

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

**MEETING OF OCTOBER 14 AND 15, 2009
South Lake Tahoe**

ITEM: 7

SUBJECT: RESCISSION OF WASTE DISCHARGE REQUIREMENTS FOR DOYLE PLANT/BALDWIN CONTRACTING COMPANY, LASSEN COUNTY; CONWAY SAND AND GRAVEL, LASSEN COUNTY; WOLFE ESTATES SUBDIVISION, NEVADA COUNTY; PLACER COUNTY GOVERNMENT CENTER, PLACER COUNTY; TAHOE TAVERN SHORELINE CONSTRUCTION, PLACER COUNTY; LAKE TAHOE AUTO VILLAGE, EL DORADO COUNTY; AND DELTA TAHOE INDUSTRIAL PROPERTY, EL DORADO COUNTY

CHRONOLOGY: The Water Board adopted individual Waste Discharge Requirements (WDRs) on numerous dates spanning 1983 through 1995, for waste discharges associated with stormwater, earthen materials, and project implementation or facility operation.

ISSUE: Should the Water Board rescind WDRs for these seven projects/facilities?

DISCUSSION: These facilities are either no longer discharging wastes or have measures in place to adequately control ongoing stormwater discharges. Staff has reviewed requests for rescissions and information in project files. In some cases staff conducted inspections to determine compliance with the Orders. It is in the public interest to rescind orders that are no longer needed to ensure water quality protection.

Water Board staff recommend that these seven WDRs for projects or facilities be rescinded due to their complete or inactive status. A tentative rescission Order was mailed out to interested parties on August 20, 2009, with a request for comments by September 21, 2009. No comments were received.

RECOMMENDATION: Adoption of the Order as proposed.

Enclosure: Proposed Board Order

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

BOARD ORDER NO. R6T-2009-(PROPOSED)

RESCISSION OF WASTE DISCHARGE REQUIREMENTS

FOR

**DOYLE PLANT/BALDWIN CONTRACTING COMPANY, LASSEN COUNTY;
CONWAY SAND AND GRAVEL, LASSEN COUNTY;
WOLFE ESTATES SUBDIVISION, NEVADA COUNTY;
PLACER COUNTY GOVERNMENT CENTER, PLACER COUNTY;
TAHOE TAVERN SHORELINE CONSTRUCTION, PLACER COUNTY;
LAKE TAHOE AUTO VILLAGE, EL DORADO COUNTY; AND
DELTA TAHOE INDUSTRIAL PROPERTY, EL DORADO COUNTY**

The California Regional Water Quality Control Board, Lahontan Region (Water Board) finds:

1. Doyle Plant/Baldwin Contracting Company

Board Order No. 6-82-72 was adopted on May 13, 1992, and prescribes waste discharge requirements for the potential discharge of waste earthen materials from a previously-operated rock crushing plant and asphalt batch plant. The site is located approximately three miles southwest of Herlong. Recent staff investigations indicate that industrial activities of the Baldwin Contracting Company ceased in 2003. No waste discharges are occurring.

2. Conway Sand and Gravel

Board Order No. 6-86-69 was adopted on July 1, 1986, and prescribes waste discharge requirements for the potential discharge of waste earthen materials from a previously-operated sand and gravel processing operation and, more recently, a vegetable processing plant. The site is located two miles southwest of Herlong. Recent staff investigations indicate that no industrial or commercial activities have occurred at the site since 2003 when the property was transferred to T. Brooks, and subsequently transferred in 2006 to Marbuc LLC. No waste discharges are occurring.

3. Wolfe Estates Subdivision

Board Order No. 6-92-014 was adopted on March 12, 1992, and prescribes waste discharge requirements for the discharge of waste earthen materials from housing construction and development. The site is located on the northwest side of Donner Lake, approximately six miles west of Truckee.

Recent staff investigations indicate that construction was completed prior to 1992, when the property was transferred from Ron Stover to Wolfe Estates Homeowners Association. Stormwater discharges are now adequately treated and/or retained on site.

4. Placer County Government Center

Board Order No. 6-95-017 was adopted on February 9, 1995, and prescribes waste discharge requirements for the potential discharge of waste earthen materials from a previously-constructed government office facility. The site is located on Burton Creek Drive in Tahoe City. Recent staff investigations indicate that all construction was completed and Best Management Practices were implemented by January 2003 as specified in the Order. Stormwater discharges are now adequately treated and/or retained on site.

5. Tahoe Tavern Shoreline Construction

Board Order No. 6-89-129 was adopted on June 8, 1989, and prescribes waste discharge requirements for the potential discharge of waste earthen materials for the repair/replacement of a previous shoreline protection structure constructed along Lake Tahoe. The site is located approximately one-half mile south of Tahoe City on Highway 89. Recent staff investigations indicate that the project was implemented as specified in 1999. Shoreline erosion at the project area is adequately stabilized and no longer poses a threat to water quality.

6. Lake Tahoe Auto Village

Board Order No. 6-94-115A2 was adopted on October 10, 2001, and prescribes waste discharge requirements for the discharge of waste earthen materials from a vehicle parking area associated with a vehicle sales office. The site is located at 1901 Lake Tahoe Boulevard in South Lake Tahoe. Recent staff investigations indicate that Best Management Practices were implemented as specified in the Order in 2008. Stormwater discharges are now adequately treated and/or retained on site.

7. Delta Tahoe Industrial Property

Board Order No. 6-93-04 was adopted on January 28, 1993, and prescribes waste discharge requirements for the potential discharge of waste earthen materials from auto, small engine, and radiator repair shops, plus vehicle storage and parking area. The site is located at 1012 Industrial Avenue in South Lake Tahoe. Recent staff investigations indicate that Best Management Practices were implemented in October, 2005, as specified in the Order. Stormwater discharges are now adequately treated and/or retained on site.

8. The facilities described in Findings No. 1 - 7 do not pose a threat to water quality. It is therefore not against the public interest to rescind Board Order Nos. 6-82-72, 6-86-69, 6-92-014, 6-95-017, 6-89-129, 6-94-115A2, and 6-93-04.
9. This action is being taken by this regulatory agency to rescind the above Orders issued pursuant to the California Water Code and as such is exempt from the provisions of the California Environmental Quality Act (Public Resources Code Section 21000 et seq.), in accordance with Title 14 California Code of Regulations, Section 15321(a)(2).
10. The Water Board has notified the Dischargers and interested persons and agencies of its intent to rescind the above Waste Discharge Requirements.

IT IS HEREBY ORDERED that Board Order Nos. 6-82-72, 6-86-69, 6-92-014, 6-95-017, 6-89-129, 6-94-115A2, and 6-93-04 be rescinded.

I, Harold J. Singer, Interim Executive Officer, do hereby certify that the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, Lahontan Region, on October 14, 2009.

HAROLD J. SINGER
EXECUTIVE OFFICER