



# California Regional Water Quality Control Board

## San Francisco Bay Region



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Secretary for  
Environmental Protection

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Arnold Schwarzenegger  
Governor

Date: JUL 05 2006  
File No. 2199.9279 (KER)

Leona Heights Sulfur Mine  
Attn: Dr. Collin Mbanugo  
3300 Webster Street, Suite 900  
Oakland, CA 94609

**Subject: Conditional Approval of Revised Summary Design Report and Construction Documents, Leona Heights Sulfur Mine, Oakland, Alameda County**

Dear Dr. Mbanugo:

This letter approves the technical report entitled "*Revised Summary Design Report and Construction Documents*" that was submitted by Moju Environmental Technologies on April 11, 2006. Final regulatory approval of the subject report is made on the condition that the minor design concerns discussed below are addressed and incorporated into the project during implementation. The Design Report was submitted to comply with Cleanup and Abatement Order (CAO) No. R2-2003-0028 and our December 16, 2005 letter to you. Although the report is acceptable on its technical merit as a corrective action plan, Water Board staff wish to note that the report was received more than three months after its due date of December 31, 2005.

This letter also acknowledges receipt of your application package to the Water Board for a Section 401 Water Quality Certification permit. The permit application package, which was also submitted on April 11, 2006, is complete and Water Board staff are currently evaluating your permit request.

*Comments and Requested Revisions*

The revised corrective action plan significantly improves the previous (March 2004) design in terms of its approach to restore the creek to a more natural appearance and function. Water Board staff are generally pleased with the overall design of the proposed corrective actions; however, we wish to have the following concerns addressed:

1. We question whether the proposed diameter of the HDPE subdrain piping (4" diameter for perforated portions, 6" diameter for solid piping) is adequate to transmit the volume of water that can be expected to accumulate along the bedrock/waste rock interface. Please explain how these pipe sizes were selected and submit documentation to justify the adequacy of the 4" and 6" pipe sizes.

*Preserving, enhancing, and restoring the San Francisco Bay Area's waters for over 50 years*

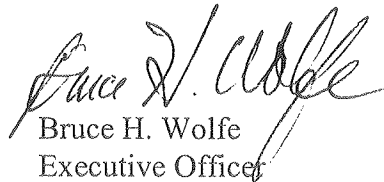
2. The inset drawing on Drawing C6 (Detail A) depicts the HDPE liner overlapping in the bottom of the bench drain. To minimize the potential for leakage from the bench drains, the HDPE liner sheets will need to be seam-welded or should overlap at some point other than in the bottom of the drain.
3. We request that you provide us samples of the geotextile materials selected for the cap: 200-mil w/ 807 NW-NP Geocomposite Drain (above 60-mil HDPE barrier) and the Geotextile NW-NP 12-oz (below HDPE barrier).

Addressing these concerns will not necessitate further revision and re-submittal of the Design Report. However, we request that you respond to the above concerns in a brief letter report no later than July 20, 2006.

This request for technical information is made pursuant to *Water Code Section 13267*, which allows the Board to require technical reports and information from persons whose activities may have and impact on water quality. This is a formal request for information.

If you have any questions, please contact Keith Roberson at (510) 622-2404 or by email at [KRoberson@waterboards.ca.gov](mailto:KRoberson@waterboards.ca.gov).

Sincerely,



Bruce H. Wolfe  
Executive Officer

cc: Mailing List

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