CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD

LAHONTAN REGION

DAN JARDINE, CHAIR

In the Matter of the Public)
Hearing Regarding All Items)
on the Agenda)
_____)

TRANSCRIPT OF PROCEEDINGS

Barstow, California

Wednesday, September 12, 2012

Reported by:

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Job No.:
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TRANSCRIPT OF PROCEEDINGS, taken at 2710 Lenwood Road, Barstow, California, commencing at 7:15 p.m. and concluding at 9:36 p.m. on Wednesday, September 12, 2012, heard before the CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD, reported by ANDREA M. RINKER, RPR, CLR, CSR No. 13437, a Certified Shorthand Reporter in and for the State of California.

APPEARANCES:

CHAIR:	DON JARDINE
VICE CHAIR:	PETER PUMPHREY
WATER BOARD	
STAFF:	HAROLD SINGER LAURI KEMPER ANNE HOLDEN SUE GENERA
BOARD MEMBERS:	AMY HORNE, Ph.D. ERIC SANDEL KEITH DYAS
LEGAL COUNSEL:	KIMBERLY NIEMEYER

I N D E X

I N D E X (Continued)

Barstow, California, Wednesday, September 12, 2012

7:15 p.m.

MR. JARDINE: Good evening. I have -- we have three agenda items for tonight and I would like to quickly go over them. First will be item 9, public forum. Then I would like to go back to item 4, the executive officer's report. There's some items that are relevant to item 10. And item 10 is I'm guessing what everyone is here for, public forum.

So first item of this evening -- excuse me -- 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's agenda. So if you want to speak to item 10 on the agenda, please hold off until I get to that. You'll have plenty of opportunity.

Comments will generally be limited to five minutes unless otherwise directed by the chair. Any person wishing to make a longer presentation should contact the executive officer at least ten days prior to the meeting. Comments regarding matters that are under development for future meetings will be restricted.

Is there anyone from the public who wishes to

address the board? And I would like to hold off any comments regarding item 10 until we reach that item.

Yes?

THE INTERPRETER: I would like to announce that we have Spanish interpreting available if anyone needs it.

(In Spanish)

MR. JARDINE: Thank you.

I have one speaker card for public forum. And Mr. John Turner, could you approach the lecturer.

MR. TURNER: Good evening. My name is John Turner. I'm a 42-year resident of Hinkley. I'll start off with a little comment and then I'll get to my questions and concerns.

I have to apologize first to you, the Water Board and the community behind me for staying quiet for so long because I was under the assumption that the plume was nowhere near my property. So I pretty much just took it as I was lucky and it was going to be all right.

Well, about a year ago, Hinkley comes out with this water program and they're going to look within a mile of the plume. My property lands right on that mark and they test and I test positive. Didn't know about it so I don't know how long it was there. If, in fact, that it is from the plume, I know nothing about that.

So here I am today with some concerns and

letting you all know that I'm going to be starting to talk on this and I would like for you guys to take action and to help us, the community.

One of the things I would like to address is the actual plume. I do not believe it's identified. I think that we look at the plume right now and need your help to establish a viable plume. That's what we need to do. If, in fact, the chromium in my well is not from PG&E, you won't hear from me. But if it is, we need it fixed.

I think that the -- there's a lot of Hinkley residents outside the plume and outside the mile marker that should be very concerned. And I think they would rely on you as I should have to identify these problems. Their wells could be contaminated, but no one is testing unless they do it privately.

I think it's especially important to identify north of the plume where I've heard in past meetings that levels have tested high near Harper Dry Lake way outside of Hinkley. Also, my parents who live a mile from me which is two miles from the plume, their wells are testing higher than mine, but yet, they're not being addressed.

Also, I would like for the Water Board to help or have someone outside PG&E verify the sampling of the wells. I think that's important.

I think the community wants to trust PG&E; however, in the past, things aren't there. To include myself, I trusted PG&E. I ignored -- I said "It's not me. It's no big deal." I think it's very important.

Another thing -- I would also like the Water Board to help the community out with our CAC meetings. I feel PG&E's involvement may have in the past intimidated some of the CAC members. I know at first when I started attending these meetings, I really wanted to trust what I was hearing. I wanted to believe everything I was hearing.

However, I see how these meetings are handled and I feel the talk the next morning at breakfast tables is they're going to do what they're going to do and there's nothing we can do about it. I think residents might be intimidated to come up and speak out because it's driven -- it's driven by PG&E. They're running the whole show. We walk in there, they got timelines for their agenda. And if you sit back and you look at the agenda, we can sit there and watch the same slideshows and same presentations. And I think it's important that you, the Water Board help us, help the community and maybe help us establish an advisory committee for Hinkley with your support without PG&E's involvement.

And I think we have CAC members from Hinkley

residents that are gung ho, ready to do what Hinkley residents want them to do or at least start to try things, but at the last meeting they were held back. The meeting adjourned before all but one was able to comment. So I think this is very important.

One last thing. The whole water house program, this filter system, I think a lot of residents are hesitant and that's why there was an extension on the deadline because nobody is really jumping forward on it. I think it would be very important for there to be a data stat sheet on everything to do with that filter system.

I feel that's probably the only bet. Most of the people who want to stay in Hinkley are going to have to accept it, but they need to know exactly what it's about, how much it costs, what kind of hazardous material is going to be developed, how is it going to be handled, how is -- are the children and grandchildren going to be playing around this thing, is it going to be something -- I've seen some of the buildings already with a hazardous label on it. So I think that needs to be addressed. I would like to see a data sheet. I would like to see what I may be inheriting in the future.

That's all I got.

MR. JARDINE: Thank you. I'll push on then to item 4 on the agenda, executive officer's report.

MS. KEMPER: Good evening, Chairman and members of the board. My name is Lauri Kemper and I'm the assistant executive officer for the Water Board. And as Patty -- our executive officer mentioned earlier, I'm continuing just a quick status of the actions that the Water Board has taken with regard to the oversight of the Hinkley chromium groundwater cleanup project.

First of all, I just wanted -- first thing I want to do is direct your attention to a timeline that is very far away from you. It's at the back of the room. But it's big. It's big, but it's very small from here. But that timeline provides a good history of where we've been and where we're headed for the Water Board. And the public is welcome to look at that at their leisure, but just to kind of remind folks of where we've been.

Back in 2008 the Water Board adopted a cleanup and abatement order that requires PG&E to conduct -- to prepare a feasibility study looking at the comprehensive cleanup of chromium in the groundwater in Hinkley. That was ordered in 2008. The other key feature of that order was a requirement to have no further migration of the groundwater contamination.

The feasibility study was required to be submitted in the fall of 2010. PG&E submitted that feasibility study and the staff of the Water Board began

scoping for an environmental impact report to look at the impacts related to cleaning up the groundwater in Hinkley. So it wasn't to look at the actual contamination, but to look at how to clean it up and what would be some of the associated impacts with that.

During the year of 2011, there was a lot of commenting on the feasibility study. The community provided comments, the Water Board staff provided comments. We had the feasibility study reviewed by the U.S. Environmental Protection Agency and the California Department of Toxic Substances Control and those agencies provided comments. PG&E produced, I think, three or four addendums in response to a number of these questions and comments. And each of the addenda looked at additional treatment to hasten the cleanup of chromium in the groundwater.

So that was essentially what was occurring in the year 2011. That was also the year that the Water Board issued cleanup orders requiring PG&E to provide replacement water to those affected with chromium in their drinking water wells. So many people are now receiving bottled water and there's also a requirement that individuals receive whole house replacement water.

Then in 2012, the Water Board staff has been working closely with its consultant ICF to complete the

Environmental Impact Report. And now many of you have a hard copy of that -- it's a very large document -- and many members of the public have compact discs with the entire document on their discs. We had a public meeting two weeks ago at the Hinkley Elementary School where we did describe that EIR.

So that kind of brings you to where we are today. And the -- in terms of the future, the Water Board will be making future decisions based on the EIR. So the board has to certify that document and then that document will help with future decisions on the actual cleanup goals, timelines to achieve different cleanup standards as well as further -- further actions by the Water Board to permit and regulate those activities.

The main reason I'm up here tonight is to also let you know about other things going on besides the EIR because Anne Holden of our office will be making the presentation tonight on the Environmental Impact Report.

So just to give you a heads up on some of the other things going on, as part of the settlement agreement that was agreed to last year where PG&E had agreed to spend at least $1.8 million to update the drinking water system at the Hinkley Elementary School, they have provided a report that says they now have consultants on board and they're working on design of

that system. So we received their semi-annual report and that was just a reporting requirement. The next one is due -- the next report is due at the end of January.

In terms of whole house replacement water, there are 15 -- currently there are 15 domestic wells that have chromium above 3.1 parts per billion and they qualify for a replacement water system. And under our revised order, we required PG&E to get those installed by October 15th. So those are under way right now. And in the next month or so, those 15 individuals would have some sort of whole house replacement water, either a filter or a new well.

The other thing that we did related to whole house replacement water is that we heard from folks that they were not being given the option of a deep well. So PG&E was offering them a filter system deep well or they would agree to buy their property. And we issued an order that requires PG&E to submit a report to us by September 17th that discusses the -- the options that are presented to the residents and what their responses were and what's the supporting water quality data.

So if someone was not offered a deep well option, we asked PG&E to just document the reasons why that wasn't an option for that particular individual. And usually it's because of the condition of the low aquifer in terms of the water quality condition or just,

you know, how much water is in that particular location.

And then more recently the Water Board staff -- prosecution team staff issued a draft cleanup and abatement order. This was done this summer that required two things: It required PG&E to do further delineation of the plume and it also allowed PG&E to expand some chromium contamination on the southeast edge of the plume in order to hasten the cleanup and protection on the northwest part of the plume near the school where they were going to pump water from that location, extract water and bring it back south to put into their remediation system and clean up the groundwater there.

That draft order was out for public comments. We received four sets of comments: One from PG&E, one from the consultant from the Community Advisory Committee and a couple from the public as well as a petition that was signed by several, I don't know, dozens of community residents. Those comments are posted on our website and the Water Board executive officer will be considering those comments in making the decision on how to finalize that order. So that's still under way.

And in July, PG&E submitted a work plan to install eight new wells to the north to further define the plume and the Water Board accepted that plan. We still believe there's additional wells that need to be

installed, but that's a good first step in terms of additional groundwater investigation. So that should be under way soon.

PG&E also submitted their required reports on plume containment south of Thompson Road. And they have shown in their fifth report that -- in every one of those five reports that they've submitted to us that they reflect compliance with the Water Board's order that they do have plume containment in terms of no further migration is occurring from south of Thompson Road north of Thompson Road. There is still contamination further north, but they have managed to contain the highest concentration areas of contamination.

PG&E has also submitted a plan to address manganese migration in groundwater and that plan has been accepted by the Water Board staff. And PG&E is in the construction phase right now to provide additional extraction and filtration of the water to remove the manganese.

And lastly, the Water Board -- there's also been some concern about additional agricultural units that have come into operation about some detections of uranium. And that's a concern that we heard from the community and it is something that's addressed in the Environmental Impact Report but that we are planning --

we are doing some further research to try to provide additional information on that topic.

And then we have also been attending the ongoing Community Advisory Committee meetings. Someone from our office is at every one of these meetings and we plan to continue to do that and continue to look for ways to improve, just interacting and engaging the community on this matter.

So those are my updates. Any questions?

MR. JARDINE: Questions?

No questions from the board.

I'll go on to item 10. Public hearing for draft Environmental Impact Report, comprehensive groundwater cleanup strategy for historical chromium discharges, Pacific Gas and Electric Company, Hinkley compressor station.

This is the time and place for the California Regional Water Quality Control Board, Lahontan Region to hold a public hearing on the draft Environmental Impact Report for cleanup of chromium in groundwater from PG&E's Hinkley compressor station. The purpose of today's item is to hear the key points of the draft EIR and to gather public input in the EIR's cleanup alternatives, impacts and litigation measures.

Following staff's presentation, public comments

and discussion by board members, the board may provide direction to its staff, but it will not take any formal action today on the draft Environmental Impact Report.

The order of presentation for this agenda item will be as follows: Presentation by staff; questions from board members; and comments from interested persons. All persons who wish to participate and have not yet submitted an appearance card are requested to do so now.

The board will accept any comments that are relevant to the agenda item. A transcriber is here to take down oral comments during this workshop. These comments will be responded to in writing and included in the final EIR. Also, Spanish translation is being provided at this hearing. If you wish to hear this Spanish translation, please raise your hand or approach.

THE INTERPRETER: (In Spanish.)

MR. JARDINE: Our Spanish translators and interpreters.

Gita Kapahi is here from the State Water Board's Office of Public Participation and she will facilitate the question-and-answer period to ensure that all who wish to speak have a chance to do so. Ms. Kapahi may impose reasonable time limits and may require groups to choose a single spokesperson. Spanish language interpreters are also present to help Spanish speakers

provide oral comments at this hearing.

I'll lead off with call for staff presentation.

MS. HOLDEN: How is this volume? Good.

Good evening, Chairman and members of the board. My name is Anne Holden. I'm an engineering geologist in the Water Board South Lake Tahoe office and I'm here to present item 10 which is a discussion of the public review draft Environmental Impact Report for cleanup of chromium in groundwater at PG&E's Hinkley compressor station.

MR. JARDINE: One moment. Can everyone hear?

MS. HOLDEN: Is it loud enough in the back? Good enough.

The draft EIR was prepared by Water Board staff and our consultant ICF International. And we have Rich Walter and Alexa LaPlante here from ICF to also help answer questions.

The EIR is currently out for a 60-day review and comment period. That started on August 21st and extends through October 19th. The EIR is needed because cleanup activities at Hinkley are going to be over a larger area and longer time period than previously authorized. To facilitate this expanded cleanup, the Water Board will issue new site-wide -- a new site-wide general permit and a cleanup order to PG&E.

An Environmental Impact Report is required by the California Environmental Quality Act -- or CEQA -- when public agencies take certain actions. Here those actions are the new general permit and cleanup order to PG&E.

We wrote an Environmental Impact Report because we identified potential impacts from the cleanup project that could be significant or environmentally damaging. The EIR describes ways to do the project to reduce or avoid negative impacts and it also discloses if negative impacts can't be avoided or reduced and discusses if and why the project should still be approved.

Here the project is a comprehensive remediation plan to clean up chromium contaminated groundwater. Impacts from the existing chromium contamination are not analyzed as part of the project. They're part of the baseline conditions. The existing plume is discussed in the EIR in the discussion of existing conditions, but impacts from the plume aren't included in the impact analysis for this EIR.

The goal of the project is to clean up chromium contaminated groundwater to background levels as quickly as possible, balancing speed of cleanup with environmental impacts.

The EIR looks at four main cleanup technologies

that I'm going to go over this in this slide. Groundwater extraction and agricultural units where groundwater is extracted from the aquifer: This contains the plume by drawing the groundwater towards the extraction wells. The extracted groundwater is then used to irrigate four-inch crops. As the irrigation water passes through the root zone, the chromium 6 is changed to chromium 3 in the soil and root zone where it remains in the aquifer as a low mobility and low toxicity solid.

In-situ treatment involves injecting a carbon source such as ethenol into the aquifer. In-situ means in place, into the aquifer. In this process, the carbon also changes or reduces the chrome 6 into chrome 3 where, again, it remains as a solid in the aquifer.

Aboveground treatment, also referred to as ex-situ treatment in the EIR -- that involves extracting water from the aquifer and then running that water through a treatment plan where you can use different types of technology to then remove the chromium in the treatment plan. The chromium can be disposed of offsite and the treated water can be reinjected back into the aquifer. And this removes all forms of chromium from the aquifer. It doesn't leave chrome 3 as a solid in the aquifer.

And last is freshwater injection where fresh,

uncontaminated water is injected into the aquifer to create a barrier in the aquifer or a hydraulic mound to direct the plume in a different direction. And this is what is being used in the northwest area near the Hinkley School to keep the plume from moving in that direction.

So the EIR considers six different alternatives. The first alternative is known as the no-project alternative and this would mean that no new permit would be issued to PG&E by the Water Board, no new cleanup order. We would continue remediation under the previously authorized permits that we have in place. This alternative does not address the full extent of the plume, but it's required by CEQA for comparison purposes.

Then we have five action alternatives and those would involve the Water Board issuing a new permit. So they involve more action than the no-project. These are termed 4-B and then 4-C-2, 3, 4 and 5. These alternatives were developed in 2011 and 2012 based on public agency and Water Board input. And all of these alternatives use various combinations and intensities of those four cleanup technologies that I described in the previous slide.

So all of the alternatives have three technologies in common: The groundwater extraction and agricultural units, fresh water injection and in-situ

treatment. Alternatives 4-C-3 and 4-C-5 add the aboveground or ex-situ treatment to the mix. And the difference is -- between the alternatives is in the scale and intensity of how these technologies are applied across the landscape.

So these five alternatives were chosen for the EIR because we heard back in December of 2010 when we started the scoping process for this EIR that the original feasibility study alternatives that were submitted in the August 2010 feasibility study by PG&E all took too long to clean up the plume.

We also heard that groundwater extraction rates need to be maintained year-round to ensure plume containment instead of just in the summer during the irrigation season. The public expressed interest in an alternative that removed all forms of chromium from the high-concentration area near the compressor station. There's where alternative 4-C-5 came from. And then these alternatives were also chosen to show the full range of tradeoffs between cleanup times and impacts from remediation.

When you read the alternative, you'll notice -- when you read the EIR, the draft EIR, you'll notice that there is no preferred alternative stated. We decided to take the approach of looking at all the alternatives in

equal detail rather than just choosing one preferred alternative and then giving lesser attention to the others. And we decided on this approach to have maximum flexibility to choose any alternative that's presented and also so that the public and the board could be fully aware of all the impacts associated with each alternative. So public input on the balance between cleanup time and acceptable impacts will be very key.

So there's over a dozen environmental resources that are evaluated in the EIR. They're listed here. Tonight I'm just going to focus on these three that are underlined: Water supply, water quality and biological resources. That's because these are the resources that we've identified potentially significant impacts to so I feel like it's most important to focus on these.

So for water resource impacts -- that includes water supply and water quality -- we considered the impacts in two different ways. We considered impacts that would affect water supply well users and we also considered impacts to the aquifer itself. Because even if the groundwater in the aquifer isn't currently supplying a well, it's still affected if it's impacted due to remediation. So we looked at two ways of the water resource impacts.

For water supply, two key impacts are

groundwater drawdown due to increased agricultural units and pumping, groundwater extraction for those activities to contain and clean up the plume with lower groundwater levels over current conditions. A related impact to that is aquifer compaction where if the groundwater has been drawn down enough, the pour spaces in the sediments and the aquifer that hold the water can collapse and they may not be able to hold water again. So it would result in a loss of aquifer storage capacity.

Walter quality impacts: Irrigated agricultural units will increase total dissolved solids, TDS and also possibly affect uranium. We have very limited data on the impacts of agricultural units on uranium, but we have taken the approach of going ahead and identifying that as a potentially significant impact.

In-situ treatment also increases byproduct formation in the aquifer such as manganese, iron and arsenic. And then remediation activity such as injection for the in-situ treatment or irrigated agricultural, particularly near the plume boundaries, can result in a temporary bulging of the plume during remediation. So we've identified this as an impact.

For biological resources -- that's wildlife and plants -- we have a loss of habitat possibly due to more agricultural units and expanded treatment facilities in

the valley. These expanded agricultural units could limit tortoise migration and movement through the valley and also wildlife could be disturbed or killed during construction or operation of remediation facilities. These are all impacts identified to biological resources.

So with this chart, what I want to show is the relationship between how fast these different alternatives go to achieve cleanup and what the relative ranking of impacts are.

So across the top row I have all the alternatives listed. The second row, I've ranked the alternatives relative to each other to the fastest -- the option that achieves cleanup the fastest gets a 1, the one that's the slowest gets a 6. So you can see alternative 4-C-4 is the fastest and the no-project is the slowest. It gets a 6.

Then we look at the impacts associated with these alternatives, the key impacts only that I just discussed and rank those impacts across all the alternatives. And you can see that the fastest alternative also gets the highest average impact rate ranking and the no-project alternative gets the slowest of 1. So that's an example of the tradeoffs of speed and impact.

And with this chart, I just wanted to pick out a

couple of the key differences in the alternatives that drive those impacts. So I chose three different elements of each -- of the -- each of two alternatives, the fastest action alternatives and the slowest action alternatives. That's over here.

And then if you look -- I chose agricultural acreages, groundwater extraction rates and whether or not they had aboveground treatment. So you can see with alternative 4-C-4, the fastest action alternative, it has quite a bit more agricultural unit acres than the slowest. It also has the higher groundwater extraction rate which would increase drawdown and compaction impacts.

And then aboveground treatment, incorporating that into an alternative actually reduces the impact due to in-situ byproducts because you don't -- if you're not using as much in-situ remediation, you won't have as much byproduct. So those are just three of the kind of key drivers of what makes one alternative go -- have the higher impact ranking.

This chart here is another way to look at speed versus impact. And here we're looking at agricultural acreage on the vertical access. So you can imagine that as more acreages are added, that's a higher impact. Then on the horizontal access, we have how many years it takes

to achieve 3.1 parts per billion. Again, you can see that as you go over to the right you have more years added. So 4-C-4 which is the one that achieves 3.1 the soonest has the highest amount of acreages. 4-C-3, 2 and 5 are quite similar on the acreage impact and 4-B has the least.

So now we're going to discuss the mitigation measures that will reduce or avoid some of those impacts that I talked about in the previous slides.

For drawdown, as that affects supply wells, there's a mitigation measure that requires PG&E to provide alternate water supplies for wells that are affected by drawdown due to remediation. To avoid impacts to the regional aquifer, there's a requirement that PG&E purchase water rights to avoid exceedance of basin-wide water withdrawal limits that are set by the Mojave Water Agency.

For the aquifer compaction impact, again, for supply wells that are affected by compaction due to remediation, there is a mitigation measure requiring alternate water supply. For the aquifer itself, a permanent impact to the aquifer in places could be unavoidable. We don't have a good way to mitigate aquifer compaction if it does occur.

The EIR analysis shows a low chance for

compaction due to pretty widespread historic drawdown levels in the Hinkley Valley and also the aquifer materials are pretty course grained in many places. That makes the aquifer less susceptible to compaction.

The analysis in the draft EIR now discusses that north of Thompson Road there could be more potential or compaction to occur because the data we had then when we released the EIR had indicated there was less historic drawdown. We have found some additional data that may suggest that area actually has be subjected to additional drawdown and we'll incorporate that into the final EIR, but I believe this impact will still remain significant and unavoidable if it were to occur.

For water quality impacts to supply wells, there's a mitigation measure to require PG&E to avoid impacts through monitoring and preventative measures such as changes in pumping rates, changes in injection rates. If this impact can't be avoided, however, because it would either slow down the remediation unacceptably or for other reasons, then that requirement to provide alternate water supplies for wells affected by plume bulge, any remediation byproducts -- that mitigation measure would come into play.

For the aquifer itself, it will be temporarily impacted during remediation. For instance, when you're

injecting the carbon near the -- in the injection points, you're going to have byproducts in that area and that can't be avoided. That's the cost of the remediation. There is a requirement, however, for water quality in the aquifer to be restored to pre-project conditions related to byproducts after the project is finished.

And for biological resources, we have many mitigation measures. Some of the key ones have to do with clearance surveys, employee training, relocation protocols to limit impacts to wildlife; also, a requirement to set aside habitats to compensate for loss. The restriction of tortoise migration quarters through the Hinkley Valley due to increased agricultural units is very difficult to mitigate. We've identified this as a significant and unavoidable impact. It will depend on the extent and layout of any agricultural units that go in.

So this is a really thick document and I just wanted to outline a couple of the sections that I found very useful in reading this. Of course, the executive summary is a great place to start. At the beginning of chapter 3 -- the resource sections in chapter 3, each section has impact and mitigation summary tables that are really useful just to get an overview of what the impacts to that particular resource and the mitigation measures

are. And then chapter 4 has three useful sections in 4.6 that compare and evaluate the environmental -- all the alternatives and the impacts together in a really comprehensive way that's quite useful.

So for the Water Board's consideration while reading this document, things to consider are are the impacts fully described; are there any other mitigation measures needed; and is there a preferred alternative or preferred road forward in the final EIR to get the board's wishes on speed of cleanup versus level of impacts documented. And, of course, public and agency input will be very helpful here.

Again, comments are due by October 19th and this is my contact information. You can send the comments to me. This information is on the EIR fact sheet that's available at this meeting. Handouts of this presentation are available as well and it's also on our web page.

And with that I'll take questions.

MR. JARDINE: Questions from board members? Dr. Horne? Peter?

MR. PUMPHREY: I would rather hear the community.

MR. SANDEL: No, not yet.

MR. JARDINE: I also would like to hear from the community.

MS. KAPAHI: Thank you. Good evening. Once again,

my name is Gita Kapahi. I'm the director of Public Participation for the State and Regional Water Board and I'll facilitate this portion of this hearing.

I got a number of speaker cards. The board chair has said that normally we limit comments to five minutes; however, I'll allow a little bit of latitude because we are here to hear your comments. If you could keep it down below five minutes, it would be appreciated, but I'm not going to cut you off. But within reason, please.

I'll call you in order. If you could please come up and make your comments known, that would be appreciated.

I'll start with John Quass.

MR. QUASS: Good evening, board. Thank you for being in our community and taking this time to listen to our concerns.

Serving on the PG&E CAC, we've put a lot of hours and time into this EIR trying to look at it. And it's quite a time-consuming volume. Personally, I've still got a long ways to go. But the EIR is very important to us in that we -- we got to keep pushing ahead. We got to keep moving.

And so if this EIR is to your pleasure to pass it, we would ask that you would leave some liberties in.

Where they can be amended is technology as new information comes forward so that the process of remediation can move forward. And therefore, I support what I've seen so far of it in it being passed.

Only one problem that we have is that the time for comment -- it sure would be nice if you gave us an extra 15 days on the deadline. We just -- we've just kind of really run up against it and we're trying to get all the way through the program. Thank you.

MS. KAPAHI: Thank you. Next I have Ian Webster followed by Evelio Hernandez.

MR. WEBSTER: Good evening. Good evening. Thank you Mr. Chairmen, the rest of the board members for letting me make a few brief remarks.

My name is Ian Webster. I am the IRP, Independent Review Panel manager for the Hinkley Community Advisory Committee. I've been in this position since early March and I've been helping the CAC understand the project better including this major document, 1002 pages of the EIR.

As a -- professionally, I'm an environmental engineer for about 30 years. I run an Asian (inaudible) environmental firm. That is what I do for a living.

The EIR is much needed in the project. The CAC understands the critical path and nature using

engineering power in this document. We can't get to plume definition, extra work in the plume area until this document is approved.

By way of understanding the CAC itself, the Community Advisory Committee stands an independent body that is supposed to provide technical input to PG&E on the complex technical issues of this project. So my role is to basically try and understand and define what PG&E is doing, translate it into a form that my clients and the community and community advisory members can understand, make presentations, take their input and feed it back to PG&E. That process has been on with its ups and downs for the past four or five months, but the CAC, process in my opinion, is working. Nothing it perfect, but it's working.

So in the spirit of that, here is some very general remarks about the EIR going ahead.

So we do thank you for issuing this EIR. The CAC and the community have been waiting for this document for a long time. It's always been one more step over the horizon with the EIR on the street in a flexible engineering form that can be adopted and approved right now. Even though we understand the final cleanup goal is not yet adopted, as long as the EIR is flexible enough, it is a living, working document that can be amended down

the line to basically meet the eventual cleanup goal that can be set. There's a lot of work to be placed eventually to set that goal, but with a flexible EIR of which I think this is, this is a major step in the right direction.

The -- the full -- the desire to move rapidly, obviously to comply with all regulations on a full-scale remedy is on the tip of the tongue of every community member. I think probably the community behind you tonight will come forth in allegiance saying clean water now as fast as possible and please pick a protective remedy.

So here are some details: I think that the -- personally as an independent manager for the CAC, what the community wants is progress. And progress can be achieved through this document. It has reviewed a number of alternatives in trying to balance the need for speed in the remedy, i.e., not hundreds of years to meet the chrome safe ultimate goal, but decades. And I think this document does that.

In the same time, when you take any environmental action, the impacts on the environment have to be assessed and mitigated. And I think from my initial review of this document, is does that competently. And I'll show a graph in a minute that

tries to show the balance between speed of cleanup and environmental impacts, very close to what Anne already showed.

The second bullet there which basically is the push for progress and the approval for EIR now -- again, to reiterate my remarks, there's been a lot of discussion within the community about how -- it's the chicken and egg situation. Do we have to require to establish a cleanup goal or a standard before you do the EIR which basically discusses the remedies, doing the requirement to get that done before the EIR is done.

The answer, from my perspective, is an emphatic "no," especially from the way the documents have been produced right now. This document can move along for the job. Like I said, a living, breathing document can take the tools that can follow the project so that the affects of the project can be mitigated as it moves ahead towards the final cleanup goal.

So the last bullet there, basically the CAC does endorse a flexible, agreed Water Board enforcement approach using an EIR that basically uses possible amendments and an ultimate CEO (sic) that possibly can be amended down the road.

The key thing that I've seen also from the PG&E engineering approach here is that the word "adaptive

management" has been used many, many times especially in the feasibility study. Adaptive management basically means as your information is gathered as ongoing remediation is going on, the actual remedial approach is flexible enough that it could be expanded or contracted or change to meet the changing conditions. That's a very important three or four words there in the PG&E approach. As an engineer working on many projects around the country, that is a powerful tool to have in your toolbox.

So in conclusion and to add kind of a cherry on the cake here in terms of my remarks, this is all very qualitative. And it is -- again, early comments on this -- John Quass who is the chair of the CAC who spoke a few minutes ago who is requesting an extra 15 days of possible review, I would thoroughly endorse that that is required given the voluminous document. As the IRP manager on behalf of the CAC, I intend to submit written comments to the Water Board on the document.

So in general, I think the document as written -- and I've tried to (inaudible) here the chrome 6 cleanup time, there is a number of agricultural treatment units. One of the major horse-powered techniques in the six-mile-long, two-mile-wide plume is the use of the land treatment units -- basically take the chrome 6 to chrome 3.

So a major variable in terms of its impact on the environment is how many of these do you have. And Anne, actually, by, again, great coincidence showed that nice graph of basically the acreage versus the time of the chrome 6 cleanup so I guess we're thinking similarly.

So what I've done is conceptually applaud the speed of cleanup time versus the number of ag units. And obviously, if you have a large number of ag treatment units and thousands of acres and land treatment, you will get a decade's-like cleanup time. However, because of the amount of impacts that generates, you get this blue line rising which obviously the Environmental Impact Report looks at.

So in general, the EIR is trying to balance an engineering judgment between speed of cleanup and the overall environmental impacts on the environment even though some of these can be mitigated.

So in my overall general conclusions -- 15 days or so into hopefully the 75-day comment period as opposed to 60 -- is that there's a balance in here between probably 8 to 12 ag units is the appropriate acreage. And I think that's the sweet spot that this EIR should be heading towards.

So that concludes my remarks. Hopefully I've helped you out in your analysis yourself and I'll be

happy to take any questions before I sit down.

MR. JARDINE: Dr. Horne?

Thank you.

MR. WEBSTER: Thanks for your time. I appreciate it.

MS. KAPAHI: Next I have Evelio Hernandez followed by Penny Harper.

Can I ask when you come up to the microphone, if you can please state your name and then spell it for the assistance of the court reporter that we have here this evening. Thank you.

MR. HERNANDEZ: Thank you for listening. I agree with the EIR report.

MS. KAPAHI: Could you state your name please, sir, and spell it.

MR. HERNANDEZ: Sorry. My name is Evelio Hernandez. I'm a community resident. I'm part of the -- CAC member also. My name is spelled E-v-e-l-i-o H-e-r-n-a-n-d-e-z.

Okay. I like the idea of going forward with all this stuff. There's some things that I don't agree with, but I do like -- a thousand pages is kind of hard. I'm not a reader so it's going to take me a while.

But I like the idea of progress. You know, it's very important. I don't like the fast options that they have because they'll mess up too many things. So I'm kind of in the middle where I think you need to do

something that's kind of slow. I agree with the water program that they have in place to temporarily get people separated from the chromium 6.

But a lot of the things that have been going on since -- the impact of this environment, the social impact of this, we've lost probably 3,000 people from like 1970 to now out of the community. They're gone. And this all started back in 1952. So we have a hard time as community members where they say they've used the 3.1 number as a level to just this is what we're going to use so we can have something to go by. But for so many years, from 1952 to roughly the '90s at least, maybe the 2000s, there was no data that shows where the chromium came from or which one is PG&E and which one isn't PG&E's.

One of the other things that happened during this time -- there's a 3-A amendment in there that says -- what it does is it tries to prove which chromium 6 is PG&E's and which one is natural. That was suspended. And it was done with no -- nobody asked the community anything. It was just done between the Water Board and PG&E.

And I think that should be put back. We need to find out which chromium 6 is PG&E's and that's what they need to be responsible for. One of the fears that I have

is if the state comes back in a couple of years and says hey, 5 percent is good, then they just walk away and say hey, whether it's theirs or not. They should be responsible for what is theirs.

And that's something that I kind of think that, you know, somebody scratches my car. And if they say hey, a two-inch scratch is okay. Well, no, you got to fix the whole fender, not just -- you know, everybody says no, that's okay. No. If you have insurance or whatever that says it's going to take care of everything, then it should take care of everything, not just send it to this guy and then send it to this guy because they're going to slap it together and here you go.

Our community has died, I mean, big time. And we have issues as far as, you know, whether it should be a property -- a property purchase or not. My opinion and a lot of people's opinion is that it should go hand in hand with this cleanup. You know, it's going to take 26 to 40 years from what I'm understanding to clean this up with whatever method we go with. So people should have an option.

None of the members here on this board can tell me what they're going to be doing in 26 to 40 years. Where are you going to be? One of my biggest things is if I die in five years, what am I leaving my kids? I'm

probably the last person that has built something in Hinkley. I came to live with my neighbors that I've known for more than 15 to 20 years. They live on both sides of me and now they're gone. So I've spent a lot of money. I had my house paid for and now I couldn't sell it unless it's to PG&E. And they want to cut that program out and I don't think it's right.

So we as a community don't have a lot of ways to implement things against PG&E. I think they're trying. But they're always trying as long as it fits their agenda. You know, if PG&E would have came in back when this first Erin Brockovich thing broke loose and everything happened and they came and they addressed the whole community and said, you know what? We're going to build a water system and we're going to supply water to everybody, it would have disconnected everybody at that point in time and they could have took forever to clean it up. But everybody would have been safe, we wouldn't have lost the 3,000 people. You know, we still wouldn't be losing people now.

One of the things that I bring up is my property value is gone. You know, it's in half. And people say well, it's gone for everybody. No. When I had -- when I built my house a couple years ago, it was paid for. And any other property that I have gone to get an equity line

on, I've never had to produce is your water okay. I've never had to do that. I had to do it this time. And I've got a small portion of what I can use now because of this -- the property value is gone.

I mean, it's a social thing where I tell people if it was -- if my house was somewhere else -- my daughters are getting to the point right now where they can get married. They both graduated from college and this and that. You know, having your house paid for is -- one of the things that most people at this time will borrow money to pay for a wedding, borrow money to maybe give them money to buy a house themselves.

I would have liked to have had them near me. I don't want them to buy property next to me, you know. I can't in good conscious tell anybody to go out and buy property in Hinkley right now. And this agenda -- part of it -- the way it impacts people and the issues that I have, that's my personal issue.

But I know people that bought property out there. And the agenda and criteria that they set -- let's say you have property. I know people that have property out there and the property -- they can't do anything with it. They can't get a loan, you know. They can't build anything on it. But at the same time, since they don't have a well or a residence on that, their

property is paid for, they can't sell it to anybody either. Their hands are tied. They're locked up.

So, you know, the agendas and the criterias that are set sometimes aren't for the community. I agree to this whole house water system as a short-term solution. But I haven't heard anything for the long range like the water system.

And when they brought it up -- and it was one of the things that I've been shouting about for about a year and a half. But it was neglected and taken off the table -- not by us, but by them -- because it wasn't feasible. Well, it wasn't feasible because of the plume. Well, they're only dealing with this small area in a mile.

When I think of the community of Hinkley, I think of the whole zip code. You know, this is -- it's like you hear Beverly Hills, you think of, you know, Hollywood and all the stars. You think of San Diego, you think nice climate. Someone says Hinkley -- whoa. Step back. It's contaminated water, we don't want nothing to do with it.

But PG&E has only been -- like I said, the data that they have, they have nothing from 1950 up to a certain point. I agree that everything that they've been doing from like 2005, 2007 is really well. They have

thrown a lot of money at this. But I think if they would have thrown the money at a water system, it would have helped the community as a whole a lot better. You know, it would have saved our community.

And I'll get up and I'll speak for a lot of people in a lot of different ways, but these are the kind of issues. And we as the community really don't have a way to enforce anything. And that's one of the things that -- I would like that three-day to go back and be reinstated. I think that's very important. They need to be responsible for what they caused for however long it takes.

You know, but we have to have that. If you want something to grow, you have to start with the proper foundation. And the proper foundation to me seems that you have to disconnect everybody, but the -- the thing about the filtration systems -- no one really knows how much they cost. And if this five-year term comes along, then they can, you know -- they can -- we don't know what's going to happen exactly after five years.

And I thank you for listening and I appreciate it.

MS. KAPAHI: Thank you.

Penny Harper followed by John Coffey.

MS. HARPER: Good evening, Water Board. I hope you

enjoyed your trip here to the Barstow area. I'm Penny Harper, P-e-n-n-y H-a-r-p-e-r. I'm a Hinkley resident and former Citizens Advisory Committee member.

I'm speaking for my neighbors north of Hinkley. We live five miles north of the Hinkley School. One neighbor on Friend Street told me Monday, September 10th that PG&E sampled the well water in July. He got the results: 4.1 parts per billion. And he said that his neighbors living on Sunset Road had their water tested by PG&E and the results were all 3.8 parts per billion. These streets are northwest of the current plume boundary as delineated by PG&E on their maps.

If PG&E adheres to the Water Board order of July 25th of this year to consider domestic well sampling results, the plume boundary at the north end should be extended immediately. This will give these residents the option to apply for whole house water replacement, deeper wells or have PG&E buy their property.

Also, shouldn't the USGS be involved in this chromium 6 issue? Could PG&E set up an escrow account to pay for their services?

I think this also -- while I have your attention since you -- the Water Board formed the Citizen's Advisory Committee, I would like to mention that I think that the CAC should be chaired by one Hinkley citizen.

If the citizens of Hinkley are to advise PG&E, it seems like a conflict of interest to have a PG&E co-chair. PG&E, of course, should have a representative on the committee and currently that is PG&E engineer Kevin Sullivan and he's doing a good job.

Back to the EIR: I ask the board to please pass the EIR as soon as possible so PG&E can go ahead with the full remediation methods to remove the chromium 6 from the Hinkley groundwater. The negative impact on the health of Hinkley residents has gone on too long and the plume is moving north at a rate of five -- two feet a day as we speak.

Thank you.

MS. KAPAHI: Thank you.

Mr. Coffey followed by Roy Haefele. I may have said that wrong and I apologize.

MR. COFFEY: Good evening board -- good evening, board members. My name is John Coffey and I'm sure some of you are not happy to see me here again.

I need to make some disclosures about my appearance tonight. I'm a member of HealthHinkley.org, but I am not here representing them. I've also represented the Defenders of Wildlife in a number of hearings here and other places on other projects, but I am not representing Defenders of Wildlife tonight. I'm

also the endorsed democratic candidate for the 33rd Assembly District, but I'm not here in that capacity tonight. The opinions that I express are based on public records, my own research and I am solely responsible for their content.

I would like to go back in time for just a few years when the remediation plan was adopted. It was an ill-advised plan. And the board was informed formally with an appeal of what the problems were with the remediation plan of how injecting this massive quantity of fluid into an aquifer was going to cause more trouble than it could ever solve.

An aquifer is an active, living thing. The water comes from the north and from the west and it flows through the rocks and it moves south and east. It is an active thing. There are dynamics. There are electrolysis, there are pH values. There's a lot of energy involved in an aquifer. And you just can't stick a hose in it like a hot air balloon or an helium balloon and expect bad things not to happen. And you didn't do your due diligence on the plan that was proposed by PG&E even though you were advised.

Now, procedurally after a good deal of time, the appeal was withdrawn but for reasons that had nothing to do with the merits of the appeal or the science that the

appeal involved. Therefore, the board and, by inference, the State of California is in pari delicto with Pacific Gas & Electric for a new release of not only chromium 6 but arsenic, manganese and uranium.

I will leave that to the legal system to sort out and it will be sorted out. But under the circumstances, since you have through neglect or lobbying or whatever reason you did not take seriously to form an appeal, you are in pari delicto and therefore you must recuse yourself from any further consideration because you're just as guilty and Pacific Gas & Electric for what has happened now.

There is no shortage of agencies that would be happy to step in and finish this appropriately. Environmental Protection Agency comes to mind right away. They're really good at this and they don't have the problems dealing with Pacific Gas & Electric that the State of California by the evidence I've seen seems to have.

If you are unable or unwilling to recuse yourself or ask a court to relieve you of your responsibilities in this matter, then it is my intention to introduce into the assembly or cause to be introduced into the assembly to require this recusal.

Now, deeper wells. To drill a hole in the

ground, to go from the upper aquifer into the lower aquifer expecting to get better water -- well, all you're going to have is seepage and transfer of water from the upper aquifer into the lower aquifer and so you're going to have a bigger mess. So the deeper wells will only exacerbate the current problem.

Now, we have all this arsenic and uranium floating around now. That's a federal issue. You start talking about neutron sourced radiation and here come the feds sooner or later. Hopefully sooner. And this must be remediated along with all the other problems that have been caused by this ill-advised remediation effort.

Now, PG&E caused the property values to go below zero. They should be compensating homeowners at the point in time before the problems became public knowledge and the banks started redlining the whole community.

PG&E also purchases the water rights. Every person here who has a home in Hinkley has the right to ten acre-feet of water on their property. That water has a value. I would propose that that value is probably $20,000 per acre feet.

PG&E is going to be the largest single water owner -- water right owner in the western Mojave. Are they going to take a loss? No. They're going to remediate the water for about $400 an acre-foot according

to the proposal that I've seen. So they're not going to lose any money compensating homeowners for the lost water rights that the homeowners are giving up.

These whole house systems that are proposed -- at best they can do two acre-feet a year which means that the homeowners do not get the benefit of the full ten acre-feet if they wanted to use it. So these water rights must be adjudicated separately.

If PG&E wants to buy the house and the land, fine. But the homeowners should be entitled to keep the water rights because some day that water is going to be worth money even if PG&E doesn't want to pay them what it's worth now. $20,000 is a figure I got out of Las Vegas.

And, of course, when we're looking at the endangered species eradication plan, these things always turn into the tortoise loses again, the kangaroo rat loses again, the French toad lizard loses again. And the lost ratio for relocating a tortoise from some place he's been living for 250,000 years is about 90 percent by the federal plans that have -- they have attempted to implement these plans. And in the first year there's a 90 percent loss. That's not relocation. That's eradication.

And that's exactly what developers want. They

don't want to have to deal with the endangered species. They want them all gone so that they don't have to do this.

So in conclusion, it's time for the EPA to step in and deal with these problem quickly and appropriately.

(In Spanish)

MR. COFFEY: Thank you very much.

MS. KAPAHI: Next I have Ray Haefele followed by Bobby Morris.

MR. HAEFELE: Hi. My name is Ron Haefele, R-o-n H-a-e-f-e-l-e. I am from the Hinkley Uranium Contamination Fan Club. I'm not going to take too much of your time. I'm just going to read a brief statement.

I would like to address the widespread uranium and radio nuclei contamination of Hinkley's groundwater. I do find it encouraging that the Lahontan Regional Water Quality Control Board has recently brought --

THE REPORTER: Sir, a little slower please.

MR. HAEFELE: Okay.

THE REPORTER: Thank you.

MR. HAEFELE: -- has recently brought the presence of uranium in Hinkley water at levels that far exceed current USEPA maximum contaminant levels into the public arena. It is troubling, however, that the board claims this situation was discovered only recently and they have

very limited data as to its extent when, in fact, they have had knowledge of this existence for almost 20 years.

I would like to read a quote from an article that appeared on the -- page 1, July 30th, 1993, Desert Dispatch and it was titled "High levels of uranium found in Hinkley well."

"Hisam Baqai, supervising engineer for the Lahontan Regional Water Quality Control Board said he was not aware of the find." 1993, people.

I had many subsequent conversations with Mr. Baqai after this story went public informing him of the progress of the area-wide testing that the discovery of the uranium prompted the Mojave Water Agency to undertake. The results of that testing -- which Mr. Baqai was keenly aware of -- conducted in August 1993 showed varying unsafe levels of uranium present in groundwater throughout the Hinkley valley. There were also measurable levels of beta radio nuclei activity detected in every well tested. Beta activity is only present when the source of radioactivity has been created, altered or enhanced by man's activities.

The simple bottom line is this is not natural. There's a point of origin. There's a party who created it and they must be held accountable just as PG&E is being made held accountable for chromium 6. It's not my

intention to impede or diminish the necessity of the (inaudible) chromium mitigation. It's been way too long and coming. But in reality, won't it be an exercise of futility to focus on it if we know there are other contaminants out there that are dangerous to others?

This cleanup plan needs to be expanded to encompass all contaminants that are present. And the final Environmental Impact Report must be modified to be very clear on that.

Let me conclude with a blunt assessment. I believe that the Lahontan Regional Water Quality Control Board knows much more about the radioactivity issue in Hinkley, California than you're letting on. And I'm serving notice that I am going to take every opportunity to use the information I've obtained in the last 20 years and anyone who will listen to me, I'm going to state my case. You are part of a cover-up and it's gone on far enough.

You know, the gentleman before me was talking about the endangered species. The endangered species we need to be worried about are the people of Hinkley, California. You may find this -- my biggest hope after making such an accusation is that you can prove me wrong. It really is.

And anyone interested in learning more about the

Hinkley uranium groundwater contamination can go on Facebook to the Hinkley Uranium Contamination Fan Club under groups. Thank you.

MS. KAPAHI: Sorry. Bobby Morris and then I would like to ask the board --

We're about halfway through the comments. Would you like to take a five-minute break or are you good to continue?

MR. JARDINE: No break.

MS. KAPAHI: Thank you.

MR. MORRIS: Hello. My name is Bob Morris. I've lived in Hinkley since 1960. Morris is M-o-r-r-i-s.

My only concern tonight is that not all the wells in Hinkley are being tested. Anybody that's in the Hinkley area should have their well tested. PG&E should have a part in that.

And this is what I was going to ask you to do is to have every well tested. Then you can have a real plume instead of a line on the map and we're not going to go a mile from here and that kind of stuff. Give up on the bull on this and go ahead and test them all.

Thank you.

MS. KAPAHI: Roberta Walker followed by Dan Hendrickson.

MS. WALKER: Hello. My name is Roberta Walker. I've

lived in Hinkley for over 35 years.

Myself and many people in the community have concerns about the CAC, Community Advisory Committee. We are very intimidated by the way PG&E directs the course of every meeting. Direct questions are never really answered and the people are intimidated to speak their concerns because of PG&E's presence.

And why is there a PG&E employee on the CAC? Why isn't there an independent facilitator on the CAC when we asked for one? Also, PG&E are not allowing us to receive our ion (phonetic) exchange unit if we intend to discuss ion with them even though it is under order by you.

Thank you.

MS. KAPAHI: Mr. Hendrickson followed by Peter Lloyd.

MR. HENDRICKSON: Good evening, members of the board, citizens of Hinkley. I'm Dan Hendrickson. I'm an energy and systems engineer. The reason we have -- and my associate Peter Lloyd. The reason we have an interest in Hinkley's predicament is that we have a technology that we represent which was rejected in the draft EIR because of its potential cost.

We've run some numbers on that and we have a report that is going to be given to you concerning that. There's not been enough time for me to give a

presentation we had hoped to give, but the bottom line is this: The technology is electrocoagulation. It is superior to chemical coagulation and was chosen as one of the options in alternative 4-C-5.

And in other cases, electrocoagulation has been used to displace chemical coagulation because it is much less demanding on the environment. And in this particular case, the treatment times would range from about 40 seconds for 10 parts per billion up to about two and a half minutes for 3,500 parts per billion.

The difference between this chemical coagulation is that the solids that come out are converted to a chromium oxide which is essentially chromium ore. And they will not go back in solution except if it's in an acid. The bottom line is the solids can go back on the ground. They don't need to go -- they don't need to go through a clarifier, they don't need to be hauled away to a landfill. And in many cases, these solids for metals and other contaminants have been used for ground covering.

So what this means is that your treatment is quite quick. The 600-gallon-per-minute system fits into a 40-foot container. The numbers that we came up with -- we're going to -- 3.1 parts per billion are on the order of 3 -- pardon me -- 2 and a half -- 2.2 years for the

most concentrated plume and for the secondary plume that is between 10 and 50 parts per billion. It would be 1.4 years.

What this would allow you to do is pull water out of the aquifer and put it back into the -- essentially the same part of the aquifer. It would not change your mass balance on the water. It would not give you a lot of problems in transporting it when you clean up the upper most concentrated plume. That clean water can be used in lieu of fresh well water and I think that your solution could be done quite rapidly compared to the other alternatives.

If there's any questions or anyone that wants to talk about this, I'll be available after the meeting. Thank you very much.

Oh, one other thing is that electrocoagulation also removes uranium and nucleis changes the uranium to uranium oxide. It takes out all of the material that is contaminating the aquifer underneath the desert dairy and so it's a general purpose cleanup system for aboveground treatment.

Thank you.

MS. KAPAHI: Thank you.

Peter Lloyd followed by Aquilla Halstead.

MR. LLOYD: My name is Peter Lloyd, L-l-o-y-d.

And just following on from Dan Hendrickson, we work together on the electric coagulation. I just want to point out a very strong point about what Dan is saying is that the environmental impact of electrocoagulation is very small. It's -- like he said, it's in a 40-foot container. You bring the water in, it goes straight through the electrodes and then out. And then it converts whatever -- chromium, magnesium, uranium and heavy metals into an oxide which settles out. It becomes a solid and therefore, it becomes benign as far as toxicity is concerned.

It's a very easy system to implement. We do have a 10-gallon-per-minute system that could be done as a testbed to see -- to -- in order to investigate if what I'm saying is true. And that could be implemented very quickly for the citizens of Hinkley to see the results of that.

The main issue about this thing is that it's just electrifying the chromium, just taking it out and then letting the oxygen bind to that chromium and letting it settle out.

So anyway, I brought this up and here is the report that we have. It has an executive summary and I would like to present it to the board. Thank you very much.

MS. KAPAHI: Thank you. You have to give that to Sue.

Aquilla Halstead followed by Betsy Shirkey.

MS. HALSTEAD: A-q-u-i-l-l-a H-a-l-s-t-e-a-d.

My name is Aquilla Halstead and my family and I live on Halstead Road, my husband's family home. He's homesteaded out there for 100 years or so. And we privately had our well tested which came back 2.3. We're seven-tenths of a mile from the plume and we can't get PG&E to come out and test our well because -- well, maybe by the second quarter.

By then, everything that is available to the people that are in the plume will not be available to us. I don't think that's fair. I think something needs to be done. I think there needs to be a wider broadband for like --

Well, everything that I wanted to say everybody else has already said. Testing for everybody. But as a Hinkley resident, I urge the Water Board to approve the EIR so that full chromium 6 remedies can be put into action.

We had a meeting today, a group of us with Ian -- with Ian Webster and -- you know, for about an hour and a half. And we would like the EIR passed. And from what I understand, it's because the tortoises are

endangered, you know. So we're having value put on the tortoises, but we're not having value put on our lives here in Hinkley? You know, come on. We want to survive and live too just like the tortoises.

Thank you very much.

MS. KAPAHI: Betsy followed by Daron Banks.

MS. SHIRKEY: I usually can speak without one.

Good evening. My name is Betsy -- that's B-e-t-s-y Shirkey, S-h-i-r-k-e-y.

My husband and I own the property at 38949 Mountain View Road just on the corner of Sonoma and Mountain View. We have a 60-acre parcel, 10,000 pistachio trees, two houses, four wells -- da, da, da.

We purchased this property by choice in 1990. We could have lived anywhere we wanted to. We had the financial wherewithal to live anywhere we wanted. And we chose Hinkley for the lifestyle, for the school, for the warm summer nights, for the clear skies, for the lack of noise.

60 fenced acres. And my friends would say what do you do with 60 fenced acres? Well, we shut the gate because we enjoy our privacy. We had four of our children attend Hinkley School. It was a wonderful school. It was an award winning state school.

I'm not -- I've read a little bit of the

documentation. I'm not a scientist nor am I a healthcare professional. I am a wife, a mother, a grandmother, an experienced real estate professional -- and I know that the community of Hinkley has been destroyed. This has been destroyed by the inactions and actions of PG&E. And to think that after 60 years of polluting the community, they're all of a sudden going to fix it quickly and without harm. It's just ludicrous. 17 years ago they were supposedly brought to their knees and not -- and instead of the plume being contained, it has spread.

I am concerned with the quality of the water as we all are, but I'm concerned with the effects of the remediation. I'm -- I was trusting. I was told oh, you're in a great place, your water is never going to be affected. It flows from the north through the south through your property and you're getting your water from the Tehachapis and nothing will ever go wrong with your water.

And then out of nowhere, we're in the plume. We're right in the middle of the plume. And I -- hey, I'm a Republican. I like corporations. You know, I'm a free enterprise kind of person. And now I am brought to being afraid.

And, of course, then you read in the Internet, you know, there's nothing wrong with anything except for

what those hysterical California people think. So maybe if we were in the Midwest, people would pay attention to what is going on.

So I think -- I truly as a real estate professional think that our community will not survive this. We've been -- there's been an order that this be fixed for 17 years. It hasn't been fixed.

Unless we go with the suggestion that the two gentlemen made where we can have a quick resolution to this, I can see that not in my lifetime will this community be the same. I think our legacy to Hinkley should be that of fixing the problem with the least damage to the environment. I think that would be 4-C-5 maybe with those guys doing their electrical magic to the water before it goes back in.

I -- I didn't know about you. So I have a question for Ian. And that is at what year does the sweet point hit that you had discussed?

And I'm sorry like John Turner that I didn't pay attention sooner. I would have been active in the Community Advisory Committee. And I thank you for your time.

MS. KAPAHI: Thank you.

Before you begin, Daron, you are my last card.

Mr. Turner, you filled out a card but you spoke

during the public comment period. So unless you have anything else -- you do? Okay.

Are there any other folks out there that wish a yellow card? We'll get one to you.

Go ahead.

MR. BANKS: Mr. Chair, thank you. My name is Daron Banks, D-a-r-o-n B-a-n-k-s.

Before I read my statement, I wanted to talk a little bit about the EIR. I like the fact that it's -- as Ian stated -- a living, breathing document, that it can be changed as it goes along because the fact that remains is that we have no idea where the plume is. We have no idea. So we do know -- or at least according to Project Navigator that told me that, you know, according to PG&E's research that the plume was moved up to like -- what is it -- three miles per day -- no, three feet per day. I'm sorry. And so 50 years, three feet per day -- who knows.

The board is really -- I know that they tried to -- to order PG&E, but PG&E always seems to have one step up on you. Three days is a perfect example. With that order -- or we would have had the ability to determine what is PG&E's and what is not. And there is technology done by the USGS and Mr. Izbicki and his colleagues that can determine whether or not the chromium

6 is PG&E's or if it's natural. It's appropriate that that be determined.

How can you start a remediation or a cleanup when you have no idea of the extent of the cleanup? So I understand that the EIR needs to go through, but we still have to find out where our mess is before we can start the cleanup. So that should be our number one priority.

And then, you know, their injections and things that they're doing -- we have no baseline. I don't want PG&E to come back ten years from now and all of a sudden we have exploded arsenic or manganese or uranium and them be able to say "There's no proof that that's ours" just as they stated 50 years ago or whatever. "That's not ours." That's what they'll do if you allow them to do it.

So we need to get a baseline and we need someone other than PG&E to determine that baseline. We need to find out -- we know that their in-situ process increases the manganese by the well testing of 99,000 parts per billion from near their in-situ sites. So, you know, whatever they're doing to us, they're putting us in a petri dish and they're using us as test subjects and it's under the oversight of you people. So please, we need somebody with experience that can come in and at the very least oversee what's going on.

The CAC has become something completely opposite of what this board's original intentions were. With that said, my first request is can this board publically ask Project Navigator what PG&E is paying them for their three-month contract and who do they negotiate the contract details with? Is it PG&E?

Second, can this board publically ask one of the CAC members -- preferably not a co-chair member -- if PG&E has come uninvited to their non-public meetings?

Third, the board -- and specifically, Dr. Horne -- asked Project Navigator -- needs to ask Project Navigator why when they were clearly told by Dr. Horne to provide an independent facilitator for the CAC meetings, why has that not happened?

Due to clear PG&E influence and intimidation, the CAC has become another vehicle for PG&E to inject their -- their will onto the community of Hinkley. So I would like to ask at this time that the Water Board staff can come once a month to facilitate our community advisory meetings without PG&E as board members or facilitators. PG&E can be present to answer questions, but have no authority or influence over the CAC or Project Navigator which was the intended purpose of the CAC.

All issues before the CAC should be public

knowledge and the board should oversee the process. I know that you can't oversee the process of the contract, but the CAC members are supposed to determine the -- the issues of the contract -- or at this time, Project Navigator's hands are tied to PG&E's belief on what their job is. Simple things like they're not permitted to do independent testing. PG&E doesn't allow that. If there are -- our expert advisor -- and they're not able to reaffirm or decide what is fact or fiction because every data that they use is what PG&E chooses to give them. It's askewed as anything else that they've done.

Also, their contract -- they gave them another three-month contract. He worked a time period without contract, was compensated for that and then signed another three-month contract. On a contract that went three months, Project Navigator, I believe, can't do their job properly and independent without possible influence from PG&E. They can't do their job correctly. So their -- their contract needs to be a year which was the insinuation of what it was supposed to be after the first three months.

My second issue according to Project Navigator's PG&E research shows that the plume, like I said, moves as much as three feet per day. At that rate over 50 years, the actual plume boundary could be further than anyone

realized. We know that the well tests as far as Harper Lake have come in at 10 parts per billion. It's time to properly define the plume. PG&E's baby-step progress that they proposed in defining the plume is just too slow. Thinking is just not -- it's just not big enough. They're not thinking big enough. So you need to bring in someone else to define the plume.

Also, it's appropriate to order duplicate samplings of well testing in order to verify results.

It's okay for this board to ask for help. For several reasons like budget issues and lack of resources, PG&E seems to be one step ahead of this board. So I request that you negotiate with PG&E to bring in USGS. I have talked to members of the USGS and they assure me that they are prepared and are capable of accurately defining the plume and can determine the chromium 6 origin.

They can also evaluate PG&E's cleanup to ensure that we're not having to deal with the bigger issue with all of your other stuff going on. As it's explained to me, they're pumping all this stuff and we're getting oxygen-starved water that chemically can change the makeup of the plume which can increase the uranium and other issues.

And these are all problems brought on by PG&E.

So please, act on these motions. Don't wait.

Thank you very much.

MS. KAPAHI: Thank you.

Sir, if I could have the three people who have not spoken first go first and I'll let you have the last word.

Norm Diaz followed by Floyd Burns followed by Larry Griep.

MR. DIAZ: Hello, board. Norm Diaz, D-i-a-z. I'm sorry I'm late. I was at the sports park working with some soccer kids doing something a little bit funner (sic) than this. So I know I missed a lot of the information that was passed on, but could not pass up an opportunity to listen. I wasn't going to speak, but just thought I had to say something really quickly.

Back in 2006, I came to this board in Adelanto. Some of you board members were on the board at that point. Some are new. And what I asked for back at that point was why isn't PG&E cleaning up this mess? PG&E is not a water cleanup company. They are a for-profit company that is -- their job is to make money for their shareholders. They don't clean up water. That's not what they do.

So I think that it's time, as I asked back then, to ask for PG&E to fit the bill. They have the money.

And let's hire somebody else. Let's quit yelling at PG&E about their lack of progress and their -- and how they're doing things and how they're shuffling things and all the conspiracy theories that go on. Let's hire someone completely independent. Let's kick PG&E out of this community and let's bring in someone that is a water cleanup company that will do this job on PG&E's dime and do it the way the people want it done.

The other problem I have is that we're just drawing lines. The lines have changed throughout these years. There's always a line. There's always going to be somebody on the other side of that line. I've watched this line being drawn. And I'm outside my -- my family homestead was here in 1900 and we've been here six generations. I am on the outside line. I want to stay on the outside. But there's always going to be no matter where you draw that line, there's going to be someone else that says "What about me? What about me?"

And I think that -- I don't think -- I'm afraid the community is not going to survive. I used to have hope that the community was going to survive. Talking about 100 more houses being bought? What's going to be left of us? There's just nothing going to be left. I'm worried that we lost.

But I do think PG&E should be taken out of this

fight. Let's hire somebody that does know how to clean up water because obviously there's people that spoken here. They can't get it done. I've watched the PR teams come and go. They're probably retired by now.

There's an interesting newsletter that PG&E puts out called "PG&E Currents" and it's interesting to read that newsletter and to listen to what PG&E's PR people come up here and talk about in Hinkley. And then you read about the spin back on how they speak to their shareholders. It's a completely different story and they're just trying to do this as cheaply as possible and I think they're doing a pretty good job.

So again, sorry I was late. Sorry I missed some of the stuff. I will read that EIR as much as I can. But again, I'm an art student. I don't know if I can read that thing, but I'll do the best I can.

Thank you very much for your time and thank you for all your work and your staff and everyone else. I know this is a hard thing, but it's got to be done.

Thank you.

MR. BURNS: My name is Floyd Burns, F-l-o-y-d B-u-r-n-s. I won't take up much of your time. It's getting kind of late.

A few years -- a few months ago I was way over in Central China about as far away from Hinkley as you

can get. And people over there know all about Hinkley. This world (sic) is known around the world, not just here in Barstow. It's everywhere. You got people --

THE REPORTER: Sir, can you speak up a little?

THE WITNESS: Okay.

THE REPORTER: Thank you.

THE WITNESS: If you mentioned Erin Brockovich, then they know all about Hinkley. But anyway, this -- Hinkley will go down in history as a disaster. PG&E has wrecked and killed -- the company has killed many, many people. Nobody was ever prosecuted for this. If anybody has a right to hate that company -- I do. I won't go into that, but I do. But I do not -- I don't hate the company. I kind of feel sorry for them.

The tragedy -- worst tragedy that ever happened to the United States happened in West Virginia, 1930. Union Carbide built a three-mile tunnel called the Hawk's Nest project. They would not allow the miners to use water in their drilling because they had to make that 22 feet a day. They killed over 700 miners. Nobody was ever prosecuted for that.

Later on, the same company went to India in 1985 and they killed there 30,000 people. 1985. Same company. Nobody was ever prosecuted.

The thing is that when you make decisions, think

of all the people -- think of the people who died here in Hinkley, who moved away from Hinkley or died of cancer. No one really knows what happened to them. So think of that. Think of those people when you make your decisions.

Thank you very much.

MS. KAPAHI: Larry.

MR. GRIEP: My name is Larry Griep, L-a-r-r-y G-r-i-e-p. I have a property at 36363 Livingston Road in Hinkley.

My concern is the Water Board, state and local -- there's a great dereliction of duty for years by the people in these boards. Now, they're paid for by the people for the people. The dereliction of the duty by the Water Board is -- are partly to blame for all of these tragedies that happened to the people in Hinkley. You had un-lying ponds. They went neglected for years, but nobody on the Water Board or anything was concerned about what was being dumped in the water by this corporation.

My question is why? What was the ties between PG&E and these Water Boards through all these years? And then when you did have a tragedy, Erin Brockovich got -- they kind of stiffened their jaws a little bit through that in the payments and stuff. And then what happened?

Still there was no testing. So I believe there should be a complete analysis of this water in all areas that are concerned by the citizens of Hinkley.

This should be done by our local Water Board. I mean, what the hell are you guys doing? You're not concerned with what the people are drinking? What's your job? What is your job for the people? Why are you getting paid and doing nothing? Do you have no interest in what kind of water we're getting? I'm asking you. Do you even care? Evidently not, because this has been going on a long time.

That's all I got to say.

MS. KAPAHI: Mr. Turner.

MR. TURNER: John Turner, J-o-h-n T-u-r-n-e-r.

All right. I just want to kind of top things off. I want to discuss a little bit about the EIR. I'm all for it. I think it's great. But what's going to happen is that there's going to be large effects on all areas of Hinkley.

This does not say that hey, here is the project area, this is the place that's going to be affected. It's almost guaranteed that somewhere outside that project area is going to be affected. And that needs to be addressed to go back to hearing about the plume. The plume needs to be addressed.

In this report, it is mentioned 30 times "contaminated chromium." Okay. Contaminated chromium. So ask yourself, your common sense. I'm just a low high school graduate, don't know nothing, but I hear "contaminated chromium."

However, we don't know what -- where it's at. We don't know. There's nobody saying this is the contaminated chromium and this is natural. They say oh, we're going to get it down to background levels, which in this EIR report states that it's an open issue.

So looking at this EIR report and seeing that we don't have a defined plume, it tells me that, again, PG&E has an open book to do whatever they want to do and call it whatever they want to call it. It needs to be defined. You've heard it.

And I want to say one final thing. I've heard from four different CAC members tonight and I liked what I heard, but I never heard that from any CAC meeting. Why is that?

Thank you.

MS. KAPAHI: Mr. Cheney?

If there's anybody else that would like to speak, this is your opportunity. Please raise your hand and we'll get you a card.

Go ahead, sir.

MR. CHENEY: Hello. My name is David Cheney, spelled C-h-e-n-e-y.

I would like to thank the board for being here tonight. I know there's a lot of expertise and collectively you guys have got a lot of experience, a lot of education. But what we're seeing in Hinkley is the job is not getting done.

There's a lot of points that have been made tonight from a lot of people, good points. One of the best ones by Mr. Diaz about why is PG&E cleaning up this mess? It's not their business.

This whole deal is known worldwide. You guys have got the opportunity to go down in history as the people that helped out a town and put it back together or the ones that stood back and let PG&E tear it apart. So I think that you have the tools to do your job and I would really appreciate it like everybody else in here if we saw it start to get done.

The people that live in Hinkley have been used like the laboratory rats. I don't appreciate someone coming to my home and telling me I've got two weeks to tell them if I want to sell my home. It's ludicrous. I want clean water. That's all I want.

Thank you.

MS. KAPAHI: Thank you, sir.

Lester White followed by Gary Halstead.

MR. WHITE: My name is Lester White. That's L-e-s-t-e-r. Last name is White like the color.

I've been on the Community Advisory Committee for just a little over a year and I'm a co-chair on the board now. And the community wants to have a Community Advisory Committee without PG&E on it and they also want a different facilitator and they want one appointed by you guys. And I want you to know that if you guys choose to use the CAC that's existing or you choose another one, I will volunteer all my time to it and I will give myself to it because I want to see this problem fixed like everybody else does.

And I came in here and I asked -- in the last meeting I spoke to you guys about a human risk assessment and I was told by you guys that the CAC would get the information on it and we never received it. And Ms. Horne said that the human risk assessment -- you guys had a little bit on that and you would give it to us and we haven't received anything.

And I also said the community wanted to see cross-grade testing on laboratory animals to see -- as a full toxic cocktail of all of the contaminants used to be put into an animal to see what happens to them and we want to see it on video. Because we have too many people

dying of the same types of cancer and we have too many people dieing of massive coronaries. And we want to see these test results on video. We want to see what happens to these animals and we want to see if these animals have any type of effect as the people in Hinkley.

And we expect you guys to do this. Because if you're not going to get the federal government in here -- we want the USGS in our community. We want them. We don't want any more of this playing games with PG&E. And if you guys can't do this, what are we going to do then? If you cannot help us do this, we'll take the law into our own hands. Because we will because we have too many people being lost.

And we just want you guys to grow some balls and stick up to these people. And stop being afraid of them. I will stand by you guys. I'll follow you. Just take the lead. I'll follow you and so will these other people. Just get out there and do it.

That's all I got to say.

MS. KAPAHI: Gary Halstead followed by James Dodd.

MR. HALSTEAD: Hi. My name is Gary Halstead. G-a-r-y H-a-l-s-t-e-a-d. My family has been here for over 100 years. We were one of the first settlers. At least every six months there's like a family member dying and it's sad. At one time I was upset with you people

when my dad had died, you know, and didn't realize what was going on. And now it's been a problem. It's been a major problem in my whole life.

We -- we found out about it. We found out we had 2.3 chromium in our water which we never had before. My friend in the back, Ron Haefele had tested it before and now it's got -- he's got chromium in there now. And why? It must be PG&E. Who else would it be?

The thing is when we went to go get water, they refused us water. Refused that we were in the plume. We couldn't get nothing. I had to complain, I had to complain -- me and my brother and sister-in-law. We finally have gotten bottled water. For the last month we've had bottled water. We have never had bottled water before this.

And they still say we're out of the plume because now we're west. If you look at the way the water runs, why do you think we have a dry lake called Harper Lake? It goes right smack by us. Humongous readings out in Harper Lake and stuff out in Lockhart and stuff is because it's all running that way. You know, the sea level is low and the water runs the other way.

You know, I just want to say that, you know, like John Turner says, those that are out of the mile marker, why are you refusing people? You guys -- like I

said, in the last month I've finally gotten water. My health isn't great. I got a lot of ailments and stuff. But that's beside the point.

The point is I got my neighbors. There's more than just us living on there. There's also two other families that live on Halstead Road. It used to be all agriculture, alfalfa fields. It's no more. No longer. We got people that bought the property and they won't even build nothing because it's like they're locked. They can't do nothing about it.

They asked us about it and we told them about the water situation. In the last couple years, we had people buy next to us and somebody else buy property. And what they got -- they got suckered into buying the land and now they wish they never would have bought the land. They got nothing to do. That isn't fair.

That's all I got.

MS. KAPAHI: My last card is Mr. Dodd. If there's anyone else that wishes to speak before the board, please raise your hand and we'll get you a card.

MR. DODD: I've only got a couple of comments, and one is I would like to recognize Harold Singer being here. He was one of the first ones on this Water Board that wrote an order against PG&E and that was over in Victorville. I used to go to Victorville to the Water

Board meetings. And like Lester said -- excuse the term -- but somebody grow balls. He did and he wrote the first order. And I just want him recognized. He's here. He's on retirement, but he's here tonight.

And then about the well testing --

Daron, I agree with you. Somebody should be testing them.

I've hired an independent company to do mine every time PG&E does it. And when they've come back, I haven't had any tests yet come back different. Okay? I'm going to tell you that right up front.

And something that hasn't been brought to a lot of people's attention are the dairies that are out here. Okay. The dairy over on Mountain View, Mountain View Dairy -- we got people over there that are polluted, grossly polluted -- nitrates, sodium. I mean, his well is like a cesspool. They're telling him that he might not be able to get a system to take care of it. Wife died two months ago of cancer. He's a widower. Nothing is being done. I mean, I make phone calls, I'm trying to help him out.

I'm on the advisory board, the CAC committee. People call my house all the time and I talk to them. And we're not looking at nitrates. There was a dairy on Fairview and Community Boulevard they tore down right

across from the PG&E building. What happened to all that? You got the in-situ, but is it treating the nitrates, sodium, the total dissolved solids? These are things that are not being tested for.

As you heard tonight, the manganese, the arsenic, uranium -- but there's three other things that nobody has been talking about and there's Mountain View Dairy, there's Fairview Dairy and there's this spread that goes with the plume. But nobody is addressing these issues either.

And I hope you guys take this to heart because there's a lot of people here tonight that came out to be here more than there's been in the past. And I want to thank everybody for coming out.

MS. KAPAHI: Is there anyone else that wishes to speak this evening? I want to echo the sentiment that was just given. I do appreciate all of your time. I thank you all for coming this evening, spending a few hours here to speak before the board. It is a good opportunity and our intent was to hear the community, to hear what you had to say.

Board members, do you have anything else? I'll pass it back to you.

MR. JARDINE: Thank you. I do have to thank the entire community, all the folks who came here and spent

their time.

I would like to go back to my opening statement. There's one sentence in there starting at the oral comments.

During this workshop, these comments will be responded to in writing and included in the final EIR.

So I wanted to restate that.

And then go on to item 4, Water Board direction to staff; and, if any, including requests for additional staff responses.

And I would first like to go to Mr. Sandel.

Do you have any comments?

MR. SANDEL: There were a lot of questions raised tonight. And I think two of the -- two of the ones that concerned me the most were the fact that we seem to have been -- at least known about uranium 20 years ago. The Mojave Water Agency did. And I wondered if you could get that information to us now to see what we learned and what we apparently don't know today. It may still be in their records. That's one thing.

The other thing is the involvement that -- the USGS in this investigation. And I know they've been brought up before -- and I don't think I've heard an explanation as to why they aren't actually involved yet or if we plan to have them involved or does PG&E plan to

have them involved. I would like to hear about that.

MS. HOLDEN: Thank you. Anne Holden with the Lahontan Water Board.

And the question, I believe, is do we intend to have the USGS involved in future studies to define the chromium plume.

Yes. That would be part of the new background study that PG&E had proposed back in February of 2012. We -- Water Board staff have reviewed that. I believe Ian Webster of the CAC has reviewed that and we are working on putting a proposal together to the State Water Board to involve the USGS -- if possible, Dr. Izbicki and one of his colleagues who is doing work on chromium speciation as well as the peer reviewers that we had for the 2007 background study and hope to prioritize that for this fall.

MR. SANDEL: What about the uranium -- uranium information from the Mojave Water Agency, perhaps?

MS. HOLDEN: Yes. We asked -- we requested that from them or were about to request that from them and hope to have that in time for the final EIR, whatever data they may have collected in 1993 and any subsequent data.

MR. SANDEL: Thanks.

MR. JARDINE: Mr. Dyas.

MR. DYAS: Yes. Thank you.

I heard at least two requests tonight for an extension of the comment period for about 15 days. And personally, I have no objection to that. I would like to see that happen.

Also, I heard about the treatment process called electrocoagulation and I -- if possible, I would like to know why that treatment method was not considered in the EIR.

MS. HOLDEN: So the August 2010 feasibility study that PG&E submitted to us looked at a whole range of technologies and electrocoagulation was one of them. It was not included -- so electrocoagulation would be used as an element of an ex-situ, aboveground pump-and-treatment system. And the technology that's described in the EIR is chemical reduction and precipitation. That would be the way to treat the water that is coming out of the treatment plan.

I think the EIR -- we can certainly consider -- reconsider electrocoagulation based on the information from Mr. Lloyd and Mr. Hendrickson tonight. And I think the EIR is flexible enough that if this does turn out to be a very promising technology that it can be rolled into one of the alternatives that uses the ex-situ treatment. We would need to look at that closely to make sure that there's not any impacts that are associated with

electrocoagulation that we haven't considered in the EIR. That would be the only caveat I have about that.

But we have gotten the information from Mr. Lloyd and Mr. Hendrickson. We've also given that to PG&E and we'll have a response in the final EIR. And if it turns out to be a promising technology, I think it can be folded in.

MS. NIEMEYER: Does Mr. Webster also have that same information so he can take a look at it also, at the electrocoagulation?

MS. HOLDEN: I will forward that to you.

MS. NIEMEYER: Could you also describe -- you had mentioned that there are some limiting use on the electrocoagulation.

MS. HOLDEN: Well, the issue is that with ex-situ, aboveground treatment, typically the time-limiting step is not the treatment plant process; it's the extracting the groundwater from the aquifer. So I'm not -- we'll have to look to see if this, for some reason, can overcome that limitation. I'm not sure how, but typically that's what makes aboveground treatment alternatives go slower because of the problem with the extraction.

MR. DYAS: Thank you, Anne.

MR. JARDINE: Mr. Pumphrey?

MR. PUMPHREY: I'm not sure that I have a microphone that works. Maybe I just don't have any skills. It should be on. It is on. Great.

I'm not sure that I have any questions, per se, but I do have some concerns that I would like to voice. I'm very concerned about this question of where is the plume, where is it going. And it's hard for me to come back here month meeting after meeting after meeting and discover that that's an unknown quantity and discover that there doesn't seem to be any more certainty on how that's going to be known than there was before. And I'm sorry, I just have a hard time with that concept.

I particularly have a -- I'm really moved by -- towards by what Mr. Webster said about the idea that this has to be somehow or another flexible. Because I don't want our project to create a box in which the cleanup plan gets trapped as the plume and the problem move beyond the perimeters of the box or as technologies emerge over this extensive period of time that might be more effective.

And I understand the EIR is designed to avoid that. I just think that's a really, really important concern under all of these circumstances as is, I think, the question of the extent and the independence of testing that goes on, not only as part of preparing the

EIR, but as we go through the monitoring process that I know was discussed in the EIR itself.

My other concern is whether or not the project will result in the need for additional projects to remediate substances which either are not there now or are not there in sufficient quantity to constitute a hazard. And I think that has to be looked at singly as to those substances, but also in combination with any chromium 6 or other residuals.

So I would hope that the EIR, when it comes out, would provide a maximum amount of assurance of one of two things; either that's not going to happen or there's going to be an ability to respond to that extremely quickly without having to go through a whole other process which is similar to the one that we've gone through.

Lastly, it's very frustrating to sit here and know that -- and I will tell you that as we look at this EIR -- from my perspective, at least -- I'm really looking at the members of this community to tell me how to strike the balance or how they would like to see the balance struck between this question of speed and the question of harmful -- potentially harmful impacts to the Hinkley environment.

It's not a comfortable place to be -- to not be

a Hinkley resident and think that I have to make that decision. And I don't want to make it for you. I want to make it with you. And I want to make it knowing what your feelings are. So as this comment period unfolds -- and I have no problem with the idea of an extension. I don't think that 15 days would lengthen the process unduly of getting the option. So I don't have any problem with that, but we really need to see comments.

And I'm sorely disappointed to have people come and say that the Community Action Committee -- my fondest hope a year ago -- more than a year ago was that if this committee came into being, that it would come into being in such a way that it could empower the community to speak with a more concentrated voice, with a more coherent voice and with a voice that we as a board can say "Yeah, this is the community talking to us. This is what they're trying to tell us. We need to be aware of it and we need to think about it."

And I still don't see that. I still don't have the sense that that's the message that I'm getting. Whether or not -- I'm not going to pass judgment on whether or not it's because it's how it's constituted or whatever the reason is. I just think it's a terrible shame that that's not the product that we had received.

I know 75 days or 60 days or whatever it is from

this point forward is not a lot of time for a group of people to pull together and try to speak with a coherent voice. I appreciate that. I understand that fully. But I can tell you that it would be not just helpful, but it would be vitally important to your own interests to the extent that you can find a way to do that.

If there's a way we can help -- and we will try to do that. I would hope we would try to do that. I can't make promises for the board and I won't make promises for the board just as an individual person, but I think that -- I can't tell you enough how important I think that's going to be towards our final determination of how this unfolds down the road.

MR. JARDINE: Thanks.

Dr. Horne?

DR. HORNE: I would like to begin by saying that I really appreciated something that Betsy Shirkey said, except I would state it a little differently which is that my -- my personal hope in this process is that we are able to fix the problem with the least damage to the people and the community of Hinkley.

There's something about how EIRs are written where -- I mean, that's not -- that's implicit in the fact that we're taking on a project like that. The law requires us to go through and evaluate the impacts to the

environment. But the reason for taking on the project is to -- to prevent more damage to the people and the community of Hinkley.

I share a lot of the comments that Mr. Pumphrey said. I hear from the people of Hinkley, from all of you who have spoken tonight a lot of frustration with the process. And believe you may, I share your frustration. It is very difficult to want to solve a problem and to hear month after month that the -- that as much as we try to solve this problem, the problem still exists.

And I especially share Mr. Pumphrey's frustration that what we hear from you is that the CAC process is not working well and it's not working as it should.

And one of the -- underlying a lot of people's comments here is a lack of trust in PG&E. And given that one of the things I wanted you to think about in reviewing the EIR is taking a look at the mitigation measures. Because the mitigation measures require a lot of PG&E.

So what I want to know is do you trust PG&E to follow through on those mitigation measures for however long it takes?

THE AUDIENCE: No.

DR. HORNE: Well, you answered that.

The graph that Mr. Webster showed with an intersection of lines between environmental harm and speed of cleanup -- what is missing from his presentation of the line is that technical factors are not the only things that go into where you set those lines.

A huge piece of what goes into how you draw those lines is what you, the people of the community, are willing to accept in terms of how fast you want the plume cleaned up and what environmental impacts you're willing to accept in the cleanup of that project. We can't rewrite the laws of physics and chemistry.

So what the EIR has done is try to put out to you information that tries to lay out different alternatives and what the tradeoffs are with these different alternatives.

So do you have any other ideas for other alternatives for us to consider in the EIR? Please let us know. Because we want the full range of alternatives -- of reasonable alternatives considered.

And I'm wondering if I could ask our executive officer to address the questions of how we can define the plume better or getting a good definition of the plume that the community trusts; and secondly, what can be done to improve the process with the Community Advisory Committee?

MS. KOUYOUMDJIAN: Good evening, everyone.

To answer your questions, Dr. Horne and members, regarding defining the plume, we do have a draft order out there. And I have received the comments from various people on that. And I really wanted to wait to hear this public discussion today because I do take to heart everything you've said here. And I'm going to circle back with our staff very shortly to make some decisions on that. But I definitely want to hear from the community because that is important to me and I know important to the board and to our staff. So I hope we're going to do something good on that soon for our community.

Regarding the Community Advisory Committee, I've worked with those -- many over my career for many sites up and down the state. And I very much would like to also let the community see if we can make that better.

The advisory committee in Hinkley is unlike any advisory committee I've worked with in the past. So I do think there's some areas where we can be helpful. And I've talked to Gita Kapahi here who helped us facilitate today who offers public participation for the state board in what has been done in other places in the state.

So I would like to commit to you that we're going to regroup and figure out a way to help you improve

that because I do think there's room for improvement. Because if the Community Advisory Committee is not speaking for the community, it's not working as intended. And I wrote some of the first laws in California so it's very near and dear to my heart to make sure you are heard. So I would like to work with that in the future and how we can go forward. And I have some ideas of how to move forward, some things I did in the Kelman investigation so I do think we can improve this.

I would also like to mention on health risk assessments -- I know that that was raised as well. And we did provide some information from OEHA on health risks of some of the chemicals that are there, but I think you would like to know more about cancer, cancer clusters, perhaps birth defects. So I commit to you as well that I would like to reach out to our colleagues at the Department of Public Health to get some of their studies and maybe actually request them to step in here and help us.

MR. JARDINE: Well, thank you.

I do indeed support Mr. Pumphrey and his observations. I think a 15-day extension would certainly be helpful for the community.

And with the information just given by the executive officer, I do indeed support all of those. I

do indeed support involvement of the U.S. Geological Survey, USGS. And we need a better definition of where that plume is so I'm in support of everything that was said before this board by this board.

Further actions?

Counsel?

MS. NIEMEYER: I was just going to remind everyone about our comment deadline in October --

Anne, go ahead.

MS. HOLDEN: So do I -- are we extending the comment period 15 days?

MR. JARDINE: Yes.

MS. HOLDEN: Is that something we're doing? Okay. So I think that would make it to November 3rd which is a Saturday so we would roll that then to the 5th which is the following Monday.

MR. JARDINE: Yes.

MS. HOLDEN: Okay. Does everybody hear that? You have until November 5th. All right. And we'll get that revised information out on the website.

MR. JARDINE: I have to thank everyone for giving their input today. I think it's very valuable to address this problem for the people that live there and their prosperity. Thank you.

And we stand adjourned.

(Lahontan Water Board meeting adjourned at 9:36 p.m.)