

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
COLORADO RIVER BASIN REGION**

ORDER NO. R7-2008-0026
WASTE DISCHARGE REQUIREMENTS
FOR
BUREAU OF LAND MANAGEMENT, LAND OWNER
GRANITE CONSTRUCTION COMPANY, FACILITY OWNER/OPERATOR
JIMENEZ PIT SAND AND GRAVEL PROCESSING PLANT
WASHWATER INFILTRATION/EVAPORATION BASIN DISPOSAL FACILITIES
Northeast of Ocotillo – Imperial County

The California Regional Water Quality Control Board, Colorado River Basin Region (Regional Board) finds that:

Discharger

1. Granite Construction Company (hereinafter referred to as Granite, or Discharger), 38000 Monroe Street, Indio, CA 92203, operates the Jimenez Pit Sand and Gravel Project (Facility).
2. The Facility contains an aggregate processing plant (Plant) where rock, sand, and gravel is screened and washed to produce construction grade materials. The Discharger submitted a Report of Waste Discharge (ROWD) dated March 18, 2005, requesting Waste Discharge Requirements (WDRs).
3. Granite proposes to mine and process approximately 6.5 million tons of aggregate over a remaining 10-year period (650,000 tons per year on average). Mining and processing will be conducted in three phases on 40, 30, and 30 acres respectively (an estimated 100 acres in total). The maximum anticipated pit size in each phase is estimated to be between 1,000 and 1,300 feet square by 50 feet deep, with slopes finished at 4 horizontal to 1 vertical (4:1).

Facility

4. The Facility is located in Imperial County, approximately 3.5 miles northwest of Ocotillo (3.5 miles north of the Ocotillo interchange on Interstate 8), as shown on Attachment 1, attached hereto and made a part of this order by reference. The Facility is located in the NE $\frac{1}{4}$ and the E $\frac{1}{2}$ of the SE $\frac{1}{4}$ of Section 8, T16S, R9E, SBB&M.
5. The site is accessible from El Centro by traveling 25 miles west on Interstate 8 (I-8) exiting on the Ocotillo off ramp; then traveling 3.7 miles northwest on Imperial Highway (S2), then 2 miles north on a paved access road.
6. Wash-water is trucked to the site from the Westside Main Canal and stored in a lined containment reservoir. The Discharger reports that water from the Westside Main Canal has a total dissolved solids (TDS) concentration of 850 milligrams per liter (mg/l). The Discharger reports that the Plant requires approximately 14,000 gallons of fresh water per day.

7. The Discharger submitted a permit application to Imperial County to construct a well just south of the Facility. If approved, the Granite Carroll Well will provide fresh water to the Facility.

Aggregate Washing Process

8. Fresh water used to wash aggregate is imported by truck from the Westside Main Canal and stored in a 900,000 gallon containment reservoir. Water from the reservoir is pumped as needed into a 93,000 gallon holding tank, which supplies water directly to the aggregate washing Plant as shown in Attachment 2 – Wastewater Disposal and Recycling System Schematic, attached hereto and made a part of this order by reference.
9. Water used to wash aggregate is collected in a 150,000-gallon thickening tank (Attachment 2). Flocculent (Magnafloc 336) is added to the thickening tank to facilitate settling of fines, which are then collected from the base of the tank and discharged into earthen settling basins. Liquid from the top of the thickening tank is decanted into a 93,000 gallon holding tank that supplies water directly to the Plant.
10. The flocculent used to facilitate settling, Magnafloc 336, is a copolymer of sodium acrylate and acrylamide manufactured by Ciba Specialty Chemicals Corporation. The material safety data sheet indicates Magnafloc 336 contains no priority pollutant listed in the federal Priority Pollutant List, set forth in title 40 Code of Federal Regulations (CFR), Section 401.15 (40 CFR 401.15), which was promulgated pursuant to Section 307(a)(1) of the Clean Water Act (33 U.S.C. Section 1251 et seq.) In addition, Magnafloc 336 is not a hazardous waste under the Resource Conservation and Recovery Act (RCRA) (42 U.S.C Section 6901 et seq.).
11. Fines from the thickening tank are discharged to one of five earthen settling basins. When sediments build up in one basin, the discharge of fines is diverted to one of the other four basins. The basin is allowed to dry and the collected sediments are dug out and stockpiled on site until they can be used as construction materials. Standing water in the settling basins is collected and pumped into the reservoir as shown in Attachment 2, or used by water trucks for dust control.
12. Water draining from the piles of washed aggregate (approximately 500 gallons per day) is collected and pumped into the holding tank that supplies water directly to the Plant as shown on Attachment 3.
13. The Plant typically operates from 5:00 A.M. to 9:00 P.M., Monday through Saturday. However, operational hours may vary depending on construction schedules and market demand. Discharges from the Plant into the settling basin average 200,000 gallons-per-day, with a maximum discharge of 500,000 gallons-per-day.

Site Characteristics

14. Site topography ranges from 760 to 950 feet above mean sea level (AMSL) with an average grade of ten (10) percent to the south. Maximum pit depth is estimated at 50 feet below ground level, with the base of the deepest pit at 710 feet AMSL. Ground water elevation approximates 400 feet AMSL.
15. The site consists of a wash to the east, with slight ridging in the central area of the site. Several braided channels occur in the wash which extend south/southeast, intercepting a wide unnamed wash flowing to the east, located about 0.5 miles south of the site.

Ground Water

16. The Facility lies within the Ocotillo-Coyote Wells Ground Water Basin (Basin). Ground water in the Basin occurs in an alluvial aquifer. Sediments range from fine clay and silts on the eastern fringe, grading upward to sand and large rocks to the west and north, adjacent to the mountains. Ground water is potable in the Ocotillo area, but is highly saline about three (3) miles east of Coyote Wells. Flow is eastward across the Elsinore Fault, which separates the potable water in Ocotillo from the saline water to the east.
17. The Discharger submitted water quality analyses of a water well located on Bureau of Land Management (BLM) land approximately two (2) miles east of the Facility. The TDS concentration from one (1) sampling event indicated 1424 milligrams per liter (mg/l).
18. The Water Quality Control Plan (Basin Plan) for the Colorado River Basin Region adopted on May 15, 1991, designates beneficial uses for ground water in this region. The beneficial uses of ground water in the Coyote Wells Hydrologic Area of the Imperial Hydrologic Unit are:
 - a. Municipal supply (MUN)
 - b. Industrial supply (IND)
19. The Basin Plan provides narrative and numeric standards to protect ground and surface waters in the Region. Numeric objectives for ground water designated for municipal and domestic supply are the maximum contaminant levels, and bacteriological limits specified in Section 64421 et seq. of Title 22, California Code of Regulations (CCRs). Narrative objectives have provisions to ensure ground water does not contain taste or odor producing substances in concentrations that cause nuisance, or adversely affect beneficial use.

Ground Water Degradation

20. State Water Resources Control Board (State Water Board) Resolution No. 68-16, "Policy with respect to Maintaining High Quality Waters of the State," (hereinafter Resolution No. 68-16) requires a Regional Water Board in regulating the discharge of waste to maintain high quality water of the state (i.e. background water quality) until it is demonstrated that any change in quality will be consistent with maximum benefit to the people of the State, will not unreasonably affect beneficial uses, and will not result in water quality less than as described in plans and policies (e.g. violation of any water quality objective). The discharge is required to meet WDRs that will result in the best practicable treatment or control of the discharge necessary to assure that pollution or nuisance will not occur and highest water quality consistent with maximum benefit to the people will be maintained.
21. Some degradation of ground water from discharges to earthen settling basins is consistent with Resolution No. 68-16 provided degradation:
 - a. Is confined to a reasonable area;
 - b. Is minimized by means of full implementation, regular maintenance, and optimal operation of best practicable treatment and control (BPTC) measures;
 - c. Is limited to waste constituents typically encountered in aggregate wash operations (i.e., salts –TDS); and
 - d. Does not result in water quality less than that prescribed in the applicable basin plan, including violation of any water quality objective.
22. Ground water limits equal to water quality objectives for indicator waste constituents are appropriate as well as a more restrictive limit for TDS in groundwater than that prescribed by Title 22, CCR. The proposed aggregate washing facility contributes to economic development in the area. This factor and the associated increase in TDS are consistent with maximum benefit to the people of the State. Accordingly, the discharge as authorized is consistent with the anti-degradation provisions of Resolution 68-16.

Board Orders

23. This is a new Facility and therefore, not currently regulated by WDRs or Board Orders.

Other Regulatory Considerations

24. The United States Environmental Protection Agency promulgated Federal regulations for storm water discharges (40 CFR Parts 122, 123, and 124). The regulations require specific categories of facilities that discharge storm water associated with industrial activity to obtain National Pollutant Discharge Elimination System (NPDES) permits and to implement Best Conventional Pollutant Technology and Best Available Technology Economically Achievable to reduce or eliminate industrial storm water pollution.

25. The State Water Resources Control Board adopted Order No. 97-03-DWQ (General Permit No. CAS000001) specifying WDRs for discharges of storm water associated with industrial activities, excluding construction activities, and requiring submittal of a Notice of Intent by industries to be covered under the permit.
26. The Discharger has applied for coverage under the NPDES general permit for industrial activities for the site.
27. Pursuant to the California Water Code (CWC), Section 13263(g), because all discharges of waste into waters of the state are privileges, not a rights, adoption of this order does not create a vested right to continue the discharge.

CEQA and Public Participation

28. The Bureau of Land Management (BLM), in accordance with the National Environmental Policy Act (NEPA), prepared an environmental assessment (EA) for the Facility in April 1996. The BLM found that this Facility will not cause unnecessary or undue degradation to public lands, and therefore an environmental impact statement was not required. The County of Imperial, lead agency under the California Environmental Quality Act (CEQA), adopted a resolution on August 14, 1996 certifying that the NEPA document was functionally equivalent to the requirements for CEQA, and made a De Minimus finding based on the EA.
29. The Regional Board has considered the Environmental Assessment prepared by the BLM and the Resolution adopted by the County of Imperial. Compliance with these WDRs will prevent any significant adverse impacts to water quality.
30. The Board has notified the Discharger and all known interested agencies and persons of its intent to adopt WDRs for this discharge, and has provided them an opportunity for a public meeting, and an opportunity to submit comments.
31. The Board, in a public meeting, heard and considered all comments pertaining to this discharge.

IT IS HEREBY ORDERED, that in order to meet the provisions contained in Division 7 of the CWC and regulations adopted there under, the Discharger shall comply with the following:

A. Discharge Specifications

1. The discharge or disposal of wastes at this Facility shall not cause pollution or nuisance as defined in Sections 13050 (1) and 13050 (m) of Division 7 of the CWC.

2. No wastewater, other than sand and gravel wash-water, shall be discharged into the wastewater/wash-water disposal and recycling system described in Findings 8 through 13 above.
3. A minimum freeboard of two (2) feet shall be maintained at all times in the wastewater earthen settling basins.
4. Solid waste materials shall be disposed of only at locations approved by the Regional Water Board Executive Officer.
5. The Discharger shall remove, and properly dispose of, wastes discharged at this Facility in violation of these requirements.
6. Wash-water in earthen settling basins shall not contain a TDS concentration exceeding 2400 mg/l.
7. Wash-water discharged into earthen settling basins shall not exceed 500,000 gallons-per-day.
8. The pH of wash-water in storage and discharged into earthen settling basins shall range from 6.5 to 8.4.
9. The earthen settling basins shall be designed, constructed, operated, and maintained to prevent inundation or washout due to floods with a 100-year return frequency.
10. The earthen settling basins shall be managed to prevent the breeding of mosquitoes. In particular:
 - a. An erosion control program shall be implemented to ensure small coves and irregularities are not created around the perimeter of the waste surface;
 - a. Weeds shall be minimized through control of water depth, harvesting, and/or herbicides; and
 - b. Dead algae, vegetation, and debris shall not accumulate on the water surface.

B. Prohibitions

1. The discharge of hazardous or designated wastes, as defined in Chapter 15, Title 23, CCRs, at this Facility is prohibited.
2. The direct or indirect discharge of wash-water/wastewater from this Facility to surface water, or surface drainage courses, is prohibited.

3. The discharge of waste containing carcinogen or reproductive toxins listed by the Governor pursuant to Health and Safety Code Sections 25249.5 through 25249.13, the Safe Drinking Water and Toxic Enforcement Act of 1986 (Proposition 65), where such chemicals pass or probably will pass into a source of drinking water, is prohibited.
4. The Discharger shall not cause or permit the release of pollutants, or waste constituents, in a manner that could cause or contribute to a condition of contamination, nuisance, or pollution, as defined in Section 13050(l) and 13050(m) of Division 7 of the CWC.
5. The discharge of waste to land not owned or controlled by the Discharger is prohibited.
6. There shall be no surface flow of wastewater/wash-water away from the designated disposal area (earthen settling basin).
7. The discharge shall not cause degradation of any water supply.
8. Discharge of wastewater/wash-water at a location or in a manner different from that permitted in this Board Order is prohibited.

C. Provisions

1. The Discharger shall implement best practicable control techniques to limit the TDS concentration in the earthen settling basins to the limit specified in Specification A.6 of this order.
2. The Discharger shall comply with Monitoring and Reporting Program (M&RP) No. R7-2008-0026, and revisions thereto, as specified by the Regional Water Board Executive Officer, in accordance with the following:
 - a. Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity.
 - b. The Discharger shall retain records of all monitoring information for a period of at least five (5) years from the date of the sample, measurement, report or application, including:
 1. all calibration and maintenance records;
 2. all original strip chart recordings for continuous monitoring instrumentation;
 3. copies of all reports required by this Board Order; and
 4. records of all data used to complete the application for this Board Order,

c. Records of monitoring information shall include:

1. date, exact place, and time of sampling or measurement.
 2. the individual who performed the sampling or measurement.
 3. date the analysis was performed.
 4. the individual performing the analysis.
 5. result of each analysis.
3. The Discharger is responsible for the WDRs and M&RP for this Facility. The Discharger shall comply with all conditions of the WDRs and M&RP. Violations may result in enforcement action, including Regional Water Board or court orders requiring corrective action or imposing civil monetary liability, or modification or revocation of these WDRs by the Regional Water Board.
 4. The Discharger shall ensure that all site-operating personnel are familiar with the content of this Board Order, and shall maintain a copy of this Board Order at the Facility site.
 5. The Discharger shall at all times, properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) installed or used to achieve compliance with this board order. Proper operation and maintenance includes adequate laboratory controls and appropriate quality assurance procedures. All systems, both in service and in reserve, shall be inspected and maintained on a regular basis. Records shall be kept of inspection results and maintenance performed, and made available to the Regional Water Board on demand.
 6. Adequate measures shall be taken to insure flood or surface drainage waters do not erode or otherwise render portions of this Facility inoperable.
 7. Basin capacity shall be sufficient to accommodate the maximum wastewater flow, design seasonal precipitation, and ancillary inflow. 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.
 8. Unless otherwise approved by the Regional Water Board Executive Officer, all analyses shall be conducted at a laboratory certified for such analyses by the California Department of Public Health. All analyses shall be conducted in accordance with the latest edition of "Guidelines Establishing Test Procedures for Analysis of Pollutants", promulgated by the United States Environmental Protection Agency.
 9. The Discharger shall immediately report orally, noncompliance that may endanger human health or the environment, as soon as:
 - (a) the Discharger has knowledge of the discharge,
 - (b) notification is possible, and

(c) notification can be provided without substantially impeding cleanup or other emergency measures, to the Regional Water Board office and the Office of Emergency Services.

During non-business hours, the Discharger shall leave a message on the Regional Water Board office voice recorder. A written report shall be provided within five (5) business days of the time the Discharger is aware of the incident. At a minimum, the written report shall contain:

- (d) a description of the noncompliance and its cause,
- (e) the period of noncompliance,
- (f) the anticipated time to achieve full compliance, and
- (g) steps taken or planned, to reduce, eliminate, and prevent recurrence of the noncompliance.

The Discharger shall report all intentional or unintentional spills at the Facility to the Regional Water Board office in accordance with the above time limits.

10. The Discharger shall allow the Regional Water Board or an authorized representative, upon presentation of credentials and other documents as may be required by law, to:
 - a. Enter the premises regulated by this Board Order, or the place where records are kept under the conditions of this Board Order;
 - b. Have access to and copy, at reasonable times, records kept under the conditions of this Board Order;
 - c. Inspect at reasonable times, facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this Board Order; and
 - d. Sample or monitor at reasonable times, for the purpose of assuring compliance with this Board Order or as otherwise authorized by the CWC, any substance, influent, effluent, sludge or parameter at this location.
11. Prior to a change in ownership or management of this operation, the Discharger shall transmit a copy of this Board Order to the succeeding owner/operator, and forward a copy of the transmittal letter to the Regional Water Board.
12. Prior to implementing a modification that results in a material change in the quality or quantity of wastewater treated or discharged, or a material change in the location of discharge, the Discharger shall report all pertinent information in writing to the Regional Water Board, and obtain revised requirements.
13. This Board Order does not authorize violation of any federal, state, or local law or regulation.

14. The Discharger shall furnish, under penalty of perjury, technical monitoring program reports submitted in accordance with the specifications provided by the Regional Water Board Executive Officer. Such specifications are subject to periodic revision as warranted.
15. The Discharger may be required to submit technical reports as directed by the Regional Water Board Executive Officer to determine compliance with this Board Order.
16. This Board Order is subject to Regional Water Board review and update as necessary, to comply with a change in state or federal laws, regulations, policies or guidelines, or a change in the character of the discharge.
17. This Board Order does not convey property rights of any sort, or exclusive privileges, nor does it authorize injury to private property, or invasion of personal rights, nor infringement of federal, state, or local laws and regulations.

I, Robert Perdue, Executive Officer, do hereby certify the foregoing is a full, true and correct copy of an Order adopted by the California Regional Water Quality Control Board, Colorado River Basin Region, on June 25, 2008

ROBERT PERDUE
Executive Officer