
Central Valley Regional Water Quality Control Board

4 August 2014

William Lyle
Director of Reclamation and Closure
Newmont USA, Limited
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NOTICE OF APPLICABILITY (NOA); LIMITED THREAT GENERAL WASTE DISCHARGE REQUIREMENTS ORDER R5-2013-0073-01; DREW TUNNEL GROUNDWATER TREATMENT SYSTEM, NEVADA COUNTY

Our office received a Report of Waste Discharge application on 28 September 2012 from Newmont USA, Limited (hereinafter Discharger) for the Drew Tunnel Groundwater Treatment System (Project), for discharge of treated groundwater to surface water. Based on the application packet and subsequent information submitted by the Discharger, staff has determined that the project meets the required conditions for approval under the General Order for Limited Threat Discharges of Treated/Untreated Groundwater from Cleanup Sites, Wastewater from Superchlorination Projects, and Other Limited Threat Wastewaters to Surface Water (Limited Threat General Order). This project is hereby assigned Limited Threat General Order R5-2013-0073-01-037 and National Pollutant Discharge Elimination System (NPDES) Permit No. CAG995002. Please reference your Limited Threat General Order number, **R5-2013-0073-01-037**, in your correspondence and submitted documents.

The enclosed Limited Threat General Order may also be viewed at the following web address: http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2013-0073-01.pdf. You are urged to familiarize yourself with the contents of the entire document. The Limited Threat General Order prescribes mandatory discharge monitoring and reporting requirements. The project activities shall be operated in accordance with the requirements contained in this NOA and the Limited Threat General Order.

CALIFORNIA TOXICS RULE / STATE IMPLEMENTATION POLICY MONITORING

The Limited Threat General Order incorporates the requirements of the California Toxics Rule (CTR) and the State Water Resources Control Board's (State Water Board), *Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California*, 2005, also known as the State Implementation Policy (SIP). Screening levels for CTR constituents and other constituents of concern are found in Attachment B of the Limited Threat General Order. Review of your influent water quality data in comparison to the screening levels, showed reasonable potential for the discharge to cause or contribute to an exceedence of iron and manganese water quality objectives in Wolf Creek; prior to onsite treatment. However, your proposed treatment system addresses the water quality concern by reducing iron and

manganese concentrations below water quality objectives; therefore, the Project qualifies for the Limited Threat General Order.

PROJECT DESCRIPTION

The Project site is located at 556 Freeman Lane, Grass Valley, California on the City of Grass Valley's (City) Wastewater Treatment Plant (WWTP) property. The Discharger is proposing to install and operate an interim Green Sand/Multi-media water treatment system (GSWTS) to treat groundwater discharging from the historic Drew Tunnel mine portal. Prior to installation of a GSWTS by the Discharger, the Drew Tunnel mine portal discharge was piped to the City's WWTP for treatment. The GSWTS has a design capacity of 1.73 million gallons per day. The GSWTS is designed to remove metals present in the Drew Tunnel discharge by oxidizing, precipitating, and filtering prior to discharge. The treated groundwater from the GSWTS will be discharged to Wolf Creek via the City's WWTP outfall ladder. Backwash water and sediment accumulated from the GSWTS will be delivered, on occasion, to the City's WWTP for final treatment and discharge to Wolf Creek under the City's NPDES permit (Order R5-2009-0067, NPDES No. CA0079898).

EFFLUENT LIMITATIONS

Effluent limitations are specified in Section V. Effluent Limitations and Discharge Specifications of the Limited Threat General Order. The following effluent limitations are applicable to this discharge and are contained in Section V. A through C of the Limited Threat General Order:

A. Effluent Limitations – Applicable to All Limited Threat Discharges

1. Priority Pollutants and Constituents of Concern

Parameter	Units	Effluent Limitations
		Annual Average
Iron, Total Recoverable	µg/L	300
Manganese, Total Recoverable	µg/L	50

2. Acute Whole Effluent Toxicity. Survival of aquatic organisms in 96-hour bioassays of undiluted waste for all limited threat discharges shall be no less than:

- a. 70%, minimum for any one bioassay; and
- b. 90%, median for any three consecutive bioassays.

B. Effluent Limitations – Limited Threat Discharge to Specific Waterbodies

4. The pH of all limited threat discharges within the Sacramento and San Joaquin River Basins (except Goose Creek) shall at all times be within the range of 6.5 and 8.5.

Wolf Creek is listed for fecal coliform on the Clean Water Act 303(d) List of impaired water bodies. A Total Maximum Daily Load (TMDL) has not yet been established for Wolf Creek and mine related discharges are not listed as a source of fecal coliform. Therefore, no additional 303(d) based effluent limitations or monitoring requirements are included in this NOA (R5-2013-0073-01-037).

MONITORING AND REPORTING

The Discharger must notify Central Valley Water Board staff 24 hours 1) before the start of each new discharge, 2) as soon as noncompliance is anticipated, and 3) when the discharge ceases. The Discharger must submit quarterly reports, as described in Attachment E, Section X, even if there is no discharge or receiving water flow during the reporting quarter, until the Discharger formally requests that coverage under the Limited Threat General Order be terminated.

Monitoring and reporting requirements are contained in Attachment E of the Limited Threat General Order. The Discharger is required to comply with the following monitoring and reporting requirements for the effluent and receiving water as specified in Attachment E of the Limited Threat General Order.

Monitoring Locations – The Discharger shall monitor the effluent and receiving water at the specified locations as follows:

Table E-1. Monitoring Station Locations

Discharge Point Name	Monitoring Location Name	Monitoring Location Description
001	EFF-001	A location where a representative sample of the effluent can be collected prior to discharging to Wolf Creek.
--	RSW-001	Wolf Creek, approximately 500 feet upstream from the point of discharge.
--	RSW-002	Wolf Creek, approximately 1000 feet downstream from the point of discharge.

Effluent Monitoring – The Discharger shall monitor the effluent as follows:

Table E-2. Effluent Monitoring

Parameter	Units	Sample Type	Minimum Sampling Frequency	Required Analytical Test Method
Total Flow	MGD	Estimate	1/Month	^{2,3}
Electrical Conductivity @ 25 °C	µmhos/cm	Grab	1/Month	^{2,3}
pH	standard units	Grab	1/Month	^{2,3}
Turbidity	NTU	Grab	1/Month	^{2,3}
Temperature	°F	Grab	1/Month	^{2,3}
Dissolved Oxygen	mg/L	Grab	1/Month	^{2,3}
Hardness, Total (as CaCO ₃)	mg/L	Grab	1/Year	^{2,3}
Iron, Total Recoverable	µg/L	Grab	1/Month	²
Manganese, Total Recoverable	µg/L	Grab	1/Month	²
Acute Toxicity	% survival	Grab	1/Project Term ⁸	
Chronic Toxicity	--	Grab	1/Project Term ⁸	

² Pollutants shall be analyzed using the analytical methods described in 40 CFR Part 136 or by methods approved by the Central Valley Water Board or the State Water Board.³

³ A hand-held field meter may be used, provided the meter utilizes a USEPA-approved algorithm/method and is calibrated and maintained in accordance with the manufacturer's instructions. A calibration and maintenance log for each meter used for monitoring required by this Monitoring and Reporting Program shall be maintained at the Facility.

⁸ Sample to be collected from EFF-001 within the 6 months of initiation of discharge and for acute toxicity the test species shall be fathead minnows (*Pimephales promelas*).

Receiving Water Monitoring – When discharging to surface water, the Discharger shall monitor, or provide monitoring data, for the receiving water at RSW-001 and RSW-002 as follows:

Table E-3. Receiving Water Monitoring Requirements

Parameter	Units	Sample Type	Monitoring Frequency	Required Analytical Test Method
Dissolved Oxygen	mg/L	Grab	1/Month	1,3
Electrical Conductivity @ 25 °C	µmhos/cm	Grab	1/Month	1,3
pH	standard units	Grab	1/Month	1,3
Temperature	°F	Grab	1/Month	1,3
Turbidity	NTU	Grab	1/Month	1,3

¹ Pollutants shall be analyzed using the analytical methods described in 40 CFR Part 136 or by methods approved by the Central Valley Water Board or the State Water Board.

³ A hand-held field meter may be used, provided the meter utilizes a USEPA-approved algorithm/method and is calibrated and maintained in accordance with the manufacturer's instructions. A calibration and maintenance log for each meter used for monitoring required by this Monitoring and Reporting Program shall be maintained at the Facility.

In conducting the receiving water sampling, a log shall be kept of the receiving water conditions throughout the reach bounded by RSW-001 and RSW-002. Attention shall be given to the presence or absence of:

- a. Floating or suspended matter
- b. Discoloration
- c. Bottom deposits
- d. Aquatic life
- e. Visible films, sheens, or coatings
- f. Fungi, slimes, or objectionable growths
- g. Potential nuisance conditions

Notes on receiving water conditions shall be summarized in the monitoring report.

Monitoring in accordance with the Limited Threat General Order shall begin upon initiation of discharge. Monitoring reports shall be submitted to the Central Valley Water Board on a quarterly basis, beginning with the Third Quarter 2014 to be submitted on 1 November 2014. If the discharge has not begun there is no need to monitor. However, a monitoring report must be submitted stating that there has been no discharge. Quarterly monitoring reports must be submitted until your coverage is formally terminated in accordance with the Limited Threat General Order, even if there is no discharge during the reporting quarter.

GENERAL INFORMATION AND REQUIREMENTS

The Central Valley Water Board shall be notified immediately if any effluent limit violation is observed during implementation of the project.

Discharge of material other than what is described in the application is prohibited. The required annual fee (as specified in the annual billing you will receive from the State Water Resources

Control Board) shall be submitted until this NOA is officially terminated. You must notify this office in writing when the discharge regulated by the Limited Threat General Order is no longer necessary. If a timely written request is not received, the Discharger will be required to pay additional annual fees as determined by the State Water Resources Control Board.

ENFORCEMENT

Failure to comply with the Limited Threat General Order may result in enforcement actions, which could include civil liability. Effluent limitation violations are subject to a Mandatory Minimum Penalty (MMP) of \$3,000 per violation. In addition, late monitoring reports may be subject to MMPs. When discharges do not occur during a quarterly report monitoring period, the Discharger must still submit a quarterly monitoring report indicating that no discharge occurred to avoid being subject to enforcement actions.

COMMUNICATION

All monitoring report submittals, notification of the beginning and end of discharge, and questions regarding compliance and enforcement shall be directed to Lucio Orellana of the Central Valley Water Board's NPDES Compliance and Enforcement Unit. Mr. Orellana can be reached at (916) 464-4660 or Lucio.Orellana@waterboards.ca.gov.

Questions regarding the permitting aspects of this Low Threat General Order, and written notification for termination of coverage under the Low Threat General Order, shall be directed to Josh Palmer of the Central Valley Water Board's NPDES Permitting Unit. Mr. Palmer can be reached at (916) 464-4674 or Joshua.Palmer@waterboards.ca.gov.

Any person aggrieved by this action of the Central Valley Water Board may petition the State Water Board to review the action in accordance with California Water Code section 13320 and California Code of Regulations, title 23, sections 2050 and following. The State Water Board must receive the petition by 5:00 p.m., 30 days after the date of this NOA, except that if the thirtieth day following the date of this Order falls on a Saturday, Sunday, or state holiday, the petition must be received by the State Water Board by 5:00 p.m. on the next business day.

Copies of the law and regulations applicable to filing petitions may be found on the Internet at: http://www.waterboards.ca.gov/public_notices/petitions/water_quality or will be provided upon request.

Original Signed by Kenneth D Landau for

Pamela C. Creedon
Executive Officer

Enclosure: General Order R5-2013-0073-01 (Discharger only)

cc: David Smith, U.S. Environmental Protection Agency, Region IX, San Francisco
Phil Isorena, Division of Water Quality, State Water Board, Sacramento