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MONITORING & REPORTING PROGRAM R5-2020-0060



ORDER INFORMATION

Order Type(s):	Monitoring & Reporting Program (MRP)
Status:	ADOPTED
Program:	Title 27 Discharges to Land
Region 5 Office:	Sacramento (Rancho Cordova)
Discharger(s):	California Asbestos Monofill, Inc.
Facility:	California Asbestos Monofill, Inc.
Address:	4849 O'Brynes Ferry Road, Copperopolis, 95228
County:	Calaveras County
Parcel Nos.:	64-027-02, 64-027-06, 64-028-11, 64-028-14, and portions of 64-028-18
WDID:	5B052006001
Prior Order(s):	79-231; 89-045; 91-019; 97-142; 98-204

CERTIFICATION

I, PATRICK PULUPA, Executive Officer, hereby certify that the following is a full, true, and correct copy of the order adopted by the California Regional Water Quality Control Board, Central Valley Region, on 10 December 2020.

PATRICK PULUPA,
Executive Officer

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TABLE OF CONTENTS

- Table Index iii**
- Glossary iv**
- Preface 1**
- Monitoring & Reporting Program..... 2**
 - A. General Provisions 2
 - 1. Incorporation of Standard Provisions 2
 - 2. Monitoring Provisions in WDRs Order 2
 - 3. Compliance with Title 27 2
 - 4. Sample Collection and Analysis Plan (SCAP)..... 2
 - B. Detection Monitoring Program (DMP)..... 3
 - 1. Groundwater 3
 - a. Required Network 3
 - b. Sample Collection and Analysis..... 3
 - 2. Surface Water 5
 - a. Required Network 5
 - b. Sample Collection and Analysis..... 6
 - c. Five-Year COCs 7
 - 3. Pit Water Transfer Volume..... 7
 - 4. Summary of Water Quality Protection Standard (WQPS) Components 7
 - a. Compliance Period 7
 - b. Monitoring Points 8
 - c. Point of Compliance (POC)..... 8

d. Constituents of Concern (COCs)	8
e. Monitoring Parameters.....	8
f. Five-Year COCs	8
g. Concentration Limits	9
h. Retesting Procedures	9
C. Additional Facility Monitoring	10
1. Annual Facility Inspections.....	10
2. Major Storm Events.....	10
D. Reporting Requirements.....	10
1. Semiannual Monitoring Reports (SMRs).....	11
2. Annual Monitoring Reports (AMRs).....	12
3. Annual Facility Inspection Report.....	12
4. Major Storm Event Reports	13
5. Financial Assurances Report	13
6. Water Quality Protection Standard Report	13
7. General Reporting Provisions	14
a. Transmittal Letters	14
b. Monitoring Data and Reports	14
c. Compliance with SPRRs.....	15
d. Additional Requirements for Monitoring Reports	15
E. Record Retention Requirements	15

TABLE INDEX

Table 1—Groundwater Monitoring Network 3
Table 2—Groundwater Detection Monitoring, Physical Parameters 4
Table 3—Groundwater Detection Monitoring, Constituent Parameters..... 4
Table 4—Surface Water Detection Monitoring Network..... 5
Table 5—Surface Water Detection Monitoring, Physical Parameters 6
Table 6—Surface Water Detection Monitoring, Constituent Parameters..... 6
Table 7—Summary of Required Reports 10

GLOSSARY

CAM	California Asbestos Monofill, Inc.
AMR	Annual Monitoring Report
C.F.R.	Code of Federal Regulations
CIWQS	California Integrated Water Quality System Project
COCs	Constituents of Concern
DMP	Detection Monitoring Program
DWR	California Department of Water Resources
EC	Electrical Conductivity
ELAP	State Water Board's Environmental Laboratory Accreditation Program (formerly administered by California Department of Public Health)
EMP	Evaluation Monitoring Program
EW	Extraction Well
Five-Year COCs	Five-Year Constituents of Concern
GeoTracker	State Water Board's Data Management System for Sites with Potential Groundwater Impact
LF	Landfill
MDL	Method Detection Limit
Method TO-15 VOCs	Volatile Organic Compounds associated with USEPA Method TO-15
MU	Mining Unit
MRP	Monitoring and Reporting Program
N/A	Not Applicable
PID	Photo Ionization Detector

POC	Point of Compliance for Water Quality Protection Standard
QA/QC	Quality Assurance/Quality Control
Qualified Professional	Professional Civil Engineer or Geologist licensed by the State of California
RL	Reporting Limit
ROWD	Report of Waste Discharge
SCAP	Sample Collection and Analysis Plan
SI	Surface Impoundment
SMR	Semiannual Monitoring Report
SPRRs / Standard Provisions ...	<i>Standard Provisions and Reporting Requirements for Mining Waste, February 2009</i>
TDS	Total Dissolved Solids
Title 27	California Code of Regulations, Title 27
USEPA	United States Environmental Protection Agency
VOCs	Volatile Organic Compounds
WDRs	Waste Discharge Requirements
WMU	Waste Management Unit
WQPS	Water Quality Protection Standard

UNITS

ft³ / min	Cubic Feet per Minute
ft msl	feet above mean sea level
°F	Degrees Fahrenheit
Gallons/Day	Gallons per Day
mg/L	Milligrams per Liter
µg/L	Micrograms per Liter
µmhos/cm	Microsiemens per Centimeter
µg/cm³	Micrograms per Cubic Centimeter
NTUs	Nephelometric Turbidity Units
% Vol.	Percent by Volume
Inches Hg	Inches of Mercury (Barometric Pressure)
MM Hg Vacuum	Millimeters of Mercury (Barometric Pressure)

PREFACE

Adopted by the California Regional Water Quality Control Board, Central Valley Region (Central Valley Water Board) pursuant to Water Code section 13267, subdivision (b)(1), this Order establishes a Monitoring and Reporting Program (MRP) for California Asbestos Monofill, Inc. (Discharger), which owns and operates the California Asbestos Monofill, Inc. (Facility) in Calaveras County. Additional information regarding the Facility is set forth in the enumerated findings of Waste Discharge Requirements Order R5-2020-0060 (WDRs Order). Except as otherwise provided in the following MRP, these findings are incorporated herein.

The MRP also contains supplemental findings related to monitoring and reporting activities, and/or Facility conditions. For the purposes of California Code of Regulations, title 27 (Title 27) (e.g., §§ 21720, 20380-20435), the findings and provisions of this Order are conversely incorporated as part of the WDRs Order as well.

Although adopted with the WDRs Order, this is a separate order subject to subsequent revision by the Executive Officer in accordance with delegated authority per Water Code section 13223. For the purposes of Title 27, such revisions shall be automatically incorporated as part of the WDRs Order.

Except as otherwise provided in the following Revised MRP, these findings are incorporated herein. The Revised MRP also contains supplemental findings related to monitoring and reporting activities, and/or Facility conditions. For the purposes of California Code of Regulations, title 27 (Title 27) (e.g., §§ 21720, 20380-20435), the revised findings and provisions of this Order are conversely incorporated as part of the WDRs Order as well.

MONITORING & REPORTING PROGRAM

IT IS HEREBY ORDERED, pursuant to Water Code section 13267: that all previously issued Monitoring and Reporting Program(s) for the discharge of solid waste at the Facility are rescinded (except for enforcement purposes); and that the Discharger, their agents, employees and successors shall comply with the following Monitoring and Reporting Program (MRP). The Discharger shall not implement any changes until a revised MRP is issued by the Central Valley Water Board or its Executive Officer.

A. General Provisions

1. **Incorporation of Standard Provisions**—The Discharger shall comply with all relevant provisions of the *Standard Provisions and Reporting Requirements for Discharges of Mining Wastes Regulated by Title 27, February 2009 edition* (SPRRs or Standard Provisions), which are incorporated herein. See, e.g., SPRRs section IX (*Provisions for Monitoring*) and section X (*Response to Release*).
2. **Monitoring Provisions in WDRs Order**—The Discharger shall comply with all “Monitoring Provisions” in the Facility’s operative Title 27 WDRs Order, which are also incorporated herein.
3. **Compliance with Title 27**—The Discharger shall comply with all of Title 27 provisions as they pertain to activities described in this MRP (including SPRRs).
4. **Sample Collection and Analysis Plan (SCAP)**—All samples shall be collected, preserved and transported in accordance with the approved Sample Collection and Analysis Plan (SCAP) and the Quality Assurance/Quality Control (QA/QC) standards specified therein. The Discharger may use alternative analytical test methods (including new USEPA-approved methods), provided that the alternative methods have method detection limits (MDLs) equal to or lower than the analytical methods specified in this MRP and are identified in the approved SCAP.

B. Detection Monitoring Program (DMP)—To detect a release at the earliest possible time (see Title 27, § 20420, subd. (b)), the Discharger shall implement a Detection Monitoring Program (DMP) for groundwater and surface water in accordance with the provisions of Title 27, particularly sections 20415 and 20420.

1. Groundwater

a. Required Network—The Facility’s groundwater monitoring well network consists of the wells listed in **Table 1**. As of the date of this Order, the network meets the requirements of Title 27. (Title 27, § 20415, subd. (b).)

Table 1—Groundwater Monitoring Network

Well	Program	Monitored Unit	Point of Compliance
MW-1	Background	LU-1	No
MW-2	Detection	LU-1	No
MW-3	Detection	LU-1	No
MWP	Detection	LU-1	Yes

See Glossary for definitions of terms and abbreviations in table.

b. Sample Collection and Analysis—Groundwater samples shall be collected from each well and analyzed for Monitoring Parameters listed in **Table 2** (*Physical Parameters*) and **Table 3** (*Constituent Parameters*), in accordance with the specified schedule for each parameter. (Title 27, § 20420, subds. (e)-(f).). Samples for analyses **Table 3** parameters shall be collected during high groundwater table conditions as determined by quarterly groundwater elevation measurements.

Table 2—Groundwater Detection Monitoring, Physical Parameters

Physical Parameter	GeoTracker Code	Units	Sampling Freq.	Reporting Freq.
Elevation	ELEV	Feet & hundredths AMSL	Quarterly	Annually
Temperature	TEMP	°F	Semiannually	Annually
Electrical Conductivity	SC	µmhos/cm	Semiannually	Annually
pH	PH	pH Units	Semiannually	Annually
Turbidity	TURB	NTUs	Semiannually	Annually

See Glossary for definitions of terms and abbreviations in table.

Table 3—Groundwater Detection Monitoring, Constituent Parameters

Constituent Parameter	GeoTracker Code	Units	Sampling Freq.	Reporting Freq.
TDS	TDS	mg/L	Annually	Annually
Lab pH	PH	Std. units	Annually	Annually
Sulfate	SO4	mg/L	Annually	Annually
Magnesium	MG	mg/L	Annually	Annually
VOC (EPA method 8260)	various	µg/L	Annually	Annually
Total Chromium	CR	mg/L	Annually	Annually
Copper	CO	mg/L	Annually	Annually
Dissolved Iron	FE	mg/L	Annually	Annually

Constituent Parameter	GeoTracker Code	Units	Sampling Freq.	Reporting Freq.
Manganese	MN	mg/L	Annually	Annually
Nickel	NI	mg/L	Annually	Annually
Zinc	ZN	mg/L	Annually	Annually

See Glossary for definitions of terms and abbreviations in table.

2. **Surface Water**—Runoff from the Facility is collected in one or more sedimentation basins, which periodically flow to Stanislaus River, which may be affected by a release. (See Title 27, § 20415, subd. (c)(1).)
 - a. **Required Network**—The Facility’s surface water monitoring network consists of the monitoring points listed in **Table 4**. As of the date of this Order, the network meets the requirements of Title 27. (See § 20415, subd. (c).)

Table 4—Surface Water Detection Monitoring Network

Monitoring Point	Location	Program	Monitored Units
SR-1	Stanislaus River	Background (Upstream)	LU-1
SR-2	Stanislaus River	Background (Upstream)	LU-1
SR-3	Stanislaus River	Downstream	LU-1
LC-1	Long Creek	Background (Upstream)	Mill Tailings Stockpile
LC-2	Long Creek	Detection, at the confluence with Stanislaus River (Downstream)	Mill Tailings Stockpile

See Glossary for definitions of terms and abbreviations in table.

- b. Sample Collection and Analysis**—When surface water is present at monitoring points in **Table 4** at any point during the monitoring period, samples shall be collected from each monitoring point and analyzed for the Monitoring Parameters in **Table 5** (*Physical Parameters*) and **Table 6** (*Constituent Parameters*), in accordance with the specified schedule. (Title 27, § 20420, subds. (e)-(f).)

Table 5—Surface Water Detection Monitoring, Physical Parameters

Physical Parameter	GeoTracker Code	Units	Sampling Freq.	Reporting Freq.
Electrical Conductivity	SC	µmhos/cm	Semiannually	Annually
pH	PH	Std. Units	Semiannually	Annually
Turbidity	TURB	NTUs	Semiannually	Annually
Temperature	TEMP	°C	Semiannually	Annually

See Glossary for definitions of terms and abbreviations in table.

Table 6—Surface Water Detection Monitoring, Constituent Parameters

Constituent Parameter	GeoTracker Code	Units	Sampling Freq.	Reporting Freq.
Asbestos Fiber Content (>10 microns)	ASBESTOS	fibers/L	Semiannually	Annually
Total Dissolved Solids	TDS	mg/L	Semiannually	Annually
Total Suspended Solids	TSS	mg/L	Semiannually	Annually
Nitrate as Nitrogen	NO3N	mg/L	Semiannually	Annually
Sulfate	SO4	mg/L	Semiannually	Annually
Total Chromium	CR	mg/L	Every 5 Years	Every 5 Years
Copper	CO	mg/L	Every 5 Years	Every 5 Years

the period continues until it is demonstrated that the WMU has been in continuous compliance with its WQPS for at least three years. (*Id.*, § 20410, subd. (c).)

- b. Monitoring Points**—For WQPS purposes, a “monitoring point” is any well, device, or location where monitoring is conducted, and is specified in the Facility’s WDRs and subject to the WQPS. (Title 27, § 20164.) Monitoring Points are listed in **Section B** (*Detection Monitoring Program*)—specifically **Table 1** (*Groundwater and Pit Sump/Lake water*) and **Table 4** (*Surface Water*).
- c. Point of Compliance (POC)**—The Point of Compliance (POC) is a vertical plane at the WMU’s hydraulically downgradient limit, extending through the uppermost underlying aquifer. (Title 27, §§ 10164, 20405(a).) The Facility’s POC monitoring wells are listed below in **Table 1**.
- d. Constituents of Concern (COCs)**—Constituents of Concern (COCs) are waste constituents, reaction products, and hazardous constituents that are reasonably expected to be in or derived from waste contained in a WMU. (Title 27, §§ 20164, 20395.)
- e. Monitoring Parameters**—Monitoring Parameters are a predetermined set of COCs and measurable physical characteristics (e.g., temp., electrical conductivity, pH), which serve as reliable indicators of a WMU release, and for which samples will therefore be routinely analyzed. (Title 27, §§ 20164, 20395(a), 20420(e)-(f).) For the purposes of this MRP, the Monitoring Parameters are:

 - i. For **Surface Water**, those in **Table 5** and **Table 6**;
 - ii. For **Groundwater**, those in **Table 2** and **Table 3**; and
- f. Five-Year COCs**—In addition to the Monitoring Parameters described above, this Order requires the *quinquennial analysis* of samples for a larger range of constituents that are reasonably expected to be found in, or derived from, the waste contained within each unit at the Facility. (Title 27, §§ 20395, 20420(g).) Analytical results for Five-Year COCs were last submitted to the Central Valley Water Board as part of the 2016 Annual Monitoring Report and are due again in 2021. For the purposes of this MRP, the Five-

Year COCs are listed in in **Table 6**—Surface Water Detection Monitoring, Constituent Parameters.

- g. Concentration Limits**—The Concentration Limit for each COC is the “background concentration,” as determined by the statistical methods outlined in subdivision (e)(8) of Title 27, section 20415. (Title 27, § 20400, subds. (a), (b).)

The Discharger is comparing monitoring data to statically calculated maximums using Shewart-CUSUM control charts. Concentration Limits shall be proposed and/or updated by the Discharger every two years, in the Annual Monitoring Report submitted per **Section D.2.**

- h. Retesting Procedures**—If monitoring results indicate measurably significant evidence of a release, as described in Section I.45 of the SPRRs (*Standard Monitoring Specifications*), the Discharger shall apply the following:

- i. **Non-Statistical Retesting Procedures (SPRRs, § I.46)** for analytes detected in less than 10 percent of background samples (e.g., non-naturally occurring COCs).

Specifically, significant increases of volatile organic compounds (VOCs) in groundwater and pit water will be indicated by a verified quantification of a single VOC (at or greater than the practical quantitation limit) or a verified detection (at or greater than the method detection limit, but less than the practical quantitation limit) of two VOCs in the same well.

Qualitative comparisons of surface water will be made to determine if significant trends develop or if anomalously elevated detections occur.

- ii. **Statistical Retesting Procedures (SPRRs, § I.46)** for analytes detected in at least 10 percent of background samples (e.g., naturally occurring COCs).

Specifically, intrawell comparisons using a combined Shewart-CUSUM control chart method will be used to determine significant increases in inorganic constituents of concern in groundwater.

C. Additional Facility Monitoring

1. **Annual Facility Inspections**—Prior to **30 September** of each year, the Discharger shall inspect the Facility to assess repair and maintenance needs for drainage control systems, cover systems and groundwater monitoring wells; and preparedness for winter conditions (e.g., erosion and sedimentation control). If repairs are made as result of the annual inspection, problem areas shall be photographed before and after repairs. Any necessary construction, maintenance, or repairs shall be completed by 31 October. See **Section D.3** for Reporting Requirements.

2. **Major Storm Events**—Within seven-days of any storm event capable of causing damage or significant erosion (Major Storm Event), the Dischargers shall inspect the Facility for damage to any precipitation, diversion, and drainage facilities, and all landfill side slopes. Necessary repairs shall be completed within 30 days of the inspection. The Dischargers shall take photos of any problem areas before and after repairs. See **Section D.4** for reporting Requirements.

D. Reporting Requirements

Table 7—Summary of Required Reports

Section	Report	Deadline
§ D.1	<i>Semiannual Monitoring Reports (SMRs)</i>	1 February (with AMR) (1 January to 30 June) 1 February (with AMR) (1 July to 31 December)
§ D.2	<i>Annual Monitoring Reports (AMRs)</i>	1 February
§ D.3	<i>Annual Facility Inspection Reports</i>	15 November
§ D.4	<i>Major Storm Reporting</i>	Immediately after Damage Discovery (<i>staff notification</i>) Within 14 Days of Completing Repairs (<i>written report, photos</i>)
§ D.5	<i>Financial Assurances Reports</i>	1 June

Section	Report	Deadline
§ D.6	<i>Water Quality Protection Standard Reports</i>	Proposed Revisions (excluding Concentration Limits)

1. **Semiannual Monitoring Reports (SMRs)**— The Discharger shall submit Semiannual Monitoring Reports (SMRs) with Annual Monitoring Report (AMR). SMRs shall contain the following materials and information:
 - a. A statement affirming that all sampling activities referenced in the report were conducted in accordance with the approved SCAP (see § A.4).
 - b. Map(s)/aerial photograph(s) depicting locations of all observation stations, monitoring points referenced in the report.
 - c. In tabulated format, all monitoring data required to be reported on a semiannual basis, including Groundwater Conditions and Monitoring Parameters. (See Section D.7.b for additional requirements.)
 - d. For each groundwater monitoring point referenced in the SMR:
 - i. The times each water level measurement was taken;
 - ii. The type of pump or other device used to purge and elevate pump intake level relative to screening interval;
 - iii. The purging methods used to stabilize water in the well bore before sampling (including pumping rate);
 - iv. The equipment and methods used for monitoring pH, temperature and electrical conductivity (EC) during purging activity, and the results of such monitoring;
 - v. Methods for disposing of purged water; and
 - vi. The type of device used for sampling, if different than the one used for purging.
 - e. Evaluation of concentrations for all Constituent Parameters and Five-Year COCs (when analyzed), comparison to current

Concentration Limits, and results of any Retesting Procedures per Section B.4.h.

- f. In the event of a verified exceedance of Concentration Limit(s), any actions taken per Section J of the SPRRs (*Response to Release*) for wells and/or constituents not already specifically addressed in Corrective Action Monitoring under this MRP.
- g. Evaluation as to effectiveness of runoff/run-on control facilities.
- h. For closed landfills, summaries of inspections, leak searches and final cover repairs conducted in accordance with an approved Post-Closure Maintenance Plan per Standard Provisions G.26-29 (*Standard Closure and Post-Closure Maintenance Specifications*).

2. Annual Monitoring Reports (AMRs)—On **1 February** of each year,¹ the Discharger shall submit an Annual Monitoring Report (AMR) containing following materials and information:

- a. In tabulated format, all monitoring data for which annual reporting is required under this MRP. (See Section D.7.b for additional requirements for monitoring reports.)
- b. Graphs of historical trends for all Monitoring Parameters and Five-Year COCs (if such analyses were performed) with respect to each monitoring point over the five prior calendar years.²
- c. When required per Section B.4.g of this Order, periodic updates to the Concentration Limits for all Monitoring Parameters and WQPS Monitoring Points.

3. Annual Facility Inspection Report—By **15 November**, the Discharger shall submit a report with results of the Annual Facility Inspection per **Section C.1**. The report shall discuss any repair measures implemented,

¹ The Annual Monitoring Report may be combined with the Semiannual Monitoring Report for 1 July through 31 December of the same year.

² Each graph shall contain individual data points (not mean values) and be appropriately scaled to accurately depict statistically significant trends or variations in water quality.

any preparations for winter, and include photographs of any problem areas and repairs.

4. **Major Storm Event Reports**—Immediately following each post-storm inspection described in **Section C.2**, the Discharger shall notify Central Valley Water Board staff of any damage or significant erosion (upon discovery). Subsequent repairs shall be reported to the Central Valley Water Board (together with before and after photos of the repaired areas) **within 14 days** of completion.
5. **Financial Assurances Report**—By **1 June** of each year, the Discharger shall submit an annual financial assurances update report.
6. **Water Quality Protection Standard Report**—Any proposed changes³ to the Water Quality Protection Standard (WQPS) components (§ B.4), other than periodic update of the Concentration Limits (§ B.4.g), shall be submitted in a WQPS Report for review and approval. The report shall be certified by a “Qualified Professional” (§ B), and contain the following:
 - a. *Potentially Affected Waterbodies*—An identification of all distinct bodies of surface water and groundwater potentially affected by a WMU release (including, but not limited to, the uppermost aquifer and any permanent or ephemeral zones of perched groundwater underlying the Facility);
 - b. *Map of Monitoring Points*—A map of all groundwater, surface water⁴ and unsaturated zone monitoring points (including all background/upgradient and Point of Compliance monitoring points);
 - c. *Statistical Method for Concentration Limits*—A proposed statistical method for calculating Concentration Limits for Monitoring Parameters and Five-Year COCs (see § B.4.f) detected in at least 10 percent of the background data (naturally-occurring

³ If subsequent sampling of the background monitoring point(s) indicates significant water quality changes due to either seasonal fluctuations or other reasons unrelated to onsite waste management activities, the Dischargers may request modification of the WQPS.

⁴ To the extent that surface water monitoring is included in the Detection Monitoring Program.

constituents) using a statistical procedure from subdivisions (e)(8)(A)-(D) or (e)(8)(E) of Title 27, section 20415; and

- d. *Retesting Procedure*—A retesting procedure to confirm or deny measurably significant evidence of a release (Title 27, §§ 20415(e)(8)(E), 20420(j)(1)-(3)).

7. General Reporting Provisions

- a. **Transmittal Letters**—Each report submitted under this MRP shall be accompanied by a Transmittal Letter providing a brief overview of the enclosed report, as well as the following:

- i. Any violations found since the last report was submitted, a description of all actions undertaken to correct the violation (referencing any previously submitted time schedules for compliance), and whether the violations were corrected; and
- ii. A statement from the submitting party, or its authorized agent, signed under penalty of perjury, certifying that, to the best of the signer's knowledge, the contents of the enclosed report are true, accurate and complete.

b. Monitoring Data and Reports

- i. **Electronic Submission via GeoTracker**—All reports with monitoring data (e.g., SMRs and AMRs) shall be submitted electronically via the State Water Board's [Geotracker Database](https://geotracker.waterboards.ca.gov) (<https://geotracker.waterboards.ca.gov>). After uploading a report, the Discharger shall notify Central Valley Water Board staff via email at CentralValleySacramento@Waterboards.ca.gov. The following information shall be included in the body of the email:

Attention:	Title 27 Permitting and Mining
Report Title:	[Title of Report]
GeoTracker Upload ID:	[Identification Number]
Facility Name:	California Asbestos Monofill, Inc.
County:	Calaveras County
CIWQS Place ID:	5B052006001

4. A complete list of procedures used (including method of preserving the sample, and the identity and volumes of reagents used);
5. A calculation of results; and
6. The results of all analyses, as well as the MDL and PQL for each analysis (all peaks shall be reported).

SIGNATURE

This Order is effective as of the date set forth below.

ORDERED BY:

PATRICK PULUPA,
Executive Officer

ENFORCEMENT

If, in the opinion of the Executive Officer, the Discharger fail to comply with the provisions of this Order, the Executive Officer may refer this matter to the Attorney General for judicial enforcement, may issue a complaint for administrative civil liability, or may take other enforcement actions. Failure to comply with this Order may result in the assessment of Administrative Civil Liability of up to \$10,000 per violation, per day, depending on the violation, pursuant to the Water Code, including sections 13268, 13350 and 13385. The Central Valley Water Board reserves its right to take any enforcement actions authorized by law.

ADMINISTRATIVE REVIEW

Any person aggrieved by this Central Valley Water Board action may petition the State Water Board for review in accordance with Water Code section 13320 and California Code of Regulations, title 23, section 2050 et seq. To be timely, the petition must be received by the State Water Board by 5:00 pm on the 30th day after the date of this Order; if the 30th day falls on a Saturday, Sunday or state holiday, the petition must be received by the State Water Board by 5:00 pm on the next business day. The law and regulations applicable to filing petitions are available on the [State Water Board website](http://www.waterboards.ca.gov/public_notices/petitions/water_quality) (http://www.waterboards.ca.gov/public_notices/petitions/water_quality). Copies will also be provided upon request.