

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION

ORDER R5-2016-0098

AMENDING WASTE DISCHARGE REQUIREMENTS ORDER R5-2002-0138-01
FOR

TEICHERT AGGREGATES
HALLWOOD FACILITY
YUBA COUNTY

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

1. On 19 July 2002, the Central Valley Water Board adopted Waste Discharge Requirements (WDRs) Order R5-2002-0138, prescribing requirements for Teichert Aggregates, Hallwood Facility (Facility), in Yuba County.
2. The Discharger owns and operates the Facility on real property identified by Assessor's Parcel Numbers: 006-100-072; 006-100-073; 006-100-074; 006-100-075; 006-150-004; 006-150-007; 006-160-027; and 006-160-029. On 29 January 2010, the Central Valley Water Board adopted Order R5-2010-0014 which amended WDRs Order R5-2002-0138 to allow for the processing of recycled materials such as cured broken asphalt, cured broken concrete, cement block, brick, aggregate, and dirt, which can be used to produce saleable materials consistent with the existing activities at the Facility, and for moving the Designated Disposal Area (DDA) to any area on the property.

The change would allow reclamation activities consistent with the approved reclamation plan for the site.
3. On 22 July 2016, the Discharger submitted a request and supporting information to revise WDRs Order R5-2002-0138-01. The Discharger requested the following:
 - a. Allow the wash water to be disposed of in areas that require reclamation, in addition to the DDA and excavation areas, as part of the Facility's Reclamation Plan while meeting the setback requirements.
 - b. Removal of the size restriction (15 acres) on the DDA.
4. The California State Mining and Geology Board adopted a Focused Draft Environmental Impact Report (EIR) on 8 November 2007, approving a project known as the Hallwood Reclamation Plan 2003. As part of the Reclamation Plan, the fines and sediment at the Facility will be used as part of the reclamation process to create terraces, perimeter benches, and deltas.
5. The property has been mined since 1953 and covers approximately 720 acres. The Discharger will produce approximately 850,000 tons of aggregate products of which approximately 400,000 tons will be washed products based on market demand. The

Facility discharges 3.0 million gallons per day (mgd) of wastewater from sand and gravel washing operations to the DDA, which is an unlined settling pond.

6. Finding 6 of Order R5-2002-0138-01 states:

“...The second increases the designated disposal area from 0.5 to approximately 15-acres. The designated disposal area is described as having a maximum size of 15-acres of pond surface plus a 100-foot wide continuous land buffer surrounding the 15- acres. The designated disposal area is limited in size and must maintain a minimum 100-foot separation between the designated disposal area and the Yuba River...”

7. Discharge Specification B.5 states:

“The designated disposal area is limited to a maximum size of 15 acres of pond surface plus a 100-foot wide continuous land buffer surrounding the 15 acres....”

8. Provision A.2 of Order R5-2002-0138-01 states:

“...By-pass around, or overflow from, the designated disposal area as described in Discharge Specification B.5 and the excavation area described in Discharge Specification B.6 of untreated or partially treated waste is prohibited.”

Proposed WDRs Amendment

9. This amending Order will remove the size limit on the DDA and allow for disposal of the wash water containing fines and sediment to various locations on-site while still meeting the setback requirements. The fines and sediment are to be used as part of the reclamation of the site.

California Environment Quality Act

10. The action to amend WDRs Order R5-2002-0138-01 is exempt from the provisions of Chapter 3 of the California Environmental Quality Act (CEQA) (Pub. Resources Code, § 21000 et seq.) because it involves no significant changes to the existing facility and is consistent with the existing Use Permit (Cal. Code Regs, tit. 14, § 15301).

Public Notice

11. The Central Valley Water Board has notified the Discharger and interested agencies and persons of its intent to amend waste discharge requirements for this discharge and has provided them with an opportunity for a public hearing and an opportunity to submit their written views and recommendations.

12. The Central Valley Water Board, in a public meeting, heard, and considered all comments pertaining to the discharge.

IT IS HEREBY ORDERED that, pursuant to sections 13263 and 13267 of the California Water Code, Order R5-2002-0138-01 is amended to remove the size limit of the DDA and to allow the discharge of wash water to various on-site locations requiring reclamation in addition to the DDA and excavation areas. Teichert Aggregates, its agents, successors, and assigns, in order to meet the provisions contained in Division 7 of the California Water Code and regulations adopted there under, shall comply with amended Order R5-2002-0138-01 as follows:

1. Finding 6 of Order R5-2002-0138-01 shall be replaced with the following:

“...but is not limited in size to 15 acres. The wash water shall be disposed of in the designated disposal area, excavation areas, or areas requiring reclamation, as described in the Reclamation Plan. Locations receiving the wash water will maintain a 100-foot wide continuous land buffer surrounding the disposal areas and a 100-foot separation between the disposal areas and the Yuba River.”

2. Discharge Specification B.5 of Order R5-2002-0138-01 shall be replaced with the following:

“The wash water containing fines and sediments shall be disposed of in the designated disposal area, excavation areas, or areas to be reclaimed within the facility. The designated disposal area can be located anywhere on the facility that complies with the setback requirement and the requirements of this Order. The facility boundary is shown in Attachments A and B. The land buffer around the designated disposal areas and the areas to be reclaimed shall not have any channels, swales, or culverts that could possibly, under 100 year storm weather conditions, convey surface water to the Yuba River, surrounding channels, lakes, or ponds. The point of compliance for all Prohibitions, Specifications, and Limitations shall be at the outer edge of the designated disposal area or reclaimed areas.”

3. Discharge Prohibition A.2 of Order R5-2002-0138-01 shall be replaced with the following:

“...By-pass around, or overflow from the disposal areas as described in Discharge Specification B.5, excavation areas described in Discharge Specification B.6, or various areas to be reclaimed described in Discharge Specification B.5 of untreated or partially treated waste is prohibited.”

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 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 Order, 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.

This Order is effective as of the date of adoption.

I, PAMELA C. CREEDON, 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 Valley Region, on 6 December 2016.

Original signed by

PAMELA C. CREEDON, Executive Officer

DMC: 12/9/16