

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION

ORDER R5-2021-0064
AMENDING WASTE DISCHARGE REQUIREMENTS ORDER R5-2011-0028
FOR
TRIANGLE ROCK PRODUCTS, INC
FLORIN ROAD AGGREGATE PLANT
SACRAMENTO COUNTY

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

Waste Discharge Requirements Order R5-2011-0028

1. On 4 April 2011, the Central Valley Water Board adopted Waste Discharge Requirements (WDRs) Order R5-2011-0028, prescribing requirements for land discharges of aggregate processing wastes at the Florin Road Aggregate Plant, Sacramento County. For the purposes of this Order, Triangle Rock Products, Inc is hereafter referred to as “Discharger” and the Florin Road Aggregate Plant is hereafter referred as the “Facility”.
2. The Discharger owns and operates the Facility. Surface mining operations occur on approximately 534 acres, which comprises of a 413-acre property on Assessor’s Parcel Number (APN) 067-0120-069 and a 121-acre property on APN 067-0120-074 (referred to as Expansion Area). Wastewater is generated from the aggregate washing operations and discharged to a settling/recycling pond system located on APN 067-0120-069.
3. Mining operations involve Phases I – X on APN 067-0120-069 and Phases E-1, E-2, and E-3 at the Expansion Area (APN 067-0120-074). Phases I – IX are complete. Phase X contains the existing processing plant and settling ponds. Mining of the Expansion Area began in 2013 and is currently in progress.

Proposed WDRs Amendment

4. On 19 August 2021, the Discharger submitted a request to allow surface mining on an additional parcel referred to as the Carli Expansion Area. The Carli Expansion Area (APN 067-0120-073) is bordered to the north and east by the Facility, to the south by Florin Road, and to the west by Eagles Nest Road. In the north eastern section of the property is an existing composting facility. A cell tower is located in the north western section of the property. Potential seasonal marshes/wetlands are located in the southeast corner of the property, which will not be mined or disturbed. Mining of sand and gravel will occur on approximately 140 acres of the 161-acre parcel. Proposed mining depth is approximately 60 - 65 feet below ground surface. Mining operations at the Carli Expansion Area will occur in two phases (T-1 and T-2), to allow current tenants (composting facility and cell tower) to remain onsite while mining progresses around them.

5. No aggregate washing operations or land discharges of aggregate process wastewater will occur at the Carli Expansion Area. Water use for dust control during excavation activities will be provided from a water storage tank sourced from an existing well. Temporary soil and overburden stockpiles will be maintained at the Carli Expansion Area for site reclamation purposes.
6. Aggregate materials from the Carli Expansion Area will be transported to the existing processing plant (APN 067-0120-069) via electric powered conveyors or haul trucks. All aggregate washing operations are performed at the existing processing plant. There are no changes to the approved production rate for the existing mining operation. There are no changes to the operation of the processing plant. Aggregate washing wastewater is discharged to a clarifier where polymers are added to enhance solids settling. No other additives will be used. The silt-laden (or sediment slurry) water from the clarifier is discharged to the settling ponds. The decant water is pumped to a freshwater tank for reuse.
7. A ready-mix concrete plant and portable asphalt/concrete recycle plant are planned within or adjacent to the Carli Expansion Area. Discharges of waste generated from the two operations are not regulated under WDRs Order R5-2011-0028 or this Order. Submittal of a Report of Waste Discharge for Waste Discharge Requirements shall be required for any land discharges of waste associated with the ready-mix concrete plant and portable asphalt/concrete recycle plant.
8. The existing composting facility is currently regulated under General Waste Discharge Requirements for Composting Operations, Water Quality Order 2015-0121-DWQ and was issued a Notice of Applicability on 28 February 2018. A Monitoring and Reporting Program (MRP) R5-2010-0831 was issued on 27 October 2010.

California Environmental Quality Act

9. In accordance with California Environmental Quality Act (CEQA), Public Resources Code, section 21000 et seq., on 18 August 2020, County of Sacramento determined that the environmental analysis for PLNP2017-00243 – Carli Expansion Mining Use Permit was adequate and complete and certified the Environmental Impact Report, adopted the Mitigation Monitoring and Reporting Program, and adopted the Finding of Fact and Statement of Overriding Considerations.
10. A Notice of Determination for the project titled Carli Expansion Mining Use Permit was endorsed by County of Sacramento on 19 August 2020. The project description included the following:
 - a. A Use Permit allows surface mining on one parcel totaling 161 acres. Mining activities will disturb approximately 141 acres.
 - b. A Community Plan Amendment and Rezone to change the community plan land designation and corresponding zoning for 161 acres from Permanent

Agriculture-Extensive (AG-160) to Permanent Agriculture-Extensive with Surface Mining Combining Zone (SM).

- c. Amendments to Reclamation Plan to incorporate the Carli Expansion, which includes open space and dry grazing as the end use of the mine.
- d. A Development Agreement between the application and the County of Sacramento.

CV SALTS REOPENER

11. The Central Valley Water Board adopted Basin Plan amendments (Resolution R5-2018-0034) incorporating new programs for addressing ongoing salt and nitrate accumulation in the Central Valley at its 31 May 2018 Board Meeting. The Basin Plan amendments were conditionally approved by the State Water Board on 16 October 2019 (Resolution No. 2019-0057) and by the Office of Administrative Law on 15 January 2020 (OAL Matter No. 2019-1203-03).

- a. For salinity, dischargers that are unable to comply with stringent salinity requirements will instead need to meet performance-based requirements and participate in a basin-wide effort to develop a long-term salinity strategy for the Central Valley. Dischargers received a Notice to Comply with instructions and obligations for the Salt Control Program within one year of the effective date of the amendments. The Discharger has submitted a Notice of Intent to comply with the Salt Control Option 2 (Alternative Option for Salt Permitting).
- b. For nitrate, dischargers that are unable to comply with stringent nitrate requirements will be required to take on alternate compliance approaches that involve providing replacement drinking water to persons whose drinking water is affected by nitrates. Dischargers could comply with the new nitrate program either individually or collectively with other dischargers. For the Nitrate Control Program, the Facility falls within the South American Basin a Non-Prioritized Basin. The Facility is an aggregate facility, which is categorically exempted from the Nitrate Control Program.

As these strategies are implemented, the Central Valley Water Board may find it necessary to modify the requirements of these WDRs to ensure the goals of the Salt and Nitrate Control Programs are met.

12. The WDRs may be amended or modified to incorporate any newly applicable requirements.

Public Notice

13. The Discharger and interested agencies and persons have been notified of the Central Valley Water Board's intent to amend waste discharge requirements for this discharge, and they have been provided an opportunity to submit written comments

and an opportunity for a public hearing.

14. All comments pertaining to the discharge were heard and considered in a public hearing.

IT IS HEREBY ORDERED that, pursuant to Water Code sections 13263 and 13267, Waste Discharge Requirements Order R5-2011-0028 is amended to include the additional mining area referred to as the Carli Expansion Area. Triangle Rock Products, Inc, its agents, successors, and assigns, in order to meet the provisions contained in Division 7 of the Water Code and regulations adopted hereunder, shall comply with amended Order R5-2011-0028-01 as follows:

1. Finding 3 shall be amended as follows:

“The Facility is comprised of 413 acres located on property identified by Assessor’s Parcel Number (APN) 067-0120-069 and the 121-acre expansion area (hereafter referred to as Expansion Area) located south of Florin Road and identified by APN 067-0120-074, as shown on Attachment A. Additional mining of sand and gravel will take place on a 161-acre parcel (hereafter referred to as Carli Expansion) and identified by APN 067-0120-073, which is located to the west and adjacent to the Facility.”

2. Finding 5 shall be amended as follows:

“The total mining operation is now comprised of approximately 690 acres and includes approximately 480 acres to be mined, the existing processing plant, original mining site, office, fuel/oil storage area, the Expansion Area, and the Carli Expansion Area. All of the property is owned by the Discharger.”

3. Finding 8 shall be amended as follows:

“Mining Phases I through VIII have been completed and are in the process of being filled. The remaining phases to be mined include Phase X (the processing plant), Phase IX (future settling ponds), the Expansion Area (Phases E-1, E-2, and E-3), and the Carli Expansion Area (Phases T-1 and T-2). These areas are shown on Attachment B, which is attached hereto and made part of this Order by reference.”

4. Finding 54 shall be amended as follows:

“The Discharger has filed a Notice of Intent to obtain coverage for the existing Facility under the State Board’s Water Quality Order No. 97-03-DWQ National Pollutant Discharge Elimination System (NPDES), General Permit No. CAS 000001, Waste Discharge Requirements (WDRs for Discharges of Storm Water Associated with Industrial Activities (excluding construction activities). The Discharger shall submit a Notice of Intent for a change of information and coverage of the Expansion Area and Carli Expansion Area.”

5. Discharge Prohibitions Section A.10 will be amended as follows:

“The operation of and/or discharge of waste from aggregate processing in the Expansion Area and Carli Expansion Area is prohibited.”

6. Discharge Prohibitions Section A.11 will be added as follows:

“Mining of the area within the existing composting site located at the Carli Expansion Area is prohibited until the composting site has been properly closed in accordance with State Water Resources Control Board Order WQ 2015-0121-DWQ, General Waste Discharge Requirements for Composting Operations.”

7. Section E Provisions will be amended to include E.1.d as follows:

*“The Discharger shall notify the Central Valley Water Board **within 30 days** of properly closing the existing composting site in accordance with General Order WQO 2015-0121.”*

8. Attachment A shall be amended to show the approximate location of the Carli Expansion Area.
9. Attachment B shall be amended to show the approximate location of the Carli Expansion area.

Any person aggrieved by this action of the Central Valley Water Board may petition the State Water Board for administrative review in accordance with Water Code section 13320, and California Code of Regulations, title 23, section 2050 et seq. To be timely, the State Water Board must receive the petition by 5pm on the 30th day after the date of this Order, except that if the 30th day falls on a Saturday, Sunday or State Holiday, the petition must be received by the State Water Board by 5pm on the next business day. Copies of the law and regulations applicable to filing petitions may be found on the internet at the [California State Water Resources Control Board's Public Notices Water Quality Petitions webpage](http://www.waterboards.ca.gov/public_notices/petitions/water_quality) (http://www.waterboards.ca.gov/public_notices/petitions/water_quality), or will be provided upon request.

I, PATRICK PULUPA, Executive Officer, do hereby certify the foregoing is a full and correct copy of an Order adopted by the California Regional Water Quality Control Board, Central Valley Region on 9 December 2021.

PATRICK PULUPA, Executive Officer