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Secretary for
Environmental Protection

California Regional Water Quality Control Board

San Diego Region

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March 30, 2009

Ms. Vicky Gallagher
County of San Diego
Department of Public Works
5201 Ruffin Road, Suite D
San Diego, CA 92123

VIA CERTIFIED MAIL
7007 1490 0003 8753 5360

In Reply Refer to:
NSDGW:210029:cpowell

Dear Ms. Gallagher:

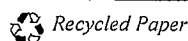
SUBJECT: ADDENDUM NO. 1 TO INVESTIGATIVE ORDER NO. R9-2008-0097

Enclosed is Addendum No. 1 to Investigative Order No. R9-2008-0097 (Order), issued by the California Regional Water Quality Control Board, San Diego Region (Regional Board) under the authority of California Water Code section 13267. The Addendum modifies Order No. R9-2008-0097 by replacing Directive A.1., which revises the compliance date from March 30, 2009 to September 30, 2009 for reporting results of a complete investigation of groundwater impacts, and revises the compliance date from March 30, 2009 to April 30, 2009 for submitting other portions of the Amended Report of Waste Discharge.

Any person failing or refusing to furnish information required under the authority of Water Code section 13267 or falsifying information submitted to the Regional Board pursuant to such a directive is guilty of a misdemeanor and may be subject to civil liability. Under Water Code section 13268, a civil liability may be imposed administratively by the Regional Board in an amount of up to \$1,000 per day of violation (i.e., for each day of delay in submitting all information requested, or for each day that false information remains uncorrected).

Any person affected by this action of the Regional Board may request an evidentiary hearing before the Regional Board as described in the Order, Section D.3. A request for an evidentiary hearing does not stay the effective date of the Order. Any person affected by this action of the Regional Board may petition the State Water Resources Control Board (SWRCB) as described in the Order, Section D.4. A request for a hearing does not extend the 30-day period to file a petition with the SWRCB.

California Environmental Protection Agency



Ms. Vicky Gallagher, County of San Diego
Addendum No. 1 to Order No. R9-2008-0097
Bonsall Landfill

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March 30, 2009

The heading portion of this letter includes a Regional Board code number noted after "In Reply Refer to." In order to assist us in the processing of your correspondence please include this code number in the heading or subject line portion of all correspondence and reports to the Regional Board pertaining to this matter.

If you have any questions or require further information, please contact Ms. Cheryl Prowell at (858) 467-2745, or via e-mail at cprowell@waterboards.ca.gov.

Respectfully,



MICHAEL P. McCANN
Assistant Executive Officer

MPM:jac:jro:clp

Enclosure: Addendum No. 1 to Order No. R9-2008-0097

cc: Ms. Rebecca Lafreniere, County of San Diego, Local Enforcement Agency, 9325
Hazard Way, San Diego, CA 92123

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

**ADDENDUM NO. 1 TO
INVESTIGATIVE ORDER NO. R9-2008-0097**

**An Order Directing
County of San Diego
5201 Ruffin Road, Suite D
San Diego, CA 92123**

**To submit a technical report pertaining to a condition of pollution at the
Bonsall Landfill, Twin Oaks Valley Road, Bonsall, California.**

The California Regional Water Quality Control Board, San Diego Region (hereinafter Regional Board), finds that:

1. Detectable concentrations of volatile organic compounds from wastes within the Bonsall Landfill have created a condition of pollution impacting beneficial uses of the waters of the State. The County of San Diego (Discharger) is the former operator and current property owner, and is therefore responsible for the release of waste constituents into groundwater.
2. In response to the release of waste constituents into groundwater, the Regional Board issued Investigative Order No. R9-2008-0097 (Order) to the Discharger on September 23, 2008. The Order requires the Discharger to submit an Amended Report of Waste Discharge (ROWD) to document compliance with the applicable corrective action requirements of Title 27, California Code of Regulations.
3. By letter dated March 24, 2009, the Discharger requested an extension of the compliance date for submitting the Amended ROWD for Bonsall Landfill as required by the Order. The Discharger reported there has been a lack of response and cooperation from certain offsite water well owners to allow the Discharger the access necessary to sample offsite wells. This information is needed to complete the delineation of the release required as part of the Amended ROWD.
4. As reported in the March 24, 2009 letter, the Discharger has conducted multiple field investigations to obtain data needed to complete the Amended ROWD, including leak testing and sampling of shallow perimeter landfill gas probes, a surface geophysical investigation, a landfill gas extraction well assessment, a cone penetrometer test investigation, and a direct push investigation. The Discharger has researched offsite well locations and owners, and requested access (via U.S. mail) to offsite groundwater supply wells within 1 mile of the landfill; however, many of the property owners have been non-responsive.

5. A 6-month extension of the compliance date, from March 30, 2009 to September 30, 2009, for submittal of the report documenting the delineation of the release is reasonable because the time extension will give the Discharger additional time to negotiate the access agreements needed to sample offsite wells.
6. Based on the investigations conducted to date, the Discharger should have sufficient information to complete the reports proposing the water standard, corrective action measures, and monitoring plan. Therefore, a 30-day extension of the compliance date, from March 30, 2009 to April 30, 2009, is reasonable to finalize the portions of the Amended ROWD not directly related to completing the delineation of the impacts of the release to groundwater.

IT IS HEREBY ORDERED, pursuant to the authority of California Water Code section 13267, Requirement A.1 of Order No. R9-2008-0097 is replaced by the following:

A. REPORTS

1. **Amended Report of Waste Discharge:** The amended ROWD, due by 5:00 pm on the dates specified in the following sections, shall include the minimum information specified in CCR Title 27, section 20425(d)(2) and the following elements:
 - a. **Delineation of Release:** A detailed report including an assessment of the nature and extent of the release of waste constituents from the Waste Management Unit shall be submitted to the Regional Board by **September 30, 2009**. The delineation of release should be based on a site conceptual model (SCM) that provides a written or pictorial representation of the release scenario and the likely distribution of waste at the site, as well as potential pathways and receptors. The SCM must:
 - i. Identify and describe the types of wastes present including their distribution in space and time, and how the wastes are changing in space and time.
 - ii. Provide available current information on land and water uses in compliance with CCR Title 27, section 21750(h).
 - iii. Provide available current or updated information on hydrogeology in compliance with CCR Title 27, section 21750(g).

- iv. Identify the potential, current and future receptors in the area and links between potential sources to potential receptors through transport of wastes in the air, soil and water; and identify the fate and transport of waste constituents in the context of the site characteristics. A current survey of offsite wells should be conducted. In compliance with CCR Title 27, section 21750(h), the Discharger shall identify all wells within 1 mile of the facility boundary and provide the additional information listed in section 21750(h). Analytical data should be presented for any wells that could be impacted by the condition of pollution. Note the use of all wells (irrigation, domestic) and if use of the wells has been impaired due, at least in part, to the condition of pollution attributed to the landfill.
 - v. Describe or show the physical characteristics and properties of the subsurface and identify the environmental issues that need to be investigated to resolve the extent and impact of groundwater pollution from the Bonsall Landfill. The analysis should include an evaluation of the fractured bedrock aquifer underlying the landfill to identify preferential flow paths that may exist.
 - vi. The SCM must include data interpretations, a discussion of the level of uncertainty of conclusions, outline data gaps remaining in the conceptual model, and describe the additional work needed to fill identified data gaps.
- b. **Water Standard:** A water standard shall be proposed in writing to the Regional Board by **April 30, 2009**. The proposed Water Standard shall meet the requirements of CCR Title 27 section 20425(d)(2)(B)) and section 20390. The Water Standard shall include a list of constituents of concern (COC). The COC list shall include all waste constituents, reaction products, and hazardous constituents that are reasonably expected to be in or derived from the landfill. A concentration limit must be proposed for each COC using the criteria specified in CCR Title 27 section 20400. The discharger shall describe and provide supporting technical information to justify the method used to determine each concentration limit.
- c. **Corrective Action Measures:** A detailed description of proposed corrective action measure(s) (CAMs) that will be taken to achieve compliance with the proposed Water Standard must be provided in writing to the Regional Board by **April 30, 2009**. The Discharger may provide the Regional Board with a revised/replacement assessment of CAMs, by **September 30, 2009**, after completing delineation of groundwater impacts. Revise/update the Engineering Feasibility Study (EFS as required by CCR Title 27, section 20425(c)) based on the

current nature and extent of the condition of pollution and an evaluation of the effectiveness of the upgrades to the treatment system performed in 2000.

- i. At a minimum, the revised Engineering Feasibility Study shall contain a detailed description of the corrective action measures that could be taken to accomplish the following objectives:
 - A. abate any adverse effects, threats of pollution and/or nuisance created by the discharge of landfill gas/soil vapors from the Unit, and
 - B. cleanup and abate effects from discharges of waste constituents/ degradation products into groundwater and achieve background concentrations¹ for all Constituents of Concern.
- ii. *Recommended Corrective Action Program.* A detailed description of a recommended Corrective Action Program describing the proposed corrective action measures that will be taken to achieve compliance with each proposed Water Standard, and includes the following information:
 - A. *Scope of Action.* The corrective measures shall ensure that COCs achieve their respective concentration limits at all Monitoring Points and throughout the zone affected by the release, including any portions thereof that extend beyond the facility boundary, by removing the waste constituents or treating them in place.
 - B. *Source Containment.* The corrective action measures must result in effective control of the source(s) of soluble groundwater pollutants, and control of conditions that contribute to the migration of soluble pollutants from wastes.
 - C. *Public Participation Plan.* The Discharger shall develop a plan for public participation in the corrective action process. Public participation shall be consistent with all applicable State and local requirements. The plan shall be submitted to the Regional Board as part of the amended ROWD, and the Discharger shall modify the plan as requested by the Regional Board.

¹ "Background" means the concentrations or measures of constituents or indicator parameters in water or soil that has not been affected by waste constituents or leachate from the waste management unit being monitored.

March 30, 2009

- d. **Monitoring Plan:** A written plan for implementing a water quality monitoring program must be submitted to the Regional Board by **April 30, 2009**. The proposed monitoring program must be designed to demonstrate the effectiveness of the proposed action. The monitoring plan must contain a proposed Constituents of Concern (COC) List (under CCR Title 27, section 20395) including waste constituents, reaction products and hazardous constituents that are reasonably expected to be present in or derived from waste contained in the Landfill Site. The initial COC list shall include all constituents listed in Appendix II to the Code of Federal Regulations Title 40 (40 CFR) Part 258. The COC list may be narrowed to include only those constituents that are detected, in water and/or soil vapor samples, above practical quantitation limits (PQLs).

All other Directives and requirements of Water Quality Investigative Order No. R9-2008-0097 remain in effect.

Ordered By:



Michael P. McCann
Assistant Executive Officer
March 30, 2009