

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
COLORADO RIVER BASIN REGION**

CLEANUP AND ABATEMENT ORDER NO. 87-111

AGAINST

RATTLESNAKE MINES, LTD.

Northwest of Needles - San Bernardino County

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

1. Rattlesnake Mines, LTD., (hereinafter referred to as the discharger), 4324 Alderbrook Court, Las Vegas, Nevada 89103, is the owner of Rattlesnake Mine which is located northwest of Needles in the SE 1/4 of Section 19, T12N, R18E, SBB&M.
2. Rattlesnake Mine is currently regulated by waste discharge requirements under Board Order No. 86-88.
3. The discharger is conducting a cyanide heap-leaching pilot operation at the mine to recover gold and silver from crushed ore.
4. The discharger submitted a "Cyanide Use and Plant Design Permit Application Report" to the Regional Board's office on November 6, 1986, for review and approval.
5. Inspection of the subject facility by Regional Board staff on June 29, 1987, revealed that a wastewater disposal pond, which was not included in the report in Finding No. 4 above, was constructed at the site, and placed into operation without prior approval from the Regional Board's office.
6. The unauthorized operation of said disposal pond is a violation of Discharge Specifications A. 11 and A. 15 of Board Order No. 86-88.
7. By letter dated July 3, 1987, the discharger was requested to submit a report that includes the design and specifications of said pond, and the characteristics of the wastewater discharged to the pond.
8. The discharger submitted the above requested report on August 5, 1987. The report described the pond as 48' x 27' x 7' in dimensions with a 10-mil synthetic liner. The report also indicated that the pond was being used for sink drainage from the mill site, and the disposal of other liquid wastes. However, the report is not complete, and does not fully characterize the wastewater in the pond as requested.
9. By letter dated August 18, 1987, the discharger was instructed to cease discharge to the pond immediately until further notice from the Regional Board office, and to submit a full characterization of the wastewater for proper evaluation of the design and use of the pond. A response has not been received to date.

*Cancelled
4/14/88*

10. On September 22, 1987, the Regional Board staff sampled the wastewater in the pond for cyanide analysis. The laboratory results revealed the following:

Total Cyanide = 1859 mg/l

Free Cyanide = 1618 mg/l

These concentrations of cyanide are at hazardous levels. The present design and construction of the disposal pond is not acceptable for the discharge of hazardous wastes.

11. The continued use of this disposal pond threatens to create a condition of pollution.
12. Section 13304(a) of the California Water Code states, in part, that : "Any person...who has caused or permitted...any waste to be discharged or deposited where it is, or probably will be discharged into the waters of the State and, creates, or threatens to create, a condition of pollution or nuisance, shall upon order by the Regional Board, cleanup such waste or abate the effects thereof or, in the case of threatened pollution or nuisance, take other necessary remedial action ...".
13. The Water Quality Control Plan for the Colorado River Basin Region identifies the beneficial uses of the groundwaters in the Lanfair Hydrologic Subunit as:
- a. Municipal
 - b. Agricultural
 - c. Industrial
14. This Enforcement Action is exempt from California Environmental Quality Act pursuant to Section 15321, Chapter 3, Title 14 of the California Administrative Code.

IT IS HEREBY ORDERED that pursuant to Section 13304 of Division 7 of the California Water Code, the discharger shall comply with the following:

- 1. By November 16, 1987 cleanup and abate the effects of the discharge of wastewater into the unauthorized disposal pond,
- 2. Immediately discontinue discharge of any wastewater into said disposal pond,
- 3. By November 16, 1987 remove, and/or treat to a nonhazardous level, the waste in the disposal pond, and
- 4. Submit by November 25, 1987, a detailed report of specific actions that were be taken to correct the above violation.

If, in the opinion of the Regional Board's Executive Officer, this order is not complied with, the Executive Officer will consider issuance of a formal complaint for administrative civil liability against the discharger.

Ordered By:

Arthur Swajan
Executive Officer

October 23, 1987

Date