

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION
1685 E Street, Fresno, California 93706

PUBLIC HEARING
concerning

**MODIFYING WASTE DISCHARGE REQUIREMENTS ORDER NO. R5-2006-0022
FOR
MERCED COUNTY REGIONAL WASTE MANAGEMENT AUTHORITY
FOR
CLOSURE OF PHASES 1 to 4
HIGHWAY 59 SOLID WASTE LANDFILL
MERCED COUNTY**

The County of Merced operates the Highway 59 solid waste landfill about six miles north of the City of Merced. The facility is owned by the Merced County Regional Waste Management Authority (hereafter referred to as Discharger), pursuant to a joint powers agreement between the former owners of the landfill, the County of Merced and the cities of Atwater, Dos Palos, Gustine, Livingston, Los Banos, and Merced. The 609-acre waste management facility contains four unlined Class III waste management units (Phases 1 to 4), two existing single-composite-lined Class III units (Phases 5 and 6), three Class II surface impoundments, and three storm water retention basins. The facility is currently regulated by Waste Discharge Requirements Order R5-2006-0022, which prescribes requirements for construction and operation of the landfill.

The Discharger proposes to close Phases 1 to 4 with an engineered alternative final cover system consisting of an evapotranspirative final cover. The proposed evapotranspirative final cover system will be utilized as a barrier to infiltrating precipitation.

The proposed order modifies Order R5-2006-0022 by reflecting the ownership change to the Merced County Regional Waste Management Authority and adding additional construction specifications for the closure of Phases 1 to 4 and maintenance and monitoring of the final cover. Order R5-2006-0022 will remain intact and applicable in all other aspects.

A public hearing concerning this matter will be held during the Central Valley Regional Water Quality Control Board (Central Valley Water Board) meeting, which is scheduled for:

DATE: 22/23/24 September 2010
TIME: 8:00 a.m.
PLACE: Regional Water Quality Control Board, Central Valley Region
11020 Sun Center Drive #200
Rancho Cordova, CA 95670-6114

The designated parties for this hearing are as follows:

- Merced County Regional Waste Management Authority.

Designated parties, but not interested persons, will have these rights: to call and examine witnesses; to cross-examine opposing witnesses; to impeach any witness; and to rebut the evidence against him or her. Central Valley Water Board staff will prepare the administrative record, and may present evidence, make an oral presentation and cross-examine opposing witnesses.

Interested persons may not cross examine witnesses, and will not be subject to cross examination. Interested persons may submit evidence (e.g., photographs, eye-witness testimony, monitoring data) if the evidence is submitted in accordance with the deadlines for submitting evidence described below. Interested persons who present evidence may be subject to cross-examination. Interested persons may request status as a designated party for purposes of this hearing by submitting such request in writing to the Central Valley Water Board no later than **27 August 2010**. The request must explain the basis for status as a designated party and in particular how the person is affected by the discharge.

The tentative Order was issued on 30 July 2010. Persons wishing to comment on this item must submit testimony, evidence, if any, and/or comments in writing to the Central Valley Water Board no later than by noon on **27 August 2010**. Written materials submitted after noon on the above date will not be accepted and will not be incorporated into the administrative record absent a ruling by the Central Valley Water Board Chair. A party requesting to submit late materials must demonstrate good cause for the late submission, and the Central Valley Water Board Chair must find that the late submission would not prejudice the Central Valley Water Board or any designated party.

All designated parties and interested persons may speak at the Central Valley Water Board meeting, and are expected to orally summarize their written submittals. Oral testimony and cross examination will be limited in time by the Central Valley Water Board Chair. Both designated parties and interested persons may be asked to respond to clarifying questions from Central Valley Water Board members, counsel staff or others, at the discretion of the Central Valley Water Board.

Anyone having questions on tentative waste discharge requirements should contact Elizabeth Martinez at (559) 445-5455. Interested parties may download the proposed Order and related documents from the Central Valley Water Board's Internet website at http://www.waterboards.ca.gov/centralvalley/board_decisions/tentative_orders/. Copies of these documents can also be obtained by contacting or visiting the office of the Central Valley Water Board at 1685 E Street, Fresno, California, 93706, weekdays between 8:00 a.m. and 5:00 p.m. by appointment.

The final meeting agenda will be available at http://www.waterboards.ca.gov/board_info/agendas/ at least ten days before the meeting. The agenda will provide the dates the Central Valley Water Board meeting will

be held, indicate the anticipated order of agenda items, and may include staff revisions to the proposed order(s).

The procedures governing Central Valley Water Board meetings may be found at Title 23, California Code of Regulations, Section 647 et seq. and are available upon request. Hearings before the Central Valley Water Board are not conducted pursuant to Government Code section 11500 et seq. The procedures may be obtained by accessing http://www.waterboards.ca.gov/water_laws/. Information on meeting and hearing procedures is also available on the Board's website at http://www.waterboards.ca.gov/centralvalley/board_info/meetings/mtgprocd.shtml or by contacting any one of the Central Valley Water Board's offices. Questions regarding such procedures should be directed to Ms. Kiran Lanfranchi-Rizzardi at (916) 464-4839.

The hearing facilities will be accessible to persons with disabilities. Individuals requiring special accommodations are requested to contact Ms. Kiran Lanfranchi-Rizzardi at (916) 464-4839 at least 5 working days prior to the meeting. TTY users may contact the California Relay Service at 1-800-735-2929 or voice line at 1-800-735-2922.

Please bring the above information to the attention of anyone you know who would be interested in this matter.

Original signed by:

DOUGLAS K. PATTESON, Supervising WRCE

28 July 2010