

**Lahontan Regional Water Quality Control Board**

December 19, 2014

TO ALL INTERESTED PERSONS AND AGENCIES:

**Proposed Updated Waste Discharge Requirements for Susanville Village LLC's  
Susanville Mobile Home Park Wastewater Disposal Facility, Lassen County,  
WDID NO. 6A188070002**

Enclosed are proposed updated waste discharge requirements (WDRs) for Susanville Village LLC. The updated WDRs, if adopted, will replace existing WDRs regulating the waste discharge from the Susanville Mobile Home Park to the wastewater disposal facility (Facility). Staff proposes to present these WDRs to the Water Board for adoption at its meeting set for January 14 and 15, 2015, in South Lake Tahoe, California.

Tentative or draft WDRs were circulated for public comment last month, and no comments were received. If you have any comments please provide us with your written comments no later than **January 5, 2015**. Comments received after that date may not be given full consideration in preparation of the recommended Order to be presented to the Water Board for adoption.

If you have any questions regarding this matter, please contact me at (530) 542-5467.

  
10 Robert Tucker  
Water Resource Control Engineer

Enclosure: Proposed Order

RTT/dk/T: Proposed cov SMHP  
File Under: 6A188070002

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

**MEETING OF JANUARY 14 AND 15, 2015  
SOUTH LAKE TAHOE**

**ITEM:** 6

**SUBJECT:** **UPDATED WASTE DISCHARGE REQUIREMENTS FOR  
SUSANVILLE VILLAGE LLC's SUSANVILLE MOBILE HOME PARK  
WASTEWATER DISPOSAL FACILITY**

**CHRONOLOGY:** Dec 30, 1981 Waste discharge requirements were waived for the  
community septic system.

Feb 9, 1984 The Water Board adopted Board Order No. 6-84-21.

**ISSUES:** Should the Water Board adopt updated waste discharge requirements  
requiring the Discharger to submit a technical report providing information  
necessary to determine compliance with applicable water quality  
objectives?

Should the waste discharge requirements for the Facility be changed to  
require the discharge to meet the requirements for Solid Waste Disposal  
under California Code of Regulations, title 27, or should the waste  
discharge requirements include a time schedule order to allow the  
Discharger additional time to investigate whether the discharge is  
consistent with applicable water quality objectives?

**DISCUSSION:** The Discharger owns the Susanville Mobile Home Park, which currently  
has waste discharge requirements for its wastewater treatment and  
disposal system (Facility). The Facility consists of a 10,800-gallon septic  
tank that discharges via a lift station to a mound disposal system  
(elevated leachfield) located on the Discharger's southern property  
boundary. The mound system is necessary due to shallow groundwater  
conditions across the Discharger's property. Groundwater elevations are,  
in part, likely influenced by Brockman Slough, a tributary to the Susan  
River, which is located adjacent to the Discharger's northern property  
boundary.

The waste discharge requirements are being updated, in part, in response  
to the Discharger's request for Water Board staff to review and revise the  
current monitoring and reporting requirements for the Facility. The  
Discharger is currently required to sample Brockman Slough upstream and  
downstream of the Facility and to sample three monitoring wells around  
the disposal area on a quarterly basis. The Discharger has requested that  
the sampling frequency and the number of water quality constituents  
analyzed be reduced.

Water Board staff completed its file review, including data related to onsite and offsite (adjacent property) groundwater monitoring. The available data provides some indication that the groundwater flow direction at the Facility may be away from Brockman Slough, which is different from the direction upon which Facility monitoring well locations were based. The available surface water and groundwater quality data is therefore inconclusive regarding the Facility's impacts upon groundwater quality and compliance with applicable water quality objectives, since some of the existing monitoring wells may not actually be positioned to identify the Facility's impacts upon the shallow groundwater.

California Code of Regulations, title 27 sets out criteria for Solid Waste Disposal. The regulations identify criteria under which discharges of domestic sewage or wastewater effluent to land are exempt from title 27 requirements. Title 27 requirements are much more prescriptive and rigorous than waste discharge requirements issued pursuant to title 23 requirements, including requirements for lined ponds. Title 27 exemption criteria, in part, require the Water Board to find that the discharge of domestic waste or wastewater effluent complies with applicable water quality objectives. As stated above, the available data is inconclusive regarding compliance with applicable water quality objectives due to the uncertainty regarding groundwater flow direction at the Facility.

Water Board staff do not believe that inconclusive data regarding compliance with applicable water quality objectives provides an adequate basis for imposing more prescriptive and rigorous title 27 requirements. Staff does believe that the inconclusive data justifies requiring the Discharger to provide the data necessary for Water Board staff to determine if the Facility's discharge complies with applicable water quality objectives. The proposed Board Order includes a requirement to submit a technical report providing such data. Water Board staff will use the new information to determine if it is appropriate to continue regulating the Facility as it has, or if the additional requirements of title 27 are necessary to protect groundwater quality and beneficial uses.

The accompanying monitoring and reporting programs will reduce the sampling frequency and change some constituents required to be sampled. The results of the technical report and the new monitoring requirement will provide a better understanding of the groundwater flow and whether the discharge is causing the groundwater to exceed basin plan objectives.

Tentative waste discharge requirements were circulated for review and comments. No comments were received.

**RECOMMENDATIONS:** Adopt the Order as proposed.

**ENCLOSURES:**

ENCLOSURE	Item	Bates Number
1	Proposed Order	6-5

# **ENCLOSURE 1**

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CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
LAHONTAN REGION

**BOARD ORDER NO. R6T-2015-PROPOSED  
WDID NO. 6A188070002**

UPDATED WASTE DISCHARGE REQUIREMENTS  
FOR  
**SUSANVILLE VILLAGE LLC FOR THE  
SUSANVILLE MOBILE HOME PARK  
WASTEWATER DISPOSAL FACILITY**

\_\_\_\_\_Lassen County\_\_\_\_\_

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

1. Discharger

Susanville Village LLC is the owner of the previously developed commercial property known as Susanville Mobile Home Park. For the purpose of this Order, Susanville Village LLC, as owner, is referred to as the “Discharger.”

2. Facility

The Susanville Mobile Home Park discharges treated domestic wastewater to its onsite wastewater treatment and disposal system, which is referred to as the “Facility.” The Facility consists of a 10,800-gallon septic tank, a duplex lift station, and an elevated leaching bed/disposal mound that is 78 feet wide by 200 feet long. The disposal mound has a soil berm placed between the mound and Brockman Slough to prevent surface flow of seepage from the disposal mound to Brockman Slough.

3. History of Previous Regulation by the Water Board

The Water Board previously established waste discharge requirements (WDRs) for domestic wastewater disposal from the Susanville Mobile Home Park under Board Order No. 6-84-21, which was adopted on February 9, 1984. A change of ownership was reflected in Board Order No. 6-84-21A1 dated January 28, 1993. The associated Monitoring and Reporting Program (No. 84-21) was amended by Monitoring and Reporting Program No. 84-21B on January 8, 1988.

4. Reason For Action

The Water Board is updating these WDRs, in part, in response to the Discharger’s request to review and revise the monitoring requirements for the Facility. The

update is also part of an ongoing program to periodically review and revise requirements to reflect current regulatory practices and incorporate any necessary monitoring and reporting program revisions.

5. Facility Location

The Facility is located at 702-715 Johnstonville Road, Susanville, as shown on Attachment A, which is made a part of this Order.

6. Description of Discharge

The Susanville Mobile Home Park has up to 49 units that may discharge domestic wastewater to the Facility, with a maximum average daily inflow of 12,250 gallons per day (gpd). The Facility discharges treated domestic wastewater to land.

7. Sludge Disposal

The Facility's sludge disposal plan includes periodic sludge removal from the septic tank and offsite disposal.

8. Authorized Disposal Site

The disposal mound and land within the berm is the only authorized disposal area for the Facility's domestic wastewater. No onsite disposal of sludge is authorized. The offsite sludge disposal site must comply with all local, state, and federal regulations.

9. Site Geology

The Facility lies within the Honey Lake Valley. It is bounded on the southwest by the Sierra Nevada mountain range and to the north and west by volcanics of the Modoc Plateau and Cascade Range. The soils beneath the Facility consist of dark loam and fine sand.

10. Site Hydrology

Annual precipitation at the Facility is estimated at 15.47 inches. The Facility lies within the Honey Lake Valley and is adjacent to an irrigation ditch, known as Brockman Slough. The receiving water is the groundwater of the Honey Lake Valley groundwater basin.

11. Site Hydrogeology

The Facility lies over the Honey Lake Valley groundwater basin, a 490-square mile basin with internal drainage, which stores an estimated 16 million acre-feet of water (California Department of Water Resources, *California's Ground Water*, 1975). Local groundwater generally flows north to south following the topographic gradient. The groundwater in the area of the Facility has been documented as shallow as

three feet below grade. This shallow groundwater is reported by the Department of Water Resources to extend to a depth of 18 to 34 feet below ground surface, where an approximately 20-foot thick clay layer separates the shallow groundwater from a lower confined water-bearing zone. All nearby municipal and domestic wells are completed in the lower zone. The shallow groundwater flow direction/gradient at the Facility has not been determined, though the gradient at an adjacent property (Sherman/Sierra Petroleum Bulk Plant at 702-805 Johnstonville Road) was generally away from Brockman Slough towards the south.

#### 12. Water Quality Control Plan for the Lahontan Region

The Water Board adopted the *Water Quality Control Plan for the Lahontan Region* (Basin Plan), which took effect on March 31, 1995. This Order implements the Basin Plan, as amended.

#### 13. Groundwater Beneficial Uses

The beneficial uses of the groundwaters of the Honey Lake Valley groundwater basin (Department of Water Resources No. 6-4), as set forth and defined by the Basin Plan, are:

- a. Municipal and Domestic Supply (MUN)
- b. Agricultural Supply (AGR)
- c. Freshwater Replenishment (FRSH)
- d. Industrial Service Supply (IND)
- e. Wildlife Habitat (WILD)

#### 14. Surface Water Beneficial Uses

The beneficial uses of the surface waters of the Susanville Hydrologic Unit, Susan River Hydrologic Area, as set forth and defined in the Basin Plan are:

- a. Municipal and Domestic Supply (MUN)
- b. Agricultural Supply (AGR)
- c. Freshwater Replenishment (FRSH)
- d. Industrial Service Supply (IND)
- e. Ground Water Recharge (GWR)
- f. Navigation (NAV)
- g. Water Contact Recreation (REC-1)
- h. Non-Contact Water Recreation (REC-2)
- i. Commercial and Sportfishing (COMM)
- j. Warm Freshwater Habitat (WARM)
- k. Cold Freshwater Habitat (COLD)
- l. Wildlife Habitat (WILD)
- m. Migration of Aquatic Organism (MIGR)
- n. Spawning, Reproduction, and Development (SPWN)

15. California Water Code Section 13172

Water Code section 13172 directed the State Water Resources Control Board (State Water Board) to write regulations for waste disposal sites, “except for sewage treatment plants...” to protect water quality. Those regulations are now incorporated in the California Code of Regulations (CCR), title 27. The statute exempts the wastewater treatment facilities from the regulation, but does not exempt the disposal of treated wastewater, except under specified conditions.

16. California Code of Regulations Title 27

CCR title 27, section 20090, defines the activities that may be exempt from CCR title 27 requirements; the section provides a list of preconditions that must be met for the exemptions to apply. Section 20090(a) is the most applicable exemption, applying to the discharge of wastewater to land. The full text of the exemption follows:

*“(a) Sewage - Discharges of domestic sewage or treated effluent which are regulated by WDRs issued pursuant to Chapter 9, Division 3, Title 23 of this code, or for which WDRs have been waived, and which are consistent with applicable water quality objectives, and treatment or storage facilities associated with municipal wastewater treatment plants, provided that residual sludges or solid waste from wastewater treatment facilities shall be discharged only in accordance with the applicable SWRCB-promulgated provisions of this division.”*

The Facility’s discharge has historically been regulated under WDRs issued pursuant to CCR, title 23. The available surface water and groundwater quality data near the Facility is inconclusive regarding the Facility’s compliance with applicable water quality objectives. The inconclusive nature of the data is due, in part, to groundwater elevation data from monitoring wells located on an adjacent property (Sherman/Sierra Petroleum Bulk Plant at 702-805 Johnstonville Road) that Water Board staff has reviewed. The data from the adjacent property indicates groundwater flow may be different from that upon which the Facility’s monitoring well locations were based upon. If groundwater flow is away from Brockman Slough in a southerly direction, as it generally is beneath the adjacent property, then Brockman Slough, and not the Facility, may be the source of contaminants observed in the monitoring well located between Brockman Slough and the Facility. Additionally, the monitoring wells thought to be down-gradient of the Facility, may not be if the groundwater flow direction is away from Brockman Slough in a direction similar to the groundwater flowing beneath the adjacent property.

Inconclusive data regarding the Facility’s compliance with applicable water quality objectives does not provide an adequate basis for imposing the more prescriptive and robust requirements of CCR, title 27. The inconclusive nature of the data does justify requiring the Discharger to submit a technical report providing the data required to determine compliance with applicable water quality objectives. This Order includes a requirement establishing a time schedule for the Discharger to provide such data in either an initial technical report, or subsequent monitoring reports if new monitoring wells are necessary. Water Board staff will evaluate the

future monitoring data and determine if it is appropriate to continue regulating the Facility, as currently operated, or update WDR to include title 27 requirements.

The Discharger is required by this Order to continue satisfying the title 27 exemption criterion requiring that any sludge generated in the septic tank be properly removed and disposed of by a septage hauler to a facility authorized to accept the waste.

#### 17. The Requirement for Time Schedule in Board Orders

Pursuant to Water Code section 13263(c), WDRs may contain a time schedule subject to revision in the discretion of the Water Board. This Order establishes a time schedule for the Discharger to produce a technical document that will provide additional information regarding groundwater conditions near the Facility.

#### 18. Policy for Maintaining High Quality Waters

State Water Resources Control Board Resolution No. 68-16 requires that *existing high quality waters will be maintained until it is demonstrated to the State that any change will be consistent with maximum benefit to the people of the State, will not unreasonably affect present and anticipated beneficial use of such water and will not result in water quality less than that prescribed in the [State or Regional Water Board] policies; and requires that any activity which produces or may produce a waste or increased volume or concentration of waste and which discharges or proposes to discharge to existing high quality waters must meet waste discharge requirements which will result in the best practical treatment or control of the discharge necessary to assure that a pollution or nuisance will not occur and the highest water quality consistent with maximum benefit to the people of the State will be maintained.*

This Order includes requirements for the Discharger to demonstrate that the wastes treated and disposed of do not change the quality of the receiving water such that the beneficial uses of the water are impaired. The Discharger will be required to provide a technical report regarding the condition of the groundwater, the condition of the current monitoring wells, and if necessary, propose improvements to the groundwater monitoring to detect degradation that may be associated with the discharge. No degradation above water quality objectives was authorized by the previous Order or is authorized by this Order. No increase in the amount of discharge from the previously authorized levels has been proposed and no increase is authorized by this Order. The Discharger is required to maintain the best practicable treatment or control and prevent pollution or nuisance. Some amount of localized degradation that does not impair the water quality for beneficial uses is expected and is in the public interest in order to provide economical waste disposal for this community.

#### 19. Water Code Section 13241 Considerations

Pursuant to California Water Code section 13241, the requirements of this Order take into consideration the following:

a. Past, present, and probable future beneficial uses of water.

The findings of this Order identify past, present and probable future beneficial uses of water, as described in the Basin Plan, that are potentially affected by the discharge. Present or probable future beneficial uses of the water including municipal and domestic water supply, agricultural supply, freshwater replenishment, industrial service supply, and wildlife habitat should not be affected by the discharge, and will be maintained.

b. Environmental characteristics of the hydrographic unit under consideration, including the quality of water available thereto.

The findings of this Order concerning geology, hydrogeology, and hydrology provide general information on the hydrographic unit. Finding Nos. 11 and 16, above, discuss information concerning the quality of available water.

c. Water quality conditions that could reasonably be achieved through the coordinated control of all factors which affect water quality in the area.

The requirements for the Facility are reasonable to achieve. The requirements for the Facility to provide adequate controls for maintaining water quality and to demonstrate compliance are also reasonable. The Discharger will be required to monitor the groundwater for adverse effects due to its discharge. Water quality may be adversely affected by factors beyond the control of the Discharger, including operation of the irrigation ditch (Brockman Slough) and nearby cattle grazing.

d. Economic considerations.

This Order does not currently require any changes to the existing system but will require a technical report that may require additional monitoring wells be installed to more completely assess shallow groundwater at the Facility. Additional monitoring wells will increase the operational cost of the site, but may be necessary in order to adequately ensure protection of water quality. This Order will reduce the surface water sampling and the frequency of collecting samples from monitoring wells, as it appears that groundwater moves away from surface water in the slough and, therefore, would not be impacting that resource.

e. The need for developing housing within the region.

The Discharger provides wastewater treatment services for a mobile home park. Without the Facility the mobile home park may have to close. The closure of the mobile home park would reduce housing options in the Susanville area. The Discharger is providing a housing option by maintaining the Facility.

20. The Right to Access to Clean Water

Water Code section 106.3 states in part "... every human being has the right to safe, clean, affordable, and accessible water adequate for human consumption, cooking, and sanitary purposes." This Order does not authorize the degradation of the groundwater beyond the level that supports beneficial uses, and requires monitoring to assess water quality.

## 21. California Environmental Quality Act

Adoption of this updated Order regulating the discharge from the Facility is categorically exempt under the provisions of CEQA, in accordance with CCR, title 14, section 15301, "Existing Facilities." The Facility is an existing facility and has been in operation for many years. No expansion of capacity is being authorized.

## 22. Notification

The Water Board staff placed a copy of the Tentative WDRs on the Water Board's internet site on October 30, 2014 and distributed it the Discharger and interested parties.

## 23. Consideration of Interested Parties

The Water Board mailed copies of the Tentative WDRs to Lassen County and any who requested a copy. The Water Board, in a public meeting, heard and considered all comments pertaining to the discharge.

**IT IS HEREBY ORDERED** that pursuant to Water Code section 13263, the Discharger must comply with the following:

### I. Discharge Specifications

#### A. Effluent Limitations

1. The total flow of wastewater to the treatment and disposal facilities during a 24-hour period must not exceed 12,250 gallons per day (gpd) (379,750 gallons per month).
2. The designated disposal facility is the disposal mound. The designated disposal site includes disposal mound and the area between the berm and disposal mound where seepage has been observed in the past. Discharges of wastewater except to the designated disposal site<sup>1</sup> is prohibited.

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<sup>1</sup> Wastewater from the septic tank must be discharged directly to the disposal mound. Discharging wastewater directly from the septic tank to the land area between the berm and disposal mound is prohibited; however, seepage from the disposal mound to the land area between the berm and disposal mound is authorized, provided all seepage is contained within the bermed area and does not create a nuisance.

3. The discharge to waters of the State must not contain trace elements, pollutants or contaminants, or combinations thereof, in concentrations that are toxic or harmful to humans or to aquatic or terrestrial plant or animal life.

B. Receiving Water Limitations

The discharge of waste must not cause the presence of the following substances or conditions in the groundwater of the Honey Lake Valley groundwater basin.

1. Bacteria, Coliform - In groundwater designated as MUN, the median concentration of coliform organisms over any seven-day period shall be less than 1.1/100 milliliters.
2. Chemical Constituents - Groundwater designated as MUN shall not contain concentrations of chemical constituents in excess of the maximum contaminant level (MCL) or secondary maximum contaminant level (SMCL) based upon drinking water standards specified in the following provisions of title 22 of the CCR, which are incorporated by reference into this Order: Table 64431-A of section 64431 (Inorganic Chemicals), Table 64431-B of section 64431 (Fluoride), Table 64444-A of section 64444 (Organic Chemicals), Table 64449-A of section 64449 (Secondary Maximum Contaminant Levels-Consumer Acceptance Limits), and Table 64449-B of section 64449 (Secondary Maximum Contaminant Levels-Ranges). This incorporation-by-reference is prospective including future changes to the incorporated provisions as the changes take effect.

Waters designated as AGR shall not contain concentrations of chemical constituents in amounts that adversely affect the water for beneficial uses (i.e., agricultural purposes). Groundwater shall not contain concentrations of chemical constituents that adversely affect the water for beneficial uses.

3. Radioactivity - Groundwater designated as MUN shall not contain concentrations of radionuclides in excess of the limits specified in Table 4 of section 64443 (Radioactivity) of title 22 of the CCR, which is incorporated by reference into this Order. This incorporation-by-reference is prospective including future changes to the incorporated provisions as the changes take effect.
4. Taste and Odor - Groundwater shall not contain taste or odor-producing substances in concentrations that cause nuisance or that adversely affect the beneficial uses. For groundwater designated as MUN, at a minimum, concentrations shall not exceed adopted secondary maximum contaminant levels specified in Table 64449-A of section 64449 (Secondary Maximum Contaminant Levels-Consumer Acceptance Limits), and Table 64449-B of section 64449 (Secondary Maximum Contaminant Levels- Ranges) of title 22 of the CCR, which is incorporated by reference into this Order. This incorporation-by-reference is prospective including future changes to the incorporated provisions as the changes take effect.

C. General Requirements and Prohibitions

1. There must be no discharge, bypass or diversion of raw or partially treated sewage, sewage sludge, grease or oils from the collection, treatment, or disposal facilities to adjacent land areas or surface waters.
2. All facilities used for collection, transport, treatment or disposal of waste must be adequately protected against overflow, washout or inundation from a storm or flood having a reoccurrence interval of once in 100 years.
3. The discharge must not cause a pollution as defined in section 13050 of the California Water Code.
4. Neither the treatment nor the discharge can cause a nuisance as defined in section 13050 of the California Water Code.
5. The discharge of wastewater except to the authorized disposal site is prohibited.
6. The integrity of any treatment and disposal systems must be maintained throughout the life of these systems and must not be diminished as the result of any maintenance or cleaning operation.

II. Provisions

A. Rescission of Waste Discharge Requirements

Board Order Nos. 6-84-21A1 and 6-84-21A2 and Monitoring and Reporting Program No. 84-21B are hereby rescinded.

B. Standard Provisions

The Discharger must comply with the "Standard Provisions for Waste Discharge Requirements," dated September 1, 1994, in Attachment B, which is made part of this Order.

C. Monitoring and Reporting

Pursuant to section 13267(b) of the California Water Code, the Discharger must comply with Monitoring and Reporting Program No. 2015-PROP as specified by the Executive Officer.

D. Time Schedule Requirement - Special Study Provision

By **July 15, 2015**, the Discharger must prepare a technical report for acceptance by the Water Board Executive Officer. The technical report must be prepared by

a California-licensed Civil Engineer or Professional Geologist and must provide the following information:

1. An evaluation of the existing monitoring wells and determination regarding their continued use as monitoring wells or the necessity for rehabilitation or replacement. Include information on the construction of the monitoring wells such as the depth of well, well construction log, etc.
2. An assessment of the current groundwater gradient/flow direction in the area of the Facility and an illustration of it on a scaled map of the Facility that includes, monitoring wells, the septic tank, disposal mound, containment berm, and surface water sampling points.
3. If the technical report indicates that shallow groundwater in the area of the Facility flows from Brockman Slough and under the Facility, then the existing monitoring well system may not provide groundwater data for the area down-gradient from the disposal area. If that is the case, the Discharger must propose a method and schedule to sample the groundwater down-gradient from the disposal mound, which may include proposing new monitoring well(s).
4. If new monitoring well(s) are proposed, then following proposal acceptance, the Discharger must install and sample the well(s) for total dissolved solids, electrical conductivity/specific conductance, nitrate, total kjeldahl nitrogen, chloride and fecal coliform. Monitoring and Reporting Program No. 2015-(PROPOSED) will be amended to incorporate any new monitoring well locations and sampling and reporting requirements for the new monitoring wells.

I, Patty Z. Kouyoumdjian, 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 January 14, 2015.

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PATTY Z. KOUYOUMDJIAN  
EXECUTIVE OFFICER

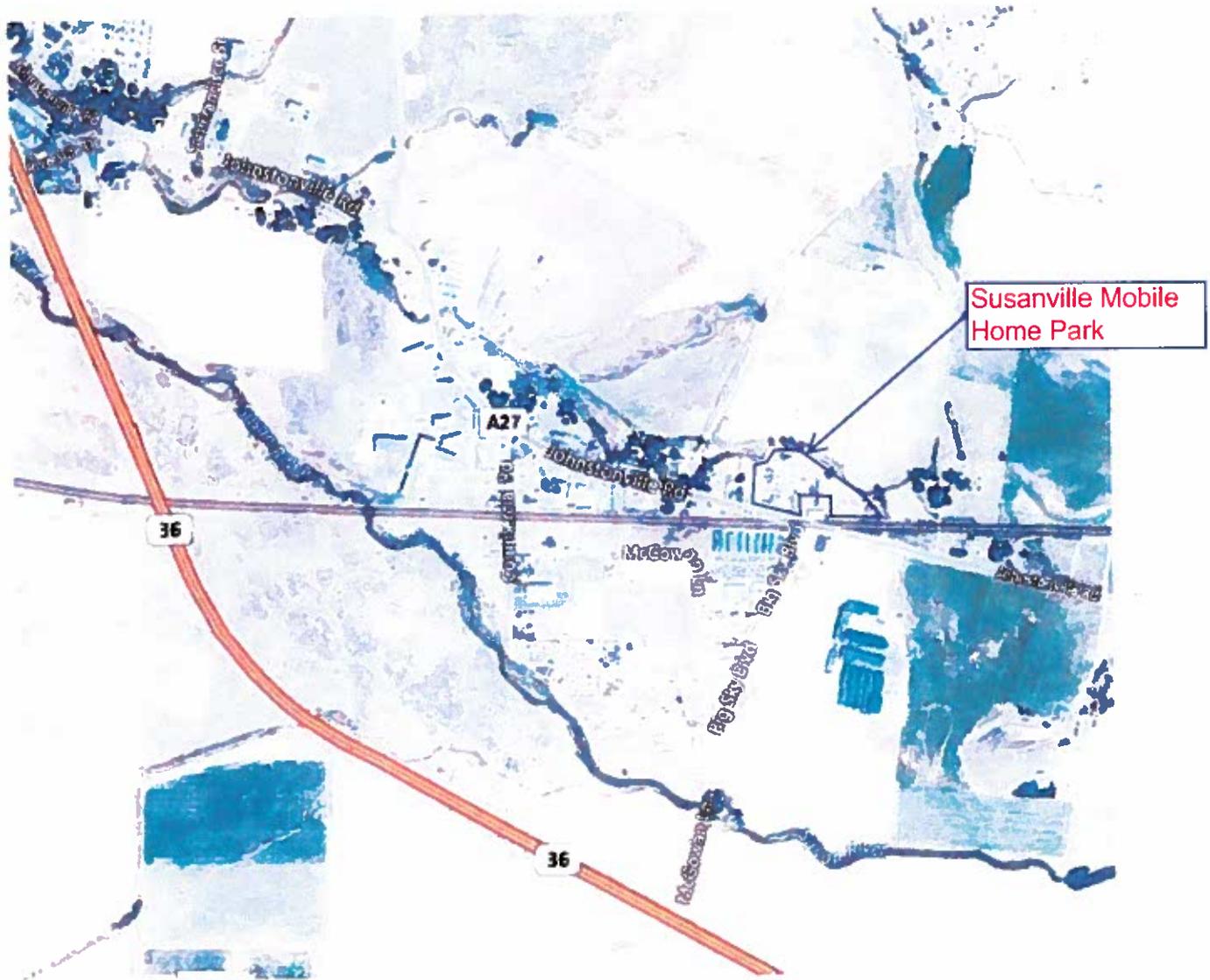
Attachments: A. Location Map  
B. Standard Provisions for Waste Discharge Requirements

# **ATTACHMENT A**

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# Attachment A

## Susanville Mobile Home Park



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# **ATTACHMENT B**

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## ATTACHMENT B

### CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD LAHONTAN REGION

#### **STANDARD PROVISIONS** FOR WASTE DISCHARGE REQUIREMENTS

##### 1. Inspection and Entry

The Discharger shall permit Regional Board staff:

- a. to enter upon premises in which an effluent source is located or in which any required records are kept;
- b. to copy any records relating to the discharge or relating to compliance with the Waste Discharge Requirements (WDRs);
- c. to inspect monitoring equipment or records; and
- d. to sample any discharge.

##### 2. Reporting Requirements

- a. Pursuant to California Water Code 13267(b), the Discharger shall immediately notify the Regional Board by telephone whenever an adverse condition occurred as a result of this discharge; written confirmation shall follow within two weeks. An adverse condition includes, but is not limited to, spills of petroleum products or toxic chemicals, or damage to control facilities that could affect compliance.
- b. Pursuant to California Water Code Section 13260 (c), any proposed material change in the character of the waste, manner or method of treatment or disposal, increase of discharge, or location of discharge, shall be reported to the Regional Board at least 120 days in advance of implementation of any such proposal. This shall include, but not be limited to, all significant soil disturbances.
- c. The Owners/Discharger of property subject to WDRs shall be considered to have a continuing responsibility for ensuring compliance with applicable WDRs in the operations or use of the owned property. Pursuant to California Water Code Section 13260(c), any change in the ownership and/or operation of property subject to the WDRs shall be reported to the Regional Board. Notification of applicable WDRs shall be furnished in writing to the new owners and/or operators and a copy of such notification shall be sent to the Regional Board.
- d. If a Discharger becomes aware that any information submitted to the Regional Board is incorrect, the Discharger shall immediately notify the Regional Board, in writing, and correct that information.
- e. Reports required by the WDRs, and other information requested by the Regional Board, must be signed by a duly authorized representative of the Discharger. Under Section 13268 of the California Water Code, any person failing or

refusing to furnish technical or monitoring reports, or falsifying any information provided therein, is guilty of a misdemeanor and may be liable civilly in an amount of up to one thousand dollars (\$1,000) for each day of violation.

- f. If the Discharger becomes aware that their WDRs (or permit) are no longer needed (because the project will not be built or the discharge will cease) the Discharger shall notify the Regional Board in writing and request that their WDRs (or permit) be rescinded.

3. Right to Revise WDRs

The Regional Board reserves the privilege of changing all or any portion of the WDRs upon legal notice to and after opportunity to be heard is given to all concerned parties.

4. Duty to Comply

Failure to comply with the WDRs may constitute a violation of the California Water Code and is grounds for enforcement action or for permit termination, revocation and re-issuance, or modification.

5. Duty to Mitigate

The Discharger shall take all reasonable steps to minimize or prevent any discharge in violation of the WDRs which has a reasonable likelihood of adversely affecting human health or the environment.

6. Proper Operation and Maintenance

The Discharger shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) that are installed or used by the Discharger to achieve compliance with the WDRs. Proper operation and maintenance includes adequate laboratory control, where appropriate, and appropriate quality assurance procedures. This provision requires the operation of backup or auxiliary facilities or similar systems that are installed by the Discharger, when necessary to achieve compliance with the conditions of the WDRs.

7. Waste Discharge Requirement Actions

The WDRs may be modified, revoked and reissued, or terminated for cause. The filing of a request by the Discharger for waste discharge requirement modification, revocation and re-issuance, termination, or a notification of planned changes or anticipated noncompliance, does not stay any of the WDRs conditions.

8. Property Rights

The WDRs do not convey any property rights of any sort, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of federal, state or local laws or regulations.

9. Enforcement

The California Water Code provides for civil liability and criminal penalties for violations or threatened violations of the WDRs including imposition of civil liability or referral to the Attorney General.

10. Availability

A copy of the WDRs shall be kept and maintained by the Discharger and be available at all times to operating personnel.

11. Severability

Provisions of the WDRs are severable. If any provision of the requirements is found invalid, the remainder of the requirements shall not be affected.

12. Public Access

General public access shall be effectively excluded from treatment and disposal facilities.

13. Transfers

Providing there is no material change in the operation of the facility, this Order may be transferred to a new owner or operation. The owner/operator must request the transfer in writing and receive written approval from the Regional Board's Executive Officer.

14. Definitions

- a. "Surface waters" as used in this Order, include, but are not limited to, live streams, either perennial or ephemeral, which flow in natural or artificial water courses and natural lakes and artificial impoundments of waters. "Surface waters" does not include artificial water courses or impoundments used exclusively for wastewater disposal.
- b. "Ground waters" as used in this Order, include, but are not limited to, all subsurface waters being above atmospheric pressure and the capillary fringe of these waters.

15. Storm Protection

All facilities used for collection, transport, treatment, storage, or disposal of waste shall be adequately protected against overflow, washout, inundation, structural damage or a significant reduction in efficiency resulting from a storm or flood having a recurrence interval of once in 100 years.

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CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
LAHONTAN REGION

**MONITORING AND REPORTING PROGRAM NO. 2015--(PROP)  
WDID NO. 6A188070002**

FOR

**SUSANVILLE VILLAGE LLC  
SUSANVILLE MOBILE HOME PARK  
WASTEWATER DISPOSAL FACILITY**

Lassen County

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**I. GENERAL REQUIREMENTS**

A. Effective Date

This monitoring and reporting program (MRP) is being required pursuant to California Water Code section 13267 and is effective on the date as specified by the Water Board's Executive Officer.

B. Overview of Reports Required

Each year the Discharger must provide two semiannual monitoring reports. The monitoring period covered for each report and the dates the reports are due are provided in section II, below. Each report must provide information on the Facility monitoring, surface and groundwater monitoring, sludge disposal, and other required information as specified herein.

C. Certified Cover Letter

The Discharger must use Attachment 1 as a cover letter and certification, or a cover letter containing the same information, for all reports provided to the Water Board in connection with this Monitoring and Reporting Program.

D. General Provisions

The Discharger must comply with the "General Provisions for Monitoring and Reporting" dated September 1, 1994, which is made part of this Monitoring and Reporting Program as Attachment 2.

E. Sampling and Analysis Plan

By **August 1, 2015**, pursuant to provision No. 1d. of the General Provisions for Monitoring and Reporting, the Discharger must submit to the Water Board a Sampling and Analysis Plan (SAP). Also, a copy of the SAP must be maintained at the Facility and available for inspection. The SAP must include a detailed description of procedures and techniques for:

1. Sample collection, sample locations, sampling equipment, and decontamination of sampling equipment;
2. Groundwater well purging methods and sample collection methods consistent with either the methods specified in section II.D., below, or consistent with the *Guidance Manual for Groundwater Investigations, revised 2008*, by CalEPA Department of Toxic Substances Control or consistent with USEPA's Groundwater Sampling Guidelines for Superfund and RCRA Project Managers of 2002, or subsequent revision;
3. Sample preservation and shipment;
4. Analytical methods and procedures to be used;
5. Chain of custody and control of samples;
6. Quality assurance/quality control (QA/QC) for sample collection;
7. Frequency of calibration of any onsite equipment (e.g., pH meter, electrical conductivity meter); and
8. Description of how onsite measurements are done.

## II. MONITORING AND REPORTING REQUIREMENTS

The Discharger must submit two reports per year on the following re-occurring dates, covering the time periods stated. The information that must be submitted to complete the report is specified in items A- E, below.

<u>Reporting Period</u>	<u>Monitoring Period</u>	<u>Due Date</u>
1 <sup>st</sup> period	October 1 – March 30	May 15
2 <sup>nd</sup> period	April 1 - September 30	November 15

### A. General Facility Monitoring Information

The following must be inspected monthly, with monthly information presented in each semiannual report.

1. Visually inspect the area between the disposal mound and Brockman Slough for any signs of the Facility discharging to the slough.

2. When visually inspecting the disposal mound, determine if there is seepage of effluent from the disposal mound and if it is being captured by the berm surrounding the disposal mound. If there is standing water greater than four inches in depth, document the standing water.
3. If there is standing water, four inches or greater, in the impounded area adjacent to the disposal mound for more than thirty days, the Discharger must report that information to the Water Board by telephone within 5 working days of making that determination. The Discharger should provide information on recent weather events, if appropriate, with the verbal report.
4. Provide an estimate for the percent occupancy of the mobile home park for each month.
5. Inspect the surface area of the collection system for evidence of leaks.

B. Flow Monitoring

The Discharger must provide an estimate of total flow in (gallons) to the wastewater disposal system per month and the number of persons utilizing the Facility for each month for the reporting period.

C. Surface Water Monitoring

The following surface water monitoring sampling stations must be sampled upon a discharge or suspected discharge from the disposal mound system to the surface water (i.e., spills to the slough).

1. Station D is located at Brockman Slough at a point approximately 25 yards to the west of monitoring well A.
2. Station E is located at Brockman Slough at a point approximately 40 yards to the east of monitoring well A, below the weir in the slough.

The surface water samples must be analyzed for the following parameters and the analysis must be performed by a California Certified Laboratory:

<u>Parameter</u>	<u>Detection Levels</u>	<u>Units</u>
Electrical Conductivity	100	µhmo/cm <sup>2</sup>
Total Dissolved Solids	50	mg/L
Chloride	0.5	mg/L
Total Nitrogen	1.0	mg/L
Fecal Coliform	2	MPN/100mL

D. Groundwater Monitoring

1. The depth to groundwater and the groundwater elevation in each monitoring well must be determined prior to well purging during each semiannual sampling event.
2. Purging
  - a. Groundwater samples must be collected after either of the following: 1) an amount of water equal to three times the amount of water within the well casing has been removed, or 2) the temperature, electrical conductivity, and pH measurements of the water in the well have stabilized to approximately  $\pm 10$  percent for successive measurements after a minimum of one well volume has been removed. For each purging method, the groundwater elevation must recover before the sample is collected. Other purging methods may be used if it is described in the site SAP and accepted by the Water Board's Executive Officer.
  - b. If a monitoring well is purged, and does not appear to be recovering to pre-purging elevations, the Discharger must document the amount of time allowed for the well to recover, the volume of water removed, and the groundwater elevation at the time of the sample collection. If the monitoring well does not recover within one hour after purging, the Discharger must document the volume of water removed and must return the next day and attempt to collect the sample from the well without further purging. Measurements of temperature, electrical conductivity, and pH during purging must be reported with the results of groundwater analyses.
  - c. Well casing diameter, well depth, depth to groundwater, and total volume purged prior to sampling must also be reported with the groundwater monitoring results

### 3. Groundwater Sampling

Groundwater monitoring wells B and C must be monitored twice per year for all constituents listed below.

Parameter	Units	Analysis by
Temperature	C or F	Field procedures
Specific Conductance/ Electrical conductivity	$\mu\text{S}/\text{cm}$ or $\mu\text{mho}/\text{cm}^2$	Field procedures
pH	pH units	Field procedures
Nitrate as nitrogen	mg/L	Laboratory
Total Kjeldahl Nitrogen	mg/L	Laboratory
Chloride	mg/L	Laboratory
Fecal Coliform	MPN/100mL	Laboratory

Monitoring well A must be monitored only for the field analysis parameters (temperature, specific conductance/electrical conductivity, and pH) and the groundwater elevation must be determined for use in assessing groundwater gradient at the site.

4. Groundwater Gradient

The direction of groundwater flow for the Facility must be determined and presented in each monitoring report on a scaled map using groundwater elevations from all monitoring wells at the site.

E. General Reporting

The Discharger must report on any maintenance, repairs, or operational problems that occur throughout the reporting period.

1. Any additions, repairs or replacements to the subsurface disposal systems that the Discharger is responsible for maintaining.
2. A description of any operational problem(s) and corrective action(s) taken to address the problem(s).
3. The Discharger must report the date and quantity of sludge removed from the septic tank. The name of the company removing the material must also be reported. If no sludge is removed, a statement to that effect must be reported as well.

Ordered By \_\_\_\_\_  
PATTY Z. KOUYOUMDJIAN  
EXECUTIVE OFFICER

Date \_\_\_\_\_

Attachment 1

Monitoring Report Cover Sheet

Attachment 2

General Provisions for Monitoring and Reporting Program

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# **ATTACHMENT 1**

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ATTACHMENT 1

Date \_\_\_\_\_

California Regional Water Quality Control Board  
Lahontan Region  
2501 Lake Tahoe Boulevard  
South Lake Tahoe, CA 96150

**Facility Name:** \_\_\_\_\_  
\_\_\_\_\_

**Address:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Contact Person:** \_\_\_\_\_  
**Job Title:** \_\_\_\_\_  
**Phone:** \_\_\_\_\_  
**Email:** \_\_\_\_\_

**WDR/NPDES Order Number:** \_\_\_\_\_

**WDID Number:** \_\_\_\_\_

<b>Type of Report</b> (circle one):	<b>Monthly</b>	<b>Quarterly</b>	<b>Semi-Annual</b>	<b>Annual</b>	<b>Other</b>	
<b>Month(s)</b> (circle applicable month(s)*:	<b>JAN</b>	<b>FEB</b>	<b>MAR</b>	<b>APR</b>	<b>MAY</b>	<b>JUN</b>
	<b>JUL</b>	<b>AUG</b>	<b>SEP</b>	<b>OCT</b>	<b>NOV</b>	<b>DEC</b>

\*annual Reports (circle the first month of the reporting period)

**Year:** \_\_\_\_\_

**Violation(s)?** (Please check one): \_\_\_\_\_ **NO** \_\_\_\_\_ **YES\***

**\*If YES is marked complete a-g (Attach Additional information as necessary)**

**a) Brief Description of Violation:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**b) Section(s) of WDRs/NPDES Permit Violated:**

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**c) Reported Value(s) or Volume:**

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**d) WDRs/NPDES Limit/Condition:**

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**e) Date(s) and Duration of Violation(s):**

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**f) Explanation of Cause(s):**

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**g) Corrective Action(s)**  
(Specify actions taken and a schedule for actions to be taken)

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I certify under penalty of law that this document and all attachments were prepared under my direction or supervision following a system designed to ensure that qualified personnel properly gather and evaluate the information submitted. Based on my knowledge of the person(s) who manage the system, or those directly responsible for data gathering, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment.

If you have any questions or require additional information, please contact \_\_\_\_\_ at the number provided above.

Signature: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

# **ATTACHMENT 2**

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## ATTACHMENT 2

### CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD LAHONTAN REGION

#### **GENERAL PROVISIONS** FOR MONITORING AND REPORTING

##### 1. SAMPLING AND ANALYSIS

- a. All analyses shall be performed in accordance with the current edition(s) of the following documents:
  - i. Standard Methods for the Examination of Water and Wastewater
  - ii. Methods for Chemical Analysis of Water and Wastes, EPA
- b. All analyses shall be performed in a laboratory certified to perform such analyses by the California State Department of Health Services or a laboratory approved by the Regional Board Executive Officer. Specific methods of analysis must be identified on each laboratory report.
- c. Any modifications to the above methods to eliminate known interferences shall be reported with the sample results. The methods used shall also be reported. If methods other than EPA-approved methods or Standard Methods are used, the exact methodology must be submitted for review and must be approved by the Regional Board prior to use.
- d. The Discharger shall establish chain-of-custody procedures to insure that specific individuals are responsible for sample integrity from commencement of sample collection through delivery to an approved laboratory. Sample collection, storage, and analysis shall be conducted in accordance with an approved Sampling and Analysis Plan (SAP). The most recent version of the approved SAP shall be kept at the facility.
- e. The Discharger shall calibrate and perform maintenance procedures on all monitoring instruments and equipment to ensure accuracy of measurements, or shall insure that both activities will be conducted. The calibration of any wastewater flow measuring device shall be recorded and maintained in the permanent log book described in 2.b, below.
- f. A grab sample is defined as an individual sample collected in fewer than 15 minutes.
- g. A composite sample is defined as a combination of no fewer than eight individual samples obtained over the specified sampling period at equal intervals. The volume of each individual sample shall be proportional to the discharge flow rate at the time of sampling. The sampling period shall equal

the discharge period, or 24 hours, whichever period is shorter.

## 2. OPERATIONAL REQUIREMENTS

### a. Sample Results

Pursuant to California Water Code Section 13267(b), the Discharger shall maintain all sampling and analytical results including: strip charts; date, exact place, and time of sampling; date analyses were performed; sample collector's name; analyst's name; analytical techniques used; and results of all analyses. Such records shall be retained for a minimum of three years. This period of retention shall be extended during the course of any unresolved litigation regarding this discharge, or when requested by the Regional Board.

### b. Operational Log

Pursuant to California Water Code Section 13267(b), an operation and maintenance log shall be maintained at the facility. All monitoring and reporting data shall be recorded in a permanent log book.

## 3. REPORTING

- a. For every item where the requirements are not met, the Discharger shall submit a statement of the actions undertaken or proposed which will bring the discharge into full compliance with requirements at the earliest time, and shall submit a timetable for correction.
- b. Pursuant to California Water Code Section 13267(b), all sampling and analytical results shall be made available to the Regional Board upon request. Results shall be retained for a minimum of three years. This period of retention shall be extended during the course of any unresolved litigation regarding this discharge, or when requested by the Regional Board.
- c. The Discharger shall provide a brief summary of any operational problems and maintenance activities to the Board with each monitoring report. Any modifications or additions to, or any major maintenance conducted on, or any major problems occurring to the wastewater conveyance system, treatment facilities, or disposal facilities shall be included in this summary.
- d. Monitoring reports shall be signed by:
  - i. In the case of a corporation, by a principal executive officer at least of the level of vice-president or his duly authorized representative, if such representative is responsible for the overall operation of the facility from which the discharge originates;
  - ii. In the case of a partnership, by a general partner;

- iii. In the case of a sole proprietorship, by the proprietor; or
  - iv. In the case of a municipal, state or other public facility, by either a principal executive officer, ranking elected official, or other duly authorized employee.
- e. Monitoring reports are to include the following:
- i. Name and telephone number of individual who can answer questions about the report.
  - ii. The Monitoring and Reporting Program Number.
  - iii. WDID Number.
- f. Modifications

This Monitoring and Reporting Program may be modified at the discretion of the Regional Board Executive Officer.

#### 4. NONCOMPLIANCE

Under Section 13268 of the Water Code, any person failing or refusing to furnish technical or monitoring reports, or falsifying any information provided therein, is guilty of a misdemeanor and may be liable civilly in an amount of up to one thousand dollars (\$1,000) for each day of violation under Section 13268 of the Water Code.

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## Lahontan Regional Water Quality Control Board

Date Distributed: December 28, 2014

### MEETING AGENDA

January 14-15, 2015

Lahontan Water Board Annex, Hearing Room  
&  
Lake Tahoe Community College

Wednesday, January 14, 2015

Lahontan Water Board Annex, Hearing Room  
971 Silver Dollar Avenue  
South Lake Tahoe, CA 96150

Regular Meeting:	3:00 p.m.
Dinner:	5:00 p.m.
Regular Meeting Continued:	7:00 p.m.

Thursday, January 15, 2015

Lake Tahoe Community College  
Board Room  
South Lake Tahoe, CA 96150  
1 College Drive  
South Lake Tahoe, CA 96150

Regular Meeting Continued – Climate Change Workshop:	8:30 a.m.
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**Note:** A quorum of the Water Board will be dining on Wednesday, January 14, 2015, at 5:00 p.m. at Scusa Italian Ristorante, 2543 Lake Tahoe Blvd, South Lake Tahoe, CA 96150. The Water Board will not be discussing anything related to the Board's authority during this dinner.

### Supporting Documents:

Supporting documents for agenda items are posted on our website at least 10 days prior to the scheduled meeting. If you wish to be added to the interested parties list for a specific agenda item, please contact the staff person listed with the item in the agenda announcement. To view or download documents, go to [www.waterboards.ca.gov/lahontan](http://www.waterboards.ca.gov/lahontan). (See note below for information on the timing for submitting comments.)

AMY L. HORNE PhD, CHAIR | PATTY Z. KOYOUUMDJIAN, EXECUTIVE OFFICER

**Submittal of Written Material for Water Board Consideration:**

Comments on individual items are welcome and encouraged. Written comments on an agenda item must be submitted on or before the due date listed in the hearing notice associated with the agenda item. Hearing notices are distributed to persons who have indicated they want to receive information about a specific item and are posted on the Water Board's web site ([www.waterboards.ca.gov/lahontan](http://www.waterboards.ca.gov/lahontan)). For items that do not have a separate hearing notice with specific due dates, written comments must be submitted at least ten (10) days before the meeting. This allows time to distribute the material to Water Board members in advance of the meeting, providing the opportunity for the members to read and consider the information submitted. Pursuant to California Code of Regulations, Title 23, section 648.4, the Water Board may refuse to admit written testimony into evidence unless the proponent can demonstrate why he or she was unable to submit the material on time or that compliance with the deadline would otherwise create a hardship. If any other party demonstrates prejudice resulting from admission of the written testimony, the Water Board may refuse to admit it. A copy of the procedures governing Water Board meetings may be found at California Code of Regulations, Title 23, section 647 et seq., and is available upon request. Hearings before the Water Board are not conducted pursuant to Government Code section 11500 et seq.

The meeting room is accessible to people with disabilities. If you have special accommodations or language needs, please contact Sue Genera at least five days prior to the meeting date at (530) 542-5414 or [sgenera@waterboards.ca.gov](mailto:sgenera@waterboards.ca.gov). TTY/TDD/Speech-to-Speech users may dial 7-1-1 for the California Relay Service.

**General Meeting Information:**

The following items are numbered for identification purposes only and will not necessarily be considered in this order. Public hearings will not be called to order prior to the time specified. It is likely that some of the items scheduled for Wednesday afternoon will carry-over into the evening session. If, due to time constraints, the Water Board is unable to consider all of the items scheduled for Wednesday, the item(s) not heard will be considered on Thursday. All Board files, exhibits, and agenda materials pertaining to items on this agenda are hereby made a part of the record for the appropriate item.

Anyone wishing to present a Microsoft PowerPoint® presentation during the meeting, using the Water Board's projector, must provide the presentation to the Water Board on either a CD or via email at least ten working days prior to the meeting. Please contact the staff person listed for the agenda item of interest.

**REGULAR MEETING: Wednesday, January 14, 2015 – 3:00 p.m.****INTRODUCTIONS****1. PUBLIC FORUM**

Any person may address the Water Board regarding a matter within the Water Board's jurisdiction that is not related to an item on this meeting agenda. Comments will generally be limited to five minutes, unless otherwise directed by the Chair. Any person wishing to make a longer presentation should request an extension from the Executive Officer at least ten days prior to the meeting. Comments regarding matters that are under development for future meetings or not within the Water Board's regulatory authority will be restricted. (See: [http://www.waterboards.ca.gov/lahontan/board\\_info/agenda/upcoming.shtml#top/>](http://www.waterboards.ca.gov/lahontan/board_info/agenda/upcoming.shtml#top/>).)

**OTHER BUSINESS**

2. **Minutes** (The Water Board will consider adopting the minutes of the Regular Meeting of November 12-13, 2014, in Barstow, CA) (Rebecca Phillips)

**REPORTS**

3. **Reports by Water Board Chair and Board Members**
4. **Executive Officer's Report** (The Water Board will not be asked to take any formal action; however, it may provide direction to staff.) (Patty Z. Kouyoumdjian, Executive Officer)
  - Quarterly Violations Report
5. **Heavenly Mountain Resort Epic Discovery Project, El Dorado County** (Water Board staff will present the proposed project and status of environmental analysis. The Water Board will not be asked to take any formal action at this time; however, it may provide direction to staff.) (Bud Amorfini)

**REVISED WASTE DISCHARGE REQUIREMENTS**

6. **\*Updated Waste Discharge Requirements for Susanville Village LLC's Susanville Mobile Home Park Wastewater Disposal Facility, Lassen County** (The Water Board will consider adopting waste discharge requirements that include a time schedule requirement for submitting a technical report evaluating discharge impacts upon groundwater quality.) (Robert Tucker)

Note: The Board will recess for dinner from approximately 5-7 p.m.

**REGULAR MEETING CONTINUED: Wednesday, January 14, 2015 - 7:00 p.m.**

**ENFORCEMENT**

7. **Public Hearing: Consideration of the Issuance of a Cease and Desist Order for Sheila M. Miner for the Discharge or Threatened Discharge of Waste in Violation of a Discharge Prohibition Specified by the Water Quality Control Plan for the Lahontan Region, and Rescission of Previously Issued Cease and Desist Order No. 6-91-591, Spalding Tract, Eagle Lake, Lassen County** (The Water Board will hold a public hearing to receive testimony and non-evidentiary policy statements. Following the public hearing, the Water Board will consider adoption of a Cease and Desist Order (wastewater from onsite wastewater disposal system) for Sheila M. Miner, owner of Lassen County Assessor's Parcel No. 077-332-42-11 in the Spalding Tract subdivision at Eagle Lake. The Water Board may adopt the proposed Cease and Desist Order with or without modifications, or reject the proposed Cease and Desist Order.) (Lisa Scorable)
8. **Public Hearing: Consideration of the Issuance of a Cease and Desist Order for Cal Family Living Trust for the Discharge or Threatened Discharge of Waste in Violation of a Discharge Prohibition Specified by the Water Quality Control Plan for the Lahontan Region, Spalding Tract, Eagle Lake, Lassen County** (The Water Board will hold a public hearing to receive testimony and non-evidentiary policy statements. Following the public hearing, the Water Board will consider adoption of a Cease and Desist Order (wastewater from onsite wastewater disposal system) for Cal Family Living Trust, owner of Lassen County Assessor's Parcel No. 077-273-40-11 in the Spalding Tract subdivision at Eagle Lake. The Water Board may adopt the proposed Cease and Desist Order with or without modifications, or reject the proposed Cease and Desist Order.) (Lisa Scorable)

**OTHER BUSINESS**

9. **Marijuana Regulatory Program Development** (The Board will hear a presentation from Cris Carrigan, Director, Office of Enforcement, State Water Resource Control Board, regarding the State and Regional Water Board's efforts to develop a new regulatory program addressing waste discharges associated with marijuana cultivation. Water Board staff will describe areas in the Lahontan Region affected by marijuana grows and associated water quality problems. The Board will not be asked to take any formal action; however, the Board will have an opportunity to ask questions and provide comments.) (Eric Taxer)
10. **Election of Water Board Chair**
11. **CLOSED SESSION\*\***
  - a. **Discussion of Significant Exposure to Litigation. Authority: Government Code section 11126, subdivision (e)(2)(B)(i).**
  - b. **Discussion to Decide Whether to Initiate Litigation. Authority: Government Code section 11126, subdivision (e)(2)(C)(i).**
  - c. **Discussion of Litigation: People of the State of California ex rel. California Regional Water Quality Control Board, Lahontan Region v. Thomas E. Erickson et al., El Dorado Superior Court Case No. SC20010089. Authority: Government Code section 11126, subdivision (e).**
  - d. **Discussion of Litigation (Petition for Review of Lahontan Water Board Action Filed with the State Water Resources Control Board): In the Matter of the Petition of the United State Department of Agriculture, Forest Service, Inyo National Forest for Review of Action by the California Regional Water Quality Control Board, Lahontan Region in Adopting Order No. R6T-2011-0009 Regarding Investigative Order for the United States Forest Service, Inyo National Forest, White Mountain Grazing Allotments (SWRCB/OCC File No. A-2151). Authority: Government Code section 11126, subdivision (e).**
  - e. **Discussion of Litigation (Petition for Review of Lahontan Water Board Action Filed with the State Water Resources Control Board): In the Matter of the Petition of Flaming Dairy, Inc.; K&H Van Vliet Children LLC; and the Pacific Gas and Electric Company for Review of Action by the California Regional Water Quality Control Board, Lahontan Region in Issuing Cleanup and Abatement Order Nos. R6V-2008-0034, R6V-2008-0034A2 and R6V-2008-0034A3 and in issuing Investigative Order No. R6V-2010-0028, all regarding the Desert View Dairy (SWRCB/OCC File Nos. A-1975, A-2089(a), A-2115, and A-2153). Authority: Government Code section 11126, subdivision (e).**
  - f. **Discussion of Litigation (Petition for Review of Lahontan Water Board Action Filed with the State Water Resources Control Board): In the Matter of the California Department of Transportation for Review of Water Code section 13267 Order No. R6T-2012-0014 dated March 29, 2012, Requiring Technical Reports for the Truckee River Water Quality Monitoring Program, Placer County (SWRCB/OCC File No. 2210). Authority: Government Code section 11126, subdivision (e).**
  - g. **Discussion of Litigation (Petition for Review of Lahontan Water Board Action Filed with the State Water Resources Control Board): In the Matter of the Petition of Pacific Gas and Electric for Review of Amended Cleanup and Abatement Order No. R6V-2008-0002-A4 Requiring Pacific Gas and Electric Company to Clean Up and Abate Waste Discharges of Total and Hexavalent Chromium to the Groundwaters of the Mojave Hydrologic Unit (SWRCB/OCC File No. 2244). Authority: Government Code section 11126, subdivision (e).**

\*\* At any time during the regular session, the Board may adjourn to a closed session to consider litigation, personnel matters, or to deliberate on a decision to be reached based upon the evidence introduced in the hearing. Discussion of litigation is within the attorney-client privilege and may be held in closed session. Authority: Government Code section 11126, subdivisions (a), (c), (3) and (e).

- h. **Discussion of Litigation (Petition for Review of Lahontan Water Board Action Filed with the State Water Resources Control Board): In the Matter of Arimol Group, Inc. and Meadowbrook Cedar, Inc. for Review of Cleanup and Abatement Order No. R6V-2013-0078 for Arimol Group, Inc. and Meadowbrook Cedar, Inc., Lake Arrowhead, San Bernardino County (SWRCB/OCC File No. 2274). Authority: Government Code section 11126, subdivision (e).**
- i. **Discussion of Litigation (Petition for Review of Lahontan Water Board Action Filed with the State Water Resources Control Board): In the Matter of the Petition of Pacific Gas and Electric for Failure of Lahontan Water Board to Amend Cleanup and Amendment Order No. R6V-2011-0005A2 Concerning Changes to the Whole House Replacement Water Program And Plume Delineation Requirements for Hinkley Compressor Station at 35863 Fairview Road, Hinkley, San Bernardino County (SWRCB/OCC File No. 2286). Authority: Government Code section 11126, subdivision (e).**
- j. **Discussion of Litigation: "PG&E Compressor Stn.; Patty and Water Board v. Shah Bains & Family & Tenants," San Bernardino Superior Court Case No. CIVDS1412703. Authority: Government Code section 11126, subdivision (e).**
- k. **Discussion of Personnel Matters. Authority: Government Code section 11126, subdivision (a).**

\*\* At any time during the regular session, the Board may adjourn to a closed session to consider litigation, personnel matters, or to deliberate on a decision to be reached based upon the evidence introduced in the hearing. Discussion of litigation is within the attorney-client privilege and may be held in closed session. Authority: Government Code section 11126, subdivisions (a), (c), (3) and (e).

### **REGULAR MEETING CONTINUED: Thursday, January 15, 2015 - 8:30 a.m.**

#### **INTRODUCTIONS**

#### **12. PUBLIC FORUM**

Any person may address the Water Board regarding a matter within the Water Board's jurisdiction that is not related to an item on this meeting agenda. Comments will generally be limited to five minutes, unless otherwise directed by the Chair. Any person wishing to make a longer presentation should request an extension from the Executive Officer at least ten days prior to the meeting. Comments regarding matters that are under development for future meetings or not within the Water Board's regulatory authority will be restricted. (See: [<http://www.waterboards.ca.gov/lahontan/board\\_info/agenda/upcoming.shtml#top/>](http://www.waterboards.ca.gov/lahontan/board_info/agenda/upcoming.shtml#top/).)

#### **WORKSHOP**

- 13. **Climate Change Workshop** (Staff will lead a public workshop to present the latest scientific findings on the expected climate change effects and explore the various regulatory tools available for adapting to and addressing the climate change. No action requested, but the Board members may give direction to staff on next steps. Douglas Smith)

## **ADJOURNMENT**

Any person aggrieved by an action of the California Regional Water Quality Control Board, Lahontan Region that is subject to review as set forth in Water Code section 13320, subdivision (a), may petition the State Water Resources Control Board (State Water Board) to review the action. Any petition must be made in accordance with Water Code section 13320 and California Code of Regulations, title 23, sections 2050 and following. The State Water Board must receive the petition by 5:00 p.m., 30 days after the date the action was taken, except that if the thirtieth day following the date the action was taken falls on a Saturday, Sunday, or state holiday the petition must be received by the State Water Board by 5:00 p.m. on the next business day. Copies of the law and regulation applicable to filing petitions may be found on the Internet at: [http://www.waterboards.ca.gov/public\\_notices/petitions/water\\_quality](http://www.waterboards.ca.gov/public_notices/petitions/water_quality) or will be provided upon request.

**Note:** A listing of pending applications for Water Quality Certification pursuant to Section 401 of the Clean Water Act may be obtained by calling:

Northern Lahontan Basin:

Tobi Tyler in South Lake Tahoe at (530) 542-5435, [tyler@waterboards.ca.gov](mailto:tyler@waterboards.ca.gov)

Southern Lahontan Basin:

Patrice Copeland and Jan Zimmerman, in Victorville at (760) 241-6583, [pcopeland@waterboards.ca.gov](mailto:pcopeland@waterboards.ca.gov) or [jzimmerman@waterboards.ca.gov](mailto:jzimmerman@waterboards.ca.gov)

The Regional Water Quality Control Board, Lahontan Region, has a home page that can be accessed on the Internet, at: <http://www.waterboards.ca.gov/lahontan>

The Lahontan Water Board will be considering many items during this meeting which may result in Board action or direction to staff. We encourage input from all people interested in a given item or issue, so that when we act, our decision is based on all available information. Although an oath is not administered in most of the proceedings before this Board, **we expect all statements made before this Board to be truthful with no attempts to mislead this Board by false statements, deceptive presentation or failure to include essential information.**

The Board encourages all people in or near a Board meeting to refrain from engaging in inappropriate conduct. Inappropriate conduct may include disorderly, contemptuous or insolent behavior, breach of peace, boisterous conduct, violent disturbance or other unlawful interference in the Board's proceedings. Such conduct could subject you to contempt sanctions by the superior court (Gov. Code § 11455.10).

The Board Chairperson may impose sanctions, including reasonable expenses and attorney's fees, on any party for bad faith actions, frivolous tactics or actions intended to cause unnecessary delay by a party or the party's attorney or representative (Gov. Code § 11455.30).

### LAHONTAN WATER BOARD MEMBERS

California Water Code Section 13201 provides for the Governor to appoint seven members to the Regional Water Quality Control Board. Each member shall reside or have a principal place of business within the region. Appointments are subject to confirmation by the state Senate.

Name	From	Term Expires
Amy Horne, Ph.D., Chair	Truckee	9/30/14
Kimberly Cox, Vice Chair	Helendale	9/30/14
Don Jardine	Markleeville	9/30/15
Keith Dyas	Rosamond	9/30/16
Peter C. Pumphrey	Bishop	9/30/15
Eric Sandel	Truckee	9/30/13
Vacant		9/30/15

### LAHONTAN WATER BOARD STAFF

Patty Z. Kouyoumdjian Executive Officer	Lauri Kemper Assistant Executive Officer and Ombudsman	Kimberly Niemeyer Counsel to the Board	Sue Genera Executive Assistant
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South Lake Tahoe Office:

- Chuck Curtis, Manager, Regulatory Compliance Division
- Scott Ferguson, Chief, Enforcement & Special Projects Unit
- Alan Miller, Chief, North Basin Regulatory Unit
  
- Doug Smith, Manager, Planning and Restoration Division
- Richard Booth, Chief, TMDL/Basin Planning Unit
- Douglas Cushman, Chief, Non-Point Source Unit
- Tom Gavigan, Chief, North Basin Cleanup and Site Investigation Unit

Victorville Office:

- Mike Plaziak, Manager, Southern Lahontan Watersheds Division
- Patrice Copeland, Chief, Land Disposal Unit
- Jehiel Cass, Chief, South Basin Regulatory Unit
- Cindi Mitton, Chief, South Basin Cleanup and Site Investigation Unit

The primary responsibility of the Water Board is to protect the quality of the surface and groundwater within the Region for beneficial uses. The duty is carried out by formulating and adopting water quality plans for specific ground or surface water bodies; by prescribing and enforcing requirements on domestic and industrial waste dischargers, and by requiring cleanup of water contamination and pollution. Specific responsibilities and procedures of the Board are outlined in the Porter-Cologne Water Quality Control Act.

Regular meetings of the Water Board are normally held on the second Wednesday and Thursday of each month. Meeting locations vary but generally alternate between the north and south basins of the region.

Recordings are made of each Water Board meeting and are retained on the Lahontan Regional Water Quality Control Board website at: <http://www.waterboards.ca.gov/lahontan/>.

NOTESA. SEQUENCE OF AGENDA ITEMS

The items are numbered for identification purposes only and will not necessarily be considered in this order.

B. AVAILABILITY OF AGENDA MATERIAL

Details concerning these agenda items are available for public reference during working hours at the Board's offices. Copies of individual agenda items may be obtained at the Board's offices after 8:00 a.m. on the Friday, twelve days preceding the Board meeting. The staff will assist in answering questions.

C. UNCONTESTED ITEMS CALENDAR

Item numbers with an asterisk (\*) are expected to be routine and noncontroversial. They will be acted upon by the Board at one time without discussion. If any Board member, staff member, or interested party requests discussion, the item will be removed from the Uncontested Calendar to be considered separately.

D. PETITION OF REGIONAL BOARD ACTION

Any person aggrieved by an action of the California Regional Water Quality Control Board, Lahontan Region that is subject to review as set forth in Water Code section 13320(a), may petition the State Water Resources Control Board (State Water Board) to review the action. Any petition must be made in accordance with Water Code section 13320 and California Code of Regulations, title 23, sections 2050 and following. The State Water Board must receive the petition by 5:00 p.m., 30 days after the date the action was taken, except that if the thirtieth day following the date the action was taken falls on a Saturday, Sunday or state holiday, the petition must be received by the State Water Board by 5:00 p.m. on the next business day. Copies of the law and regulation applicable to filing petitions may be found on the Internet at: [http://www.waterboards.ca.gov/public\\_notices/petitions/water\\_quality](http://www.waterboards.ca.gov/public_notices/petitions/water_quality) or will be provided upon request.

E. HEARING RECORD EXHIBITS

Material presented to the Board as part of the testimony that is to be made part of the record must be left with the Board. This includes photographs, slides, chart, diagrams, etc.

F. CONTRIBUTIONS TO REGIONAL BOARD MEMBERS

All persons who actively support or oppose the adoption of waste discharge requirements or an NPDES permit before the Lahontan Water Board must submit a statement to the Board disclosing any contributions of \$250 or more to be used in a federal, state, or local election, made by the action supporter or opponent, or his or her agent, within the last 12 months to any Water Board member. All permit applicants and all persons who actively support or oppose adoption of a set of waste discharge requirements or an NPDES permit pending before the Water Board are prohibited from making a contribution of \$250 or more to any Board member for three months following a Water Board decision on the permit application.

G. ADDITIONAL CLOSED SESSION

At any time during the regular session, the Board may adjourn to a closed session to consider litigation, personnel matters, or to deliberate on a decision to be reached based upon evidence introduced in the hearing. Discussion of litigation is within the attorney-client privilege and may be held in closed session. Authority: Government Code section 11126, subdivisions (a), (c)(3) and (e).