

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
CENTRAL VALLEY REGION

MONITORING AND REPORTING PROGRAM R5-2015-XXXX  
FOR

EAGLE BIRD MINING COMPANY, LLC.  
AND DOROTHY WILDER TRUST  
UNITED STATES DEPARTMENT OF AGRICULTURE, FOREST SERVICE

EAGLE BIRD MINE

SIERRA COUNTY

This monitoring and reporting program (MRP) is issued pursuant to Water Code section 13267. This MRP contains requirements for storm water monitoring, facility monitoring, and reporting; requires the submittal of annual reports required by Waste Discharge Requirements (WDRs) Order R5-2015-XXXX; and includes requirements related to the implementation of the Standard Provisions and Reporting Requirements (SPRRs) dated February 2009. The Discharger shall not implement any changes to this MRP unless a revised MRP is issued by the Central Valley Water Board or the Executive Officer.

**A. MONITORING**

Based on Finding 27 of the WDRs, waste from the Eagle Bird Mine **may be classified as Group C mining waste**, per Title 27 (Title 27) California Code of Regulations section 22480(c), because it contains hazardous constituents only at low concentrations, has low acid generation potential, and is readily containable by less stringent measures. In accordance with Title 27 section 22480, mining waste from Group C are wastes from which any discharge would be in compliance with the applicable water quality control plan, including water quality objectives other than turbidity.

This MRP represents a Title 27 section 20080(b)(2) engineered alternative to the surface water monitoring requirements for Mining Units under section 22500(a). This MRP is designed to eliminate unnecessary and duplicative monitoring requirements, while ensuring that the monitoring program meets the requirements of Title 27. The requirements of this MRP are summarized below:

**1. Groundwater Monitoring**

Based on Finding 29 of the WDRs, groundwater monitoring is not required by this MRP. Should the mining waste group classification change, the need for groundwater monitoring will be reassessed.

**2. Surface Water Monitoring**

Based on Finding 30 of the WDRs, and in place of a surface water monitoring plan, this MRP requires coverage under the new State Water Resources Control Board Industrial General Permit 2014-0057-DWQ (IGP) which becomes effective on 1 July 2015.

### 3. Storm Water Monitoring

Monitoring and reporting conducted by the Discharger for the IGP is sufficient to fulfill the requirements of this section. Annual storm water reporting shall be submitted as required in Section B.1 of this MRP.

### 4. Monitoring Points

The monitoring points for storm water discharges associated with the Eagle Bird Mine and regulated by the IGP are shown on Attachment B of the WDRs and described as follows:

- R-1, Unnamed stream located in the northern section of the site;
- R-2, Shannon Ravine; and
- R-3, Near the mine boundary south of Annex No. 6 adit and north of Carney Creek.

Storm water monitoring shall be conducted in accordance with the IGP's Monitoring Program and Reporting Requirements and the Discharger's approved Site Sampling and Analysis Plan (Condor, 19 August 2011). Storm water monitoring and analysis shall also comply with:

- a. Provisions for Monitoring in Section IX of the SPRRs; and
- b. Monitoring Specifications in Section C of the WDRs.

### 5. Facility Monitoring

#### a. Annual Facility Inspection

Annually, prior to the anticipated rainy season, but no later than **30 September**, the Discharger shall conduct an inspection of the facility. The inspection shall assess repair and maintenance needed for drainage control systems, cover systems, and waste containment systems; and shall assess preparedness for winter conditions (including but not limited to erosion and sedimentation control). The Discharger shall take photos of any problems areas before and after repairs. Any necessary construction, maintenance, or repairs shall be completed by **31 October**. Annual facility inspection reporting shall be submitted as required in Section B.2 of this MRP.

#### b. Major Storm Events

The Discharger shall inspect all precipitation, diversion, and drainage facilities and all mining unit side slopes for damage **within 7 days** following major storm events capable of causing damage or significant erosion. The Discharger shall take photos of any problems areas before and after repairs. Necessary repairs shall be completed **within 30 days** of the inspection. Notification and reporting requirements for major storm events shall be conducted as required in section B.3 of this MRP.

c. **Standard Observations**

The Discharger shall conduct Standard Observations at the facility in accordance with SPRRs and this section of the MRP. Standard observations shall be conducted in accordance with the following schedule:

<u>Mining Unit Type</u>	<u>Frequency</u>	<u>Season<sup>1</sup></u>
Active	Weekly	Wet: 1 October to 30 April
Active	Monthly	Dry: 1 May to 30 September
Inactive/Closed	Monthly	Wet: 1 October to 30 April
Inactive/Closed	Quarterly	Dry: 1 May to 30 September

Standard Observations for the mining units shall include:

- 1) Signs of erosion along the slopes or perimeter (show affected area on map):
- 2) Any seepage discharged from the base of any Mining Unit containing mining waste is considered a demonstrative indicator of the potential threat to water quality posed by the mining waste. Seepage discharged from the base of any Mining Unit shall be treated in accordance with SPRRs Reporting Requirements Section VIII.

Results of Standard Observations shall be submitted in the annual monitoring report required in Section B.1 of this MRP.

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<sup>1</sup> Because of heavy winter snow fall, the operation is expected to be seasonal with the average operation period from mid-May to mid-November. As such, the ability to conduct standard observations during the wet season may be limited.

**B. REPORTING**

The Discharger shall include all of the following information in the Annual Monitoring Report and accordance with the required schedule:

**Reporting Schedule**

<u>Section</u>	<u>Report</u>	<u>End of Reporting Period</u>	<u>Due Date</u>
B.1	Annual Monitoring Report	31 December	<b>31 January</b>
B.1.b	Annual Storm Water Report	15 July <sup>2</sup>	<b>31 January</b>
B.2	Annual Facility Inspection Report	31 October	<b>31 January</b>
B.3	Major Storm Event Reporting	Continuous	<b>7 days from damage discovery</b>
B.4	Financial Assurances Report	1 July	<b>31 January</b>
B.5	Annual Surface Mining Inspection Report	1 July	<b>31 January</b>
B.6	Waste Characterization Report	As Required	<b>31 January</b>
B.7	On Site Discharge Report	31 December	<b>31 January</b>
B.8	Off Site Discharge Report	31 December	<b>31 January</b>
B.9	Off Site Custom Milling Facilities Report	31 December	<b>31 January</b>

**Reporting Requirements**

The Discharger shall submit monitoring reports **annually** with the data and information as required in this Monitoring and Reporting Program and as required in WDRs Order R5-2015-XXXX and the Standard Provisions and Reporting Requirements (particularly Section IX: “Provisions for Monitoring” and Section X: “Response to a Release”). In reporting the monitoring data required by this program, the Discharger shall arrange the data in tabular form so that the date, the constituents, the concentrations, and the units are readily discernible. The data shall be summarized in such a manner so as to illustrate clearly the compliance with waste discharge requirements or the lack thereof. Data shall also be submitted in a digital format, such as a computer disk.

The annual monitoring report shall be submitted to the Central Valley Water Board in accordance with the schedule above. Field and laboratory tests shall be reported in each annual

<sup>2</sup> Annual reports for the new Industrial Storm Water General Permit are due by 15 July of each year.

monitoring report. The results of **all monitoring** conducted at the site shall be reported to the Central Valley Water Board in accordance with the reporting schedule above.

The Discharger shall retain records of all monitoring information, including all calibration and maintenance records, all original strip chart recordings of continuous monitoring instrumentation, copies of all reports required by this Order, and records of all data used to complete the application for this Order. Records shall be maintained throughout the life of the facility including the post-closure period. Such records shall be legible and shall show the following for each sample:

- a) Sample identification and the monitoring point from which it was taken, along with the identity of the individual who obtained the sample;
- b) Date, time, and manner of sampling;
- c) Date and time that analyses were started and completed, and the name of the personnel and laboratory performing each analysis;
- d) Complete procedure used, including method of preserving the sample, and the identity and volumes of reagents used;
- e) Calculation of results; and
- f) Results of analyses, and the MDL and PQL for each analysis. All peaks shall be reported.

### Required Reports

1. **Annual Monitoring Report:** The Discharger shall submit an Annual Monitoring Report to the Central Valley Water Board by **31 January** covering the reporting period of the previous monitoring year. Each Annual Monitoring Report shall contain the following information:
  - a) A map showing the area of and the tonnage discharged to each Mining Unit during the previous calendar year and include a projection of the year in which each discrete Mining Unit will be filled.
  - b) Copy of the annual storm water report for the new State Water Resources Control Board Industrial General Permit 2014-0057-DWQ (IGP) which becomes effective on 1 July 2015, including copies of laboratory analytical report(s).
  - c) A map or aerial photograph showing the locations of observation stations, monitoring points, and background monitoring points.
  - d) A statement that the sampling procedure was conducted in accordance with the approved Sample Collection and Analysis Plan
  - e) Tabular and graphical summaries of all data collected during the year. All monitoring parameters shall be graphed to show historical trends at each monitoring point for all samples taken within the previous five calendar years at a scale appropriate to show trends or variations in water quality.

- f) All historical monitoring data for which there are detectable results, including data for the previous year, shall be submitted in tabular form in a digital file format such as a computer disk. The Central Valley Water Board regards the submittal of data in hard copy and in digital format as necessary for conducting the periodic review and analysis required by Title 27. (Cal. Code Regs., tit. 27, § 20420(h).)
  - g) A comprehensive discussion of the compliance record, and the result of any corrective actions taken or planned which may be needed to bring the Discharger into full compliance with the waste discharge requirements.
  - h) A written summary of the monitoring results, indicating any changes made or observed since the previous Annual Monitoring Report.
  - i) A summary of all Standard Observations for the reporting period required in Section A.5.c of this MRP.
2. **Annual Facility Inspection Report:** A comprehensive discussion describing the results of the inspection and the repair measures implemented, preparations for winter, and include photographs of any problem areas and the repairs. Refer to Section A.5.a of this MRP, above.
  3. **Major Storm Event Reporting:** Following major storm events capable of causing damage or significant erosion, the Discharger **immediately** shall notify Central Valley Water Board staff of any damage or significant erosion upon discovery and report subsequent repairs within **14 days** of completion of the repairs, including photographs of the problem and the repairs. Refer to Section A.5.b of this MRP, above.
  4. **Financial Assurances Report:** By **31 January of each year**, the Discharger shall submit to the Central Valley Water Board updated cost estimates and a demonstration of financial assurance for closure, and post-closure maintenance (reclamation) of the Facility. Refer to Financial Assurances Specifications D.1 through D.5 of the WDRs.
  5. **Annual Surface Mining Inspection Report:** By **31 January of each year**, the Discharger shall submit to the Central Valley Water Board completed copies of the Office of Mine Reclamation's Annual Surface Mining Inspection Report (MRRC-1) and Lead Agency Inspection Notice Form. Refer to Financial Assurances Specifications D.6 of the WDRs.
  6. **Waste Characterization Report:** To ensure that Group C waste classification remains appropriate, ongoing sampling and characterization of the mining waste in accordance with Water Code section 13260(k) is required. Ongoing characterization of the mining waste shall be at the frequency of one sample for every 500 tons of mining waste discharged or at least one sample every third calendar year (see Finding 28 of the WDRs). Waste characterization reports shall be submitted annually and are due on **31 January**.
  7. **On Site Discharge Report:** The Discharger shall report and summarize the type and quantity of waste discharged in accordance with the frequencies specified in Table I.
  8. **Off Site Discharge Report:** The Discharger shall report and summarize the types and quantity of ore, concentrate, or mining waste taken off-site for further processing at a custom

mill. The report shall document the date of removal, tonnage removed, and the location of the appropriately permitted custom mill. A copy of each hauling receipt shall be included in the annual report and submitted in accordance with SPRRs Reporting Requirements, Section VIII, A.5.

9. **Off Site Custom Milling Facilities Report:** Other off-site custom milling facilities may be identified by the Discharger by submitting a written request to the Central Valley Water Board's Title 27 Permitting and Mining Unit requesting approval of a change in the approved off-site custom processing facility. The request must contain the off-site custom milling facilities full legal name, the state of incorporation (if a corporation), the name, address, and telephone number of the person responsible for the facility, the permit number which authorizes the permittee to construct, operate and accept waste, and a statement complying with the signatory requirements of the Standard Provisions (VIII. A. 5.) that states the new owner or operator is permitted to accept the mining waste and assumes full responsibility for the mining waste. Failure to submit the request prior to offsite discharge shall be considered a discharge without requirements, a violation of the Water Code. Any change to the approved off-site custom processing facility shall be approved or disapproved by the Central Valley Water Board's Title 27 Permitting and Mining Unit. Refer to Findings 41 and 42 of the WDRs.

### C. TRANSMITTAL LETTER FOR ALL REPORTS

A transmittal letter explaining the essential points shall accompany each report. At a minimum, the transmittal letter shall identify any violations found since the last report was submitted, and if the violations were corrected. If no violations have occurred since the last submittal, this shall be stated in the transmittal letter. The transmittal letter shall also state that a discussion of any violations found since the last report was submitted, and a description of the actions taken or planned for correcting those violations, including any references to previously submitted time schedules, is contained in the accompanying report. The transmittal letter shall contain a statement by the discharger, or the discharger's authorized agent, under penalty of perjury, that to the best of the signer's knowledge the report is true, accurate, and complete.

The Discharger shall implement the above monitoring program on the effective date of this Program.

Ordered by: \_\_\_\_\_  
PAMELA C. CREEDON, Executive Officer

\_\_\_\_\_  
XX July 2015

WMH/jsh

**TABLE I**  
**PRODUCTION MONITORING**

<b>Production Information</b>	<b>Tons</b>	<b>Discharge Location<sup>3</sup></b>	<b>Sample Frequency</b>	<b>Reporting Frequency</b>
<b>Pedro Claim</b>				
Group C - Ore			Monthly	Semiannually
Group C - Waste			Monthly	Semiannually
Group B - Ore			Monthly	Semiannually
Group B - Waste			Monthly	Semiannually
<b>Eagle Bird Claim</b>			Monthly	Semiannually
Group C - Ore			Monthly	Semiannually
Group C - Waste			Monthly	Semiannually
Group B - Ore			Monthly	Semiannually
Group B - Waste			Monthly	Semiannually
<b>Mill Tailings<sup>4</sup></b>			Monthly	Semiannually
<b>Total tons mined</b>			Monthly	Semiannually
<b>Total tons shipped off-site<sup>5</sup></b>			Monthly	Semiannually

<sup>3</sup>

1. On-site mining unit,
2. On-site stockpile
3. Taken to off-site mill facility

<sup>4</sup>

1. Discharged on surface
2. Discharged underground

<sup>5</sup> Each time ore, concentrate, or mining waste is taken off-site for further processing at a custom mill, the Discharger shall document the date of removal, tonnage removed, and the location of the appropriately permitted custom mill. A copy of each hauling receipt shall be included in the annual monitoring report.