

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
CENTRAL VALLEY REGION**

364 Knollcrest Drive, Suite 205, Redding, CA 96002

**NOTICE OF PUBLIC HEARING**  
Concerning

**RESCISSION OF WASTE DISCHARGE REQUIREMENTS  
ORDER 95-098  
FOR  
COVANTA POWER PACIFIC, INC.  
BURNEY MOUNTAIN POWER  
SHASTA COUNTY**

Mount Lassen Power's wastewater treatment and disposal system, located in Lassen County, discharges wastewater in accordance with Waste Discharge Requirements (WDR) Order 95-098, adopted by the Central Valley Regional Water Quality Control Board (Central Valley Water Board) on 28 April 1995.

Burney Mountain Power ceased operations in October 2010. The current owner is in the process of selling the Facility or decommissioning all Facility infrastructure. Central Valley Water Board staff performed an inspection of the Facility on 12 February 2018 to confirm that operations at the site had ceased and that all fuel piles and ash piles had been removed. Wastewater is no longer being discharged on the site. There are no remaining issues at this time.

On 10 April 2018 the Facility the owner requested that the Central Valley Water Board rescind WDR Order 95-098 due to the lack of prospective buyers for the Facility. The Central Valley Water Board will consider rescinding WDR Order 95-098. A public hearing to address this matter will be held during the Central Valley Water Board meeting which is scheduled for:

DATE: 31 May/ 1 June 2018  
TIME: 8:30 a.m.  
PLACE: Central Valley Regional Water Quality Control Board  
11020 Sun Center Drive  
Rancho Cordova, CA 95670

The designated parties for this hearing are as follows:

- Burney Mountain Power

Designated parties but not interested persons will have these rights: to call and examine witnesses; to cross-examine opposing witnesses; to impeach any witness; and to rebut the evidence against him or her. Central Valley Water Board staff will prepare the administrative record, and may present evidence, make an oral presentation and cross-examine opposing witnesses.

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Interested persons may not cross examine witnesses, and will not be subject to cross examination. Interested persons may submit evidence (e.g., photographs, eye-witness testimony, monitoring data) if the evidence is submitted in accordance with the deadlines for submitting evidence described below. Interested persons who present evidence may be subject to cross-examination. Interested persons may request status as a designated party for purposes of this hearing by submitting such request in writing to the Central Valley Water Board no later than **5:00 pm on 24 May 2018**. The request must explain the basis for status as a designated party and in particular how the person is affected by the discharge.

The notification for the Planned Rescission of Waste Discharge Requirements was issued on **17 April 2018**. Persons wishing to comment on this item must submit testimony, evidence, if any, and/or comments in writing to the Central Valley Water Board no later than **5:00 p.m. on 24 May 2018**. Written materials submitted after this date and time will not be accepted and will not be incorporated into the administrative record if doing so would prejudice any party.

All designated parties and interested persons may speak at the Central Valley Water Board meeting, and are expected to orally summarize their written submittals. Oral testimony and cross examination will be limited in time by the Board Chair. Both designated parties and interested persons may be asked to respond to clarifying questions from Board members, counsel staff or others, at the discretion of the Board.

Anyone having questions on the tentative documents should contact George Low at (530) 224-3208, or at [george.low@waterboards.ca.gov](mailto:george.low@waterboards.ca.gov). Interested parties may download the proposed Order and related documents from the Central Valley Water Board's Internet website at

[http://www.waterboards.ca.gov/centralvalley/board\\_decisions/tentative\\_orders/](http://www.waterboards.ca.gov/centralvalley/board_decisions/tentative_orders/)

Copies of these documents can also be obtained by contacting or visiting the Central Valley Water Board's office at 364 Knollcrest Drive, Suite 205, Redding, CA 96002 weekdays between 8:00 a.m. and 5:00 p.m.

The final meeting agenda will be available at

[www.waterboards.ca.gov/centralvalley/board\\_info/meetings/](http://www.waterboards.ca.gov/centralvalley/board_info/meetings/)

at least ten days before the meeting. The agenda will provide the dates the Board meeting will be held, indicate the anticipated order of agenda items, and may include staff revisions to the proposed order(s).

The procedures governing Central Valley Water Board meetings may be found at Title 23, California Code of Regulations, Section 647 et seq. and are available upon request. Hearings before the Board are not conducted pursuant to Government Code section 11500 et seq. The procedures may be obtained by accessing

[www.waterboards.ca.gov/laws\\_regulations/](http://www.waterboards.ca.gov/laws_regulations/)

Information on meeting and hearing procedures is also available on the Board's website at

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[www.waterboards.ca.gov/centralvalley/board\\_info/meetings/mtgprocd.shtml](http://www.waterboards.ca.gov/centralvalley/board_info/meetings/mtgprocd.shtml)

or by contacting any one of the Board's offices. Questions regarding such procedures should be directed to Ms. Kiran Lanfranchi-Rizzardi at (916) 464-4839.

The hearing facilities will be accessible to persons with disabilities. Individuals requiring special accommodations are requested to contact Ms. Kiran Lanfranchi-Rizzardi at (916) 464-4839 at least 5 working days prior to the meeting. TTY users may contact the California Relay Service at 1-800-735-2929 or voice line at 1-800-735-2922.

Please bring the above information to the attention of anyone you know who would be interested in this matter.



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Bryan J. Smith, P.E.  
Supervising Water Resource Control Engineer