

State of California  
California Regional Water Quality Control Board  
Colorado River Basin Region

## **MINUTES OF BOARD MEETING**

Thursday, March 9, 2017, 10:00 a.m. to 2:30 p.m.  
California Regional Water Quality Control Board  
City of Needles City Council Chambers  
1111 Bailey Avenue  
Needles, CA 92363

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### **CALL TO ORDER**

The California Regional Water Quality Control Board, Colorado River Basin Region, was called to order by Chair Nancy Wright at 10:00 a.m. on March 9, 2017, in Needles, California.

### **PLEDGE OF ALLEGIANCE**

### **ROLL CALL (Board Members only)**

Buford Crites, Thomas Davis, Jayne Powell, Lars Seifert, and Nancy Wright were present.

**Regional Water Board Counsel:** Adriana Nuñez

### **Regional Board Staff Present:**

Jose Angel, Frank Gonzalez, Mary Castaneda, Doug Wylie, Jose Cortez, Jeff Geraci, Maribel Jernegan, Robert Perdue, Terry Barnes, Juan Lezo

### **Others Present:**

Edward Paget, Mayor, City of Needles  
Robert Benoit, City of Needles  
Rick Daniels, City of Needles  
Kris Hendricks, City of Needles  
Debbie Salas, Niland Sanitary District  
Jenifer Hudson, Niland Sanitary District  
Lennita Ozier, Niland Sanitary District  
Dennis Morita, Niland Sanitary District  
Jerry Porter, City of Needles  
Ron Escobar, Chemehuevi Tribe  
Steve Moffitt, NPUA  
Tom Darcy, Needles  
Michael Wright, Needles  
Curt Russell, PG&E  
Tracy Egoscue, PG&E  
Christina Hoy, PG&E  
Carmen Fewless, PG&E  
Chris Smith, PG&E  
Valeri Hirst, PG&E

Aaron Yue, DTSC  
Lindia Liu, Colorado River Board of California  
Paul Ciccarelli, State Water Resources Control Board, Office of Enforcement

## **MINUTES**

1. Minutes of March 9, , 2017 Board Meeting

**MOTION:** Buford Crites moved, Tom Davis seconded, and the motion was carried unanimously to adopt Minutes.

## **PUBLIC FORUM**

2. City of Needles Mayor Paget and City Manager Daniels welcomed the Board to Needles.

City of Needles City Manager Rick Daniels reported the city in a growth spurt. They are in the process of considering applications for medical marijuana cultivation. There is an expectation that the Waterboards will adopt rules and regulations for dealing with wastewater from these facilities.

Ms. Powell asked who is the primary contact person for the wastewater management; Mr. Daniels stated that the contact person is Robert Benoit, City of Needles.

Mr. Crites expressed his thanks to the city of Needles for their hospitality and welcome.

## **UNCONTESTED ITEMS**

- 3 R7-2017-0011 Change of Name and/or Ownership of Facilities having Waste Discharge Requirements for Granite Construction Company to Hi-Grade Materials – Riverside County  
*[Doug Wylie, Sr. WRCE]*

**MOTION:** Buford Crites moved, Tom Davis seconded, Jayne Powell recused herself, and the motion was carried to adopt Order R7-2017-0011 with Errata.

## **ADMINISTRATIVE CIVIL LIABILITY ORDER**

4. R7-2017-0007 Proposed Settlement Agreement and Stipulation for Entry of Administrative Civil Liability Order R7-2017-0007 in the Matter of Niland Sanitary District Wastewater Treatment Plant Niland - Imperial County  
*[Maribel Jernegan, SEA]*

Ms. Jernegan provided the staff report on behalf of the Board's Prosecution Team. She informed the Board that the Discharger and Prosecution Team had agreed to the imposition of \$475,900 in liability against the Discharger for alleged violations of its Waste Discharge Requirements (WDRs) Orders R7-2003-0049, R7-2008-0020, and R7-2014-0001 (National Pollutant Discharge Elimination System Permit No. CA0104451); and violations of Cease and Desist Order R7-2012-0024. She stated that the Stipulation amount included \$220,000 in Mandatory Minimum Penalties (MMPs) and \$255,900 in discretionary penalties. Further,

she reported that under the proposed settlement, \$125,000 in discretionary penalties would be suspended upon completion of the Enhanced Compliance Action (“ECA”) described in Exhibit D of the proposed Order, and \$220,000 in MMPs would also be suspended upon completion of the Compliance Project also described in Exhibit D of the proposed Order.

Ms. Wright and Mr. Crites complemented the parties for reaching the settlement. Mr. Angel thanked the Discharger, particularly District President Ms. Salas, for their efforts to reach a settlement, and he recommended the Board adopt the proposed Order.

**MOTION:** Buford Crites moved, Jayne Powell seconded, and the motion was carried unanimously to adopt Order R7-2017-0007 with Errata.

## **OTHER BUSINESS**

5. Informational Update: Basin Plan Triennial Review  
*[Jeff Geraci,]*

Jeff Geraci presented a synopsis of the Triennial Review process for the Board, which included an overview of the Region’s Basin Plan, and the various steps needed to complete the Review, and examples of issues that can be included in a Review.

Tom Davis questioned what is EPA’s role in the approval process. Mr Geraci stated EPA receives the submitted information for evaluation and approves based on criteria.

Mr. Crites questioned what impact if any, will the newly approved water issues for the Coachella Valley have on the Triennial Review process. Mr. Angel stated yes, this will significantly impact what we do.

Ms. Powell questioned how long does it take for final approval once Triennial Review is submitted to the State for final approval. Mr. Geraci stated it would take about 60 days.

Mr. Seifert questioned what is the actual timeline for the Triennial Review process from beginning to end. Mr. Angel stated the whole process takes about six 6 months.

6. Informational Update: New River Improvement Project  
*[Frank Gonzalez]*

Mr. Gonzalez provided Board members with a handout with an update on the New River Improvement Project, which indicates in relevant part that staff is drafting the scope of work to contract for the design of the New River improvement projects for the Calexico area.

7. Informational Update: State Water Resources Control Board Activities  
*[Adriana Nuñez]*

Ms. Nuñez reported that State Board adopted a Climate Change Resolution. More direction from State Board to the Regional Boards on this Resolution is expected. Also, the Enforcement Policy is in the process of being revamped and is on the State Board calendar for review. No replacement has been selected yet for replacement of Board Member Fran Spivy-Weber.

8. Colorado River Basin Water Board Executive Officer's Report  
*[Jose L. Angel, P.E.]*

Mr. Angel reported that he would send the EO Report via email and that he would be phasing in a written monthly EO Report. Also, that the Slaughterhouse in Brawley is working well. He also pointed out that Ms. Wright's sent a letter to the US IBWC requesting a policy meeting regarding bypasses of raw sewage into the New River. Further, he reported that staff completed three proposals this year to get discretionary contract funds (grant money from the State).

9. Colorado River Basin Water Board Member Comments

Mr. Seifert commended the Board/EO on letter Ms. Wright sent regarding the New River. He stated the timing was good given the significance. Ms. Powell also agreed that the letter was excellent.

10. Colorado River Basin Water Board Chair's Report

Ms. Wright reported that she would be attending the Water Quality Coordinating Committee Meeting in October 2017. Topics for the meeting will be discussed at the next Chair's Meeting. She stated that she would try to get the Salton Sea put on the Agenda, and asked the Board members to let her know if there were any other topics of interest to the Board members.

She also requested that the May Board Meeting date be changed from May 11, 2017 to May 19, 2017 due to schedule conflicts.

Mr. Crites proposed that a meeting be scheduled in Blythe for 2018 and in Needles in 2019. It was agreed by all to schedule the proposed meetings.

11. Informational Update: Overview of Topock Compressor Station and Tour  
*[Curt Russell, P.E., Topock Site Manager]*

Curt Russell, P.E., PG&E Topock Gas Compressor Station (TCS) Environmental Site Manager, gave a presentation about the ongoing operations of the TCS, which is adjacent to the Colorado River, 15 miles southeast of Needles, CA:

- Mr. Russell reported that past practices at the TCS included usage of Cr+6 additives to inhibit cooling tower corrosion. Beginning in the 1950s, wastewater containing Cr+6 was discharged to the ground in Bat Cave Wash, creating a large groundwater plume. The Cr+6 plume is currently being hydraulically controlled using an Interim pump and treat measure (IM-3) to prevent impacts to the Colorado River.
- Since 2005, IM-3 has removed over 8,700 pounds of Cr+6 by treating more than 747 million gallons of groundwater.
- He added that the proposed Final Remedy is in-situ treatment by freshwater flushing creating subsurface treatment zones that stimulate natural processes to remove Cr+6. Well maintenance for the Final Remedy will generate additional, non-hazardous wastewater discharges to the existing, four, multi-lined TCS ponds, necessitating amendment of the WDRs.

The Board asked Mr. Russell whether naturally occurring Cr+6 was present in the Colorado River. Mr. Russell replied that PG&E regularly samples the flowing River and has not found concentrations of Cr+6 above detection levels. Furthermore, Mr. Russell informed the Board that Metropolitan Water District performs extensive testing of the Colorado River and has not detected Cr+6. The Board also asked about background concentrations of Cr+6 in groundwater. Mr. Russell stated that, following extensive studies, a natural background was established of 32 part per billion (ppb) Cr+6 . He added that concentrations of up to 20 parts per million (ppm) are present within the plume boundary.

The Board further inquired as to the chemistry and controls used following implementation of the Final Remedy. Mr. Russell described ancillary changes in mobility of naturally occurring constituents, such as arsenic and manganese, due to changes in the oxidation potential caused by changing the subsurface flow regime through pumping and re-injection. He noted that an artificial reduction zone will operate along the edge of the river in addition to protection by naturally occurring reduction in the organically rich sediments adjacent to the River. Mr. Russell went on to describe the extensive modeling that has been performed for the Final Remedy and that after start up, fine tuning of pumping and injection rates , commonly referred to as adaptive management, will be ongoing. The Chair thanked Mr. Russell for his excellent presentation.

Following his presentation to the Board, Mr. Russell led the Board on a field trip of the PG&E Topock Gas Compressor Station. The tour included a working luncheon and stops at key strategic locations, including the Compressor Station, the area where the monitoring and control wells are, and the wastewater disposal ponds.

Mr. Crites thanked Robert and PG&E staff for making arrangements for the Topock Tour.

### **CLOSED SESSION**

12. There was no closed session.

### **ADJOURNMENT OF BOARD MEETING**

**NEXT BOARD MEETING:** Board Meeting dated changed to ~~May 11, 2017~~, May 19, 2017 9:00am in Palm Desert, CA.