



# California Regional Water Quality Control Board

## San Diego Region



Linda S. Adams  
Secretary for  
Environmental  
Protection

Over 50 Years Serving San Diego, Orange, and Riverside Counties  
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Arnold Schwarzenegger  
Governor

9174 Sky Park Court, Suite 100, San Diego, California 92123-4340  
(858) 467-2952 • Fax (858) 571-6972  
[http:// www.waterboards.ca.gov/sandiego](http://www.waterboards.ca.gov/sandiego)

April 13, 2007

**CERTIFIED MAIL – RECEIPT REQUESTED**  
7006 3450 0003 7392 6872

Colonel James Seaton, Commanding Officer  
U.S. Marine Corps Base  
Box 555015  
Camp Pendleton, CA 92055-5015

In Reply Refer to:  
**LDU:06-0013.05:agrove**

Dear Sir:

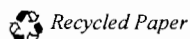
**RE: CLEANUP AND ABATEMENT ORDER NO. R9-2006-0016 FOR THE LAS PULGAS LANDFILL, CAMP PENDLETON, CA**

Enclosed is Addendum No. 1 to Cleanup and Abatement Order (Order) No. R9-2006-0016 issued under authority of section 13304 of the California Water Code (CWC). Also enclosed is a copy of the Regional Board's Technical Report for Addendum No. 1 to Cleanup and Abatement Order No. R9-2006-0016, providing the rationale and factual information supporting the findings and directives of this Addendum.

The Order requires the U.S. Marine Corps (USMC) to correct all defects in the waste containment system (*i.e.*, composite liner, leachate collection and removal system – LCRS, and the foundation/subgrade) of the Phase 1 expansion area (Unit) located in the Las Pulgas Landfill at Marine Corps Base (MCB) Camp Pendleton. Failure to comply with the directives of the Order may subject you to further enforcement actions by the Regional Board, including referral to the State Attorney General for injunctive relief; and/or referral to the District Attorney for criminal prosecution.

Pursuant to CWC Section 13304, the Regional Board is entitled to reimbursement for all reasonable costs actually incurred by the Regional Board to investigate unauthorized discharges of waste and to oversee cleanup of such waste, abatement of the effects thereof, or other remedial action required by this Order. Please be aware that you may receive future invoices for additional cost incurred by the Regional Board in overseeing implementation of the requirements of this Order.

*California Environmental Protection Agency*



Col. James Seaton, Commanding Officer - 2 -  
Addendum No. 1 to CAO No. R9-2006-0016:  
Las Pulgas Landfill, Camp Pendleton

April 13, 2007

You may contest the issuance of this Order by requesting a public hearing on the matter before the Regional Board within thirty (30) days of the April 13, 2007 issuance date. You may request that a public hearing be scheduled on this matter at the June 13, 2007 Regional Board meeting by submitting a written request, no later than 5:00pm on Thursday, May 24, 2007. Your written request should be sent to Mr. John Odermatt at the following address.

Mr. John Odermatt  
Senior Engineering Geologist  
Land Discharge Unit  
California Regional Water Quality Control Board  
San Diego Region  
9174 Sky Park Court, Suite 100  
San Diego, CA 92123-4340

Be aware that a request for a hearing does not stay any of the directives in the Order, as amended.

I strongly urge a complete and prompt response to each directive in Addendum No. 1 to Cleanup and Abatement Order No. R9-2006-0016. If you or your staff has any questions regarding this matter, please contact either of the following staff:

Mr. John Odermatt  
Senior Engineering Geologist  
Land Discharge Unit  
Phone: (858) 637-5595  
e-mail: [jodermatt@waterboards.ca.gov](mailto:jodermatt@waterboards.ca.gov)

Mrs. Amy Grove  
Engineering Geologist  
Land Discharge Unit  
Phone: (858) 637-7136  
e-mail: [agrove@waterboards.ca.gov](mailto:agrove@waterboards.ca.gov)

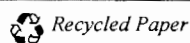
The heading portion of this letter includes a Regional Board code number noted after "In reply refer to:" In order to assist us in the processing of your correspondence please include this code number in the heading or subject line portion of all correspondence and reports to the Regional Board pertaining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

Sincerely,



JOHN H. ROBERTUS  
Executive Officer

*California Environmental Protection Agency*



Col. James Seaton, Commanding Officer - 3 -  
Addendum No. 1 to CAO No. R9-2006-0016:  
Las Pulgas Landfill, Camp Pendleton

April 13, 2007

Enclosures: Addendum 1 to Cleanup and Abatement Order No. R9-2006-0016  
Technical Report: Cleanup and Abatement Order No. R9-2006-0016

cc: Ms. Tracy Sahagun, Office of the Chief of Staff, Environmental Security, Building 22165, U.S.  
Marine Corps, Base Camp Pendleton, CA 92055

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

Mr. Joe Mello, Division of Clean Water Programs, State Water Resources Control Board, P.O.  
Box 944212, Sacramento, CA 94244-2120

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
SAN DIEGO REGION

ADDENDUM NO. 1  
TO  
CLEANUP AND ABATEMENT ORDER NO. R9-2006-0016

UNITED STATES MARINE CORPS  
MARINE CORPS BASE CAMP PENDLETON  
LAS PULGAS LANDFILL  
SAN DIEGO COUNTY

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

1. **CLEANUP AND ABATEMENT ORDER NO. R9-2006-0016.** Except as contradicted or superseded by the findings and directives set forth in this Cleanup and Abatement Order (CAO) Addendum (Addendum No.1), all of the previous findings and directives of Cleanup and Abatement Order No. R9-2006-0016 remain in full force and effect.
2. **CORRECTIVE ACTION PLAN.** Directive B.1 of CAO R9-2006-0016 requires the United States Marine Corps (hereinafter Discharger) to submit a Corrective Action Plan (CAP) for the Phase 1 expansion area by December 31, 2006. On December 26, 2006 the Discharger submitted a Corrective Action Plan proposing implementation of an alternative remedial action.
3. **REGIONAL BOARD RESPONSE TO CAP.** By letter dated February 23, 2007 the Regional Board informed the Discharger that the CAP fails to comply with the minimum requirements of the CAO, Directive B.1.c for implementation of an alternative remedial action. The CAP contains significant deficiencies in the supporting geotechnical information and technical analyses that indicate the Discharger's proposed alternative remedial action will not provide the requisite level of water quality protection required under CCR Title 27 and Order 2000-54 to the satisfaction of the Regional Board. Therefore, the Regional Board does not concur with the proposed alternative remedial action presented by the Discharger in the CAP.
4. **REPLACEMENT CORRECTIVE ACTION PLAN:** The Discharger must submit a replacement CAP proposing to implement corrective actions for either corrective construction (pursuant to CAO Directive B.1.a) or clean closure (pursuant to CAO Directive B.1.b). The replacement CAP should be submitted by December 14, 2007 which takes into consideration the threat of unreasonable impairment of water quality by the unauthorized

discharges from the Site, the need to mitigate that threat expeditiously, and the financial and technical resources available to the Discharger.

5. **CEQA EXEMPTION.** This enforcement action is exempt from the provisions of the California Environmental Quality Act (CEQA) in accordance with California Code of Regulations (CCR) Title 14, Chapter 3, section 15321.

**IT IS HEREBY ORDERED** that under authority of Water Code section 13304, the CAO R9-2006-0016 be amended as follows:

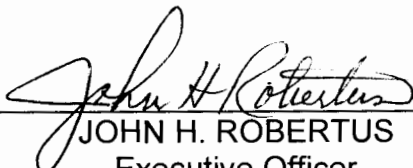
- I. Replace Directive B.1 with the following:

**“B. CORRECTIVE ACTION PLAN**

1. By **December 14, 2007**, the Discharger shall prepare and submit to the Regional Board a Corrective Action Plan (CAP) for the Phase 1 WMU to either:
  - a. Undertake corrective construction of the Phase 1 WMU to achieve compliance with all applicable requirements of CCR Title 27 and Order No. 2000-54 *“Waste Discharge Requirements for the U.S. Marine Corps, Marine Corps Base Camp Pendleton, Las Pulgas Landfill, San Diego County”* and addenda thereto. The CAP shall contain the information described in Directive B.2; or alternatively
  - b. Undertake clean closure of the Phase 1 WMU pursuant to CCR Title 27, section 21090(f), by physically removing all waste and contaminated materials from the Phase 1 WMU and from its underlying and surrounding environs, such that the waste in the Phase 1 WMU no longer poses a threat to water quality. The CAP shall contain the information described in Directive B.3.
  - c. The option for an alternative remedial action is hereby deleted from Order R9-2006-0016.”

II. Directive B.4 is hereby deleted from Order R9-2006-0016.

I, John H. Robertus, Executive Officer, do hereby certify the forgoing is a full, true, and correct copy of the Addendum No. 1 to Cleanup and Abatement Order No. R9-2006-0016 issued on April 13, 2007.

  
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JOHN H. ROBERTUS  
Executive Officer