

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
COLORADO RIVER BASIN REGION

CLEANUP AND ABATEMENT ORDER NO. 90-051  
AGAINST  
REPUBLIC GEOTHERMAL

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

1. Republic Geothermal, California Corporation I.D. No. 708330, 11823 East Slauson Avenue, Suite 1, Santa Fe Springs, California 90670, hereinafter referred to as the discharger, owned and/or operated some geothermal facilities at the following sites:

Fee No. 1 and No. 2 Site (formerly Jameson No. 2 Site):

NW $\frac{1}{4}$ , NE $\frac{1}{4}$ , NW $\frac{1}{4}$  of Section 17, T11S, R14E, SBB&M

Fee No. 5 and No. 6 Site:

SW $\frac{1}{4}$ , SE $\frac{1}{4}$ , NW $\frac{1}{4}$  of Section 17, T11S, R14E, SBB&M

Britz No. 3 and No. 4 Site:

NW $\frac{1}{4}$ , NW $\frac{1}{4}$ , NW $\frac{1}{4}$  of Section 21, T11S, R14E, SBB&M

2. Regional Water Quality Control Board Order No. 80-031, copy enclosed, establishing waste discharge requirements for the facilities described in Finding No. 1, above, was adopted by the Regional Board on May 21, 1980.
3. Discharge Specification No. 3 of Board Order No. 80-031 states:  
"Permanent disposal of drilling muds or any wastes is prohibited at the well site."
4. Discharge Specification No. 7 of Board Order No. 80-031 states:  
"Long term storage and/or flow of geothermal materials for longer than one (1) year, other than in containers having a lining coefficient of permeability of  $1 \times 10^{-8}$  cm/sec or less, is prohibited, and the fluids contained therein shall not penetrate through the lining during the containment period."

11-19-90  
Resemated

5. Discharge Specification No. 11 of Board Order No. 80-031 states:

"Final disposal of residual wastes in accordance with Specifications No. 8, 9, and 10 (above), and cleanup of all contents, shall be accomplished upon abandonment of operations. Lack of construction or operational activity on the site for a period of one year shall constitute abandonment for the purposes of this Order."

6. A letter dated February 23, 1981 from the Regional Board to Republic Geothermal specifically requested that a time schedule of specific actions for the removal of salt wastes and drilling muds from the basins at the subject sites be submitted to the Regional Board's office by March 31, 1981.

7. A letter from Republic Geothermal to the Regional Board dated May 4, 1981 included a time schedule for cleaning up the basins for the Fee No. 1 and No. 2 site (formerly Jameson No. 2 Site) and for the Britz No. 3 and No. 4 site.

8. A letter from Republic Geothermal to the Regional Board dated November 26, 1984 stated that the Fee No. 5 and No. 6 site was being used for geothermal drilling and production testing.

9. A letter dated March 13, 1986 to the State Water Resources Control Board by Republic Geothermal stated, in part, that:

"...work under the operating agreement was suspended by NPN Partnership and Niland Geothermal, Inc., during the month of May 1985."

10. By letter dated August 19, 1987, the California Regional Water Quality Control Board informed Republic Geothermal that a time schedule of specific actions for the cleanup operations and a detailed plan for said cleanup for approval by the Regional Board Executive Officer should be submitted by September 25, 1987.

11. The Regional Board staff has conducted compliance inspections of the subject sites on the following dates:

May 5, 1987; September 29, 1987; February 1, 1988; May 17, 1988; October 4, 1988; January 27, 1989; May 30, 1989.

12. Section 13304 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 of 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. It has been determined that there has been no activity at any of the subject sites for at least one (1) year.

14. The Regional Board staff has determined that the sites described in Finding No. 1 above threaten to create a condition of pollution or nuisance.
15. The Regional Board staff has also determined that the dischargers are in violation of Discharge Specification Nos. 3, 7, and 11 of Board Order No. 80-31.
16. On June 23, 1989, the Regional Board issued Cleanup and Abatement Order No. 89-059 requiring Republic Geothermal and The Parsons Corporation to cleanup and abate the effects of geothermal activities at the sites described in Finding No. 1, above.
17. As a result of the agreement reach between Republic Geothermal and The parsons Corporation on April 10, 1990, with notification of such an agreement sent in a letter to the Regional Board dated May 11, 1990 from Republic Geothermal, the cleanup of the sites described in Finding No. 1, above, will be overseen by Republic Geothermal. Thus, The Parsons Corporation has been removed without prejudice as a responsible party to the Cleanup and Abatement Order.
18. A Remedial Action Plan was submitted by Republic Geothermal on May 30, 1990 for cleanup of the sites described in Finding No. 1, above.
19. The Water Quality Control Plan dated November, 1984 for the Colorado River Basin Region identifies the beneficial uses of ground waters in certain portions of the Imperial Valley Planning Area - Imperial Hydrologic Unit as:
  - a. Municipal supply (MUN)
  - b. Industrial supply (IND)
20. This enforcement action is exempt from the California Environmental Quality Act pursuant to Sections 15308 and 15321, Chapter 3, Title 14 of the California Code of Regulations.

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. Cleanup or abate the effects of the basins from the properties owned and/or operated by the discharger as described in Finding No. 1 above to the satisfaction of the Executive Officer of the Regional Board.

IT IS FURTHER ORDERED that Board Order No. 89-059 be superseded by this Cleanup and Abatement Order.

ORDERED BY:

Philip A. Guenberg  
Executive Officer

7-12-90

Date