, Sampling and Analysis Plan – D. Detection Groundwater Monitoring, 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.</p>	<p>Staff agree with the suggestion to modify the last two parameters by adding “Appendix I” for improved clarity. Additionally, staff confirmed that the superscripts were incorrect.</p>	<p>Staff removed or revised the superscripts and added “Appendix I” to “Volatile Organic Compounds” and “Metals” in Table 1. Additionally, Staff further revised Table 1 in response to Comment 81. The revised MRP Part II.D, Table 1 is as follows:</p> <p style="text-align: center;">Table 1 – Groundwater Monitoring Parameters</p> <table border="1" data-bbox="2032 409 3017 949"> <thead> <tr> <th>Monitoring Parameters</th> <th>Units¹²</th> <th>Sampling Frequency¹³</th> </tr> </thead> <tbody> <tr> <td>pH¹⁴</td> <td>pH</td> <td>Semi-annual</td> </tr> <tr> <td>Field Conductivity¹⁴</td> <td>µS/cm</td> <td>Semi-annual</td> </tr> <tr> <td>Turbidity¹⁴</td> <td>NTU</td> <td>Semi-annual</td> </tr> <tr> <td>Total Dissolved Solids</td> <td>mg/l</td> <td>Semi-annual</td> </tr> <tr> <td>Chloride</td> <td>mg/l</td> <td>Semi-annual</td> </tr> <tr> <td>Sulfate</td> <td>mg/l</td> <td>Semi-annual</td> </tr> <tr> <td>Nitrate as Nitrogen</td> <td>mg/l</td> <td>Semi-annual</td> </tr> <tr> <td><u>Appendix I</u> Volatile Organic Compounds¹⁵</td> <td>µg/l</td> <td>Semi-annual</td> </tr> <tr> <td><u>Appendix I</u> Metals¹⁵</td> <td>mg/l</td> <td>Semi-annual</td> </tr> </tbody> </table> <p>¹² Note: mg/l = milligram per liter; µg/l = micrograms per liter; NTU = Nephelometric turbidity units; µSiem = micro siemens/centimeter.</p> <p>¹³ The San Diego Water Board Executive Officer may increase or decrease the monitoring frequency if determined to be necessary.</p> <p>¹⁴ These monitoring parameters are field parameters measured during sampling activities. Note: mg/l = milligram per liter; µg/l = micrograms per liter; NTU = Nephelometric turbidity units; µSiem = micro siemens/centimeter.</p> <p>¹⁵ The list of monitoring parameters is derived from 40 CFR, Part 258, Appendix I “Constituents for Detection Monitoring.” These constituents are generally expected to be in or derived from wastes associated with the landfill.</p>	Monitoring Parameters	Units ¹²	Sampling Frequency ¹³	pH ¹⁴	pH	Semi-annual	Field Conductivity ¹⁴	µS/cm	Semi-annual	Turbidity ¹⁴	NTU	Semi-annual	Total Dissolved Solids	mg/l	Semi-annual	Chloride	mg/l	Semi-annual	Sulfate	mg/l	Semi-annual	Nitrate as Nitrogen	mg/l	Semi-annual	<u>Appendix I</u> Volatile Organic Compounds ¹⁵	µg/l	Semi-annual	<u>Appendix I</u> Metals ¹⁵	mg/l	Semi-annual
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24.	<p>Attachment A – Monitoring and Reporting Program. Part II, Sampling and Analysis Plan – E. Surface Water Monitoring, Section E.3 (p. 49): Uder 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</p>	<p>The Discharger is required to sample surface waters for the parameters listed in the MRP as well as any additional parameters required under the IGP, which may be listed in the Prima Deshecha Landfill complex SWPPP.</p>	<p>No revisions are made to the Tentative Order in response to this comment.</p>																														

	this mean the surface water samples should be sampled for the monitoring parameters outlined in the Site's latest SWPPP?		
25.	Attachment A – Monitoring and Reporting Program. Part II, Sampling and Analysis Plan – F. Leachate Monitoring, Section F.1.a (p. 49): Am assuming this will take effect in 2025 or later depending on when the WDR is approved.	The assumption stated about the effective date is incorrect. The requirement described in Attachment A, Part II.F.1.a of the Tentative Order, is an existing requirement carried over from the MRP for Order No. R9-2003-0306 and is currently in effect.	No revisions are made to the Tentative Order in response to this comment.
26.	Attachment A – Monitoring and Reporting Program. Part II, Sampling and Analysis Plan – F. Leachate Monitoring, Section F.1.b (p. 49): The revised list must be noted in the record within 14 days of when? Are these calendar or business days?	The Discharger must include the results of a March leachate retest in the Annual Compliance Report due April 30, along with an amended COC list that includes the Appendix II constituent(s) that were detected both in the leachate sample initially tested in September and the leachate sample retest in March. The revised COC list submitted in the Annual Compliance Report due by 5:00 pm on April 30 must be noted in the Landfill's Operating Record within 14 calendar days after submitting the Annual Compliance Report.	No revisions are made to the Tentative Order in response to this comment.
27.	Attachment A – Monitoring and Reporting Program. Part II, Sampling and Analysis Plan – F. Leachate Monitoring, Section F.1.b (p. 49): Written notification must be sent within seven calendar days or business days?	The Discharger must provide written notification of amending the Landfill's Operating Record within 7 calendar days of noting the revised COC list in the Landfill's Operating Record.	No revisions are made to the Tentative Order in response to this comment.
28.	Attachment A – Monitoring and Reporting Program. Part II, Sampling and Analysis Plan – F. Leachate Monitoring, Section F.2 (p. 50): Establishing New COC Background: How?	Staff understand the Discharger's comment as asking how COC background values are established. Upon reviewing Attachment A, Part II.F.2, Staff identified an error and determined that language regarding COCs in groundwater was erroneously placed in Part II.F.2. This language belongs in Part II.D, as section 6, where the MRP provides the requirements for modifying the COC list for groundwater monitoring wells. Additionally, in response to this comment, Staff determined that the language regarding narrowing the monitoring list of COCs Part II.F.3 was also erroneously placed in Part II.F and should be placed in Part II.D. This language belongs in Part II.D, as section 7.	Staff determined that language regarding COCs in groundwater was erroneously placed in Part II.F.2. This language belongs in Part II.D, as section 6, where the MRP provides the requirements for modifying the COC list for groundwater monitoring wells. Staff revised the Part II.D.6 as shown below: "6. Establishing Background Values for New COCs. The Discharger must establish a reference background value in groundwater following the procedures and regulations ¹⁶ for each <u>40 CFR part 258 Appendix II (Appendix II) constituent, excluding synthetic constituents</u> , that is added to the Landfill's COC list as described in Leachate Monitoring Part II.F.1. Part II.G. The Discharger must include the data as a separate item in the next monitoring report submitted once this reference set of background data is collected." Staff revised the Tentative Order to remove the section titled, "Narrowing the Monitoring List of COCs" language from Part II.F.3 and add the section to Part II.D, and section 7. Staff further revised Part II.D.7, as shown below, to clarify the process to remove a COC from a groundwater monitoring well analyte monitoring list.

			<p>“7. Narrowing the Monitoring List of COCs. This MRP allows the Discharger to take the following steps to narrow the scope of monitoring parameters and reduce the costs of monitoring for waste constituents identified as groundwater monitoring parameters:</p> <p>a. Analyze groundwater samples for volatile organic constituents listed in Appendix I.</p> <p>b. Propose the use of surrogate monitoring parameters, as appropriate (i.e., PH, total dissolved solids (TDS), chloride (Cl), sulfate (SO4) and nitrate (NO3) to monitor groundwater at the Landfill for a release of metals listed in Appendices I and II.</p> <p>c. Analyze soil vapor samples from either the vadose zone or a soil vapor monitoring network (soil gas probes) or an active landfill gas (LFG) control system at the Landfill. Analytical results from soil vapor or LFG samples may be used to identify additional specific volatile organic constituents (VOCs) listed in Appendix II that are being generated by the wastes within the Landfill.</p> <p><u>This MRP allows the Discharger to remove COCs that are added to the COC list once detected and verified as part of the Five-Yearly COC Scan. An Appendix II COC added to the COC list may signify a release from the Landfill and may require a corrective action monitoring program in accordance with CCR title 27, section 20430. Once the Discharger completes corrective actions to the satisfaction of the Board, the Discharger may designate a previously added COC for removal from the COC list. The COC designated for removal must be undetected or below its respective concentration limit through a successful proof period of at least three years, or six Semi-Annual Groundwater Monitoring Reports, as defined by CCR title 27, section 20430(g) and 40 CFR, part 258(e)(2).”</u></p>
29.	<p>Attachment A – Monitoring and Reporting Program. Part II, Sampling and Analysis Plan – G. Five Yearly COC Scan, Section G, 2nd paragraph (p. 51): Depending on what the new constituents are, the 30-day limit may be difficult to achieve – herbicides, pesticides, SVOCs and TOX texts can take a long time to get results.</p>	Statement Noted.	No revisions are made to the Tentative Order in response to this comment.
30.	<p>Attachment A – Monitoring and Reporting Program. Part III, Methods of Analysis – C. Water Quality Protection Standard, Section C, 1st paragraph (p. 52): Please define “successful proof period”.</p>	For demonstrating completion of a corrective action program, CCR title 27, section 20430(g) requires dischargers of municipal solid waste landfills to submit a demonstration that meets the federal requirements specified in 40 CFR, part 258.58. ¹ These federal requirements specify that dischargers must continue to monitor for three years after the completion of corrective actions to demonstrate that Appendix II constituents do not exceed the groundwater protection standards. Therefore, the proof period referenced in the Tentative Order is	Staff have revised Attachment A, Part III.C <i>Water Quality Protection Standard</i> as follows: C. WATER QUALITY PROTECTION STANDARD. The Landfill is in violation of its water quality protection standard (Water Standard) any time a constituent in a groundwater well monitoring in "detection mode" exhibits a measurably significant increase over the applicable background data set. ¹⁶ All groundwater wells monitored in "tracking mode" remain in violation of the Water Standard and subject to

		<p>consistent with the federal requirements specified in 40 CFR, part 258.58 and is three consecutive years, or six consecutive Semi-Annual Groundwater Monitoring Reports.</p> <p>¹ https://www.ecfr.gov/current/title-40/part-258/section-258.58#p-258.58(e)</p>	<p>corrective action monitoring¹⁷ until completion of a successful proof period of three years or six Semi-Annual Groundwater Monitoring Reports.¹⁸ The Water Standard for the Landfill consists of the following components:”</p> <p>¹⁶ CCR title 27, section 20415(e)(7).”</p> <p>¹⁷ CCR title 27, section 20430(g), and 40 CFR, Part 258.58(e).</p> <p>¹⁸ CCR title 27, section 20430(g), and 40 CFR, Part 258.58(e).</p>
31.	<p>Attachment A – Monitoring and Reporting Program. Part III, Methods of Analysis - D. Validation of Background Datasets, 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?</p>	<p>Synthetic organic compounds (SOCs) are man-made organic compounds that are less volatile than volatile organic compounds and other organic compounds that are not naturally present in drinking water.</p> <p>Typical SOCs are herbicides, insecticides, pesticides and fungicides.</p> <p>As stated in Part III.D.3 of the MRP (Attachment A to the Tentative Order), this requirement is applicable to each background monitoring well and one or more synthetic organic compounds detected during the sampling event.</p>	<p>No revisions are made to the Tentative Order in response to this comment.</p>
32.	<p>Attachment A – Monitoring and Reporting Program. Part III, Methods of Analysis - E. California Non-Statistical Data Analysis Method, Section E.2 (p. 55): Please define “discrete retest” and “measurably 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.</p>	<p>“Discrete Retest” is a verification retest procedure used in California Statistical Methods to determine if there is an indication of a release from a landfill. In a discrete retest, the rejection of the null hypothesis for any one of the retests will be considered confirmation of significant evidence of a release. A discrete retest consists of collecting two new suites of samples for the constituent(s) exceeding the concentration limit from the indicating monitoring points and analyzes the data using the same statistical test method used in the initial statistical analysis.¹</p> <p>“Measurably significant” is defined in CCR title 27, section 20164 as follows: “Measurably significant means a change in the Monitoring Point data that, relative to the reference background value (or other approved reference value or distribution), is sufficient to indicate that a release has occurred, pursuant to the applicable data analysis method (including its corresponding trigger).”</p> <p>The Discharger may notify Board staff if it has difficulties determining a secondary source of a background well contaminant within the given timeframe. Currently, there are no industrial developments immediately upgradient of the Landfill, except for the Zone 4 landfill, owned and operated by the Discharger.</p>	<p>Staff have revised Attachment A, Part III.E.2 <i>Discrete Retest</i> to include the regulatory citations as follows:</p> <p>Discrete Retest. The Discharger must perform a discrete retest²⁵ to verify the results²⁶ if an approved data analysis method provides a preliminary indication that there has been a measurably significant²⁷ increase for a COC in a given monitoring well. The Discharger must take the following steps in conducting a retest:</p> <p>²⁵ CCR title 27, section 20415(e)(8)(E)(1) et seq.</p> <p>²⁵²⁶ CCR title 27, section 20415(e)(8)(E).</p> <p>²⁷ CCR title 27, section 20164.</p>

		¹ Sanitas User Guide Version 9.3, designed by Sanitas Technologies (1992-2012).	
33.	Attachment A – Monitoring and Reporting Program. Part III, Methods of Analysis - F. Synthetic Organic COCs in Background Wells: “Synthetc” should be “Synthetic”	Staff agree with the comment to correct the typographical error in the title of Part III, <i>Methods of Analysis – F Synthetic Organic COCs in Background Wells</i> .	Staff have revised the Tentative Order, Attachment A, Part III, Methods of Analysis as follows: <i>F. Synthete Synthetic Organic COCs in Background Wells</i>
34.	Attachment A – Monitoring and Reporting Program. Part IV, Reports to be Filed with the San Diego Water Board – A. Groundwater Monitoring Report, Section A.1 (p. 57): Due to the inability to upload GIS files to Geotracker, they will only be sent via email.	Statement noted.	No revisions are made to the Tentative Order in response to this comment.
35.	Attachment A – Monitoring and Reporting Program. Part IV, Reports to be Filed with the San Diego Water Board –B. Annual Compliance Report, 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 measures. 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 Stie’s most current AUF. These AUF values are recalculated annually based on measured volume data.	The Annual Waste Acceptance Summary, a part of the Annual Compliance Report due April 30, must include the waste acceptance data from April to March, which are the months covered in the reporting period for the Annual Compliance Report. Staff confirm that measured accepted waste tonnage values by month with estimated monthly volumes based on the measured accepted waste tonnage values and annually calculated AUF value is acceptable for the Annual Waste Acceptance Summary.	No revisions are made to the Tentative Order in response to this comment.
36.	Attachment A – Monitoring and Reporting Program. Part IV, Reports to be Filed with the San Diego Water Board –C. Other Reports to Be Filed with the Board. Other Report to Be Filled – Should be “Other Reports to be Filed”	Staff agree with the comment to correct the typographical error in the title of the Tentative Order, Attachment A, Part IV, <i>Reports to be Filed with the Board – C</i> .	Staff have revised the Tentative Order, Attachment A, Part IV, <i>Reports to be Filed with the San Diego Water Board</i> as follows: <i>C- Other Reports to be Filled Filed.</i>
37.	Attachment A – Monitoring and Reporting Program. Part IV, Reports to be Filed with the San Diego Water Board – C. Other Reports to Be Filed with the Board, 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.	Staff agree with the comment that the Tentative Order should align with the existing five-year COC scan, and the proposed revisions to the reporting due date.	Staff have revised the Tentative Order, Attachment A, Part IV, <i>Reports to be Filed with the San Diego Water Board, C.4</i> as follows: Five Year COC Reports. Every five years, the Discharger must complete a COC analysis on groundwater and surface water samples to update and verify the COC list included in the semi-annual monitoring reports. The COC analysis must include all COCs found in Appendix II. The next COC Report must be received no later than 5:00 p.m. on

			October April 30, 2026. Subsequent COC reports must be submitted every fifth year as an attachment to the Annual Compliance Report.
38.	Attachment A – Monitoring and Reporting Program. Part IV, Reports to be Filed with the San Diego Water Board – C. Other Reports to Be Filed with the Board, 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?	<p>Staff agree that the Tentative Order should clarify the due date for when the Post-Rain Inspection Report submittal falls on a non-operating day or major holiday. The Landfill operates six days a week, closed Sundays and for five major holidays. Therefore, Landfill operations personnel should be onsite within 48-hours of a rain event to complete the post-rain inspection and report their observations to the Board under the Discharger’s normal operating schedule,</p> <p>The 48-hour requirement advances the spirit and intent of the Tentative Order by ensuring timely identification of failures and damage after storm events.</p> <p>However, Staff disagree with the request to revise the Tentative Order replacing 48-hours with two business days or 72-hours. This change has the potential to delay notification to Staff of impacts to site conditions resulting from a qualifying storm event. For example, if the qualifying storm event ends on a Saturday and Monday is a major holiday, under the proposed change, Staff would not receive the report until Wednesday or Thursday. Staff have revised C.7 to allow Discharger staff additional time to prepare the report if the 48-hour submittal deadline falls on a weekend or holiday, by adding the following: “The Post-Rain Inspection Report may be submitted by noon the next business day should the 48-hour submittal deadline fall on a weekend or holiday.”</p>	<p>Staff have revised the Tentative Order, Attachment A, Part IV, <i>Reports to be Filed with the San Diego Water Board</i> as follows:</p> <p>C.7 – Post Rain Inspection Reports. The Discharger must submit a Post-Rain Inspection Report within 48 hours of a rain event with a cumulative rainfall of 1-inch or greater over a 72-hour period. The Post-Rain Inspection Report must include the date(s) of the rain event, how much precipitation was received each day of the rain event, a narrative describing where run-off was captured, the quality and effectiveness of BMPs, and any erosion, ponding, or exposed wastes observed during the inspection. The Post-Rain Inspection Report must also include photographs of the detention basin, BMPs, top deck, side slopes, and any areas where damage is observed during the inspection.</p> <p><u>If the deadline to submit a Post-Rain Inspection Report coincides with a non-operational day when the Landfill is closed, the Discharger may submit the report by noon of the next business day.</u></p>
39.	Attachment A – Monitoring and Reporting Program. Part IV, Reports to be Filed with the San Diego Water Board – C. Other Reports to Be Filed with the Board, Section C.9.a (p. 64): please define.	It is unclear which term the Discharger is asking to be defined.	No revisions are made to the Tentative Order in response to this comment.
40.	Attachment A – Monitoring and Reporting Program. Part IV, Reports to be Filed with the San Diego Water Board – C. Other Reports to Be Filed with the Board, Section C.9.i (p. 65): High Heat Events: Am assuming that the 170°F pertains to subsurface temperatures; please clarify.	The assumption presented in the comment is correct that the requirement to report temperature readings of 170°F or above refers to subsurface temperature readings. Surface temperature readings of this magnitude likely indicate a fire, rather than a high heat event.	No revisions are made to the Tentative Order in response to this comment.
41.	Attachment A – Monitoring and Reporting Program. Part IV, Reports to be Filed with the San Diego Water Board – D. Reporting Schedule, Table (p. 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	Staff agree that there is an error in the reporting dates listed in this directive. The Discharger is correct that the table in Part IV.D erroneously lists the due dates as two years apart. The Five-Yearly COC Scan is an existing requirement of the MRP for Order R9-2003-0306. According to the Landfill’s monitoring reports in GeoTracker, the Discharger last conducted groundwater and surface water COC scans	<p>Staff have revised Part IV.D <i>Reporting Schedule</i> footnotes as follows:</p> <p>© The Discharger’s next five-year Groundwater COC Report is due April 30, 2026. COC list data must be collected in alternating seasons to account for seasonal variations. For example, if the previous COC sampling event occurred in the wet season (October 1 – April 30), the next COC sampling event should occur in the dry season (June 1 –</p>

	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 by October 30, 2026.	in 2021 and submitted the report on October 29, 2021. Therefore, the due date for the COC scans in the Tentative Order is April 30, 2026.	September 30). ^D The Discharger's next five-year Surface Water COC Report is due April 30, 2028 2026. COC list data must be collected in alternating seasons to account for seasonal variations. For example, if the previous COC sampling event occurred in the wet season (October 1 – April 30), the next COC sampling event should occur in the dry season (June 1 – September 30).
42.	Attachment A – Monitoring and Reporting Program. Part IV, Reports to be Filed with the San Diego Water Board – E. Standard Reporting Requirements, Section E.1 (p. 68): Submission Procedures: 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?	Attachment A, Part IV.E.1 states " <i>The Discharger must provide a paper copy of all figures larger than 8.5 inches by 14 inches to the San Diego Water Board.</i> " As written, this requirement is limited only to figures, which include maps.	No revisions are made to the Tentative Order in response to this comment.
43.	Attachment A – Monitoring and Reporting Program. Part IV, Reports to be Filed with the San Diego Water Board E. Standard Reporting Requirements, Section E.1 (p. 68): Submission Procedures: 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?	The statement is correct that the GeoTracker database is capable of handling files up to 400 MB in size. The 150 megabyte limit is in reference to the email attachment limit, but since the Discharger is required to upload all documents into the GeoTracker database, emailing files to Staff may be unnecessary and duplicative.	Staff have revised the Tentative Order, Attachment A, Part IV, <i>Submission Procedures E.1</i> as follows: Submission Procedures. The Discharger must submit all reports required under this MRP in a text-searchable, electronic, Portable Document Format (PDF). Larger documents must be divided into separate files at logical places in the report to keep the file sizes under 150 megabytes. The Discharger must provide a paper copy of all figures larger than 8.5 inches by 14 inches to the San Diego Water Board. All correspondence and documents submitted to the San Diego Water Board must include the reference code "Site Restoration and Waste Management Unit Supervisor" in the header or subject line, where "Site Restoration and Waste Management Unit Supervisor" is the first initial and last name of the San Diego Water Board case manager. If the Discharger has any questions regarding the submittal of electronic data files, contact the San Diego Water Board's Mission Support Services Unit at (619) 516-1990.
44.	Attachment A – Monitoring and Reporting Program. Part IV, Reports to be Filed with the San Diego Water Board E. Standard Reporting Requirements, Section E.1 (p. 68): Submission Procedures: Does the San Diego Water Board also want the report sent via email?	See response to Comment 43.	See Comment 43.
45.	Attachment A – Monitoring and Reporting Program. Part IV, Reports to be Filed with the San Diego Water Board E. Standard Reporting Requirements, Section E.3 (p.68), Electronic Data	Any monitoring well information entered into GeoTracker as a component of the Landfill's monitoring network, in compliance with Order No. R9-2003-0306, will remain in the Landfill's monitoring network should the San Diego Water Board adopt the Tentative Order. However, for any monitoring wells the Discharger plans to transition to	No revisions are made to the Tentative Order in response to this comment.

	<i>Submittals</i> : Are current monitoring wells already in the Geotracker system grandfathered in?	the Zone 4 landfill monitoring network, the Discharger will be required to remove the applicable monitoring well information from the Zone 1 GeoTracker ID and upload the information to the Zone 4 GeoTracker ID.	
46.	Attachment A – Monitoring and Reporting Program. Part IV, Reports to be Filed with the San Diego Water Board E. Standard Reporting Requirements, Section E.4.c (p.70) : “Principle” should be “Principal”.	Staff agree with the comment to correct the typographical error in the Tentative Order, Attachment A, Part IV, <i>Reports to be Filed with the Board – E.4.c</i> .	Staff have revised the Tentative Order, Attachment A, Part IV, <i>Reports to be Filed with the San Diego Water Board E.4.c</i> as follows: Signatory Designation. All documents submitted to the San Diego Water Board must be signed by either a principle <u>principal</u> executive officer or ranking elected official, or by a duly authorized representative of the Discharger.
47.	Attachment A – Monitoring and Reporting Program. Part IV, Reports to be Filed with the San Diego Water Board E. Standard Reporting Requirements, Section E.4.c (p.70) : Will a new signatory designation be required if the DAR will be the same person as now?	No. The Discharger is not required to submit a new Signatory Designation if the current duly authorized representative is still approved to sign reports on behalf of Orange County Waste and Recycling. A new Signatory Designation will only be required when there is a change to the duly authorized representative.	No revisions are made to the Tentative Order in response to this comment.
48.	Attachment A – Monitoring and Reporting Program. Part V, Contingency Reporting C – Notification and Evaluation of Excessive Leachate Reduction, Section C Heading : “Roduction” should be “Production”	Staff agree with the comment to correct the typographical error in the Tentative Order, Attachment A, Part V, Contingency Reporting – C.	Staff have revised the Tentative Order, Attachment A, Part V, <i>Contingency Reporting C</i> as follows: <u>Notification and Evaluation of Excessive Leachate Reduction Production.</u>
49.	Attachment A – Monitoring and Reporting Program. Part V, Contingency Reporting C – Notification and Evaluation of Excessive Leachate Reduction, 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.	Statement Noted.	No revisions are made to the Tentative Order in response to this comment.
50.	Attachment A – Monitoring and Reporting Program. Part V, Contingency Reporting C – Notification and Evaluation of Excessive Leachate Reduction, Section C.2 (p. 72) : Ceasing the use of leachate for onsite dust control – this may also prove problematic.	See response to Comment 49.	No revisions are made to the Tentative Order in response to this comment.
51.	Attachment B – Information Sheet. L. Rationale for Monitoring and Reporting Requirements, paragraph 2 (p.84) : Are the \$100,000 - \$250,000 costs one-time or annual?	The cost range in Attachment B, section L is Staff’s estimation of the annual costs associated with providing the reports required in Attachment A, MRP.	No revisions are made to the Tentative Order in response to this comment.
52.	Attachment B – Information Sheet. M. Rationale for Special Waste Acceptance, paragraph 2 (p. 87) : Can	CCR title 27, section 20340(g) allows leachate and landfill gas condensate to be used for dust control over lined portions of the Landfill from which the leachate or condensate was generated. Because the	No revisions are made to the Tentative Order in response to this comment.

	leachate/condensate generated in Zone 1 be used in Zone 4 and vice versa?	Zone 1 and Zone 4 landfills are geographically and physically distinct landfill footprints regulated under separate orders, leachate and landfill gas condensate generated from the Zone 1 Landfill can only be applied within the Zone 1 Landfill lined footprint. Similarly, leachate and landfill gas condensate generated from the Zone 4 Landfill can only be applied within the Zone 4 Landfill lined footprint.	
53.	Attachment B – Information Sheet. Rational for Co-Located Chipping and Grinding Operations (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 ca be fulfilled by using signs to direct traffic?	San Diego Water Board staff acknowledge that ancillary activities, such as chip and griding, may move as a result of landfill operations. Staff also agree that the Discharger may use traffic signs to help avoid interference between ancillary activities and waste management operations.	Staff revised Tentative Order, Attachment B, section M as follows: “The requirements also require the Discharger to designate an area for the chipping and grinding operations that is outside the active waste disposal operations area at the Landfill. The designated area is required <u>to should</u> have its own entrance and exit that does not interfere with the Landfill operations, and best management practices to control stormwater run-on and runoff. <u>The Discharger may use signs to direct green material haulers to the designated area at the Landfill.</u> ”
54.	Attachment B – Information Sheet. S. Practical Vision, (pp. 90-91): Please define “Practical Vision”	The San Diego Water Board’s Practical Vision is a written strategy for prioritizing and protecting the environment, public health, and beneficial uses. The Practical Vision is the roadmap of the Board’s roles, expectations, and operations. A copy of the Practical Vision can be found on the San Diego Water Board’s webpage at: Practical Vision San Diego Regional Water Quality Control Board	Staff have revised the Tentative Order to include a link to Practical Vision.
55.	Attachment B – Information Sheet. 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.	Figure 2 was provided by the Discharger in the final iteration of the JTD as Figure B-6. Staff contacted the Discharger for clarification and a current figure, if necessary. The Discharger confirmed that Figure B-6 in the JTD is up to date and no updates are needed.	No revisions are made to the Tentative Order in response to this comment.
56.	Attachment C – Special Wastes Acceptance Requirements. E. Contaminated Soils (pp 97-103): 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?	No. The Discharger is required to ensure that contaminated soils accepted for use as daily cover or disposal at the Landfill are classified as inert or nonhazardous waste streams. If the Discharger suspects that contaminated soils may contain constituents that are not on the current analyte list, the Discharger has the discretion to require the applicable sampling and analysis for the additional constituents of concern to ensure the contaminated soils are suitable for acceptance at the Landfill.	No revisions are made to the Tentative Order in response to this comment.
57.	Attachment C – Special Wastes Acceptance Requirements. E. Contaminated Soils (pp 97-103): The list is restricted to only the constituents listed above. Is there a way to add others to the list, i.e. PFAS?	The list of constituents are those with prescribed limits in State and federal regulations. The Discharger may submit a revised JTD to add other constituents, at the Discharger’s discretion, to the list in the Tentative Order. Staff will amend the Order to incorporate the Discharger’s additional constituents submitted in the revised JTD.	No revisions are made to the Tentative Order in response to this comment.
58.	Attachment C – Special Wastes Acceptance Requirements. E. Contaminated Soils (pp 97-103): 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	The STLC and TCLP methods must be used to analyze the results against the respective State and Federal limits prescribed in state and federal regulations.	No revisions are made to the Tentative Order in response to this comment.

	characteristics make it toxic, NOT how it should be analyzed.		
59.	Attachment C – Special Wastes Acceptance Requirements. E. Contaminated Soils (pp 97-103): 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.	Statement noted.	No revisions are made to the Tentative Order in response to this comment.
60.	Attachment C – Special Wastes Acceptance Requirements. E. Contaminated Soils (pp 97-103): TTLC, which is also a California requirement for hazardous waste, reports its values in kilograms (mg/kg, ug/kg, ppm, ppv) and characterizes the <u>total amount of compound in the sample</u> . TTLC also costs less than STLC.	Statement noted.	No revisions are made to the Tentative Order in response to this comment.
61.	Attachment C – Special Wastes Acceptance Requirements. E. Contaminated Soils (pp 97-103): Many laboratories start their testing with TTLC and only go to STLC/TCLP if high values are encountered.	Statement noted.	No revisions are made to the Tentative Order in response to this comment.
62.	Attachment C – Special Wastes Acceptance Requirements. E. Contaminated Soils (pp 97-103): 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.	Statement noted.	No revisions are made to the Tentative Order in response to this comment.
63.	Attachment C – Special Wastes Acceptance Requirements. E. Contaminated Soils (pp 97-103): Acceptance criteria is the same for all landfills in Orange County (with the exception of arsenic)	Statement noted.	No revisions are made to the Tentative Order in response to this comment.
64.	Attachment C – Special Wastes Acceptance Requirements. E. Contaminated Soils (pp 97-103): The haulers' laboratory results are almost always reported as mg/kg, ug/kg, ppv, and/or ppm.	Statement noted.	No revisions are made to the Tentative Order in response to this comment.
65.	Attachment C – Special Wastes Acceptance Requirements. E. Contaminated Soils (pp 97-103): 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.	Statement noted.	No revisions are made to the Tentative Order in response to this comment.

66.	<p>Attachment C – Special Wastes Acceptance Requirements. <i>E. Contaminated Soils (pp 97-103):</i> 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).</p>	Statement noted.	No revisions are made to the Tentative Order in response to this comment.
67.	<p>Attachment C – Special Wastes Acceptance Requirements. <i>E. Contaminated Soils (pp 97-103):</i> 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?</p>	<p>The maximum concentration limits in Tables 1, 2, and 3 are applicable to the beneficial reuse of contaminated soils at the Landfill. Contaminated soils with contaminant concentrations that exceed the maximum concentration limits in Tables 1, 2, or 3 would be classified as hazardous waste. The Landfill is a Class III non-hazardous landfill, as defined by CCR title 27, and is therefore prohibited from accepting hazardous wastes. The Discharger must demonstrate, through the required analytical testing that the contaminated soils proposed for use at the Landfill meet the classification as either inert or nonhazardous waste, under CCR title 27.</p>	No revisions are made to the Tentative Order in response to this comment.
68.	<p>Attachment C – Special Wastes Acceptance Requirements. <i>E. Contaminated Soils (pp 97-103):</i> 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.</p>	Statement noted.	No revisions are made to the Tentative Order in response to this comment.
69.	<p>Attachment E – Requirements for Co-Located Composting Operations. <i>A Enrollment in Order No. WQ-2020-0012-DWQ (p.108):</i> There is already a composting operation at the site (Capistrano Greenery). Is an additional NOI, filing fee, and technical report required?</p>	<p>No. The Capistrano Greenery is an existing facility already enrolled in Order WQ-2020-0012-DWQ (General Composting Order). Therefore, the Discharger is not required to submit an additional NOI, filing fee, or technical report. The requirements of Attachment E, section A would apply if the Discharger: (1) terminates composting activities at the Landfill; (2) terminates their enrollment in the General Composting Order, or (3) requests to restart composting operations within the Landfill waste footprint.</p>	No revisions are made to the Tentative Order in response to this comment.
70.	<p>Attachment F – Material Recover Facility Operation Requirements. <i>First sentence, second line (p. 112):</i> should be “Material Recovery Facility” not “Material Recovery Facilities”</p>	Staff agree with the comment and have revised the Tentative Order as shown.	Staff have revised the Tentative Order, Attachment F, as follows: Orange County Waste and Recycling (Discharger) may operate a Material Recovery Facilities <u>Facility</u> (MRFs) at the Prima Deshecha Zone 1 Landfill (Landfill) to divert recyclable materials from the municipal solid waste stream in compliance with the California Department of

No.	Geosyntec Comment	San Diego Water Board Response	Action Taken
71.	<p>General Comment: <i>Inconsistent References to Industrial General Permit (IGP).</i> The document references “Order No. 2014-0057-DWQ, National Pollutant Discharge Elimination System (NPDES) General Permit for Stormwater Discharges Associated with Industrial Activities Order NPDES No. CAS000001(IGP) on one or more occasion.</p> <p>Suggested Edit: Update references document-wide to “National Pollutant Discharge Elimination System (NPDES) General permit for Storm Water Discharges Associated with Industrial Activities, Order WQ 2014-0057-DWQ, as amended by Order WQ 2015-0122-DWQ and Order WQ 2018-0028-DWQ, NPDES No. CAS000001” throughout the document.</p>	<p>Staff agree with the suggested edit and have revised the references to the Industrial General Permit reference to be consistent throughout the Tentative Order.</p>	<p>Resources Recycling and Recovery (CalRecycle) waste diversion requirements.</p> <p>Staff revised the Tentative Order to replace “Order No. 2014-0057-DWQ, National Pollutant Discharge Elimination System (NPDES) General Permit for Stormwater Discharges Associated with Industrial Activities” with <u>“National Pollutant Discharge Elimination System (NPDES) General Permit for Storm Water Discharges Associated with Industrial Activities, Order WQ 2014-0057-DWQ, as amended by Order WQ 2015-0122-DWQ and Order WQ 2018-0028-DWQ, NPDES No. CAS000001.”</u></p>
72.	<p>Prohibitions Beyond 40 CFR Chapter 1, Subchapter N and the IGP: Section B.2 lists the types of discharges from the Landfill that are prohibited. B.2.e prohibits the discharge of “stormwater flows that have come into contact with waste to stormwater conveyance systems.”</p> <p>40 CFR Chapter 1, Subchapter N, Part 445, Subpart B requires that additional pollutants be monitored in stormwater discharges from municipal solid waste landfills discharging landfill wastewater and establishes effluent limitations for regulated pollutants. Landfill wastewater is defined as wastewater generated by landfill activities and includes leachate, landfill gas condensate, wash water from vehicles and equipment that contact refuse, surfaces that contact refuse, and stormwater that contacts refuse (also referred to as contaminated stormwater). The Industrial General Permit authorizes discharges of landfill wastewater and contaminated stormwater provided that the requirements of 40 CFR Chapter 1, Subchapter N, Part 445, Subpart B are met.</p>	<p>Staff disagree with the comment and the suggested revision. The Tentative Order is not based on 40 CFR Chapter 1 Subchapter N, Part 445, subpart B. The Tentative Order implements the regulations found in CCR title 27 and 40 CFR part 258. The Tentative Order and the Basin Plan do not allow unauthorized discharges of waste, including leachate or landfill wastewater, to receiving waters.</p> <p>Title 27, section 20365(b) states <i>“Precipitation on landfills or waste piles which is not diverted by covers or drainage control systems shall be collected and managed through the leachate collection and removal system, which shall be designed and constructed to accommodate precipitation conditions specified in Table 4.1 of this article or each class Unit.”</i> In order to comply with this section, precipitation that interacts with waste must be managed as leachate, as required by the Tentative Order.</p>	<p>No revisions are made to the Tentative Order in response to this comment.</p>

	<p>Suggested Edit: remove 2.e from the list of Prohibitions or alter B.2.e as follows, “Waste including leachate and/or landfill gas condensate, except as authorized by the San Diego Water Board.</p>	
<p>73. Requirements beyond the scope of the Construction General Permit (CGP). Sections C.2 and D.1 require the Discharger to obtain coverage under the CGP for any construction at the Landfill “That will result in a land disturbance of one or more acres”. The Order includes a reference to CGP Section II.A <i>Traditional Construction Activities Subject to this General Permit</i>; however, section II.B of the CGP, <i>Traditional Construction Activities Not Subject to this General Permit</i>, more specifically Section II.B.7.a states that landfill operations, as described by Standard Industrial Classification (SIC) code 4953, are subject to the IGP and, therefore, are not subject to the CGP. Landfill operators typically only enroll under the CGP for initial construction and final closure of the Landfill, not for <u>any</u> construction activity, including vertical expansion within the footprint of the Landfill, that disturbs one or more acres of land.</p> <p>Suggested Edits: Order Section C.2 – The Discharger must obtain coverage under the <i>National Pollutant Discharge Elimination System (NPDES) General permit for Stormwater Discharges Associated with Construction and Land Disturbance Activities Order WQ 2022-0057-DWQ, NPDES No. CAS000002 (CGP)</i>, issued by the State Water Board for <u>any final closure activities</u> construction at the Landfill that will result in a land disturbance of one or more acres.</p> <p>Order Section D.1 – Construction General Permit for Stormwater. Obtain coverage under the CGP⁵ for any construction <u>final closure activities</u> described in this Order or and its attachments, which results in a land disturbance of one or more acres in accordance with Section C.2 Permits – of this Order. These types of construction projects at the Landfill may include clearing and grubbing, blasting, excavation, grading, waste and ancillary containment system construction, maintenance or access road</p>	<p>Staff disagree with the comment and the suggested revisions. The Discharger is required to enroll in the Construction General Permit (CGP) for any construction activity that results in a land disturbance of one or more acres. The exceptions are landfill operation activities covered under the Industrial General Permit (IGP), such as waste disposal, daily cover application, or routine maintenance activities. For example, the Discharger would not be required to enroll in the CGP to re-grade areas of subsidence or repair a liner system. These activities are not part of landfill operations and do not disturb native land. The IGP does not provide coverage for activities beyond the industrial activities of the landfill, or as described by SIC code 4953, “<i>Sanitary landfill operation.</i>” The Tentative Order provides examples of activities that will require coverage under the CGP, such as excavation, grading, waste and ancillary containment system construction, maintenance or access road construction, or lateral expansions of the Landfill. These activities may be on landfill property covered under the IGP, but the disturbance of one or more acres of undeveloped land will require CGP enrollment. CGP Section II.A.1 explicitly states that grading and excavation require CGP enrollment.</p> <p>IGP Section II.A.4 states “Construction or closure of a separate section of the landfill that is either subject to additional permitting by the local authorities and/or lasts more than 90 days requires coverage under the Construction General Permit.” The section concludes with “Regional Water Boards will continue to exercise their discretion as necessary to protect the beneficial uses of the receiving water(s).” The San Diego Water Board will continue to exercise its discretion to require the Discharger to enroll in the CGP for construction activities at the Landfill, including closure. This requirement is consistent for all Dischargers in the San Diego region.</p>	<p>No revisions are made to the Tentative Order in response to this comment.</p>

	<p>construction, or lateral expansions of the Landfill as proposed by the JTD.</p> <p>Footnote 5 – CGP, Section II.AB.7.a <i>Traditional construction Activities Not Subject to this General Permit – Construction Activity that is subject to the Industrial General Permit.</i></p>		
74.	<p>Clarification needed on reporting requirement for leachate data. Order Section D.12.i states, “<i>The volume of leachate collected monthly must be reported and the quantities provided in each semi-annual groundwater monitoring report in compliance with CCR title 27, section 20340(h). Leachate collection data must be reported in tabular format and any increasing or decreasing trend in the volumes of leachate generated during the semiannual reporting period noted in the report.</i>”</p> <p>Please clarify what “data” is being referenced in the requirement to “report data in a tabular format”. Is this in reference to volume data or laboratory analytical data?</p>	<p>Tentative Order Section D.12.i, as quoted, references leachate collection volume data. It states that increasing or decreasing trends in volumes must be noted. Section D, Landfill Construction Standards and Specifications, does not include sampling or analysis data. Refer to Attachment A, Part II.F for leachate monitoring requirements. Attachment A, Parts IV.A.6 and IV.A.14 requires the Discharger to include leachate production volume in the groundwater monitoring reports and that “all data obtained during the current and previous four semi-annual reporting periods presented in tabular form.” Attachment A, Part IV.B.7 requires the Discharger’s Annual Compliance Report to “include a Leachate Data Summary consisting of the monthly total volume of leachate collected during the reporting year... The Leachate Data Summary must also include a table consisting of the last five years of leachate data collected at the Landfill.”</p> <p>Staff interpret the comment as requesting clarification as to what data is required to be presented in tabular form, however, the question implies that either leachate volume data or laboratory analytical data is not inherently tabular. This has not been Staff’s experience with monitoring data at landfills. The Discharger may contact Staff directly for any clarification or requests to present data not in tabular format in any required report.</p>	No revisions are made to the Tentative Order in response to this comment.
75.	<p>Requirements inconsistent with 40 CFR Chapter 1, Subchapter N and the IGP. Order Section E.8.d states, “<i>Precipitation that interacts with waste on the working face of the Landfill or exposed wastes resulting from erosion or construction activities, must be treated as leachate. The Discharger must collect and manage leachate generated from precipitation in a manner consistent with this Order and CCR title 27. The Discharger must ensure that leachate generated during precipitation events does not enter the stormwater conveyance system. Any stormwater that mixes with leachate is considered wastewater and must be managed accordingly.</i>” As discussed above in Comment #2, discharges of landfill wastewater and</p>	<p>Staff disagree with the comment and the suggested revision. The Tentative Order is not based on 40 CFR Chapter 1 Subchapter N, Part 445, subpart B. The Tentative Order implements the regulations found in CCR title 27 and 40 CFR part 258. The Tentative Order and the Basin Plan do not allow unauthorized discharges of waste, including leachate or landfill wastewater, to receiving waters.</p> <p>Title 27, section 20365(b) states “<i>Precipitation on landfills or waste piles which is not diverted by covers or drainage control systems shall be collected and managed through the leachate collection and removal system, which shall be designed and constructed to accommodate precipitation conditions specified in Table 4.1 of this article or each class Unit.</i>” In order to comply with this section, precipitation that interacts with waste must be managed as leachate, as required by the Tentative Order.</p>	No revisions are made to the Tentative Order in response to this comment.

<p>contaminated stormwater are authorized under the IGP provided that the requirements of 40 CFR Chapter 1, Subchapter N. Part 445, Subpart B are met.</p> <p>Suggested edit: Precipitation that interacts with waste on the working face of the Landfill or exposed wastes resulting from erosion or construction activities, must be treated as <u>leachate landfill wastewater</u>. The Discharger must collect and manage leachate generated from precipitation in a manner consistent with this Order and CCR title 27. The Discharger must ensure that leachate generated during precipitation events does not enter the stormwater conveyance system. Any stormwater that mixes with leachate is considered Discharge of landfill wastewater from the stormwater conveyance system and must be managed accordingly analyzed in accordance with 40 CFR Chapter 1, Subchapter N, Part 445, Subpart B.</p>		
<p>76. Excessive requirements for Notification of Noncompliance for Petroleum Spills. Order Section I.9.k relates to reporting Petroleum Spills and states, <i>“The Discharger must report any discharges of petroleum products from above ground or underground storage tanks, vehicles, or heavy machinery used for construction or operation of the Landfill, to land, surface water, groundwater, or stormwater conveyance systems.”</i> The requirement to report <u>any</u> spill is excessive ad unnecessary. Suggest instead requirement the Discharger to report spills as required by federal Spill Prevention, Control, and Countermeasure (SPCC) regulations and statewide General Permits for stormwater discharges.</p> <p>Suggested edit: The Discharger must report discharges of any petroleum products from above ground or underground storage tanks, vehicles, or heavy machinery used for construction or operation of the Landfill, to land, surface water, groundwater, or stormwater conveyance systems <u>in accordance with the federal Spill Prevention, Control, and</u></p>	<p>Staff disagree with the comment and suggested revision. The Tentative Order is a permit for waste discharges to land associated with the citing, design, construction, and development of the Landfill, not a stormwater permit. Any requirements in the Tentative Order that are more conservative than the statewide general permits for stormwater discharges are the prevailing requirements and the prescribed requirement must be met. The discharge of any petroleum product at the Landfill is an unauthorized discharge of waste to land, and must be reported, as required in Section I.9.k.</p>	<p>No revisions are made to the Tentative Order in response to this comment.</p>

	<p><u>Countermeasure (SPCC) regulations contained in 40 CFR Part 112, Subpart A, the <i>National Pollutant Discharge Elimination System (NPDES) General Permit for Stormwater Discharges Associated with Construction and Land Disturbance Activities Order WQ 2022-0057-DWQ, NPDES No. CAS000002 (CGP), and the NPDES General permit for Storm Water Discharges Associated with Industrial Activities, Order WQ 2014-0057-DWQ, as amended by Order WQ 2015-0122-DWQ and Order WQ 2018-0028-DWQ, NPDES No. CAS000001 (IGP).</i></u></p>		
77.	<p>Comments Applicable to the MRP (Attachment A): Glossary needed to define terms. Please consider defining the following terms, at a minimum, in a glossary or appendix:</p> <p>Constituents of Concern (COC) Detection Groundwater Monitoring Parameter Method Detection Limit (MDL) Practical Quantitation Limit (PQL) COC List COC Scan Appendix I Constituents Appendix II Constituents</p>	<p>Staff disagree with the comment. These terms are defined in either CCR title 27 or 40 CFR Part 258, and to create a glossary in the Tentative Order would be unnecessarily duplicative. Instead, the Tentative Order includes references to the definition sections of these regulations.</p>	<p>No revisions are made to the Tentative Order in response to this comment.</p>
78.	<p>Footnotes 13-17 Incorrectly Reference CCR title 27, section 20415. Footnotes 13-17 currently reference CCR title 27, section 20415(b)(1)(8)(1-5), but this text does not exist as referenced.</p> <p>Suggested edits: ¹³CCR title 27, section 20415(b)(1)(8B)(1). ¹⁴CCR title 27, section 20415(b)(1)(8B)(2). ¹⁵CCR title 27, section 20415(b)(1)(8B)(3). ¹⁶CCR title 27, section 20415(b)(1)(8B)(4). ¹⁷CCR title 27, section 20415(b)(1)(8B)(5).</p>	<p>Staff agree with the suggested edits and have revised the Tentative Order to reflect the correct regulatory citations.</p>	<p>Staff have revised footnotes found in the Tentative Order as follows:</p> <p>⁵CCR title 27, section 20415(b)(1)(8B)(1). ⁶CCR title 27, section 20415(b)(1)(8B)(2). ⁷CCR title 27, section 20415(b)(1)(8B)(3). ⁸CCR title 27, section 20415(b)(1)(8B)(4). ⁹CCR title 27, section 20415(b)(1)(8B)(5).</p>
79.	<p>Detection Groundwater Monitoring Program Network. MRP Part II.D.2 discusses the existing groundwater monitoring network for the Landfill but incorrectly lists the number of wells that are part of the existing groundwater monitoring network and refers generically to a “downgradient monitoring point”. In addition, piezometer MP-10 is in perched</p>	<p>Staff agree with the suggested edits relating to groundwater monitoring wells. The Discharger is correct that the groundwater monitoring network has changed since submittal of the 2023 JTD, which is the source of information for the Tentative Order. The Discharger constructed monitoring wells MW-13 and MW-14 in 2024, as noted in the Tentative Order, but the monitoring network was not subsequently updated to reflect the additions of these wells. Staff agree the term “downgradient monitoring point” is generic, but note that the Discharger</p>	<p>See Comment 22.</p>

<p>groundwater; therefore, the groundwater elevation is not used to generate the potentiometric surface map, and piezometers 08-P4, 08P-11, 08-P12 are in Zone 4.</p> <p>Suggested edits: The groundwater monitoring network for the Landfill is comprised of two <u>four</u> background wells, and two <u>three</u> compliance wells, a downgradient monitoring point, and piezometers. The background monitoring wells are MW-1, MW-9R, and MW-13, and MW-14. The compliance monitoring wells are MW-4, MW-12, and J. The Discharger constructed MW-14 in 2024 as an additional upgradient compliance <u>background monitoring</u> well for the Landfill until the southern portion of the Zone 4 Landfill is developed. The Discharger will then transition MW-14 to a downgradient <u>compliance monitoring</u> well for the Zone 4 Landfill. The piezometers for measuring groundwater elevations are MP-10, 08, P4, 08P-11, and 08-12.</p>	<p>used the term in the 2023 JTD, Section B.7.3.1.1 <i>Groundwater Monitoring Well Network</i>.</p> <p>Section B.7.3.1.1 <i>Groundwater Monitoring Well Network</i> specifies that the current piezometers for the Landfill are 08-P4, 08-P10, 08-P11, 08-P12, 10-P1, 10-P2, and MP-10. The section lists piezometers 08-P10, 10-P1, and 10-P2 as the piezometers that will be abandoned prior to the development of the Zone 4 landfill. Therefore, Staff listed the remaining four piezometers in the Tentative Order; MP-10, 08-P4, 08-P11, and 08-P12. Staff reached out to the Discharger and received confirmation that all remaining piezometers except MP-10 are in Zone 4 and will be abandoned. The potentiometric surface map for the Landfill is generated using the groundwater monitoring wells and no piezometers.</p>	
<p>80. Provide greater clarity on the required analysis for Detection Monitoring Program groundwater samples and correct the reference to Table 1 in Part II.D.3.b. MRP Part II.D.3.b states, “<i>The groundwater samples must be collected, analyzed, and reported for the general chemistry parameters and COCs at the frequencies shown in Table 1 of Part II.B, and any additional parameters included in the approved SAP.</i>” Without specifying, either via a glossary definition or footnote, it is unclear from this wording what “COCs” are or that they are intended to represent the initial detection groundwater monitoring parameters for the Landfill. Table 1 of Part II.D is also incorrectly referenced.</p> <p>Suggested edit: The groundwater samples must be collected, analyzed, and reported for the general chemistry parameters and COCs <u>groundwater monitoring parameters listed in Table I of Part II.D, and any additional parameters included in the approved SAP</u>, at the frequencies shown in the same table Table 1 of Part I.B, and any additional parameters included in the approved SAP.</p>	<p>Staff disagree with the suggested revision, except for the correction to the reference for Table 1. The Discharger is required to analyze for the groundwater monitoring parameters of 40 CFR, Part 258, Appendix I when establishing a DMP, which forms the initial minimum COC list for the Landfill. This list is amended to add other COCs detected during the Five-Year COC scans for the Landfill, as described in Part II.F. of the MRP (Attachment A) of the Tentative Order. The sampling frequency is described in Part IV.D. of the MRP (Attachment A) of the Tentative Order.</p> <p>A link to Appendix I is provided below: https://www.ecfr.gov/current/title-40/part-258/appendix-Appendix I to Part 258</p>	<p>Staff have revised Part II.D.3.b to correct the reference as follows:</p> <p>b. The groundwater samples must be collected, analyzed, and reported for the general chemistry parameters and COCs at the frequencies shown in Table 1 of Part II.BD, and any additional parameters included in the approved SAP.</p>

81.	<p>Edit footnote references in Table 1 of MRP Part II.D and remove excessive and unnecessary analysis for “Metals”. Several of the footnotes referenced in Table 1 of MRP Part II.D erroneously direct the reader to CCR title 27, section 20415(b)(1)(B), which does not relate to groundwater monitoring parameters for Detection Monitoring Programs. This table also includes “Metals” as groundwater monitoring parameters for the Landfill when the Landfill is already required to monitor for metal surrogates (i.e., total dissolved solids, chloride, nitrate, sulfate, and nitrate as nitrogen), which are intended to serve as indicators of a potential release of leachate from the Landfill. In addition, the Landfill is required to test leachate for metals annually and groundwater samples for metals during the Five-Year COC scan. Requiring analysis for both “Metals” and metal surrogates on a semi-annual basis is excessive and unnecessary.</p> <p>Suggested edits: Adjust the footnote references and remove “Metals” from Table 1 of MRP Part II.D. If “Metals” are not removed, adjust the footnote reference to be the same as that for “Volatile Organic Compounds”.</p> <p>Consider adding an addition/separate footnote to define Units.</p>	<p>Table 1 of MRP Part II.D lists the minimum groundwater monitoring parameters, units, and sampling frequency for the Detection Monitoring Program. The Discharger is required to monitor for all parameters in the table on a semi-annual frequency. Metal surrogates may be substituted for metals at the request of the Discharger, as described in the MRP. Staff disagree that groundwater monitoring of metals or metal surrogates on a semi-annual basis is excessive and unnecessary. Semi-Annual monitoring of all 40 CFR, part 258, Appendix I constituents, including metals, is an existing requirement of the Landfill’s current MRP for Order R9-2003-0306.</p> <p>The footnotes of Table 1 do not reference CCR title 27. Staff are unclear as to the Discharger’s suggested adjustments to the footnotes. However, Staff edited the same table in the Tentative Order for the Zone 4 landfill and have revised Table 1 of this Tentative Order for consistency between the MRPs.</p>	See Comment 23.
82.	<p>Please provide rationale for surface water monitoring program elements. MRP Part II.E states, “The SAP must include a surface water monitoring plan compliant with the specific requirements and performance standards found in CCR title 27, section 20415(c), 40 CFR part 258.27, and Order No. 2014-0057-DWQ, National Pollutant Discharge Elimination System (NPDES) General Permit for Storm Water Discharges Associated with Industrial Activities, Order NPDES No. CAS000001 (IGP).” The reference to the IGP is irrelevant as the Permit covers discharges of stormwater that are typically sampled in conjunction with rain events, not</p>	<p>Staff disagree with this comment. As stated in Attachment A, Part II.E, the purpose of the Sampling and Analysis Plan (SAP) is to provide a standard set of protocols applicable to all monitoring programs, regardless of media, to detect increased levels of constituents of concern that may indicate a release of waste or waste byproducts from the Landfill. The surface water monitoring plan protocols must be consistent with the protocols of the listed regulations and permits, including the IGP.</p>	No revisions are made to the Tentative Order in response to this comment.

<p>surface water sampling that would be conducted during dry weather if groundwater springs are flowing.</p> <p>Suggested edits: MRP Part II.E – The SAP must include a surface water monitoring plan compliance with the specific requirements and performance standards found in CCR title 27, section 20415(c), and 40 CFR part 258.27, and Order No. 2014-0057-DWQ, National Pollutant Discharge Elimination System (NPDES) General Permit for Storm Water Discharges Associated with Industrial Activities, Order NPDES No. CAS000001 (IGP).</p>		
<p>83. Please provide rationale for surface water monitoring program elements. MRP Part II.E.1.b states, “A sufficient number of monitoring points established at appropriate locations and depths to yield samples from each surface water body that provide data to evaluate compliance with the Water Standard and to evaluate the effectiveness of the corrective action program.” The Landfill is not in a corrective action program. Also, the surface water monitoring points previously identified at Prima are groundwater springs that are sampled semi-annually only if observed flowing. The surface water monitoring for the Landfill has never included sampling of Prima Deshecha Cañada because this water body only discharges from the Landfill as a result of rain events.</p> <p>Suggested edits: MRP Part II.E.1.b – A sufficient number of monitoring points established at appropriate locations and depths to yield samples from each surface water body that provide the data to evaluate compliance with the Water Standard and evaluate the effectiveness of the correction action <u>detection monitoring</u> program.</p>	<p>Staff agree that the Landfill is not under a corrective action program (CAP) and the reference to a CAP was an error. Staff have accepted the Discharger’s suggested edit.</p>	<p>Staff have revised Attachment A, Part II.E.1.b as follows:</p> <p>b. A sufficient number of monitoring points established at appropriate locations and depths to yield samples from each surface water body that provide the data to evaluate compliance with the Water Standard and to evaluate the effectiveness of the corrective action program <u>detection monitoring program</u>.</p>
<p>84. Please provide rationale for surface water monitoring program elements. MRP Part II.E.2. states, “The Discharger must add additional monitoring points as necessary to supplement monitoring point S3 located downgradient of the Landfill in Prima Deshecha Cañada to meet the performance requirements found in CCR title 27,</p>	<p>Staff agree with the proposed revision to Attachment A, Part II.E.2 – Surface Water Monitoring Network.</p>	<p>Staff have revised MRP Part II.E.2 as follows:</p> <p>Surface Water Monitoring Network. The Discharger must add additional monitoring points as necessary to supplement monitoring point S-3 located downgradient of the Landfill in the Prima Deshecha Cañada to meet the performance requirements found in CCR title 27, section 20415(c).</p>

<p>section 20415(c).” Monitoring point S3 is a groundwater spring, not a sample point in the Prima Deshecha Cañada. Adding additional monitoring points in the Prima Deshecha Cañada is unnecessary because it is not generally a flowing water body except during rain events, in which case stormwater discharges are sampled in accordance with the IGP.</p> <p>Suggested edits: MRP Part II.E.2 – Surface Water Monitoring Network. The Discharger must add additional monitoring points as necessary to supplement monitoring point S3 located downgradient of the Landfill in the Prima Deshecha Cañada to meet the performance requirements found in CCR title 27, section 20415(c).</p>		
<p>85. Please provide rationale for surface water monitoring program elements. MRP Part II.E.3 states, “Surface water samples must be analyzed for the monitoring parameters found in the IGP. Every five years, coincident with the five-year COC scan, the Discharger must analyze surface water samples for the constituents listed on the most current COC list. The point of compliance for surface water monitoring must be located on the Prima Deshecha Cañada at the outfall from the desiltation basin for the Landfill.” It is not clear from reading either the MRP or the Attachment B Information Sheet why the Regional Board is requiring analysis of surface water samples for IGP parameters. Surface water samples are collected during dry weather if groundwater springs are flowing and are not expected to contact industrial materials of activities. There is also very little to no comingling of water produced by groundwater springs with industrial stormwater runoff. Please provide rationale for requiring the analysis of surface water samples for IGP parameters when stormwater discharge samples are already monitored in accordance with the IGP or revise this requirement to be consistent with the current MRP (R9-2003-0306) which states that surface water monitoring samples</p>	<p>Staff agree with the revision to remove the reference to the Prima Deshecha Cañada, but disagree with the Discharger’s other two suggested edits.</p> <p>Surface water monitoring at landfills is a requirement of CCR title 27 section 20415(c). For a surface water detection monitoring program, the monitoring point must be an appropriate location that provides the best assurance of the earliest possible detection of a release from the Landfill. The nearest, not the furthest, downgradient surface monitoring point provides the earliest possible detection of a release. Also, surface water is required to be analyzed for the monitoring parameters of the IGP, not the detection groundwater program.</p> <p>Additionally, Staff have revised Attachment B of the Tentative Order to clarify the basis for the surface water monitoring requirements.</p>	<p>Staff have revised MRP Part II.E.3 as follows:</p> <p>Surface Water Monitoring Program Elements. Surface water monitoring must be conducted semi-annually in the Prima Deshecha Cañada <u>at springs and established surface water monitoring points</u> when there is sufficient water to collect a sample to satisfy the requirements of CCR title 27, section 20415(c). Surface water samples must be analyzed for the monitoring parameters found in the IGP. Every five years, coincident with the five-year COC scan, the Discharger must analyze surface samples for the constituents listed on the most current COC list. The point of compliance for surface water monitoring must be located on the Prima Deshecha Cañada at the outfall from the desiltation basin <u>the closest spring or established surface water monitoring point that is downgradient</u> for of waste contained in for the Landfill.</p> <p>Additionally, Staff have revised Attachment B section K.1 <i>Basis for Groundwater and Surface Water Monitoring</i> as follows:</p> <p>Basis for Detection Groundwater and Surface Water Monitoring. Regional Water Boards are authorized by CCR title 27, section 20080(d) to issue monitoring and reporting requirements to landfills if site conditions indicate that impairments or potential impairments to water quality and/or beneficial uses may be caused by a landfill. The MRP requires the Discharger to implement groundwater <u>and surface water</u> monitoring programs designed provide the earliest possible detection of subsequent releases from the Landfill (Detection Monitoring).¹⁶ The monitoring programs prescribe a standard set of monitoring and reporting requirements consistent with CCR title 27, sections 20385,</p>

<p>are to be analyzed for the same constituents as groundwater samples collected under the DMP.</p> <p>Also, surface water bodies at the Landfill do not travel through the desiltation basin; therefore, establishing a point of compliance for surface water monitoring at the outfall from the desiltation basin does not make sense. As previously discussed, Prima Deshecha Cañada is not generally a flowing water body except during rain events; therefore, establishing a point of compliance for the surface water monitoring program on the Prima Deshecha Cañada where is discharges from the Landfill does not make sense. The point of compliance for the surface water monitoring program should be the location of the spring or established surface water monitoring point that is furthest downgradient of the waste contained in the Landfill.</p> <p>Suggested edits: MRP Part II.E.3 – Surface Water Monitoring Program Elements. Surface water monitoring must be conducted semi-annually in the Prima Deshecha Cañada <u>at springs and established surface water monitoring points</u> when there is sufficient water to collect a sample to satisfy the requirements of CCR title 27, section 20415(c). Surface water samples must be analyzed for the monitoring parameters found in the IGP Table 1 (Section D.3 Detection Groundwater Monitoring). Every five years, coincident with the five-year COC scan, the Discharger must analyze surface water samples for the constituents listed on the most current COC list. The point of compliance for surface water monitoring must be located on the Prima Deshecha Cañada at the outfall from the desiltation basin <u>the spring or established surface water monitoring point that is furthest downgradient for of waste contained in the Landfill.</u></p>		<p><u>20415</u>, and 20420 et seq. Results of the groundwater monitoring programs must be provided in the semi-annual groundwater monitoring reports.</p> <p>¹⁶ CCR title 27, section 20415(b) – Groundwater Monitoring Systems.</p>
<p>86. Confusion surrounding leachate monitoring requirements and establishing background values for new COCs. The information contained in MRP Part II.F.2 appears to fit better in the discussion of Data Analysis Methods (i.e., Part III) and seems to</p>	<p>Staff disagree with the comment and suggested edits. Table 1 of Attachment A, Part II.D provides the groundwater monitoring parameters, units, and sampling frequency. Metals are listed as a groundwater monitoring parameter. Part II.F.2 allows for the Discharger to request to substitute metal surrogates for the Appendix I metals in the Landfill's COC list, provided the metal surrogates are detected and verified through the Landfill's leachate monitoring program.</p>	<p>Staff made no revisions to the Tentative Order in response to this comment. However, staff did identify an error after reviewing the Tentative Order in response to the comment. Staff determined that language regarding COCs in groundwater was erroneously placed in Part II.F.2. This language belongs in Part II.D, as section 6, where the MRP provides the requirements for modifying the COC list for groundwater monitoring wells. See revisions in Comment 28.</p>

	<p>conflict with earlier requirements (i.e., Table 1 of Part II.D).</p> <p>Suggested edits: Move Part II.F.2 to III.D instead. Clarify what the Regional Board means by “substituting metal surrogates for Appendix I metals” in Part II.F.2.</p>		
87.	<p>It is unclear how to successfully narrow the monitoring list of COCs. It is not clear how following the steps outlined in MRP Part II.F.3 will result in fewer constituents on the Landfill’s monitoring parameters list when these steps appear to be the minimum requirements for the Detection Monitoring Program. It seems that this section is more closely related to constituents for Detection Monitoring (i.e., Part II.D) and less closely related to leachate monitoring (i.e., Part II.F).</p> <p>Please provide rationale, additional information, or further instruction on how to narrow the list of monitoring parameters for groundwater samples including references to 40 CFR or MRP appendices if appropriate. Consider relocating this discussion to Part II.D.</p>	<p>Staff agree with the comment. Staff believe this section was erroneously included in Part II.F because the references relate to groundwater monitoring. The Discharger is correct in that the referenced steps relate to the minimum requirements for the Detection Monitoring Program.</p> <p>The Discharger is required to annually test leachate for all COCs listed in 40 CFR, part 258, Appendix II for the Leachate Monitoring Program and is not able to narrow the Appendix II list for leachate monitoring because the dischargers are required to analyze for all Appendix II COCs at each annual sampling event. Staff have removed the language from this section, made edits, and placed the information into Part II.D of the MRP under the requirements for the Detection Groundwater Program.</p> <p>An Appendix II COC added to the COC list for a groundwater monitoring well through the Five-Yearly Scan may signify a release from the Landfill and may subject the Discharger to a corrective action monitoring program, as described in CCR title 27, section 20430. To remove a COC from the monitoring analyte list, the Discharger must complete the corrective action program to the satisfaction of the Board and meet the requirements of 40 CFR, part 258.58. CCR title 27 section 20430 references 40 CFR, part 258.58(e)(2)¹ to define the proof period (see response to comment No. 22 above). Once the proof period is complete, the Discharger may request the Board’s approval to remove the COC from the groundwater monitoring well COC list.</p> <p>¹ https://www.ecfr.gov/current/title-40/part-258/section-258.58#p-258.58(e)</p>	<p>Staff revised the Tentative Order to remove the section titled, “Narrowing the Monitoring List of COCs” language from Part II.F.3 and add the section to Part II.D, and section 7. Staff further revised Part II.D.7 to clarify the process to remove a COC from a groundwater monitoring well analyte monitoring list. See revisions in Comment 28.</p>
88.	<p>Inconsistent use of the term “COC List” MRP Part II.G requires that the five yearly COC scan consist of analysis for the 40 CFR Part 258 Appendix II constituents at detection monitoring wells and states, “All newly detected constituents verified by a retest become part of the COC list for regular detection groundwater monitoring at the Landfill when verified by a retest.” This reference to the “COC List” is not consistent with previous discussions regarding the “COC List.” The current requirements in Part II.G</p>	<p>Staff disagree with the comment and suggested revision. The Tentative Order contains the same monitoring and reporting requirements as Order No. R9-2003-0306 for groundwater monitoring. The monitoring parameters for the DMP groundwater wells are listed in Table 1, Appendix 1, general chemistry, and any other COCs detected in leachate and confirmed by a retest. Every five years, the Discharger is required to test all wells with all Appendix II COCs. This is consistent with the Zone 1 order, title 27, and 40 CFR. For the statement regarding a glossary, see Comment 77.</p>	<p>No revisions are made to the Tentative Order in response to this comment.</p>

<p>appear to be more leachate monitoring procedures than detection monitoring procedures.</p> <p>As previously mentioned, the reader would benefit, particularly when determining the requirements for the five-yearly COC scan, if a glossary provided definitions for COC Scan and "COC List."</p> <p>Suggested edit: The SAP must include a Five-Yearly COC Scan²⁹ to create a <u>which involves collecting, analyzing, and reporting samples for the</u> "COC List" of constituents present <u>established through annual leachate monitoring</u> in groundwater at each well. Any unknown peaks on the chromatographs must be reported along with an estimate of the concentration of the unknown analyte(s) as part of a Five-yearly COC Scan. A second column or second method confirmation procedures must be performed to attempt to identify the more accurately quantify the unknown analyte(s), when unknown peaks are encountered. The Discharger must resample the well and reanalyze the sample for the newly detected constituent(s) if an analyte is detected that is not yet on the COC list within 30 days. All newly detected constituents verified by a retest become part of the COC list for regular detection groundwater monitoring at the Landfill when verified by a retest.</p>		
<p>89. Timeframe for determination of secondary source in a background well is too short. MRP Part III F.1.c states that the Discharger must "within 120 days, install a new upgradient or cross-gradient background well in a portion of the aquifer that will provide data representative of background conditions for the Landfill's compliance wells" if an excessive proportion of a synthetic COC is found in a background well but attributed to a source other than the Landfill. 120 days is a short timeframe in which the Discharger will need to prepare and submit a workplan, schedule drilling with a subcontractor, procure a drilling permit, and complete well drilling, installation, and sampling activities. It is recommended to extend this requirement to 180 days.</p>	<p>Staff agree with the request to complete the activities required to install a new well within 180 days.</p>	<p>Staff revised the Tentative Order, Attachment A Part III.F.1.c, as shown below: "c. Install a new upgradient or cross-gradient background well in a portion of the aquifer that will provide data representative of background conditions for the Landfill's compliance wells <i>within 120180 days.</i>"</p>

	<p>Suggested edit: Within 420 <u>180</u> days, install a new upgradient or cross gradient background well in a portion of the aquifer that will provide data representative of background conditions for the Landfill's compliance wells.</p>		
90.	<p>Confusing reference to "Observation Stations" MRP Part IV.A.1 required submittal of the following with the semi-annual monitoring report, "topographic map (or copy of an aerial photograph), at an appropriate scale, identifying the maximum lateral extend of wastes in the Landfill, the locations of observation stations, monitoring points, background monitoring points, and the groundwater elevation contours with interpreted groundwater flow direction and gradient. Maps must also be updated to show the maximum extend of any waste constituent of waste degradation product in groundwater." Please clarify what is meant by "the locations of observation stations" or remove this reference.</p>	To clarify, the locations of observations stations means the physical location (i.e., longitude and latitude) of piezometers, gas wells, monuments, or any other device or structure used to observe and collect data to ensure compliance with title 27 and 40 CFR.	No revisions are made to the Tentative Order in response to this comment.
91.	<p>Excessive requirement to include historical monitoring data in semi-annual reports. MRP Section IV.A.14 required the submittal of "All data obtained during the current and previous four semi-annual reporting periods presented in tabular form" with each semi-annual monitoring report. This requirement is excessive as all monitoring data, historical and current, is submitted through GeoTracker. Suggested edit: All data obtained during the current and previous four <u>two</u> semi-annual reporting periods presented in tabular form.</p>	Staff disagree with the comment and suggested revision. that this is an excessive requirement. Data from the previous four semi-annual reports must be included so staff can verify the data and trend analyses and account for seasonal variations between wet and dry seasons. Because not every wet season results in seasonal variations (i.e., years of less than anticipated precipitation levels), the submittal of two years, or four sampling events are necessary to more accurately assess seasonal variations in groundwater elevations and contaminant concentrations.	No revisions are made to the Tentative Order in response to this comment.
92.	<p>Excessive requirement to attach the April-September semi-annual report to each Annual Compliance Report. MRP section IV.B.3 requires the Discharger to "Include the Semi-Annual Groundwater Monitoring Report due annually on October 30. This report may be submitted as an attachment to the Annual Compliance Report." The Semi-Annual Groundwater Monitoring Report due annually on October 30 will already be available on GeoTracker at the time of the submittal of the Annual Compliance Report. Attaching the April-September semi-annual</p>	Staff disagree with the suggested revision. Attachment A, section IV.B.3 states the Discharger <u>may</u> submit the Semi-Annual Groundwater Monitoring Report as an attachment to the Annual Compliance Report. Staff developed this requirement specifically to provide the Discharger with the flexibility to submit the reports together or separately. the This is suggested for convenience of the submittal process, however, the Discharger is not required to submit the reports together and may submit the reports separately into GeoTracker. This requirement refers to the Semi-Annual Groundwater Monitoring Report also due on April 30 th of each year and is not in reference to the April to September Semi-Annual Groundwater Monitoring Report due by October 30 th of	Staff have corrected a typographical error by revising Attachment A, Part IV.B.3 <i>Semi-Annual Groundwater Monitoring report</i> as follows: Semi-Annual Groundwater Monitoring Report. Include the Semi-Annual Groundwater Monitoring Report due annually on October <u>April 30</u> . This report may be submitted as an attachment to the Annual Compliance Report.

	<p>report to the Annual Compliance Report would likely result in an excessively large file that the Discharger may or may not be able to transmit to GeoTracker electronically.</p> <p>Suggested edit: Remove Section IV.B.3 from the MRP completely.</p>	<p>each year. The Annual Groundwater Monitoring Report should include groundwater monitoring data and analysis from both the October 30 and April 30 Semi-Annual Groundwater Monitoring Reports.</p>	
93.	<p>Inconsistency in reporting schedules for five-year COC scans. Attachment A Part II E.3 states, “every five years, coincident with the five-year COC scan, the Discharger must analyze surface samples for the constituents listed on the most current COC list” however the reporting schedule included in Attachment A Part IV.D lists different dates for the next Groundwater COC report and the next Surface Water COC report. It is recommended to synchronize these reporting schedules in accordance with Part II.E.3.</p> <p>Suggested edit (Footnote D of Reporting Schedules Table): The Discharger’s next five-year Surface Water COC Report is due April 30, 2028 <u>2026</u>. COC list data must be collected in alternating seasons to account for seasonal variations. For example, if the previous COC sampling event occurred in the wet season (October 1 – April 30), the next COC sampling event should occur in the dry season (June 1 – September 30).</p>	See Comment 41.	See Comment 41.