



Linda S. Adams  
Secretary for  
Environmental Protection

**California Regional Water Quality Control Board**  
**North Coast Region**  
**William R. Massey, Chairman**

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Arnold  
Schwarzenegger  
Governor

August 28, 2006

Mr. Justin Porteous  
Mercer Fraser Company  
P.O. Box 1006  
Eureka, CA 95503

Dear Mr. Porteous:

**Subject:** Coverage under Order No. R1-2005-0011, "General Waste Discharge Requirements and Water Quality Certification for Discharges Related to Sand and Gravel Mining, Excavation, and Processing Activities, Including Asphalt and Concrete Operations, on Non-Federal Lands in the North Coast Region"

**File:** Mercer Fraser Company, Dinsmore Gravel  
WDID No. 1A05097WNTR

On July 11, 2005, Mercer Fraser Company submitted an application to this office for Water Quality Certification and/or Waste Discharge Requirements. On January 18, 2006, we posted a public notice for your project on our web site and a 21-day public comment period has taken place. We received and subsequently responded to comments regarding your project.

On June 21, 2005, the Regional Water Board adopted Order No. R1-2005-0011, "General Waste Discharge Requirements and Water Quality Certification for Discharges Related to Sand and Gravel Mining, Excavation, and Processing Activities, Including Asphalt and Concrete Operations, on Non-Federal Lands in the North Coast Region" (General WDR). Review of the application by Regional Water Board staff indicated that Mercer Fraser Company Dinsmore Gravel extraction activities and processing facility might be eligible for coverage under the General WDR.

Regional Water Board staff requested additional information from Mercer Fraser to demonstrate that the Dinsmore asphalt plant and processing facility were in compliance with the discharge requirements and prohibitions contained in the General WDR. Mercer Fraser has demonstrated that their aggregate extraction activities at the Dinsmore facility will comply with the General WDR; however, the scrubber discharge from the asphalt plant does not currently comply with the General WDR. Regional Water Board staff informed Mercer Fraser that authorization of coverage under the General WDR would be conditioned such that discharges from the asphalt plant scrubber are not currently authorized. On August 22, 2006, we received your check for \$372 to cover the remaining balance of the applicable fee.

***California Environmental Protection Agency***

*Recycled Paper*

This letter hereby informs Mercer Fraser that the proposed aggregate extraction activities and processing facility on the Van Duzen River are now subject to the requirements of General WDR Order No. R1-2005-0011. This letter does not authorize any discharges from the asphalt plant to the unlined basin.

We encourage all appropriate personnel to review and become familiar with the discharge requirements and prohibitions contained in the General WDR. The identification number for this project file will be WDID No. 1A05097WNTR. This number should be included on all future correspondence related to this matter.

Please call Dean Prat of our staff at (707) 576-2801 or Catherine Woody at (707) 576-6723 if you have any questions.

Sincerely,

Catherine E. Kuhlman  
Executive Officer

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Enclosure:

Order No. R1-2005-0011, "General Waste Discharge Requirements and Water Quality Certification for Discharges Related to Sand and Gravel Mining, Excavation, and Processing Activities, Including Asphalt and Concrete Operations, on Non-Federal Lands in the North Coast Region"

cc: U.S. Army Corps of Engineers, District Engineer, P.O. Box 4863, Eureka, CA 95502  
Ms. Jane Hicks, U.S. Army Corps of Engineers, Regulatory Functions, 333 Market Street,  
San Francisco, CA 94105