



Central Coast Regional Water Quality Control Board

October 22, 2020

**via Certified and Electronic Mail
No. 7019 0700 0001 7650 6443**

Keith Quinlan
City of Lompoc Solid Waste Superintendent
100 Civic Center Plaza
Lompoc, CA 93436
Email: K_quinlan@ci.lompoc.ca.us

Dear Mr. Quinlan:

LAND DISPOSAL PROGRAM: LOMPOC LANDFILL, 700 SOUTH AVALON STREET, LOMPOC, SANTA BARBARA COUNTY – NOTICE OF VIOLATION AND WATER CODE SECTION 13267 REQUIREMENT FOR TECHNICAL REPORTS

On May 15, 2018, Central Coast Regional Water Quality Control Board (Central Coast Water Board) staff conducted an inspection at the Lompoc Landfill (Landfill) and observed damage to the Landfill drainage system. On July 6, 2018, Central Coast Water Board staff issued a notice of violation (2018 NOV)¹ to the City of Lompoc (City) for violations of Waste Discharge Requirements Order (WDR) No. R3-2003-0014 (Landfill WDR) and Water Quality Control Order No. 2014-0057-DWQ, National Pollutant Discharge Elimination System (NPDES) General Permit No. CAS000001, Waste Discharge Requirements for Discharges of Storm Water Associated with Industrial Activities (Industrial Stormwater General Permit). This notice of violation includes a summary of the alleged violations of the Landfill WDR and requires the City to submit technical reports that demonstrate progress toward returning into compliance with the requirements of the Landfill Order.

Summary of July 6, 2018 Notice of Violation

The 2018 NOV states that the Landfill's overall drainage facilities were not sized to accommodate the required design storm event and identified issues with drainage channel erosion. The 2018 NOV required that the City submit a technical report by October 31, 2018, to outline the City's plan to correct the drainage channel erosion and stormwater retention issues and include a schedule with timelines to complete the corrective actions necessary to come into compliance with the City's permits.

1

https://documents.geotracker.waterboards.ca.gov/regulators/deliverable_documents/8130196690/LompocLF_NOV.PDF

DR. JEAN-PIERRE WOLFF, CHAIR | MATTHEW T. KEELING, EXECUTIVE OFFICER

After the 2018 NOV was sent to the City, Central Coast Water Board staff and City staff had the following communications related to the requirements included in the 2018 NOV:

- October 30, 2018 – City staff submitted the “Technical Report”². The Technical Report included proposed drainage solutions but did not state which plans the City intended to move forward with. The 2018 NOV required that the technical report include the City’s plans to address the drainage channel erosion and capacity issues. Since the Technical Report only listed potential solutions and not the City’s plans to show progress toward Landfill WDR compliance, the Technical Report did not satisfy the conditions of the 2018 NOV. The Technical Report included a schedule for finalizing the plans to implement corrective action of drainage structures and construction dates to implement those plans. The Technical Report schedule indicated that the Conceptual Design of Drainage Improvements report (Conceptual Design Plan) would be submitted by December 21, 2019, and would contain the results of the revised HydroCAD model based on the chosen drainage improvement features.
- Central Coast Water Board staff coordinated (two phone calls and four emails) with City staff regarding the Conceptual Design Plan between December 19, 2019, and March 11, 2020. During the phone calls Central Coast Water Board staff noted concerns that the Landfill’s overall drainage facilities were still out of compliance with the requirements of the Landfill WDR. Central Coast Water Board staff also indicated that the upper basin is undersized and unlined and that the Landfill WDR does not allow for ponding over waste.
- On March 12, 2020, City staff submitted the Conceptual Design Plan.
- Central Coast Water Board staff issued email correspondence and telephone communication (four telephone calls) with City staff between March and August 2020 to discuss the Conceptual Design Plan and the need for the City to submit a revised Technical Report based on the updated plan.
- August 13, 2020, City of Lompoc staff submitted the Revised Technical Report³ to satisfy the conditions of the 2018 NOV.

The Revised Technical Report includes the City’s plans for corrective actions at the Lompoc Landfill. However, the Revised Technical Report indicates that an updated topographic survey is needed, and the results of the updated Fill Sequencing Plan need to be incorporated into the proposed corrective action plan. The Revised Technical Report includes a timeline for finalizing the designs needed to implement corrective action and provides review time for other public agencies prior to beginning construction.

²

https://documents.geotracker.waterboards.ca.gov/esi/uploads/geo_report/8729425251/L10008948495.PDF

³ https://geotracker.waterboards.ca.gov/view_documents_all?qglobal_id=L10008948495&doc_id=6034248

Alleged Violations

Although the Revised Technical Report satisfies the requirements of the 2018 NOV, the City continues to be out of compliance with the requirements of the Landfill WDR.

Currently, the upper Landfill sediment basin and other Landfill drainage structures are undersized. Landfill WDR Specification C.16 (Wet Weather) states:

Drainage facilities shall be designed, constructed, and maintained to accommodate anticipated precipitation, and peak surface runoff flows from a 100-year, 24-hour rainstorm event.

Landfill drainage structures must be designed based on the current estimated precipitation data for a 100-year, 24-hour storm event. Additionally, climate change may increase the frequency and intensity of storm events in the future, therefore, Central Coast Water Board staff recommends the City design its revised drainage structures with conservative safety margins to ensure long-term adequacy to accommodate potential shifts in precipitation for the 100-year, 24-hour storm event.

Also, the upper Landfill sediment basin is unlined and, based on conversations between Central Coast Water Board staff and City staff, overlies landfill waste. As a result, the unlined upper basin allows ponding of water and infiltration into underlying waste. Landfill WDR Specification C.15 (Wet Weather) states:

All Landfill surfaces and working faces shall be graded and operated to minimize rainfall infiltration into waste, to prevent ponding of water, and to resist erosion.

Therefore, the upper sediment basin must either be lined to prevent infiltration, or water must be routed so that ponding and infiltration do not occur. Lompoc Landfill is an unlined Class III Landfill, and thus it is especially important to prevent rainfall infiltration into waste to minimize the production of leachate that has the potential to degrade underlying groundwater.

Landfill WDR Specification C.15 (Wet Weather) also requires that all Landfill surfaces resist erosion. The inspection conducted by Central Coast Water Board staff on May 15, 2018, indicates that the west side drainage channel failed and sediment from the drainage channel was mobilized and flowed into the upper landfill sediment basin. Corrective measures must be enacted to ensure that all Landfill drainage structures are constructed to minimize erosion.

The Landfill also has unlined conveyance channels that overlie waste. Landfill WDR Specification C.10 (General Specifications) states:

To prevent erosion and percolation through the waste, drainage ditches crossing over the Landfill areas shall be lined with either a synthetic liner or at least a one-foot-thick layer of soil having an in-place hydraulic conductivity of 1×10^{-6} cm/s or less.

Any unlined drainage channels that overlie waste must be lined to meet the requirements of the Landfill WDR.

The most recent version of the Landfill WDR and the associated Landfill design requirements can be found at:

https://documents.geotracker.waterboards.ca.gov/regulators/deliverable_documents/3681455314/Lompoc%20Landfill%20WDR%20R3-2003-0014.pdf

Required Technical Reports

Lompoc Landfill is not in compliance with the Landfill WDR and, therefore, is required to correct the violations as quickly as feasible. On August 13, 2020, the City submitted the Revised Technical Report outlining the City's plan to correct the drainage issues that caused the Landfill WDR violations. The Revised Technical Report includes a proposed schedule for implementing the required Landfill erosion and sediment control and drainage measures needed to comply with the Landfill WDR. Pursuant to California Water Code section 13267, the City is required to submit the following technical reports, consistent with the City's proposed schedule included in the Revised Technical Report, to demonstrate progress toward Landfill WDR compliance:

1. Fill Sequencing Plan Update Report is due on **November 30, 2020**. This report must include the Fill Sequencing Plan and a discussion of the extent that the plan will impact the City's Revised Technical Report.
2. Project Design Update Report is due on **February 26, 2021**. This report must include any updates to the Revised Technical Report that are needed based on the updated Fill Sequencing Plan and updated topographic survey.
3. CEQA Evaluation Update Report is due **March 12, 2021**. This report must include the results of the initial study and whether the project needs an Environmental Impact Report.
4. CalRecycle Review Update Report is due by **April 30, 2021**. This report must indicate whether CalRecycle has approved the project. This report submittal must include any formal CalRecycle letters related to the project.
5. City Council Review Update Report is due by **July 9, 2021**. This report must indicate whether City Council approved the project or their reason for denial, directed revisions, and schedule for reconsideration.
6. Engineering Design Report is due by **July 30, 2021**. This report must include, but is not limited to, the final design of all corrective actions to improve drainage structures, engineering design drawings, and testing specifications. The report must incorporate the results of a recent topographic survey and the updated Fill Sequencing Plan and must include any changes to the Revised Technical Report. The report must include a map delineating the extent of the waste footprint to differentiate drainage structures overlying waste and those overlying native soils. The report must also show how the proposed corrective actions will meet Landfill WDR requirements, including those listed in the "Alleged Violations" section above.

7. Corrective Action Implementation Report is due by **January 31, 2022**. This report must discuss all corrective actions enacted and demonstrate compliance with the Landfill WDR, including the sections listed in the "Alleged Violations" section above. The report must include as-built drawings and testing results such as lined drainage ditch thickness and hydraulic conductivity testing.

All technical reports must be signed by the appropriate certified City representative per Landfill WDR Water Quality Protection Standards D.26 (Reporting Provisions).

Also, any technical reports that include containment structure or drainage facility designs must be certified by an appropriate registered professional. Landfill WDR Specifications C.18 (Design Criteria) states:

The Permitted Landfill Area, containment structures and drainage facilities shall be designed and constructed under the direct supervision of a California Registered Civil Engineer or a Certified Engineering Geologist, and shall be certified by that individual meeting the prescriptive standards and performance goals of all state and federal Landfill regulations including, but not limited to, CCR Title 27 and 40 CFR parts 257 and 258. For containment structures (liners), certification of standards shall be made prior to waste discharge.

Legal Requirements

The Central Coast Water Board's requirement that the City submit the technical reports that are listed above in the "Required Technical Reports" section of this letter are made pursuant to section 13267 of the California Water Code. Pursuant to section 13268 of the Water Code, a violation of Water Code section 13267 requirement may subject you to civil liability of up to \$1,000 per day for each day in which the violation occurs.

The Central Coast Water Board needs the required information in order to evaluate and ensure the City's progress towards Landfill WDR compliance and to ensure protection of water quality. The City is required to submit this information because Central Coast Water Board staff has documented Landfill WDR violations of Landfill drainage structures, and the City is the operator and landfill property owner and is responsible for the discharge. The evidence supporting this requirement is included in Landfill WDR Order No. R3-2003-0014 and on GeoTracker at the following link:

http://geotracker.waterboards.ca.gov/profile_report.asp?global_id=L10008948495

The burden, including costs, of the technical reports bears a reasonable relationship to its need and the benefits to be obtained. The City has agreed to submit these technical reports to demonstrate their ongoing efforts to return into compliance with the Landfill WDR and compliance with the Landfill Order is necessary to ensure protection of water quality. More detailed information is available in the Central Coast Water Board's public file on this matter.

Any person affected by this action of the Central Coast Water Board to require the above technical reports may petition the State Water Resources Control Board (State Water Board) to review the action in accordance with section 13320 of the California Water Code and title 23, California Code of Regulations, section 2050. The petition must be received by the State Water Board, Office of Chief Counsel, P. O. Box 100 Sacramento, 95812 within 30 days of the date of this order. Copies of the law and regulations applicable to filing petitions are available at:

https://www.waterboards.ca.gov/public_notices/petitions/water_quality/wqpetition_instr.shtml

If you have any questions, please feel free to contact **Jordan Haserot by phone at (805) 542-4781** or email at Jordan.Haserot@waterboards.ca.gov, or Ryan Lodge at (805) 549-3506.

Sincerely,

Thea S. Tryon
Assistant Executive Officer

cc

Lisa McAlpine (CalRecycle Enforcement) elizabeth.mcalpine@calrecycle.ca.gov

Stacy Lawson (City of Lompoc), s_lawson@ci.lompoc.ca.us

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GeoTracker ID: L10008948495