

# CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD

## SAN DIEGO REGION

### EXECUTIVE OFFICER SUMMARY REPORT

February 12, 2025

#### ITEM 6

#### SUBJECT

Consideration of Tentative Order No. R9-2025-0006, *Waste Discharge Requirements for Orange County Waste and Recycling, Prima Deshecha Zone 4 Landfill, Orange County* (Tentative Order No. R9-2025-0006). (Josh Hufferd)

#### STAFF RECOMMENDATION

Staff recommend adoption of Tentative Order No. R9-2025-0006 (**Supporting Document 1**).

#### KEY ISSUES

1. Tentative Order No. R9-2025-0006 establishes waste discharge requirements (WDRs) for Orange County Waste and Recycling (Discharger) to develop waste management unit Zone 4 (Landfill) of the Prima Deshecha Landfill complex in San Juan Capistrano, Orange County (**Supporting Document 2**). These WDRs are consistent with Division 2 of California Code of Regulations title 27 (CCR title 27) and Code of Federal Regulations title 40, part 258 (40 CFR).
2. Tentative Order No. R9-2025-0006 also establishes:
  - Expanded reporting requirements for emergency response actions at the Landfill.
  - Protocols for the acceptance of special wastes (e.g., fire debris) to facilitate future emergency waste disposal needs associated with cleanup operations.
  - Prospective requirements for material recovery operations (e.g., composting, chipping and grinding, etc.) co-located at the Landfill.
3. Adoption of Tentative Order No. R9-2025-0006 extends the operational lifespan of the Prima Deshecha Landfill complex to approximately 2102 and supports the waste disposal needs of Orange County residents.

## **PRACTICAL VISION**

The San Diego Water Board's issuance of WDRs for landfills is a proactive approach to maintaining high quality waters and protecting the beneficial uses within the region. Tentative Order No. R9-2025-0006 provides technical criteria for the design, construction, operation, maintenance, and monitoring of the Landfill, which are intended to protect human health and the environment. The Board's adoption of Tentative Order No. R9-2025-0006 aligns with the mission of the Practical Vision chapter on *Strategizing for Healthy Waters*, by supporting the Board's ongoing efforts to protect and restore the chemical, physical, and biological integrity of the waters in the San Diego Region.

## **DISCUSSION**

The purpose of this item is to provide the San Diego Water Board with information to assist in its consideration of Tentative Order No. R9-2025-0006. Adoption of Tentative Order No. R9-2025-0006 establishes requirements for the design, construction, maintenance, and monitoring of a 409-acre waste management unit within the Prima Deshecha Landfill complex. The Discharger will develop the Landfill in nine, phased, lateral expansions (Phases A through I) for a total of 390 acres dedicated to waste disposal operations. The additional acreage provides space for ancillary features including detention basins, groundwater and landfill gas monitoring and control systems, leachate tanks, maintenance roads, and a portion of waste management unit 2 (WMU2). WMU2 is a closed, pre-regulation landfill which operated from 1973-1980 and has an unlined waste footprint of 26.42 acres that lies adjacent to and within a portion of the Landfill footprint.

The Prima Deshecha Landfill complex property straddles the boundary between the cities of San Juan Capistrano and San Clemente in southern Orange County. The Prima Deshecha complex is owned by the County of Orange, and encompasses 1,530-acres, divided into five zones. The Discharger has operated an active landfill in Zone 1 since 1980, which is anticipated to reach full waste capacity in the year 2050. The Discharger is proposing the construction of the Landfill to continue to meet the waste disposal needs for southern Orange County through the year 2102. The remaining zones, 2, 3, and 5, are designated for open space and habitat to mitigate for impacts within the zones 1 and 4 waste footprints.

Tentative Order No. R9-2025-0006 contains waste discharge requirements consistent with CCR title 27 and 40 CFR. These requirements include siting and design criteria that consider site-specific geologic, hydrologic and seismic hazard conditions. Seismic hazards within the Landfill footprint include fault traces, out-of-phase bedding in bedrock lithologies, and landslide deposits. Tentative Order No. R9-2025-0006 includes remedial measures necessary to mitigate the potential impacts from these features and requires additional engineering measures to ensure the integrity of the waste containment systems throughout the life of the Landfill. Tentative Order No. R9-2025-0006 also

includes construction and operation specifications, and requirements for groundwater, surface water and landfill gas monitoring and reporting.

Board staff expanded reporting requirements in Tentative Order No. R9-2025-0006 to address instances of noncompliance or damage at the Landfill and establishes conditional triggers for the Discharger to develop corrective action workplans. The expanded reporting requirements are, in-part, a response to climate change. As extreme storm events become normal occurrences, the Landfill is subject to cycles of prolonged drought, punctuated by intense precipitation events. Board staff anticipate these climatic changes may adversely impact the Landfill, especially if the ancillary stormwater management systems are unable to accommodate peak stormwater run-on and run-off. Tentative Order No. R9-2025-0006 requires the Discharger to reassess its stormwater management systems every five-years, the assessment includes a recalculation of a 100-year, 24-hour storm event, and if necessary, an evaluation of the need to expand the Landfill's stormwater conveyance structures to accommodate peak stormwater run-on and run-off.

Board staff also developed Attachments C through F to Tentative Order No. R9-2025-0006, which establish design, construction, operation, maintenance and monitoring requirements for the acceptance of special wastes and the allowance of other waste management activities to be co-located with the Landfill footprint. Specifically:

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

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

## **RESPONSE TO COMMENTS**

The San Diego Water Board received two comment letters (**Supporting Documents 3 and 4**) during the public review and comment period, from the Discharger and

Geosyntec Consultants. Both comment letters were received on July 31, 2024. Board staff prepared written responses to the comments (**Supporting Document 5**), many of which were not substantive in nature and therefore did not require significant revisions to Tentative Order No. R9-2025-0006. Board staff did address responsive comments pertaining to the monitoring and reporting requirements by providing additional clarification and rationale for the proposed requirements.

### **PUBLIC NOTICE**

Notification of this action was sent to Orange County Waste and Recycling and known interested parties on July 2, 2024 (**Supporting Documents 6 and 7**). The San Diego Water Board also posted Tentative Order No. R9-2025-0006 on its website on July 2, 2024, previously published as Tentative Order No. R9-2024-0003. Additionally, the San Diego Water Board sent a Notice of Public Hearing (**Supporting Document 8**) to Orange County Waste and Recycling and known interested parties on December 2, 2024, and posted the agenda for this hearing on January 22, 2025. These actions satisfy the 30-day public comment period and 45-day public notification requirements of Water Code, division 7, section 13167.5, and California Code of Regulations title 27, section 21730(b).

### **SUPPORTING DOCUMENTS**

1. Revised Tentative Order No. R9-2025-0006
2. Vicinity Map
3. Public Comment Letter from OCWR
4. Public Comment Letter from Geosyntec Consultants
5. Response to Public Comments
6. Transmittal Letter
7. Notice of Public Comment Period
8. Notice of Public Hearing