



California Regional Water Quality Control Board Lahontan Region



Linda S. Adams
Secretary for
Environmental Protection

2501 Lake Tahoe Boulevard, South Lake Tahoe, California 96150
Phone: (530) 542-5400 • Fax: (530) 544-2271
Internet: <http://www.waterboards.ca.gov/lahontan>

Arnold Schwarzenegger
Governor

REVISED MEETING AGENDA

November 28-29, 2007

November 28, 2007

Barstow City Council Chambers
220 E. Mountain View
Barstow, CA 92311

Barstow

Regular Meeting:
Lunch break:

8:30 a.m.
Approx. noon to 1:00 p.m.

November 29, 2007

Lancaster City Council Chambers
44933 Fern Avenue
Lancaster, CA 93534

Lancaster

Closed Session
Regular Meeting, continued:

8:30 a.m.
10:00 a.m.

Revision to Agenda Announcement: Item 5 is no longer on the Board's November meeting. The City of Barstow has agreed to settle its Administrative Civil Liability for a cash payment of \$300,000.

General Meeting Information: The meeting room is accessible to people with disabilities. If you have special accommodations or language needs, please contact Laurie Applegate at least five days prior to the meeting date at (530) 542-5414 or LApplegate@waterboards.ca.gov. TTY/TDD/Speech-to-Speech users may dial 7-1-1 for the California Relay Service.

The following items are numbered for identification purposes only and will not necessarily be considered in this order. Public hearings will not be called to order prior to the time specified. If, due to time constraints, the Water Board is unable to consider all of the items scheduled for Wednesday, the item(s) not heard will be considered on Thursday, November 29, 2007 beginning at 10:00 a.m. (Note: the Water Board will meet in closed session beginning at 8:30 a.m.). All Board files, exhibits and agenda material pertaining to items on this agenda are hereby made a part of the record for the appropriate item.

Anyone wishing to present a Microsoft PowerPoint® presentation during the meeting, using the Water Board's projector, must provide the presentation to the Water Board on either a CD or via email at least three working days prior to the meeting. Please contact the staff person listed for the agenda item of interest.

California Environmental Protection Agency



Recycled Paper

NOTICE

Submittal of Written Material for Water Board Consideration

In order to ensure that the Water Board has the opportunity to fully study and consider written material, it is necessary to submit it at least ten (10) days before the meeting unless otherwise specified. This will allow distribution of material to the Board Members in advance of the meeting. Pursuant to Title 23 California Code of Regulations Section 648.4, the Water Board may refuse to admit written testimony into evidence unless the proponent can demonstrate why he or she was unable to submit the material on time or that compliance with the deadline would otherwise create a hardship. If any other party demonstrates prejudice resulting from admission of the written testimony, the Water Board may refuse to admit it.

A copy of the procedures governing Regional Water Board meetings may be found at Title 23, California Code of Regulations, Section 647 et seq., and is available upon request. Hearings before the Water Board are not conducted pursuant to Government Code Section 11500 et seq.

Wednesday, November 28, 2007 – 8:30 a.m. (Location: Barstow)

INTRODUCTIONS

1. PUBLIC FORUM

Any person may address the Board regarding a matter within the Board's jurisdiction that is not related to an item on this meeting agenda. Comments will generally be limited to five minutes, unless otherwise directed by the Chair. Any person wishing to make a longer presentation should contact the Executive Officer at least ten days prior to the meeting. Comments regarding matters that are scheduled for future meetings (see http://www.waterboards.ca.gov/lahtontan/board_info/agenda/) will be restricted.

2. MINUTES

Minutes of the Regular Meeting of October 10-11, 2007 in South Lake Tahoe.
(Laurie Applegate)

REVISED WASTE DISCHARGE REQUIREMENTS

3. **Pacific Gas and Electric Company - Revised Central Area In-situ Remediation Pilot Study Project, San Bernardino County** (The Board will consider adoption of [Revised Waste Discharge Requirements](#) to regulate additional discharges associated with the clean up of a chromium plume in groundwater in Hinkley. This Item will be considered along with Item No. 6.) (Lisa Dernbach)

AMENDED WASTE DISCHARGE REQUIREMENTS

4. **Pacific Gas and Electric Company - Desert View Dairy Land Treatment Unit Extraction System Optimization Project, San Bernardino County - Board Order No. R6V-2004-0034A1** (The Board will consider adoption of Amended Waste Discharge Requirements. This Item will be considered along with Item No. 7.) (Joe Koutsky)

ENFORCEMENT ACTION—Note: Item 5 has been removed

- ~~5. **Public Hearing – Consideration of an Administrative Civil Liability Order for the City of Barstow for the Violation of Waste Discharge Prohibitions Specified by the Water Quality Control Plan for the Lahontan Region and for the Violation of Board Order No. 6-94-26, for the Unauthorized Discharge of Untreated Wastewater to Half Way Wash and the Mojave River on May 20 and 21, 2006, Barstow, San Bernardino County – WDID No. 6B360101001 (Written comments are due by 11:00 a.m. on November 19, 2007.)** (The Board will be considering whether to affirm, modify, or reject Administrative Civil Liability Complaint No. R6V-2007-0026 in the amount of \$300,000, or to refer the matter to the California Attorney General. Administrative Civil Liability Complaint No. R6V-2007-0026 was issued in response to the May 20-21, 2006 discharge of untreated wastewater from the City of Barstow's Wastewater Treatment Facility to Half Way Wash and the Mojave River.) (Scott C. Ferguson/John Steude)~~

OTHER BUSINESS

6. **Public Hearing - Resolution Certifying a Subsequent Mitigated Negative Declaration for Pacific Gas and Electric Company's Revised Central Area In-situ Remediation Pilot Study Project, San Bernardino County** (The Board will consider adopting a Resolution certifying a subsequent mitigated negative declaration for the proposed revised project. This Item will be considered along with Item No. 3.) (Lisa Dernbach)
7. **Public Hearing - Resolution Certifying a Mitigated Negative Declaration for the Pacific Gas and Electric Company Desert View Dairy Land Treatment Unit Extraction System Optimization Project, Hinkley, San Bernardino County** (The Regional Board will consider adopting a Resolution certifying a Mitigated Negative Declaration for the Extraction Optimization Project. This Item will be considered along with Item No. 4.) (Joe Koutsky)
8. **Resolution Authorizing the Executive Officer to Sign the Record of Decision/Remedial Action Plan for Armitage Field Operable Unit, China Lake Naval Air Weapons Station, China Lake, Kern County** (The Board will consider authorizing the Executive Officer to accept the cleanup remedial actions as documented in the Navy's Record of Decision/Remedial Action Plan.) (Douglas Feay)
9. **Executive Officer's Report** (The Board will not be asked to take any formal action; however, it may provide direction to staff.) (Harold Singer)

--- **Discussion of Standing Items**

--- **Notification of Spills (Pursuant to Section 13271, California Water Code and Section 25180.7, California Health and Safety Code)**

--- **Notification of Closure of Underground Storage Tank Cases (Pursuant to Article 11, Division 3, Chapter 16, Title 23, California Code of Regulations)**

10. CLOSED SESSION*

- a. **Discussion of Significant Exposure to Litigation. Authority: Government Code Section 11126(e)(2)(B)(I).**
- b. **Discussion of Significant Exposure to Litigation, Leviathan Mine, Alpine County. Authority: Government Code Section 11126(e)(2)(B)(I).**
- c. **Discussion to Decide Whether to Initiate Litigation. Authority: Government Code Section 11126(e)(2)(c)(I).**
- d. **Deliberation on a Decision to be Reached Based Upon Evidence Introduced in a Hearing. The Board may meet in closed session to deliberate on evidence presented at the March 14-15, 2007 and May 23-24, 2007 Water Board meetings concerning: Proposed Cease and Desist Order No. R6V-2004-0038-A01 for County Sanitation District No. 14 of Los Angeles County; and, Proposed Cease and Desist Order No. R6V-2004-0039-A01 for County Sanitation District No. 20 of Los Angeles County. Authority: Government Code Section 11126(c)(3).**
- e. **Discussion of Litigation: County Sanitation District No. 14 of Los Angeles County v. Regional Water Quality Control Board, Lahontan Region, Los Angeles County Superior Court Case No. BS095981. Authority: Government Code Section 11126(e).**
- f. **Discussion of Litigation: County Sanitation District No. 20 of Los Angeles County v. Regional Water Quality Control Board, Lahontan Region, Los Angeles County Superior Court Case No. BS096057. Authority: Government Code Section 11126(e).**
- g. **Discussion of Litigation filed by the State of California and the Regional Water Quality Control Board, Lahontan Region, v. Glen R. Hammond and Limited Partners, Kern County Superior Court Case No. 235695. Authority: Government Code Section 11126(e).**
- h. **Discussion of Litigation: Regional Water Quality Control Board, Lahontan Region v. Mary Ann Ferguson, et al., Placer County Superior Court Case No. T CV 1002. Authority: Government Code Section 11126(e).**
- i. **Discussion of Litigation: People of the State of California ex rel. California Regional Water Quality Control Board, Lahontan Region v. Thomas E. Erickson et al., El Dorado Superior Court Case No. SC20010089. Authority: Government Code Section 11126(e).**
- j. **Discussion of Personnel Matters. Authority: Government Code Section 11126(a).**

* At any time during the regular session, the Board may adjourn to a closed session to consider litigation, personnel matters, or to deliberate on a decision to be reached based upon the evidence introduced in the hearing. Discussion of litigation is within the attorney-client privilege and may be held in closed session. Authority: Government Code Section 11126(a), (c)(3) and (e).
