

Central Valley Regional Water Quality Control Board

16 February 2016

Michael M. Miller
President
Original Sixteen to One Mine, Inc.
P.O. Box 909
Alleghany, CA 95910

SELF-MONITORING REPORT REVIEW AND NOTICE OF VIOLATION, ORIGINAL SIXTEEN TO ONE MINE, INC, SIXTEEN TO ONE MINE, SIERRA COUNTY

The Original Sixteen to One Mine (Facility) is owned by Original Sixteen to One Mine, Inc. (Discharger) and is regulated by Waste Discharge Requirements (WDRs) Order R5-2015-0002 and Time Schedule Order (TSO) R5-2015-0035. The Monitoring and Reporting Program (MRP) of the WDRs requires monitoring for constituents and other parameters, and specifies the location and frequency of monitoring. Central Valley Water Board staff has reviewed the electronic self-monitoring reports (eSMRs) submitted by the Discharger for the **Fourth Quarter 2015** monitoring period.

The review of the eSMRs identified the following violations:

Effluent Limitation Violation

The Discharger violated the effluent limitation for Total Suspended Solids (TSS) contained in the WDRs, as shown in Table A. The monthly average effluent limitation violation for TSS is subject to mandatory minimum penalties (MMPs).

Table A. Effluent Limitation Violation

Date	Parameter	Units	Effluent Limitation	Measured	Period	CIWQS
4 th Q2015	Total Suspended Solids	mg/L	30	41	Daily Maximum	1003210
4 th Q2015	Total Suspended Solids	mg/L	20	41	Average Monthly	1003251

Effluent Limitation Violations in Compliance with TSO

The Discharger violated the effluent limitations for antimony, arsenic, cadmium, lead, and nickel as listed below. However, the Discharger was in compliance with the interim limits contained in the TSO. These violations appear not to be subject to MMPs.

Table B. Violations Exceeding Effluent Limitations Not Likely Subject to MMPs (within TSO Limitations)

Date	Monitoring Location	Parameter	Units	WDRs Limit	TSO Limit	Measured	Period	CIWQS
4th Q2015	EFF-001	Antimony	µg/L	12	50	41.1	Daily Maximum	1003211
4th Q2015	EFF-001	Arsenic	µg/L	20	1000	883	Daily Maximum	1003212
4th Q2015	EFF-001	Cadmium	µg/L	1.7	50	30.2	Daily Maximum	1003213

Date	Monitoring Location	Parameter	Units	WDRs Limit	TSO Limit	Measured	Period	CIWQS
4th Q2015	EFF-001	Lead	µg/L	1.8	15	3.6	Daily Maximum	1003214
4th Q2015	EFF-001	Nickel	µg/L	43	200	126	Daily Maximum	1003215

Delinquent Reports

Board Staff issued a Notice of Violation (NOV) on 22 June 2015 requiring the submittal of multiple delinquent reports. The discharger is in violation of Water Code section 13267 and our next step is to recommend that civil liabilities (i.e. monetary penalties) be assessed against Original Sixteen to One Mine, Inc.

As of 16 February 2016, the date of this NOV, **the maximum liability for delinquent reports is \$792,000** as shown listed below.

Table C. Potential Maximum Liability

Due Date	Report	Liability Assessment Date	Days Late	Maximum Liability	Item Status
6/1/2015	Mining Waste Pile Characterization Study Workplan and Time Schedule	2/16/2016	259	\$259,000	Delinquent
6/1/2015	TRE Workplan	2/16/2016	259	\$259,000	Delinquent
6/15/2015	RL, MDL, and Methods Report	2/16/2016	245	\$245,000	Delinquent
1/31/2016	Progress Report	2/16/2016	15	\$15,000	Delinquent
2/1/2016	Pollutant Minimization Program Annual Status Report	2/16/2016	14	\$14,000	Delinquent
				Total Liability	\$792,000

Please submit the missing reports outlined in Table C immediately. Be advised that continued failure to comply fully with reporting requirements may result in staff recommending additional enforcement, which may include the issuance of an additional administrative civil liability complaint of up to \$1,000 per day for late or inadequate reports.

The Discharger's next deliverable under the WDRs is a *Mining Waste Pile Characterization Report*, which is due **1 September 2016**.

The Discharger's next deliverable under the TSO is *Documentation that a treatment alternative has been selected*, which is due **31 March 2017**.

If you have questions or would like to meet to discuss the violations noted in this letter and the potential civil liability assessment, please contact me at (916) 464-4835 or wendy.wyles@waterboards.ca.gov.



WENDY WYELS, Supervisor
Compliance and Enforcement Section

cc: Lori Okun, Office of Chief Counsel, State Water Resources Control Board, Sacramento
Kailyn Ellison, Office of Enforcement, State Water Resources Control Board, Sacramento