

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
LAHONTAN REGION**

**MEETING OF JULY 8 AND 9, 2009  
South Lake Tahoe**

**ITEM:** 1

**SUBJECT:** EXECUTIVE OFFICER'S REPORT

**DISCUSSION:** The Executive Officer's report includes the following:

**July 2009**

- Enclosure 1: Report on Status of Standing Items  
(July 2009)
- Enclosure 2: Executive Officer's Written Report  
(May 2009 – June 2009)
- Enclosure 3: Notification of Spills
- Enclosure 4: Notification of Closure of Underground  
Storage Tank Cases (Pursuant to Article  
11, Division 3, Chapter 16, Title 23,  
California Code of Regulations)

01-0001

# **ENCLOSURE 1**

## **Report on Status of Standing Items** (July 2009)

01-0002

**CALIFORNIA REGIONAL WATER QUALITY  
CONTROL BOARD  
LAHONTAN REGION**

**REPORT ON STATUS OF STANDING ITEMS**

**July 2009**

The Regional Board has requested that it be kept informed of the status of a number of issues. The following table lists the items, the reporting frequency and where the report can be found.

ISSUE	REPORT FREQUENCY	STATUS/COMMENT
City of Barstow	Quarterly in the South	Due September 2009 Board Meeting
Searles Valley Minerals Operations - Compliance Status	Semi-Annual	Due January 2010 Board Meeting
Mojave River/El Mirage Dairies	Semi-Annual	Due January 2010 Board Meeting
County Sanitation Districts of Los Angeles - District No. 14	Semi-Annual	Due January 2010 Board Meeting
County Sanitation Districts of Los Angeles - District No. 20	Semi-Annual	Due January 2010 Board Meeting
Status of Basin Plan Amendments	Semi-Annual	Due October 2009 Board Meeting
Status of Grants	Semi-Annual	Due October 2009 Board Meeting
Wetland Restoration Mitigation - Mono County	Annually	Due November 2009 Board Meeting
Caltrans Statewide General Permit/Tahoe Basin	Annually	Due March 2010 Board Meeting
Tahoe Municipal Permit	Annually	EO Report Item No. 8

01-0008

## **ENCLOSURE 2**

### **Executive Officer's Written Report** (May 2009 – June 2009)

01-0004



# EXECUTIVE OFFICER'S REPORT

July 2009

## NORTH BASIN

1. **Staff Training in Characterizing, Predicting, and Modeling Water at Mine Sites – Chein Kao**

Staff of the Leviathan Mine Unit attended a four day training program on mine-site water presented by pre-eminent scientists from the public and private sectors. The training provided an opportunity to network with experts working in the area of acid mine drainage and to exchange ideas and experiences in pre-mining permit conditions as well as post-mining remediation activities. The course included mine site characterization, baseline water quality, static and kinetic acid generation prediction test methods and their uses, hydrogeology, geochemical and hydrologic modeling, and sources of uncertainty. Also included was a tour of the Jamestown Mine in Tuolumne County. This training was beneficial to staff working on the Remedial Investigation and Feasibility Study (RI/FS) process for the Leviathan Mine.

2. **Hot Creek Fish Hatchery Time Schedule Order – Taylor Zentner**

The discharge from the Department of Fish and Game's Hot Creek Fish Hatchery located near Mammoth Lakes in Mono County has and continues to exceed permit effluent limitations for nitrate+nitrite as nitrogen and for flow. The Hatchery relies upon multiple springs

for its water supply, and the DFG currently cannot control the springs' discharge rate or quality, which can exceed effluent limitations. Water Board staff issued a Notice of Violation that identifies 40 effluent limitation violations that are subject to Mandatory Minimum Penalties (MMP). The number of violations subject to MMPs has continued to increase through the first part of 2009.

On May 11, 2009, the Water Board's Assistant Executive Officer issued a Time Schedule Order (TSO) to the DFG to address the increasing number of effluent limitation violations related to nitrate+nitrite and flow. The TSO establishes a schedule for the DFG to: (1) develop and implement an acceptable Method of Compliance Work Plan/Schedule, (2) develop and implement an acceptable Pollution Prevention Plan, (3) submit Quarterly Assessment Reports, and (4) comply with final effluent limitations for nitrate+nitrite and flow. Since the compliance period extends beyond one year, the TSO also establishes interim, performance-based effluent limitations for nitrate+nitrite and flow, and requires immediate compliance with the interim effluent limitations. Violation of the permit-specified effluent limitations (not the TSO interim effluent limitations) for nitrate+nitrite and flow that occur following the TSO issuance date are not be subject to MMPs, provided DFG remains in compliance with all TSO

requirements. This will allow DFG to focus its resources on developing a solution to the violations, rather than paying additional liability.

In May, Water Board staff met with DFG staff to discuss Water Board staff's expectations regarding the Compliance Work Plan and other TSO-required tasks, and to answer DFG staff's questions regarding the TSO. Both staffs are optimistic that such discussions will produce acceptable TSO-related work products the first time or with minimal revisions. Such results should allow the DFG to meet the final TSO compliance date of May 11, 2014.

**3. Actions to Improve Administration of the Underground Storage Tank (UST) Cleanup Fund and UST Cleanup Program – Brian Grey**

In May 2009, the State Water Board adopted Resolution No. 2009-0042 to address revenue shortfalls and improve efficiency within the UST Cleanup Fund (Fund) and UST Cleanup Program. The State Water Board had previously received comments related to the Fund and UST Cleanup Program during a March 2009 public workshop held in Sacramento.

The State Water Board administers both (1) the petroleum UST Cleanup Program, which was enacted by the Legislature in 1984 to protect health, safety, and the environment, and (2) The petroleum Fund, which was enacted by the Legislature in 1989 to assist UST owners and operators in meeting federal financial responsibility requirements and to provide reimbursement to those owners and operators for the high cost of cleaning up contamination from leaking USTs. The Fund's revenues are generated by a storage fee (currently 1.4 cents) for every gallon of petroleum product placed in a

UST. The fee is collected by the State Board of Equalization and has historically generated approximately \$230 - \$250M of revenue per year, of which \$200M has been available for cleanup reimbursements. The remainder of the generated revenue is used for Fund administration, regulatory oversight, overhead, and special projects. For Fiscal Year (FY) 2008-2009 and for subsequent FYs, the amount of money available for cleanup reimbursements will be reduced from \$200M to \$150M. There are currently 4,300 claims within the Fund with a projected annual payment demand of \$240M.

Due to the projected reduction in revenues, increased payment demand, and depletion of cash reserves, the Fund has suspended reimbursements for one third of its active claims. Up until FY 2008-2009, reimbursement payments have generally been issued within three to six months; however, currently payments may take up to 18 months for active claims.

The State Water Board has identified that of the 4,300 claims in the Fund, over 43 percent have been open for ten years or more. Keeping UST cases open where there is little or no environmental benefit associated with the continued investigation, remediation, or monitoring is causing a significant financial burden to the Fund as well as a financial and time burden to UST owners. Fund resources are to be focused on higher priority UST cleanup cases where there is a threat to water quality and sensitive receptors and not on cases where little or no environmental benefit of continued investigation, remediation, and monitoring can be demonstrated.

In an effort to improve administration and reduce expenditures, the State Water

Board required the following, among other things, within the Resolution:

- Lead agencies shall review all UST cases using the general framework provided within the Resolution by June 30, 2010. No new directives for corrective action shall be issued until all site reviews have been completed.
- Lead agencies shall reduce quarterly monitoring requirements to semiannually and will notify all responsible parties of the new requirements by August 1, 2009.
- The Divisions of Financial Assistance and Water Quality shall, by July 2009, create a taskforce composed of State and Regional Water Board staff, Local Oversight Program staff and other local agency staff, consultants, tank owners, and operators to make recommendations for improvements to Fund administration procedures and response to the current cash shortage.
- The Division of Administrative Services shall, by July 2009, initiate an independent program and fiscal audit of the Fund and shall annually complete a fiscal audit.
- The Division of Water Quality shall, by January 2010, complete development of an updated Leaking Underground Fuel Tank (LUFT) manual.
- The Division of Water Quality and the Division of Financial Assistance shall report on progress toward completion of the activities specified in the Resolution every

six months at a meeting of the State Water Board.

The Resolution's requirements will result in significant effort by both the regulated and regulatory communities to reach satisfactory agreements for future investigation and remediation activities at UST sites. The delay of payments will be especially difficult in cases where needed cleanup efforts exceed the claimants' ability to pay. Staff is working, and will continue to work, with all involved parties to maintain a consistent and reasonable approach to remediate UST sites with available resources.

**4. Status of Cleanup at Allied Petroleum Bulk Plant, Lassen County – James Brathovde**

Sixteen years ago, in the middle of the night, a gasoline tanker truck spilled approximately 4,000 gallons of gasoline at the then inactive Allied Petroleum Bulk Plant in Susanville. The Water Board issued numerous enforcement orders to all parties involved. Allied Petroleum and its successor (since 1998), Allied Washoe, have installed and monitored over 20 monitoring wells, hooked up neighboring parcels to the Susanville municipal water supply, and excavated approximately 4,400 cubic yards of hydrocarbon contaminated soil. In August 2004 and August 2006, the gasoline oxygenate MTBE was detected in the City of Susanville's municipal supply well, 500 feet from the spill. However, MTBE was detected at concentrations below the maximum contaminant level for supplied drinking water.

In February 2006, the Water Board adopted an amended cleanup and abatement order requiring implementation of a Remedial Action Plan which included the remediation of MTBE contaminated soil to reduce the source of MTBE

adversely affecting groundwater and Susanville Well No. 3. A second soil excavation in 2007 removed an additional 2,100 cubic yards of MTBE-impacted soil. This excavation extended to a depth of approximately 15 to 25 feet, the practical limit of the excavator.

Following excavation, a groundwater extraction and treatment system was installed and operated. The extraction system utilized extraction wells that were completed in the coarse-grained backfill that was placed in the excavation. By 2009, water quality data for the site indicated that concentrations of petroleum hydrocarbons have decreased, but remain above maximum contaminant levels for several petroleum hydrocarbon compounds, including MTBE.

Since the release in 1993, approximately \$3M has been expended on the cleanup. Allied Washoe, the land owner, has contributed over \$2.75M toward the cleanup, with \$1M of that coming from an insurance settlement. The other responsible parties contributed approximately \$250,000. Allied Washoe states that financial demands of the remediation project are adversely impacting its financial viability and requested a May 2009 meeting with staff to assess the technical feasibility and effectiveness of continued operations of the remediation system. Allied Washoe provided documentation that the system was no longer effective and requested permission to shut down the extraction and treatment system.

At the May 2009 meeting, Water Board staff and Allied Washoe agreed:

- Sufficient contaminated soil has been removed such that it's unlikely that MTBE, at concentrations above maximum contaminant levels, will migrate to Susanville Well No. 3;

- All required elements of the Remedial Action Plan have been met;
- Groundwater extraction and removal of MTBE-impacted soil had achieved technically and economically viable objectives;
- The residual MTBE is sorbed to shallow clayey material and is technically and economically infeasible to extract with the groundwater extraction system;
- Continued or pulsating operations of the groundwater extraction system will not enhance the efficient removal of MTBE mass;
- Groundwater monitoring will continue on a semiannual basis;
- Allied Washoe will install a new deep monitoring well to act as a sentry/early warning well for Susanville Well No. 3.

#### **5. Northstar Mountain Properties ACL Compliance Status – Eric Taxer**

The Water Board issued an Administrative Civil Liability Order (ACL) against Northstar Mountain Properties, LLC (NMP) in March 2009. The ACL Order implements a settlement of claims through the payment of an administrative civil liability in the amount of \$2,750,000. The ACL Order directs \$2,250,000 of the settlement towards performance of a supplemental environmental project (SEP) – The Waddle Ranch/Northstar Watershed Improvement Program. The ACL Order directs the remaining \$500,000 of the settlement amount towards two equal annual cash payments to the State Water Resources Control Board.

Since adoption of the ACL Order, the following initial tasks have been completed:

1. The State Water Resources Control Board established a specific fund within its Cleanup and

Abatement Account to administer the SEP Fund as specified by the ACL Order.

2. NMP made its first of two annual cash payments to the State Water Resources Control Board in the amount of \$250,000.
3. NMP made its first quarterly cash installment into the SEP Fund in the amount of \$62,500. The next quarterly payment is due on June 30, 2009, in the amount of \$62,500.
4. The SEP Steering Committee held its first meeting on June 8, 2009. The Steering Committee established initial operating agreements and responsibilities. The Steering Committee also developed a list of roles, desired qualifications, and responsibilities for finalizing membership on the two technical groups associated with the SEP.

NMP has selected the Sierra Business Council as its independent third party contractor. I provided comments on NMP's proposed contract, and the revised contract was resubmitted on June 9, 2009. I am currently reviewing the contract for my acceptance.

Additionally, NMP submitted a financial assurance mechanism for the Assistant Executive Officer's review, and the Assistant Executive Officer has found the mechanism acceptable.

**6. Lahontan Regional Meetings for the California Water Plan Update 2009 - Cindy Wise**

First published in 1957, the *California Water Plan* (Plan) began with defining how much water the people, agriculture

and industries in the state could use. This was followed by an outline of what was considered by experts to be the best way to provide the water. The Plan is updated every five years by Department of Water Resources (DWR) staff. Ten years ago, the California Legislature and Governor directed DWR to modify the update approach to result in more of a strategic plan and included a requirement for broader stakeholder input. The 2005 Plan update resulted in a strategic plan with a vision, mission, goals, major initiatives, and statewide policy recommendations. The 2009 Plan update builds on the work started in the 2005 update. Included in the 2005 update and to be carried over in the 2009 update are regional reports which describe regional conditions related to water use, supply, quality and management. To seek stakeholder input into the regional reports and other elements of the Plan, DWR holds regional meetings. Lahontan staff participated in the recent North Lahontan regional meeting held in Susanville in late May. Staff also participated in a South Lahontan regional meeting held in Bishop in late April. The public review draft of the Plan Update 2009 is now available online for review and comment at <http://www.waterplan.water.ca.gov/cwpu2009/index.cfm> The draft Plan Update 2009 presents basic data and information on California's water resources including water supply evaluations and assessments of agricultural, urban, and environmental water uses to quantify the gap between water supplies and uses. It also identifies and evaluates existing and proposed statewide programs and projects to address the State's water need.

## **7. *Integrated Regional Water Management Update - Cindy Wise***

When California voters passed Proposition 50 in 2002, it resulted in an amendment to the California Water Code authorizing the Legislature to appropriate \$500 million to establish the Integrated Regional Water Management Program (IRWM). This program encourages integrated regional strategies for water resources management and provides funding, through competitive grants, for projects that protect communities from drought, protect and improve water quality, and improve local water security by reducing dependence on imported water. As part of the IRWM program, the Department of Water Resources (DWR) and the Water Boards awarded approximately \$405M in Proposition 50 grant funding to more than 200 projects. Included were awards of \$25M to the Mojave IRWM and \$12.5M to the Tahoe-Sierra IRWM groups in the Lahontan Region.

The IRWM Planning Act (SB1, September 2008) included a general definition of an IRWM plan, standards for identifying an IRWM region and direction to DWR to develop a process to approve an IRWM region for the purposes of future funding from the Proposition 84 Water Bond IRWM program. Regional Board staff coordinated with DWR as it developed its IRWM Region Acceptance Process (RAP) in February 2009. To be considered for future funding from Proposition 84 and other potential IRWM funding sources, every potential IRWM group (including those that were already funded from Proposition 50) were required to prepare and submit RAP materials to demonstrate that the proposed IRWM region is a comprehensive and contiguous area defined by common water management issues. Regional Board staff participated in the review of these RAP materials and

in interviews with each potential IRWM group in the Lahontan Region. Four IRWM groups (Tahoe Sierra, Inyo-Mono, Antelope Valley and Mojave) submitted materials and were interviewed by DWR and Regional Board staff in late May/early June. No major concerns were identified for any of these four groups during either the review or interviews, and it is expected that DWR will accept the regional boundaries proposed by the four IRWM groups. The final decision from DWR should be released in August.

## **8. *Lake Tahoe Municipal NPDES Permit Update – Pollutant Load Reduction Strategies – Robert Larsen***

Stormwater discharges from the municipal jurisdictions within the Lake Tahoe Basin are regulated under a Board Order adopted in 2005. In addition to specifying waste discharge requirements for runoff discharges, the Order also serves as a National Pollutant Discharge Elimination System Phase I Storm Water Permit (NPDES Permit) as required by Clean Water Act section 402(p). The City of South Lake Tahoe, El Dorado County, and Placer County are co-permittees under the NPDES Permit.

In anticipation of Lake Tahoe TMDL implementation requirements, NPDES Permit Section IX requires the co-permittees to develop a Pollutant Load Reduction Strategy to gather critical information needed for long-term stormwater planning. Specifically, Section IX requires the three jurisdictions to: (1) identify storm water discharge points; (2) delineate the sub watershed for each discharge point and estimate pollutant loading for those watersheds; and, (3) prioritize capital improvement and stormwater program activities based on loading estimates.

With funding assistance from the California Tahoe Conservancy, each of the three jurisdictions has completed its initial Pollutant Load Reduction Strategy effort. The products include detailed jurisdiction maps with identified discharge points and associated catchments, tables listing relative total suspended solid, nitrogen, and phosphorus loads, as well as text describing how the information will be incorporated into various program activities. The extensive GIS work and initial pollutant load estimates greatly improve the municipalities' ability to comprehensively plan for meeting future load reduction requirements.

The current NPDES Permit expires in October 2010. Water Board staff intend to develop an updated NPDES Permit to include specific fine sediment particle and nutrient waste load allocations consistent with Lake Tahoe TMDL goals. The proposed updated Permit will also require the municipalities to submit revised Storm Water Management Plans describing how required load reduction targets will be met. The completed Pollutant Load Reduction Strategy will provide the co-permittees with much-needed baseline information to inform the revised plans. Staff will continue to work with the Permittees in the interim to ensure municipal storm water management programs are adequately prepared for the treatment challenges ahead.

**9. Secured Cleanup and Abatement Account Funds for Lake Tahoe Asian Clam Survey Project – Daniel Sussman**

In early June, the State Water Board approved \$100,000 from the Cleanup and Abatement Account (CAA) to fund a lake wide survey of Lake Tahoe to determine the extent of the Asian clam infestation at Lake Tahoe. The survey will be conducted using a remote controlled, unmanned, aquatic vehicle equipped with a high

definition camera to survey the lake bottom for clams. The submersible vehicle will also record levels of chlorophyll to determine the association of algal blooms with clam beds.

Researchers will present a report of the findings in late fall. This information will be used in combination with the findings of the Asian clam removal pilot project to develop a long term control and eradication feasibility report.

The CAA money will fund UC –Davis researchers and its contractors from the University of British Columbia to complete the survey. Nevada Division of State Lands will provide an additional \$25,000 to support research collaborators on this project from the University of Nevada, Reno.

**10. Conservation Community Petitions Lahontan Water Board Adoption of Region Wide Timber Waiver – Douglas Cushman**

The Sierra Forest Legacy and the Tahoe Group of the Sierra Club have petitioned the State Water Resources Control Board for review of the May 2009 revised region-wide Timber Waiver adopted by the Water Board at the May meeting. The State Water Board has the option of dismissing the petition, setting aside the Lahontan Water Board's action, or remanding the Timber Waiver back to the Lahontan Water Board for reconsideration. Lahontan Water Board staff are assembling a complete administrative record associated with the development and approval of the Timber Waiver and are waiting for direction from the State Water Board. Staff are also in discussion with the petitioners to see if their concerns can be resolved in lieu of the State Water Board consideration of the petition.

**11. Status of Water Board Actions to Respond to The California Nevada Tahoe Basin Fire Commission Recommendations** – Douglas Cushman

[http://www.waterboards.ca.gov/lahontan/resources/email\\_subscriptions.shtml](http://www.waterboards.ca.gov/lahontan/resources/email_subscriptions.shtml)

In May 2008, Governor Schwarzenegger issued a proclamation that strongly encouraged the Lahontan Water Board to respond to any applicable recommendations from the CA-NV Tahoe Basin Fire Commission. The Water Board has made significant progress in implementing changes in policies that affect fuels reduction treatments within the Tahoe Basin (and in some instances in the entire region). A table (attached at end of Executive Officer's Report) identifies all recommendations that are applicable to the Water Board, and details how the Water Board or staff has responded.

**12. Triennial Review of the Lahontan Basin Plan** - Judith Unsicker

To meet state and federal requirements for periodic review of water quality standards, the Water Board will hold a public participation process in the summer and fall of 2009. Written comments on needs and priorities for revision of the Water Quality Control Plan for the Lahontan Region (Basin Plan) will be solicited in July. A public hearing is planned for the Water Board's October meeting. Following the hearing the Water Board will consider adopting a priority list of topics for staff work on Basin Plan amendments over the following three years.

Further information on the Triennial Review process will be available on the Water Board's Internet web page in July. Interested parties may subscribe to an electronic mailing list for "Basin Planning-Triennial Review" by following the instructions at:

01-0012

SOUTH BASIN

**13. Hometown America – Los Ranchos  
Mobile Home Park – John Morales**

The Los Ranchos Mobile Home Park is located near the intersection of Waalew Road and Dale Evans Road in the Town of Apple Valley. Park residents have contacted Water Board staff regarding foul odors emanating from the sewage treatment plant and concerns about plant operations and waste disposal practices. These waste treatment and disposal activities are covered by waste discharge requirements.

Water Board staff inspected the treatment plant and subsequently issued a Notice of Violation (NOV) addressing effluent limit violations for Biochemical Oxygen Demand, poor housekeeping practices, nuisance odors and improper waste disposal practices. In response to the NOV, the Discharger implemented corrective actions including the addition of an aeration system in the treatment pond. The owner plans to replace the aeration system with more efficient blowers and install an additional blower that will contribute to stabilization of the organic matter. The owner will also remove and properly dispose of weeds and heavy vegetation growing along the perimeter of the ponds.

All corrective actions are expected to be complete by June 30, 2009. Water Board staff will re-inspect the site to verify that nuisance conditions have been abated and corrective actions have been implemented.

**14. Antelope Valley Integrated Regional  
Water Management Plan – Patrice  
Copeland**

Beginning in May 2006, member agencies of the Antelope Valley Regional Water Management Group (RWMG) have met and developed an Integrated Regional Water Management Plan (IRWMP). The purpose of the IRWMP is to develop a watershed-based approach for addressing water supply, water quality, flood control, land use, and environmental resource management as related to the Antelope Valley. The Antelope Valley IRWMP was adopted in December 2007 and January 2008. The Antelope Valley RWMG was originally formed through a Memorandum of Understanding (MOU) among 11 public agencies for development and implementation of the IRWMP. The MOU is necessary to sustain the IRWMP and assist the group with their plans to apply for grant funding of water-related projects in the Antelope Valley.

Water Board staff attended a meeting of the Antelope Valley RWMG on June 10, 2009. During this meeting, member agency representatives and interested stakeholders were informed that the group's revised MOU has been finalized, with the last required signature obtained in April 2009. A discussion was held concerning the Antelope Valley RWMG's Region Acceptance Process application (see Item No. 7 in this report). Water conservation, water supply, and recycled water committees also gave reports. After a brief call for nominations and a discussion, members selected Richard Caulkins, with the Sanitation Districts of Los Angeles County, to fill the Conservation, Environmental, and Water Quality seat on the advisory team. Selection of advisory team members for

the Municipalities, Business and Industry, and Rural Town Councils seats will be decided during the next Antelope Valley Regional Water Management Group meeting planned for August 19, 2009.

**15. Stormwater Complaints Regarding Oak Hills High School, City of Hesperia – Douglas Feay**

Water Board staff received two stormwater-related complaints about a construction site for a new school, the Oak Hills High School, located in the city of Hesperia. The school is being built near the intersection of El Centro Road and Coyote Trail Road. The first complaint was made in February 2009, and another was filed in April. ASR Constructors, Inc. started construction of the 80-acre Oak Hills High School in 2007. The State Department of Architecture is responsible for project oversight during construction, and the Hesperia Unified School District is the owner.

The first complaint concerned muddy-water leaving the site during a storm event in November 2008, that had flooded El Centro Road in the city of Hesperia. At the time, the road was being graded, and no drainage system had been installed to control the flow of rain water. Water Board staff inspected the site and observed that many best management practices (BMPs) were in disrepair or had failed. As a result, erosion of several exposed slopes had sent sediment and runoff into the road. The streets around the site had been graded, but not paved. At the time of the inspection, the on-site supervisor was in the process of repairing the slopes and reinstalling BMPs; curbs were being poured along Coyote Trail Road, and BMPs were installed at the base of exposed slopes, which were being repaired. At completion of BMP repair

work and approximately one week after the complaint was filed, our staff received photographs of the relevant areas and repaired BMPs.

The second complaint concerned cement truck wash water disposal and non-stormwater (nuisance water) flowing from the school site onto adjacent streets. San Bernardino County inspected the site in April, and noted numerous stormwater violations. The Mojave Desert Air Management District also inspected the site in April. Water Board staff reviewed the county's inspection report, which stated that the site supervisor had begun to correct the violations immediately. Water Board staff inspected the site a week later. At the time of this inspection, streets around the school site had been paved and the installation of the school's stormwater retention system had been completed. Exposed slopes on-site were being prepared for hydroseeding, and other landscaping activities were underway throughout the site.

Water Board staff is preparing a letter to the complainant describing the activities taken to resolve this complaint. Water Board staff have been advised that construction activities at the Oak Hills High School should be completed by September 2009.

## Status of Water Board Responses to Applicable Fire Commission Recommendations

Recommendation Summary	Water Board Action
<p><b>Recommendation 1</b> The unique water quality and clarity that make Lake Tahoe a natural resource of global significance are dependent on protection from catastrophic wildfires in the Lake Tahoe Basin, and all public land management agencies, regulatory agencies, and private property owners must work together more effectively to implement fuel reduction projects designed and prioritized to minimize the risk of wildfires.</p>	<p>In December 2008 the Water Board approved a Memorandum of Understanding with the Tahoe Regional Planning Agency (TRPA) and an associated waiver of the requirement for project implementers to file for a permit from the Water Board if their project is permitted by the TRPA.</p> <p>Staff continues to participate in the Tahoe Forest Fuels Team, an interdisciplinary entity that has been created to fund, plan, and implement fuels reduction projects within the Tahoe Basin.</p> <p>Staff is collaborating with the US Forest Service, Lake Tahoe Basin Management Unit on a joint NEPA/CEQA environmental document for the South Shore Fuel Reduction Project. This project proposes to conduct fuel reduction activities on approximately 10,100 acres.</p>
<p><b>Recommendation 2</b> The Commission finds that catastrophic wildfire is a growing threat to life, property, and the environmental quality of the Lake Tahoe Basin, and recommends that the restoration of the Basin's forests to a more natural and fire-resilient condition should be a common and primary management goal of all public land management agencies, regulatory agencies, and private property owners in the Basin.</p>	<p>While water quality protection is the Water Board's primary mandate, the Water Board in October 2007, directed its staff to consider projects that restore Tahoe's forests to a fire resistant condition as public health and safety projects eligible for Basin Plan prohibition exemptions.</p>
<p><b>Recommendation 16:</b> The Governors should require that the plans and policies of the Lahontan Regional Water Quality Control Board (LRWQCB) and the Tahoe Regional Planning Agency (TRPA) be updated to emphasize the importance of fuel reduction activities in the Tahoe Basin. Revisions of policies shall be focused on facilitating implementation of these projects, with the priority given to protection of life, property, and the environment, in that order.</p>	<p>In December, 2008 the Water Board approved a Memorandum of Understanding with the Tahoe Regional Planning Agency (TRPA) and an associated waiver of the requirement for project implementers to file for a permit from the Water Board if their project is permitted by the TRPA. Also, in May, 2009 the Water Board adopted a revised Waiver of Waste Discharge Requirements for Discharge Related to Timber Harvest and Vegetation Management Activities (Timber Waiver) for the entire Lahontan Region. The revised Timber Waiver allows project proponents who are implementing fuel reduction activities under specified criteria to proceed without any notification to the Water Board. Projects no longer requiring notification include those complying with defensible space statutes, those conducted pursuant to a CALFIRE issued Forest Fire Prevention or Emergency Exemptions, projects that provide up to a 300 foot defense zone between public/private property boundaries, or projects conducted by hand crews.</p> <p>Note: While the May 2009 Waiver addresses these issues, the</p>

01-0015

01-0010

Recommendation Summary	Water Board Action
	December 2008 Waiver and MOU with TRPA eliminates the applicability of any Lahontan Water Board permitting process to Lake Tahoe Basin projects.
<p><b>Recommendation 17:</b> The Governors should direct regulatory and implementing agencies in the Lake Tahoe Basin to simplify the existing system for permitting fuel reduction projects. Steps that should be taken to reduce or eliminate complexity, confusion, and redundancy shall include:</p> <p>The Fire Commission identified twelve issues under the above heading. Those relevant to the Lahontan Water Board or its staff are addressed in Recommendations 17a, b, c, d, e, f, h, i, and j below.</p>	<p>The MOU between the Water Board and TRPA (December, 2008) streamlines permitting of vegetation management activities including fuels reduction in the Lake Tahoe Region by identifying the TRPA as the primary permitting authority. This action usually eliminates the need for project proponents to seek a permit from the Lahontan Water Board.</p> <p>The Water Board approved a revised waiver of waste discharge requirements for vegetation management activities (May, 2009). In the event that a project proponent seeks a permit from the Water Board for vegetation management activities in the Tahoe Basin, the revised Conditional Waiver of Waste Discharge Requirements for Discharges Resulting from Timber Harvest and Vegetation Management Activities in the Lahontan Region (Timber Waiver) allows an expanded group of fuel reduction activities to proceed with no notification to the Water Board. For projects requiring Water Board notification, the revised Timber Waiver will provide simplified directions for application completion and monitoring checklists when visual monitoring is required. The revised Timber Waiver streamlines permitting for fuel reduction efforts throughout the Lahontan Region.</p> <p>In 2010, the Water Board will consider additional actions to streamline &amp; simplify permitting for fuel projects by amending the Basin Plan. Specific items for consideration include clarification of allowable activities within SEZs.</p> <p>Note: While the May 2009 Waiver and future Basin Plan changes address this issue, the December 2008 Waiver and MOU with TRPA eliminates the applicability of any Lahontan Water Board permitting process to Lake Tahoe Basin projects.</p>
<p><b>Recommendation 17a:</b> The regulatory restrictions and limitations presently existing, even as presently modified by the TRPA and the LRWQCB, should be further modified, if not waived, on an expeditious basis and no later than the beginning of the 2008 fire season, to allow the use of readily available mechanized equipment and vehicles within SEZs to allow for the effective, efficient, and economical removal of hazardous materials.</p>	<p>The Water Board Basin Plan and Timber Waiver specifically allow equipment into SEZs on existing roads and crossings and also allows for temporary new crossings of SEZs. The Basin Plan does not prohibit vehicles in SEZs; rather, it prohibits "permanent disturbance" in SEZs. The Basin Plan allows the Water Board and its Executive Officer to consider granting exemptions for permanent disturbance where the project is necessary for public health and safety and/or environmental</p>

Recommendation Summary	Water Board Action
<p>Restrictions regarding the use of mechanized equipment in such areas should be greatly and substantially reduced to make such cleaning and clearing activities within SEZs feasible over the period of time reasonably necessary to complete the Community Wildfire Protection Projects relating to the various communities located within the Lake Tahoe Basin.</p>	<p>protection. In July 2008, the Water Board delegated to the Executive Officer the authority to grant Basin Plan exemptions after a 10 day public comment period. This action eliminated the previous 45-90 day period needed to schedule these projects for Water Board action. The revised Timber Waiver identifies activities, including the use of low ground pressure equipment within SEZs, that can occur without a Basin Plan prohibition exemption.</p> <p>The Water Board will consider a Basin Plan amendment (anticipated 2010) to clarify the use of mechanized equipment within SEZs.</p>
<p><b>Recommendation 17b:</b> The commission recommends that the LRWQCB and the TRPA in cooperation with land management agencies develop a common list of accepted BMPs for mechanical work in SEZs that will be used beginning in the 2008 season to qualify as exempt and qualified exempt projects. In addition to the BMPs used in 2008, a reference guide defining equipment use in SEZs shall be developed by March 2009 and reviewed and updated as new information is collected. This guide will be completed through a cooperative inter-agency effort. The TRPA and the LRWQCB MOUs shall rely on this adaptive process to allow SEZ disturbance as new BMPs are developed and implemented.</p>	<p>This recommendation could not be addressed in the timeline recommended. The Water Board is allowing the use of mechanized equipment in SEZs for projects that are similar to the Heavenly Valley Creek and Celio Ranch Demonstration projects. Also, the Tahoe Science Consortium is developing standardized monitoring protocols to evaluate BMPs for mechanical work in SEZs.</p> <p>In March 2009, the Water Board accepted a Supplemental Environmental Project as settlement to an enforcement case that includes fuel reduction work in the Truckee River watershed and earmarks \$123,000 for the development of a Forest Vegetation Treatment/Water Quality Protection Handbook. The final draft is due March 2012. This guide will be developed through a cooperative effort including scientists, fire districts and CALFIRE.</p> <p>Note: While the May 2009 Waiver and future Basin Plan changes address this issue, the December 2008 Waiver and MOU with TRPA eliminates the applicability of any Lahontan Water Board permitting process to Lake Tahoe Basin projects.</p>
<p><b>Recommendation 17c:</b> The Governors of the States of California and Nevada should request the TRPA Governing Board to expeditiously establish within its ordinances a clear definition, in plain English, setting forth standards as to what constitutes a stream environment zone for the purposes of clearing such areas of hazardous fuels. The standard should be adopted for the purposes of providing a standard that can be uniformly applied by all agencies having environmental regulatory authority in the Basin, eliminating subjective determinations as to such matters, and encouraging the removal of fuels materials from SEZs within populated</p>	<p>The TRPA developed a rapid assessment (RAM) for delineating SEZs for fuel reduction projects. The USFS has also developed a methodology to classify SEZ sensitivity for fuels reduction projects. The application of these methods was applied during the 2008 field season.</p> <p>The Water Board applies the same definition of SEZs as the TRPA. The Water Board staff defer to the TRPA for SEZ delineation on non-federal lands and to the Forest Service for SEZ delineation on federal lands.</p> <p>In addressing the Fire Commission's request for clarification between</p>

01-0013

Recommendation Summary	Water Board Action
<p>areas of the Basin and the surrounding WUI. The definition should define SEZ areas in appropriate gradients of sensitivity to equipment use and should be applied uniformly on a Basin-wide basis. The Commission further recommends the TRPA: (1) update criteria for delineating SEZs on the ground; (2) incorporate the new natural Resources Conservation Service Soil Survey; and (3) clarify secondary criteria for delineating SEZs related to vegetation types, soil characteristics, and floodplain identification. A crosswalk will be developed to reference SEZs to watercourse and lake protection zones (WLPZs) in the California Forest Practice Rules. It is also recommended that the LRWQCB and all other state agencies having jurisdiction over environmental matters within the Basin should be directed by the respective Governors to apply the same uniform definition in determining what constitutes a stream environment zone for their own regulatory purposes within the Tahoe Basin.</p>	<p>SEZs and WLPZs, Water Board staff developed a table describing and comparing the Tahoe rules related to SEZs, the CA Forest Practice Rules related to WLPZs, the NV Forest Practice Rules related to water course protection, and the USFS rules related to riparian protection standards. This table is posted on the Water Board's website. This table was shared with the Fire Commission during the Vegetation Workshop conducted in February 2008.</p>
<p><b>Recommendation 17d:</b> In the interim, and not to exceed October 2008, in the event the TRPA does not establish such a uniform definition of SEZ, the Governor of the State of California should direct, within the framework of his authority, all California agencies having jurisdiction over environmental matters within the Tahoe Basin, including the LRWQCB, to apply the provisions of the California Forest Practices Act relating to watercourse protection with regard to SEZs in the Basin. The standard practices prescribed by said Act are understood by potential contractors, and their use will eliminate an impediment to bidders for such fuel reduction projects in the Basin. Further, the Governor should require any deviation from the use of such standard forest practices that results in the imposition of stricter standards to be reported by the agency requiring such deviation with an explanation of the environmental and efficiency tradeoffs considered by such agency when requiring stricter standards to be applied.</p>	<p>At present, there has not been a need to apply the Forest Practice Rules Watercourse &amp; Lake Protections Zone (WLPZ) criteria to fuel reduction work in the Basin. The Tahoe Fire and Fuels Team (TFFT) and all Tahoe basin implementers are proceeding under the current uniform SEZ definition.</p>
<p><b>Recommendation 17e:</b> The Commission recommends the TRPA and the LRWQCB grant exceptions for disturbance within SEZs for the purposes of completing fuel reduction projects (with equipment) necessary to protect public health and safety as identified in the community wildfire protection plans. The Commission recommends both regulatory boards grant blanket exemptions to a group of fuel reduction prescriptions when the tools or operating procedures described in the Reference Guide (see</p>	<p>Water Board, in the May 2009 revised Timber Waiver, identified specific equipment use in SEZs will not cause permanent disturbance in SEZs. Projects utilizing this equipment can proceed without any exemptions. Additionally, the revised Timber Waiver lists the conditions under which an exemption to Basin Plan prohibitions for certain public health and safety projects where permanent disturbance (e.g. roads, skid trails, burn piles, stream crossings) may occur. If certain criteria and conditions are met, the Executive Officer may grant a prohibition</p>

Recommendation Summary	Water Board Action
<p>"B" above) are developed and implemented.</p>	<p>exemption.</p> <p>Note: While the May 2009 Waiver addresses these issues, the December 2008 Waiver and MOU with TRPA eliminates the applicability of any Lahontan Water Board permitting process to Lake Tahoe Basin projects.</p>
<p><b>Recommendation 17f:</b> The Commission recommends for fuel treatment projects with potentially significant environmental impacts, all affected regulatory agencies rely on a single or joint environmental analysis and review process (i.e. EIS/EIR) to reach agreement on project specifications, permit conditions, (if applicable), and monitoring.</p>	<p>The Water Board staff has worked with Forest Service staff to develop a single environmental document for the South Shore Fuels Reduction Project.</p>
<p><b>Recommendation 17h:</b> The Commission recommends allowing winter operations with heavy equipment for fuel reduction over snow or over frozen ground shall be allowed (not in SEZ) through the LRWQCB Waiver Category 1b or 1c Eligibility Criteria.</p>	<p>The revised Timber Waiver includes provisions allowing winter operations with simplified monitoring requirements. In the Timber Waiver the Water Board acknowledges that over the snow operations have minimal effects when conditions are right, however conditions can change significantly in a 12 hour period and therefore visual monitoring and tracking of temperatures is needed to ensure operations occur during appropriate operating conditions. These new provisions also allow over snow operations within SEZs.</p> <p>Note: While the May 2009 Waiver addresses these issues, the December 2008 Waiver and MOU with TRPA eliminates the applicability of any Lahontan Water Board permitting process to Lake Tahoe Basin projects.</p>
<p><b>Recommendation 17i:</b> The Commission recommends the TRPA and the Lahontan Regional Water Quality Control Board make changes to existing waivers, memoranda of understanding, plans and ordinances such that forest treatment projects involving hand crews are no longer required to submit permit or waiver applications under any circumstances. Projects involving hand crews may be included in an annual spreadsheet submitted by April 1st and amended as needed by the project proponent each year to the Multi-Agency Coordination (MAC) Group or the Tahoe Fire and Fuels Team (TFFT) with project identification, project contact, acres to be treated, and location for all proposed hand thinning treatments. Project proponents may amend the spreadsheet as needed. All agencies and interested public shall have access to this information.</p>	<p>The revised Timber Waiver (Category 2) eliminates the need for Water Board notification for hand crew projects. Additionally, pursuant to the December, 2008, MOU between the TRPA and the Water Board, if a project is permitted by the TRPA the project proponent no longer needs to contact the Water Board.</p>

Recommendation Summary	Water Board Action
<p><b>Recommendation 17j:</b> The Commission recommends the TRPA, the LRWQCB, USDA Forest Service, and other affected agencies amend their plan and ordinances to allow equipment use on slopes greater than 30% based on <i>current</i> and <i>future</i> technology, and current forest practices to ensure resource protection.</p>	<p>Under current rules the Water Board may consider projects using equipment on slopes greater than 30% if necessary for public health and safety. Since the Angora Fire, no projects have been proposed. Additionally, Water Board can allow permanent disturbance on steep slopes for public service facilities (e.g. new fire station, or new roads) necessary for public health and safety. The Water Board plans to consider a Basin Plan amendment in 2010 to further describe allowable activities and disturbances associated with tree removal for fuel reduction/fire prevention purposes.</p>
<p><b>Recommendation 25:</b> The Commission recommends that the USDA Forest Service and the LRWQCB review their MOU and revise any stipulations that impede project planning and implementation related to fuels projects and associated supporting activities.</p>	<p>The Vegetation Management MOU between the Water Board and the TRPA designates the TRPA as the primary permitting authority for vegetation management activities in the Lake Tahoe Region. Since the MOU places TRPA as primary permitting authority, TRPA would review and permit LTBMU vegetation management projects and Water Board permitting would be eliminated. Therefore at this time, a specific MOU between the Water Board and the LTBMU regarding vegetation management activities is not needed.</p> <p>The existing MOU between the Water Board and the LTBMU addresses other non-vegetation management activities, such as stream restoration, recreation and water quality improvements and will be considered for revision in 2010.</p>
<p><b>Recommendation 26:</b> It is recommended that the Governor of the State of California direct, within the framework of his legal authority, the Lahontan Regional Water Quality Control Board (LRWQCB) to transfer to the TRPA no later than October 1, 2008, by a suitable MOU, all responsibility of the LRWQCB relating to fuel reduction projects performed within the Tahoe Basin. The intent is to have an expedited single permitting process, eliminating the need for the LRWQCB to issue a second permit, and to achieve consistency in the application of environmental laws as relates to these kinds of projects in the Tahoe Basin. In addition, pursue the execution of a Management Agency Agreement (MAA) between the State Water Resources Control Board (SWRCB) and the TRPA in accordance with SWRCB existing policy for non-point discharge. Consideration of an MAA while not expected for several months is not intended to be, nor shall it be considered a basis for, delay in execution of the MOU between the LRWQCB and the Tahoe Regional Planning</p>	<p>The Water Board approved a Vegetation Management MOU with TRPA at its December 8, 2008 meeting.</p>

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Recommendation Summary	Water Board Action
Agency.	
<p><b>Recommendation 27:</b> It is recommended that the Governor of the State of California, within the framework of his legal authority, direct the LRWQCB to request comments from the TRPA Governing Board prior to enacting any new regulations and/or revised interpretations of existing regulations relating to or otherwise affecting removal or mitigation of fire hazards.</p>	<p>Water Board staff solicits comments from all affected public and responsible agencies when promulgating regulations.</p> <p>The vegetation MOU provides for cooperation and collaboration between Water Board and TRPA.</p>
<p><b>Recommendation 29:</b> It is recommended that the Director of CAL FIRE be empowered by the Governor of the state of California to monitor, and report to the Governor the progress on, the development of the MOU between the LRWQCB and the TRPA with regard to reduction of fire hazards. It is further recommended that the final MOU be submitted to, and be subject to the prior review and comment by the Director of CAL FIRE.</p>	<p>The public review process for the MOU included CAL FIRE. The Governor in his Proclamation required the Secretaries for the California Resources Agency and California Environmental Protection to monitor implementation of the actions required by the Proclamation.</p>
<p><b>Recommendation 32:</b> The Commission recommends that the Lahontan Regional Water Quality Control Board Executive Officer issue a letter clarifying that its existing MOU with the TRPA for residential construction constitutes a waiver of waste discharge requirements for new residential construction, including tree and vegetation removal, therefore eliminating the need for a permit from the Lahontan Regional Water Quality Control Board.</p>	<p>On January 24, 2008, the Water Board's Executive Officer issued a letter clarifying the existing MOU between TRPA and the Water Board: "Clarification of Responsibility to Regulate Tree Removal Related to Residential and Commercial Development." These projects no longer require authorization by the Water Board under the Timber Waiver.</p>
<p><b>Recommendation 34:</b> The Commission recommends that the Lahontan Regional Water Quality Control Board expand Category 1A of its timber waiver to include urban lots, including lots containing SEZs, managed by Federal, California State or local governments within the Lake Tahoe Basin. This will eliminate the need for these land management agencies to notify or pay a fee to the LRWQCB to reduce fuel loads on such lots.</p>	<p>The revised Timber Waiver (approved May, 2009) includes language adding urban lot projects to Category 1, which does not require project proponents to notify the Water Board of their proposed activities.</p> <p>Note: While the May 2009 Waiver addresses these issues, the December 2008 Waiver and MOU with TRPA eliminates the applicability of any Lahontan Water Board permitting process to Lake Tahoe Basin projects.</p>
<p><b>Recommendation 50b:</b> Request and/or direct the TRPA, the Lahontan Regional Water Quality Control Board, and other State agencies having jurisdiction in the Angora Fire area, to expedite the permitting process to allow such tree removals including, if necessary, the waiver of any regulatory requirements that may impede such timber removal.</p>	<p>Emergency tree removal conducted during the summer of 2007 was automatically permitted under Category 6 of the existing Timber Waiver. The Water Board received a Timber Waiver application in summer 2008 from the USFS-LTBMU for the Angora Hazard Tree Removal Project. Permit coverage under the Timber Waiver was granted and the project was initiated in the fall 2008, with over snow operations conducted during the winter of 2009.</p>

01-0022

Recommendation Summary	Water Board Action
<p><b>Recommendation 56d:</b>            The Governors should encourage forest thinning and woody biomass-to-energy processing in the Tahoe Basin as essential components of restoring healthy forest conditions, reducing the severity and intensity of future wildfires, lowering air and water pollution, and reducing local production of greenhouse gases. Specific actions should include: <b>d.</b> Direct state agencies and encourage all agencies to streamline access to biomass materials, including ensuring access through and within SEZs and use of temporary roading.</p>	<p>The Basin Plan and existing Timber Waiver allow equipment into SEZs on existing roads and for the construction of new temporary SEZ crossings.</p> <p>The Basin Plan does not prohibit vehicles in SEZs; rather, it prohibits "permanent disturbance" in SEZs. The Water Board considers exemptions to this prohibition for projects needed for public health and safety or environmental protection including wildfire protection projects proposing permanent disturbance such as a new permanent road and crossing of an SEZ.</p> <p>Note: While the May 2009 Waiver addresses these issues, the December 2008 Waiver and MOU with TRPA eliminates the applicability of any Lahontan Water Board permitting process to Lake Tahoe Basin projects.</p>
<p><b>Recommendation 67:</b>            The Governors should direct the TRPA, the Lahontan Regional Water Quality Control Board, and other Lake Tahoe Basin regulatory agencies to review and revise current policies, as appropriate, to fully implement the use of temporary access roads and mechanized equipment to expedite forest health and fuel reduction projects for the purpose of reducing the risk of catastrophic wildfire. In an effort to minimize soil erosion and potential impacts to water quality, a project specific plan shall be developed to include the design, construction, operation and ultimate reclamation of temporary access roads. Appropriate best management practices, (BMPs), shall be included in the project plan consistent with Nevada and California Forest Practices Acts, revised statutes, TRPA Codes, and applicable federal land management guidance documents.</p>	<p>The Basin Plan and existing Timber Waiver allow equipment into SEZs on existing roads and for the construction of temporary SEZ crossings.</p> <p>The Basin Plan does not prohibit vehicles in SEZs; rather, it prohibits "permanent disturbance" in SEZs. Projects that will not cause long-term impacts are currently allowed under the Basin Plan and the revised Timber Waiver. The revised Timber Waiver grants exemptions to the prohibitions where the required findings can be made to ensure the project is needed for public health and safety, no reasonable alternatives exist to reduce impacts, and impacts are mitigated.</p> <p>Note: While the May 2009 Waiver addresses these issues, the December 2008 Waiver and MOU with TRPA eliminates the applicability of any Lahontan Water Board permitting process to Lake Tahoe Basin projects.</p>
<p><b>Recommendation 70:</b>            The Commission recommends that the Lahontan Regional Water Quality Control Board change the interpretation of their regulations to allow pile burning and the spreading of chipped material in SEZs.</p>	<p>The Water Board, in its revised Timber Waiver, allows for pile burning and chipping within SEZs.</p> <p>Note: While the May 2009 Waiver addresses these issues, the December 2008 Waiver and MOU with TRPA eliminates the applicability of any Lahontan Water Board permitting process to Lake Tahoe Basin projects.</p>

## **ENCLOSURE 3**

### **Notification of Spills** (Unauthorized Waste Discharges)

01-0023

**EO'S Monthly Report**  
**5/16/09 - 6/15/09**  
**Unauthorized Waste Discharges**

**COUNTY: KERN**

Discharger/Facility	Location	Basin	Regulated Facility	Substance Discharged	Spill Date	Discharge Volume	Description of Failure	Discharge To	Status
Edwards Air Force Base / T-38 Airplane Crash	North Edwards	S	N	JP-8	5/21/2009	598 Gallons	A T-38 aircraft crashed 9 miles north of Edwards Air Force Base, 5 miles east of California City, with one loss of life. The fully-loaded jet contained 598 gallons of JP-8 fuel.	Ground	Air Force will secure and characterize the site, remove the impacted soil, regrade the area, and collect confirmation samples. Contractor will perform cleanup, with an estimated 2 months to complete. Final report requested with confirmation samples, volume excavated, and location of waste disposed.

**COUNTY: LASSEN**

Discharger/Facility	Location	Basin	Regulated Facility	Substance Discharged	Spill Date	Discharge Volume	Description of Failure	Discharge To	Status
Susanville Garden Apt	1070 Paiute Lane, Susanville	N	N	Raw sewage	5/26/2009	900 gallons	Raw sewage surfaced out of the apartment's main sewer clean out that connects to the Susanville Sanitary District and flowed in drainage swale (but did not reach Paiute Creek).	Drainage swale to Paiute Creek	Local plumber found a root ball in the apartment complex lateral prior to the connection to the Susanville Sanitary District's sewer. Removed debris and chlorinated the area as directed by Lassen County Environmental Health Dept. No further action recommended.

01-0027

**COUNTY: LOS ANGELES**

Discharger/Facility	Location	Basin	Regulated Facility	Substance Discharged	Spill Date	Discharge Volume	Description of Failure	Discharge To	Status
Los Angeles Co. Sanitation District 14 / Lancaster WRP	Adjacent to the Lancaster Water Reclamation Reservoir Construction Site	S	Y	Disinfected Secondary Effluent	6/10/2009	8,000 Gallons	Contractor for storage reservoir construction installed a temporary polyethylene pipe to convey effluent to the construction site for reuse as dust control. Facility personnel discovered water along Sierra Boulevard near the temporary pipe crossing. A leak occurred at a welded joint in the portable pipeline. The discharge resulted in a pool of water along the west side of Sierra Avenue, approximately 700-feet long and 6-feet wide.	Ground	Discharge was stopped. Construction contractor repaired welded joint and inspected the rest of the pipeline. Contractor removed standing water. District will identify procedures to prevent recurrence of a similar spill in its written report. Water Board staff will issue NOV for violation of permit conditions by June 30, 2009.

**COUNTY: SAN BERNARDINO**

Discharger/Facility	Location	Basin	Regulated Facility	Substance Discharged	Spill Date	Discharge Volume	Description of Failure	Discharge To	Status
Lake Arrowhead CSD / Grass Valley Treatment Plant	Treatment Plant	S	Y	Secondary Treated Wastewater	5/16/2009	1,500-3,000 Gallons	Drain valves failed to open during backwash cycle. Approximately 5,000 gallons of secondary treated wastewater overflowed a deep bed denitrification basin. Some of the overflow was contained at the plant, and the remainder discharged to a dry stream bed tributary to Grass Valley Creek.	Ephemeral Stream Tributary to Grass Valley Creek	Discharger installed air filters on valve exhaust ports to prevent mud from interfering with the valves. Discharge terminated 200 yards downstream from the plant and did not reach Grass Valley Creek. Discharger collected a soil sample at the termination point and found no fecal coliform. Cleanup complete, no further action required.

01-0025

**COUNTY: SAN BERNARDINO**

Discharger/Facility	Location	Basin	Regulated Facility	Substance Discharged	Spill Date	Discharge Volume	Description of Failure	Discharge To	Status
Molycorp Minerals / Mountain Pass Mine	67750 Bailey Rd., Mountain Pass, 92366	<input type="checkbox"/> S	<input type="checkbox"/> Y	Lanthanum Extraction Specialty Wastewater	5/23/2009	1,000 Gallons	A 2-inch valve was left open during maintenance. Wastewater flowed from specialty plant area, outside of containment, into dry wash drainage for approximately 300 feet toward stormwater retention pond P-24.	Dry Wash	Discharger closed valve and stopped discharge. No other corrective measures have been implemented. Discharger collected soil samples and determined the affected soils are not a threat to water quality and proposed to leave soil in place. Water Board staff are evaluating spill report data and may require additional cleanup. Water Board staff will issue NOV for violation of permit conditions by June 26, 2009.

01-0026

# **ENCLOSURE 4**

## **Notification of Closure of Underground Storage Tank Cases**

01-0027

**CASE CLOSURE REPORT**  
**July 2009**  
 State of California  
 Lahontan Regional Water Quality Control Board

Date Closure Issued	Site Name	Site Address	Case Number	Case Type	Remaining Groundwater Concentrations above Water Quality Objectives (in ug/L)	Remaining Soil Concentrations (in mg/Kg)	Distance from Site to Nearest Receptor	Remedial Methods Used
May 18, 2009	Former Cal Nevada Tire	10009 Highway 267, Truckee	6T0151A	UST	12 MTBE 68 TPHg	1.2 TPHg 400 TPHmo	TDPUD Northside Well is ~1/4 mile NW	Excavation

**Notes:**

TPHd - Total petroleum hydrocarbons quantified as diesel  
 TPHg - Total petroleum hydrocarbons quantified as gasoline  
 TPHmo- Total petroleum hydrocarbons quantified as motor oil  
 Receptor- surface water, private drinking water wells and municipal supply wells, etc.

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