

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION

RESOLUTION NO. ___

AMENDING WASTE DISCHARGE REQUIREMENTS ORDER NO. R5-2005-0115
FOR
GRANITE CONSTRUCTION COMPANY
KEITHLY RANCH/HIGHWAY 175 QUARRY
LAKE COUNTY

The California Regional Water Quality Control Board, Central Valley Region (hereafter Regional Water Board), finds:

1. On 5 August 2005, the Regional Water Board adopted Waste Discharge Requirements (WDRs) Order No. R5-2005-0115, prescribing requirements for Granite Construction Company in Lake County. The Discharger owns and operates a quarry and aggregate processing plant near Lakeport.

2. Finding No. 15 of Order No R5-2005-0115 states:

“The Discharger indicates that sediments (silts, and clays) are removed from the settling pond every two months and are stockpiled onsite, just north of the processing plant. These sediments will be used as engineered fill to reclaim previously excavated areas”.

The discharge area described in Finding No. 15 is depicted on Attachment B of the WDRs as the “North Overburden Stockpile”.

3. Discharge Specification B.3 states:

“The discharge shall remain within the designated disposal area (APN 007-0030-29) at all times.”

The cited parcel includes the processing plant area, the aggregate wash water settling pond, and most of the North Overburden Stockpile.

4. On 21 February 2008, Granite Construction Company requested that the WDRs be amended to allow discharge of aggregate wash water fines to an engineered containment area within the West Overburden Stockpile Area, which is not within APN 007-0030-29. Additional information to support the request was submitted on 28 February 2008.
5. The 2004 Report of Waste Discharge incorporates a Reclamation Plan prepared to comply with the Surface Mining and Reclamation Act (SMARA) and a 1997 Negative Declaration for the mining project¹. The Reclamation Plan states: “Excess process fines will be placed in an engineered storage area within the west overburden fill area...” and references a figure that depicts the West Overburden Stockpile.

¹ Lake County certified a Program Environmental Impact Report (EIR) for the Aggregate Resources Management Element (ARME) of the County General Plan in 1992. The Negative Declaration was tiered off the Program EIR.

6. WDRs Order No. R5-2005-0115 contains requirements that protect water quality. If the Discharger complies with the WDRs, there is no reason to restrict the discharge of wash water sediments to APN 007-0030-29. This Resolution amends the WDRs only to correct an inadvertent error.
7. The action to amend WDRs Order No. R5-2005-0115 is exempt from the provisions of Chapter 3 of the California Environmental Quality Act (CEQA) (Public Resources Code section 21000, et seq.) because it involves no expansion of the project (14 California Code of Regulations (CCR) section 15301); it is an action taken by a regulatory agency to assure the protection of the environment; and the regulatory process involves procedures for protection of the environment (14 CCR section 15308).
8. The Regional Water Board has notified the Discharger and interested agencies and persons of its intent to amend waste discharge requirements for this discharge and has provided them with an opportunity for a public hearing and an opportunity to submit their written views and recommendations.
9. The Regional Water Board, in a public meeting, heard, and considered all comments pertaining to the discharge.

IT IS HEREBY ORDERED that Order No. R5-2005-0115 is amended solely to change Discharge Specification B.3 and Attachment B. Pursuant to Sections 13263 and 13267 of the California Water Code, Granite Construction Company, its agents, successors and assigns, in order to meet the provisions contained in Division 7 of the California Water Code and regulations adopted there under, shall comply with amended Order No. R5-2005-0115 as follows:

1. Discharge Specification B.3 of WDRs Order No. R5-2005-0115 shall be amended as follows:
 - B. Discharge Specifications
 3. The discharge shall remain within the designated disposal areas at all times as follows:
 - a. All aggregate wash water shall be contained within settling or holding ponds until it is withdrawn for recycling.
 - b. Sediments removed from water treatment systems (e.g., clarifiers) and settling ponds shall be contained in engineered storage areas within either or both the North and West Overburden Stockpile areas depicted on Attachment B unless removed for use in final reclamation.
2. Attachment B, which is attached hereto and forms part of this Resolution, replaces the site plan included as Attachment B of the WDRs.

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GRANITE CONSTRUCTION COMPANY
KEITHLY RANCH/HIGHWAY 175 QUARRY
LAKE COUNTY

This Order is effective as of the date of adoption.

I, PAMELA C. CREEDON, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, Central Valley Region, on ____.

PAMELA C. CREEDON, Executive Officer

Attachment B

ALO: 7/17/08