

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD

CENTRAL VALLEY REGION

1685 E Street, Fresno, California 93706

PUBLIC HEARING

concerning

MODIFICATION OF WASTE DISCHARGE REQUIREMENTS ORDER R5-2007-0092

COUNTY OF KERN

FOR

CLOSURE AND POST-CLOSURE MAINTENANCE OF PHASE 1

BAKERSFIELD METROPOLITAN (BENA) SANITARY LANDFILL

KERN COUNTY

The County of Kern (hereafter Discharger) owns and operates the Bakersfield Metropolitan (Bena) Sanitary Landfill located about 17 miles east of Bakersfield and one-half mile northwest of Bena, Kern County. The facility is currently regulated by Waste Discharge Requirements Order R5-2007-0092. The 2,285-acre facility contains one 54-acre lined waste management unit known as Phase 1, and a 175-acre lined waste management unit known as Phase 2A. The Discharger proposes to close Phase 1 with an engineered alternative final cover system consisting of an evapotranspirative final cover. The proposed evapotranspirative final cover system utilizes a vegetated soil layer to minimize infiltration of precipitation. The proposed order modifies Order R5-2007-0092 by adding additional construction specifications for the closure of Phase 1 and maintenance and monitoring of the final cover. Order R5-2007-0092 remains 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: 7 and 8 June 2012

TIME: 9:00 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:

- County of Kern

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 **6 April 2012**. 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 Waste Discharge Requirements were issued on 6 March 2012. 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 **6 April 2012**. 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 Ron Holcomb at (559) 445-6050. 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/laws_regulations/. Information on meeting and hearing procedures is also available on the Board's website at

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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:

CLAY RODGERS, Assistant Executive Officer

6 March 2012