



Colorado River Basin Regional Water Quality Control Board

August 11, 2025

Mark Carnevale, Mayor
City of Cathedral City
68700 Avenida Lalo Guerrero
Cathedral City, CA 92234

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Riverside County Department of Waste Resources
14310 Frederick Street
Moreno Valley, CA 92553

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Kathleen Jurasky
District Manager
Palm Springs Cemetery District
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Jonathan Swauger
Zenergy Capital LLC
Law Office of Nolan Clark
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SUBJECT: REVISED REQUIREMENT FOR A TECHNICAL REPORT PURSUANT TO WATER CODE SECTION 13267 ORDER, TECHNICAL REPORTING ORDER NO. R7-2025-0020-01

**SITE: CATHEDRAL CITY LANDFILL, CATHEDRAL CITY, RIVERSIDE COUNTY
[APNS: 670080016 and 670080017]**

Dear Mr. Carnevale, Mr. Cortez, Ms. Jurasky and Mr. Swauger,

The Regional Water Board is the public agency with primary responsibility for the protection of ground and surface water quality in the Colorado River Basin Region. As such, the Regional Water Board is the lead agency overseeing investigations and corrective actions to address waste discharges that impact or threaten to impact the quality of state waters, such as the improper closure of a former disposal site, Cathedral City Landfill, also identified by Assessor's Parcel Numbers: 670080016 and 670080017.

VIVIAN PEREZ, CHAIR | MICHAEL PLACENCIA, EXECUTIVE OFFICER

August 11, 2025

On July 21, 2025, the California Regional Water Quality Control Board, Colorado River Basin Region (Regional Water Board) issued Technical and Reporting Order (Order) R7-2025-0020. Due to a distribution oversight, the Order is being re-issued as Order R7-2025-0020-01. Additionally, Finding 20 has been changed as follows:

“In 1989, a Soil Sampling and Laboratory Analysis Report was completed and submitted to the Regional Water Board. It included the analysis of lead, chromium, cadmium, zinc, copper, arsenic and nickel for 19 soil borehole samples. Arsenic, cadmium, chromium and copper had concentrations that exceeded the detection limits.”

Enclosed is the requirements for a Technical Report pursuant Water Code section 13267, Technical Reporting Order No. R7-2025-0020-01, requiring the listed property owners to submit the following:

- Site Investigation Work Plan,
- Time Schedule,
- Site Investigation Report,
- Quarterly Progress Reports; and
- Selection of Closure Method.

If you have any questions, need clarification or would like to meet regarding the requirements contained herein, please contact Bryanna Allen, Engineering Geologist via email at Bryanna.Allen@waterboards.ca.gov or at (760) 313-1299 or Jose Cortez, Land Disposal Unit Chief via email at Jose.Cortez@waterboards.ca.gov or at (760) 776-8963.

Sincerely,



Michael Placencia
Executive Officer
Colorado River Basin
Regional Water Quality Control Board

Enclosures: Technical Reporting Order No. R7-2025-0020-01

Email List (see attached)

Email List

TITLE	AGENCY
Director of Public Works	City of Cathedral City
Sr. Maintenance Supervisor	City of Cathedral City
Environmental Health Specialist	Riverside Co. Division Environmental Health
Environmental Health Specialist	Riverside Co. Division Environmental Health, Indio
Environmental Health Specialist	Riverside Co. Division Environmental Health, Indio
General Manager	Riverside Co. Flood Control
Planning Director	Riverside Co. Planning and Development Department
District Engineer	CA SWRCB - DDW
Senior Waste Management Engineer	CA Department of Resources Recycling and Recovery
Environmental Scientist	CA Department of Resources Recycling and Recovery
Supervisor	CA Department of Toxic Substances
Regional Manager	CA Department of Water Resources
General Manager	Coachella Valley Water District
Director of Environmental Services	Coachella Valley Water District
Founder	Coachella Valley Water Keeper
Partner	Burke, Williams & Sorensen, LLP
Office of the County Counsel	Real Estate & Business Transactional Division
District Counsel	Law Offices of Quintanilla & Associates

Colorado River Basin Regional Water Quality Control Board

REISSUED ON AUGUST 11, 2025

TECHNICAL REPORTING ORDER R7-2025-0020-01

ISSUED TO
CITY OF CATHEDRAL CITY,
COUNTY OF RIVERSIDE,
PALM SPRINGS CEMETERY DISTRICT AND
ZENERGY CAPITAL, LLC

FOR THE
HISTORIC CATHEDRAL CITY LANDFILL
ASSESSOR'S PARCEL NUMBERS 670080016 AND 670080017

FINDINGS

The California Regional Water Quality Control Board, Colorado River Basin Region (Colorado River Basin Water Board), is the public agency with primary responsibility for the protection of ground and surface water quality for all beneficial uses within Riverside County as well as portions of Imperial, San Diego, and San Bernardino County, including the referenced property above.

The Executive Officer of the Colorado River Basin Water Board hereby finds as follows:

Site

1. Cathedral City Landfill (Facility or Site) is currently comprised of two assessor's parcel numbers (APNs), specifically APNs 670-080-016 and 670-080-017.
2. APN 670-080-016 (West Parcel) is owned by the City of Cathedral City (City), and is approximately 26.5 acres.
3. APN 670-080-017 (East Parcel) is owned by Zenergy Capital, LLC (Zenergy), and is approximately 37.7 acres.
4. The Site is situated in S11 T4 R5E, SW quadrants NW ¼, SE ¼ and SW ¼. It is upgradient 634 yards (less than half a mile) from Rancho Mirage High School. The western boundary of the landfill, owned by Cathedral City, is flanked by

residential homes. North of the landfill is a Union Pacific Railroad (UPR) right-of-way (ROW).

5. A natural watercourse bisects both parcels of the Site, with the flow of the wash running from the northwest to the southeast. The wash/natural watercourse is displayed on FEMA flood map nos. 06065C1577G, 06065C1579G, and 06065C1585G.

Regulatory History

6. In the 1930s, the Cathedral Sanitation District (CSD) purchased the Site for use as a dump.
7. The Site was subsequently leased by the County of Riverside (County) and operated as a disposal site until June 1966 (after the opening of the Edom Hill County Disposal Site), when it was closed to the public.
8. The Palm Springs Cemetery District (PSCD) was permitted by the County to continue dumping sand and agricultural waste until expiration of the lease with the County.
9. In May 1968, PSCD purchased the entire site and continued disposing of the displaced sand from gravedigging, brush trimmings and office trash.
10. In June 1971, PSCD sold off 37.7 acres of the 66.73 acres (now the East Parcel) to Desert Sewer Pumpers Association (DSPA) and retained the remaining 29.03 acres of the property (now the West Parcel) for its own use. At the time, the Site still retained visible remnants of its previous County use, though these remnants were eliminated through PSCD's cut-and-cover operation.
11. As former operators of disposal operations on the East Parcel and West Parcel, the County and PSCD are responsible for existing waste discharges on those properties.

East Parcel

12. As noted above, DSPA purchased the 37.7-acre East Parcel from PSCD in 1971. Per Waste Discharge Requirements Orders 83-76 and 86-53, the DSPA was an unincorporated association of the following individuals and entities, none of which could be located as of the date of this Order:

- a. Econo Sewer Cleaning Service, Inc.¹ (P.O. Box 192, Palm Desert, CA 92261);
 - b. Timothy Lewis,² doing business as “Morrison Sewage Disposal” (P.O. Box 167, Palm Desert, CA 92261); and
 - c. Steven L. Hargan doing business as “Sanco Pumping Service” (2502 Morongo Trail, Palm Springs, CA 92264).³
13. The East Parcel accepted waste from 1971-1988. The first two WDRs permits (WDRs Orders 71-22 and 83-34) allowed the Dischargers to accept 15,000 gallons per day (gpd) of septic waste and uniformly spread the waste over the 40 acres of land.
 14. Finding 3 in WDRs Order 71-22 indicates that the East Parcel previously accepted solid wastes (i.e., not simply septic wastes).
 15. Finding 4 in WDRs Order 83-34 indicates that the East Parcel was also used for disposal of “Group III” solid wastes per WDRs Order 75-7.
 16. WDRs Order 86-53 authorized the permittee to accept up to 30,000 gpd of septic waste, spread uniformly over 40 acres.
 17. WDRs Order 86-53 required the permittee to bring the site into compliance with the prescriptive standards for discharges of solid waste, which are now codified as California Code of Regulations, title 27, section 20005 et seq. (Title 27). In the

¹ There are no records for “Econo Sewer Cleaning Service, Inc.” on the Secretary of State’s website. Apart from an unclaimed property filing from 1982, there are no known records for this entity.

² The 1983 and 1986 orders identify Timothy Lewis as the “owner” of Morrison Sewage Disposal. Based on a 1991 Riverside County filing in 1991, “Morrison Sewage Disposal” appears to have been a fictitious business name for a sole proprietorship. The filing identifies “Loren Thomas Lewis” as the owner. It is unclear whether these individuals are still alive.

³ Similarly, the 1983 and 1986 orders identify Steven L. Hargan as the “owner” of Sanco Pumping Service, which is identified by other public records as a fictitious business name previously used by Steven Hargan. The fictitious business name is now being used by an ostensibly unrelated entity.

Order, under Finding 10 and 11, it is stated the permittee requested a three-year time period to relocate the operation in lieu of retrofitting the site.

18. WDRs Order 86-53 prohibited “[t]he discharge of wastewaters at this location ... on and continuing after January 1, 1989, unless the waste management unit is retrofitted in compliance with the applicable provisions of said Subchapter 15.”
19. WDRs Order 86-53 further provided that “[i]n the event disposal operations are terminated at the above-mentioned site, the discharger shall provide for site closure in compliance with all applicable federal and state regulations and submit a closure plan to the Regional Board 30 days prior to closure.”
20. In 1989, a Soil Sampling and Laboratory Analysis Report was completed and submitted to the Regional Water Board. It included the analysis of lead, chromium, cadmium, zinc, copper, arsenic and nickel for 19 soil borehole samples. Arsenic, cadmium, chromium and copper had concentrations that exceeded the detection limits.
21. In December 1991, an Initial Soil and Water Assessment Test (SWAT) Report was submitted to the Colorado River Basin Water Board. Soil samples were taken in variations of depth between 5 and 170 feet bgs (below ground surface). The site consists of fine to medium sized grained sand. Elevated levels of toluene, bis(2-ethyl-hexyl) phthalate, N-butylbenzenesulfonamide, tetrachloroethene, iron, manganese, and silver were seen in the laboratory results of the SWAT Report.
22. As a result of the SWAT Reports, three groundwater monitoring wells were installed across the conjoined parcels. The groundwater wells were not installed according to Title 27 requirements, which require one (1) upgradient and two (2) downgradient wells. The wells at the site were placed on top of the land disposal areas.⁴ Groundwater depth was estimated to be 168 feet bgs.
23. In Order 92-024, DSPA officially changed its name to Cathedral City Land Improvement.⁵

⁴ Staff conducted a site inspection of both parcels on June 24, 2024, and located two of the three groundwater wells that were installed on top of the waste management unit.

⁵ Per a 1991 filing with Riverside County, the "Cathedral City Land Improvement" (71847 Sahara, Rancho Mirage, CA 92270) was a fictitious business name of an

24. In 2001, Order 01-011 rescinded WDRs for the East Parcel and West Parcel. The order indicated that the subject facility had not accepted waste since 1988. The Colorado River Basin Water Board has not yet required closure of the waste management unit (WMU) within the East Parcel.
25. The Colorado River Basin Water Board does not have a record of receiving any closure plans from the permittees.
26. The East Parcel is currently owned by Zenergy Capital, LLC (Zenergy). Zenergy Capital is in the process of acquiring ownership of the entire East Parcel from Cathedral City Land Improvement. Zenergy is therefore responsible for, and presently controls, the conditions existing on the parcel and the disposal area(s) within it.

West Parcel

27. PSCD accepted waste at the West Parcel from 1975 until late 1986. The Colorado River Basin Water Board's (Orders 75-7 and 83-41) classified the site as a "class III" landfill permitted to accept sand, grass trimmings and lawn trimmings from the Palms Springs Cemetery.
28. On February 13, 1975, the Colorado River Basin Water Board adopted WDRs Order 75-7 for PSCD and the West Parcel. The order stated the site was being operated as a landfill, and authorized the discharge of up to 100,000 cubic yards of "Group 3" wastes over a 50-year period. In Finding 4, the order further indicated the West Parcel had been "previously ... approved to receive septic tank pumpings under [WDRs Order 71-22]."
29. An internal Colorado River Basin Water Board memorandum dated May 3, 1979, indicates that PSCD was illegally disposing of "Group 2" wastes.. At the time, "Group II" wastes, per California Code of Regulations, title 23 (Title 23), section 2521 included wood, paper, cardboard, and similar materials.
30. On February 9, 1983, the Colorado River Basin Water Board issued a letter to PSCD directing the discharger to submit a report on steps taken to eliminate discharges of Group 2 wastes (e.g., paper, cardboard and plant trimmings, etc.)

unincorporated general partnership comprised of the following individuals: Irene Brady Lewis (same address as above); James E. Bryce (6775 Foothill Rd., Cathedral City, CA 92234); Larry D. Lefevre (74155 Setting Sun, Palm Desert, CA 92260); and Gary G. Lewis (53075 Vellasco La Quinta, CA 92253).

at the West Parcel. The letter specifically described such discharges as being “illegal” under WDRs Order 75-7.

31. On July 13, 1983, the Colorado River Basin Water Board issued WDRs Order 83-41, which authorized PSCD to discharge tree and grass trimmings; all other “Group I” and “Group II” wastes were prohibited. However, the order further stated that the West Parcel was receiving, or had received, “septic tank pumpings subject to [WDRs Order 83-34],” which had been issued for the East Parcel. The acceptance of the septic tank pumpings on the West Parcel was a violation of the WDRs Order 83-41.
32. In a letter to Colorado River Basin Water Board staff dated December 9, 1987, PSCD provided a history of the East Parcel and West Parcel (summarized in the findings above), and indicated that they did not accept any waste within the 1987 calendar year. PSCD did not contest that it accepted waste from 1975 through late 1986.
33. In a letter dated August 8, 1988, the Colorado River Basin Water Board directed PSCD to submit a filing fee and closure plan if the West Parcel would no longer be accepting waste. The Colorado River Basin Water Board also indicated that SWAT reports would be required for the West Parcel no later than July 1, 1997. (See Wat. Code, § 13273.)
34. In a letter dated February 7, 1991, the Colorado River Basin Water Board again directed PSCD to submit a final closure plan in accordance with the prescriptive standards now codified in Title 27.⁶ However, no such plans appear to have ever been submitted.
35. WDRs for the West Parcel were also rescinded by Order 01-011. The Colorado River Basin Water Board has not yet required closure of the WMU within the West Parcel.
36. The West Parcel is currently owned by the City of Cathedral City (City). The City is therefore responsible for, and presently controls, the conditions existing on the parcel and the disposal area(s) within it.

Recent Developments

37. The Site has not been maintained or closed according to Title 27, section 21090, subdivisions (a)(1)-(3). The site has been unable to properly isolate the waste

⁶ At the time, these regulations were codified in Title 23, Division 3, Chapter 15, Articles 8-9.

and as a result, poses a potential risk to the population in the vicinity. It further poses a potential risk to waters of the state during rain events.

38. In August 2023, Tropical Storm Hilary caused the Coachella Valley area to experience heavy rainfall. This resulted in flooding in the Cathedral City Landfill. The flooding came through the western portion (APN 670-080-016) and travelled into the eastern portion (APN 670-080-017) which subsequently ran off the property via a canyon created by the rain.
39. In June 2024, Regional Water Board staff conducted a site inspection. Staff noted the storm event made a canyon along the southeastern side of the western portion of the site. There was significant daylighting throughout the site. On the eastern portion of the site, staff noted a visible cross section which contained a five-inch thick layer of burned waste material, and layers of broken glass, old newspapers, and other various wastes.

Title 27

40. The disposal areas within the East and West Parcels constitute unlined Waste Management Units⁷ (WMUs) that have received septage waste for application and disposal. Such wastes constitute “class II” Designated Waste for the purposes of Water Code section 13173.5 and California Code of Regulations, title 27, section 20005 et seq. (Title 27).⁸ Other wastes discharged on the East and West Parcels constitutes “class III” Nonhazardous Solid Waste⁹ for the purposes of Title 27.
41. Landfills and other types of WMUs that receive Solid Waste are subject to the prescriptive requirements of California Code of Regulations, title 27, section

⁷ Waste Management Unit (WMU) is defined as the “area of land ... at which waste is discharged.” (Title 27, § 20164.)

⁸ Designated Waste is defined in relevant part as “[n]onhazardous waste that consists of, or contains, pollutants that, under ambient environmental conditions at a waste management unit, could be released in concentrations exceeding applicable water quality objectives or that could reasonably be expected to affect beneficial uses of the waters of the state as contained in the appropriate state water quality control plan.” (Wat. Code, § 13173.5.)

⁹ Solid Waste includes, among other things, “garbage, or refuse, sludge from a wastewater treatment plant ... and other discarded material, including solid, liquid, semi-solid, or contained gaseous material resulting from industrial, commercial, mining, and agricultural operations, and from community activities.” (42 U.S.C. § 6903(27).)

- 20005 et seq. (Title 27). Additionally, WMUs that receive household waste are further subject to the federal "Subtitle D" standards set forth in 40 Code of Federal Regulations (CFR) part 258 and incorporated via State Water Resources Control Board (State Water Board) Resolution 93-62.
42. Although partially exempted from certain siting and construction standards, WMUs that were operating (i.e., receiving waste) as of November 27, 1984, are designated as "Existing Units." Such WMUs are required to be closed and thereafter maintained in accordance with Title 27 standards, specifically those set forth in section 20950 et seq. (Title 27, § 20080, subd. (d).)
43. Title 27, section 21090, subdivisions (a)(1)-(3) establishes the prescriptive standard for the "closure" (i.e., covering) of landfills. The prescriptive final cover consists of the following layers, in descending order:
- a. Erosion-Resistant Layer [Top], which is either vegetative or mechanically erosion-resistant (e.g., cobbles and gravel);
 - b. Low-Hydraulic Conductivity Layer, consisting of at least one foot of uncontaminated soil (containing no waste or leachate) that is compacted for a hydraulic conductivity of 1×10^{-6} cm/sec (i.e., 1 ft/yr) or less; and
 - c. Foundation Layer [Bottom], consisting of soil, contaminated soil, incinerator ash or other waste materials, that is "compacted to the maximum density obtainable at optimum moisture content using methods that are in accordance with accepted civil engineering practice," and at least two feet thick.
44. The Colorado River Basin Water Board may approve an alternative cover design if it determines that the design "will continue to isolate the waste in the Unit from precipitation and irrigation waters at least as well as would a final cover built in accordance with applicable prescriptive standards." (Title 27, § 21090, subd. (a).)
45. However, WMUs that are successfully "clean-closed," as determined by the Colorado River Basin Water Board, are no longer subject to Title 27 requirements for closure (i.e., covering), post-closure maintenance and monitoring. (Title 27, §§ 20950, 21090.)

46. Clean-Closure of a landfill requires the removal¹⁰ of “all waste materials, contaminated components of the containment system, and affected geologic materials—including soils and rock beneath and surrounding the Unit, and ground water polluted by a release from the [WMU].” (Title 27, § 21090, subd. (f)(1).)
47. Under Title 27, a discharger proposing Clean-Closure is required to first submit a Clean-Closure Plan proposing a series of actions, including an accurate estimate of the cost of each such action, that will meet the applicable requirements of Title 27, section 21090. (Title 27, § 21090, subd. (f).)
48. Unless the discharger intends to clean-close the landfill (discussed above), the discharger is required to submit a Closure and Post-Closure Maintenance Plan that describes the proposed final cover (including any alternative designs).
49. To the extent that the Colorado River Basin Water Board rescinded WDRs for Title 27 WMUs without requiring their Closure or Clean-Closure, such actions were inconsistent with Title 27.

Legal Authority

50. This Order is issued pursuant to Water Code section 13267, subdivision (b)(1), which provides in relevant part as follows:

[T]he regional board may require that any person who has discharged, discharges, or is suspected of having discharged or discharging, or who proposes to discharge waste¹¹ within its region, ... shall furnish, under penalty of perjury, technical or monitoring program reports which the regional board requires. The burden, including costs, of these reports shall bear a reasonable relationship to the need for the report and the benefits to be obtained from the reports. In requiring those reports, the regional board shall provide the person

¹⁰ In some circumstances, waste and waste contaminated materials may be treated to the extent that the Board determines that it will no longer pose a threat to water quality. In such instances, successfully treated materials may be left in situ rather than discharged to another permitted solid waste facility. (See Title 27, § 21090, subd. (f).)

¹¹ “Waste” is broadly defined as including “sewage and any and all other waste substances, liquid, solid, gaseous, or radioactive, associated with human habitation, or of human or animal origin, or from any producing, manufacturing, or processing operation, including waste placed within containers of whatever nature prior to, and for purposes of, disposal.” (Wat. Code, § 13050, subd. (d).)

with a written explanation with regard to the need for the reports, and shall identify the evidence that supports requiring that person to provide the reports.

51. Historical waste discharges to unlined disposal areas (WMUs) within the East Parcel and West Parcel have likely resulted in releases of waste constituents into soil and groundwater. In the absence of WMU final covers, such constituents probably have and probably will continue to be mobilized by surface percolation and migrate from soil and into and through groundwater—potentially resulting in a condition of pollution or contamination, as defined per Water Code section 13050.
52. As discussed in Findings 7-10, PSCD and the County have discharged waste to both the East Parcel and the West Parcels.
53. Based on the foregoing, the City, County, PSCD and Zenergy (collectively, Parties) are persons suspected to have discharged, and/or discharging waste, within the meaning of Water Code section 13267, subdivision (b)(1).
54. The investigation, monitoring and reporting activities required under this Order are necessary to investigate the waters of the State, as well as to implement the prescriptive standards established under Title 27. Although Water Code section 13267 does not require a formal cost-benefit analysis (*Sweeney v. Cal. Reg'l Water Quality Control Bd.* (2021) 61 Cal.App.5th 1093, 1115), Colorado River Basin Water Board staff have considered the anticipated costs and other burdens associated with the actions required under this Order. These considerations are guided by staff experience with other facilities. The burdens of compliance with this Order, including anticipated costs, are reasonable relative to the needs and objectives discussed above.
55. This Order is issued by the Executive Officer under authority delegated by the Colorado River Basin Water Board per Water Code section 13223.

REQUIRED ACTIONS

IT IS HEREBY ORDERED that, pursuant to Water Code section 13267, subdivision (b)(1), the City of Cathedral City (City), Palm Springs Cemetery District (PSCD), County of Riverside (County) and Zenergy Capital, LLC (Zenergy) shall comply with the following provisions with respect to the East Parcel (applicable to Zenergy, the County and PSCD) and West Parcel (applicable to the City, the County and PSCD).¹²

A. Site Investigation

Within six months of the issuance of this Order, the Parties shall submit the following documents, for Executive Officer review and approval¹³:

1. **Site Investigation Work Plan** that proposes activities to complete each of the following objectives:
 - a. In cooperation with the other parties,¹⁴ full delineation of the vertical and lateral extent of contamination of the soil and groundwater on and emanating from the Site (including both parcels).
 - b. Characterize the site hydrology and hydrogeology such that an adequate assessment of contamination migration pathways can be made.
 - c. Evaluate actual or potential off-site migration of contaminants and methods to mitigate or prevent such an occurrence.
 - d. Determine the type of material and the amount of material that would need to be excavated in order to achieve clean-closure or closure as a landfill with post-closure monitoring.

¹² In other words, the City is only responsible for the West Parcel; Zenergy is only responsible for the East Parcel; and PSCD and the County are responsible for both parcels.

¹³ The Executive Officer may approve the Site Investigation Work Plan and/or Time Schedule together with any necessary revisions that are necessary or appropriate under the circumstances.

¹⁴ The Parties shall meet and confer with each other in good faith prior to submitting their Site Investigation Work Plan and Time Schedule. The Parties may elect to jointly submit a single Site Investigation Work Plan and Time Schedule.

- e. Installation of a groundwater monitoring well network system. Proper removal of past groundwater monitoring wells by the method of over-drilling.¹⁵
2. **Time Schedule** with a proposed schedule for completing each of the activities proposed in the Site Investigation Work Plan. The timeline for completing all of the proposed activities shall not exceed 18 months following commencement.

B. Site Investigation Report

Within 24 months of work plan and time schedule approval, the Parties shall submit a report with the results of the investigation activities described in the Site Investigation Work Plan. The Parties may submit separate reports, or alternatively, a joint report (i.e., to the extent that they in the contents and recommendations). At a minimum, the report shall include the following:

1. A full site history including the types of wastes disposed of at the site, ownership, type of disposal methods, etc.
2. A complete soil and groundwater sample analyses shall be performed by a lab certified by the State Water Resources Control Board's Environmental Laboratory Accreditation Program (ELAP). Analyses should include pH, full scan volatile organic compounds¹⁶ (VOCs), base/neutrals and acids, total petroleum and hydrocarbons, per- and polyfluoroalkyl substances (PFAS), RCRA metals soil sampling, pesticides, dioxins, furans, and polycyclic aromatic hydrocarbons (PAH).¹⁷
3. Soil boring logs and a narrative description of soil boring logs with a complete and accurate assessment of site geology and the extent of the waste column.
4. A cost estimate covering the necessary excavation of soil to achieve clean-closure of the site if that is the selected closure.

¹⁵ This method is necessary to prevent further contamination of groundwater.

¹⁶ EPA Method 8260B.

¹⁷ The report should include sample locations, time and date, name of sampler, laboratory data, chain of custody forms, and a summary of all quality assurance and quality control practices.

C. Quarterly Progress Reports

Upon issuance of the Order, the Parties shall begin submitting quarterly progress reports describing all actions that the submitting party has taken to comply with the provisions of this Order.¹⁸ Such reports shall continue until directed otherwise in writing by the Executive Officer. Quarterly progress reports shall be due on **February 15** (4th Quarter [Oct. 1 to Dec. 31]), **May 15** (1st Quarter [Jan. 1 to Mar. 31]), **August 15** (2nd Quarter [April 1 to June 30]) and **November 15** (3rd Quarter [July 1 to Sept. 30]) of each year.

D. Selection of Closure Method

Within 36 months of the adoption of this Order, the Parties shall select a closure method¹⁹ and submit either of the following:

1. A complete **Report of Waste Discharge (ROWD)** for WDRs authorizing traditional closure (i.e., construction of a final cover) in accordance with Title 27.²⁰ Among other things, the ROWD shall include a Final Closure and Post-Closure Maintenance Plan that complies with Title 27, section 21769 et seq.²¹
2. For Colorado River Basin Water Board staff technical concurrence, a **Clean-Closure Work Plan** identifying all actions necessary to achieve “clean-closure” in accordance with Title 27.²²

¹⁸ Unless the Parties propose and implement a joint investigation (with Executive Officer approval), separate progress reports shall be submitted by each Party.

¹⁹ Prior to submittal, the non-landowner Responsible Parties shall make a good faith attempt to meet and confer with the landowner of the affected parcel, and to secure the landowner’s consent for the preferred closure method.

²⁰ For the purposes of this section, a “complete” ROWD shall include all information that is required to be included within a Joint Technical Document (JTD) per Title 27 and can be completed using the following template, [Form 200 - Report of Waste Discharge](#).

²¹ Availability of the traditional closure method under Title 27 is subject to the landowner’s consent.

²² The Board may subsequently issue an order compelling the Responsible Parties to implement their Clean-Closure Work Plan.

E. General Provisions

1. **Electronic Submittals.** All materials under this Order shall be submitted via the State Water Resources Control Board's GeoTracker Data Management System (<https://geotracker.waterboards.ca.gov>). (See Cal. Code Regs., tit. 23, § 3891 et seq.)
2. **Preparation of Technical Reports.** All technical documents (i.e., involving planning, investigation, evaluation or design; or other work requiring interpretation and proper application of engineering or geologic sciences) submitted under this Order, including the reports specified in Sections A, B and D above, shall be:
 - a. Prepared by a California-licensed professional engineer or geologist, or another individual working under their direction (see Bus. & Prof. Code, §§ 6735, 7835, 7835.1);
 - b. Signed and stamped by the same registered professional engineer or geologist; and
 - c. Presented in a manner that clearly and unequivocally attributes work to the registered professional responsible for its preparation.
3. **Certifications.** Per Water Code section 13267, all submittals under this Order shall include the following certification by the submitting Subject Party's senior authorized representative, signed under penalty of perjury:

I, [NAME], certify under penalty of law that this document and all attachments were prepared by me, or under my direction or supervision, in accordance with a system designed to assure that qualified personnel properly gathered and evaluated 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 knowing violations.

4. **Extensions.** Except as provided below in this Section, the deadlines set forth herein shall not be extended.
 - a. If, for any reason, the Subject Party is unable to perform an activity or submit a report under this Order (and materials incorporated

herein), the Subject Party may submit a written request for an extension to the Executive Officer.

- b. To be considered, an extension request must, set forth a definite period of extension (no indefinite extensions), and include justification for the delay.
- c. Any extension request shall be submitted as soon as the situation is recognized and no later than the compliance date. Untimely requests may be disregarded.

ENFORCEMENT


If, in the opinion of the Executive Officer, the Dischargers fail to comply with the provisions of this Order, the Executive Officer may refer this matter to the Attorney General for judicial enforcement, may issue a complaint for administrative civil liability, or may take other enforcement actions. Failure to comply with this Order may result in the assessment of Administrative Civil Liability of up to \$1,000 per violation, per day, depending on the violation, pursuant to the Water Code section 13268 and any other applicable statutes. The Colorado River Basin Water Board reserves its right to take any enforcement actions authorized by law.

ADMINISTRATIVE REVIEW

Any person aggrieved by this action may petition the State Water Resources Control Board (State Water Board) for review in accordance with Water Code section 13320 and California Code of Regulations, title 23, section 2050 et seq. To be timely, the petition must be received by the State Water Board by 5:00 pm on the 30th day after the date of this Order; if the 30th day falls on a Saturday, Sunday or state holiday, the petition must be received by the State Water Board by 5:00 pm on the next business day. Laws and regulations applicable to filing petitions are available on the [State Water Board website](http://www.waterboards.ca.gov/public_notices/petitions/water_quality) (http://www.waterboards.ca.gov/public_notices/petitions/water_quality). Copies will also be provided upon request.

This Order is effective as of the date below:

ORDERED BY:



MICHAEL PLACENCIA
Executive Officer
Colorado River Basin
Regional Water Quality Control Board

DATE:

August 7, 2025