



EXECUTIVE OFFICER'S REPORT

April 2004

NORTH BASIN

1. ***Squaw Valley Ski Corporation –
Scott Ferguson***

On December 18, 2001, the Regional Board issued Cleanup and Abatement Order (CAO) No. R6-2001-0074, which requires Squaw Valley Ski Corporation (SVSC), et al. to identify and evaluate pollutant sources at the Squaw Valley Ski Area. SVSC is also required to develop and implement two plans for the ski area (Critical Water Quality Improvement Plan (CWQIP) and Water Quality Improvement Plan (WQIP)) in response to the results of the pollutant source identification/evaluation process (Facility Assessment). SVSC developed and implemented an acceptable CWQIP during the 2003 construction season, in compliance with CAO requirements. The next step with respect to the CWQIP will be to observe how effectively the CWQIP elements address the targeted pollutant sources.

The WQIP is due April 1, 2004 and staff will quickly review and provide SVSC with feedback as necessary, so that SVSC can begin implementing an acceptable WQIP this year. The WQIP will identify and describe the remaining projects/best management practices necessary to address the remaining sources of erosion identified in the Facilities Assessment. The WQIP will more than likely include a multi-year implementation schedule and also information necessary for Regional Board review and permitting of WQIP projects scheduled for 2004 implementation. Information necessary for Regional Board permitting of WQIP projects scheduled for subsequent years will be submitted a

minimum of six month prior to scheduled construction.

Another critical element of the CAO addresses parking lot runoff. SVSC submitted a Parking Lot Runoff Plan in compliance with the schedule specified in the CAO. The plan included passive media filtration technology for runoff originating from the parking lot areas and infiltration trench facilities for a snow storage area located on the hillside north of Squaw Valley Road. SVSC submitted the plan to Placer County for permitting, where significant issues regarding potential adverse effects to ground water quality were raised during the environmental review process. SVSC made a good-faith effort to address the primary issue that centered on the infiltration trench component's ability to adequately protect the area's sole-source aquifer, but was unable to do so and did not obtain Placer County authorization to proceed. Therefore, SVSC could not meet the October 15, 2003 CAO compliance date for plan implementation.

I have not initiated any formal enforcement action based upon SVSC's good-faith effort and I have indicated to SVSC my willingness to amend the CAO to extend the compliance date for plan implementation. Staff has allowed SVSC additional time to work with Placer County and interested stakeholders in an effort to develop an acceptable plan and to develop a new schedule for implementing the plan during the 2004 construction season. The CAO amendment could then incorporate the revised schedule. SVSC has been working with Placer County and interested stakeholders and is in the process of

modifying its plan, but has not provided a schedule for implementing an acceptable plan. It is my opinion that SVSC has had enough time to develop such a schedule (November 2003 – March 2004). I have sent SVSC a letter providing it with a final chance to submit an implementation schedule by April 16, 2004, or I will amend the CAO and impose a new compliance date (no later than fall of 2004.)

2. *Municipal NPDES Permit Update – Robert Larsen*

Regional Board adopted Board Order No. 6-00-82 regulates storm water discharges from the municipalities within the Lake Tahoe Basin. The Order is National Pollutant Discharge Elimination System Phase I Storm Water Permit (NPDES Permit). The City of South Lake Tahoe, and the counties of El Dorado, and Placer are co-permittees under the NPDES Permit.

Board staff (Staff) have been meeting quarterly with the permittees to discuss ongoing permit compliance issues and identify program needs for the NPDES Permit update, since it expires on October 12, 2005. During the most recent quarterly meeting on March 10, 2004, Staff discussed 2003 annual report compliance, proposed revisions to the current monitoring and reporting program, and Storm Water Management Plans (SWMPs).

All co-permittee 2003 annual reports were in substantial compliance with NPDES Permit conditions. Staff reminded the permittees of the importance of the “Maintenance and Inspection” portion of the annual submittal and discussed methods to improve existing inspection programs. Maintenance needs associated with water quality improvement projects continue to challenge the fiscally-strapped local implementing agencies.

Although the current NPDES Permit only requires permittees to inspect treatment facilities and report on maintenance needs, I intend to recommend that the updated permit include specific water quality treatment facility maintenance requirements. Compliance with the current inspection and reporting program can help permittees identify and prioritize maintenance needs so they may adequately plan for upcoming changes in the NPDES Permit.

The current monitoring and reporting program requires permittees to monitor storm water for California Toxic Rule (CTR) priority pollutants. Staff included CTR monitoring in the NPDES Permit as a screening tool to determine whether priority pollutants were present in storm water around the Lake Tahoe Basin. After reviewing two years worth of data, staff will recommend eliminating the CTR monitoring requirement from the NPDES Permit. With the exception of some metal constituents commonly found in storm water, CTR priority pollutants have not been detected in the Tahoe Basin storm water.

3. *STPUD Sewage Spill to Upper Truckee River – Robert Erlich*

On February 24, 2004 at 2:00 pm South Tahoe Public Utility District (STPUD) personnel reported that sewage spilling from a manhole below Onnontioga Street was reaching the Upper Truckee River. In this unincorporated section of El Dorado County on the east side of the Upper Truckee River across from the Lake Tahoe Airport, the sewer laterals are located on or adjacent to the river's floodplain several hundred feet from the nearest roads. Snowshoers reported the overflowing manhole to STPUD. The snowshoers noted they had visited the same spot two days earlier and had not noticed a leak. Raw sewage discharged from the manhole onto the floodplain next to the river.

STPUD reported the stoppage was finally cleared at 5:45 pm.

After consultation with El Dorado County Environmental Management personnel and other regulatory agency staff, and due to proximity to the Upper Truckee River and the risk of damage to aquatic organisms, STPUD did not apply chlorine disinfectants to the site. Because of the winter season, little recreational use of the river is expected during this time. STPUD installed fiber rolls across the channel to try to keep sewage solids from the river, and hand raked the area the afternoon of the spill and during the next morning. STPUD collected solids and hauled them off for disposal at the sewer plant. A large snowstorm on February 26-27 deposited approximately three feet of new snow in the area, and STPUD intends to visit the site after snow is off of the ground to do additional cleanup.

Since this situation posed a possible threat for continued discharge of polluted runoff to the Upper Truckee River, STPUD was asked to continue sampling discharge to the river. The samples collected between February 24, and March 4, 2004 showed a general trend towards decreasing pollutant levels for nutrients and bacteria in runoff passing through the contaminated area and into the Upper Truckee River downstream of the spill site.

STPUD reported that roots and chunks of asphalt were retrieved from the sewer line. The spill report suggests that, due in part to deteriorating conditions of local paved roads, snowplows have been hitting the sewer manhole frames, knocking off manhole covers, and pushing deteriorated asphalt into the sewer lines. The estimated volume of sewage actually spilled ranges from 1350 gallons (4½ hours @ 5 gpm) to 77,220 gallons (2 days @ 26.8 gpm).

Board staff will review additional sampling data submitted by STPUD, and may request additional information from STPUD before determining if additional action is necessary to reduce the impacts to water quality and beneficial uses.

4 . *Lake Tahoe Basin Management Unit-South Tahoe PUD Winter Logging Operations for B-Line Replacement Project - Robert Erlich*

Regional Board staff inspected winter logging operations associated with construction of the new B-Line pipeline that will carry treated sewage effluent from the Tahoe Basin. STPUD needed to cut and remove trees from LTBMU (Forest Service) lands near Grass Lake Road above the Upper Truckee River in El Dorado County to prepare for the B-line Replacement Project this summer. Using over-the-snow equipment over an adequate snow base reduced potential soil impacts from vehicles or from the end-lined or skidded logs. A contract logger started felling trees along the new pipeline route on February 22, 2004.

After installation of additional BMPs, felled logs were skidded down the relatively steep slopes to a paved access road. A small bobcat operated on paved roads, packed snow, and brush to load the logs on haul trucks for transport. Some felled trees at the upper end of the B-line pipeline section just below SR 89, will be left in place until the main construction project starts in late spring because they are on steep, rocky terrain. LTBMU staff monitored the logging operation and TRPA staff also participated in inspections. No soil disturbance was seen during the inspection, and the proper use of BMPs in this winter logging operations helped protect water quality.

5. ***Meyers Beacon Gas Station, El Dorado County - Lisa Dernbach***

Groundwater monitoring is the only on going activity at the former Meyers Beacon Gas Station, as active remediation efforts have resulted in reducing contaminant levels to below drinking water standard levels. First quarter groundwater sampling took place in mid-March. Typically, higher water levels occur during this sampling event. Sampling results should reveal the effectiveness of soil remediation at the underground storage tank basin that was completed last fall. If sampling results show groundwater at levels below drinking water standards, it will mark the third continuous quarter of beneficial use protection.

The Department of General Services extended the contract with Secor International to December 31, 2004 for completing corrective actions at the site. The additional time will enable Secor to conduct quarterly groundwater sampling and reporting in 2004.

Board staff is again proposing that the site be eligible for funding from Emergency, Abandoned and Recalcitrant Account so that cleanup funds can be made available next fiscal year for the likely completion of remediation activities at the site.

6. ***Status of Truckee River Total Maximum Daily Load (TMDL) Project - Bud Amorfini***

Work on a TMDL for the Truckee River has been redirected toward quantitatively assessing whether aquatic life beneficial uses are impaired. The need for this assessment was determined through the collaborative process whereby stakeholders indicated, and Board staff agreed, that available information on impairment was not sufficiently convincing. The Truckee River Watershed Council convened a stakeholder meeting in

January 2004 in which staff presented an analysis of available information and suggested using a bioassessment approach to resolve the issue.

A one to two-year study is being developed using TMDL contract funds to quantify conditions related to sediment in the Truckee River. Researchers working on the project include Dr. David Herbst of the Sierra Nevada Aquatic Research Laboratory and Dr. Gayle Dana of Desert Research Institute. Preliminary discussions with the researchers indicate that the study will focus on assessing benthic macroinvertebrate communities up- and down-stream of tributaries and intervening zones that discharge to the Truckee River. The assessment will include comparison of in-stream biological and physical characteristics in relation to a range of sediment loading to the Truckee River. Results of the work will be used to evaluate impairment, determine the most prudent regulatory approach for the watershed, and re-engage the collaborative process if needed.

7. ***Proposed Rush Creek/Silver Lake Modification Project, Mono County - John Steude***

In January 2004, the Regional Board received an application for Clean Water Act Section 401 Water Quality Certification (WQC) on behalf of the East Side Silver Lake Improvement Association, a group of citizens that lease properties with single-family homes along the shore of Silver Lake and Rush Creek near their confluence. The proposed "Rush Creek Restoration Project" is located in the June Lakes area on lands owned by the United States Forest Service and within the jurisdiction of the State Lands Commission who were not identified as applicants or sponsors of the project. The WQC application proposed the following activities:

1. Dredge approximately 1300 feet of the primary channel of Rush Creek beginning at its confluence with Silver Lake to facilitate navigation and sediment transport.
2. Maintain the main Rush Creek channel alignment by blocking off secondary channels with artificial barriers (called "geo-tubes") within the project reach.
3. Create approximately two acres of emergent wetlands (principally vegetated by *Carex spp.*) by filling secondary channels and adjacent shallow-water lake shoreline areas with dredged material to specified benchmark elevations within a two-acre area defined by geo-tube cells.
4. Implement a sediment and erosion control plan to contain dredged material within the wetland creation zone by using geo-tubes and other measures to control turbidity in Silver Lake and Rush Creek.
5. Minimize impacts to fish and wildlife during the project, and place large woody debris in an unspecified number of project locations to enhance salmonid habitat.
6. Monitor the Rush Creek channel and created wetlands to ensure project success.
7. Perform maintenance dredging for 10 years to maintain navigation and desired channel geometry.

Regional Board staff identified procedural and technical inadequacies with the project as proposed and obtained a 90-day extension from the U.S. Army Corps of Engineers (Corps) for the normal time (60 days) allowed for the State to grant or deny WQC. The extension will allow time for the California Department of Fish and Game (the identified CEQA lead agency) to complete and circulate a CEQA document for public review. The extension will also allow time for the applicant to address staff concerns about protection of water quality and beneficial uses. Staff provided a letter with specific comments to be addressed by the applicant

related to turbidity control, dredging operations, dredged materials disposal, protection of existing wetlands, project justification, maintenance issues, and the expected longevity of the project given the historical high rates of sedimentation in the project area.

Under the time extension provided by the Corps, I will have until June 17, 2004, to either grant or deny WQC for the project based on the information in the CEQA document and/or provided by the applicant.

8. ***Unauthorized Sewage Discharges at the US Marine Corps Mountain Warfare Training Center Wastewater Treatment Plant, Mono County - Rob Tucker***

The United States Marine Corps, Mountain Warfare Training Center (MWTC) has Waste Discharge Requirements and Monitoring and Reporting Program requirements for the operation of its wastewater treatment plant near Sonora Junction. For the last year, the MWTC has become increasingly delinquent in submitting required monthly monitoring reports, often providing late and/or incomplete reports. The treatment facility had a general history of reliable operation, therefore the reporting violations were not considered an enforcement priority.

In early October 2003, a pretreatment sewage grinder pump (comminutor) for the wastewater treatment plant failed. Substantial amounts of untreated sewage were reported discharged on six days during October and November to onsite leachfields via a discharge line bypassing the sewage treatment plant. Regional Board staff are continuing to investigate the full circumstances surrounding this matter.

Rather than reporting this equipment malfunction and the subsequent discharges

immediately to the Regional Board, as required, the operator did not report any problems or violations until January 2004, when late and incomplete monthly reports for October, November and December 2003 were provided. Preliminary findings indicate that the broken pump was not replaced for three months. The operator reportedly used a temporary replacement pump to lift the raw sewage into the plant. However, at various times the pump became clogged and resulted in sewage bypassing treatment on six or more days, and discharging into the leachfields.

This malfunction at the treatment plant was accompanied by lapses in monitoring of wastewater flows, wastewater constituents, and ground water quality, culminating in major violations in the last three months of 2003. On March 18, 2004, Regional Board staff met with MWTC personnel to discuss the violations and inform them of planned informal and formal enforcement actions. A Notice of Violation has been issued to the Mountain Warfare Training Center to fully inform them of the violations that occurred.

To compel future compliance with Regional Board requirements at federal facilities the California Water Code, Section 13308, allows me to issue a Time Schedule Order (TSO). Under the provisions of Section 13308, the federal government may be held liable for future reporting violations if they fail to comply with directives in a TSO. Potential liability for violating any provision of a TSO can be up to \$10,000 per day for each violation. I have directed staff to prepare a TSO for this federal facility, and to require the MWTC to investigate the impacts to leachfield operation and to ground water quality from the unauthorized discharges.

9. ***Atlantic Richfield Company Presents Alternatives for Year-Round Capture and***

Treatment of Acid Mine Drainage at Leviathan Mine – Chris Stetler

On November 17, 2003, the United States Environmental Protection Agency (USEPA) directed Atlantic Richfield Company to submit an Engineering Evaluation and Cost Analysis (EECA) for year-round capture and treatment of acid mine drainage at Leviathan Mine. The EECA will examine a limited number of options for the year-round capture, treatment and discharge of the known sources of acid mine drainage, specifically the Adit Seep, Pit Underdrain, Channel Underdrain, Delta Seep, and Aspen Seep. On March 17, 2004, Atlantic Richfield Company presented its draft evaluation of, and cost estimates for, three potentially applicable alternatives (process options) to be included the EECA. Atlantic Richfield Company made a presentation to USEPA, Regional Board staff, and the Leviathan Mine Council (including the Washoe Tribe, U.S. Fish & Wildlife, U.S. Forest Service, and California Dept. of Fish & Game).

The presented alternatives all include the existing bioreactor system treatment for the Aspen Seep flows and conventional lime treatment for treating other sources. The alternatives include the following:

Alternative 1:

Seasonal pond water treatment for Adit Seep and Pit Underdrain flows with one lime treatment plant, year-round treatment for the Channel Underdrain and Delta Seep flows with another lime treatment plant, and bioreactor system treatment for Aspen Seep flows.

Alternative 2:

Year-round treatment of Adit Seep, Pit Underdrain, Channel Underdrain and Delta Seep flows with one lime treatment plant, and bioreactor system treatment for Aspen Seep flows.

Alternative 3:

Enlarging the existing ponds and seasonal pond water treatment of Adit Seep, Pit Underdrain, Channel Underdrain and Delta Seep flows with one treatment plant, and bioreactor system treatment for Aspen Seep flows.

Atlantic Richfield Company is scheduled to submit the EECA by March 31, 2004. A thirty-day comment period will follow. USEPA anticipates breaking ground on a selected alternative during the 2005 construction season (commencing June 2005).

10. *Lake Tahoe Golf Course Improvements under Updated Waste Discharge Requirements - Bruce Warden*

In June 2000, the Regional Board adopted updated Waste Discharge Requirements (WDRs) for the five golf courses in the Lake Tahoe Basin within California. The updated WDRs emphasized achieving better surface water quality and groundwater quality by improving management of chemicals (especially fertilizers) and irrigation.

Another important component of improving management of fertilizers and irrigation was educational. Regional Board staff organized, and continues to provide assistance for annual Lake Tahoe Basin turfgrass and fertilizer management workshops. Tahoe Golf course superintendents and owners have enthusiastically attended the have workshops and improve their fertilizer and irrigation practices for protecting water quality.

Following are highlights and insights from three full golf seasons under the updated WDRs:

Each golf course has made significant improvements in fertilizer and/or irrigation management over the past three golf seasons:

1. Old Brockway Golf Course - Reduced irrigation system water use by 40% by achieving better irrigation system distribution uniformity, resulting in reduced runoff and nutrient leaching past root zone. Nitrate concentrations in a down-gradient monitoring well decreased from about 2 milligrams per liter (mg/L) to about 0.1 mg/L nitrate after irrigation improvements.
2. Tahoe Paradise Golf Course - Updated to new efficient programmable automatic irrigation system built with laterals on elevation contours. Steep sections of golf course programmed to cycle short irrigation duration three times per night; this allows time for water to infiltrate between cycles, eliminating runoff and reducing percolation past the root zone. As a result, the amount of fertilizer applied has been significantly reduced, since nutrient uptake efficiencies have increased. A secondary benefit of the improved irrigation system is reduced sediment loading from the golf course. This is from reduced runoff and better coverage of drainage swales that were previously exposed soil and eroding cut slopes. With irrigation, vegetation covers the previously bare soil making the swales stable and non-eroding.
3. Tahoe City Golf Course – implemented a site-specific fertilizer and irrigation management program since at least 2000:
 - Assessed soil moisture daily and adjusted specific sprinkler stations to ensure proper irrigation:
 - Scantily applied a low to no phosphorus custom blend fertilizer only when turf shows signs of nutrient need. Small dose application, about 12 to 15 times per year, has maximized

nutrient uptake by plants and reduced excess nutrient movement to surface or ground water.

- Offered an employee training program with performance incentives (~\$1,500 bonus) paid at end of year.
- 4. Bijou Golf Course - significantly cut fertilizer application rates (about ½ to ¼ of that used a decade ago) based on soil testing results which indicated high native nutrient soil contents from mineralization of rich peaty meadow soils.
- 5. Lake Tahoe Golf Course - uses innovative low-rate foliar application of fertilizers on greens which is taken up by grass leaves – no detectable leaching/runoff of applied fertilizer to surface or ground waters.

11. Lake Tahoe Wildfire Prevention Forum, March 13, 2004 - Douglas F. Smith

U.S. Senator Dianne Feinstein spoke to over 200 invited guests at the Lake Tahoe Wildfire Prevention Forum held on March 13, 2004 at the Lake Tahoe Community College campus in South Lake Tahoe. Senator Feinstein joined with California Assemblyman Tim Leslie, U.S. Representative John Doolittle, and Nevada State Senator Mark Amodei to support the Federal Healthy Forests Restoration Act of 2003 and urged the Lake Tahoe basin's communities to collaboratively develop required Community Wildfire Protection Plans by this August 2004.

Senator Feinstein emphasized the Community Wildfire Protection Plans are needed to hopefully avert a disastrous wildfire, such as the devastating 2003 wildfires in southern California, and the plans will also enable the communities to qualify for federal Healthy Forest funding.

Dr. Charles Goldman from the UC Davis Tahoe Research Group presented an overview of Lake Tahoe's water quality-related issues and spoke of the Lake's fragile ecosystem and the efforts to improve the water quality and clarity. Ed Smith, University of Nevada, gave an informational lecture to the forum on what individual homeowners can do to make their property fire safe while protecting the healthy forest vegetation.

Following the informative presentations by Dr. Goldman and Mr. Smith, some federal, state, and local officials convened a panel and gave their views of the Healthy Forests Restoration Act to the forum attendees. John Watts, Environmental Counsel for Senator Feinstein, and Jack Blackwell, Regional Forester for the US Forest Service's Pacific Southwest Region, indicated that the federal involvement in the wildfire protection planning process will be mostly facilitative. Andrea Tuttle, CDF Director, and Steve Robinson, NDF State Forester, informed the group that each state would review and accept the community plans, but state approvals are not required. Local Fire Protection District Chiefs envisioned the plans being developed through the state Fire Safe Councils.

The forum attendees then broke into six working groups, based on six local fire protection district geographic areas. Three representatives from our office attended the all-day Saturday forum and divided their time between the four California-based working groups. Each working group discussed the wildfire threat within the jurisdiction, summarized what has been done and what is being done to address the wildfire threat, and discussed the planning process. Each working group agreed that more time and additional meetings are needed to draft community wildfire prevention plans.

We expect to have at least one Regional Board staff attend the Fire Safe Council meetings at the local fire protection district level to facilitate the planning process and to ensure that water quality and beneficial uses are being protected in the development of

these wildfire protection plans. We anticipate up to two or three meetings each month from now through August and maybe into October 2004.

SOUTH BASIN

12 . *Mojave River / El Mirage Dairy Issues – Joe Koutsky*

Ground water monitoring data indicate elevated nitrate and total dissolved solids (TDS) pollutants from three dairies located on the Mojave River. Regional Board staff (Board staff) has developed a multi-level plan to address threatened ground water contamination from dairy operations on the river. First, staff is meeting with industry representatives to discuss Best Management Practices (BMPs) that the dairies can implement with support of the industry to reduce or eliminate future impacts to ground water. Second, staff is evaluating current ground water monitoring programs at each of these dairies to ensure that these programs are adequate to provide the necessary data that will identify the sources of nitrate/TDS and to indicate successful implementation of BMPs. Third, Board staff is continuing to provide oversight and outreach to dairy operators to help them understand their role in protecting water quality through compliance with their Waste Discharge Requirements (WDRs) and monitoring requirements.

Board staff initiated the first step of the dairy strategy by conducting a meeting with the Milk Producers Council and the Western United Dairymen on March 17, 2004. The meeting summarized the water quality problems on the Mojave River from specific dairy operations and discussed a coordinated strategy for dairy operations that is protective of water quality. Currently, all of the dairies

haul their manure offsite. However, wash water continues to be land applied to irrigation fields or is stored in unlined storage lagoons.

The dairy industry representatives recognized the impact from these lagoons on ground water and presented some suggestions on construction standards that may be applicable for use with dairies located over the Mojave River floodplain aquifer. Staff will be evaluating each of these proposals to evaluate determine if they will be effective in achieving compliance with water quality objectives.

13 . *Molycorp Cleanup and Abatement Order Compliance Status Update – Christy Hunter*

Off-Site Ground Water Investigation – Federal Right-of-Way (ROW) Access

The Bureau of Land Management (BLM) has granted (February, 2004) Molycorp access to install five monitoring wells on BLM-administrated land and access to private land to install up to three wells. Cleanup and Abatement Order (CAO) required Molycorp to implement a Site Investigation Work Plan to determine the lateral and vertical extent of ground water pollution from the Mine and Mill to the western drainage and Wheaton Wash. The Site Investigation was accepted by Board staff on October 5, 1998. Since 1998, Molycorp has been prohibited from conducting ground water investigations on adjacent federal lands pending a ROW permit

from BLM and National Park Service (NPS). Under the terms of the 2004 ROW permit, Molycorp will be granted access to install only a portion of those wells that were included in the original ROW request. Three of the five wells (on BLM land) will be installed in the western drainage and one will be located in Wheaton Wash. It is estimated that well installation will start in mid-late March 2004. However, it is anticipated that additional wells will be needed to define the extent of the contamination further east of Wheaton Wash.

Pipeline Scale Cleanup

In July and August 1996, approximately 230,000 gallons of wastewater were spilled in seven separate locations along a 13-mile pipeline from Molycorp's Mine and Mill facility to evaporation ponds on Ivanpah Dry Lake Playa. The pipeline failed during maintenance operations. Wastewater and pipe scale, containing elevated levels of barium, uranium, thorium and radium, were discharged to lands owned by the NPS and the BLM. The Executive Officer issued a CAO to Molycorp, NPS, and BLM on April 21, 1997 requiring investigation of the pipeline spills and cleanup of pipe scale and contaminated soils. Subsequent investigations revealed two historic pipeline release locations, not associated with the 1996 spills, that were added to the scope of remedial activities. With the exception of two very minor and localized areas of contamination, all of the spill-related material was removed by the fall of 2000. The materials remaining at the spill site were identified as posing no threat to human health or water quality and are to be removed during pipeline removal.

Preparation for pipeline removal is progressing. Molycorp is preparing a revised Work Plan, which will describe the necessary work to remove the remaining pipeline scale discharge. This work will also entail pipeline removal and testing/upgrade of an adjacent

fresh water pipeline and well. For those parts of the pipeline on Molycorp property, work will proceed as soon as Agency approval is obtained. For those areas off-site, access must be granted by BLM and NPS. Board staff understands that the U.S. Fish and Wildlife Service is preparing a Biological Opinion for the Environmental Assessment for these areas. It is not known at this time when access to BLM and NPS lands for pipeline removal will be granted.

Mine Expansion Draft Environmental Impact Report (DEIR)

San Bernardino County Planning (County) staff are completing a response to comments on the EIR for the 30-year expansion of the Mine, that includes placement of additional tailings and evaporation ponds. The County issued the DEIR for public review on April 14, 2003. The DEIR describes two alternatives for tailings disposal. One would entail development of a 165-acre East Tailings Storage Area to replace the North Tailings Pond (P-16) and the other is called the tailings paste alternative. Under this alternative, the tailings would be processed to reduce the water content yielding a paste with much lower water content than conventional tailing. The paste tailings could be stored in a substantially smaller tailings storage facility. Both alternatives involve lined disposal facilities that would meet or exceed the performance standards for liner leakage promulgated in Title 27 of the California Code of Regulations. The Planning Commission hearing for the DEIR is scheduled for April 22, 2004. Regional Board staff will attend the hearing.

North Tailings Pond (P-16)

As required by existing WDRs, Molycorp has filed information constituting a partial Revised Report of Waste Discharge (RWD) for closure of the North Tailings Pond (P-16). The existing WDRs require that Molycorp begin closure by January 2004 and complete

construction for closure by October 1, 2004. Board staff is analyzing the RWD and the previously-completed California Environmental Quality Act (CEQA) documents. I will inform you if it appears that the October 1, 2004 closure deadline will not be met.

14. *Containment Zone Proposal from Edwards Air Force Base (EAFB) – Elizabeth Lafferty*

As part of its ongoing work under Comprehensive Environmental Response, Compensation & Liability Act of 1980 (CERCLA), EAFB is preparing feasibility studies evaluating long term cleanup of sites at the base. Site 37, in the rocket test area, is in an area with historic use of solvents and other chemicals.

The site is situated on a granitic ridge. The geology beneath the site consists of a thin layer of topsoil over weathered and fractured bedrock. Concentrations up to 180,000 ug/L PCE have been detected in ground water beneath the site. In the fractured bedrock at 100 feet beneath the site, PCE concentrations are 100,000 ug/L in ground water. Concentrations of this magnitude are near saturation concentrations and imply a free product source in the aquifer. California Drinking Water maximum contaminant level (MCL) for PCE is 5 ug/L.

An interim cleanup action has been installed, which extracts contaminated ground water from the plumes "hot spot." Data from the interim action, as well as other site data, are being used to evaluate feasible options for cleaning up the site. Ground water transport modeling is being used to evaluate the behavior of the contaminant plume using various cleanup scenarios. However, under all scenarios, cleanup would take a very long time and cost an extremely large amount of

money. It is uncertain if current technology could ever completely cleanup the site.

EAFB has requested that U.S. EPA grant a waiver for certain cleanup requirements at Site 37 as part of the final cleanup decision that will be made in the Record of Decision for the site. U.S. EPA has indicated that such a waiver may be appropriate for this site due to the technical infeasibility of cleaning up the site. The Regional Board is signatory to the agreement with the military, U.S. EPA, and the State concerning cleanup at the base, and Board staff provides the Air Force with a list of requirements needed to comply with water quality laws, regulation and policy for each cleanup site. EAFB has requested that the Regional Board consider a containment zone as part of the Record of Decision for Site 37. Staff provided comments to the Air Force regarding the conditions under which the Board may consider a containment zone and described the information needed for such a request. Board staff anticipates that the Air Force will provide the requested information within 60 days.

Under SWRCB Resolution No. 92-49, the Regional Board may consider a containment zone for areas where cleanup is technically and economically infeasible. A containment zone designates an area of polluted ground water that will not be usable as long as the containment zone is in place. Conditions such as control measures and monitoring must be implemented as long as the area is designated a containment zone. No containment zones been approved to date in the Lahontan Region.

15. *IMC Chemicals Inc., (IMCC) – Elizabeth Lafferty*

Compliance Status for Interim Effluent Limits

Two effluent samples exceeded the interim concentration limit for total recoverable

petroleum hydrocarbons (TRPH) on February 26, 2004, one at 4.6 milligrams per liter at the Argus Injection Fluids (AIF) Skimmer Outlet, and one at 5.5 milligrams per liter at the Argus Injection Brine influent point. The interim effluent limit for TRPH for the Argus Plant discharge is 4.5.

IMCC conducted an investigation into the cause of the TRPH concentrations. Two potential causes were identified. Effluent concentrations could have been affected by high wind conditions on that day which may have caused the skimmer to have poorer separation. Additionally, two inches of rain fell in the area on February 26th. The rain may have picked up transient petroleum hydrocarbons throughout the plant and washed them into the "all other liquor" industrial waste sewer. Additionally, during the time of the rainstorm the specific gravity of the fluid in the skimmer changed due to the introduction of fresh water, which may have inhibited separation.

Bird Mortality

Four dead birds were found during the period: two ducks, a grebe, and a ferruginous hawk found in the northeastern section of Searles Dry Lakebed. The hawk apparently died as a result of hitting a power pole or line. Ferruginous hawks are found in Alberta,

Canada, through southern California, Nevada and Mexico, wintering over in the south and beginning their migration to the north in February. They are considered a species of "common conservation concern" in Alberta, however they are not threatened or endangered in the United States.¹

The dead birds reported in the year 2001, 2002, 2003 and 2004 are shown in the figure at the end of this item.

New Argus Skimmer Performance

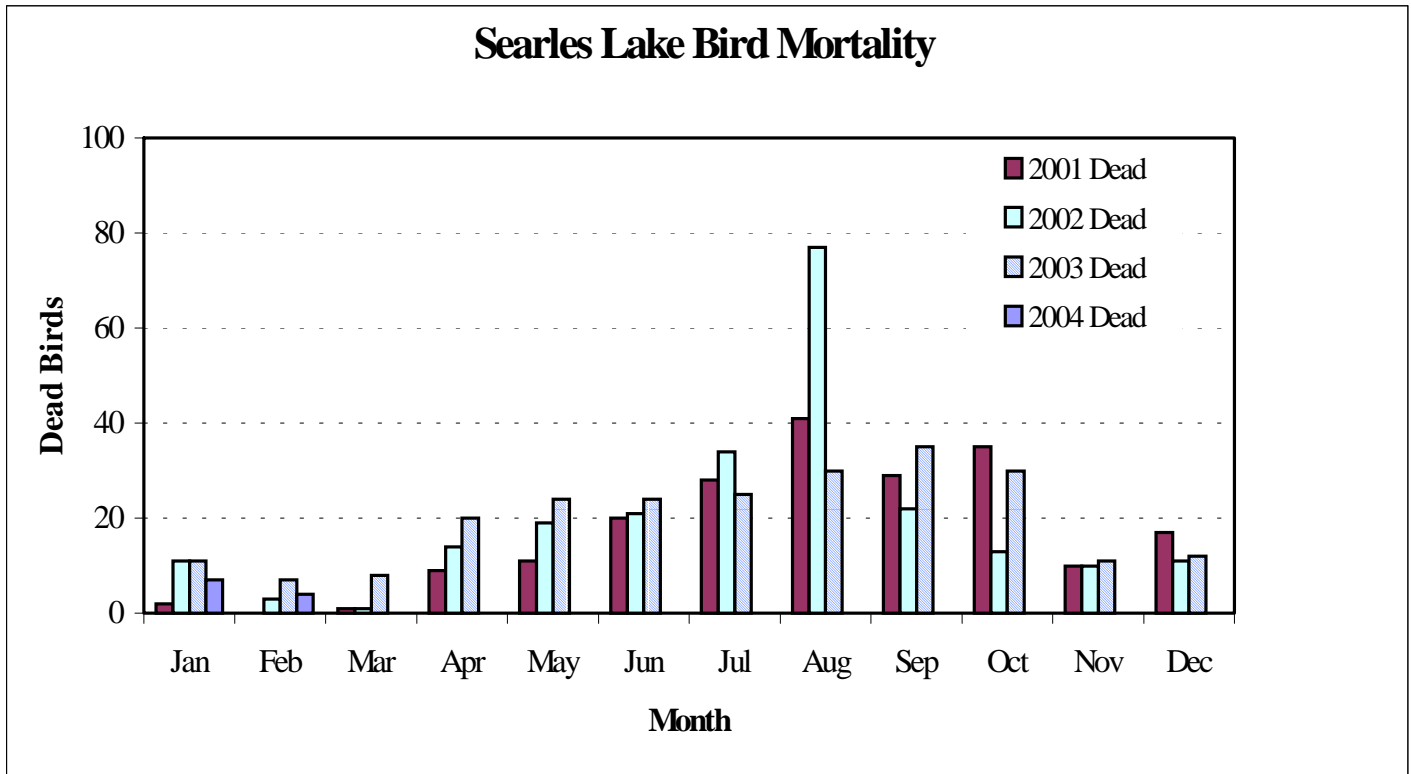
A "long-skirted boom" was installed on the surface of the skimmer on March 2, 2004. Daily sampling and analysis of TRPH in effluent from the east AIF outlet is being performed.

Effluent from the skimmer has met interim effluent limits since the boom was installed. IMCC is evaluating several improvements to the new skimmer to ensure consistent performance.

A vacuum truck is used daily at the Trona and Argus Lake Skimmers and the Dredge Pond. A second vacuum truck removes hydrocarbon material from the Trona and Argus in-plant skimmers every weekday. There have been no design changes to plant processes at the Trona and Argus Facilities during this period.

¹ North American Commission for Environmental Cooperation, Internet information dated 3/2/04

Birds Observed at Searles Lake



**CALIFORNIA REGIONAL WATER QUALITY
CONTROL BOARD
LAHONTAN REGION**

**REPORT ON STATUS OF STANDING ITEMS
April 2004**

The Regional Board has requested that it be kept informed of the status of a number of issues. The following table lists the items, the reporting frequency and where the report can be found.

ISSUE	REPORT FREQUENCY	STATUS/COMMENT
IMC Chemicals - Compliance Status	Monthly	Item No. 15 of April 2004 EO's Report
Los Angeles County Sanitation Districts #14 & #20	Monthly	See Agenda Item No. 9
Meyers Beacon UST Site	Quarterly	Item No. 5 of April 2004 EO's Report
Mojave River/El Mirage Dairy Issues	Quarterly	Item No. 12 of April 2004 EO's Report
Progress of Cleanup at Molycorp	Quarterly	Item No. 13 of April 2004 EO's Report
Caltrans-General Permit	Annually	Due September 2004 Board Meeting
Eagle Lake Spalding	Semi-Annual	Due September 2004 Board Meeting
Status of Basin Plan Amendments	Semi-Annual	Due September 2004 Board Meeting
Town of Mammoth Lakes - Erosion Control	Semi-Annual	Due September 2004 Board Meeting
Caltrans-Tahoe Basin	Annually	Due November 2004 Board Meeting
Tahoe Municipal Permit	Annually	Due November 2004 Board Meeting
Wetland Restoration Progress in Mono County	Annually	Due November 2004 Board Meeting

<u>Frequency</u>	<u>Board Meeting Month</u>
<i>Quarterly</i>	January, April July, & October.
<i>Semi-Annual</i>	March & September
<i>Annually</i>	Varied

CASE CLOSURE REPORT
 State of California
 Lahontan Regional Water Quality Control Board

Date Closure Issued	Site Name	Site Address	Case Number	Case Type	Remaining Groundwater Concentrations above Water Quality Objectives (in micrograms per liter)	Remaining Soil Concentrations (in milligrams per kilogram)	Distance from Site to Nearest Receptor	Remedial Methods Used
March 1, 2004	Emergency Pump Station-South Tahoe Public Utility District	1275 Meadow Crest South Lake Tahoe	6T0368A	UST (diesel)	none	none	First groundwater 10 feet bgs; Municipal well 1,750 feet away	Extracted 10,500-gallons of groundwater from affected monitoring well
March 19, 2004	J&L Shell Station	12105 Donner Pass Road, Truckee	6T0088A	UST (gasoline)	MTBE: 29	none	First groundwater 3-40 feet bgs; Municipal well 4,700 feet away	Excavated 1,378 tons on impacted soil; Pumped and treated 30 million gallons of groundwater

Notes:
 UST = Underground storage tank program
 TPHd = Total petroleum hydrocarbons quantified as diesel
 MTBE = Methyl tert-Butyl Ether
 bgs = below ground surface

**EO'S MONTHLY REPORT FOR
APRIL 2004
UNAUTHORIZED WASTE DISCHARGES**

****COUNTY - Mono**

DISCHARGER	FACILITY	LOCATION	BASIN	REGULATE D	SUBSTANCE DISCHARGED	HAZAR -DOUS	DATE REPORTED	DISCHARGE VOLUME	DESCRIPTION OF FAILURE	DISCHARGE TO	PROP 65	STATUS
Central Freightlines	Tractor Trailer	Hwy 395 Sherwin Grade	S	N	Diesel	Y	3/3/04	100 gals	Spill occurred from fuel tank damaged by traffic accident	Ground	N	Soil excavated & hauled to an authorized offsite treatment/disposal facility. Cleanup complete. No Further Action Recommended.

****COUNTY - Placer**

DISCHARGER	FACILITY	LOCATION	BASIN	REGULATE D	SUBSTANCE DISCHARGED	HAZAR -DOUS	DATE REPORTED	DISCHARGE VOLUME	DESCRIPTION OF FAILURE	DISCHARGE TO	PROP 65	STATUS
North Tahoe PUD	Sewage Collection & Conveyance	7851 Lincoln Green, Kings Beach	N	N	Sewage	N	2/19/04	~50 gals	Rock blockage caused manhole overflow.	Land	N	No Further Action Recommended.

****COUNTY - San Bernardino**

DISCHARGER	FACILITY	LOCATION	BASIN	REGULATE D	SUBSTANCE DISCHARGED	HAZAR -DOUS	DATE REPORTED	DISCHARGE VOLUME	DESCRIPTION OF FAILURE	DISCHARGE TO	PROP 65	STATUS
IMCC	HDPE Pipeline	Searles Lake, Injection well # 1181	S	Y	Effluent brine	N	2/18/04	108,000 gals	Failure of HDPE Pipeline. Pipe repaired. Effluent below interim limits. Written report received.	Dry lakebed	N	IMCC monitored area until effluent percolated. No adverse impacts to birds or lakebed observed. No Further Action Recommended.
IMCC	HDPE Pipeline	Searles Lake, SE section	S	Y	Effluent brine	N	2/25/04	1200 gals	Failure of HDPE Pipeline. Brine did not pond on dry lakebed. Pipe repaired. Written report received.	Dry lakebed	N	IMCC reviewing maintenance procedures to minimize & control spills. Workplan submitted.No Further Action Recommended.
IMCC	HDPE Pipeline	Searles Lake, Injection wells # 944 & # 956	S	Y	Effluent brine	N	2/26/04	2400 gals	Failure of HDPE Pipeline. Brine did not pond on dry lakebed. Pipe repaired. Written report received.	Dry lakebed	N	IMCC reviewing maintenance procedures to minimize & control spills. Workplan submitted.No Further Action Recommended.
CDF	Pilot Rock Conservation Camp	North of Crestline	S	N	Disinfected secondary effluent	N	3/9/04	500 gals	Outfall pipeline broke.	Ground	N	Ponded wastewater pumped back into outfall pipeline. Cleanup complete. No Further Action Recommended.