

terrelated documents: 1) the NTC Reuse Plan and 2) the National Environmental Policy Act (NEPA) Environmental Impact Statement (EIS) and CEQA Environmental Impact Report (EIR). The Reuse Plan and the EIS/EIR were approved and the EIS/EIR was certified by the San Diego City Council in October 1998. In 1999, the San Diego Unified Port District (Port District) entered into a Cooperative Agreement with the U.S. Navy to transfer 52 acres, including the buried waste area, to the Port District.

3.4. SAN DIEGO COUNTY REGIONAL AIRPORT AUTHORITY OWNERSHIP

In 2002, the California State legislature approved Assembly Bill 93, which established the San Diego County Regional Airport Authority Act. The Act created the Airport Authority as a local entity of the regional government to oversee operation of the SDIA. In August 2002, Senate Bill 1896 was signed into law, which transferred ownership and operation of the SDIA to the Airport Authority from the Port District on January 1, 2003. The Airport Authority has assumed responsibility for all airport operations including the NTC/MCRD landfill under a 66-year lease.

4. REGULATORY HISTORY

The regulatory history prior to 1997 was described primarily in the Revised Final Engineering Evaluation/Cost Analysis Report for the NTC landfill (Bechtel 2000). On November 4, 1959, the RWQCB issued Resolution 59-R20, "Requirements Regulating the Discharge of Wastes from a Sanitary Landfill to be Operated by the United States Marine Corps (USMC), San Diego." Disposal of wastes at the landfill ceased in 1971 and subsequently, this permit was rescinded January 8, 1974.

During 1991-1992, a Solid Waste Assessment Test (SWAT) was performed at the landfill (Jacobs Engineering Group, 1992). A summary of this work is presented in Appendix A. The RWQCB reviewed the SWAT report and provided their comments in a letter dated October 15, 1993. The letter indicated that the SWAT program requirements had been satisfied. The letter also stated that additional groundwater monitoring should be performed, and that the DON should develop a

water-quality monitoring program. The letter also indicated that the monitoring should comply with the beneficial use designations and water quality objectives identified in the Comprehensive Water Quality Control Plan for the San Diego Region (RWQCB 1994) and the California Enclosed Bays and Estuaries Plan (SWRCB 1993). Since then, groundwater monitoring has been performed periodically and since April 1991, 24 sampling events have been reported (Ninyo & Moore, 2006g).

In 1994, an air SWAT was performed at the landfill (Radian Corporation 1994). The County of San Diego APCD reviewed the air SWAT report and provided comments in a letter dated September 7, 1994. The APCD letter indicated that the testing for the air SWAT satisfied the requirements specified in Section 41805.5 of the California Health and Safety Code for the landfill. The letter summarized the findings and indicated that most of the chemical concentrations reported above detection limits were consistent with those found at other San Diego County solid waste disposal sites. However, the letter indicated that compliance with District Rule 59 standards could not be predicted from the air SWAT results. Therefore, the APCD required continued landfill cover maintenance and surface inspections to determine compliance with District Rule 59 standards. The letter further indicated that a landfill gas control system may be required if surface emissions and gas migration could not be contained. Perimeter landfill gas monitoring wells were installed in 2005, and since then eight landfill gas monitoring events have been reported. The landfill gas monitoring results indicate that although landfill gases are being generated in the MSW area, the gases have not migrated to the site perimeter (Ninyo & Moore 2006h). Based on these results, a landfill gas collection system is not considered necessary at the site.

In an August 23, 1995 letter, the RWQCB described the regulations and current policy for inactive landfills that had not achieved final closure (pursuant to Title 23 CCR, Chapter 15). The letter also summarized the existing and proposed use of the NTC landfill site, and indicated that the DON should develop and implement a post-closure maintenance plan and a water-quality monitoring program. The post-closure maintenance plan and water-quality monitoring program specifications and requirements, pursuant to Chapter 15 regulations, were described in the letter. The letter also indicated that the RWQCB would not require formal closure of the landfill at that

time. However, implementation of a corrective action plan and closure plan and installation of a landfill cap could be required if impairment of beneficial groundwater or surface water uses was evidenced through groundwater monitoring data. Results of the groundwater monitoring (24 events from April 1991 to October 2006) have indicated that there are no significant impacts to groundwater quality from the landfill wastes (Ninyo & Moore, 2006c).

There are no known listed historical or archaeologically significant features at the landfill site. In February 1998, a DON archeologist sent a letter to the State Historic Preservation Officer stating that, as required by Section 106 of the National Historic Preservation Act, the DON had determined that the landfill was not eligible for the National Register because it was not of exceptional Cold War era significance. In March 1998, the DON received a letter from the State Historic Preservation Officer stating concurrence with the DON's findings (Bechtel 2000).

On April 9, 1997, the RWQCB adopted Order No. 97-11, "General Waste Discharge Requirements for Post-Closure Maintenance of Inactive Nonhazardous Waste Landfills within the San Diego Region" (97-11). These waste discharge requirements (WDRs) are general requirements for non-hazardous solid waste inactive landfills in the San Diego Region, including the NTC landfill, in support of the applicable regulations in Title 23 CCR, Division 3, Chapter 15, Discharges of Waste to Land. The order established general waste discharge prohibitions and provided specifications for maintenance of the landfill, including erosion and drainage control, compliance with storm water discharges in accordance with the National Pollutant Discharge Elimination System (NPDES), structural integrity of the existing cover, requirements for vegetation, and control of landfill gas migration. The order also specified monitoring and inspection requirements, including groundwater and landfill gas monitoring and reporting. The order listed the NTC landfill as the "Old Marine Corp Recruit Depot" landfill and designated the facility as a Class II-2 landfill with the United States Marine Corps as the Owner/Operator.

In accordance with the 1999 Cooperative Agreement, the 52-acre property, including the buried waste area, was transferred from the US Navy to the Port District in 2001. Based on notification received from the US Navy, the RWQCB updated Order 97-11 with new information on Owners/Operators of the landfill facilities regulated under 97-11, including the NTC landfill. The