MINUTES

July 17, 2013

Regular Meeting

Hampton Inn Suites Barstow
2710 Lenwood Road
Barstow, CA 92311

Board Members Present
Peter C. Pumphrey, Chair, Bishop
Amy Horne, Ph.D., Truckee
Don Jardine, Markleeville
Keith Dyas, Rosamond
Eric Sandel, Truckee
Kimberly Cox, Helendale

Board Member Absent
None

Legal Counsel
Kimberly Niemeyer, Office of Chief Counsel, State Water Resources Control Board
Laura Drabandt, Staff Counsel, Office of Enforcement

State Board Staff Present
David Balgobin, P.E., Senior WRCE, Division of Water Quality
Shirly Rosilela, WRCE, Division of Water Quality

Regional Board Staff Present

Lauri Kemper, Assistant Executive Officer
Mike Plaziak, Sup. Engineering Geologist
Charles Curtis, Supervising WRCE
Douglas Smith, Sup. Engineering Geologist
Richard Booth, Senior Engineering Geologist
Jay Cass, Senior WRCE
John Morales, WRCE
Cindi Mitton, Senior WRCE
Tom Brown, WRCE
Robert Tucker, WRCE
Anne Holden, Engineering Geologist
Lisa Dernbach, Staff Engineering Geologist
Mike Coony, WRCE
Sue Genera, Executive Assistant, Board Clerk

REGULAR MEETING

Wednesday, July 17, 2013- 2:00 p.m.

To view the full Agenda and listen to the audio file of this meeting CLICK HERE

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INTRODUCTIONS

Chairman Pumphrey called the meeting to order at 2:01 p.m. on July 17, 2013. Chairman Pumphrey introduced Board Members and welcomed the newest appointed Board Member, Kimberly Cox, of Helendale.

Lauri Kemper, Assistant Executive Officer, introduced Legal Counsel, State Water Board, and Water Board staff.

OTHER BUSINESS

1. **Minutes**

Minutes of the Regular Meeting of June 19-20, 2013, held in Lee Vining, CA.

- **Motion:** Moved by Dr. Horne, seconded by Mr. Dyas, and **unanimously carried** to adopt minutes as presented. Note: Ms. Cox abstained from voting as she was absent during the June Meeting.

Click here to view the adopted June 2013 Minutes

REPORTS

2. **Executive Officer's Report**

Ms. Kemper, Assistant Executive Officer, presented the July Written Report highlighting Items 5, 8, and 11.

Mr. Don Jardine commented on Item 5, stating in his other job on the Alpine County Board of Supervisors, the Alpine Board voted unanimously to oppose rotenone treatment in Silver King Creek.

3. **PUBLIC FORUM** None

OTHER BUSINESS

4. **Onsite Wastewater Treatment Systems (OWTS) Policy**

Rob Tucker, WRCE, addressed the Board and introduced David Balgobin with the State Water Board who provided a power point presentation on OWTS Policy and responded to Board Member questions. In his presentation, Mr. Balgobin highlighted systems covered by the policy, regulations, Regional Board responsibilities, and implementation.

5. **ADOPTION OF UNCONTESTED CALENDAR**

Note: An (*) appears next to items adopted by the Board on the uncontested calendar.

- **Motion:** Moved by Mr. Sandel, seconded by Dr. Horne and **unanimously carried** to adopt the uncontested calendar with revisions as presented.

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AMENDED WASTE DISCHARGE REQUIREMENTS

6. ***Revised Waste Discharge Requirements for Adelanto Public Utility Authority, Adelanto Domestic Wastewater Treatment Facility**

*See Item 5 Click here to view adopted Board Order No. R6V-2013-0058

RENEWAL OF WASTE DISCHARGE REQUIREMENTS

7. ***National Pollutant Discharge Elimination System Permit Renewal for Victor Valley Wastewater Reclamation Authority - Regional Wastewater Treatment Plant, San Bernardino County (Order No. R6V-2008-0004)**

Public Comment

- Logan Olds with the Victor Valley Wastewater Reclamation Authority addressed the Board in favor NPDES Permit Renewal.

*See Item 5 Click here to view adopted Board Order R6V-2013-0038

REPORTS

8. **Reports by Water Board Chair and Board Members**

Chairman Pumphrey reminded the Board of the upcoming WQCC Meeting being held October 23-25, 2013 in Sacramento.

Dinner Recess Approximately 2:43 p.m.-7 p.m.

REGULAR MEETING: Wednesday, July 17, 2013 – 7:00 p.m. *(approximately)*

INTRODUCTIONS

The Chair called the meeting to order at 7:17 p.m. and introduced Board Members. Ms. Kemper, Assistant Executive Officer, introduced Legal Counsel, State Water Board, and Water Board staff.

OTHER BUSINESS

9. **Status Report on Activities Concerning Chromium Contamination from Pacific Gas and Electric (PG&E) Hinkley Compressor Station**

Lisa Dernbach with the Lahontan Water Board, Kevin Sullivan representing PG&E, and Lester White, Chair, Community Advisory Committee, assisted by Ian Webster, IRP Manager, presented three status updates on recent efforts and activities in the Hinkley community and answered Board questions.

Public Comment

- Larry Griep requested that all domestic wells in or out of the plume boundary be tested. He also requested that the plume boundary to the east be defined.

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- Penny Harper thanked PG&E for her whole house water treatment system and is looking forward to having it turned on at the end of August. She stated that she is receiving bottled water from PG&E but she is still bathing, washing clothes, and washing dishes in water containing 2.1 ppb chromium 6, as well as arsenic, uranium, and radon.
- Bobby Morris theorized that a dam of manganese is causing a break in the plume at Thompson Road.
- Movita Hernandez requested that the plume map be redrawn with solid lines and include the lower levels of chromium 6. She asked that residents in the western migration area of the plume have their wells tested and be provided drinking water. Additionally she asked the Board to order PG&E to set up a community water system for the town of Hinkley.
- Dan Hendrickson, President of Libre Energy, addressed the Board promoting his company's electrocoagulation units for ex-situ treatment in Hinkley.
- Daron Banks commented on the progress of the background study and speculated that by the time the background study is completed in three years the town of Hinkley will be gone.
- Lester White requested that the background level of 3.1 ppb be used until a time that the background study can be completed.
- Billy Hernandez stated that many Hinkley residents were leaving Hinkley because they did not want to receive bottled water or water filtration systems. He went on to add that people in the Hinkley zip code are no longer being offered loans by the bank and are losing their equity lines of credit. Mr. Hernandez requested that the 3A Order be reinstated and PG&E be made responsible for their chromium 6. Additionally he was not in favor of the capping of unused wells.

10. **PUBLIC FORUM** None

Note: The Board took a break from 9:15-9:25 p.m.

OTHER BUSINESS

11. **Consideration of Certifying a Final Environmental Impact Report, Comprehensive Groundwater Cleanup Strategy for Historical Chromium Discharges from Pacific Gas & Electric Company's Hinkley Compressor Station, San Bernardino County**

Anne Holden, with the Lahontan Water Board, addressed the Board, presented the Final Environmental Impact Report, and answered questions.

Public Comment

- Daron Banks addressed the Board in favor of approving the EIR acknowledging that it is a living document. Mr. Banks expressed concern over the recharge of chromium 3 back to chromium 6 and preferred that all chromium be removed for the water in above ground filtration systems. Mr. Banks requested that Cleanup and Abatement Order No. R6V-2011-0005A2 be revised to say that all areas within one mile of PG&E chromium contamination above background concentrations whether attached to the main body or not, such as individual plume circles, be required to provide whole house replacement water under the current Order.
- Theresa Schoffstall requested that Cleanup and Abatement Order No. R6V-2011-0005A2 be revised to say that all areas within one mile of PG&E chromium contamination, above background concentrations and within a mile of all individual

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plume circles, be required to provide whole house replacement water under the current Order as her house is not currently covered and her well's chromium concentration has doubled in the last year.

- Dan Hendrickson, President of Libre Energy, addressed the Board promoting his company's electrocoagulation units for ex-situ treatment in Hinkley.
- Larry Griep addressed the Board against approving the EIR and requested ethanol treatment of water be stopped and that PG&E should start testing the water not only for chromium 6 but arsenic, and manganese as well.
- Ian Webster, IRP Manager, addressed the Board in favor of approving the EIR.
- Lester White asked that PG&E not only use wells within the plume boundary to define the background level of chromium but include the entire community of Hinkley.
- Billy Hernandez asked that the fault line be defined. Mr. Hernendez hoped that the Board had the authority to dictate which remediation method PG&E must use.
- Peter Lloyd stated that the EIR should be a flexible document and that the Board should revisit the results of the document in two years' time.

Board Comments

Mr. Jardine stated that this document is a road map to correct this issue and that it has flexibility built into it. Mr. Sandel expressed his concern with two ongoing issues that he has heard mentioned over many meetings. The first being some wells that shouldn't be contaminated, PG&E states it not their contamination and yet the wells' detection levels have increased. This issue should be addressed. Next, is it possible to switch from the use of ethanol to the use of something else with fewer or no harmful byproducts. Dr. Horne commented that the EIR is a menu of alternatives and it is her hope that the town of Hinkley speak as one voice to state their preferences moving forward. Mr. Dyas asked legal counsel to clarify the Water Board authority in dictating which alternative of remediation PG&E must use. Ms. Niemeyer stated that while the Board does not have the authority to tell PG&E which alternative they must choose, they can use WDRs and Cleanup and Abatement Orders to set time limits and cleanup levels that may reduce PG&E's options. Mr. Dyas shared Mr. Sandel's concern with the possible expansion of the plume with some wells located outside the known plume boundary showing rising levels of chromium. He would like to retain some provision to address those wells without freezing the boundaries of the proposed cleanup area. Also he asked, to the extent possible, to choose WDRs that would minimize groundwater consumption and minimize the production of byproduct contaminants such as manganese, arsenic, and uranium. Ms. Cox stated that she would be abstaining from voting on the EIR but wanted to increase awareness that the town of Hinkley is not a plume, it is a community, and there has been an adverse effect on the people inside as well as outside the plume boundary. Mr. Pumphrey stated that he would like to see orders developed in a series slowly, starting with items that hold the most confidence. He urged the community to solicit other resources to address all the issues that affect Hinkley. He also wanted to see a replacement water plan for the entire community that will endure the length of the remediation.

- **Motion:** Moved by Mr. Dyas, seconded by Dr. Horne and **unanimously carried** to adopt a resolution certifying the Environmental Impact Report as presented.
  Note: Ms. Cox abstained from voting.

Click here to view the adopted Resolution No. R6V-2013-0060

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12. **CLOSED SESSION****None**

ADJOURNMENT

With no further business to come before the Board, the meeting adjourned at 10:48 p.m. on July 17, 2013.

Prepared by: _____Adopted: _____
Sue Genera, Executive Assistant

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