

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION
895 Aerovista Place, Suite 101
San Luis Obispo, California 93401**

DRAFT WASTE DISCHARGE REQUIREMENTS ORDER NO. R3-2005-0063

Waste Discharger Identification No. 3 352000002
Proposed for Consideration at the July 8, 2005 Meeting

For

**GRANITEROCK COMPANY, INC.,
SOUTHSIDE SAND & GRAVEL PLANT NO 1540,
5632 AIRLINE HIGHWAY, HOLLISTER
SAN BENITO COUNTY**

The California Regional Water Quality Control Board, Central Coast Region (Regional Board), finds that:

FACILITY OWNER AND LOCATION

1. Graniterock Company, Inc. (hereafter "Discharger") owns and operates the Southside Sand and Gravel Plant, California State Mine Identification Number 91-35-009, (hereafter "Facility").
2. The Facility is located on a 370.5-acre property owned by the Discharger southeast of the City of Hollister and approximately one half mile west of the town of Tres Pinos. The property is bounded by Airline Highway (Highway 25) to the east/northeast, Vineyard Estates to the north, and Southside Road to the south (see Attachment A).
3. The Facility is located in Section 18 of Township 13S, Range 6E of the Mount Diablo Base & Meridian and consists of assessor's parcel numbers 025200-031, 025410-001, and 025410-002. The latitude and longitude coordinates of the Facility are 36° 47' 21.5" and 121° 20' 32.1", respectively.

PURPOSE OF ORDER

4. On April 23 and July 22, 2004, the Discharger submitted requests to phase in additional sediment disposal ponds northwest of the existing and reclaimed ponds along Tres Pinos Creek. Following San Benito County Building

and Planning Department approval of the requested modifications on December 9, 2004, Regional Board staff concluded that the requested modifications could not be approved given the language and scope of the existing Waste Discharge Requirements Order No. 91-25. Prohibition A.1 of Order No. 91-25 limited discharges to areas identified in an out-of-date version of a County of San Benito approved reclamation plan. Consequently, the Discharger submitted a Report of Waste Discharge (ROWD) on February 14, 2005, to facilitate the expansion of the sediment disposal areas in accordance with the current reclamation plan approved by the County of San Benito.

5. In addition to incorporating the requested sediment disposal area modifications, Order No. R3-2005-0063 revises the existing waste discharge requirements in an effort to better regulate the Facility and protect water quality. The proposed Order adds monitoring and reporting requirements to better document process water flow and quality and to evaluate potential groundwater impacts.

FACILITY DESCRIPTION

Operations

6. The Discharger currently extracts sand and aggregates year round from the hillside (commonly referred to as the mezzanine, terrace, or bench) above Tres Pinos Creek and processes it on the site for sale as a construction material. Processing consists of crushing, sorting and washing of the aggregates.
7. Water from an on-site water supply well and water recycled from the settling ponds is used to wash the extracted sand and gravel. After washing the aggregates the process wastewater contains six to ten percent solids by volume (fines consisting primarily of clay and silt). Process wastewater flow to the settling ponds is approximately 648,000 gpd. A flow schematic provided by the Discharger is provided as Attachment C. Recycled process water is also used on the site for dust control.
8. The process wastewater settling ponds are located on the lower portions of the terrace adjacent to the 100-year flood channel of Tres Pinos Creek, as shown on Attachment B. The elevation of the top of the sedimentation ponds ranges from approximately 8 to 19 feet above the 100-year storm flow elevation in Tres Pinos Creek (408 to 422.3 feet above mean sea level [msl]). The settling ponds are staged from east to west along the terrace and are planted with native riparian terrace vegetation and abandoned as habitat per the County's Reclamation Plan 97-13 after they are completely filled with sediments.
9. After the fines are settled out in the settling ponds a substantial portion of the process wastewater is pumped back to the fresh water pond from a clarified water pond as shown on Attachment C. An estimated 25,000 gpd is lost to evaporation from the sedimentation ponds. The amount of seepage from the sedimentation, clarification and fresh water ponds is assumed to be limited as fines deposited in the pond bottoms are expected to decrease permeability over time. This is especially the case for the sedimentation ponds as they progressively fill up with fines.

Storm Water

10. Pursuant to Discharge Specification B.7 of the previous Order, all storm water runoff from

aggregate stockpile and process areas is contained on the site in the wastewater sedimentation ponds. Given the current pond configuration, an estimated 2.91 million gallons of runoff resulting from the 100-year, 24-hour rainfall event would require an additional one half inch of freeboard in the ponds.

11. Since the Discharger contains all of its storm water runoff on the site, the Facility is not subject to the State Water Resources Control Board's General Industrial Activities Storm Water Permit, which requires development and implementation of a Storm Water Pollution Prevention Plan and Best Management Practices.
12. Captured storm water is being utilized within the quarry operation to supplement source water. These waste discharge requirements regulate process water and captured storm water. If a surface water discharge of treated storm water is needed, the Discharger must file a Notice of Intent to be regulated by the General Storm Water Permit.

Local Oversight & Permitting

13. San Benito County originally granted a use permit to the Discharger for the in-stream and terrace mining of sand and gravel in 1972. The current mining location was approved by San Benito County and has been in operation since 1991. The Facility is currently authorized to operate by the County of San Benito under Reclamation Plan (RP) 97-13. Reclamation Plan 97-13 prohibits further mining within the 100-year flood plain of Tres Pinos Creek and restricts the depth of mining in the terrace to ten feet above the highest level of groundwater or floodplain of Tres Pinos Creek.
14. As outlined in its December 9, 2004 response to the Discharger's sediment disposal pond modification request, San Benito County does not object to the proposed phased addition of sediment ponds provided the ponds are located within the footprint of existing and proposed sediment ponds shown on Attachment 1 of RP 97-13, and the design, operation and revegetation of the ponds fully complies with all conditions of RP 97-13. As proposed by

the Discharger, the phased addition and location of additional sedimentation ponds is consistent with RP 97-13 as approved by San Benito County.

15. Reclamation Plan 97-13 is valid for a maximum period of 15 years or until December 2014. The San Benito County Planning Commission considers review of the Reclamation Plan at a public hearing every five years. This Order requires compliance with the most current reclamation plan approved by the County of San Benito.

SITE DESCRIPTION

Land Uses

16. The surrounding area is principally composed of agricultural mixed farming, intermixed with rural development and is zoned as Agricultural Productive – Flood Plain (AP-FP).
17. The Tres Pinos County Water District domestic wastewater treatment plant and disposal facility is located adjacent to the Facility property boundary to the east as shown on Attachment B. The Tres Pinos WWTP consists of a facultative pond treatment system and land disposal of effluent via percolation/evaporation ponds.

Geographic Setting & Geology

18. The Facility is located in the Hollister Valley south of the City of Hollister and north of Bird Creek Hills between the Diablo Range to the east/northeast and the Gabilian Range to the west/southwest. Located on a small elevated plateau, the Facility sits above and north of Tres Pinos Creek at an elevation of 500 to 600 feet above mean sea level.
19. The Facility is located within an active seismic zone. The Calaveras Fault is located approximately one mile west of the Facility and the Calaveras Fault zone encompasses the entire Facility. The Bolado Park fault, a major splay of the Calaveras fault is located adjacent to and east of the Facility and is coincident to and east of the Facility and is coincident to Airline Highway. The San Andreas Rift zone is located several miles to the south.

20. The alluvial materials in the Hollister Valley include Quaternary alluvium and terrace deposits, with terrace deposits more prevalent along the east side of the valley. Stream gravel is present along the San Benito River. As such, the surface layers in the Facility area are composed of undifferentiated alluvium and San Benito Gravels (clay, sand and gravel).

Surface Water

21. Tres Pinos Creek flows through the Facility property from east to west along its southern boundary. The Facility is approximately one mile east, and upstream, of the confluences of Bird Creek and Tres Pinos Creek with the San Benito River.
22. No other major surface water bodies are near the Facility excepting Paicines Reservoir approximately 6 miles to the southeast and San Justo Reservoir approximately five miles to the northwest. In addition, Ridgemark Estates, located to the northwest, maintains twelve storage reservoirs and retention ponds within the development for landscape/golf course irrigation and storm water retention.

Groundwater

23. The Facility is located within the Tres Pinos Creek Valley groundwater basin and is a sub-area of the Pajaro River sub-basin as designated in the Basin Plan. Groundwater flow in the vicinity of the Facility is generally in a north to northwesterly direction as reported in the San Benito County Water District's Annual Groundwater Report for Water Year 2004. A November 9, 1996 report by Weber, Hayes & Associates reported a groundwater flows direction beneath the facility to the west in the downstream flow direction of Tres Pinos Creek.
24. Groundwater in the basin is generally of poor quality as a result of high mineral content. Elevated total dissolved solids (TDS – typically referred to as salts), and the components of TDS such as chloride, sodium, sulfate, boron, and metals, particularly iron and manganese, are common. Various areas within the basin are also subject to elevated

levels of nitrate, presumably resultant of historical agricultural practices.

25. The Discharger installed two groundwater monitoring wells in March 2004 in coordination with the San Benito County Water District (SBCWD). The monitoring wells are located on the terrace as shown on Attachment B. The monitoring wells were installed in accordance with the California Environmental Quality Act (CEQA) and as a requirement of RP 97-13 to document groundwater levels and to aid in the detection of potential impacts of Facility operations on nearby domestic and municipal drinking water wells.

26. One-time groundwater sampling data for the two Discharger/SBCWD monitoring wells are presented in the following table along with data from a SBCWD monitoring well (1512/MW#18) located approximately one mile west of the Facility and of the on-site monitoring wells. Groundwater data from the SBCWD monitoring well is considered representative of background groundwater conditions in portions of the basin near the Facility.

Table 1: Selected Groundwater Data From On and Off-site Monitoring Wells^{a, e}

Parameter	MW-1 ^b	MW-2 ^c	SBCWD MW-18 ^d
Units	(mg/L)	(mg/L)	(mg/L)
Alkalinity	330	300	-
Hardness	430	310	426
Conductivity (µmhos/cm)	1300	1160	1138
pH (pH units)	7.56	7.82	7.67
TDS	820	750	810
Calcium	85	78	54
Magnesium	54	45	71
Sodium	110	92	109
Potassium	3	3	-
Chloride	92	77	89
Sulfate	240	230	205
Bicarbonate	330	300	296
Fluoride	0.31	0.30	-
Nitrate (as N)	2.9	1.6	3.8

Notes:

a) Data excerpted from *Drilling, Construction, and Testing of the Tres Pinos – Granite Rock Monitoring Wells*, Todd Engineers, June 2004

report.

b) Samples collected from MW-1 on 3/22/2004.

c) Samples collected from MW-2 on 3/29/2004.

d) Samples collected from 1512/MW-18 in July 2002.

e) - = analyte not tested

Table 2: Groundwater Depth/Elevation Data From On and Off-site Monitoring Wells

Well ID	MW-1 ^a	MW-2 ^a	SBCWD MW-18 ^b
Date Sampled	Groundwater Surface Depth ft-bgs (Elev, ft-msl)		
Top of Well Casing elev	(500.7)	(517.1)	(360)
April 2004 ^c	158.35 (342.35)	144.97 (372.13)	27.00 (333.00)
July 2004	159.55 (341.15)	148.35 (368.75)	48.95 (311.55)
October 2004	162.95 (337.75)	152.47 (364.6)	49.80 (310.20)
January 2004	162.09 (338.61)	128.22 (388.88)	-

Notes:

a) Data excerpted from February 16, 2005 facsimile transmittal from SBCWD to Granite Rock; data collected by SBCWD.

b) Data excerpted from SBCWD *Annual Groundwater Report for Water Year 2004*, Gus Yates; SBCWD MW-18 identified as well no 13-5—13Q1 in annual report.

c) SBCWD MW-18 sampled March 2004.

27. Comparison of groundwater data from the two onsite monitoring wells with the SBCWD well does not indicate impacts to groundwater along the western Facility boundary from historic operations. Groundwater quality encountered in monitoring wells MW-1 and MW-2 is consistent with groundwater quality in the basin.

28. Conclusions of a 1996 groundwater investigation conducted by the Discharger (Weber, Hayes, & Associates, November 9, 1996 report, Groundwater Limitations for Waste Discharge Requirements) using two onsite wells identified as MW-3 and SB-3398 (13S/6E-19A3) showed “no significant increase in mineral constituents in groundwater downgradient of the settling ponds.” Data presented in the report indicate four depth to groundwater readings conducted

between June 1994 and October 1996 for MW-3 ranged from 7.4 to 22.28 feet bgs.

29. Groundwater monitoring was not required by the previous order other than quarterly sampling of the Facility water supply well for total dissolved solids (TDS) and pH. Minimum, maximum and average TDS and pH data for the supply well are presented in the following Water Supply and Effluent Quality section for comparison with effluent data. The Facility water supply well is identified as Br.154 well or pump in Discharger documents and is located on the bench adjacent to Tres Pinos Creek. The production well is immediately down gradient of the existing sedimentation ponds as shown on Attachment B. Construction details and depth to water data are not available for the supply well.
 30. Two domestic supply wells, the Lima and Vineyard Estates wells, are located on the terrace adjacent to and west of the Facility as shown on Attachment B. These wells tap the San Benito Gravels for domestic water supply. The construction and depth of the wells are unknown. Groundwater depths in the Lima and Vineyard Estates wells measured in April 2004 were approximately 353 feet msl (163 feet below ground surface [bgs]) and 354 feet msl (165 feet bgs), respectively.
 31. Groundwater elevations measured in three additional SBCWD monitoring wells located south of the Facility and across Tres Pinos Creek and Southside Road generally range from 362 ft-msl to 424 ft-msl with an average elevation of 400 ft-msl (based on five sampling events between October 2003 and October 2004; data reported in the SBCWD Annual Groundwater Report for Water Year 2004). The observed difference in groundwater depth across Tres Pinos Creek infers a groundwater divide may exist along the Tres Pinos Creek channel or terrace.
 32. Portions of the groundwater basin adjacent to the Facility are subject to artificial recharge conducted by the SBCWD. The SBCWD releases stored surface water to the San Benito River and Tres Pinos Creek from the upstream Hernandez and Paicines Reservoirs in order to increase groundwater storage by direct percolation of the released water. In addition, the Tres Pinos turnout for the recharge of San Felipe water (State water) is located south and upstream of the Facility. Subsequently, the Facility lies between the Tres Pinos recharge area and several major municipal wells to the northwest operated by the Sunnyslope County Water District (SCCWD) that may serve as recovery wells for the recharged water.
 33. Based on an average top of sedimentation pond elevation of 429.8 feet msl, an average pond depth of 21.5 feet, and an average groundwater depth of 357 feet msl, depth to water beneath the sedimentation ponds is estimated to be approximately 50 feet bgs. Average groundwater depth is estimated based on April 2004, July 2004, October 2004, and January 2005 depth to water data for MW-1 and MW-2. Depth to groundwater in this area may have been, or is seasonally higher given the data noted in Finding 28 above.
 34. It is uncertain what effects the pumping of the on-site production well and two nearby domestic wells, SBCWD recharge activities, and Tres Pinos Creek flows have on groundwater elevation. A localized increase in groundwater elevation to that of the Tres Pinos Creek channel (located at elevations of 404 feet to 418 feet msl) would likely result in the sedimentation pond bottoms being at or below the groundwater level.
 35. It is also uncertain what impact the disposal of partially treated domestic wastewater from the Tres Pinos County Water District WWTP to upgradient portions of the groundwater basin has on groundwater beneath the Facility. Limited groundwater data are available for the Tres Pinos WWTP, but groundwater collected from a monitoring well (MW-2A) adjacent to the treatment and disposal ponds contained levels of TDS, sodium and chloride of up to 1490 mg/L, 580 mg/L, and 510 mg/L, respectively, during a October 24, 2002 sampling event.
- ### Water Supply & Effluent Quality
36. Quarterly monitoring of the water supply well (Br 154) and process wastewater for TDS and

pH were required by the previous permit. The following table compares the water supply well and process wastewater minimum, maximum, and average TDS and pH values for the last four and one half years of available data.

Table 3: Water Supply Well and Process Wastewater TDS and pH Data ^a

	Supply well (BR154)		Process Wastewater ^b	
	TDS	pH	TDS	pH
Min	547	7.03	553	7.33
Max	852	8.25	848	8.58
Avg	760	7.47	735	8.16

Notes:

- Minimum, maximum and average values calculated from June 1999 to December 2004 quarterly monitoring data.
- Process wastewater samples collected from the first active sedimentation pond.

37. The Discharger conducted one-time sampling of the Facility water supply well and wastewater from the first active sedimentation pond on January 17, 2005, for general minerals and metals as part of the permit renewal process. Analytical results are presented in the following tables.

Table 4: Comparison of Water Supply and Process Wastewater Quality for General Minerals ^a

Parameter	Supply Well (Br 154)	Process Wastewater ^b
Units	(mg/L)	(mg/L)
Alkalinity	300	155
Hardness	430	290
Conductivity (µmhos/cm)	1240	1060
pH (pH units)	7.6	8.4
TDS	800	660
Calcium	64	56
Magnesium	54	39
Sodium	580	630
Potassium	3.5	5.0
Chloride	110	100
Sulfate	210	210
Fluoride	0.30	0.30
Nitrate (as N)	1.7	0.5

Notes:

- Samples collected January 17, 2005; data submitted with ROWD.
- Process wastewater samples collected from the first active sedimentation pond.

Table 5: Comparison of Water Supply and Process Wastewater Quality for Metals ^{a, b}

Parameter	Supply Well (Br 154)	Process Wastewater ^c
Units	(µg/L)	(µg/L)
Silver	<1.0	<1.0
Aluminum	<50	1300
Arsenic	1.5	2.7
Boron	820	620
Barium	40	100
Beryllium	<1.0	<1.0
Cadmium	<1.0	<1.0
Chromium	4.4	8.2
Copper	1.6	2.8
Nickel	<2.0	11
Lead	<1.0	<1.0
Antimony	<1.0	<1.0
Selenium	4.6	4.2
Thallium	<1.0	<1.0
Zinc	<5.0	12

Notes:

- Samples collected January 17, 2005; data submitted with ROWD.
- Data represents total recoverable metals by EPA Method 200.8
- Process wastewater samples collected from the first active sedimentation pond.

38. The data presented above indicate the chemical characteristics of the wastewater are virtually identical to those of the water supply, with the exception of elevated levels of aluminum being detected in the process wastewater. The 1,300 mg/L of aluminum detected in the wastewater is likely due the presence of both colloidal and dissolved aluminum as a result of clay minerals being washed from the processed aggregates. Clay minerals (hydrated aluminosilicates) contain high concentrations of aluminum and soils typically contain 10,000 to 300,000 mg/kg (Dragun, 1998).

39. The California Department of Health Services Primary and Secondary Maximum Contaminant Levels (MCLs) for aluminum are 1,000 mg/L and 200 mg/L, respectively. All other concentrations of metals detected in the

water supply well and process wastewater are below applicable MCLs.

40. It is uncertain what fraction of the aluminum is dissolved without additional analyses. Colloidal aluminum likely constitutes a significant portion due to the small diameter of clay minerals (less than 1 μm) and the pore size (0.22 μm) of the sampling filter employed for the analysis. In addition, although the physical action of the aggregate processing and exposure to heat may facilitate the release of soluble aluminum, the pH and chemical characteristics of the process water do not appear conducive to the solubilization of significant amounts of aluminum. Subsequently, the aluminum is not likely available for transport as supported by its absence in the water supply well.
41. Comparison of available TDS and pH data for the water supply well and process wastewater does not indicate a significant increase in TDS or pH in the wastewater as a result of processing activities or evaporative losses. In addition, comparison of facility water supply and wastewater quality data with groundwater data from area monitoring wells presented above indicate similar water quality with the exception of sodium concentrations being approximately five times higher in the water supply well and wastewater.
42. The higher levels of sodium detected in the supply well and wastewater appear anomalous in the absence of commensurate increases in TDS and alkalinity as compared to groundwater data from the monitoring wells. As with the aluminum case, clay mineralogy and cation exchange interactions may be attributable to the noted sodium concentrations in the water supply and process wastewater. It should be noted that the higher levels of sodium detected in the water supply well are similar to those encountered in the upgradient Tres Pinos County Water District well MW-2A. However, water supply well chloride and TDS concentrations do not correlate with those of MW-2A as would be expected if the Tres Pinos domestic wastewater discharge was a contributing source.

BASIN PLAN

43. The Water Quality Control Plan, Central Coast Basin (Basin Plan) incorporates statewide plans and policies by reference and contains a strategy for protecting beneficial uses of State Waters. This Order implements the Basin Plan.
44. The Water Quality Control Plan for the Central Coast Region (Basin Plan) designates the existing and anticipated beneficial uses of groundwater in the vicinity of the Facility to include:
- Domestic and municipal water supply;
 - Agricultural water supply; and
 - Industrial water supply.
45. The Basin Plan specifies water quality objectives for certain groundwater basins, which are intended to serve as a baseline for evaluating water quality management in the basin. The objectives are, at best, representative of gross areas only, and are as follows for the Tres Pinos sub-area of the Pajaro River groundwater basin:

Table 6: Median Groundwater Objectives for the Pajaro River sub-basin

<i>Parameter (mg/L)</i>	<i>Sub-area Tres Pinos</i>
TDS	1000
Cl	150
Sulfate	250
Boron	1.0
Sodium	150
Nitrate as N	5

Excerpted from Table 3-8, page III-16 of the Basin Plan

46. The Basin Plan designates existing and anticipated beneficial uses of the San Benito River that could be affected by the discharge to include:
- Municipal and Domestic Supply;
 - Agricultural Water Supply;
 - Industrial Service Supply;
 - Groundwater Recharge;
 - Water Contact Recreation;
 - Non-Contact Water Recreation;
 - Wildlife Habitat;

- h) Warm Freshwater Habitat;
 - i) Spawning, Reproduction, and/or Early Development;
 - j) Freshwater Replenishment;
 - k) Commercial and Sport Fishing.
47. For receiving waters with designated beneficial uses of municipal and domestic water supply, the Basin Plan establishes the primary drinking water maximum contaminant levels (MCLs), listed at Title 22 of the California Code of Regulations, Sections 64431 (inorganic compounds) and 64444 (organic compounds), as applicable water quality objectives.
48. The Basin Plan specifies water quality objectives for certain surface waters, which are intended to serve as a baseline for evaluating water quality management in the basin. The objectives are, at best, representative of gross areas only, and are based on preservation of existing quality or water quality enhancement believed attainable following control of point sources. Water quality objectives are as follows for the San Benito River sub-area of the Parajo River sub-basin.

Table 7: Surface Water Quality Objectives for the Pajaro River sub-basin

<i>Parameter (mg/L)</i>	<i>Sub-area San Benito River</i>
Total Dissolved Solids	1400
Chloride	200
Sulfate	350
Boron	1.0
Sodium	250

Excerpted from Table 3-7, page III-13 of the Basin Plan

MONITORING PROGRAM

49. Monitoring and Reporting Program No. R3-2005-0063 is a part of the proposed Order. The Monitoring Program requires semiannual water supply, effluent, and groundwater, monitoring to verify compliance and ensure protection of groundwater quality. Monitoring reports are due annually on January 20th. An annual report summarizing the year's events and monitoring is due in January.

ENVIRONMENTAL ASSESSMENT

50. These waste discharge requirements are for an existing facility and are exempt from the provisions of the California Environmental Quality Act (Public Resources Code, Section 21000, et. seq.) in accordance with Section 15301, Article 19, Chapter 3, Division 6, Title 14 of the California Code of Regulations.

Total Maximum Daily Load

51. Total maximum daily load (TMDL) allocations will be developed for impaired surface waters in the Pajaro River watershed including the San Benito River. The Pajaro River impairments are due to excessive nutrients, sedimentation, and fecal coliform. The San Benito River impairments are due to excessive sedimentation and fecal coliform. TMDL documents will allocate responsibility for constituent loading throughout the Pajaro River and San Benito River watersheds, including tributary subwatersheds. Draft sediment TMDL documents are anticipated to be publicly available by June 2005. During development of the TMDL source assessment and implementation plan, if Regional Board staff find that the waste discharge of these constituents may adversely impact beneficial uses or exceed water quality objectives, TMDL documents may require changes in waste discharge requirements. Waste discharge requirements may be modified to implement applicable TMDL provisions and recommendations.

EXISTING ORDERS/GENERAL FINDINGS

52. The discharge was previously regulated by Waste Discharge Requirements Order No. 91-25, adopted by the Regional Board on March 8, 1991. The Regional Board has regulated this discharge since 1991.
53. Since the Discharger contains all of its storm water runoff on site, the Facility is not subject to the State Water Resources Control Board's General Industrial Activities Storm Water Permit, which requires development and implementation of a Storm Water Pollution

Prevention Plan and Best Management Practices.

54. Discharge of waste is a privilege, not a right, and authorization to discharge is conditional upon the discharge complying with provisions of Division 7 of the California Water Code and any more stringent effluent limitations necessary to implement water quality control plans, to protect beneficial uses, and to prevent nuisance.
55. On April 26, 2005, the Regional Board notified the Discharger and interested parties of its intent to issue waste discharge requirements for the Facility and has provided them with a copy of the proposed Order and an opportunity to submit written views and comments.
56. After considering all comments pertaining to this discharge during a public hearing on July 8, 2005, this Order was found consistent with the above findings.
57. Any person affected by this action of the Board may petition the State Water Board to review the action in accordance with Section 13320 of the California Water Code and Title 23 of the California Code of Regulations, Section 2050. The State Water Board must receive the petition within 30 days of the date of this Order. Copies of the law and regulations applicable to filing petitions will be provided upon request.

IT IS HEREBY ORDERED, pursuant to authority in Sections 13263 and 13267 of the California Water Code, that Granite Rock Company, Inc. its agents, successors, and assigns, may discharge waste at the above-described Facility providing compliance is maintained with the following:

(Note: General permit conditions, definitions and the method of determining compliance are contained in the attached "Standard Provisions and Reporting Requirements for Waste Discharge Requirements," dated January 1984).

All technical and monitoring reports submitted pursuant to this Order are required pursuant to Section 13267 of the California Water Code. Failure to submit reports in accordance with

schedules established by this Order, attachments to this Order, or failure to submit a report of sufficient technical quality to be acceptable to the Executive Officer, may subject the Discharger to enforcement action pursuant to Section 13268 of the California Water Code. The Regional Board will base all enforcement actions on the date of Order adoption.

Throughout these requirements footnotes are listed to indicate the source of requirements specified. Requirement footnotes are as follows (requirements without footnotes are BPJ unless otherwise noted):

BPJ	Best Professional Judgment of Regional Water Quality Control Board Staff
ROWD	The Discharger's Report of Waste Discharge
40CFR	Title 40 Code of Federal Regulations
BP	Central Coast Regional Water Quality Control Plan
T22	Title 22 CCR, Division 4, Chapter 3, Water Reclamation Criteria
PC	Porter-Cologne Water Quality Control Act (California Water Code)

A. DISCHARGE PROHIBITIONS

1. Discharge of sand and gravel wash water (process wastewater) for the purpose of fines removal to areas other than those permitted by the most current and active Reclamation Plan issued by San Benito County is prohibited.
2. Discharge of any wastes to the settling ponds and process water recycling system except sand and gravel wash water and incidental storm water runoff is prohibited.
3. Process wastewater shall not be discharged within 100 feet of any existing water supply well with the exception of the process supply wells owned and operated by the Discharger.^{BPJ}
4. Average daily (30-day average) flow of process wastewater to the settling ponds shall not exceed 1.0 MGD.
5. Process wastewater discharged to the sedimentation ponds shall not have a pH of less than 6.5 or greater than 8.4.^{BP}

6. The discharge shall not contain substances in concentrations toxic to human, animal, plant, or aquatic life.
 7. Discharge of fuels, greases, or oil to the settling ponds, process water recycling system, or surface waters is prohibited.
 8. Discharge of sanitary wastes to the settling ponds and process water recycling system or surface waters is prohibited.
 9. The Discharge of process wastewater, silt, or sediment to Tres Pinos Creek or tributaries thereof is prohibited.
 10. Discharge of storm water from the Facility process, mining, and sedimentation pond areas and roads to Tres Pinos Creek or any tributaries thereof is prohibited unless the Discharger obtains coverage under the General Storm Water Permit.
 11. The use of heavy equipment within the Tres Pinos Creek channel is prohibited except as allowable by the Executive Officer and other applicable agencies for emergency purposes.^{BPJ}
 12. Discharge of any waste, except in compliance with this Order or other applicable waste discharge requirements is prohibited.
 13. Creation of a condition of pollution, contamination, or nuisance as defined in section 13050, Division 7, of the California Water Code is prohibited.
3. To protect the *municipal and domestic supply* beneficial uses of groundwater underlying the Facility, operations at the Facility shall not cause groundwater to:^{BP/BPJ/T22}
 - a) exceed the Primary Maximum Contaminant Levels for organic chemicals set forth in the California Code of Regulations, Title 22, Division 4, Chapter 15, Article 5.5, Section 64444.
 - b) exceed the Primary Maximum Contaminant Levels for inorganic chemicals set forth in the California Code of Regulations, Title 22, Division 4, Chapter 15, Article 4, Section 64431.
 - c) exceed the levels for radionuclides set forth in the California Code of Regulations, Title 22, Division 4, Chapter 15, Article 5, Section 64443.
 4. Facility Operations shall not cause radionuclides to be present in groundwater in concentrations that are deleterious to human, plant, animal, or aquatic life, or result in the accumulation of radionuclides in the food web to an extent that presents a hazard to human, plant, animal, or aquatic life.^{BP}

B. GROUNDWATER LIMITATIONS

1. Facility operations shall not cause groundwater to contain taste- or odor-producing substances in concentrations that adversely affect beneficial uses.^{BP}
2. Facility operations shall not cause a statistically significant increase of mineral or organic constituent concentrations in underlying groundwater, as determined by statistical analysis of samples collected from wells in the vicinity of the disposal area.^{BP}

C. SPECIFICATIONS

1. The depth of mining in the terrace shall be restricted to ten feet above the highest level of groundwater or floodplain of Tres Pinos Creek.
2. Freeboard shall exceed two feet in all designated settling, reclamation, and water supply storage ponds.^{BPJ}
3. All existing active and reclaimed sedimentation ponds in place prior to this Order shall be protected from flooding or washout occurring as a result of floods with a predicted frequency of one in 10 years.
4. All future active and reclaimed sedimentation ponds, mining and process areas, and roads employed after the date of this Order shall be protected from flooding or washout occurring as a result of a 100-year frequency flood and 100-year 24-hour storm.

5. Process wastewater shall be confined to land owned or controlled by the Discharger.^{BPJ}
6. The Facility shall be managed so as to minimize mosquito-breeding habitat, with an emphasis on process water pond inspection and maintenance to prevent stagnant areas or other suitable habitat for mosquito breeding and the development of mosquito larvae.^{BPJ}
7. By October 1st of each year, the Discharger shall inspect, install, and have in proper operating conditions, all erosion and sediment control systems and measures necessary to ensure compliance with this Order.
8. The Discharger shall maintain a copy of this Order at the site available to all operating personnel.
9. The Discharger shall operate and maintain the domestic septic tank and leach field system in a manner which does not allow surfacing of effluent or nuisance conditions to be present.
10. Physical facilities shall be designed and constructed according to accepted engineering practices and shall be capable of full compliance with this Order when properly operated and maintained.
11. Prior to closure of the Facility, the Discharger shall have an approved Closure Plan and Post-Closure Maintenance Plan. These plans shall include adequate funding for closure and post-closure maintenance costs.
3. All technical and monitoring reports submitted pursuant to this Order are required pursuant to Section 13267 of the California Water Code. Failure to submit reports in accordance with schedules established by this Order, attachments to this Order, or failure to submit a report of sufficient technical quality acceptable to the Executive Officer, may subject the discharger to enforcement action pursuant to Section 13268 of the California Water Code.
4. Discharger shall comply with all items of the attached "Standard Provisions and Reporting Requirements for Waste Discharge Requirements", dated January 1984, (also referred to as "Standard Provisions") except Item Nos. A.4, A.5, A.6, A.8, A.13, A.15, A.16, A.17, C.9 and C.16.
5. Facility operations shall comply with lawful requirements of the municipalities, counties, irrigation districts, drainage districts, and other local agencies regarding discharges of waste to land and surface waters within their jurisdiction.
6. The Discharger shall give advance notice to the Regional Board of any planned changes in the permitted facility or waste management activities that may result in noncompliance with this Order.
7. This Order may be reopened to address any changes in State or Federal plans, policies, or regulations that would affect the quality requirements for the discharges.

D. GENERAL PROVISIONS

1. Order No. 91-25, "Waste Discharge Requirements for Granite Rock Company Inc., Southside Sand and Gravel Plant #1540, San Benito County," adopted by the Regional Board on March 8, 1991, is hereby rescinded.
2. The Discharger shall comply with Monitoring and Reporting Program (MRP) No. R3-2005-0063, as specified by the Executive Officer. The Executive Officer is authorized to revise the Monitoring and Reporting Program at any time during the Permit term.
8. In the event of any change in control or ownership of land or facilities presently owned or utilized by the Discharger, the Discharger shall notify the succeeding owner(s) or operator(s) of the existence of this Order by letter, a copy of which shall be forwarded to the Regional Board.

9. The Discharger shall file a Report of Waste Discharge in accordance with Title 23, Chapter 3, Subchapter 9, of the California Administrative Code given a material change in the character, location, or volume of the discharge. Material changes warranting submittal of a Report of Waste Discharge include, but are not limited to, the following:
- a) Addition of a major industrial waste discharge to a discharge of essentially domestic sewage, or the addition of a new process or product by an industrial facility resulting in a change in the character of the waste.
 - b) Significant change in disposal method, e.g., change from a land disposal to a direct discharge to water, or change in the method of treatment which would significantly alter the characteristics of the waste.
 - c) Significant change in the disposal area, e.g., moving the discharge to another drainage area, to a different water body, or to a disposal area significantly removed from the original area potentially causing different water quality or nuisance problems.
 - d) Increase in flow beyond that specified in the waste discharge requirements.

I, Roger W. Briggs, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of an order adopted by the California Regional Water Quality Control Board, Central Coast Region, on July 8, 2005.

Roger W. Briggs, Executive Officer