

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
COLORADO RIVER BASIN REGION

CLEANUP AND ABATEMENT ORDER NO. 83-55  
AGAINST  
THE BUREAU OF LAND MANAGEMENT

The Executive Officer of the California Regional Water Quality Control Board, Colorado River Basin Region, finds that:

1. The United States Government, through the Bureau of Land Management (hereinafter also referred to as the discharger), owns property located in Section 34, T11N, R14E, SBB&M. Mining rights for the subject property are owned by the Blair Brothers Ranch, P. O. Box 8, Essex, Ca 92332. Said mining rights were reportedly leased to Brownstone Mining Company, P. O. Box 215, Lone Pine, CA 93545, for the extraction of gold and other precious metals via a cyanide leaching process.
2. The Regional Board adopted waste discharge requirements on Brownstone Mining Company for the mining operation on May 9, 1979 in Order No. 79-52. Said waste discharge requirements provide, in part, as follows:
  - A. Discharge Specifications
    1. Neither the treatment nor the discharge of wastewater shall create a pollution or a nuisance as defined in Division 7 of the California Water Code.
    2. There shall be no surface flow of wastewater away from the processing area, and there shall be no discharge to any drainage channel.
    3. All drainage and collection facilities used to contain or transport cyanide solution shall be effectively sealed to prevent exfiltration.
    4. A minimum freeboard of at least two (2) feet shall be maintained in the holding basins.
    5. Adequate measures shall be taken to assure that flood or surface drainage waters do not erode or otherwise render portions of the facilities inoperable.
    6. There shall be no discharge of wastewater containing any trace of cyanide at this location.
    7. Ore tailings and wastewater shall be completely neutralized before being discharged to the basins.

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8. All industrial containers and other industrial waste materials shall be discharged at a Class I waste disposal site, or shall be neutralized and discharged at a Class II-2 disposal site provided said discharged wastes are immediately covered. All containers shall be rendered unusable prior to final disposal.
9. Adequate measures shall be taken to assure that unauthorized persons and animal pets are effectively excluded from the processing area.
3. Brownstone Mining Company failed to comply with Order No. 79-52, abandoning ore containing significant concentrations of cyanide, pure sodium cyanide, and other contaminated materials at the mine site.
4. On December 23, 1981, the Executive Officer of the Regional Board issued Cleanup and Abatement Order No. 81-100 against Brownstone requiring cleanup of all mining wastes by February 1, 1982. Brownstone failed to comply with the cleanup time schedule, although a partial cleanup was done by Brownstone between November 11 and 14, 1982.
5. On November 17, 1982, the Regional Board conducted a public hearing and adopted Order No. 82-58 directing the Executive Officer to refer Brownstone Mining Company to the Attorney General for further enforcement action unless Brownstone immediately achieved compliance with the aforementioned waste discharge requirements and cleanup and abatement order.
6. It was determined that the cleanup activities by Brownstone had not achieved compliance, and thus the Executive Officer referred Brownstone Mining Company to the Attorney General by letter dated December 17, 1982.
7. The Bureau of Land Management, as owner of the property, bears a joint responsibility under California law with Brownstone Mining Company and the Blair Brothers Ranch for the conditions which violate waste discharge requirements contained in Order No. 79-52.
8. This enforcement action is exempt from provisions of the California Environmental Quality Act (Public Resources Code, Section 21000, et. seq.) in accordance with Section 2714, Chapter 3, Title 14, California Administrative Code.

IT IS HEREBY ORDERED that pursuant to Section 13304 of Division 7 of the California Water Code, the Bureau of Land Management shall take all necessary actions to immediately abate further violation of Order No. 79-52, including:

1. In the event that other responsible parties have not already alleviated the violations, the Bureau of Land Management shall remove all industrial wastes and containers, and neutralize and/or remove all mine tailings and other cyanide-contaminated materials by July 15, 1983.

2. Upon completion of neutralization and/or removal of all cyanide-contaminated wastes, the discharger shall collect and analyze samples of materials left on site to prove that no cyanide compounds remain. The discharger shall arrange for a Regional Board staff member to witness the collection of samples to be analyzed.
3. Submit to the Regional Board by September 1, 1983, a technical report detailing all actions taken to achieve compliance with Order No. 79-52. The report shall include the neutralization and/or removal procedure of all cyanide-contaminated wastes, and the results of all cyanide analyses.

Failure to comply with this Order as directed may result in referral to the Attorney General for appropriate legal action without further notice.

May 3, 1983  
Date

Arthur Swajian  
Executive Officer