

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
LAHONTAN REGION**

**BOARD ORDER NO. R6V-2006-0025
WDID NO. 6B152004001**

**REVISED WASTE DISCHARGE REQUIREMENTS
FOR**

**U.S. BORAX, INC., THE MOJAVE COGENERATION COMPANY, CLEAN ENERGY
FUELS COMPANY, BORON FACILITY**

_____Kern County_____

The California Regional Water Quality Control Board, Lahontan Region hereafter (Water Board), finds:

1. Application for Waste Discharge Requirements

U.S. Borax, Inc.,¹ Mojave Cogeneration Company (MCC)² and Clean Energy Fuels Company (CEFC)³ hereinafter collectively referred to as the "Discharger". U.S. Borax, Inc. submitted a revised Report of Waste Discharge (RWD)⁴ for proposed changes in waste discharges by adding more surface impoundments to the Boron Facility.

2. Reason for Action

U.S. Borax, Inc. proposes to construct and operate three additional surface impoundments known as Boric Acid Ponds (BAP) 5, 6, and 7. Waste Discharge Requirements (WDRs) are being revised to incorporate the additional surface impoundments and as part of an effort to periodically update WDRs in accordance with current regulations.

3. Discharge and Facility Description

U.S. Borax, Inc. owns and operates a borate mine, a sodium borate refinery, a boric acid plant, a Spray Dry process, and a Zinc Borate process at the Boron, California site. The borate mine, sodium borate refinery, boric acid plant, impoundments used for disposal of wastes, and the inactive Waste Management Units (WMU) described in Finding 11 are referred to as the Facility in this Board Order. The borate mine consists of an open-pit. The final mine pit is planned to reach two and one-half miles in diameter and 1,300 feet below ground surface (bgs). The sodium borate ore removed from the pit undergoes crushing, dissolving, and thickening which separates sodium borates from the gangue. Gangue is the insoluble material

1 U.S. Borax, Inc. is the Owner and operator of the U.S. Borax Mine.

2 MCC, an independent energy producer, operates a cogeneration plant at the site that produces softener effluent and cooling tower blowdown.

3 CEFC, an independent clean energy producer, operates a Liquid Natural Gas (LNG) plant at the site. The LNG plant produces a waste stream of cooling tower blow down water.

4 July 12, 2005 RWD; Nov. 7, 2005 Supplemental RWD "Supplement to Report of Waste Discharge Proposed Boric Acid Plant Ponds 5 through 7; February 8 and 15, 2006 e-mails "Additional Information"

removed from the ore. The gangue material undergoes centrifugation/dewatering. The sodium borate undergoes crystallization, filtration/centrifugation, and drying in both the sodium borate refinery and the boric acid refinery.

This Order regulates the discharge of the following mining, domestic and industrial wastes generated by or in connection with the above operations.

- a. 6.0 million gallons per day (mgd) of process fluids (from the thickeners, crystallizers and sumps) discharged to lined surface impoundments through concrete-lined sumps and ditches.
- b. 0.027 mgd of domestic wastewater from the plant and mine facilities discharged to unlined evaporation ponds.
- c. 0.300 mgd of cooling tower blow down and softener effluent discharges generated by MCC, accepted by U.S. Borax, Inc., and discharged to a surface impoundment or used for dust control.
- d. 0.200 mgd of cooling tower blowdown generated by the LNG facility, accepted by U.S. Borax, Inc., and discharged to a surface impoundment or used for dust control.
- e. 0.100 mgd of process effluent from the Spray Dry process discharged to lined surface impoundments through concrete-lined sumps and ditches.
- f. 0.100 mgd of process effluent from the Zinc Borate process discharged to lined surface impoundments.
- g. Groundwater extracted during pump and treat operations discharged to a lined surface impoundments.
- h. Certain non-contact process effluents and Thickener #4 water for used for dust control within the mine pit.

The discharges to the gangue areas and on site landfill area are regulated under separate Orders.

4. Facility Location

The Discharger's mine, refinery, plants, surface impoundments, evaporation ponds, and gangue and overburden piles are located three miles northwest of Boron in the North Muroc Hydrologic Area of the Antelope Hydrologic Unit. This area is within Sections 11 through 16 and 21 through 26, T11N, R8W and Sections 7, 17 through 20, T11N, R7W, SBB&M; as shown on Attachment "A" which is made a part of this Board Order.

5. Permit History

Revised WDRs for U.S. Borax, Inc. and the Mojave Cogeneration Company, Boron Facility, Board Order No. 6-01-19 adopted April 11, 2001. (History of site shown on Attachment "B")

Toxic Pit Cleanup Act Exemption letter dated November 5, 2003 signed by the Executive Officer.

6. Site Geology

Geology beneath the site consists of the units described below.

- a. Crystalline intrusive and metamorphic rocks form the basement rocks in the Boron area at a depth of 1,500 to 3,000 feet bgs.
- b. The Lower Tropico Formation (FM) may overlie the basement rocks and consists of coarse fluvial rocks of arkosic composition up to 1,000 feet thick.
- c. The Saddleback Basalt overlies the Lower Tropico FM and ranges from 20 to over 200 feet thick in a series of flows originating from numerous vents and fissures as well as from Saddleback Mountain.
- d. The Upper Tropico FM overlies the Saddleback Basalt. The Upper Tropico FM contains the Kramer Beds, which consist of two lacustrine shale units up to 400 feet thick overlain by a water-bearing arkose unit that ranges from zero to 400 feet thick. The borax unit, mined and processed by the Facility, lies between the two lacustrine shales.
- e. Overlying the arkose unit of the Upper Tropico FM is Quaternary-age older and recent alluvium, which, is 10 to 70 feet thick and covers most of the Boron region of the Mojave Desert.
- f. The major controlling structure in the strata beneath the plant site is the Western Borax Fault which, trends east-west across the southern boundary of the property. There are many branches of this fault present in the mine area and under several surface impoundments. Vertical displacement of these faults is up to 400 feet. There are no known Holocene-age faults in or around the site.

7. Site Hydrogeology

Groundwater for local, domestic and commercial use is obtained from two distinct groundwater basins located north and southwest of the site in the Quaternary-aged older alluvium. Additional water is obtained from the Antelope Valley East Kern (AVEK) Water Agency. Groundwater beneath the surface impoundments at the site is found in the arkose member of the Kramer beds. Depth to water ranges from 155 to 210 feet bgs.

These water-bearing sediments are present in discontinuous, highly faulted blocks with wide variations in thickness and permeability. Transmissivity ranges from 2 to 364 gallons per day (gpd) per square foot and velocity from 0.4 to 91 feet per year. Three faults serve as major impediments, but do not completely restrict groundwater movement between fault blocks. Most monitoring wells in the area indicate confined conditions beneath the plant site. However, unconfined conditions occur in the vicinity of certain areas of the Facility, including Ponds 6 and R1-R6.

8. Site Surface Hydrology/Stormwater Runoff

No perennial surface water bodies occur on or within one mile of the site. The only surface flow is from storm runoff. Storm runoff from the site is collected in on-site flood control catchments (FCCs). These FCCs are shown in Attachment C. U.S. Borax retains all stormwater runoff on site and is currently considered a zero discharge facility under the National Pollutant Discharge Elimination System industrial stormwater permit.

9. Groundwater Quality

Background groundwater quality beneath the site is highly variable. This variation is present both within specific monitoring wells and between different monitoring wells. Data from several wells indicate the average concentrations for arsenic range from 0.024 mg/1 to 0.14 mg/1, for boron from 0.9 mg/1 to 400 mg/1 and for total dissolved solids (TDS) from 447 mg/1 to 4,000 mg/1. Faults partially isolate several water bearing zones beneath the site. Differences in groundwater characteristics are caused by variations in the composition of soil and rock units in the aquifers beneath the site.

Impacts to groundwater have occurred at the site. An improper seal of an exploratory shaft located beneath Former Pond 1 resulted in a release of processing fluids. Wastewater high in arsenic and total dissolved solids migrated into the vadose zone and into the groundwater causing a contaminant plume in groundwater. The affected groundwater is being remediated.

10. Waste Generating Processes

Wastewater is discharged to the surface impoundments shown on Attachment "A" or used for dust control as described in this Finding. Table 1 lists processes that are sources of wastewaters, approximate quantities generated, approximate effluent concentrations of certain constituents, and locations authorized for disposal or use of the wastewaters. These data are for the discharge of mining process wastewaters, wastewaters from the MCC power plant, and wastewater from the LNG plant, that are regulated by this Order. The Facility's operations involve the use of chemical additives such as polymer dispersant, corrosion inhibitors, sulfuric acid, hydrochloric acid, hydrogen peroxide, hydrocarbons, ammonia, sodium hydroxide, sodium dithionite, anti-scalants, and high TDS sources as included in the RWD described in Finding 1.

Table 1: Wastewater Source, Approximate Quantity, Approximate Effluent Concentrations and Location of Disposal or Use

Authorized Wastewater Sources	Approximate Quantity Generated	Approximate Effluent Concentrations	Location of disposal or Use
Sodium Borate Refinery	3.0 mgd	As 78 mg/L B 7,500 mg/L	Pond R1-R6
Boric Acid Refinery	3.0 mgd	As 1-2 mg/L B 9,500 mg/L	BAP1-BAP7
MCC Cooling Tower Blowdown Water	0.3 mgd	TDS 4,300 mg/L Cl 1,290 mg/L Na 1,628 mg/L pH 6.0-8.5	Unpaved roadways or mine final pit.
CEFC Cooling Tower Blowdown Water	0.200 mgd	TDS 3,680 mg/L Cl 1000 mg/L Na 932 mg/L As 0.692 mg/L pH 7-10	R1-R6, unpaved roadways, or mine finale Pit.
Domestic Wastewater	0.027 mgd		Domestic Wastewater Evaporation Ponds
Truck wash and laboratory facilities	Small Quantity not measured		PondsR1-R6
Spray Dry	0.1 mgd		Pond R1-R6 or BAP 1 to 7
Zinc Borate	0.1 mgd		BAP1-BAP7 or Ponds R1-R6

11. Waste Management Units

Sixteen active and inactive ponds were designed for evaporation of water, solids removal, and secondary recovery of sodium borates at the Boron Facility (Table 2). Former Ponds 1-5 contain Group A solids (under Title 27, Section 22480) and evaporates from past discharges. These former ponds no longer receive wastewater discharges and are classified as inactive waste piles. Pond 6 is considered an active surface impoundment. Culverts are installed to facilitate movement of storm runoff from the Former Ponds 1-3 and Former Ponds A-E to active surface impoundments.

The Discharger has completed recovery of all borates from Former Ponds A-E. They are filled with inert dry material and capped with compacted clay and shale. Former Ponds A-E are being used as a drying pad for reprocessing borate tailings removed from Former Ponds 1-5 and active Pond R1-R6. Former Ponds A-E are equipped with a vadose zone monitoring system and are being used under the accepted closure plan (Title 27, Section 22510).

Table 2: Capacity, Surface Area, and Age of Waste Management Units

WMU ⁵ No.	Current Status	Capacity (x10 ⁶ gal)	Surface Area (acres)	Year On Line	Year Off Line	Authorized to Receive Mining Waste
Former Pond 1	Inactive	431	75	1956	1969	Group A
Former Pond 2	Inactive	437	51	1967	1975	Group A
Former Pond 3	Inactive	359	32	1970	1975	Group A
Former Ponds A-E (5 total)	All five inactive		81 (all 5)	1972	1988	Group A
Former Pond 4	Inactive	455	83	1975	1990	Group A
Former Pond 5	Inactive	1,466	127	1976	1994	Group A
Pond 6	Active	728	120	1980		Group A
Pond R1-R6	Active	294	120	1984		Group A&B
BAP1	Active	228	30	1998		Group A&B
BAP2	Active	228	30	1998		Group A&B
BAP3	Active	228	30	1998		Group A&B
BAP4	Active	228	30	2004		Group A&B
BAP5	Proposed	228 (proposed)	35 proposed	2006 (proposed)		Group A&B
BAP6	Proposed	228 (proposed)	35 proposed	2008 (proposed)		Group A&B
BAP7	Proposed	228 (proposed)	70 proposed	2010 (proposed)		Group A&B
Pit Ponds	Active	Variable	Variable	1994		Group C
Domestic wastewater evaporation ponds		36	16	2004		Unclassified
Final Mine Pit			Variable	2001		Unclassified

Pond R1-R6 is a surface impoundment constructed with a compacted 15-inch-thick clay liner with a laboratory measured permeability of 1.9×10^{-9} cm/sec. Compartments R1-R6 overlie one continuous clay liner. The south bank of each compartment includes a clay liner to prevent uncontrolled movement of liquid between compartments. Subdrain systems installed below the clay liner of each compartment cover about 2% of the bottom area and are connected to leachate collection sumps for each compartment.

⁵ Waste Management Unit

Pond R1-R6 contains Group A and B mining wastewaters from the sodium borate refinery with arsenic concentrations ranging from 15 mg/L to 500 mg/L. Average TDS concentrations range from 23,000 mg/L to 130,000 mg/L with an average pH of 9.7. This pond also receives groundwater from the groundwater pump and treat operations at the Boron site, liquid from tailings in Former Pond 5, and stormwater from Former Ponds 1, 2, 3 and Former Ponds A-E.

Boric Acid Ponds (BAP) 1-7 consist of four active 30-acre surface impoundments and three proposed surface impoundments. The proposed BAP (Ponds 5, 6, and 7) will cover a combined total area of 140 acres. The proposed BAP will be constructed similar to the existing BAP using liners and leachate collections systems. The Proposed BAP will be constructed using a double liner system consisting of (from top to bottom) a geosynthetic 60-mil liner; synthetic geonet with an LCRS; a second 60-mil liner above a lower LCRS system; all supported on compacted clay. The BAP contain Group B mining waste effluent discharged from the BAP plant, liquid extracted from tailings in Pond 6, and Group A mining waste transferred from Pond R1-R6. BAP 1-7 are permitted to contain Group A and B mining waste effluent. The wastewater in BAP 1-7 contains an average of 111 mg/L arsenic, 19 mg/L antimony, and 90,860 mg/L TDS.

Processed wastes will be distributed between the compartments in Pond R1-R6 and BAP 1-7 to maintain total arsenic concentrations below 500 parts per million (ppm). This will prevent the formation of concentrations of arsenic in the ponds that exceed the criteria for restricted hazardous waste under the Hazardous Waste Control Law. When the total arsenic concentration in any surface impoundment approaches 500 ppm, effluent will be distributed so arsenic precipitates and/or concentrations are lowered.

The Pit Ponds are located within the final mine pit and receive mining wastewater from Thickener #4, groundwater from the mine pit dewatering wells, and non-contact non-hazardous process liquids. Because of the high background values of the evaporate deposits in the final mine pit, groundwater beneath the pit area is highly mineralized. The above listed wastes allowed for disposal in the Pit Pond are classified as Group C mining waste when disposed to the Pit Pond.

12. Dust Control Areas

Fresh water, MCC cooling tower blowdown, MCC softener effluent, CEFC cooling tower blowdown, FCC Stormwater, and higher quality mine dewatering water (containing less than 15,000 mg/L TDS) are used for dust control throughout the site. Mine Pit Pond water can be used for dust control on unpaved roads throughout the site if the water quality meets higher quality mine dewatering water conditions shown below. Thickener No. 4 water and low quality mine dewatering water (containing greater than 15,000 mg/L TDS) are used for dust control within the final mine pit. The application to the mine pit haul roads and working mine faces will use

the minimum amount of water to control fugitive dust. The concentrations of selected constituents in water used for dust control are described in Table 3.

Table 3: Concentration of Selected Constituents in Water Used for Dust Control

Constituent	Mine Pit Dewatering Well Water	MCC Water Softener Effluent (Average Concentration)	Fresh Water (North/South Basin Groundwater and AVEK)	CEFC Cooling Tower Blowdown (proposed)	MCC Cooling Tower Blowdown	FCC Stormwater
TDS (ppm)	High Quality <15,000 Low Quality >15,000	<1500	<1200	<3000	<4000	<15,000
Cl (ppm)	<600	<800	<500	<800	<1500	<1500
Na (ppm)	<5000	<500	<400	<700	<1000	<5000
As (ppm)	<54	<0.05	<0.05	<0.6	<0.01	<7.0
pH	<9.5	<9.0	<9.0	<8.0	<8.0	<9.5

13. Mining Waste Classification

Mining wastes received at the authorized disposal sites or used for dust control are classified as follows under Chapter 7, Subchapter 1, Article 1, Section 22480, Title 27, California Code of Regulations (CCR) and Chapter 3, Subchapter 2, Article 2, Section 20200, Title 27, CCR.

- a. Former Ponds 1-5 contains solid materials left over after evaporation of mining process effluent. This solid material is classified as Group A Mining Waste and has been or will be harvested before the ponds are closed.
- b. Pond R1-R6 receives CEFC cooling tower blow down water, Spray Dry wastewater, Group A Mining Waste from the sodium borate process, Sump 5, Sump 15, poor-quality groundwater, zinc borate wastewater and liquid extracted from tailings in Former Ponds 1-5 that are dewatered prior to harvesting.
- c. Pond 6 receives Group A wastewater from Pond R1-R6 and BAP 1-7 for the purpose of spray evaporation and solids from BAP 1-7.
- d. BAP 1-4 and proposed BAP 5-7 receive Group B mining waste from the BAP Plant, spray dry, Zinc Borate wastewater, and Group A mining waste from the other ponds.
- e. Pit Ponds receive Group C mining waste (Finding 11) from Thickener #4, mine pit dewatering water, and non-contact non-hazardous process wastewater.

14. Waste Management Unit and Dust Control Area Classification

The various WMU and dust control areas at the Facility are classified as follows based on the classification of the mining waste deposited in the WMU or used for dust control.

- a. Former Ponds 1-5 are classified as Group A mining waste piles. The contents of these piles will be harvested at a later time before being closed. The waste piles have been graded to prevent collection of surface runoff.
- b. Pond 6 is classified as Group A mining waste surface impoundment.
- c. Pond R1-R6 is classified as Group A mining waste surface impoundment.
- d. BAP 1-4 and proposed BAP 5-7 are classified as Group A mining waste surface impoundments.
- e. Pit Ponds are classified as Group C mining discharge locations for the purpose of dust control.
- f. Final mine pit is classified as Group C mining discharge location for the purpose of dust control.
- g. Domestic wastewater evaporation ponds receive no mining waste, and are unclassified WMUs.

15. Authorized Waste Disposal Sites

Pond R1-R6, BAP 1-4, proposed BAP 5-7, Pit Ponds, and final mine pit, are the only authorized disposal sites or dust control areas for Group A and B mine wastes identified in Finding 14. Unpaved roads at the site and the active lined ponds (surface impoundments) are the only authorized dust control areas and disposal sites for non-contact non-hazardous process liquids as described under "Mining Waste Classification (Finding 13)." The authorized disposal sites and authorized dust control areas for other non-mining waste discharge subject to this Order are identified in Finding 11 and 12. The authorized disposal sites and authorized dust control areas are located on land owned by U.S. Borax, Inc. Former Ponds 1-5 and Former Ponds A-E are authorized only as waste piles for drying process effluent evaporates.

16. Evaluation Monitoring

The evaluation monitoring well system is shown in the Revised Sampling and Analysis Plan (SAP) submitted to Water Board staff on November 7, 2005. Evaluation Monitoring will continue until corrective action implementation shows that ground water plume has reached or is below cleanup levels described in the Corrective Action Plan as accepted by Order No. 93-17A2, dated September 5, 1996.

17. Corrective Action

The physical locations of former Surface Impoundments are shown on Attachment A. Former Ponds 1, 2, and 3, and Former Ponds A-E are in corrective action due to identified releases. The Discharger is directed in this Order to continue remedial action and conduct further monitoring to characterize, define and update the rate and extent of ground water flow and contaminant releases (Chapter 3, Subchapter 3, Article 1, Section 20430, Title 27, CCR).

18. Water Quality Protection Standard

On December 31, 1991, the Discharger submitted a Water Quality Protection Standard (WQPS) for the water-bearing media beneath each WMU of the Facility. The WQPS provides a benchmark for maintaining water quality at background levels and detecting a release of waste constituents from any WMU. The standard consists of the following components:

- a. Constituents of Concern (COCs) listed below have been identified as analytes for each monitored media of the Facility and will be monitored with the frequency identified in the Monitoring and Reporting Program.

Antimony (Sb)	Carbonate (CO ₃)	Potassium (K)
Arsenic (As)	Fluoride (F)	Silicon (Si)
Barium (Ba)	Iron (Fe)	Sodium (Na)
Bicarbonate (HCO ₃)	Lead (Pb)	Sulfate (SO ₄)
Boron (B)	Magnesium (Mg)	Total Dissolved solids (TDS)
Calcium (Ca)	Manganese (Mn)	
Chloride (Cl)	Mercury (Hg)	

The analytes arsenic, boron, and TDS have been identified as detection monitoring parameters (DMPs) and will be monitored during corrective action and evaluation monitoring (Chapter 3, Subchapter 3, Article 1, Section 20395, Title 27, CCR).

- b. Additional information for the concentration limits was submitted in the RWD dated September 25, 2001 and in the Analysis of Groundwater Quality dated December 2, 2001 for background information for the COCs for two ground water zones. Arsenic, boron and TDS are the indicator analytes to initiate and continue evaluation monitoring. Concentration limits for the monitoring parameters are accepted and are listed in the Monitoring and Reporting Program of this Order (Chapter 3, Subchapter 3, Article 1, Section 20400, Title 27, CCR).

In the 2001 RWD, the Discharger also submitted information regarding background conditions in the unsaturated zone surrounding the former and currently used surface impoundments.

- c. Point of Compliance (POC) is defined as a vertical surface located at the hydraulically down gradient limit of the WMU that extends through the uppermost aquifer underlying the unit" along which the WQPS applies.
- d. Monitoring points have been submitted by the Discharger in the SAP to monitor the POC.
- e. The compliance period for the WQPS applies during the active life of the WMU, during closure and post closure maintenance period, and during the compliance period Chapter 3, Subchapter 3, Article 1, Section 20410, Title 27, CCR.

19. Statistical Method

Control charts are developed using an intra well comparison technique. Eight quarters of historic data are used for the wells designated as monitoring points to construct Shewhart-CUSUM control charts for each well and for each monitoring analyte of each well. The Discharger may choose to use an alternative statistical analysis method in accordance with Allowable Data Analysis Methods, Section 20415(8), Title 27, CCR. Control limits based on statistical analysis are defined for each well. Control limits may be adjusted over time in accordance with Article 3, Title 27 CCR.

Any well sampled and found to contain any of the three monitoring parameters in concentrations above the control limit will trigger evaluation monitoring after verification procedures are completed as defined in the Monitoring and Reporting Program of this Order (Chapter 3, Subchapter 3, Article 1, Sections 20400, 20415, and 20420, Title 27, CCR).

20. Non-Statistical Method

Evaluation monitoring may be initiated without statistical verification if there is significant physical evidence of a release from a surface impoundment. Physical evidence can include time series plots, vegetation loss, soil discoloration, etc. (Chapter 3, Subchapter 3, Article 1, Section 20425, Title 27, CCR).

21. Closures and Post-Closure Maintenance

The Discharger submitted a revised Closure and Post-Closure Maintenance Plan (CPCMP) as part of the RWD dated September 25, 2001 in compliance with Chapter 3, Subchapter 5, Article 1, Section 20950, Title 27, CCR; Chapter 3, Subchapter 5, Article 3, Section 21400, Title 27, CCR and Chapter 4, Subchapter 4, Section 21769, Title 27, CCR. This plan was prepared under the supervision of a Certified Engineering Geologist licensed in the State of California. The plan indicates that the borate material will be

processed through the plant as feasible and the remaining solids and pond liners will be tested and closure will be in accordance with applicable regulations. This plan was deemed complete and accepted by the Water Board in Board Order 6-01-19. This Order requires that the Discharger review the plan annually to determine if significant change in the operation of the facility warrants an update of the plan.

22. Financial Assurance

The Discharger has provided documentation that a financial assurance fund has been established for closure, post-closure maintenance, and potential corrective actions. The financial demonstrations presented by the Discharger are in the form of a letter of credit. This Order requires the Discharger to report the amount of money available in the fund as part of the annual report. This Order also requires that the Discharger demonstrate in an annual report that the amount of financial assurance is adequate, or increase the amount of financial assurance. The CIWMB Financial Assurance Section, reviews the capacity and fund balance information annually and grants the Discharger access to these funds for approved closure construction. (Chapter 3, Subchapter 3, Article 1, Section 20385, Title 27, CCR).

23. Waste Management Strategy

Section 13263.1 of the California Water Code (CWC) requires the Water Board to determine that the mining waste discharge is consistent with a waste management strategy which prevents pollution or contamination of waters of the State, particularly during mine expansion and after closure of any WMU for mining waste. Principle elements of this strategy include:

- a. Updating operations in a timely manner to comply with new permit requirements;
- b. Constructions of new surface impoundments with liners and leachate monitoring and recovery systems;
- c. Retrofitting of existing surface impoundments to meet Title 27, CCR requirements;
- d. The implementation of a closure and post-closure operation and maintenance plan to ensure the closed management units will not pollute waters of the State; and
- e. Annually updating the waste management strategy and providing a report to the Water Board.

The Discharger submitted information including a schedule for surface impoundment harvest, retrofit and closure in the RWD to produce a waste management plan and strategy. The project as accepted by the Water Board is consistent with a mining waste strategy that is designed to prevent the pollution of waters of the State.

24. Current and Past Cleanup Activities

a. Former Ponds 1, 2 and 3

Former Ponds 1, 2 and 3 were unlined and were taken out of service in 1975 after they were discovered to be leaking. Pollution of a portion of the localized Miocene aquifer and vadose zone release resulted from the leak. The original ore deposit discovery shaft (Suckow Discovery Shaft) is located beneath Pond 1. An improper seal of the shaft allowed contaminant migration into the vadose zone and ground water. A perched ground water mound was present beneath Ponds 1, 2 and 3. A series of ground water extraction wells located about one-half mile southwest of Pond 1 pumped the impacted perched water to Ponds R1-R6. Pumping of these wells was stopped in 1989 because a hydrogeologic study showed the perched ground water mound was being expanded rather than "intercepted."

The Discharger submitted an investigation report dated February 12, 1990 for cleanup and abatement of process fluids at Ponds 1, 2, and 3. No perched groundwater or soil moisture remains under the Surface Impoundments in the area of the former shallow perched water zone.

Subsequently, contaminated groundwater in the localized Miocene aquifer was discovered and is currently being mitigated. The current semi-annual (2005) report states that approximately 361 million gallons of degraded groundwater have been recovered.

b. Former Ponds A-E

In 1985, it was discovered that Former Ponds A-E experienced overtopping of their clay liner for which Cleanup and Abatement Order No. 6-85-16 was issued. The spill caused a perched groundwater mound on a clay layer below the former ponds to a depth of 35 feet bgs that contained elevated levels of arsenic. Due to the low permeability of the soils beneath the former ponds, it was concluded that the perched water mound would be absorbed by the soils with attenuation of the heavy metals and never reach the aquifer at 150 feet.

The Discharger continues to provide status reports on the condition of the heavy metals in the soil.

25. South Lahontan Basin Quality Control Plan

The Water Board adopted a Water Quality Control Plan (Basin Plan) for the Lahontan Region on March 31, 1995. This Order implements the Basin Plan.

The present and potential beneficial uses of the groundwaters of the Antelope Valley Groundwater Basin (Department of Water Resources No. 6-44) that is part of the North Muroc Hydrologic Area of the Antelope Hydrologic Unit (Department of Water Resources No. 626.60) as set forth and defined in the Basin Plan are:

- a. municipal and domestic supply (MUN);
- b. agricultural supply (AGR);
- c. industrial service supply (IND); and
- d. freshwater replenishment (FRSH).

26. California Environmental Quality Act (CEQA) Compliance

The Board of Supervisors of the County of Kern has certified, as required by Section 15090 of the State CEQA Guidelines, an Environmental Impact Report (EIR) for the Facility on January 9, 2004. The U.S. Borax Life of Mine Project EIR evaluated the expansion of the existing surface mining operation, which included the proposed BAP Ponds 5 to 7, and development of a reclamation plan.

Adopted mitigation measures for impacts to groundwater from operation of the proposed BAP ponds consisted of engineered design features that include construction of pond liner systems. The design feature of the proposed BAP ponds reduce the effects of the BAP ponds on groundwater to less than significant.

27. Notice to Interested Parties and Public

The Water Board has notified the Discharger and all known interested parties and persons of its intent to issue revised WDRs for the Facility.

28. Consideration of Comments

The Water Board, in a public meeting, heard and considered all comments pertaining to the discharges.

IT IS HEREBY ORDERED that the Discharger shall comply with the following:

I. DISCHARGE SPECIFICATIONS

A. Discharge Limits

The discharge of the following waste streams shall not exceed the monthly average total waste water flows as shown below:

<u>Waste Stream</u>	<u>Flow</u>
Sodium Borate refinery to Pond R1-R6	3.0 mgd
Boric Acid Plant and other ponds to BAP 1-7	3.0 mgd
MCC total effluent	0.3 mgd
Dust control	12.5 mgd*
CEFC total effluent (proposed)	0.2 mgd
Spry Dry effluent (proposed)	0.1 mgd
Zinc Borate effluent (proposed)	0.1 mgd

U.S. BORAX, INC., BORON FACILITY
MOJAVE COGENERATION CO, &
CLEAN ENERGY FUELS CO
Kern County

-16-

WASTE DISCHARGE REQUIREMENTS
BOARD ORDER NO. R6V-2006-0025
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**Based on maximum evaporation to control fugitive emissions over disturbed areas while not causing ponding or run-off to occur.*

B. Receiving Water Limits

The discharge shall not cause the presence of the following substances or conditions in surface waters or groundwaters of the Antelope Hydrologic Unit:

1. any perceptible color, odor, taste, or foaming;
2. any presence of toxic substances in concentrations that individually, collectively, or cumulatively cause detrimental physiological response in humans, plants, animals, or aquatic life; and
3. the presence of constituents of concern in concentrations that exceed background levels (WQPS).

C. Prohibitions

1. The discharge of wastewater other than to the authorized disposal sites specified in this Order is prohibited.
2. Surface flow or visible discharge of any waste process effluent from the authorized disposal sites to adjacent land areas or surface waters is prohibited.
3. The discharge of any type of garbage, abandoned equipment, construction materials or other material not specified in this Order, to the authorized disposal locations without prior approval from the Executive Officer is prohibited.
4. The discharge of waste liquids that meet the restricted hazardous waste into any surface impoundment, wastewater drainage channel, or sump is prohibited.
5. The generation of wastewaters which meet the restricted hazardous waste criteria due to evaporation in any surface impoundment is prohibited.
6. If a release from a surface impoundment is detected, it must be reported within 24 hours to the Water Board. Discharge to any leaking surface impoundment may be prohibited by the Executive Officer until the leak is located and the liner repaired.
7. Discharge of their regulated waste into Former Ponds 1-5 and Former Ponds A-E is prohibited.

D. General Requirements

1. The vertical distance between the liquid surface elevation and the lowest point of a surface impoundment dike or the invert of an overflow structure shall not be less than 2.0 feet.
2. No hazardous, designated, Group A or Group B Mining waste will be applied to the roads outside the final mine pit. Group A mining waste liquid may be applied to roads and working face within the mine pit as discussed above. Water applied for dust control shall be applied in such a manner as to not result in excessive ponding or run-off.
3. Any collected run-off found to contain hazardous or designated levels of constituents shall be discharged to an active surface impoundment authorized to receive that characterized waste or to an approved disposal site.
4. The discharge shall not cause pollution as defined in Section 13050 of the California Water Code, or a threatened pollution.
5. The discharge shall not cause a nuisance as defined in Section 13050 of the California Water Code.
6. The Discharger shall not cause the concentration of any COCs or Monitoring Parameters to exceed its respective concentration limit value in any monitored medium at any detection monitoring point.
7. Within 90 days following completion of construction of any new surface impoundment, a technical report shall be submitted containing as-built drawings and a quality assurance/quality control construction report for any newly constructed surface impoundment. The report shall contain all field and laboratory data generated during construction of the surface impoundment. The report shall also contain certification, signed by a California registered civil engineer, that the surface impoundment was constructed and suitable for operation in accordance with Title 27 for Group A and B mining waste.

II. PROVISIONS

1. Board Order No. 6-01-19 is hereby rescinded.
2. Pursuant to the CWC Section 13267 (b), the Discharger shall comply with Monitoring and Reporting Program No. R6V-2006-0025. These reports are needed to monitor for compliance with the Waste Discharge Requirements and determine the effect of the discharge on water quality.

3. The Discharger shall maintain a Detection Monitoring Program (Chapter 3, Subchapter 3, Article 1, Sections 20385 (a)(1) and 20420, Title 27, CCR).
4. The Discharger shall maintain an Evaluation Monitoring Program (Chapter 3, Subchapter 3, Article 1, Sections 20385 (a)(2) and 20425, Title 27, CCR).
6. The Discharger shall continue a Corrective Action Program (Chapter 3, Subchapter 3, Article 1, Sections 20385 and 20430, Title 27, CCR) for those sites described in Finding 18.
7. Each WMU of the Facility shall be closed in accordance with the Final CPCMP submitted to and accepted by the Water Board.
 - a. The CPCMP submitted shall be revised/modified by the Discharger if there is a substantial change in operations, or if requested by the Water Board. The CPCMP shall be reviewed annually and updated as appropriate.
 - b. The final CPCMP shall be submitted at least 180 days prior to beginning any partial or final closure activities or at least 120 days prior to discontinuing the use of the site for waste treatment, storage or disposal, whichever is greater. The final Plan shall be prepared and signed by either a California licensed Civil Engineer, or a Certified Engineering Geologist or a Registered Geologist.
8. Each WMU of the Facility shall be closed in accordance with all applicable requirements of Chapters 1, 3, 4, 5, 6, and 7 of Title 27, CCR.
9. The Discharger shall provide and maintain funds, in an amount and manner acceptable to the Executive Officer, to ensure that funds are available for closure and post-closure maintenance as required in Chapter 3, Subchapter 5, Article 1, Section 20950 Title 27, CCR.
10. The Discharger shall provide and maintain funds, in an amount and manner acceptable to the Executive Officer, to ensure that funds are available to complete corrective action for all Known or Reasonably Foreseeable Releases as required in Title 27, CCR.
11. All active Surface Impoundments shall be in compliance with the applicable requirements for Group A and B mining waste surface impoundments contained in Title 27, CCR. All active concrete lined sumps and drainage channels containing Group A and B mining waste shall be maintained so that no discharge of waste (leaking) occurs.

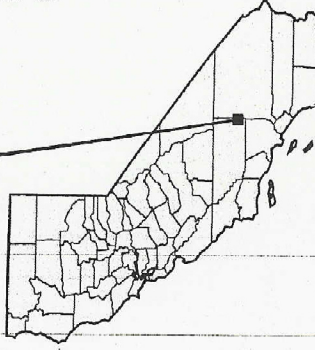
ATTACHMENT A

- SURFACE IMPOUNDMENTS**
- ACTIVE SURFACE IMPOUNDMENT
 - WASTE PILE/INACTIVE S. I.
 - PLANNED SURFACE IMPOUNDMENT
 - SEWAGE LAGOON

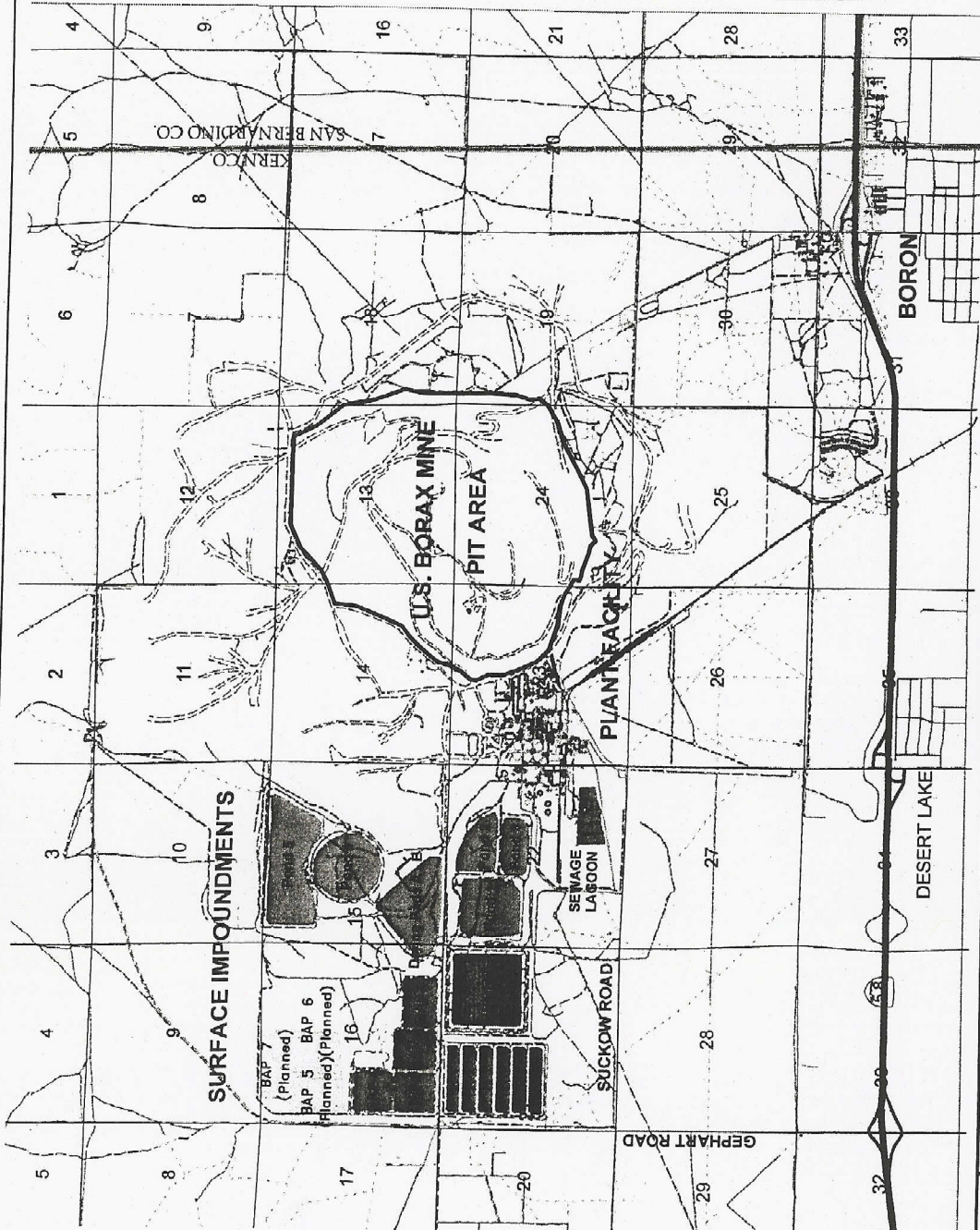


0 5,000
SCALE IN FEET

BORON QUADRANGLE



QUADRANGLE LOCATION MAP
1:24,000,000



U.S. BORAX, INC.
LOCATION MAP AND SITE PLAN
U.S.G.S. 7.5 MIN. QUAD MAP 'BORON'
BORON, CALIFORNIA

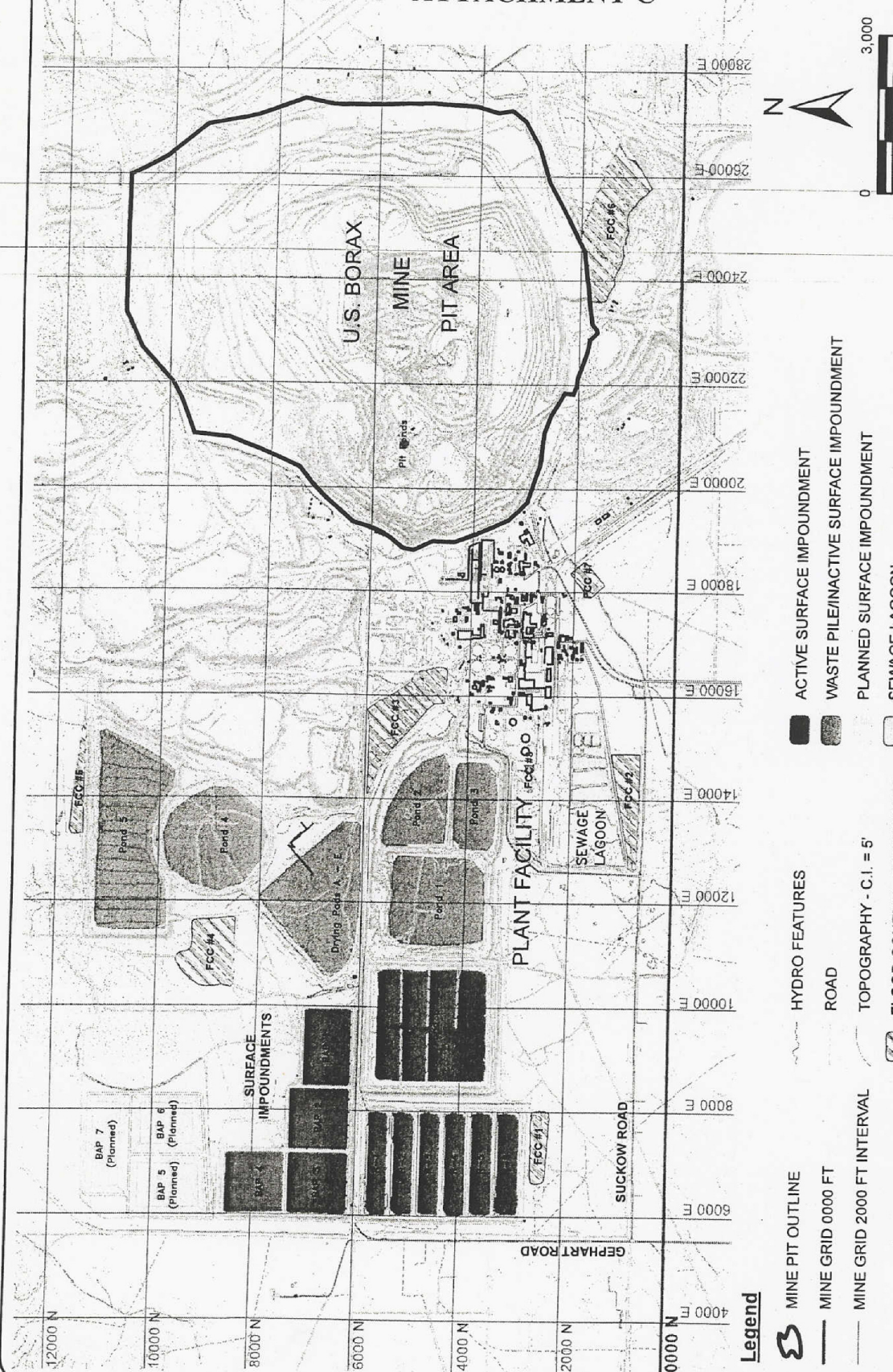
 CEDE Consultants Environmental Engineering • Hydrology • Water Resources Engineering 23 North Scott St., #27, Sheridan, WY 82801 (307) 672-3793 Arcview Project 9.0 Projection: Custom	Job No. USB0403
	Date 03 NOV. 2005
	Scale 1" = 5000 FT
	Author SLN
Dwg. File Mine in SoCal_1.mxd MRP Report	FIGURE

<u>Order No.</u>	<u>Reason for Action</u>
6-78-75	Revised WDR to allow the raising of the SI 5 pond dike (Superseded by Order 6-80-25)
6-80-25	Revised WDR to incorporate operation, maintenance, and closure of SI 6 (Superseded by Order 6-84-14)
6-84-14	Revised WDR to incorporate operation, maintenance, and closure of SI R1-R6 (Superseded by Order 6-89-78)
6-87-152	TPCA retrofit/mine waste exemption for the U.S. Borax site (Superseded by Order 6-89-37)
6-89-37	TPCA retrofit/mine waste exemption for SIs 4, 5, 6, and R1-R6 (Superseded by Order 6-92-113)
6-89-78	Revised WDR to add a new effluent stream to SI 6 (Superseded by Order 6-90-37)
6-90-37	Revised WDR for addition of new waste stream from MCC (Superseded by Order 6-93-17)
6-92-113	Renewed TPCA closure exemption for SIs 4, 5, 6 and R1-R6 (Superseded by Order 6-94-18)
6-93-17	Revised WDR to reflect revisions to Article 5, Chapter 15 of Title 23 of the CCR, and to permit the discharge of specific non-contact process effluent for dust control (Superseded by Order 6-01-19)
6-94-18	Renewed TPCA closure exception for SIs 4, 5, 6, and R1-R6 (Superseded by Order 6-98-76)
6-93-17A1	Amended WDR to allow use of Former SI A-E as a Waste Pile for drying solid process effluent (Superseded by Order 6-01-19)
6-93-17A2	Amended WDR to authorize the use of Thickener #4 water for dust control on the mine pit roads (Superseded by Order 6-01-19)
6-93-17A3	Amended WDR to incorporate operation, maintenance and closure of four 30-acre SIs (BAP Ponds 1 through 4) and to extend the TPCA exemption (Superseded by Order 6-01-19)
6-98-76	Renewed TPCA closure exemption for SIs 5, 6, and R1-R6 (Superseded by Regional Board letter dated November 5, 2003)
6-01-19	Revised WDR to reflect revisions to Title 27, consolidate previous WDR and amendments into one permit (Superseded by this Order)

Active Orders:

<u>Order No.</u>	<u>Reason for Action</u>
6-89-59	WDR for overburden/gangue waste pile, gangue waste pile, and gangue/refuse waste pile
6-93-14	Negative Declaration for use of waste cooling water, mine pit dewatering water and water and water softener effluent for dust control
6-89-59A1	Revised the Monitoring and Reporting Program (MRP) for the overburden/gangue waste pile, gangue waste pile, and gangue/refuse waste pile
6-96-50	Negative Declaration for use of Thickener #4 water for dust control (Incorporated in Order 6-93-17A2)

ATTACHMENT C



Legend

- MINE PIT OUTLINE
- MINE GRID 0000 FT
- MINE GRID 2000 FT INTERVAL
- HYDRO FEATURES
- ROAD
- TOPOGRAPHY - C.I. = 5'
- FLOOD CONTROL CATCHMENTS
- ACTIVE SURFACE IMPOUNDMENT
- WASTE PILE/INACTIVE SURFACE IMPOUNDMENT
- PLANNED SURFACE IMPOUNDMENT
- SEWAGE LAGOON

LOCATION OF FLOOD CONTROL CATCHMENTS IN THE U.S. BORAX FACILITY BORON, CALIFORNIA

Job No.	USB0403
Date	03 NOV. 2005
Scale	1" = 3000 FT
Author	SLN

CEDE Consultants
 Environmental Engineering • Hydrology • Water Resources Engineering
 23 North Scott St., #27, Sheridan, WY 82801 (307) 672-3763

Arcview Project 9.0 Projection: Custom

FIGURE

Dwg. File
 FCCLocn_8.mxd
 MRP Report

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
LAHONTAN REGION

STANDARD PROVISIONS
FOR WASTE DISCHARGE REQUIREMENTS

1. Inspection and Entry

The Discharger shall permit Regional Board staff:

- a. to enter upon premises in which an effluent source is located or in which any required records are kept;
- b. to copy any records relating to the discharge or relating to compliance with the Waste Discharge Requirements (WDRs);
- c. to inspect monitoring equipment or records; and
- d. to sample any discharge.

2. Reporting Requirements

- a. Pursuant to California Water Code 13267(b), the Discharger shall immediately notify the Regional Board by telephone whenever an adverse condition occurred as a result of this discharge; written confirmation shall follow within two weeks. An adverse condition includes, but is not limited to, spills of petroleum products or toxic chemicals, or damage to control facilities that could affect compliance.
- b. Pursuant to California Water Code Section 13260 (c), any proposed material change in the character of the waste, manner or method of treatment or disposal, increase of discharge, or location of discharge, shall be reported to the Regional Board at least 120 days in advance of implementation of any such proposal. This shall include, but not be limited to, all significant soil disturbances.
- c. The Owners/Discharger of property subject to WDRs shall be considered to have a continuing responsibility for ensuring compliance with applicable WDRs in the operations or use of the owned property. Pursuant to California Water Code Section 13260(c), any change in the ownership and/or operation of property subject to the WDRs shall be reported to the Regional Board. Notification of applicable WDRs shall be furnished in writing to the new owners and/or operators and a copy of such notification shall be sent to the Regional Board.
- d. If a Discharger becomes aware that any information submitted to the Regional Board is incorrect, the Discharger shall immediately notify the Regional Board, in writing, and correct that information.

- e. Reports required by the WDRs, and other information requested by the Regional Board, must be signed by a duly authorized representative of the Discharger. Under Section 13268 of the California Water Code, any person failing or refusing to furnish technical or monitoring reports, or falsifying any information provided therein, is guilty of a misdemeanor and may be liable civilly in an amount of up to one thousand dollars (\$1,000) for each day of violation.
- f. If the Discharger becomes aware that their WDRs (or permit) are no longer needed (because the project will not be built or the discharge will cease) the Discharger shall notify the Regional Board in writing and request that their WDRs (or permit) be rescinded.

3. Right to Revise WDRs

The Regional Board reserves the privilege of changing all or any portion of the WDRs upon legal notice to and after opportunity to be heard is given to all concerned parties.

4. Duty to Comply

Failure to comply with the WDRs may constitute a violation of the California Water Code and is grounds for enforcement action or for permit termination, revocation and re-issuance, or modification.

5. Duty to Mitigate

The Discharger shall take all reasonable steps to minimize or prevent any discharge in violation of the WDRs which has a reasonable likelihood of adversely affecting human health or the environment.

6. Proper Operation and Maintenance

The Discharger shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) that are installed or used by the Discharger to achieve compliance with the WDRs. Proper operation and maintenance includes adequate laboratory control, where appropriate, and appropriate quality assurance procedures. This provision requires the operation of backup or auxiliary facilities or similar systems that are installed by the Discharger, when necessary to achieve compliance with the conditions of the WDRs.

7. Waste Discharge Requirement Actions

The WDRs may be modified, revoked and reissued, or terminated for cause. The filing of a request by the Discharger for waste discharge requirement modification, revocation and re-issuance, termination, or a notification of planned changes or anticipated noncompliance, does not stay any of the WDRs conditions.

8. Property Rights

The WDRs do not convey any property rights of any sort, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of federal, state or local laws or regulations.

9. Enforcement

The California Water Code provides for civil liability and criminal penalties for violations or threatened violations of the WDRs including imposition of civil liability or referral to the Attorney General.

10. Availability

A copy of the WDRs shall be kept and maintained by the Discharger and be available at all times to operating personnel.

11. Severability

Provisions of the WDRs are severable. If any provision of the requirements is found invalid, the remainder of the requirements shall not be affected.

12. Public Access

General public access shall be effectively excluded from treatment and disposal facilities.

13. Transfers

Providing there is no material change in the operation of the facility, this Order may be transferred to a new owner or operation. The owner/operator must request the transfer in writing and receive written approval from the Regional Board's Executive Officer.

14. Definitions

a. "Surface waters" as used in this Order, include, but are not limited to, live streams, either perennial or ephemeral, which flow in natural or artificial water courses and natural lakes and artificial impoundments of waters. "Surface waters" does not include artificial water courses or impoundments used exclusively for wastewater disposal.

b. "Ground waters" as used in this Order, include, but are not limited to, all subsurface waters being above atmospheric pressure and the capillary fringe of these waters.

15. Storm Protection

All facilities used for collection, transport, treatment, storage, or disposal of waste shall be adequately protected against overflow, washout, inundation, structural damage or a significant reduction in efficiency resulting from a storm or flood having a recurrence interval of once in 100 years.

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
LAHONTAN REGION**

**REVISED MONITORING AND REPORTING
PROGRAM NO. R6V-2006-0025
WDID NO. 6B152004001
FOR**

**U.S. BORAX, INC., THE MOJAVE COGENERATION COMPANY, CLEAN ENERGY
FUELS COMPANY, BORON FACILITY**

_____ Kern County _____

I. FACILITY AND WASTE MANAGEMENT UNIT MONITORING

A. Waste Stream

1. The following average flow rates of wastewater, in million gallons per day (mgd), shall be calculated monthly and reported semi-annually:

<u>Item</u>	<u>Units</u>
Sodium Borate Refinery Effluent, Pond R1-R6	mgd
Boric Acid Plant Effluent, Boric Acid Ponds (BAP)1-7	mgd
Mojave Cogeneration Effluent to the Ponds	mgd
Pit Ponds Influent from Thickener #4	mgd
Domestic Wastewater Evaporation Ponds Influent	mgd

2. Record monthly and report semi-annual any violations of the Waste Discharge Requirements (WDRs) regarding discharge or generation of hazardous waste.

B. Dust Control Application Water

1. The water volume (in mgd) and source of water applied for dust control shall be calculated and compared to the WDRs limits monthly and reported on a semi-annual basis.
2. The dust control water supplied from each wastewater source shall be sampled and analyzed by a laboratory for arsenic, boron, and total dissolved solids (TDS) on an annual basis. The results shall be reported annually.

C. Former Ponds A-E

The total volume and source of solid evaporated material (in cubic yards) discharged to the Drying Pad and the amounts recovered and disposed to the gangue waste pile, shall be calculated monthly and reported on a semi-annual basis.

D. Detection Monitoring and Corrective Action Program

The Discharger shall use the approved Sampling and Analysis Plan (SAP) submitted on November 7, 2005. The Discharger shall use statistical or non-statistical data analysis methods for each monitoring interval, compare the concentration of each Monitoring Parameter with its respective background concentration (or control limit), to determine if there has been a release from a particular Waste Management Unit (WMU) of Facility. Each report should include a statistical or non-statistical data analysis comparison of the concentration of each Monitoring Parameter with its respective background concentration (or control limit). The comparison will be used to determine if there has been a potential release from the particular WMU. A release may have occurred if the groundwater monitoring system contains a Constituents of Concern (COC) above the respective control limits. These data shall be presented in tabular form in the annual reports.

1. Leachate Collection and Recovery System (LCRS)

- a. The LCRS shall be tested in the event no leachate is indicated for a period of 12 months. If leachate is collected in the LCRS it is inferred that the system is operating as designed. If no leachate is collected in the LCRS, the end of the LCRS discharge pipe will be inspected to verify there is no obstruction to flow.

b. Monitoring Points

The monitoring points for each active surface impoundments subdrain system are the sumps that collect the leachate. The location of the monitoring points is shown in the SAP.

c. Monitoring Parameters

Any liquid collected in the LCRS above the action leak rate (defined below) for the active surface impoundments shall be considered an adverse condition and the Water Board shall be notified immediately and a sample of the release shall be collected. The sample shall be tested for arsenic, boron, and TDS. The results of the inspections shall be recorded monthly and submitted with the semi-annual Monitoring Reports.

If a total leachate flow rate greater than 600 gallons per day (action leak rate) or more is detected in the lower leachate collection and removal system sumps at any of the BAP 1-7, then the Discharger shall immediately discontinue discharge to the affected surface impoundment, and place a pump in the LCRS sump to remove the leachate at the rate which the leachate is flowing into the sump. Discharge shall not resume until the affected waste management unit is repaired.

If a total leachate flowrate of 15,000 gallons per day (action leak rate) or more is detected in the upper leachate collection and removal system sumps at any of the BAP 1-7 ponds, then the Discharger shall immediately discontinue discharge to the affected surface impoundment, and place a pump in the LCRS sump to remove the leachate at the rate which the leachate is flowing into the sumps. Discharge shall not resume until the affected waste management unit is repaired.

If liquid is detected in the R1-R6 subdrain system and the sample results indicate the liquid is from the R1-R6 pond, then the Discharger shall immediately discontinue discharge to the affected compartment and place a pump in the LCRS sump to remove the leachate at the rate which the leachate is flowing into the sump. Discharge shall not resume to the compartment until the compartment is repaired or isolated.

d. Monitoring Schedule

The monitoring points for each active surface impoundment LCRS, as shown in the SAP, shall be inspected monthly to ensure proper working condition and to note any problems.

2. Unsaturated Zone

a. Monitoring Systems

A network of vertical neutron access monitoring tubes is used to monitor the unsaturated zone surrounding Former Ponds 4 and 5, Pond 6 and Pond R1-R6. Horizontal access tubes and vertical access tubes have been installed in the fill beneath the Former Ponds A-E to monitor moisture in the pad.

b. Monitoring Points

The monitoring points for the unsaturated zone surrounding Pond 6, Pond R1-R6, Former Ponds 4 and 5, and the Former Ponds A-E is shown in the SAP. The existing monitoring points are labeled VZ-1 to VZ-6, VZ-15 to VZ-22, VZ-28, VZ-30 to VZ-36, VZ-41 to VZ-45, VH-1 and VH-2. Unsaturated zone monitoring point location may be adjusted when the SAP is updated.

c. Monitoring Parameters

Moisture levels in the unsaturated zone surrounding the surface impoundments and the Former Ponds A-E shall be measured. Detection of any moisture levels above background shall require further investigation for potential discharges.

d. Concentration Limits

Concentration limits for the unsaturated zone are defined as background moisture levels. Values established for these limits are based on an appropriate statistical method.

e. Monitoring Schedule

- 1) The unsaturated zone monitoring system at each WMU shall be sampled on a quarterly basis. The results of these samples shall be recorded and submitted with the semi-annual monitoring reports. If moisture or any other adverse situation is detected in the neutron access monitoring tubes above background, the Water Board shall be notified immediately.
- 2) The unsaturated zone monitoring system at each WMU shall also be tested annually to demonstrate proper operation. The results of the tests shall be reported in the annual report and compared with earlier tests made under comparable conditions.

3. Groundwater

a. Monitoring Systems

Detection Monitoring wells at the Facility are used to monitor the effectiveness of the detection-monitoring program for the ponds and are shown in the SAP.

Corrective Action Program (CAP) (Evaluation Monitoring) wells at the Facility are used to monitor the effectiveness of the CAP and are shown in the SAP.

b. Monitoring Points

The ground water monitoring points for the Detection and Evaluation Monitoring are identified in the SAP and shown on Attachment "B of the monitoring report."

c. Detection and Evaluation Monitoring Parameters

The groundwater shall be analyzed according to the parameters listed in the SAP and shown below. Comparison of the monitoring data with their respective control limits will be recorded on a semi-annual basis as appropriate. The results will be reported in the semi-annual reports. Concentrations shall be reported in milligrams per liter (mg/L) as applicable.

The Water Board shall be notified immediately if concentrations of the Detection Monitoring Parameters are greater than the respective statistical control limits and appear to reflect a release to groundwater.

Control limits and reporting schedule for the Evaluation Monitoring may be established through an accepted CAP.

The velocity and direction of ground water flow in the vicinity of the surface impoundments shall be presented in the semi-annual reports in a graphical format as a groundwater contour map.

The following is a list of detection and evaluation monitoring parameters.

Monitoring Parameters

	<u>Units</u>
Arsenic (As)	mg/L
Boron (B)	mg/L
Total Dissolved Solids (TDS)	mg/L

Field Parameters

	<u>Units</u>
Static Water Level (SWL)	elevation in ft above mean sea level
Static Water Depth (SWD)	depth in ft below ground surface
Electrical Conductivity (EC)	micromhos/cm
pH reading	pH
Temperature (T)	C°
Dissolved Oxygen (DO)	mg/l
Turbidity	NTU

Constituents of Concern (COCs)

Anions & Cations

	<u>Units</u>
Calcium (Ca)	mg/L
Carbonate (CO ₃)	mg/L
Magnesium (Mg)	mg/L
Bicarbonate	mg/L
Fluoride (F)	mg/L
Sodium (Na)	mg/L
Sulfate (SO ₄)	mg/L
Potassium (K)	mg/L
Chloride (Cl)	mg/L

Metals

	<u>Units</u>
Antimony (Sb)	mg/L
Lead (Pb)	mg/L
Manganese (Mn)	mg/L

Barium (Ba)	mg/L
Mercury (Hg)	mg/L
Silicon (Si)	mg/L
Iron (Fe)	mg/L

The sampling schedule for Detection and Evaluation Parameters and COCs is noted in Section 3e.

d. Concentration Limits

Concentration limits shall be established for each detection and evaluation monitoring parameter according to Title 27, Section 20415, 20420 and 20425 of the CCR. These limits shall be furnished by the Discharger and included in the SAP. The limits may be revised on an annual basis but may only be lowered. The concentration limits for the detection monitoring parameters are listed in the SAP and the upper tolerance limits for the COCs are also listed in SAP.

The concentration limits for the evaluation monitoring parameters may be listed in the SAP or an approved CAP.

e. Monitoring Schedule

The groundwater monitoring schedule is shown in the following table and in the SAP.

Groundwater Monitoring Schedule

Program	Water Levels	Field Measurements	Monitoring Parameters	COCs
Landfill Wells (LW-Q in SAP)	Quarterly	Semi-Annually	Semi-Annually	3-years
Facility Wells (FW-Q in SAP)	Quarterly	Semi-Annually	Semi-Annually	3-years
Facility Wells (FW-A in SAP)	Quarterly	Annually	Annually	3-years
Extraction Wells (EW-A in SAP)	Quarterly	Annually	Annually	3-years
Extraction Wells (EW-3 in SAP)	Quarterly	Annually	3-years	3-years
Observation Wells (SWL in SAP)	Quarterly	N/A	N/A	N/A

Note: Landfill Wells require analysis for an expanded COCs list every 5 years.

The Water Board shall be notified within 24 hours immediately when detection monitor parameters or COCs are reported at concentrations above their respective control limits, or if any

adverse situation occurs. Exceedances will be reported to the Water Board as soon as they are discovered and an explanation that data indicated that the exceedance is not verified or an Evaluation Monitoring/Corrective Action Plan will be submitted within 30 days of the exceedance.

4. Domestic Wastewater Evaporation Ponds

The domestic wastewater evaporation ponds receive sewage effluent from the plant septic system. The domestic wastewater evaporation pond and groundwater monitor wells will be sampled annually for the general minerals, phenols, VOCs, COD, and oil and grease.

5. Active Mining Waste Surface Impoundments

a. Monitoring System

Surface impoundments to be sampled include Pond R1-R6, BAP 1-7, and Pit Ponds.

b. Monitoring Points

Samples collection locations are shown in the SAP. Samples are collected only when personnel can safely access the sample locations.

c. Monitoring Parameters

Liquid samples from each active surface impoundment shall be collected semi-annually at each sample location. Constituents to be analyzed consist of the following:

<u>Constituent</u>	<u>Units</u>
Arsenic	mg/L
Antimony	mg/L
Boron	mg/L
TDS	mg/L
pH reading	pH
Total Petroleum Hydrocarbons	µg/L

d. Freeboard shall be measured monthly and reported on a semi-annual basis for each active wastewater pond. The freeboard shall be the vertical distance from the top of the lowest elevation of the dike to the wastewater surface. The freeboard in each pond shall not be less than two feet. If the pond bottom begins to show, the pond will be considered empty.

- e. An inspection to determine the integrity of the pond dikes and liners shall be performed according to the SAP. The inspection shall include an observation of the presence or absence of any odors, their potential characterization and source. The results shall be reported in the semi-annual report. An inspection log shall be maintained at the site and be made available to Water Board staff, if requested. The inspection log shall also cite evidence of leakage, soil disturbance and effects on vegetation. Samples will be collected and analyzed if any of these parameters are indicated during the inspection.
- f. **Monitoring Schedule**
Liquid samples from each surface impoundment shall be collected and analyzed semi-annually. The results shall be reported in the Annual Report.

E. Background Monitoring

The Discharger shall annually update background information and control limits in areas where there is no evidence of a release. Results should be included in the annual report.

F. Adjustments to Water Quality Protection Standards (WQPS)

When a new COC is added to the WQPS, the detection monitoring wells will be sampled quarterly for the new COC(s) for at least one year in addition to the monitoring outlined above for Groundwater. When a designated monitoring well is added, the designated monitoring well will be sampled on a quarterly basis for the detection monitoring parameters and all of the COCs for at least one year. The results of the sampling shall be submitted in the semi-annual report.

G. Stormwater Catchments Program Requirements

1. Monitoring System

Stormwater runoff is retained in onsite flood control catchment (FCC) basins, as shown in Attachment "B" of this Order. The catchments are unlined. U.S. Borax is considered a zero discharge facility under the Nation Pollution Discharge Elimination System (NPDES) permits.

2. Monitoring Points

FCC basins, as shown in "Attachment B" and in the SAP.

3. Monitoring Parameters

The monitoring parameters for the soil in the FCC basins shall be arsenic, boron, nitrates and N, and total petroleum hydrocarbons (TPH). The monitoring parameters are to be sampled annually.

4. Monitoring Schedule

FCC basins shall be monitored according to the SAP. The results are recorded on an annual basis and submitted in the annual report.

II. RECORD KEEPING AND REPORTING REQUIREMENTS

A. Definition of Terms

1. Monitored Media includes the saturated zone, unsaturated zone, and surface waters. (Chapter 3, Subchapter 3, Article 1, Section 20415, Title 27, CCR)
2. COCs are those constituents which are likely to be in the waste present in the WMU at the facility or which are likely to be derived from waste constituents, in the event of a release from the WMU at the Facility. The COCs for the WMU at this Facility are listed in the body of the Waste Discharge Requirements (WDR) (Section 20395, Article 1, Subchapter 3, Chapter 3, Title 27, CCR).
3. Detection Monitoring Parameters (DMPs) are a short list of constituents and parameters evaluated during the majority of monitoring activity. The DMPs for the WMU at this Facility are listed in the body of the WDRs.

B. Sampling Records To Be Maintained

Written records for each WMU shall be maintained on site by the Discharger, and shall be retained for a minimum of five years. This period of retention shall be extended during the course of cleanup of any plume and/or soil or ground water pollution, any unresolved litigation regarding this discharge or when requested by the Water Board. Such records shall include all monitoring and spill reports submitted to the Water Board. A list of sampling and analysis events planned and previously performed each year and the date the reports are due to the Water Board shall be maintained and updated in the SAP. As a minimum, the following information shall be maintained:

1. Tables and scaled contour and ground water flow maps showing sample locations;

2. Location of the detection or corrective action program (evaluation monitoring) well from which the sample was collected, along with the identity of the individual who obtained the sample;
3. Date and time of sampling;
4. Quality Assurance/Quality Control information including the complete sampling and analysis procedure used, sample preservation method, sample holding time, method detection limit, practical quantification limits and the identity and volumes of reagents used;
5. Calculation of results; and
6. Results of analyses shown on California certified laboratory sheets.

C. Scheduled Reports To Be Filed With The Water Board

The following periodic reports shall be submitted to the Water Board as specified below:

1. Detection Monitoring and Background Water Quality Report

A detection monitoring report shall be submitted semi-annually and shall identify the list of COCs and DMPs applicable to each monitored media, for each monitoring point, and for each WMU. The report shall also identify the Concentration Limits applicable for each COC and monitoring parameter, and print them on the same page at the same scale.

Every five years the Discharger shall demonstrate correlation between values for Monitoring Parameters and values for the COCs monitoring as set forth in Section 20420 (g), Title 27, CCR. The five-year monitoring report can be submitted with the annual report. Every five years the Discharger shall re-evaluate the SAP.

The Detection Monitoring Report shall include the following:

- a. Results of groundwater sampling and analysis, including graphs and tables with updated control limits for each monitoring point.
- b. A letter transmitting essential points to accompany each report. The letter shall include a chronological discussion of any requirement violations found since the last report was submitted, and shall describe actions taken or planned for correcting those violations, as well as the required compliance date.

If the Discharger has previously submitted a detailed time schedule for correcting requirement violations, a reference to the dated correspondence transmitting this schedule will be satisfactory. If no violations have occurred since the last submittal, this shall be stated in the letter of transmittal.

Monitoring reports and the letter transmitting the monitoring reports shall be signed by a principal executive officer at the level of vice president or above, or by his/her duly authorized representative. The letter shall contain a statement by the official, under penalty of perjury, that to the best of the signatory's knowledge the report is true, complete, and correct.

- c. The report shall describe each monitored groundwater body, and include a scaled contour map and graphical presentation of the velocity and direction of ground water flow beneath and around the unit, including mapped fault blocks beneath each unit. The report should also detail the varying flow direction based upon water level elevations collected during the sampling event.
- d. The report shall include a current map or aerial photograph showing the locations of observation stations, monitoring points, and background monitoring points. The map must be updated when wells are abandoned or new wells are added.
- e. An evaluation of the effectiveness of the LCRS and the unsaturated zone monitoring.
- f. A brief chronological summary of dates of any operational problems and maintenance activities that may impact water quality at the site shall be submitted to the Water Board with each monitoring report.

This summary shall discuss:

- 1) Any modifications or additions to the wastewater sump and concrete lined conveyance system, treatment facilities, or disposal facilities. Include a map showing mine roads and surface and subsurface piping locations.
- 2) Any major maintenance conducted on the wastewater conveyance system, treatment, or disposal facilities. Indicate changes on the map requested above.
- 3) Any major problems occurring with the wastewater conveyance system, treatment facilities, or disposal facilities.

- 4) The calibration of any flow measuring devices.

2. Corrective Action Program and Evaluation Monitoring

For those areas defined as being in corrective action or evaluation monitoring, the Discharger shall submit a corrective action report clearly marked and dated as a separate item to the semi-annual report. The report shall provide a consistent table of contents. This report shall identify the list of all COCs for each monitored media, concentration limits, sample analysis results, and a scaled contour map showing monitoring locations, cross-sections, and any plume.

The contents of the corrective action report shall be as follows:

- a. A letter transmitting the essential points of the report.
- b. Time series plots showing each COC for each monitoring point utilized for corrective action.
- c. For each monitored groundwater body, a description and graphical presentation of the velocity and direction of groundwater flow beneath/around the Unit, based upon water level elevations collected during sampling and analysis events.
- d. A map or aerial photograph showing the locations of observation stations and up and down gradient monitoring well locations.
- e. Status and effectiveness of current corrective action programs. For the ground water extraction program, estimate volume removed and disposal location. Include information on new remediation techniques being studied for cleanup.

3. Annual Summary Report

The Discharger shall submit an Annual Summary Report to the Water Board summarizing the monitoring information for the previous year with each years data presented in a stand alone format and including the background water quality report. This report shall summarize the monitoring information for the previous year including all the historical data for the site. The annual reporting period ends December 31 for a given year. The report is due on **March 31**.

The contents of this report shall be as follows:

- a. For each monitoring point, submit in graphical format the laboratory analytical data for all samples collected within at least the previous five calendar years. Each graph shall show the concentration of one or more constituents over time for a

given down gradient or up gradient monitoring well location. The scale should be appropriate to show trends or variations in water quality. Graphs shall plot each datum, rather than plotting mean values. For any given constituent or parameter, the scale for background plots shall be the same as that used to plot down gradient data (Chapter 3, Subchapter 3, Article 1, Section 20415, Title 27, CCR).

- b. Statistical control charts should be provided for each monitoring parameter for each monitoring well location.
- c. All monitoring analytical data obtained during the previous year should be presented in tabular form. This data may also be required in digitized form if requested. (The format shall be on disk or sent electronically by "E-mail", if software programs are compatible.)
- d. The report should include a complete chronological discussion of the compliance record, and the result of any corrective actions taken or planned which may be needed to bring the Discharger into full compliance with the WDRs.
- e. The report should also evaluate the effectiveness of the LCRS.
- f. The report should provide evidence that adequate financial assurance pursuant to the requirements of the WDRs has been obtained. Evidence may include a copy of the renewed financial instrument or a copy of the receipt for payment of the financial instrument. In addition, the Discharger shall either provide evidence that the amount of financial assurance is still adequate or increase the amount of financial assurance by the appropriate amount if necessary, due to inflation, a change in regulatory requirements, a change in the approved closure plan or other unforeseen events. (Chapter 6, Subchapter 2, Article 1, Section 22207, Section 22212 and Section 22222, Title 27, CCR.)
- g. Each Annual Report shall verify conformance of the Closure and Post Closure Maintenance Plan (CPCMP) to the existing operations. An updated CPCMP for all surface impoundments with each annual report is due annually by **March 31**. The CPCMP shall include line item cost estimates for closure and post closure activities. The CPCMP shall specify which items are incorporated into the plan as requirements under the Surface Mining and Reclamation Act relevant to the protection of water quality.

- h. The Discharger shall submit a revised SAP addressing any changes necessary based on required monitoring and reporting. The Discharger shall submit the revised SAP by **June 30, 2007**.

D. Unscheduled Reports To Be Filed With The Water Board

1. Spill Reports

a. Contents

The Discharger shall report by telephone any seepage, spill, leak, or other breach of the containment system of any WMU (hereinafter referred to as a "spill") immediately after it is discovered. The reporting requirement includes sumps beneath surface impoundments that have an "engineered leak rate", because repair dates are compliance dates and must be tracked. A written report shall be filed with the Water Board within ten working days with the following information:

- 1) General information including the date, time, location, and cause of the spill;
- 2) Photographs of the spill site before and after corrective measures are taken;
- 3) An estimate of the flow rate and volume of waste involved;
- 4) A description of the type of waste(s) involved and the area affected;
- 5) A description of any samples taken before and after any corrective measures, and the laboratory analysis results provided in tabular form and on laboratory data sheets;
- 6) Identification of any water-bearing monitored media affected or threatened and any sampling and analysis proposed as well as a schedule for submittal; and
- 7) A summary of any corrective measures taken, underway or proposed.

b. Tentative Release

If the laboratory tests on the samples collected indicate that the spill is or may be a threat to water quality, despite any corrective measures completed, Discharger shall then:

- 1) Treat the spill as a tentative release, and proceed as defined below; and
- 2) Adjust the WQPS to include the spill location as a monitoring point and make plans to monitor all affected water-bearing media for so long as the potential threat to water quality remains.

2. Notice of Tentative Release

If a release is tentatively indicated as explained above, the Discharger shall notify the Water Board and conduct a discrete retest, as described below:

Should the appropriate statistical or non-statistical data analysis indicate, for a given COC or Monitoring Parameter, that a release is tentatively identified, the Discharger shall:

- a. Immediately notify the Water Board verbally by telephone as to the monitoring point(s) and constituent(s) or parameter(s) involved;
- b. Provide written notification by certified mail within seven days of such determination (Title 27, CCR, Section 20420, Subchapter 3, Article 1, Chapter 3); and
- c. Carry out two discrete retests for the COC(s) or monitoring parameter(s) involved.

3. Report of Release

- a. Discrete Retest Results

If the results of the discreet retest confirm the existence of a release, the information submitted shall constitute a Report of Release.

- b. Physical Evidence of Release

A Report of Release may be based upon the observation of unexplained phenomena constituting "significant physical evidence of a release" pursuant to Chapter 3, Subchapter 3, Article 1, Section 20385, Title 27, CCR.

If either the Discharger or the Water Board determines that there is "significant physical evidence" of a release, the Discharger shall immediately notify the Water Board of this fact by telephone, (or acknowledge the Water Board's determination), and submit to the

Water Board within ten days a written report describing the evidence and confirming that a release has occurred. This report shall constitute a Report of Release. The Discharger shall then carry out the remaining requirements of this section.

4. Unscheduled Background Update Report

The Discharger shall, within 30 days of confirmation of a release, sample all monitoring well locations and submit the samples for laboratory analysis of all COCs. Within seven days of receiving the laboratory analytical results, the Discharger shall notify the Water Board, by certified mail, of the concentration of all COCs at each affected monitoring well location.

5. Revised Report of Waste Discharge: Evaluation Monitoring

The Discharger shall, within 90 days of discovering a release, submit a Revised Report of Waste Discharge (RWD) proposing an Evaluation Monitoring Program. (Chapter 3, Subchapter 3, Article 1, Section 20420 and Section 20425, Title 27, CCR).

6. Preliminary Engineering Feasibility Study Report

The Discharger shall, within 180 days of discovering the release, submit a Preliminary Engineering Feasibility Study for Corrective Action. (Chapter 3, Subchapter 3, Article 1, Section 20420, Title 27, CCR).

III. SAMPLING AND STATISTICAL ANALYSIS PROCEDURES

A. Laboratory Standards

Sample collection, storage, and analysis shall be performed according to the most recent version of Standard USEPA Methods for the Examination of Water and Wastewater. Water and waste analysis shall be performed by a laboratory approved for these analyses by the State of California. Specific methods of analysis must be identified on each laboratory report.

If methods other than USEPA approved methods or Standard Methods for the Examination of Water and Wastewater are used, the exact methodology must be submitted for review and must be approved by the Water Board Executive Officer prior to use.

B. Sampling and Analysis Procedures

Sample collection, storage and analysis shall be conducted in accordance with an approved SAP. The most recent version of the approved SAP shall be kept on site by the Discharger.

C. Sampling Methods For Closure

Pursuant to the CPCMP, representative samples shall be taken from both the solid and liquid wastes remaining in each WMU upon completion of operations, including any heaps, ponds, and waste piles. At least 90 days prior to sample collection, the sampling plan contained in the CPCMP shall be verified and, if revised, submitted for review by the Water Board Executive Officer.

IV. OTHER PROVISIONS

A. Detection Monitoring

1. The Discharger shall comply with the General Monitoring Requirements and all other applicable provisions of Chapter 3, Subchapter 3, Article 1, Section 20380, Title 27, CCR.
2. At any time, the Discharger may file a written request including appropriate supporting documents with the Water Board's Executive Officer, proposing appropriate modifications to the Monitoring and Reporting Program.

B. Information

Monitoring reports are to clearly identify the following:

1. Name and telephone number of an individual who can answer questions about the report;
2. Monitoring and Reporting Program No. R6V-2006-Proposed,
3. WDID No. 6B152004001.

C. Reporting

<u>Report Designation</u>	<u>Period</u>	<u>Report Submittal Date</u>
1 st Semi-Annual Monitoring	Jan. 1-June 30	September 31
2 nd Semi-Annual Monitoring*	July 1-Dec. 31	March 31
Annual Summary Report*	Jan. 1-Dec. 31	March 31
Five-year COC Monitoring*	Every 5 years	March 31
Revised SAP		June 30, 2007

* may be combined in one report

D. Failure To Furnish Reports

Any person failing or refusing to furnish technical or monitoring reports or falsifying any information provided therein, is guilty of a misdemeanor and may be liable civilly in an amount of up to one thousand dollars (\$1,000) for each day of violation under Section 13268 of the California Water Code.

E. General Provisions

The Discharger shall comply with the "General Provisions for Monitoring and Reporting," dated September 1, 1994, which is attached to and made a part of this Monitoring and Reporting Program.

Ordered by: "Original Signed By"
HAROLD J. SINGER
EXECUTIVE OFFICER

Dated: **June 14, 2006**

Attachments A: General Provisions for Monitoring and Reporting Program
B: Groundwater Monitoring and Extraction Wells Location Map

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
LAHONTAN REGION

GENERAL PROVISIONS
FOR MONITORING AND REPORTING

1. **SAMPLING AND ANALYSIS**

- a. All analyses shall be performed in accordance with the current edition(s) of the following documents:
 - i. Standard Methods for the Examination of Water and Wastewater
 - ii. Methods for Chemical Analysis of Water and Wastes, EPA
- b. All analyses shall be performed in a laboratory certified to perform such analyses by the California State Department of Health Services or a laboratory approved by the Regional Board Executive Officer. Specific methods of analysis must be identified on each laboratory report.
- c. Any modifications to the above methods to eliminate known interferences shall be reported with the sample results. The methods used shall also be reported. If methods other than EPA-approved methods or Standard Methods are used, the exact methodology must be submitted for review and must be approved by the Regional Board prior to use.
- d. The Discharger shall establish chain-of-custody procedures to insure that specific individuals are responsible for sample integrity from commencement of sample collection through delivery to an approved laboratory. Sample collection, storage, and analysis shall be conducted in accordance with an approved Sampling and Analysis Plan (SAP). The most recent version of the approved SAP shall be kept at the facility.
- e. The Discharger shall calibrate and perform maintenance procedures on all monitoring instruments and equipment to ensure accuracy of measurements, or shall insure that both activities will be conducted. The calibration of any wastewater flow measuring device shall be recorded and maintained in the permanent log book described in 2.b, below.
- f. A grab sample is defined as an individual sample collected in fewer than 15 minutes.
- g. A composite sample is defined as a combination of no fewer than eight individual samples obtained over the specified sampling period at equal intervals. The volume of each individual sample shall be proportional to the discharge flow rate at the time of sampling. The sampling period shall equal the discharge period, or 24 hours, whichever period is shorter.

2. OPERATIONAL REQUIREMENTS

a. Sample Results

Pursuant to California Water Code Section 13267(b), the Discharger shall maintain all sampling and analytical results including: strip charts; date, exact place, and time of sampling; date analyses were performed; sample collector's name; analyst's name; analytical techniques used; and results of all analyses. Such records shall be retained for a minimum of three years. This period of retention shall be extended during the course of any unresolved litigation regarding this discharge, or when requested by the Regional Board.

b. Operational Log

Pursuant to California Water Code Section 13267(b), an operation and maintenance log shall be maintained at the facility. All monitoring and reporting data shall be recorded in a permanent log book.

3. REPORTING

- a. For every item where the requirements are not met, the Discharger shall submit a statement of the actions undertaken or proposed which will bring the discharge into full compliance with requirements at the earliest time, and shall submit a timetable for correction.
- b. Pursuant to California Water Code Section 13267(b), all sampling and analytical results shall be made available to the Regional Board upon request. Results shall be retained for a minimum of three years. This period of retention shall be extended during the course of any unresolved litigation regarding this discharge, or when requested by the Regional Board.
- c. The Discharger shall provide a brief summary of any operational problems and maintenance activities to the Board with each monitoring report. Any modifications or additions to, or any major maintenance conducted on, or any major problems occurring to the wastewater conveyance system, treatment facilities, or disposal facilities shall be included in this summary.
- d. Monitoring reports shall be signed by:
 - i. In the case of a corporation, by a principal executive officer at least of the level of vice-president or his duly authorized representative, if such representative is responsible for the overall operation of the facility from which the discharge originates;
 - ii. In the case of a partnership, by a general partner;
 - iii. In the case of a sole proprietorship, by the proprietor; or

- iv. In the case of a municipal, state or other public facility, by either a principal executive officer, ranking elected official, or other duly authorized employee.
- e. Monitoring reports are to include the following:
 - i. Name and telephone number of individual who can answer questions about the report.
 - ii. The Monitoring and Reporting Program Number.
 - iii. WDID Number.
- f. Modifications

This Monitoring and Reporting Program may be modified at the discretion of the Regional Board Executive Officer.

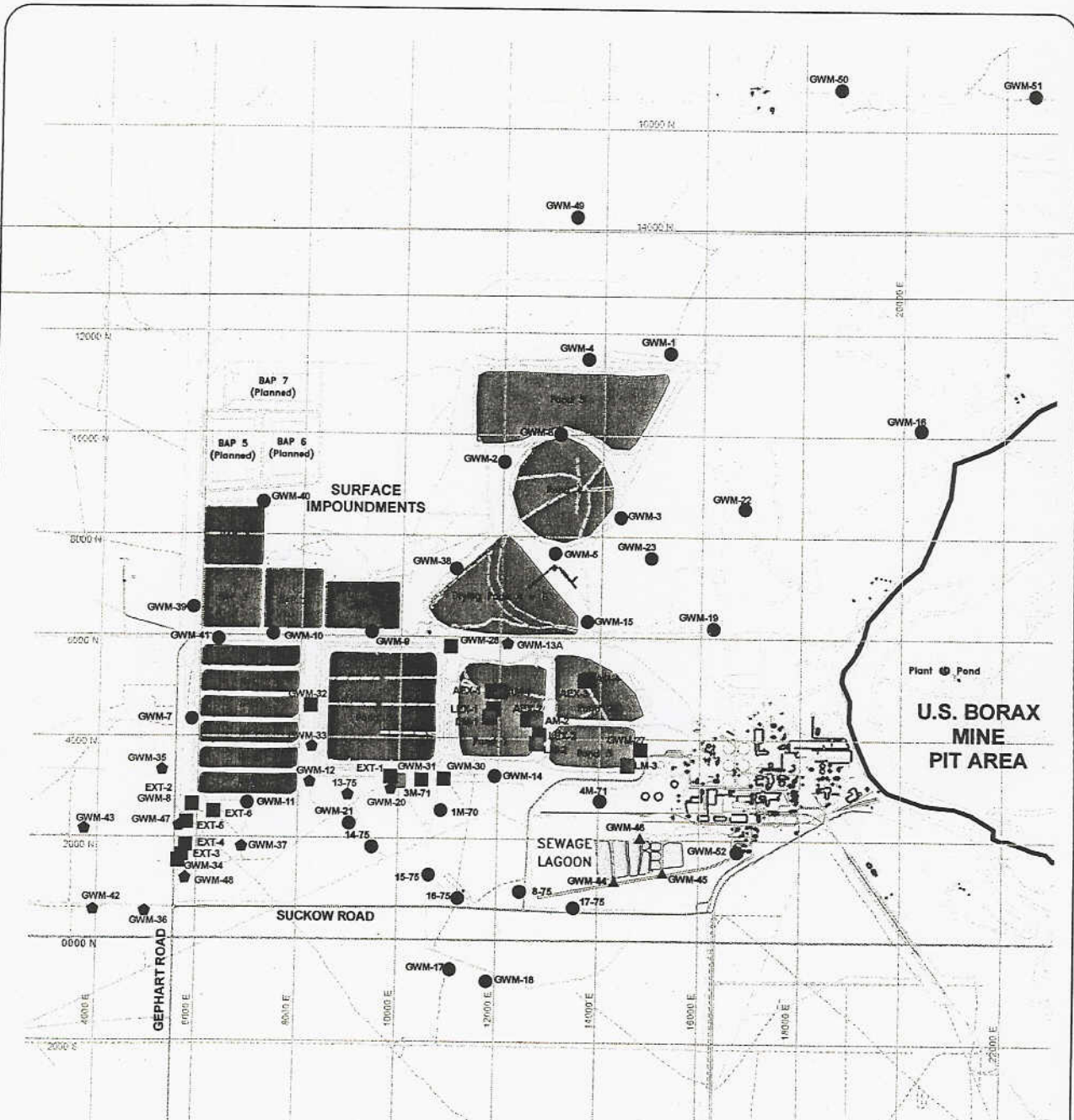
4. NONCOMPLIANCE

Under Section 13268 of the Water Code, any person failing or refusing to furnish technical or monitoring reports, or falsifying any information provided therein, is guilty of a misdemeanor and may be liable civilly in an amount of up to one thousand dollars (\$1,000) for each day of violation under Section 13268 of the Water Code.

x:PROVISIONS WDRS

file: general pro mrp

ATTACHMENT B

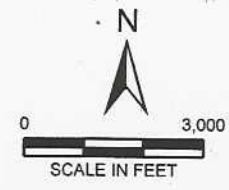


WELLS

- DETECTION MONITORING WELL
- ◆ CORRECTIVE ACTION WELL
- EXTRACTION WELL
- OBSERVATION WELL
- ▲ SEWAGE POND WELL

SURFACE IMPOUNDMENTS

- ACTIVE SURFACE IMPOUNDMENT
- WASTE PILE/INACTIVE SURFACE IMPOUNDMENT
- PLANNED SURFACE IMPOUNDMENT
- SEWAGE LAGOON



	Job No.	USB0405	GROUNDWATER MONITORING WELLS AND EXTRACTION WELLS LOCATION MAP U. S. BORAX BORON, CALIFORNIA	Dwg. File SurfImpoundMonitor_2 forSAP.mxd
	Date	03 NOV. 2005		
	Scale	1" = 3000 FT		
	Author	SLN		

Arcview Project 9.0 Projection: Custom