

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

**RESPONSE TO COMMENTS FOR
TENTATIVE ORDER NO. R9-2025-0006
WASTE DISCHARGE REQUIREMENTS FOR
ORANGE COUNTY WASTE AND RECYCLING
PRIMA DESHECHA ZONE 4 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. R9-2025-0006, *Waste Discharge Requirements for Orange County Waste and Recycling, Prima Deshecha Zone 4 Landfill, Orange County* (Tentative Order).

The San Diego Water Board provided the Tentative Order to all known interested parties on July 2, 2024, and received two comment letters during the public comment period from Orange County Waste and Recycling (OCWR, Discharger) and Geosyntec Consultants on August 1, 2024. The comment period ended on August 1, 2024. San Diego Water Board staff (Staff) prepared the responses included herein to the comments received. OCWR provided comment nos. 1 through 42, and Geosyntec Consultants provided comment nos. 43 through 62. The comments are copied verbatim, and each response provided by Staff indicates whether the Tentative Order was revised in response to the comment.

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1.	Tentative Order , C.2.a (p. 8), When should the COI be submitted?	<p>The nature of the Discharger’s question is unclear. However, it is the Discharger’s responsibility to enroll and maintain coverage under the appropriate stormwater permits, depending on the type of activity proposed.</p> <p>The Discharger must obtain and maintain coverage for the Landfill under the CGP during all stages of construction, which may require submitting multiple COIs during the development of the Landfill; and under the IGP prior to commencing waste acceptance operations. The Discharger will be required to obtain a separate enrollment in the CGP before beginning any construction activities, including ground disturbance, at the Landfill.</p> <p>If the Discharger has specific questions regarding the estimated timing for submittal and review, please reach out to stormwater staff directly for additional information.</p>	No revisions are made to the Tentative Order in response to this comment.
2.	Tentative Order , C.2.e (p. 9) This section implies that the permit has expired. We suggest this section be reworded as follows: The Incidental Take Permit is in regards to the identification of the endangered species thread-leaved	Staff disagree with the comment and suggested revision for the Tentative Order. Staff propose changes to this section, as seen in the next column, that reflect the permit status as confirmed by the California Department of Fish and Wildlife (CDFW). CDFW confirmed the permit	Staff have revised Tentative Order <i>Permits C.2.e</i> as follows: The Discharger obtained the following permits for the development of the Prima Deshecha Landfill complex.

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	<p>brodiaea (<i>Brodiaea filifolia</i>; TLBR) within the project limits of the La Pata Extension Project and Zone 4 Expansion project. A special-status plant survey was completed between 2009 and 2012, as well as CEQA/NEPA surveys for the projects. The special-status surveys identified 450 flower individuals necessitated a Minor Amendment to the HCP, which previously only authorized take of up to 300 flowering TLBR. The State of California coverage for this activity is provided through an Incidental Take Permit (ITP) under Section 2081 of the Fish and Game Code (ITP No. 2081-2011-074-05). Federal coverage for this activity is provided under the Southern Orange County Subregion Habitat Conservation Plan (HCP) and an associated Minor Amendment (MA No. FWS-OR-12B0070-12TA0586).</p> <p>The ITP permit's mitigation measures were implemented to identify TLBR clusters, relocate to an approved mitigation site, and monitor until performance standards are met. The TLBR translocation program was developed shortly after the species were identified and thus began the covered activities to relocate and create a restored habitat for TLBR. In 2019, the TLBR translocation program was considered successful per CDFW and USFWS performance standards provided in the ITP. The HCP requires OCWR to perpetually manage, maintain, and monitor the mitigation site. The permittee/OCWR shall also provide long-term management fund (Endowment Fund) for perpetual management, maintenance, monitoring, and other activities on the HM lands consistent with the final Mitigation.</p>	<p>expired on December 31, 2018, and was amended to extend the expiration date to one year later on December 31, 2019. The Discharger will need to contact CDFW to determine if a new permit is required prior to development of the Landfill.</p>	<p><u>Any permits listed and not issued by the San Diego Water Board or California State Water Resources Control Board are included for informational purposes only.</u></p> <p>Consistency Determination with USFWS Opinion No. 1-6-02-F-703; Incidental Take Permit No. 2081-2011-074-05; and Streambed Alteration Agreement 1600-2016-0102-R5, issued by the California Department of Fish and Wildlife on March 1, 2002, August 8, 2012, and November 24, 2020, respectively. Incidental Take Permit No. 2081-2011-074-05 expired on December 31, 2012 2018, and <u>was amended to extend the expiration date to one year later on December 31, 2019.</u></p>
3.	<p>Tentative Order, E.1.a (p. 11) If Discharger must wait to receive written concurrence from San Diego Water Board prior to implementing a <i>Blasting and Materials Management Plan</i>, the Order should state how long San Diego Water Board has to provide the written concurrence in order to prevent extensive construction project delays.</p>	<p>The Tentative Order, like other waste discharge requirements for landfills, does not specify a deadline for the Board to provide written concurrence because the Board may not concur with the Discharger's proposal, the report may be lengthy, or the report may be incomplete and require significant revisions to the proposed plan to fully address the regulatory requirements or concerns presented by Staff. It is the Discharger's responsibility to submit all regulatory compliance</p>	<p>No revisions are made to the Tentative Order in response to this comment.</p>

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		documents to the appropriate agencies, and to provide ample review time to regulatory agencies to ensure compliance.	
4.	Tentative Order , F.12.f (p. 20) How does one test the LCRS system, in particular when all the pipes are buried?	<p>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. 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 requirement¹ and should already be implemented at other landfills owned and operated by the Discharger, including at the existing landfill in Zone 1 of the Prima Deshecha Landfill complex.</p> <p>¹ CCR title 27, section 20340(c).</p>	No revisions are made to the Tentative Order in response to this comment.
5.	Tentative Order , F.13.e (p. 22) Is the ELLS test a one-time test?	<p>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 F.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. An ELLS must be performed on both slope and base liner systems. For base liner systems, the ELLS must be performed after placement of the LCRS gravel layer.</p>	<p>Staff have revised Tentative Order <i>Landfill Construction Standards and Specifications</i> F.13.e as follows:</p> <ul style="list-style-type: none"> e. Perform an electrical leak location survey (ELLS) <u>on any geomembrane installed during construction of the</u> during construction of <u>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 geomembrane, <u>or if repairs must be made to the geomembrane due to damage or defects,</u> the Discharger must: <ul style="list-style-type: none"> 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

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			<p>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 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>
6.	<p>Tentative Order, G.3 (p. 24) Is the leachate/LFG condensate produced within Zone 4 allowed for use on lined portions of Zone 1? Can leachate/LFG condensate produced within Zone 1 be used on lined portions of Zone 4?</p>	<p>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 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.</p>	<p>No revisions are made to the Tentative Order in response to this comment.</p>
7.	<p>Tentative Order, G.8 (p. 25) 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.</p>	<p>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.</p>	<p>No revisions are made to the Tentative Order in response to this comment.</p>

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8.	<p>Tentative Order, K.2, 3 (p. 31) Are “new waste management unit” and “new stage” synonymous with “new phase”?</p>	<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>	<p>No revisions are made to the Tentative Order in response to this comment.</p>
9.	<p>Tentative Order, K.6 (p. 32) 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> K.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</u></p>

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			<p><u>deck construction, are not considered significant maintenance and do not require the Discharger to submit a Significant Maintenance Activity Workplan.</u></p>
10.	<p>Tentative Order, K.7 (p. 33) 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 only on Sundays and 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 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.”</p>	<p>Staff have revised Tentative Order <i>Reporting Requirement</i> K.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>
11.	<p>Tentative Order, K.9.a (p. 33) Do these noncompliances include general landfill operations which do not affect the liner, cover, or groundwater/stormwater systems?</p>	<p>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.</p> <p>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.</p>	<p>No revisions are made to the Tentative Order in response to this comment.</p>

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12.	Tentative Order , K.9.i (p. 34) 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.
13.	Tentative Order , K.13 (p. 35) Would the annual (calendar) capacity report prepared for the LEA suffice?	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.
14.	Tentative Order , K.16.a (p. 36) 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.	<p>Staff have revised Tentative Order <i>Reporting Requirement</i> K.16.a as follows:</p> <p>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:</p> <p>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 K.16.b.</u></p> <p><i>i. For a corporation – by a principal executive officer of at least the level of vice president.</i></p> <p><i>ii. For a partnership or sole proprietorship – by a general partner or the proprietor, respectfully.</i></p> <p><i>iii. For a municipality, or State, federal, or other public agency – by either a principal executive officer or ranking elected official.</i></p> <p>b. <u>The person designated above may defer signatory duties to a duly authorized representative.</u> An individual is a duly authorized representative only if:</p> <p><i>i. The authorization is made in writing by a person described in paragraph (1) of this provision.</i></p>

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			<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>
15.	Tentative Order , K.16.b (p. 36) Is the current DAR for Zone 1 automatically become the DAR for Zone 4 or must a new Signature Authority Statement be submitted?	The requirements of the Tentative Order are specific and limited to the Zone 4 Landfill. Therefore, the Discharger is required to submit a Signature Authority Statement for the Zone 4 Landfill, designating a duly authorized representative. The duly authorized representative for the Landfill and the Zone 1 landfill may be the same person.	No revisions are made to the Tentative Order in response to this comment.

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16.	Tentative Order , K.18 (p. 37) If paper copies are sent, is it acceptable if the copies are postmarked on or before the due date as long as the email and Geotracker versions are submitted on time?	Yes, the scenario described is acceptable.	No revisions are made to the Tentative Order in response to this comment.
17.	Tentative Order , Fig. 3 (p. 42) Phase I is inconsistent with other maps in this document; a newer version of this map should be used.	Figure 3 was provided by the Discharger in the final iteration of the JTD. Staff confirmed with the Discharger that Figure 3 is up to date and this comment was made in error.	No revisions are made to the Tentative Order in response to this comment.
18.	Attachment A , II.A (p. 44) Would the existing plans suffice since the existing network spans both Zones 1 and 4, or should Zones 1 and 4 be separate?	The existing plans will not be sufficient to comply with the requirements of the Tentative Order. The existing monitoring network is divided to form two monitoring networks. Zone 1 and Zone 4 are two distinct landfills regulated under separate waste discharge requirements and monitoring and reporting programs. Therefore, individual plans must be submitted for each landfill indicating the specific wells that will be monitored in compliance with this Order.	No revisions are made to the Tentative Order in response to this comment.
19.	Attachment A , II.A.3 (p. 45) Is sampling done for internal use only 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.
20.	Attachment A , Table 1 (p. 50) Please confirm the superscripts assigned to the Monitoring Parameters in the first column. Should the "14"s be "26"s and "15" be a "27"? 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.	Staff concur with the suggestion to modify the last two parameters by adding "Appendix I" for improved clarity. Additionally, staff confirmed that the superscripts were incorrect.	Staff removed or revised the superscripts and added "Appendix I" to "Volatile Organic Compounds" and "Metals" in Table 1.

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21.	<p>Attachment A, II.E.3 (p. 52) Under Zone 1's current WDR, surface water samples are analyzed for the same parameters as groundwater samples. This section states that "surface water samples must be analyzed for the monitoring parameters found in the IGP." Please clarify. Does this mean the surface water samples should be sampled for the monitoring parameters outlined in the Site's latest SWPPP?</p>	<p>The Discharger is required to conduct surface water monitoring under CCR title 27, sections 20415(c) and 20420, and under the IGP. CCR title 27 requires surface water to be monitored semi-annually using the same analyte list required for groundwater monitoring to determine whether (1) a release from the landfill has impacted surface water; and (2) groundwater and surface water are hydrologically connected. The Discharger must also comply with the additional monitoring and sampling requirements specified in the IGP. In addition, every five years, the Discharger must also analyze surface water samples for all 40 CFR Appendix II constituents to determine whether a release from the Landfill has impacted surface water.</p>	<p>Staff revised Attachment A, Part II.E.3 <i>Surface water Monitoring Program elements</i> as follows:</p> <p>Surface Water Monitoring Program Elements. Surface water monitoring must be conducted semi-annually in the Prima Deshecha Cañada when there is sufficient water to collect a sample to satisfy the requirements of CCR title 27, section 20415(c) and 20420. 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 for the Landfill.</p>
22.	<p>Attachment A, III.C (p. 55) Please define "successful proof period".</p>	<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 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>Staff have revised Attachment A, Part III.C <i>Water Quality Protection Standard</i> as follows:</p> <p>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.¹⁸ All groundwater wells monitored in "tracking mode" remain in violation of the Water Standard and subject to corrective action monitoring¹⁹ until completion of a successful proof period <u>of three consecutive years or six consecutive Semi-Annual Groundwater Monitoring Reports.</u>²⁰ The Water Standard for the Landfill consists of the following components:"</p> <p>¹⁸ CCR title 27, section 20415(e)(7)."</p> <p>¹⁹ CCR title 27, section 20430(g), and 40 CFR, Part 258.58(e).</p>

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			<p>²⁰ <u>CCR title 27, section 20430(g), and 40 CFR, Part 258.58(e).</u></p>
23.	<p>Attachment A, III.D.3 (p. 57) 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. Typical SOCs are herbicides, insecticides, pesticides and fungicides.</p> <p>As stated in Part III.D.3 and Part III.F of the MRP (Attachment A to the Tentative Order), this requirement is applicable to each background monitoring well. A singular SOC is considered an “excessive proportion” in a background well when it is detected at concentrations equal to or greater than the method detection limit (MDL) in 10% of analyses, such as sampling events, performed on the well.</p>	<p>No revisions are made to the Tentative Order in response to this comment.</p>
24.	<p>Attachment A, III.E.2 (p. 58) 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>Statement regarding determining the source of contamination in a background well is noted.</p> <p>Regarding the request to define “discrete retest” and measurably significant,” Staff have added citations to the terms within CCR title 27 and provide the following definitions:</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</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 retest²⁷ to verify the results²⁸ if an approved data analysis method provides a preliminary indication that there has been a measurably significant²⁹ increase for a COC in a given monitoring well. The Discharger must take the following steps in conducting a retest:</p> <p>²⁷ <u>CCR title 27, section 20415(e)(8)(E)(1) et seq.</u> ²⁸ <u>CCR title 27, section 20415(e)(8)(E).</u> ²⁹ <u>CCR title 27, section 20164.</u></p>

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		<p>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>¹ Sanitas User Guide Version 9.3, designed by Sanitas Technologies (1992-2012).</p>	
25.	<p>Attachment A, IV.A.1 (p. 60) Due to the inability to upload GIS shape files to Geotracker, they will only be sent via email.</p>	Statement noted.	No revisions are made to the Tentative Order in response to this comment.
26.	<p>Attachment A, IV.B.10 (p. 64) Please confirm that monthly volumes can be estimated instead of measured. Monthly weights in tonnages will be measured values based on scale data collected at our Fee Booths. Volumes would be calculated by dividing the measured weights by the Site’s most current AUF. These AUF values are re-calculated annually based on measured volume data.</p>	Staff confirm that in addition to providing the Board with the measured weight in tons of waste accepted, the Discharger may estimate the monthly volumes, as reported in the Annual Waste Acceptance Summary.	No revisions are made to the Tentative Order in response to this comment.
27.	<p>Attachment A, IV.B.3 (p. 62) It is assumed that the Semi-Annual Groundwater Monitoring Report due on April 30 will be a separate report and not included in the Annual Compliance Report.</p>	The Semi-Annual Groundwater Monitoring Report due on April 30 is a separate report from the Annual Compliance Report. The Discharger may submit the Semi-Annual Groundwater Monitoring Report as an attachment to the Annual Compliance Report. As stated in IV.B.3, the Annual Compliance Report should include the Semi-Annual Groundwater Monitoring Report due on October 30, so Staff suggest the Discharger attach both Semi-Annual Groundwater Monitoring Reports to the Annual Compliance Report for a simpler submission process.	No revisions are made to the Tentative Order in response to this comment.
28.	<p>Attachment A, IV.C.7 (p. 67) Same comment as for K.7.</p>	See response to Comment 10 above.	No revisions are made to the Tentative Order in response to this comment.
29.	<p>Attachment A, IV.C.9.a (p. 67) Same comment as for K.9.a</p>	See response to Comment 11 above.	No revisions are made to the Tentative Order in response to this comment.

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30.	Attachment A , IV.D (p. 70) Surface Water COC Report – there is currently no surface water data available.	The first five-year COC scan will be due five years after the first semi-annual monitoring report is submitted. The first semi-annual monitoring report is due April 30, 2025. Therefore, the first five-year COC scan will be due April 30, 2030. See response to comment No. 31.	No revisions are made to the Tentative Order in response to this comment.
31.	Attachment A , IV.D (p. 70) Please confirm reporting period and due dates for the groundwater and surface water COC reports. The dates listed in this table conflict with other sections of the MRP. Part II.E.3 on page 52 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 66 implies reports are due October 30, 2026.	Staff corrected the typographical error and revised the sections for clarity and conformity. To confirm, both the groundwater and surface water COC reports are due in the same reporting period, every five years. The first due date for the reports will be April 30, 2030, or five years after the first semi-annual report due on April 30, 2025.	Staff have revised the Tentative Order Attachment A, Part IV.D <i>Reporting Schedule</i> footnotes as follows: ^C The Discharger's next five-year Groundwater COC Report is due April 30, 2026 <u>2030</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). ^D The Discharger's next five-year Surface Water COC Report is due April 30, 2028 <u>2030</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).
32.	Attachment A , IV.E.1 (p. 71) What is the maximum file size for emails that your servers can accommodate-150 MB or something lower?	The Discharger is required to upload all documents into the GeoTracker database. The GeoTracker database is capable of handling files up to 400 MB in size. Therefore, emailing files to staff may be unnecessary and duplicative.	No revisions are made to the Tentative Order in response to this comment.
33.	Attachment A , IV.E.3.b (p. 72) Are current monitoring wells grandfathered in?	No, as separate facilities, the landfills of Zone 1 and Zone 4 have different case files in the GeoTracker database. Therefore, monitoring well information submitted into the case file for the Zone 1 monitoring network will not automatically carry over into the Zone 4 GeoTracker case file. As required, the latitude and longitude entries and boring log data for the Zone 4 monitoring well network will need to be manually submitted under the Zone 4 GeoTracker ID.	No revisions are made to the Tentative Order in response to this comment.

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34.	Attachment A , IV.E.3.g (p. 73) Are current monitoring wells grandfathered in?	See response to Comment 33 above.	No revisions are made to the Tentative Order in response to this comment.
35.	Attachment A , IV.E.4.c (p. 74) Will a new signatory designation be required if the DAR will be the same person as now?	See response to Comment 15 above.	No revisions are made to the Tentative Order in response to this comment.
36.	Attachment A , Appendix 1 (p. 78) This COC list is different than the list on page 50; which one should we use for semi-annual sampling? Which list do we use under which circumstances?	Table 1 of Attachment A is derived from Appendix I of 40 CFR part 258. The parameters listed in Table 1 are the minimum COCs required for semi-annual sampling and analysis. Please note that additional COCs may be added to this list as described in Attachment A, Part II.F.	Staff revised the Tentative Order to remove Appendix 1 from Attachment A.
37.	Attachment B , B.3.c (p. 84) Is a new NPDES and SWPPP needed for Zone 4 or can the current one for Zone 1 be used?	<p>The Landfill is a new landfill footprint, completely separate from the Zone 1 Landfill, though in the same landfill complex. The Discharger is required to obtain all necessary permits, including but not limited to the General NPDES permits, and submit all necessary compliance documents. The Discharger must obtain coverage for the Landfill under the CGP prior to initiating land disturbance activities for construction of all development phases, and under the IGP prior to commencing waste acceptance operations.</p> <p>Also see response to Comment 1 regarding applicability of CGP and IGP coverage.</p>	No revisions are made to the Tentative Order in response to this comment.
38.	Attachment B , M (p. 95) Is “the Landfill” referred to Zone 4?	Yes, “Landfill” is defined as the Prima Deshecha Zone 4 Landfill on the first page of Attachment B (p. 79).	No revisions are made to the Tentative Order in response to this comment.
39.	Attachment B , N (p. 96) 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	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 N 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 to <u>should</u> have its own entrance and exit that

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	the entrance and exit requirements for the C&H area be fulfilled by using signs to direct traffic?		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>
40.	Attachment B , S (p. 98) 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.
41.	<p>Attachment C, E (p. 105-109) Contaminated Soils Historically OCWR has used a two-tiered system for acceptance of contaminated soils:</p> <ul style="list-style-type: none"> • Beneficial Use Soil (Tier 1) meets the “primary contamination limits” (aka “residential limits” and is free of debris and trash. This soil can be used for beneficial reuse, including daily and intermediate cover. • Soil for Burial (Tier 2) does not meet the Tier 1 criteria but does meet a higher contamination limit (aka “industrial limits” or “secondary contamination limits”) This soil will be accepted for burial only and the hauler must pay the prevailing tonnage fees. • Soil which does not meet the secondary (or industrial) limits are not accepted at the landfill. <ul style="list-style-type: none"> • Only one set of limits is listed in Attachment C. Should this be regarded as a primary or secondary limit? • If only one set of limits is used, how does OCWR determine whether the soil can be used for beneficial reuse or if it qualifies for burial? <p>Tables 1 and 2 show limits for both STLC (mg/L) and TCLP (mg/L).</p>	<p>For the statements and questions about the application of the requirements in Attachment C to the Discharger’s operational practices for contaminated soils at the Landfill, it is not appropriate for Staff to provide guidance regarding the Discharger’s acceptance system. Attachment C provides the acceptance requirements for special wastes, including contaminated soils, and the respective maximum concentration limits as prescribed in the applicable regulations.</p> <p>For the request to provide limits in other units than prescribed in the regulations, it is not appropriate for Staff to introduce opportunities for computation errors in the Tentative Order. Staff are using the limitations prescribed in regulations, as Soluble Threshold Limit Concentration (STLC) and Toxicity Characteristic Leaching Procedure (TCLP) analytes, and incorporating those into the Tentative Order as is.</p> <p>It appears the commentor may need background information on the type of test to be performed. The TCLP analysis is the only method accepted under the Resource Conservation and Recovery Act (RCRA) regulations found in 40 CFR part 261.24,¹ which is in part, the regulatory basis for the requirements prescribed in the Tentative Order.</p> <p>Leachability tests measure the liquid fraction within the soil and must be in a unit of fluid volume measurement, such as mg/L, to establish a mass-to-volume relationship. Volume-to-volume relationship, like ppm or</p>	No revisions are made to the Tentative Order in response to this comment.

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	<p>Most labs report results in mg/kg or ug/kg, with the vast majority using the TTLC method. The TTLC method is less expensive than the STLC, and the TCLP is almost never used.</p> <p>If possible please give us limits in units of mg/kg, ug/kg, or ppm.</p>	<p>mg/kg, may be converted by the Discharger may convert the prescribed limits to other units.²</p> <p>¹ eCFR :: 40 CFR 261.24 -- Toxicity characteristic.</p> <p>² Refer to Appendix B-2 of the following link for Environmental Protection Agency guidance on limit unit conversions: Risk Management Program Guidance for Offsite Consequence Analysis - Appendices (April 1999).</p>	
42.	<p>Attachment E, A (p. 113) There is already a composting operation at the site (Capistrano Greenery). Is an additional NOI, filing fee, and technical report required?</p>	<p>The Capistrano Greenery is co-located above the waste footprint of the Prima Deshecha Zone 1 Landfill, which is regulated under separate waste discharge requirements. Therefore, should the Discharger decide to relocate or construct a new composting operation co-located over the waste footprint within the Zone 4 Landfill, the Discharger will need to submit a new application for enrollment under the General Order which includes submittal of a Notice of Intent (NOI), technical report, and filing fee.</p>	<p>No revisions are made to the Tentative Order in response to this comment.</p>

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43.	<p>Comment Applicable Document-Wide: <u>Inconsistent references to Industrial General Permit</u>. The document references “Order No. 2014-0057-DWQ, National Pollutant Discharge Elimination System (NPDES) General Permit for Stormwater Discharges Associated with Industrial Activities.” 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 concur with the suggested edit and have revised the references to the Industrial General Permit reference to be consistent throughout the Tentative Order.</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>
44.	<p>Comment Applicable to the Order: <u>Requirements beyond the scope of the Construction General Permit</u>. Section F.1 of the WDRs require the Discharger to “<i>obtain coverage under the CGP for any construction activity described in [the] Order or its attachments, which results in a land disturbance of one or more acres.</i>” The WDRs include a reference to CGP Section II.A Traditional Construction Activities Subject to this General Permit; 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 Industrial General Permit 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 that disturbs one or more acres of land.</p> <p>Suggested edits: Order Section D - These specifications apply to the initial construction and all future lateral expansions approved by the San Diego Water Board. In addition, the Discharger must obtain coverage under the CGP for stormwater discharges from any clearing, grubbing, and/or soil excavation activities</p>	<p>Staff disagree with the comment and the suggested revision. 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 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 clearing, grubbing, and soil excavation. 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 clearing, grading, excavation, stockpiling, and demolition activities (i.e. blasting) 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</p>	<p>No revisions are made to the Tentative Order in response to this comment.</p>

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	<p>that will result in a land disturbance of one or more acres, in accordance with Permits C.1.c above. The Discharger must comply with the clearing, grubbing, soil excavation and soil stockpile specifications listed below to prepare the Landfill footprint for construction of containment structures, stormwater management features, and monitoring systems.</p> <p>Order Section D.1.d - <u>During initial construction and final closure</u>, install best management practices (BMPs) around stockpiled materials as specified in the stormwater pollution prevention plan (SWPPP) submitted in compliance with the CGP. <u>For lateral expansions that do not require CGP coverage, install and document BMPs in accordance with the IGP.</u></p> <p>Order Section E - These specifications apply to the initial construction and all future lateral expansions as approved by the San Diego Water Board. In addition, the Discharger must obtain coverage under the CGP for stormwater discharges from any blasting activities that will result in a land disturbance of one or more acres, in accordance with Permits C.1.c above. The Discharger must comply with the blasting and material management specifications listed below to prepare the Landfill footprint for construction of containment structures, stormwater management features, and monitoring systems.</p> <p>Order Section F.1 - Construction General Permit for Stormwater. Obtain coverage under the CGP7 for <u>any the initial construction and 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 Permits C.1.c above. 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 construction, or lateral expansions of the Landfill, as proposed in the JTD.</p> <p>Footnote 7 - CGP, Section II.AB.7.a <u>Traditional Construction Activities Not Subject to this General Permit – Construction Activity that is subject to the Industrial General Permit.</u></p>	<p>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, but not limited to, initial construction, all lateral expansions, and closure. This requirement is consistent for all Dischargers in the San Diego region.</p>	

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45.	<p>Comment Applicable to the Order: <u>Clarification needed on reporting requirements for leachate data.</u></p> <p>Order Section F.12.i states, “<i>The volume of leachate collected monthly must be reported and the quantities provided in each semiannual 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 F.12.i, as quoted, references leachate collection volume data. It states that increasing or decreasing trends in volumes much be noted. Section F, 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.
46.	<p>Comment Applicable to the Order: <u>Requirements inconsistent with 40 CFR Chapter 1, Subchapter N</u></p> <p>Order Section G.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>” 40 CFR Chapter 1, Subchapter N, Part 445, Subpart B requires that additional pollutants be monitored in stormwater discharges from municipal solid waste landfills that discharge landfill wastewater. Landfill wastewater is defined as wastewater</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>CCR 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.

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	<p>generated by landfilling 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).</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 <u>Discharge of landfill wastewater from the stormwater conveyance system</u> and must be <u>managed accordingly analyzed in accordance with 40 CFR Chapter 1, Subchapter N, Part 445, Subpart B.</u></p>		
47.	<p>Comment Applicable to the Order: <u>Excessive requirements for Notification of Noncompliance for Petroleum Spills</u></p> <p>Order Section K.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 and unnecessary. Suggest instead requiring the Discharger to report spills as required by federal Spill Prevention, Control, and Countermeasure 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,</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 K.9.k.</p>	<p>No revisions are made to the Tentative Order in response to this comment.</p>

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	<p>or stormwater conveyance systems <u>in accordance with 40 CFR Part 112 Subpart A, the 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</u></p> <p><u>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).</u></p>		
48.	<p>Comment Applicable to the MRP (Attachment A): <u>Glossary needed to define terms</u></p> <p>Please consider defining the following terms, at a minimum, in a glossary or appendix:</p> <ul style="list-style-type: none"> - 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>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>
49.	<p>Comment Applicable to the MRP (Attachment A): <u>Modifications to Detection Groundwater Monitoring Program Network</u></p> <p>MRP Part II.D.2 discusses Discharger's plans to construct an additional monitoring well for monitoring the upgradient background for Zone 1 when the southern portion of Zone 4 is developed. Discharger has already constructed this well.</p>	<p>Staff agree with the suggested revision.</p>	<p>Staff revised Attachment A, Part II.D.2 <i>Detection Groundwater Monitoring Program Network</i> as follows:</p> <p>Detection Groundwater Monitoring Program Network. The groundwater monitoring network for the Landfill is comprised of two background wells, two compliance wells, a downgradient monitoring point, and piezometers. The background monitoring wells are MW-5A and MW-6. The compliance monitoring wells are MW-2, MW-10FR, and MW-9R when the southern portion of Zone 4 is</p>

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	<p>Suggested edit: The groundwater monitoring network for the Landfill is comprised of two background wells, two compliance wells, a downgradient monitoring point, and piezometers. The background monitoring wells are MW-5A and MW-6. The compliance monitoring wells are MW-2, MW-10FR, and MW-9R when the southern portion of Zone 4 is developed. MW-9R is currently an upgradient background well for Zone 1. The Discharger plans to <u>has constructed</u> an additional deep well, <u>MW-14</u>, near MW-9R for monitoring the upgradient background for Zone 1 when the southern portion of Zone 4 is developed and MW-9R is transitioned to a downgradient compliance well for Zone 4. The piezometers for measuring groundwater elevations are MP-10, 08-P4, 08-P11, and 08-P12.</p>		<p>developed. MW-9R is currently an upgradient background well for Zone 1. The Discharger plans to <u>constructed</u> an additional deep well near MW-9R for monitoring the upgradient background for Zone 1 when the southern portion of Zone 4 is developed and MW-9R is transitioned to a downgradient compliance well for Zone 4. The piezometers for measuring groundwater elevations are MP-10, 08-P4, 08-P11, and 08-P12.</p>
50.	<p>Comment Applicable to the MRP (Attachment A): <u>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</u></p> <p>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 1 of Part II.D, and any additional parameters included in the approved SAP, at the frequencies shown in the same table. Table 1 of Part II.B, and any additional parameters included in the approved SAP.</u></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>

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51.	<p>Comment Applicable to the MRP (Attachment A): <u>Analysis for “Metals” is unnecessary if metal surrogates are to be analyzed in groundwater samples</u></p> <p>Table 1 of MRP Part II.D includes “Metals” on the list of groundwater monitoring parameters for the landfill. The landfill is also required to monitor for metal surrogates, 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 unnecessary.</p> <p>Suggested edit: Remove “Metals” from Table 1 of MRP Part II.D.</p>	<p>Staff disagree with this comment and the suggested revision. Limiting groundwater sampling of metals to the Five-Year COC scan is insufficient to allow the discharger to determine if a release has occurred from the Landfill, which is less protective of water quality.</p> <p>The inclusion of metals in the general chemistry parameters is consistent with the 40 CFR Appendix I list of constituents required for a detection monitoring program. The Discharger has the option to request metal surrogates in Attachment A, Part II F.2.</p>	<p>No revisions are made to the Tentative Order in response to this comment.</p>
52.	<p>Comment Applicable to the MRP (Attachment A): <u>Please provide rationale for Surface Water Monitoring Program Elements</u></p> <p>Attachment A Part II E.3 states, “<i>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 for the Landfill.</i>” 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. Please provide rationale for requiring the analysis of surface water samples for IGP parameters when storm water discharge samples are already monitored in accordance with the IGP. 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.</p>	<p>Staff disagree with the suggested revision to Attachment A, however staff did revise Attachment B of the Tentative Order to clarify the basis for the surface water monitoring requirements.</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. According to the final JTD submitted by the Discharger in section C.3.8.3.5:</p> <p><i>“The first Zone 4 desilting basin will be constructed as part of Phase A and will collect run-off from the interim drainage bench and the final PSD [perimeter storm drain system]. The desilting basin will have a riser and spillway combination with the spillway channel reentering the outlet pipe further downstream from the basin. The storm drain pipe under Avenida La Pata outlets into the realigned Prima Deshecha Cañada that was constructed as part of Zone 1. The remaining desilting basins will be built as the site is developed.”</i></p> <p>Since the desiltation basin will collect run-off from the Landfill before it outlets into the Prima Deshecha Cañada, the desiltation basin is the appropriate location for the earliest possible detection of a release from</p>	<p>Staff have revised Attachment B section L.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 and surface water monitoring programs designed provide the earliest possible detection of subsequent releases from the Landfill (Detection Monitoring).²⁴ The monitoring programs prescribe a standard set of monitoring and reporting requirements consistent with CCR title 27, sections 20385, 20415, and 20420 et seq. Results of the groundwater monitoring programs must be provided in the semi-annual groundwater monitoring reports.</p> <p>²⁴ CCR title 27, section 20415(b) – Groundwater Monitoring Systems.</p>

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	<p>Suggested edit: The point of compliance for surface water monitoring must be located on the Prima Deshecha Cañada at the outfall from the desiltation basin <u>bio-mitigation area</u> for the Landfill.</p>	<p>the Landfill. The language in the Tentative Order is consistent with the requirements of CCR title 27.</p>	
53.	<p>Comment Applicable to the MRP (Attachment A): <u>Confusion surrounding Leachate Monitoring requirements and Establishing Background Values for New COCs</u></p> <p>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 also seems to 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>	<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. Staff revised the Part II.D.6 as shown below:</p> <p>“6. Establishing Background Values for New COCs. The Discharger must establish a reference background value in groundwater following the procedures and regulations¹⁶ 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.”</p>
54.	<p>Comment Applicable to the MRP (Attachment A): <u>It is unclear how to successfully narrow the monitoring list of COCs</u></p> <p>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). Please provide rationale, additional information, or further instruction on how to narrow the list of monitoring parameters for</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>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> <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: a. Analyze groundwater samples for volatile organic</p>

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	<p>groundwater samples including references to 40 CFR or MRP appendices if appropriate. Consider relocating this discussion to Part II.D.</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>constituents listed in Appendix I. 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. 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. <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>
55.	<p>Comment Applicable to the MRP (Attachment A): <u>Inconsistent requirements for Five Yearly COC Scan in relation to Zone 1</u></p> <p>In Zone 1, the semi-annual groundwater monitoring parameters list consists of the 47 40 CFR Part 258 Appendix I VOCs and five metal surrogates (chloride, nitrate, pH, sulfate, and total dissolved solids). Leachate is monitored annually for the 40 CFR Part 258 Appendix II constituents. Appendix II constituents that are confirmed in leachate are added to the "COC List" for the landfill. Every five years,</p>	<p>Staff disagree with the comment and suggested revision. The Tentative Order only prescribes waste discharge requirements for the Zone 4 Landfill. The Zone 1 Landfill is regulated under separate waste discharge requirements. The respective requirements are not transferable.</p> <p>However, both the Tentative Order and the Zone 1 WDRs contain the same monitoring and reporting requirements. The monitoring parameters for the DMP groundwater wells are listed in Table 1, and additionally any other COCs detected in leachate and confirmed by a retest. Every five years, the Discharger is required to test all wells with</p>	<p>No revisions are made to the Tentative Order in response to this comment.</p>

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	<p>groundwater samples from the detection monitoring well network are analyzed for the constituents on the landfill's "COC List" as part of the COC scan.</p> <p>The MRP for Zone 4 (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, not the constituents on the landfill's "COC List". The MRP then states, "<i>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</i>" however, this reference to the "COC List" is not consistent with previous discussions regarding the "COC List" or with the MRP for Zone 1 (R9-2003-0306). The current requirements in Part II.G appear to be more similar to 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 "COC List" of constituents present-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 and 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 36 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>all Appendix II COCs. This is consistent with the Zone 1 WDRs, CCR title 27, and 40 CFR. The COC list for the Landfill is not anticipated to be the same as the Zone 1 landfill because the waste accepted for disposal at the Landfill will not be identical to the waste previously disposed in the Zone 1 landfill.</p>	

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56.	<p>Comment Applicable to the MRP (Attachment A): <u>Unclear reference to “Appendix I”</u></p> <p>Part III.C.1 “Constituents of Concern” states, “<i>The COCs for the Landfill, including any updates, are listed in Appendix I. Statistical and non-statistical data analysis is limited to only those COCs that are on the current COC list</i>”³²”</p> <p>Please clarify whether the MRP is referencing Appendix 1 of Attachment A or Appendix I of 40 CFR Part 258 or a different list of monitoring parameters for groundwater in this section.</p>	See response to Comment 36 above.	Staff have revised the Tentative Order by removing Appendix 1 from Attachment A.
57.	<p>Comment Applicable to the MRP (Attachment A): <u>Timeframe for Determination of Secondary Source in a Background Well is too short</u></p> <p>MRP Part III F.1.c states that the Discharger must “<i>install a new upgradient or crossgradient background well in a portion of the aquifer that will provide data representative of background conditions for the Landfill’s compliance wells within 120 days</i>” 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>Suggested edit:</p> <p>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 within 120 <u>180</u> days.</p>	Staff agree with the request to complete the activities required to install a new well within 180 days.	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> ”
58.	<p>Comment Applicable to the MRP (Attachment A): <u>Confusing reference to “Observation Stations”</u></p>	To clarify, the locations of observations stations means the physical location (i.e., longitude and latitude) of piezometers, gas wells,	No revisions are made to the Tentative Order in response to this comment.

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	<p>MRP Part IV.A.1 requires submittal of the following with the semi-annual monitoring report, “<i>topographic map (or copy of an aerial photograph), at an appropriate scale, identifying the maximum lateral extent 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 extent of any waste constituent or waste degradation product in groundwater.</i>”</p> <p>Please clarify what is meant by “the locations of observation stations” or remove this reference.</p>	<p>monuments, or any other device or structure used to observe and collect data to ensure compliance with CCR title 27 and 40 CFR.</p>	
59.	<p>Comment Applicable to the MRP (Attachment A): <u>Excessive requirement to include historical monitoring data in Semi-Annual Reports</u></p> <p>MRP Section IV.A.14 requires the submittal of “<i>All data obtained during the current and previous four semi-annual reporting periods presented in tabular form</i>” with each semi-annual monitoring report. This requirement is excessive as all monitoring data, historical and current, is submitted through GeoTracker.</p> <p>Suggested edit: All data obtained during the current and previous four <u>two</u> semiannual reporting periods presented in tabular form.</p>	<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.</p>	<p>No revisions are made to the Tentative Order in response to this comment.</p>
60.	<p>Comment Applicable to the MRP (Attachment A): <u>Excessive requirement to attach the April-September Semi-Annual Report to each Annual Compliance Report</u></p> <p>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</p>	<p>Staff disagree with the suggested revision. The reporting requirements included in Attachment A are applicable to all landfills regulated under CCR title 27. Staff developed this requirement specifically to provide the Discharger with the flexibility to submit the reports together or separately. This is suggested for convenience of the submittal process The Discharger is not required to submit the reports together and may submit the reports separately into GeoTracker, if preferred. The Annual Groundwater Monitoring Report must include groundwater monitoring</p>	<p>Staff corrected the typographical error by revising Attachment A, Part IV.B.3 <i>Semi-Annual Groundwater Monitoring report</i> as follows:</p> <p>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>

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	<p>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 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. Suggested edit: Remove Section IV.B.3 from the MRP completely.</p>	<p>data and analysis from both the October 30 and April 30 Semi-Annual Groundwater Monitoring Reports.</p> <p>Staff revised Attachment A, Part IV.B.3 to clarify that April 30th Semi-Annual Groundwater Monitoring Report may be submitted as an attachment to the Annual Compliance Report.</p> <p>The requirement in Part IV.B.3 refers to the Semi-Annual Groundwater Monitoring Report also due on April 30th of each year and is not in reference to the April to September Semi-Annual Groundwater Monitoring Report due by October 30th of each year. The reference to the October 30th deadline is a typo and Staff have revised the section to correctly reference the April 30 deadline.</p>	
61.	<p>Comment Applicable to the MRP (Attachment A): <u>Inconsistency in Reporting Schedules for Five-Year COC Scans</u></p> <p>Attachment A Part II E.3 states, “<i>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</i>” however the reporting schedule included in Attachment A Part IV.D lists different due 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>	<p>Staff recognize the inconsistency between the requirements as identified by the Discharger. Both five-year COC scans for surface water and groundwater should be coincident and five years after submittal of the first semi-annual groundwater monitoring report, anticipated to be April 30, 2025. Therefore, the due date for both the Surface Water COC Report and Groundwater COC Report is April 30, 2030, and not April 30, 2026, as suggested by the Discharger. Tentative Order Attachment A, Part II.E.3 is correct as written and Staff have revised Part IV.C.4 and Part IV.D for consistency with Part II.E.3.</p>	<p>Staff have revised the Tentative Order, Attachment A, as follows:</p> <p>Part IV.C.4: 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 <u>October April 30, 2026</u>2030. Subsequent COC reports must be submitted every fifth year, as an attachment to the Annual Compliance Report.</p> <p>Part IV.D, Footnote C: ^C The Discharger’s next five-year Groundwater COC Report is due April 30, 2026<u>2030</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> <p>Part IV.D, Footnote D: ^D The Discharger’s next five-year Surface Water COC Report is due April 30, 2028<u>2030</u>. COC list data must be collected in alternating seasons to</p>

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			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).
62.	<p>Comment Applicable to the MRP (Attachment A): <u>Appendix 1 – Constituents of Concern (COCs) – is not referenced in MRP or consistent with 40 CFR Part 258</u></p> <p>It is unclear what the purpose of Appendix 1 of the MRP is for. “Appendix 1” (not to be confused with 40 CFR Part 258 Appendix I) is not referenced as a list of required monitoring parameters anywhere in Attachment A or the larger WDR and it is not consistent with 40 CFR Part 258 Appendix I or Appendix II constituents.</p> <p>Suggested edits: Remove Appendix 1 or update the list of parameters to be consistent with the required monitoring parameter list for routine semi-annual groundwater monitoring (i.e., 40 CFR Part 258 Appendix I) or the required monitoring parameter list for the five-year COC scan (i.e., 40 CFR Part 258 Appendix II) and reference as appropriate in the WDR.</p>	See response to Comment 36.	Staff have removed Appendix 1 from Attachment A.