CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION

Fresno Office
1685 "E" Street
Fresno, CA 93706-2007

Sacramento Office (Main)
11020 Sun Center Drive #200
Rancho Cordova, CA 95670-6114

Redding Office
364 Knollcrest Drive #205
Redding, CA 96002

Regional Board Website (https://www.waterboards.ca.gov/centralvalley)

WASTE DISCHARGE REQUIREMENTS
ORDER R5-2026-XXXX

ORDER INFORMATION

Order Type(s):	Waste Discharge Requirements (WDRs)
Status:	
Program:	Groundwater Quality Protection Program
Region 5 Office:	Sacramento (Rancho Cordova)
Discharger:	Baldwin Construction Co., Inc., dba Knife River Construction
Facility:	Hallwood Plant
Addresses:	2965 Hooper Road
County:	Yuba
Parcel Nos.:	06-100-126; 06-100-127; 06-100-128; 06-100-129; 06-100-076; 06-100-077; 06-150-020; 06-120-022; 06-120-016; and 06-120-021
CIWQS Place ID:	229529
GeoTracker ID:	WDR100027135
Prior Order(s):	R5-2010-0124

CERTIFICATION

I, PATRICK PULUPA, Executive Officer, hereby certify that the following is a full, true, and correct copy of the order adopted by the California Regional Water Quality Control Board, Central Valley Region, on XX December 2026.

_____

PATRICK PULUPA, Executive Officer

Regional Board Information

Sacramento Office (Main)
Rancho Cordova, CA 95670-6114
11020 Sun Center Drive #200
Telephone: (916) 464-3291

Fresno Office
1685 "E" Street
Fresno, CA 93706-2007
Telephone: (559) 445-5116

Redding Office
364 Knollcrest Drive #205
Redding, CA 96002
Telephone: (530) 224-4845

Regional Board Website
(https://www.waterboards.ca.gov/centralvalley)

TABLE OF CONTENTS

Regional Board Information 3
TABLE OF CONTENTS i
Table Index 3
Glossary 4
Findings 6
Introduction 6
Existing Facility and Discharge 6
Potential Changes to Facility Operations 10
Site Reclamation Activities 10
Site-Specific Conditions 10
Groundwater Conditions 13
Compliance History 14
Legal Authorities 14
Basin Plan Implementation 15
Beneficial Uses of Water 15
Water Quality Objectives 15
Salt and Nitrate Control Programs 16
Compliance with the Antidegradation Policy 17
California Environmental Quality Act 19
Other Regulatory Considerations 19
Human Right to Water 20
Threat-Complexity Rating 20
Title 27 Exemption 20

Storm Water 21

Groundwater Wells 21

Scope of Order 21

Procedural Matters 22

REQUIREMENTS 22

A. Standard Provisions 22

B. Discharge Prohibitions 22

C. Conditional Discharge Prohibition 23

D. Flow Limitations 23

E. Performance Based Salinity Action Level 23

F. Discharge Specifications 24

F. Solids Disposal 25

G. Groundwater Limitations 26

H. Provisions 26

ATTACHMENT A – SITE LOCATION MAP 30

ATTACHMENT B – SITE FEATURES AND GROUNDWATER MONITORING WELL LOCATION MAP 31

INFORMATION SHEET 32

Table Index

Table 1. Hazardous Materials 8

Table 2. Flow Rates (mgd) 8

Table 3. Wastewater Quality 9

Table 4. Yuba River EC Water Quality 12

Table 5. Yuba River EC Water Quality (Western Aggregates) 12

Table 6. Monitoring Well Details 13

Table 7. Groundwater Quality 13

Table 8. Effluent and Groundwater Data Comparison 18

Glossary

µmhos/cm	micromho per centimeter
AGR	agricultural supply (Basin Plan beneficial use designation)
Antidegradation Policy	Statement of Policy with Respect to Maintaining High Quality Waters in California, State Water Board Resolution 68-16
APN	assessor's parcel number
Basin Plan	Plan for the Sacramento River and San Joaquin River Basins
bgs	below ground surface
Central Valley Water Board	Central Valley Regional Water Quality Control Board
CEQA	California Environmental Quality Act, Public Resources Code section 21000 et seq.
C.F.R.	Code of Federal Regulations
CIWQS	California Integrated Water Quality System
CV-SALTS	Central Valley Salinity Alternatives for Long-Term Sustainability
DDW	State Water Resources Control Board, Division of Drinking Water
Discharger	Baldwin Construction Company, Inc.
EC	electrical conductivity at 25 C°
Facility	Hallwood Aggregate Facility
ft	feet
industrial wastewater	Industrial wastewater, as used in this Order, is defined as the wastewater generated from the aggregate washing and processing activities at the Facility. This includes wash water produced during screening, crushing, and rinsing of mined aggregate, as well as wastewater conveyed to or collected in

	settling/recycle ponds or excavation ponds and does not include domestic wastewater.
in/mo	inches per month
MCL	maximum contaminant level
MDB&M	Mount Diablo Base and Meridian
mg/kg	milligram per kilogram
MG	million gallons
MGD	millions of gallons per day
MRP	Monitoring and Reporting Program
MUN	municipal and domestic supply (Basin Plan beneficial use designation)
MW	monitoring well
NA	not available or not applicable
NPDES	National Pollutant Discharge Elimination System
P&O Study	Prioritization and Optimization Study
RWD	Report of Waste Discharge
SERC	State Emergency Response Commission
State Water Board	California State Water Resources Control Board
s.u.	standard units
USC	United States Code
U.S. EPA	United States Environmental Protection Agency
WDRs	Waste Discharge Requirements
WQO	water quality objective

Findings

The Central Valley Regional Water Quality Control Board (Central Valley Water Board) finds that:

Introduction

1. The Hallwood Plant (Facility) is owned and operated by the Baldwin Contracting Co., Inc. dba Knife River Construction (Discharger). The Discharger submitted a Report of Waste Discharge (RWD) on 3 March 2026 that describes the Facility's current operations and wastewater treatment and management.

2. Baldwin Contracting Co., Inc. dba Knife River Construction is responsible for compliance with these Waste Discharge Requirements (WDRs).

3. The Facility consists of aggregate excavation areas, aggregate processing, and wastewater discharge areas.

4. The Facility's discharges to land are currently regulated under WDRs Order R5-2010-0124, adopted by the Central Valley Water Board on 10 December 2010.

5. The following materials are attached and incorporated as part of this Order:

   Attachment A – Site Location Map

   Attachment B – Site Features and Groundwater Monitoring Well Location Map

   Information Sheet

   Standard Provisions and Report Requirements (SPRRs) dated 1 March 1991.

6. **Monitoring and Reporting Program Order (MRP) R5-2026-00XX** is also attached. This MRP Order constitutes a separate, enforceable order, which requires monitoring and reporting for discharges regulated under these WDRs. The Dischargers shall comply with the MRP and any subsequent revisions thereto.

Existing Facility and Discharge

7. The Facility is located partially within the Yuba Goldfields (Attachment A). Aggregate excavation and processing have occurred since approximately 1955 on the southern portion of the site (approximately 275 acre). The western portion of the Facility is occupied by associated structures, including an aggregate crushing, screening, and washing plant; an asphaltic concrete plant; a control room; a laboratory; a scale house and shop; and a settling/recycling pond. All

other ponds at the Facility are the result of aggregate excavating below the water table and are referred to as excavation ponds. The northern portion of the Facility is referred to as the “Expansion Area”, where mining began in 2007. The Expansion Area encompasses approximately 200 acres and contains the current active excavation pond. Prior to mining, this area consisted of orchards, located just outside the Yuba Gold Fields.

8. Historic mining activities within the Yuba River watershed used mercury for gold amalgamation. Mercury lost during this process resulted in residual mercury within watershed sediments.

9. Historic gold mining may have occurred in the southern portion of the Facility. As a result, mercury may be present in shallow sediment in that area.

10. The Expansion Area was not previously mined. Elevated concentrations of mercury in sediment are therefore not expected as this area is higher in elevation than the major flooding elevation of Yuba River (National Oceanic and Atmospheric Administration).

11. Mining techniques used at the Facility include, but are not limited to, scrapers, track-mounted excavators, draglines, and clam-shell bucket techniques. Extraction operations are generally conducted at approximately 75 feet below ground surface (bgs) (approximately 55 feet below site groundwater levels).

12. Excavated materials are transported to processing equipment via conveyor belts and haul trucks. Processing equipment generally includes wash screens, crushers, and vibratory screens. Wastewater is discharged to settling/recycling ponds.

13. The Discharger operates an asphaltic concrete mix plant capable of producing approximately 400 tons of asphalt per hour. The asphalt plant occasionally generates wastewater for the purpose of removing aggregate dust. This wastewater does not come into contact with petroleum hydrocarbons and is discharged to the settling/recycling pond.

14. Potentially hazardous materials stored at the site are asphaltic oil, motor oil, hydraulic fluid, transmission fluid, lube grease, gear lube, and similar products. These products do not come into contact with aggregate wash water. Asphaltic oil, fuel, and propane is stored in aboveground storage tanks. Major equipment repair work is performed off-site. A list of the hazardous materials stored on-site is presented below.

Table 1. Hazardous Materials

Material	Max. Annual Amount	Location
Diesel Fuel	10,400 gal	Fuel Containment Basin
Gasoline	1,200 gal	Fuel Containment Basin
Hydraulic/Gear/misc. Oils	(6) 55-gal drums	Shop Area
Motor Oil/Hydraulic Oil	(2) 560-gal	Shop Containment Basin
Waste Oil	560 gal	Shop Containment Basin
Asphaltic Cement	65,000 gal	Asphalt Containment Basin
Emulsified Asphalt	10,000 gal	Asphalt Containment Basin
Circulating Heat Transfer Oil	500 gal	Asphalt Plant Containment
Heat Transfer Oil	450 gal	Aggregate Plant Crushers
Heat Transfer Oil	1,200 gal	Pad mounted transformers

15. The Facility does accept and crush cured concrete for recycling; however, crushing activities do not generate wastewater and do not commingle with process wash water associated with aggregate mining. All cured concrete handling occurs in areas isolated from the aggregate washing system, and no concrete-related wastewater is discharged under this Order. No concrete manufacturing currently occurs at the Facility. This Order requires submitting a new RWD for any future production of concrete, cement, or concrete products, or disposal of non-cured cement product wastewater.

16. The primary water supply for the processing plant is the settling/recycling pond system. Wastewater is generated during aggregate washing which removes fine-grained soil particles from excavated material. The resulting turbid water is discharged to the settling/recycling pond, where it is clarified and subsequently reused for Facility's operations.

17. Wastewater flow is measured daily by recording the volume of water passing through the plant. Daily measurements are averaged to produce monthly flow rates, expressed in million gallons per day (mgd).

Table 2. Flow Rates (mgd)

Month	2022	2023	2024
Jan	0.46	0	0.50
Feb	0.58	0.60	no processing
Mar	0.54	0.62	0.54
Apr	0.57	0.50	0.51
May	0.55	0.50	0.65
Jun	0.58	0.66	0.53

Month	2022	2023	2024
Jul	0.54	0.60	0.65
Aug	0.50	0.58	0.64
Sep	0.53	0.60	0.60
Oct	0.53	0.52	0.49
Nov	0.34	0.48	0.54
Dec	0.57	0.46	0.75

18. Wastewater quality was evaluated through routine sampling and laboratory analysis. Samples were collected from the settling/recycling pond during periods of active discharge, and from excavation ponds following operational use (e.g., excavation, pumping, or sediment deposition). Analytical parameters include dissolved mercury (Hg), solid-phase mercury, pH, and electrical conductivity (EC). Maximum concentrations for monitoring years 2020 to 2024 are summarized below; pH values are presented as ranges.

Table 3. Wastewater Quality

Year	Location	Constituent/Parameter			
		Dissolved Hg (ng/L)	Solid Phase Hg (mg/kg)	EC (µmhos/cm)	pH (std units)
2020	Excavation Pond	0.63	0.028	314	7.3 – 7.9
	Settling/Recycling Pond	0.50	0.028	313	7.1 – 7.9
2021	Excavation Pond	1	0.037	392	7.4 – 7.9
	Settling/Recycling Pond	0.9	<0.30	366	7.2 – 7.8
2022	Excavation Pond	<0.50	<0.11	395	7.4 – 7.9
	Settling/Recycling Pond	<0.50	0.039	377	7.6 – 8.0
2023	Excavation Pond	0.84	0.15	391	7.4 – 7.9
	Settling/Recycling Pond	1.8	0.21	381	7.1 – 7.7
2024	Excavation Pond	1.3	0.11	395	7.6 – 7.9
	Settling/Recycling Pond	0.93	0.51	381	7.3 – 7.7
Effluent Limit in existing WDRs Order R5-2010-0124		**50**	**0.30**	**700 (Note 1)**	**6.5 – 8.5**

Table Note 1: The 700 µmhos/cm concentration shown is the Water Quality Goal for EC for agricultural use, but it was not set as a limit in WDRs Order R5-2010-0124.

19. A water balance submitted with the 10 January 2010 Report of Waste Discharge demonstrated that the settling/recycling ponds provide adequate capacity to manage allowable wastewater flows, seasonal precipitation, and incidental inflow and infiltration under a 100-year return period. The Dischargers can reconfigure the ponds as necessary to maintain sufficient capacity. The Order authorizes pond (excavation and/or settling/recycling pond) reconfiguration anywhere on the property, provided compliance with this Order and all applicable agency requirements are maintained.

20. Domestic wastewater generated from office and support facilities is discharged to two septic systems permitted by the Yuba County Environmental Health Department. Portable chemical toilets are also available onsite. Domestic wastewater is not discharged to excavation ponds or settling/recycling ponds.

Potential Changes to Facility Operations

21. The Discharger may propose the use of flocculants to settle fine-grained materials from the wastewater. Because different products may be proposed for use over the life of the project, the Discharger is required to notify the Central Valley Water Board prior to the use of flocculants.

Site Reclamation Activities

22. The Discharger anticipates aggregate processing will continue for approximately 20 years. The current reclamation plan is described in the January 2006 *Amended Reclamation Plan for the Hallwood Quarry Expansion Project*. The Plan was submitted to the California State Mining and Geology Board, which approved the Plan on 14 September 2006. The reclamation plan describes the following:

    a. One water body covering most of the property will be created in the existing area.

    b. Two water bodies that cover nearly all of the property will be created in the expansion area.

    c. Vegetative land buffers will be created surrounding the properties.

    d. Reclamation will occur concurrently as mining progresses.

Site-Specific Conditions

23. The Discharger operates at least partially in the area known as the Yuba Goldfields. The surface sediments' ability to store and transmit groundwater has been significantly changed with historic mining activity. The present-day aggregate excavation and processing activity and areas of disturbed sediments are separated from the well-established channel of the Yuba River. In

considering similar aggregate facilities located at the Goldfields, the U.S. Army Corps of Engineers (Corps) identified the ephemeral ponds and channels created as being away from the Yuba River Channel and above the high-water mark. The Corps, on behalf of the United States, subsequently determined that the ponds and channels within the Yuba Goldfields were not jurisdictional waters of the U.S. under the Clean Water Act (March, July, and November 1995 Corps letters to Cal Sierra, Western Aggregates, and Teichert respectively, and December 1998 letter to Legal and Safety Employee Research (LASER)).

24. The Corps exempts Goldfields ponds and channels from Clean Water Act jurisdiction under its industrial process exemption. Under this exemption, the Corps has interpreted the term “waters of the U.S.” to not include artificial lakes or ponds created by excavating dry land (51 Fed. Reg. 41217).

25. Goldfields ponds and channels are manmade and percolate to the groundwater. Under 40 CFR 122.2, EPA has drawn a distinction between natural and artificial ponds. As artificial, manmade ponds, the ponds located at the facility are not waters of the U.S. consistent with the waste treatment system exclusion of 40 CFR 122.2.

26. An August 2002 Mercury Report, prepared by the California Environmental Protection Agency states:

    a. Studies have shown methylation can occur both in the water column and in sediments, both by biological and abiotic processes.

    b. In aquatic environments both methylmercury and inorganic divalent mercury preferentially partition to soil, sediment, and suspended matter (i.e., dissolved mercury concentration is far lower than the concentration in soil, sediment, and suspended matter).

    c. Divalent mercury is reduced to the elemental species in the freshwater environment and may subsequently be removed from the water column by volatilization.

    d. Most of the mercury in the water column is removed not by reduction to the elemental species, but by sedimentation of the particles to which divalent mercury and methylmercury are bound.

27. To establish a numerical value as a criterion for determining the need for additional investigation of mercury compounds in soil, information on background mercury soil concentrations was reviewed. The *Inorganic Chemicals in Groundwater and Soil, Background Concentrations at California Air Force Bases* report, dated 10 March 2005, was reviewed. The data set included 7,702 data points. The samples were considered to be from uncontaminated areas based on criteria regarding the lack of presence of organic compounds commonly found in

the samples. The mercury concentration at the 95th percentile (the value in a data set that is greater than 95-percent of the data in the set) was calculated to be 0.3 mg/kg.

28. The average annual precipitation is approximately 20.5 inches and the reference evapotranspiration rates average approximately 52.9 inches per year. The 100-year return annual precipitation is approximately 37.1 inches.

29. Surrounding land uses are primarily industrial, agricultural, and residential.

30. Surface water drainage in the area is to numerous unnamed drainage ways and the Yuba River. The beneficial uses of the Yuba River between Englebright Dam and the Feather River are agricultural supply; hydropower generation; water contact recreation non-contact recreation; warm freshwater habitat; cold freshwater habitat; migration of aquatic organisms; spawning, reproduction, and/or early development; and wildlife habitat.

31. Yuba River surface water quality has been characterized by collecting surface water samples upgradient (Sample Location 9) and downgradient (Sample Location 10) of the Facility by the Discharger.

Table 4. Yuba River EC Water Quality

Sample Location Number	Units	2008 Data		2009 Data	
		avg	max	avg	max
9	µmhos/cm	64.5	70	63.3	90
10	µmhos/cm	74.5	80	56.7	70

32. Surface water samples were also collected by Western Aggregates, a separate aggregate mining facility located in the Yuba Gold Fields. Western Aggregates is located directly across the Yuba River from the Hallwood Plant. Average concentrations of EC for monitoring years 2019 to 2021 are summarized below. For more details, see WDRs Order R5-2022-0061 for Western Aggregates.

Table 5. Yuba River EC Water Quality (Western Aggregates)

Sample Location	Units	EC
Yuba River R-1	µmhos/cm	62
Yuba River R-2	µmhos/cm	52

33. The data indicates the water quality in the Yuba River is considered good quality in regards to EC because concentrations are less than the potentially applicable regulatory limit of 700 µmhos/cm (Agricultural Water Quality Goal).

34. The Facility overlies the South Yuba Subbasin (5021.60).

35. The site lies within the eastern edge of the Great Valley Geomorphic Providence. The Great Valley is composed primarily of alluvial sediments, consisting of clay, silt, sand, gravel, and cobbles. On site geology consists generally of fine-grained sediments from 20 to 75 feet bgs.

Groundwater Conditions

36. Groundwater beneath the Facility is approximately 15 to 20 feet bgs across the site and fluctuates with the water surface elevation of the Yuba River and on-site ponds. Regional groundwater is generally to the southwest and local groundwater is generally to the northwest.

37. There are six groundwater monitoring wells located at the Facility. Well construction and groundwater elevation data, as reported in the March 2024 monitoring report, are provided below.

Table 6. Monitoring Well Details

Well	Top of Casing (TOC) (feet NAVD88)	Depth to Groundwater (feet below TOC)	Groundwater Elevation (feet NAVD88)
HAF-1	101.96	10.96	91.00
HAF-2	97.04	16.54	80.50
HAF-3	93.31	4.27	89.04
DH-6A	98.24	16.12	82.12
DH-8	94.55	30.80	63.75
DH-11	98.22	27.40	70.82

38. Groundwater has been analyzed for EC, mercury, and pH on a semi-annual basis since 2011. Only wells HAF-1, HAF-2, and HAF-3 are included in the approved monitoring well network for chemical analysis. Monitoring well HAF-1 is considered an upgradient well and HAF-2 and HAF-3 are downgradient wells. Groundwater quality is summarized below. Average concentrations from samples collected between 2020 and 2024 are presented.

Table 7. Groundwater Quality

Well	EC (µmhos/cm)	Dissolved Hg (ng/L)	pH (std units)
HAF-1	147	<0.5 note 1	6.02 – 7.20
HAF-2	213	0.65	5.84 - 7.20 – 7.17
HAF-3	419	1.47	6.15 – 6.92

Note 1: Nine out of tent concentrations reported were less than detection limits (<0.5 ng/L). One detection of 0.76 ng/L was reported.

39. Wells DH-6A, DH-8, and DH-11 are not considered part of the approved groundwater monitoring network. As documented in *the ARCADIS Groundwater Monitoring Workplan Addendum* dated 11 May 2011, these wells are screened at deeper intervals than the HAF wells and do not represent first-encountered groundwater conditions at the site. Because they monitor a different hydrostratigraphic zone, the wells do not provide data that are representative of shallow groundwater conditions. Additionally, groundwater elevation measurements from the DH wells obscure the interpretation of regional groundwater flow patterns and are therefore not suitable for use in the monitoring program.

Compliance History

40. The Discharger have had no documented violations or complaints.

Legal Authorities

41. This Order is adopted pursuant to Water Code section 13263, subdivision (a), which provides in pertinent part as follows:

> *The Central Valley Water Board, after any necessary hearing, shall prescribe requirements as to the nature of any proposed discharge, existing discharge, or material change in an existing discharge…, with relation to the conditions existing in the disposal area or receiving waters upon, or into which, the discharge is made or proposed. The requirements shall implement any relevant water quality control plans that have been adopted, and shall take into consideration the beneficial uses to be protected, the water quality objectives reasonable required for that purpose, other waste discharges, the need to prevent nuisance, and the provisions of Section 13241.*

42. Compliance with section 13263, subdivision (a), including implementation of applicable water quality control plans, is discussed in the findings below.

43. The ability to discharge waste is a privilege, not a right, and adoption of this Order shall not be construed as creating a vested right to continue discharging waste. (Wat. Code, § 13263, subd. (g).)

44. This Order and its associated MRP are also adopted pursuant to Water Code section 13267, subdivision (b)(1), which provides as follows:

> *[T]he regional board may require that any person who has discharged, discharges, or is suspected of having discharged or discharging, or who proposes to discharge waste … shall furnish, under penalty of perjury,*

technical or monitoring program reports which the regional board requires. The burden, including costs, of these reports shall bear a reasonable relationship to the need for the report and the benefits to be obtained from the reports. In requiring those reports, the regional board shall provide the person with a written explanation with regard to the need for the reports, and shall identify the evidence that supports requiring that person to provide the reports.

45. The reports required under this Order, as well as under the separately issued MRP, are necessary to verify and ensure compliance with these WDRs. The burden associated with such reports is reasonable relative to the need for their submission.

Basin Plan Implementation

46. Pursuant to Water Code section 13263, subdivision (a), WDRs must "implement any relevant water quality control plans and shall take into consideration the beneficial uses to be protected, the water quality objectives reasonably required for that purpose, other waste discharges, the need to prevent nuisance, and the provisions of Section 13241."

Beneficial Uses of Water

47. This Order implements the Central Valley Water Board's Water Quality Control Plan for the Sacramento River and San Joaquin River Basins (Basin Plan), which designates beneficial uses for surface water and groundwater and establishes WQOs necessary to preserve such beneficial uses. (See Wat. Code, § 13241 et seq.).

Water Quality Objectives

48. The Basin Plan establishes narrative WQOs for chemical constituents, taste and odors, and toxicity in groundwater. It also sets forth a numeric objective for total coliform organisms.

49. The Basin Plan's numeric WQO for bacteria requires that the most probable number (MPN) of coliform organisms over any seven-day period shall be less than 2.2 per 100 mL in MUN groundwater.

50. The Basin Plan's narrative WQOs for chemical constituents require MUN designated water to at least meet the Maximum Contaminant Levels (MCLs) specified in Title 22. The Basin Plan provides that the Central Valley Water Board may apply limits more stringent than MCLs to ensure that waters do not contain chemical constituents in concentrations that adversely affect beneficial uses.

51. Quantifying a narrative WQO requires a site-specific evaluation of those constituents that have the potential to impact water quality and beneficial uses. The Basin Plan states that when compliance with a narrative objective is required to protect specific beneficial uses, the Central Valley Water Board will, on a case-by-case basis, adopt numerical limitations to implement the narrative objective.

Salt and Nitrate Control Programs

52. On 31 May 2018, the Central Valley Water Board adopted Basin Plan amendments incorporating the Salt Control Program and Nitrate Control Program (Resolution R5-2018-0034). The Basin Plan amendments became effective on 17 January 2020. On 10 December 2020, the Central Valley Water Board adopted revision to the Basin Plan amendments with Resolution R5-2020-0057 (https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/resolutions/r5-2020-0057_res.pdf). Those revisions became effective on 10 November 2021. As the Central Valley Water Board moves forward to implement these Programs, this Order may be amended or modified to incorporate new or modified requirements necessary for their implementation. More information regarding the Salt and Nitrate Control Programs can be found on the Central Valley Salinity Alternatives for Long-Term Sustainability (CV-SALTS) web page: (https://www.waterboards.ca.gov/centralvalley/water_issues/salinity/).

53. Under the Salt Control Program, dischargers that are unable to comply with stringent salinity requirements may instead maintain compliance by meeting performance-based requirements, as determined appropriate by the Central Valley Water Board, and participating in the basin-wide effort known as the Prioritization and Optimization Study (P&O Study) to develop a long-term salinity strategy for the Central Valley. The Dischargers submitted a Notice of Intent on 17 September 2021 and issued an identification number for the Salt Control Program (CVSALTS ID: 2108). The Discharger elected to participate in the P&O Study. To maintain existing salt discharges and minimize salinity impacts, this Order sets a Salinity Action Level effluent limitation for **EC of 700 µmhos/cm as an annual average** for each active pond.

54. The Nitrate Control Program is a prioritized program, and the Board has issued Notices to Comply to dischargers in Priority 1 and 2 Basins. However, the Facility is within Groundwater Basin 5-022.10 (San Joaquin Valley – Pleasant Valley), which is a Non-Prioritized Basin. Dischargers in these basins have not been sent Notices to Comply with the Nitrate Control Program.

55. Some sand and gravel processing facilities within the Central Valley have been determined to be exempt from the Nitrate Control Program because the typical washing processes conducted at such facilities have not been observed to increase nitrogen concentrations in resultant wastewater. Available information for the Facility indicates that its operations likewise do not increase nitrogen concentrations in wastewater. Therefore, the Facility is currently considered

exempt from compliance with the Nitrate Control Program. However, the Executive Officer may issue a Notice to Comply for the Facility in the future if it is determined that the Facility's discharge could be impacting nitrogen concentrations in groundwater.

56. As these strategies are implemented, the Central Valley Water Board may find it necessary to modify the requirements of these WDRs. As such this Order may be amended or modified to incorporate any newly applicable requirements to ensure that the goals of the Salt and Nitrate Control Programs are met.

Compliance with the Antidegradation Policy

57. State Water Board Resolution 68-16, Statement of Policy with Respect to Maintaining High Quality Waters in California (Antidegradation Policy), which is incorporated as part of the Basin Plan, prohibits the Central Valley Water Board from authorizing degradation of "high-quality waters" unless it is shown that such degradation requires existing "high quality waters" be maintained until it has been demonstrated to the State that any change will be consistent with the maximum benefit to the people of California; will not unreasonably affect present and anticipated future beneficial uses; and will not result in water quality less than as prescribed in applicable policies. Resolution 68-16 further requires that any discharge to existing high quality waters be required to meet WDRs that will result in the best practicable treatment or control (BPTC) of the discharge necessary to assure that pollution and/or nuisance will not occur and that the highest quality consistent with the maximum benefit to the people of the state will be maintained.

58. The Antidegradation Policy applies when an activity discharges to high quality waters and will result in some degradation of such high-quality waters. "High quality waters" are defined as those waters where water quality is more than sufficient to support beneficial uses designated in the Basin Plan. Whether a water is a high-quality water is established on a constituent-by-constituent basis, which means that an aquifer can be considered a high-quality water with respect to one constituent, but not for others (SWRCB Order No. WQ 91-10). If the activity will not result in the degradation of high-quality waters, the Antidegradation Policy does not apply, and the dischargers need only demonstrate that it will use "best efforts" to control the discharge of waste.

59. The Discharger has monitored groundwater at the Facility since 2011. Compliance with the Antidegradation Policy is therefore based on available groundwater data. Groundwater at the Facility is considered high-quality water for electrical conductivity and mercury. WQOs used in the evaluation are 700 µmhos/cm for EC (agricultural water quality goal) and 2 µg/L for inorganic mercury (Primary MCL).

60. Constituents with the potential to degrade groundwater include salt, represented by EC, and dissolved mercury. A comparison of effluent quality to groundwater quality is provided below. Maximum concentrations in effluent and groundwater reported between 2020 and 2024 are presented on the table.

Table 8. Effluent and Groundwater Data Comparison

Location	EC (µmhos/cm)	Dissolved Mercury (ng/L)
Excavation Pond	395	1.3
Settling/Recycling Pond	381	1.8
Groundwater	543	4.5
WQOs	**700**	**2,000**

61. **Salinity (EC).** Aggregate mining and processing operations do not typically generate or concentrate salts because they do not involve chemical additives or processes that introduce salinity into wastewater. As shown in Table 7 above, concentrations of EC in the effluent and groundwater are comparable and less than the WQO. Due to the lack of salinity-generating processes and the stable, low EC concentrations in both effluent and groundwater, the discharge is not expected to impact groundwater quality beyond existing conditions. To ensure continued protection of groundwater, this Order sets a **Salinity Action Level of 700 µmhos/cm as an annual average** for each settling/recycling pond active during the monitoring periods, which provides a conservative threshold for early identification of any unexpected changes in salinity.

62. **Mercury**. Mercury is present in the Yuba Gold Fields due to historic mining activities along the Yuba River. Wastewater and groundwater sampling at the Facility has been conducted to evaluate the presence of mercury and to determine whether aggregate mining operations have contributed to the mobilization or redistribution of mercury in groundwater. Measured concentrations in both ponds are comparable and are less than the MCL. The data do not indicate that mining-related mobilization of mercury is occurring, nor is it expected to impact groundwater quality beyond existing conditions as concentrations in groundwater are higher than effluent concentrations. To ensure conditions remain stable, this Order requires the Discharger to continue monitoring effluent and groundwater for dissolved mercury.

63. Although this Order authorizes limited degradation of receiving groundwater, such degradation will not unreasonably threaten present and anticipated beneficial uses or result in groundwater quality that exceeds applicable WQOs.

64. The Facility contributes to the economic prosperity of the region by providing necessary services and employment for the local community; by providing

incomes for numerous aligned businesses; and by providing a tax base for local and county governments.

65. Based on the foregoing, the adoption of this Order is consistent with the State Water Board's Antidegradation Policy.

California Environmental Quality Act

66. To the extent that this Order authorizes any activity(s) beyond the scope of those evaluated in the lead agency's CEQA evaluations, adoption of this Order is exempt from the procedural requirements of CEQA pursuant to California Code of Regulations, title 14, section 15301, because it permits ongoing activities at an existing facility and involves negligible or no expansion of former use.

Other Regulatory Considerations

67. These WDRs regulate a facility that may impact a disadvantaged community and/or tribal community and includes an alternative compliance path that allows the Discharger time to come into compliance with water quality objectives (i.e., salinity and nitrate). The Discharger has selected the Alternative Permitting Approaches for the Salt and Nitrate Control Programs, which provide performance-based approaches for achieving compliance with salinity and nitrate limits through implementation of specific requirements (i.e., support facilitation and completion of the Salinity P&O Study and Nitrate Management Zone Implementation Plans).

68. The Central Valley Water Board has satisfied the outreach requirements set forth in Water Code section 189.7 by conducting outreach in disadvantaged and tribal communities that may be affected by the discharges authorized by this Order. Pursuant to Water Code section 13149.2, the Central Valley Water Board reviewed readily available information and information raised to the Board by interested persons concerning anticipated water quality impacts in disadvantaged or tribal communities resulting from adoption of these WDRs. The Board also considered environmental justice concerns within the Board's authority and raised by interested persons with regard to those impacts.

69. Pursuant to Water Code section 106.3, subdivision (a), it is "the established policy of the state that every human being has the right to safe, clean, affordable, and accessible water adequate for human consumption, cooking, and sanitary purposes." Although this Order is not subject to Water Code section 106.3, as it does not revise, adopt or establish a policy, regulation or grant criterion, (see § 106.3, subd. (b)), it nevertheless promotes the policy by requiring discharges to meet MCLs for drinking water (excluding salinity), which are designed to protect human health and ensure that water is safe for domestic use. For salinity, the Order requires compliance with the Salt Control Program. Although the Basin Plans' Exceptions Policy for Salinity allows participants in the Salt Control

Program to obtain limited-term exceptions from MCLs for salinity, this Program is consistent with the Human Right to Water Policy because its overarching management goals and priorities include long-term development of sustainable management practices and, where feasible, restoration of impacted groundwater basins and sub-basins.

Human Right to Water

70. Pursuant to Water Code section 106.3, subdivision (a), it is "the established policy of the state that every human being has the right to safe, clean, affordable, and accessible water adequate for human consumption, cooking, and sanitary purposes." Although this Order is not subject to Water Code section 106.3, as it does not revise, adopt or establish a policy, regulation or grant criterion, (see § 106.3, subd. (b)), it nevertheless promotes the policy by requiring discharges to not cause groundwater to exceed maximum contaminant levels (MCLs) for drinking water (excluding salinity), which are designed to protect human health and ensure that water is safe for domestic use. For salinity, this Order requires compliance with the Salt Control Program. Although the Basin Plans' Exceptions Policy for Salinity allows participants in the Salt Control Program to obtain limited-term exceptions from MCLs for salinity, this Program is consistent with the Human Right to Water Policy because its overarching management goals and priorities include long-term development of sustainable management practices and, where feasible, restoration of impacted groundwater basins and sub-basins.

Threat-Complexity Rating

71. Based on the threat and complexity of the discharge, the Facility is determined to be classified as 3B as defined below:

    a. Category "3" – Those discharges of waste that could degrade water quality without violating water quality objectives, or could cause a minor impairment of designated beneficial uses as compared with Category 1 and Category 2.

    b. Category "B" – Any discharger not included in Category A that has physical, chemical, or biological treatment systems (except for septic systems with subsurface disposal), or any Class 2 or Class 3 waste management units.

Title 27 Exemption

72. This Order, which prescribes WDRs for discharges of nonhazardous wastewater to land, is exempt from the prescriptive requirements of California Code of Regulations, title 27 (Title 27), section 20005 et seq. (Title 27, § 20090, subd. (b).)

Storm Water

73. Stormwater that falls on the existing site is directed into the settling/recycling ponds or nearby excavation pond. Because the Discharger captures stormwater runoff, coverage under NPDES Order No. CAS000001, *General Permit for Storm Water Discharges Associated with Industrial Activities* (General Storm Water Permit) is not required at this time.

Groundwater Wells

74. The Department of Water Resources sets standards for the construction and destruction of groundwater wells (hereafter DWR Well Standards), as described in California Well Standards Bulletin 74-90 (June 1991) and Water Well Standards: State of California Bulletin 94-81 (December 1981). These standards, and any more stringent standards adopted by the state or county pursuant to Water Code section 13801, apply to all monitoring wells used to monitor the impacts of wastewater storage or disposal governed by this Order.

75. Statistical data analysis methods outlined in the USEPA's Statistical Analysis of Groundwater Monitoring Data at RCRA Facilities, Unified Guidance (Unified Guidance) are appropriate for determining compliance with the Groundwater Limitations of this Order. Depending on the circumstances, other methods may also be appropriate.

Scope of Order

76. This Order is strictly limited in scope to those waste discharges, activities, and processes described and expressly authorized herein.

77. Pursuant to Water Code section 13264, subdivision (a), the Discharger is prohibited from initiating the discharge of new wastes (i.e., other than those described herein), or making material changes to the character, volume and timing of waste discharges authorized herein, without filing a new RWD per Water Code section 13260.

78. Failure to file a new RWD before initiating material changes to the character, volume or timing of discharges authorized herein, shall constitute an independent violation of these WDRs.

79. This Order is also strictly limited in applicability to those individuals and/or entities specifically designated herein as "Dischargers," subject only to the discretion to designate or substitute new parties in accordance with this Order.

Procedural Matters

80. All the above and the supplemental information and details in the attached Information Sheet (incorporated herein), were considered in establishing the following conditions of discharge.

81. The Dischargers, interested agencies, and interested persons were notified of the Central Valley Water Board's intent to prescribe the WDRs in this Order, and provided an opportunity to submit their written views and recommendations at a public hearing. (Wat. Code, §13167.5.)

82. At a public meeting, the Central Valley Water Board heard and considered all comments pertaining to the discharges regulated under this Order.

83. The Central Valley Water Board will review and revise the WDRs in this Order as necessary.

REQUIREMENTS

IT IS HEREBY ORDERED, pursuant to Water Code section 13263, that WDRs Order R5-2010-0124 is rescinded (except for enforcement purposes), and pursuant to Water Code sections 13263 and 13267, the Hallwood Aggregate Facility, its agents, employees, and successors shall comply with the following.

A. Standard Provisions

1. Except as specifically provided below, the Discharger shall comply with all applicable provisions of the attached Standard Provisions and Reporting Requirements for Waste Discharge Requirements, 1 March 1991 (SPRRs).

B. Discharge Prohibitions

1. Discharge of waste to surface waters or surface water drainage courses is prohibited.

2. No waste constituent shall be released or placed where it will cause a violation of the Groundwater Limitations of this Order.

3. Wastewater treatment, storage, and disposal shall not cause conditions of pollution or nuisance (see Wat. Code § 13050).

4. Waste classified as "hazardous" (per Title 22 § 66261.1 et seq.), shall not be discharged at the Facility under any circumstance and the discharge of designated waste is prohibited.

5. Discharge of waste at a location or in a manner different from that described in the Findings is prohibited.

6. Concrete production or manufacturing of any kind is prohibited.

7. Except as authorized pursuant to Section E.2 of the SPRRs, treatment system bypass of untreated or partially treated waste is prohibited

8. The discharge or deposit of waste at this site from sources other than from the sand and gravel or asphalt concrete operations is prohibited. Recycling of materials such as cured concrete or asphalt pavement, which can be used to produce saleable materials consistent with the existing activities at the site is acceptable.

9. Chemical methods to recover gold such as amalgamation, cyanide leach, or any other chemical method are prohibited.

10. An independent WDRs Order shall control discharge of any concrete or cement related wastewater. Discharge of any noncured concrete or cement related wastewater under this Order is prohibited.

11. Discharge of process wastewater to the domestic wastewater treatment system (septic system) is prohibited.

12. Discharge of domestic wastewater to the excavation ponds or settling/recycling ponds is prohibited.

C. Conditional Discharge Prohibition

1. During Phase I of the Salt Control Program, the Discharger is prohibited from discharging salts at concentrations exceeding the salinity numeric value of 700 µmhos/cm (calculated as an annual average) unless the Discharger is implementing the Phase I requirements of the Salt Control Program Alternative Permitting approach (i.e., full participation in the P&O Study).

D. Flow Limitations

1. The monthly average discharge flow to an active settling/recycling pond shall not exceed 2.0 mgd.

E. Performance Based Salinity Action Level

1. To comply with the Salt Control Program, the Dischargers selected the Alternative Salinity Permitting Approach (i.e., participation in the P&O Study). Therefore, these WDRs establish an **EC Salinity Action Level of 700 µmhos/cm as an annual average for the settling/recycling pond active during the monitoring period**.

2. As part of the Annual Monitoring report required per **MRP R5-2026-00XX**, the Dischargers shall compare the annual average concentrations reported

in the active settling/recycling pond to the Salinity Action Level. If concentrations in the settling/recycling pond exceed the Salinity Action Level, the Discharger shall submit a Salinity Action Level Report by 1 March of the year following the exceedance of the Salinity Action Level. The Salinity Action Level Report shall, at a minimum, include the following:

a. An evaluation of the Discharger's salinity effluent levels. This evaluation shall discuss any changes to Dischargers' operations that could have contributed to the increased salinity concentrations.

b. If additional time is needed to investigate the source(s) of the salinity in the ponds, the Salinity Action Level Report shall include a detailed work plan describing what actions the Dischargers will conduct (with completion dates) to investigate the source(s) of salinity and report its findings to the Central Valley Water Board. The findings from the investigations shall be submitted to the Central Valley Water Board no later than **October 1st** of the year following the exceedance of the Salinity Action Level.

   The Salinity Action Level Report shall evaluate the potential impact the increased salinity concentrations could have on underlying groundwater. If additional time is needed for this evaluation, the Salinity Action Level Report shall propose a submittal date (**no later than October 1st** of the year following exceedance of the Salinity Action Level).

F. Discharge Specifications

1. All industrial wastewater shall be recycled to the extent possible.

2. The discharge shall remain within the permitted waste treatment and or containment structures at all times.

3. The Discharger shall operate all systems and equipment to optimize the quality of the discharge.

4. Effluent flows to the settling/recycling pond shall not result in freeboard less than two feet, as measured from the water surface to the lowest overflow. If this freeboard limit is expected to be exceeded, discharges must cease or be directed to an alternative pond until sufficient capacity is available to resume discharging.

5. The Discharger shall design, construct, operate, and maintain all ponds sufficiently to protect the integrity of containment dams and berms and prevent overtopping and/or structural failure. Unless a California registered civil engineer certifies (based on design, construction, and conditions of operation and maintenance) that less freeboard is adequate, the operating

freeboard in any pond shall never be less than two feet (measured vertically from the lowest possible point of overflow).

6. Wastewater storage and disposal ponds shall have sufficient capacity to accommodate allowable wastewater flow, design seasonal precipitation, and ancillary inflow and infiltration during the winter while ensuring continuous compliance with all requirements of this Order. Design seasonal precipitation shall be based on total annual precipitation using a return period of 100 years, distributed monthly in accordance with historical rainfall patterns.

7. Objectionable odors shall not be perceivable beyond the limits of the property where the waste is generated, treated, and/or discharged at an intensity that creates or threatens to create nuisance conditions that affects an entire community or neighborhood, or any considerable number of persons.

8. All ponds and open containment structures shall be managed to prevent breeding of mosquitoes. Specifically:

   a. An erosion control program shall be implemented to ensure that small coves and irregularities are not created around the perimeter of the water surface.

   b. Weeds shall be minimized through control of water depth, harvesting, or herbicides.

   c. Dead algae, vegetation, and debris shall not accumulate on the water surface.

   d. The Discharger shall consult and coordinate with the local Mosquito Abatement District to minimize the potential for mosquito breeding as needed to supplement the above measures.

9. Newly constructed or rehabilitated berms or levees (excluding internal berms that separate ponds or control the flow of water within a pond) shall be designed and constructed under the supervision of a California Registered Civil Engineer.

F. Solids Disposal

1. Collected screenings and other solids removed from wastes shall be disposed of in a manner consistent with Consolidated Regulations for Treatment, Storage, Processing, or Disposal of Solid Waste, as set forth in Title 27, CCR, Division 2, Subdivision 1, Section 20005, et seq.

2. Any proposed change in the use or disposal practice from is described in this Order shall be reported in the next monitoring report.

G. Groundwater Limitations

Discharge of waste from any portion of the Facility shall not cause or contribute to groundwater containing constituent concentrations in excess of the concentrations specified below or natural background groundwater quality, whichever is greater:

1. Constituents in concentrations that exceed either the Primary or Secondary MCLs established in Title 22 of the California Code of Regulations, excluding salinity constituents subject to the Salt Control Program (see Conditional Discharge Prohibition C.1).

2. Taste or odor-producing constituents, toxic substances, or any other constituents in concentrations that cause nuisance or adversely affect beneficial uses.

H. Provisions

1. The Dischargers shall comply with the separately issued MRP R5-2026-XXXX and any subsequent revisions hereto. The submittal dates of Discharger self-monitoring reports shall be no later than the submittal dates specified in the MRP.

2. The following reports shall be submitted pursuant to Water Code section 13267 and shall be prepared as described in Provision F.3:

   a. **At least 6 months** prior to abandoning groundwater monitoring wells DH-6A, DH-8, and DH-11, the Discharger shall submit a *Groundwater Monitoring Well Abandonment Work Plan*.

   b. **Within 3 months** of abandoning groundwater monitoring wells DH-6A, DH-8, DH-11, the Discharger shall submit a *Groundwater Monitoring Well Abandonment Completion Report*.

   c. **At least 1** year prior to the production of concrete, cement, or concrete products, or disposal of non-cured cement product wastewater, the Dischargers shall submit a RWD describing the proposed processes and anticipated effluent quality and potential impacts on groundwater quality.

   d. **At least 3 months** prior to the use of flocculants, the Dischargers shall notify the Central Valley Water Board.

3. The Discharger shall submit the technical reports and work plans required by this Order for consideration and shall incorporate comments from the Central Valley Water Board in a timely manner, as appropriate. Unless expressly stated otherwise in this Order, the Discharger shall proceed with all work required by the foregoing provisions by the due dates specified.

4. In accordance with Business and Professions Code sections 6735, 7835, and 7835.1, engineering and geologic evaluations and judgments shall be performed by or under the direction of registered professionals competent and proficient in the fields pertinent to the required activities. All technical reports specified herein that contain workplans for investigations and studies, that describe the conduct of investigations and studies, or that contain technical conclusions and recommendations concerning engineering and geology shall be prepared by or under the direction of appropriately qualified professional(s), even if not explicitly stated. Each technical report submitted by the Discharger shall bear the professional's signature and stamp.

5. A discharger whose waste flows have been increasing, or are projected to increase beyond the flow limitation established in this Order, shall estimate when flows will reach the hydraulic and treatment capacity of its treatment, collection, and disposal facilities. The projections shall be made, based on the previous three year's average dry weather flows, peak flows, and total annual flows as appropriate and be included as part of the annual report. When a projection shows that the capacity of any part of the system may be exceeded within four years, the Dischargers shall notify the Central Valley Water Board.

6. The Discharger shall comply with **MRP R5-2026-00XX**, which is part of this Order, as well as any subsequent revisions thereto as ordered by the Executive Officer. Submittal dates of Discharger self-monitoring reports shall be no later than the submittal date specified in the operative MRP.

7. The Discharger shall comply with the applicable provisions of the Salt and Nitrate Control Programs adopted in Resolution R5-2018-0034 (as revised per Resolution R5-2020-0057) to address ongoing salt and nitrate accumulation in the Central Valley developed as part of the Central Valley Salinity Alternatives for Long-Term Sustainability (CV SALTS) initiative.

8. As described in the Standard Provisions, the Discharger shall report promptly to the Central Valley Water Board any material change or proposed change in the character, location, or volume of the discharge.

9. In the event that the Discharger reports toxic chemical release data to the State Emergency Response Commission (SERC), the Discharger shall also report the same information to the Central Valley Water Board within 15 days of the report to the SERC, pursuant to section 313 of the "Emergency Planning and Community Right to Know Act" (42 USC § 11023).

10. At least 90 days prior to termination or expiration of any lease, contract, or agreement involving disposal or off-site reuse of effluent that is used to justify the capacity authorized herein and assure compliance with this Order, the Discharger shall notify the Central Valley Water Board in writing of the

situation and of what measures have been taken or are being taken to assure full compliance with this Order.

11. In the event of any change in control or ownership of the Facility, the Discharger must notify the succeeding owner or operator of the existence of this Order by letter, a copy of which shall be immediately forwarded to the Central Valley Water Board.

12. To assume operation as Discharger under this Order, the succeeding owner or operator must apply in writing to the Executive Officer requesting transfer of the Order. The request must contain the requesting entity's full legal name, the state of incorporation if a corporation, the name, address, and telephone number of the person(s) responsible for contact with the Central Valley Water Board, and a statement complying with the signatory paragraph of Standard Provision B.3 that the new owner or operator assumes full responsibility for compliance with this Order. Failure to submit the request shall be considered a discharge without requirements, a violation of the Water Code. If approved by the Executive Officer, the transfer request will be submitted to the Central Valley Water Board for its consideration of transferring the ownership of this Order at one of its regularly scheduled meetings.

13. In order to rescind WDRs that are no longer necessary because the discharge to land permitted under this Order has ceased, the Discharger must contact the Central Valley Water Board to discuss appropriate wastewater treatment system closure requirements.

14. A copy of this Order including the MRP, Information Sheet, Attachments, and SPRRs, shall be kept at the discharge facility for reference by operating personnel. Key operating personnel shall be familiar with its contents.

ENFORCEMENT

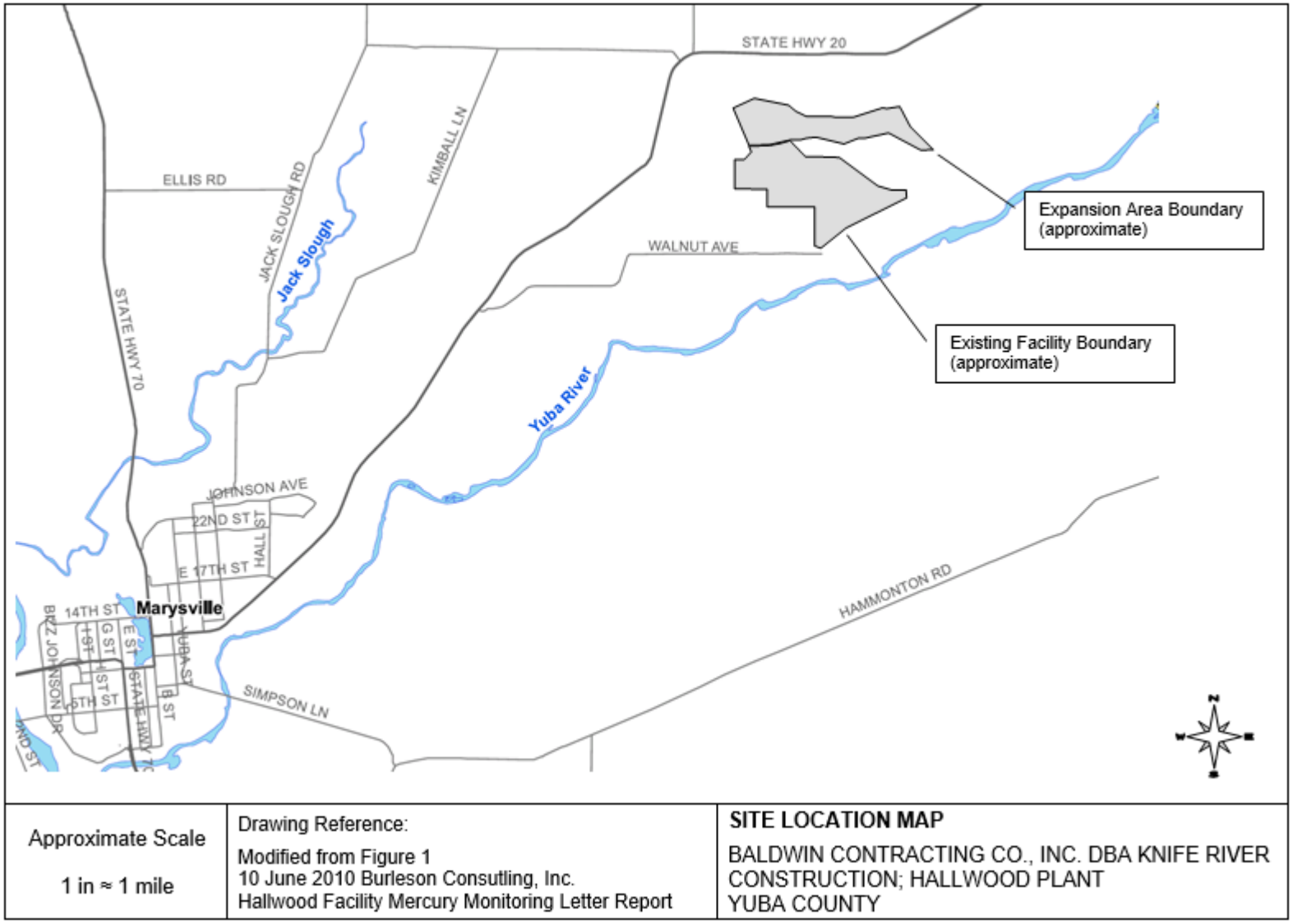
If, in the opinion of the Executive Officer, the Discharger fails to comply with the provisions of this Order, the Executive Officer may refer this matter to the Attorney General for judicial enforcement, may issue a complaint for administrative civil liability, or may take any other enforcement action(s). Failure to comply with this Order may result in the assessment of administrative civil liability of up to $10,000 per violation, per day, depending on the violation, pursuant to the Water Code, including sections 13268, 13350, and 13385. The Central Valley Water Board reserves its right to take any enforcement actions authorized by law.

ADMINISTRATIVE REVIEW

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,

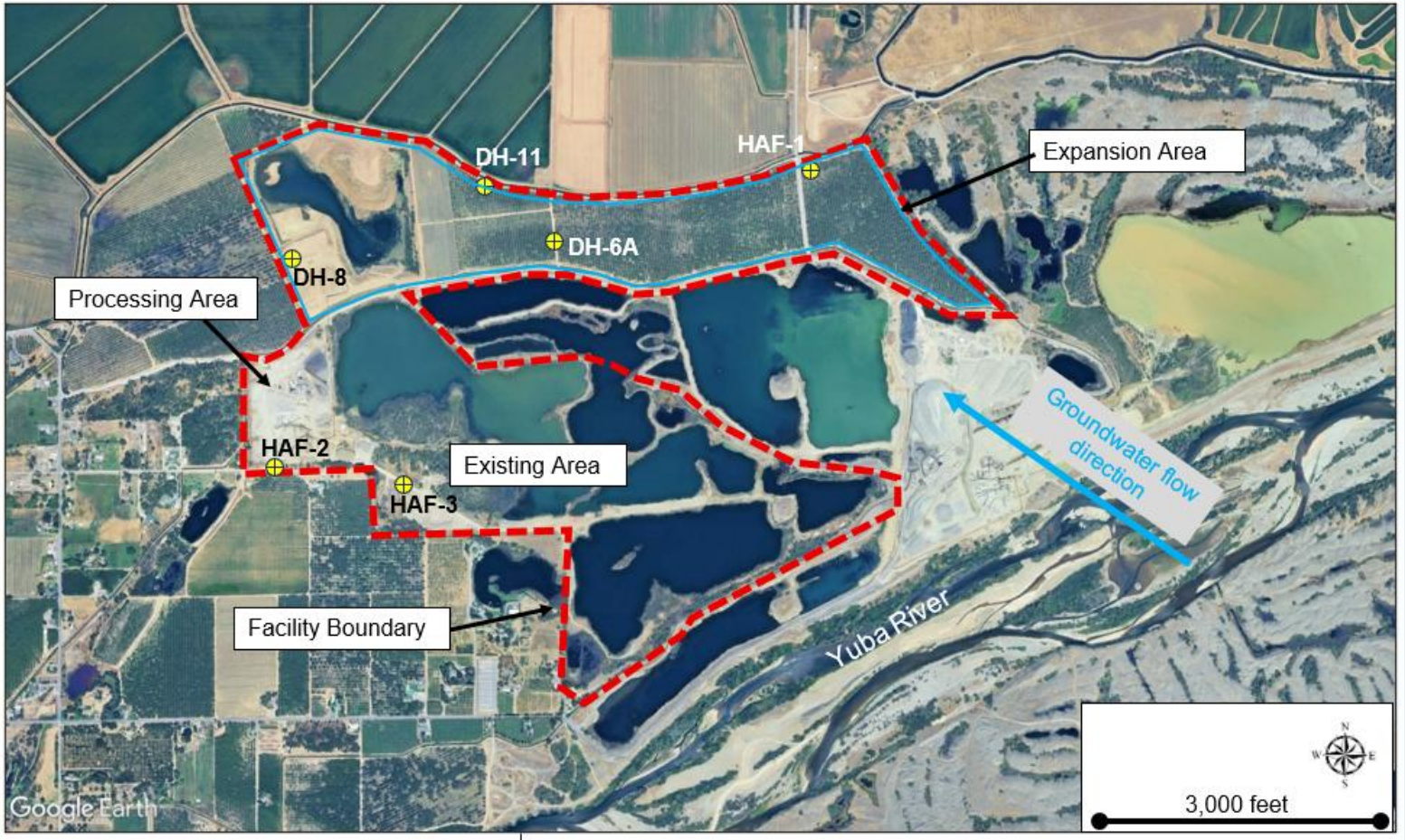
the State Water Board must receive the petition by 5:00 pm on the 30th day after the date of this Order, except that if the 30th day falls on a Saturday, Sunday or State Holiday, the petition must be received by the State Water Board by 5:00 pm on the next business day. The law and regulations applicable to filing petitions are available on the internet at the State Water Boards' Public Notices Petitions for Water Quality webpage (http://www.waterboards.ca.gov/public_notices/petitions/water_quality). Copies will be provided upon request.

ATTACHMENT A – SITE LOCATION MAP



Approximate Scale	Drawing Reference:	SITE LOCATION MAP
1 in ≈ 1 mile	Modified from Figure 1 10 June 2010 Burleson Consulting, Inc. Hallwood Facility Mercury Monitoring Letter Report	BALDWIN CONTRACTING CO., INC. DBA KNIFE RIVER CONSTRUCTION; HALLWOOD PLANT YUBA COUNTY

ATTACHMENT B – SITE FEATURES AND GROUNDWATER MONITORING WELL LOCATION MAP



INFORMATION SHEET

Facility Description and Conditions

The Discharger owns and operates an aggregate mine partially located in the Yuba Gold Fields. Aggregate mining has occurred in the southern portion of the Facility since 1955. The Facility was expanded to the north and is referred to as the “Expansion Area”. Mining began in this area in 2007. WDRs Order R5-2010-0124, adopted on 10 June 2010, regulated wastewater discharges from mining activities and included the Expansion Area; however, at the time WDRs Order R5-2010-0124 was adopted the Expansion Area consisted of fruit orchards that had not yet been mined.

The Yuba Gold Fields have historically been mined for gold using mercury to amalgamate gold, resulting in the deposition of mercury in sediments. Because the southern mining area of the Facility is located within the gold mining area, there is the potential for mercury to be present in site sediments. Mercury in the Expansion Area is not likely present because gold mining did not occur in this area and this area is higher than the major flooding elevation of Yuba River.

Aggregate at the Facility is mined at a depth below the water table and occurs in excavation ponds. The aggregate is directed to the processing area where it is washed and rinsed to remove sediment. This wash water (effluent) is discharged to a settling/recycling pond. Water from this pond is recycled back to the processing area for use as wash water.

Monitoring and sampling of the water and sediment in the excavation pond and settling/recycling pond, and groundwater have occurred since 2011. Concentrations of mercury in the pond and sediments have consistently been less than WQOs and the sediment limit established in WDRs Order R5-2010-0124. Groundwater and effluent concentrations are similar. This indicates that mining and processing activities at the Facility have not contributed to the mobilization or redistribution of mercury in wastewater or groundwater. The data do not indicate that mining and processing activities are impacting groundwater quality beyond existing conditions.

Monitoring and sampling for EC in the ponds and groundwater have also occurred since 2011. The Dischargers do not add any chemicals to the wash water that would result in impacts from salts. Concentrations of EC in the wash water (effluent) and groundwater are comparable, indicating Facility operations are not impacting groundwater quality beyond current conditions. To ensure that EC concentrations remain consistent overtime, the Order sets a **Salinity Action Level for EC of 700 µmhos/cm** as an annual average for each settling/recycling pond active during the monitoring period.

Groundwater Limit Compliance Language

Groundwater limitations establish that the release of waste constituents from any portion of the Facility shall not cause or contribute to the exceedance of water quality objectives in the receiving water. If the Facility's discharge contains waste at a level greater than a water quality objective but the groundwater receiving the waste remains below the water quality objective, the limitation would not be violated. However, if the same discharge contains waste at a level greater than the water quality objective and causes the receiving water to exceed a water quality objective, the groundwater limitation would be violated. Similarly, if the same discharge contains waste above the water quality objective and the receiving water is above the objective, the Facility's discharge would be contributing to an exceedance of the water quality objective and would be violating the receiving water limitation, if the receiving water natural background concentration is less than the water quality objective.

In the scenario where the level of waste in the Facility's discharge is below the water quality objective and the receiving water exceeds the water quality objective; the limitation would not be violated. Where natural background conditions exceed the water quality objective, compliance would be evaluated considering the established natural background concentration instead of the water quality objective.

Only discharges causing or contributing to the exceedance of the water quality objective or natural background concentration (if greater than the water quality objective) in the groundwater would be in violation of the limitation.

The Basin Plan contains the following in Section 3 Water Quality Objectives:

> "The objectives contained in this plan, and any State or Federally promulgated objectives applicable to the basins covered by the plan, are intended to govern the levels of constituents and characteristics in the main water mass unless otherwise designated…"

Any analysis of the above factors to determine exceedances of groundwater limitations would consider this and other guidance from the Basin Plan (e.g., hydrogeologic and background characterization studies, regional groundwater flow and dilution, operation of the facility's groundwater interceptor ditch system, etc.).

Monitoring Requirements

Section 13267 of the California Water Code authorizes the Central Valley Water Board to require monitoring and technical reports as necessary to investigate the impact of waste discharges on waters of the State. Water Code Section 13268 authorizes assessment of civil administrative liability where appropriate. The Order includes wastewater, pond, and groundwater monitoring requirements. This monitoring is necessary to characterize the discharge and evaluate any impacts to groundwater and compliance with the requirements and specifications in the Order.

Salt and Nitrate Control Programs Regulatory Considerations

As part of the Central Valley Salinity Alternatives for Long-Term Sustainability (CV-SALTS) initiative, 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 waters and soils of the Central Valley at its 31 May 2018 Board Meeting. On 16 October 2019, the State Water Resources Control Board adopted Resolution No. 2019-0057 conditionally approving the Central Valley Water Board Basin Plan amendments and directing the Central Valley Water Board to make targeted revisions to the Basin Plan amendments within one year from the approval of the Basin Plan amendments by the Office of Administrative Law. The Office of Administrative Law (OAL) approved the Basin Plan amendments on 15 January 2020 (OAL Matter No. 2019-1203-03).

Pursuant to the Basin Plan amendments, 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 (17 January 2020). Upon receipt of the Notice to Comply, the Discharger will have no more than six months to inform the Central Valley Water Board of their choice between Option 1 (Conservative Option for Salt Permitting) or Option 2 (Alternative Option for Salt Permitting). The level of participation required of dischargers whose discharges do not meet stringent salinity requirements will vary based on factors such as the amount of salinity in the discharge, local conditions, and type of discharge. The Discharger (**SALT ID: 2108**) has chosen to pursue Option 2 (Alternative Salinity Permitting Approach).

For the Nitrate Control Program, the Facility overlies the South Yuba Subbasin of the Sacramento Valley Groundwater Basin (Subbasin No. 5-021.60), a non-prioritized basin. Some sand and gravel processing facilities within the Central Valley have been determined to be exempt from the Nitrate Control Program because the typical washing processes conducted at such facilities have not been observed to increase nitrogen concentrations in resultant wastewater. Available information for the Facility indicates that its operations likewise do not increase nitrogen concentrations in wastewater. Therefore, the Facility is currently considered exempt from compliance with the Nitrate Control Program. However, the Executive Officer may issue a Notice to Comply for the Facility in the future if it is determined that the Facility's discharge could be impacting nitrogen concentrations in groundwater.

More information regarding the CV-SALTS regulatory planning process can be found at the following link: (https://www.waterboards.ca.gov/centralvalley/water_issues/salinity/).

The CV-SALTS initiative will result in regulatory changes that will be implemented through conditional prohibitions and modifications to many WDRs regionwide, including the WDRs that regulate discharges from the Facility. More information regarding the CV-SALTS regulatory planning process can be found at the following link: (https://www.waterboards.ca.gov/centralvalley/water_issues/salinity/).