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## North Coast Regional Water Quality Control Board

June 4, 2012

Mr. Larry Yingling  
Eagle Rock, Inc.  
P.O. Box 1498  
Weaverville, CA 96093

Dear Mr. Yingling:

Subject: Notice of Violation of the Industrial Storm Water Permit, Eagle Rock, Inc., Weaverville Facility, State Route 299w, Weaverville, Order 97-03-DWQ, WDID No. 1 53I000476

File: Eagle Rock, Inc., Weaverville, Trinity County

On October 11, 2011, you applied for coverage and were subsequently enrolled under the Statewide General Permit for Discharges of Storm Water for Industrial Activities (Industrial General Permit) for the above-referenced facility. The Industrial General Permit contains enforceable requirements intended to control the discharge of pollutants from industrial facilities. On April 19, 2012, Regional Water Quality Control Board (Regional Water Board) staff inspected the Eagle Rock Quarry. Staff observed that the concrete washout area ponds were at their capacity, with evidence of concrete disposal that was bypassing the ponds and directly discharging into the creek that bisects the quarry. Additionally, staff noted that discharges had been directed over the top of bank of the creek, apparently in an effort to harden or "shotcrete" the creek banks. The creek represents both waters of the State and of the United States. These waste discharges constitute an unpermitted non-storm water discharge to the creek in violation of Section A.1 of the Industrial General Permit.

Discharges of high pH concrete and concrete washwaters to State waters can cause or contribute to violations of applicable water quality standards. The Industrial General Permit requires facility operators to reduce or prevent pollutants in storm water discharges and authorized non-storm water discharges through the development and implementation of Best Management Practices (BMPs). These BMPs require control of pollutants using Best Available Technology Economically Achievable (BAT) and Best Conventional Pollutant Control Technology (BCT).

The following pictures depict conditions at several different areas observed onsite during the Regional Water Board staff inspection.



April 19 2012, Primary Concrete Waste Pond, Paul Keiran, Regional Water Board staff photograph



April 19, 2012, Secondary Concrete Waste Pond, Paul Keiran, Regional Water Board staff photograph



April 19, 2012, Concrete Wastes Bypassing Concrete Waste Ponds, Paul Keiran Regional Water Board staff photograph



April 19, 2012, Evidence of Concrete Wastes Discharging into State Waters, Paul Keiran, Regional Water Board staff photograph



April 19, 2012, Concrete Wastes Discharged from Trucks into State Waters, Paul Keiran, Regional Water Board staff photograph

Appropriate BMPs to effectively prevent direct discharges of concrete wastes or discharges of concrete waste in storm water discharges have not been fully implemented on your industrial site. These deficiencies have resulted in concrete and concrete washwater discharges which constitute a discharge of non stormwater in violation of the terms of the industrial general permit, and may be causing or contributing to violations of water quality objectives. Therefore, you are required to immediately cease any and all discharges of concrete and/or concrete wastes into State Waters. You are directed to clean out your primary concrete washout pond in order to create more capacity for future wastes and to install a berm or other measures to prevent any concrete wastes from bypassing the pond and discharging offsite.

Compliance with your Industrial General Permit coverage requires that you have onsite an adequate Storm Water Pollution Prevention Plan (SWPPP), and that you implement the provisions of the SWPPP through BAT and BCT. The SWPPP shall be revised as necessary in order to ensure that storm water runoff does not create a condition of pollution or nuisance. Under the provisions of California Water Code 13267, you must submit a report to the Regional Water Board fully describing additional measures implemented, and proposed to be implemented, to permanently eliminate the discharge of concrete pollutants, both by direct discharge and in storm water runoff, from the Eagles Rock Quarry. The report shall include an implementation schedule to ensure that these measures are fully implemented in a timely manner. The report is due within 14 days of your receipt of this letter.

If you fail to update the SWPPP, submit the report, and implement additional BMPs within 10 days of your receipt of this letter, the Regional Water Board may take appropriate enforcement action as authorized by Section 13385 of the California Water Code. This includes the possible assessment of civil liabilities for each day of violation.

If you have any questions, please contact Paul Keiran of my staff at (707) 576-2753 or at [pkeiran@waterboards.ca.gov](mailto:pkeiran@waterboards.ca.gov).

Sincerely,

David F. Leland  
Division Chief, Watershed Protection Division

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cc: Peter Hedke, Trinity County Environmental Health, 51 Industrial Parkway,  
Weaverville, CA 96093