

Lahontan Regional Water Quality Control Board

**MINUTES**

**January 8-9, 2014**

**Regular Meeting**

Hampton Inn Suites Barstow  
2710 Lenwood Road  
Barstow, CA 92311

**Board Members Present**

Peter C. Pumphrey, Chair, Bishop  
Amy Horne, Ph.D., Truckee  
Don Jardine, Markleeville  
Keith Dyas, Rosamond  
Eric Sandel, Truckee  
Kimberly Cox, Helendale

**Board Member Absent**

None

**Legal Counsel**

Kimberly Niemeyer, Office of Chief Counsel, State Water Resources Control Board

**State Board Staff Present**

Gita Kapahi, Director, Office of Public Participation  
Laura Drabandt, Office of Enforcement  
Frances McChesney, Office of Chief Counsel  
David Coupe, Office of Chief Counsel (via teleconference, Closed Session)

**Regional Board Staff Present**

Patty Z. Kouyoumdjian, Executive Officer  
Lauri Kemper, Assistant Executive Officer  
Mike Plaziak, Sup. Engineering Geologist  
Douglas Smith, Sup. Engineering Geologist  
Chuck Curtis, Sup. WRCE (via teleconference)  
Patrice Copeland, Senior Engineering Geologist  
Richard Booth, Senior Engineering Geologist

Scott Ferguson, Senior WRCE  
Anne Holden, Engineering Geologist  
Lisa Dernbach, Staff Engineering Geologist  
John Morales, WRCE  
Jay Cass, Senior WRCE  
Sue Genera, Executive Assistant, Board Clerk

**REGULAR MEETING**

**Wednesday, January 8, 2014- 7:00 p.m.**

To view the full Agenda and listen to the audio file of this meeting [CLICK HERE](#)

## **INTRODUCTIONS**

Chairman Pumphrey called the meeting to order at 7:02 p.m. on January 8, 2014, and introduced Board Members.

Patty Z. Kouyoumdjian, Executive Officer, introduced Legal Counsel, State Water Board and Water Board staff.

## **OTHER BUSINESS**

### **1. Resolution for Jack Clarke In Honor of his Service to the Lahontan Water Board**

Chair Pumphrey read the Resolution honoring Jack Clark and presented it to his longtime friend Dereck Sandwick.

- **Motion:** Moved by Dr. Horne, seconded by Mr. Sandel, and **unanimously carried** to adopt the Resolution as presented.

Click here to view adopted [Resolution No. R6T-2014-0001](#)

### **2. United States Geological Survey (USGS) Presentation of a Proposal to Investigate the Occurrence of Natural and Anthropogenic Hexavalent Chromium and Estimate Background Chromium Concentrations in Hinkley, CA near the Pacific Gas and Electric Company's Area Impacted by Chromium Contamination**

Ms. Anne Holden, Engineering Geologist, addressed the Board and presented an overview of current chromium background values in Hinkley, how background values are used, why the values are being re-evaluated, and the direction the Technical Working Group has provided in reviewing the proposal.

Dr. Izbicki, USGS, addressed the Board and gave a very detailed presentation outlining the proposed study. Dr. Izbicki specified what the study could tell us about the background levels and what was beyond the scope of the study.

#### **Public Comments**

- Billy Hernandez, former CAC Member, raised issue with isolated high chromium level residential wells that are not being incorporated into the plume boundary delineation and the negative financial effect this has had on those residents.
- Kevin Sullivan, PG&E Project Manager, encouraged the Board to support the proposal.
- Daron Banks, CAC Member, expressed his support of the study. Mr. Banks requested that staff from the Victorville Office be available to attend meetings, participate in site visits, and be available for telephone calls.
- Movita Hernandez, former Hinkley resident, asked Dr. Izbicki how he will be able to establish which Chromium is naturally occurring or manmade (PG&E.) Dr. Izbicki briefly identifies the tools he will use to create and evaluate the data.
- Ian Webster, IRP Manager, encouraged the Board to support the proposal.

Mr. Sandel requested that staff respond to Mr. Hernandez as to why his property was not drawn into the plume boundary. Ms. Kemper responded that using groundwater flow data, there was no indication that the chromium found in Mr. Hernandez' well was from the PG&E site. Ms. Kemper confirmed that Mr. Hernandez' property would be included in the USGS Study. Mr. Sandel also asked if staff could respond to Mr. Bank's request to have a local Victorville staff appointed to Hinkley/PG&E related matters. Ms. Kemper responded that in order to have a staff person in the Victorville Office, a new staff person would have to be hired for that purpose or else workloads for current staff assigned to Hinkley/PG&E would have to be reevaluated. The ability to justify hiring new staff may be challenging.

Board Comments:

Mr. Jardine was in support of the USGS moving forward with the Study and recommended using the 90 samples within Task 3. Ms. Cox concurred with Mr. Jardine, supporting the Study and the use of 90 samples. Dr. Horne, Mr. Sandel, Mr. Pumphrey, and Mr. Dyas, also expressed their support of the USGS moving forward with the Study. They look forward to the results.

**3. Workshop – Discussion of Tentative Waste Discharge Requirements (WDRs) for Agricultural Treatment Units, Pacific Gas and Electric Company's Hinkley Compressor Station**

Ms. Holden gave a Power Point presentation outlining the tentative WDRs to allow expansion of agricultural treatment units in the Hinkley Valley. Ms. Holden highlighted: EIR Mitigation Measures, the increase of Total Dissolved Solids, and chromium plume "bulging". Mr. Kevin Sullivan, PG&E Project Manager also presented a Power Point covering the next steps in using agricultural treatment units for long term remediation. Both presenters were available to respond to Advisory Team and Board Member questions.

Public Comments:

- Mr. Hernandez expressed concern over tritium present in monitoring wells.

Board Comments:

Mr. Jardine supported the WDRs as presented. Ms. Cox recommended taking the Basin-wide approach as a cleanup method for agricultural treatment unit byproducts. Dr. Horne requested to see some language in the WRDs that addresses the consequences for PG&E if the plume "bulge" exceeds the 3,000 foot line allowed in the WDRs and also addresses consequences of increased uranium in soil. Mr. Dyas agreed with Ms. Cox on the Basin-wide approach especially if it could include no net water consumption. Mr. Sandel and Chair Pumphrey concurred with previous statements made by the Board.

**4. Status Report on Activities Concerning Chromium Contamination from Pacific Gas and Electric (PG&E) Hinkley Compressor Station**

Lisa Dernbach with the Lahontan Water Board, Ian Webster, IRP Manager, Kevin Sullivan representing PG&E, and Daron Banks, CAC Member, presented status updates on recent efforts and activities in the Hinkley community and answered Board questions.

Dr. Horne stated that the Hinkley site is the single biggest issue for the Lahontan Board south of Conway Summit and one of the most complex issues the Board has ever dealt with. Dr. Horne indicated that Victorville staff should be involved this project and someone needs to be on the ground to answer questions. It is important for the community to have trust in the data that is being gathered.

Note: The Board took a break from 10:12-10:19 p.m.

#### 5. **PUBLIC FORUM**

- Elizabeth Hernandez, Hinkley resident, addressed the Board and expressed her heartbreak over the devastation of her community.
- Lance Eckhart, Mojave Water Agency, notified the Board that their Regional (draft) Salt and Nutrient Management Plan should be complete in April 2014 and after the public comment period closes, should be finalized in June or July. Mr. Eckhart is working with the Lahontan Water Board, CA Department of Public Health, CA Rural Water Association, Mojave Water Agency, and a local non-profit organization (Hinkley Partnership for Healthy Living), to access grant funding to finance a community water distribution system. This same grant fund process has also been started for a small neighborhood in Barstow which has been affected by perchlorate contamination.
- Lester White, Hinkley resident, expressed his support of the USGS Study. Mr. White stated that local business and home owners are being denied insurance due to exposure the Chromium. Mr. White is the founder of the Hinkley Partnership for Healthy Living and hopes to update the Board on their progress at the next Barstow Board Meeting.
- Delia Aguayo, Hinkley resident, stated that her family's irrigation wells are going dry. She wonders if this is connected to PG&E's mitigation efforts. Project Navigator has offered to have testing done on their wells, but the family declined and will wait until the USGS has completed their Study. She also asked the Board their opinion of her family's problem. She asked why PG&E is destroying irrigation wells when they are only supposed to be monitoring domestic wells.
- Movita Hernandez, former Hinkley resident, hopes that after the USGS Study is complete, that the community of Hinkley can be rebuilt into the place it once was.

*Note: The Board Meeting recessed at 11:04 p.m.*

#### **CLOSED SESSION: Thursday, January 9, 2014 - 8:30 a.m.**

#### 6. **CLOSED SESSION\*\***

The Board met in Closed Session from 8:35-8:59 a.m. to discuss litigation regarding the Atlantic Richfield Company. No reportable action was taken.

#### **Regular Meeting Continued: Thursday, January 9, 2014 - 9:30 a.m.**

#### **INTRODUCTIONS**

Chairman Pumphrey called the meeting to order at 9:30 a.m. on January 9, 2014, and introduced Board Members.

Patty Z. Kouyoumdjian, Executive Officer, introduced Legal Counsel, State Water Board and Water Board staff.

### **OTHER BUSINESS**

#### **7. PUBLIC FORUM**

None.

#### **8. Minutes of the Regular Meeting of November 13-14, 2013, held in South Lake Tahoe, CA.**

- **Motion:** Moved by Dr. Horne, seconded by Mr. Dyas, and **unanimously carried** to adopt minutes as presented.

Click here to view the adopted [November 2013 Minutes](#)

### **REPORTS**

#### **9. Reports by Water Board Chair and Board Members**

None.

#### **10. Election on Chair/Vice Chair**

- **Motion:** Moved by Mr. Jardine, seconded by Mr. Sandel, and **unanimously carried** to elect Ms. Cox as Vice Chair and Dr. Horne as Chair for 2014.

#### **11. Executive Officer's Report**

Ms. Kouyoumdjian, Executive Officer, presented the [January Written Report](#) and gave additional updates on:

- Personnel in the South Lake Tahoe and Victorville offices

Ms. Lauri Kemper, Assistant Executive Officer, presented the Quarterly Violations Report.

### **NEW WASTE DISCHARGE REQUIREMENTS**

#### **12. New Waste Discharge Requirements and Revised Water Recycling Requirements for the City of Victorville's Industrial Wastewater Treatment Plant, San Bernardino County**

Mr. John Morales, Water Resource Engineer, addressed the board and gave a Power Point presentation outlining the New Waste Discharge Requirements and answered Board member questions.

Board Comments:

Dr. Horne recommended hosting a workshop to discuss Total Dissolved Solids (TDS) impacts.

- **Motion:** Moved by Mr. Sandel, seconded by Dr. Horne, and **unanimously carried** to adopt the Order as presented.

Click here to view adopted [Board Order No. R6V-2014-0002](#)

**ENFORCEMENT****13. Rescission of Cease and Desist Order Nos. R6V-2007-24 and R6V-2011-15A1 issued to the Adelanto Public Utility Authority, San Bernardino County**

- **Motion:** Moved by Mr. Dyas, seconded by Mr. Jardine, and **unanimously carried** to rescind the Orders as presented.

Click here to view adopted [Board Order No. R6V-2014-0004](#)

**OTHER BUSINESS****14. Hearing Procedure Templates and Public Participation Information for Enforcement Action Public Hearings**

Mr. Scott Ferguson, Supervising Water Resources Control Engineer, gave a Power Point presentation describing the template purpose and development and staffs response to comments.

Board Comments:


Mr. Sandel suggested that the color used to highlight data entry fields be changed from turquoise to a lighter shade.

**Motion:** Moved by Dr. Horne, seconded by Mr. Sandel, and **unanimously carried** to adopt the Resolution as presented.

Click here to view adopted Board Order No. R6T-2014-0005

**ADJOURNMENT**

With no further business to come before the Board, the meeting adjourned at 10:14 a.m. on January 9, 2014.

Prepared by:  Adopted: 02-12-14  
Sue Genera, Executive Assistant