

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
LAHONTAN REGION**

MEETING OF JULY 14, 2010

South Lake Tahoe/ Victorville

ITEM: 8

SUBJECT: EXECUTIVE OFFICER'S REPORT

DISCUSSION: The Executive Officer's report includes the following:

July 2010

Enclosure 1: Discussion of Standing Items

Enclosure 2: Executive Officer's Written Report

Enclosure 3: Notification of Spills

Enclosure 4: Notification of Closure of Underground
Storage Tank Cases (Pursuant to Article
11, Division 3, Chapter 16, title 23,
California Code of Regulations)



ENCLOSURE 1

Discussion of Standing Items



**CALIFORNIA REGIONAL WATER QUALITY
CONTROL BOARD
LAHONTAN REGION**

REPORT ON STATUS OF STANDING ITEMS

July 2010

The Water Board has requested that it be kept informed of the status of a number of issues. The following table lists the items, the reporting frequency and where the report can be found.

ISSUE	REPORT FREQUENCY	STATUS/COMMENT
City of Barstow	Quarterly in the South	Due October 2010 Board Meeting
County Sanitation Districts of Los Angeles - District No. 14	Semi-Annual	Due October 2010 Board Meeting
County Sanitation Districts of Los Angeles - District No. 20	Semi-Annual	Due October 2010 Board Meeting
Status of Basin Plan Amendments	Semi-Annual	Due October 2010 Board Meeting
Status of Grants	Semi-Annual	Due October 2010 Board Meeting
Caltrans Statewide General Permit/Tahoe Basin	Annually	Due April 2011 Board Meeting
Tahoe Municipal Permit	Annually	Due June 2011 Board Meeting
Status of Dairies	Semi-Annual	Due October 2010 Board Meeting
Searles Valley Minerals Operations - Compliance Status	Semi-Annual	Due January 2011 Board Meeting
Wetland Restoration Mitigation - Mono County	Annually	Due November 2010 Board Meeting



ENCLOSURE 2

Executive Officer's Written Report





EXECUTIVE OFFICER'S REPORT

July 2010

NORTH BASIN

1. **Secured Cleanup and Abatement Account Funds for Emerald Bay Asian Clam Control Expanded Pilot Project – Daniel Sussman**

In June, the State Board approved \$588,720 in Cleanup and Abatement Account funds to control invasive Asian clams in Emerald Bay. The funding request was supported by a Lahontan Board Resolution passed at the April 2010 Board meeting. Of the total approved disbursement, approximately \$27,000 will fund a detailed survey for Asian clams in Emerald Bay in fall 2010. The remainder will fund an expanded pilot project using bottom barriers in summer 2011. The project intends to eradicate the invasive clam from the bay, and to test the efficacy and logistical abilities of using bottom barrier technology in an area of the lake that has heterogeneous bathymetry and high levels of user traffic.

A pilot project is planned for this summer to investigate the efficacy and logistical success of using bottom barriers on a large scale. The project will place barriers totaling one acre near Lakeside Marina and Marla Bay, NV. That project is mostly funded by the US Fish and Wildlife Service using Southern Nevada Public Land Management Act funds.

The State Board previously approved two \$100,000 requests for CAA funds. The first \$100,000 funded a portion of an initial

pilot study to test the effect of bottom barriers on killing Asian clams. The second approval funded a lakewide clam survey by a remote operated vehicle. More detail on these projects can be found in reports in the March and July 2009 agenda packets.

2. **River Day - Cindy Wise**

Sixty third-grade students from the Lake Tahoe Environmental Education Magnet School walked from campus to the Upper Truckee River for a day of hands-on science activities on June 8. Water Board staff, along with staff from the U.S. Forest Service and the Tahoe Resource Conservation District, taught the activities. The students learned about wetland functions in protecting water quality, the importance of benthic macroinvertebrates as indicators of water quality, and how to identify good fish habitat in the river. As these activities were so successful, they will be offered to the Bijou Elementary School two way bilingual immersion program during the summer school session.

3. **Donner Lake Fish Tissue Results – Thomas Suk**

In the mid-1990s, Donner Lake was placed on the Clean Water Act Section 303(d) list as being impaired due to "priority organics." The listing was based on limited results from the State Water

Board's former Toxic Substances Monitoring Program (TSMP). The TSMP found two organic constituents (PCBs and chlordane) in fish from Donner Lake that exceeded then-current screening criteria developed by the California Office of Environmental Health Hazard Assessment (OEHHA). The source of these organic constituents is not known at this time, therefore no work has begun on developing a TMDL for the priority organics.

To provide additional data needed to determine whether a significant threat exists to human health and/or other beneficial uses of water at Donner Lake, more detailed studies were funded by the Water Boards' Surface Water Ambient Monitoring Program (SWAMP) from 2005-07. Staff conducted a preliminary assessment of those results in 2009 and noted that fish tissue was positive for varying levels of chlordane, dieldrin, PCBs, and mercury. None of the fish tissue samples exceeded the current "no consumption" levels established by OEHHA, but many of the samples exceeded other OEHHA criteria, such as guidelines for persons who eat multiple fish meals per week.

The results were transmitted to OEHHA in 2009 with a request that it determine whether fish consumption advice is warranted for Donner Lake. (OEHHA is the responsible agency in California for determining whether fish consumption advisories are warranted, and if so, for developing specific fish consumption guidelines and—along with county health officials—notifying the public.)

In late 2009, OEHHA and SWAMP's data management contractors discovered a few quality assurance (QA) issues with the recent data and determined that several of the most recent fish samples should be re-analyzed by the laboratory.

The lab work and additional QA checks have now been completed, the data have been validated and compiled by SWAMP staff, and the final data were transmitted to OEHHA on May 28. Staff will await OEHHA's assessment before determining whether the current listing is justified and what additional action(s) may be most appropriate.

4. *2010 Clean Water Act Integrated Report* - Judith Unsicker

In April 2010 State Water Board staff circulated a public draft of an "Integrated Report" meeting the water quality assessment requirements of Clean Water Act Sections 303(d) and 305(b). The report includes a recommended statewide Section 303(d) List of impaired surface water bodies needing Total Maximum Daily Loads. The Integrated Report, written public comment letters, and responses to comments are available online at:
http://www.waterboards.ca.gov/water_issues/programs/tmdl/integrated2010.shtml.

State Water Board staff recommended the addition of 31 water body-pollutant combinations to the Section 303(d) list that had not been recommended for listing by the Lahontan Water Board in July 2009. I submitted written comments expressing concern about the lack of temporal representation in the limited data used for the proposed listings, and asking that the State Board defer decisions on these listings until additional data are available to verify impairment.

The State Water Board received about 60 written comment letters on the Integrated Report, including a letter from the U.S. Environmental Protection Agency, Region IX (USEPA) supporting the proposed additional Lahontan Region listings and recommending additional listings for the Amargosa River. As a result of the USEPA comments, State Water Board

staff recommended also listing three segments of the Amargosa River for arsenic concentrations violating California Toxics Rule standards for freshwater aquatic life.

The State Water Board held a public hearing on June 15, 2010 to consider approval of the Integrated Report. I testified at the hearing, summarizing the Lahontan Water Board's concerns about temporal representation. After expressing concern about the large amount of information in the Integrated Report and the need for additional review time to support informed decisions, State Water Board members deferred action on the Report to the August 4, 2010 meeting. The State Water Board directed its staff to provide additional information on a number of issues including the proposed additional listings for the Lahontan Region. Lahontan Water Board staff will meet with State Water Board staff, will review recommendations and available data, and will provide additional feedback in response to State Water Board inquiries and concerns.

5. ***Pesticide Amendment Outreach and Aquatic Invasive Species at Truckee River Basin Watershed Group meeting***
– Daniel Sussman

Staff attended the April 28 meeting of the Truckee River Basin Watershed Group (TRBWG). The TRBWG monitors implementation of the Truckee River Operating Agreement and other resource issues of the Truckee River Basin.

California Department of Fish and Game staff screened a video about Zebra and Quagga mussels and the damage they can cause. Craig Threshie, Program Coordinator for the Truckee Regional Aquatic Invasive Species Prevention Program, spoke about efforts to prevent aquatic invasive species from entering the

waters of the Truckee River watershed downstream of the Tahoe City dam. This program is funded through the Tahoe Resource Conservation District, which also administers the Tahoe prevention program, and focuses on boat inspections at the region's lakes.

Mr. Threshie spoke of the prevention plans for the summer season, the challenges faced, and efforts to integrate the Truckee program with that of Tahoe.

At the conclusion of these two presentations Water Board staff spoke to attendees about the forthcoming pesticide Basin Plan amendment. Staff discussed the approach, applicability, and projected adoption schedule of the amendment before fielding several questions from those present. Attendees included representatives from the Truckee River Watershed Council, California Department of Water Resources, Placer County, Town of Truckee, and several water districts.

6. ***Leviathan Mine Activities*** –Chein Kao

The 2010 summer season at Leviathan Mine kicked off on June 10 with the Water Board's contractor repairing fences that were damaged by winter storms and re-assembling the treatment system. On June 17, the contractor began sludge removal activities resulting from last year's treatment. Our health and safety contractor was on site to monitor the air for dust control and worker exposure. Sludge transport to a hazardous waste disposal site in Nevada began on June 21. A water truck was used to keep dust down at a stretch of Leviathan Road where residents complained about dust.

This year, our contractor has indicated that it will run the treatment plant 24 hrs per day, five days per week to shorten the treatment season. One of the advantages of treating pond water continuously 24 hours a day, five days per week, is

the number of times the system has to be shut down, cleaned out and restarted. The disadvantages are worker safety issues and lack of Water Board staff oversight during overnight operations. Nonetheless, the contract does not prohibit the contractor from operating 24 hours a day, and the contractor is responsible for compliance with OSHA regulations during all operations.

7. **Applied Public Participation Training -**
Linda Stone

On June 3, approximately ten of our staff attended an in-house training on Applied Public Participation. The Water Board's Training Academy and UC Davis Extension jointly designed this class to instruct staff on public participation techniques in the context of the processes and venues applicable to the Water Boards. The training effort is designed to support the Cal/EPA's Proposed Recommendations for Public Participation Policy, which states:

"All members of the public shall have access to the decision-making processes of each Board... Efforts to engage and inform the public will begin early and continue through implementation of the decisions."

The instructor discussed the complexity and challenges involved in both water policy and public policy; the value of outreach, communication, and collaboration; and the public participation resources available to staff. The class included case studies specific to water resources and exercises based on plausible scenarios. The class provided staff with valuable information and a basis for future effective public participation efforts.

8. **Donner Summit Diesel Spill – John Steude**

On the morning of May 26, 2010, the Water Board staff was notified that a 3000-gallon diesel spill had occurred due to a tanker truck accident just east of Donner Summit on the eastbound lane of Highway 80. Water Board staff coordinated with other agencies that had responded and began inspection of Donner Lake and Summit Creek, which flows to the lake. Containment booms were placed across the mouth of the creek to prevent diesel on the surface of the water from entering Donner Lake.

Water Board staff noted strong diesel odors and sheen on the surface of slow water areas (eddies) on Summit Creek and Billy Mack Creek, a tributary to Summit Creek. Surface water samples were collected at four locations on Summit Creek, one location on Billy Mack Creek, and two locations on the southwest shore of Donner Lake. These seven locations spanned the lower half of the spill path, which was approximately two miles long. Subsequent analysis determined that the seven surface water samples contained high concentrations of diesel. On May 27, 2010, Water Board staff returned to the seven sampling locations and noted that the strong odors and sheen were not present.

On May 28, 2010, Water Board staff accompanied California Department of Fish and Game staff and an environmental consultant for the trucking company's insurance carrier to assess potential impacts due to the spill. This inspection covered the upper half of the spill site, beginning on Highway 80 at the spill site, and proceeding downhill through multiple heavily vegetated drainages to Billy Mack Creek and a large meadow on the creek. Several of the drainages that

are tributary to Billy Mack Creek were impacted with diesel. Water Board staff smelled strong diesel odors, observed stained snow adjacent to drainages, and sheen in areas with slow moving water.

Initial cleanup efforts occurred on the highway during the first day of the spill. Subsequent cleanup efforts of soil in the highway median and the drainages tributary to Billy Mack Creek are being coordinated by Department of Fish and Game, Nevada County Environmental Health, and Water Board Staff.

SOUTH BASIN

9. **Nursery Products - Update** – Brianna Bergen

New Waste Discharge Requirements for Nursery Products were adopted by the Water Board at its March 2010 meeting. Prior to operation, Nursery Products is required to submit reports for facility design, operation and financial assurance costs. On May 5, 2010, Nursery Products submitted five reports required by Board Order R6V-2010-0010 for construction and operation of the 80-acre Hawes Composting Facility, which includes a waste pile and two surface impoundments. The reports included:

1. Design Plan, Construction Quality Assurance Plan & Technical Specifications;
2. Preliminary Closure & Post-Closure Maintenance Plan;
3. Corrective Action Cost Estimate, Known or Reasonably Foreseeable Releases;
4. Monitoring and Reporting Plan & Sampling and Analysis Plan; and
5. Storm Contingency Plan.

The reports were posted for public review on the Water Board Lahontan Region website and interested parties were notified both via email and the U.S. Postal Service. Public comments were requested by May 25, 2010. To date, no comments have been received from the public on any of the five reports. Water Board staff is currently reviewing the reports and will respond with comments by early July.

10. **Dairy Update** - Ghasem Pour-ghasemi

Residents near the N&M Dairy complained to Water Board staff in April and early May, 2010 that the area is infested with flies and foul odors. The residents assert these

conditions prevent them from the free use of their property. On May 10, 2010, Water Board staff inspected the dairy and observed that wet corrals, manure piles in the corrals and outside the corrals, as well as wet manure in the ponds create breeding grounds for flies. These conditions violate the Waste Discharge Requirements issued to the dairy owner because manure is not properly managed and disposed and the wet manure is causing nuisance conditions. Water Board staff are requiring the dairy to correct these violations by cleaning up the ponds and removing improperly stored manure piles from the dairy site. Also, on April 26, 2010, during the public outreach meeting for PG&E at Hinkley, several residents near the dairies in the Helendale and Hinkley areas requested that their private wells be sampled. Water Board staff plans to sample those wells within areas being evaluated consistent with the dairy strategy.

11. **Victor Valley Wastewater Reclamation Authority - Sub-Regional Water Reclamation Plants** – John Morales

The Victor Valley Wastewater Reclamation Authority (VWWRA) collects, treats and disposes sewage from member entities: the cities of Victorville and Hesperia, the Town of Apple Valley and two San Bernardino County Service areas (Oro Grande and Spring Valley Lake).

VWWRA is in the process of significantly expanding its recycled water program. In addition to increasing distribution of recycled water from the Victor Valley Regional Wastewater Treatment Plant, two sub-regional water reclamation plants are planned for construction in the VWWRA service area. These two plants, the Hesperia sub-regional Water Reclamation

Plant and the Apple Valley sub-regional Water Reclamation Plant, will provide disinfected tertiary recycled water to user sites located in the City of Hesperia and the Town of Apple Valley. VVWRA plans to operate all of the treatment facilities and be the responsible agency with regards to monitoring, reporting and compliance with Title 22 requirements.

For permitting of the reclamation plants and to ensure consistency in recycled water program management, VVWRA is requesting a Reclamation Permit that will cover program operations at these two treatment facilities and distribution and use of the recycled water at various sites. Preliminary design is currently underway for the sub-regional facilities.

VVWRA has circulated a Notice of Preparation (NOP) to prepare environmental documents for the sub-regional project. Water Board staff is providing comments to VVWRA that the environmental document should evaluate potential impacts to water quality from salinity and nutrients, including conditions such as nuisance from both the sub-regional plants, including on-site disposal facilities such as percolation ponds, and from the reuse sites. These concerns will be incorporated into the water quality impact analysis for the Environmental Impact Report (EIR).

Water Board staff recently attended a local Environmental Scoping Meeting, where VVWRA provided details of the operation and distribution of tertiary treated recycled water to various locations in the City of Hesperia and the Town of Apple Valley. VVWRA anticipates finalizing the EIR later this summer.

ENCLOSURE 3

Notification of Spills (Unauthorized Waste Discharges)



EO'S Monthly Report
05/16/10 - 06/15/10
Unauthorized Waste Discharges

COUNTY: LASSEN

Discharger/Facility	Location	Basin	Regulated Facility	Substance Discharged	Spill Date	Discharge Volume	Description of Failure	Discharge To	Status
CCC Susanville / Susanville Correctional Facility	Susanville Correctional Center	☐ N	☐ Y	raw sewage	6/6/2010	20000-25000 gallons	Influent pump failed to turn on.	Stormwater Channel	Replace a primary logic computer circuit. Recommend a notice of violation requesting an investigation of the alarm system.

COUNTY: SAN BERNARDINO

Discharger/Facility	Location	Basin	Regulated Facility	Substance Discharged	Spill Date	Discharge Volume	Description of Failure	Discharge To	Status
Sunray Energy / Sunray Daggett Facility	West Field, Row 30D, Daggett	☐ S	☐ Y	Therminol	5/14/2010	200 Gallons	A line broke, which resulted in a release of Therminol, a heat transfer fluid, to ground.	Ground	Valve shut off and half of the product released pooled and was recovered. The remaining product percolated to soil. The affected soil was excavated and disposed of at on site land treatment unit. No further action recommended.
San Bernardino County / Heaps Peak	Harris Property, 5 miles east of Heaps Peak Transfer, Hwy 18 & Like Oak Drive, Running Springs	☐ S	☐ Y	Leachate	5/15/2010	300-500 Gallons	Dumper truck hose came loose. Leachate discharged to land and absorbed into soil.	Ground	Berm constructed with soil to provide containment for future potential discharges. No further action recommended.



ENCLOSURE 4

Notification of Closure of Underground Storage Tank Cases



CASE CLOSURE REPORT
June 2010
State of California
Lahontan Regional Water Quality Control Board

Date Closure Issued	Site Name	Site Address	Case Number	Case Type	Remaining Groundwater Concentrations above Water Quality Objectives (in ug/L)	Remaining Soil Concentrations (in mg/Kg)	Distance from Site to Nearest Receptor	Remedial Methods Used
May 25, 2010	UST Site 1021-Fire Station	Marine Corps Mountain Warfare Training Center, Bridgeport	6T0214A	UST	NA	1,900 TPHd	drinking wells are ~2,200' up and cross-gradient	Excavation, Bioventing
June 2, 2010	Hotel Block	Truckee Rail Yard, Truckee	T6S073	SCP	Groundwater contamination due to off-site source (UST Case #6T0276A)	400 TPHmo, 390 Lead	Truckee River is ~500' to the south	None

Notes:

TPHd - Total petroleum hydrocarbons quantified as diesel

TPHg - Total petroleum hydrocarbons quantified as gasoline

TPHmo- Total petroleum hydrocarbons quantified as motor oil

ug/L = micrograms per liter

PCE- Tetrachloroethylene

TCE- Trichloroethylene

Receptor- surface water, private drinking water wells and municipal supply wells, etc.

NS- Not Sampled

NA- Not Applicable

ND- Not Detected

