

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

**MEETING OF JUNE 8-9, 2022
BARSTOW, CA**

ITEM 6

***RESCISSION OF WASTE DISCHARGE REQUIREMENTS FOR AMARGOSA OPERA HOUSE, INC., DEATH VALLEY**

CHRONOLOGY

February 11, 1982	Water Board adopted Board Order No. 6-82-22.
November 8 th , 1996	Water Board adopted Board Order No. 6-96-155, thus rescinding Board Order No. 6-82-22.
December 6 th , 2021	Sewage ponds were decommissioned and closed. Septic tank installation was completed between December 3 and 6, 2021.

BACKGROUND

Amargosa Opera House (Facility) discharged untreated wastewater from its hotel operations to unlined sewage ponds. These discharges are regulated under Waste Discharge Requirements (WDRs), Board Order No. 6-96-155. As of December 6, 2021, the Facility decommissioned the unlined sewage ponds and installed subsurface disposal systems approved by Inyo County. The sewage ponds were allowed to evaporate and covered with a mounded soil cap in place. The ponds were filled with on-site borrow material. The new wastewater system consists of a total of five septic tanks (one 3,000-gallon tank, three 2,000-gallon tanks, and one 1,000-gallon grease interceptor tank system) that discharge to one combined leach field.

ISSUES

Should the Water Board rescind WDRs and the associated Monitoring and Reporting Program issued to the Amargosa Opera House?

DISCUSSION

Discharges from the Facility are now eligible for a waiver of WDRs in accordance with the State Water Resource Control Board's Onsite Wastewater Treatment System Policy. While the Water Board continues to have the right to regulate the discharge using individual WDRs, the preceding surface disposal was only eligible for WDRs as a surface disposal. The Facility now uses subsurface wastewater disposal via a leach field. This new disposal system is overseen by Inyo County via its Local Agency Management Plan (LAMP) for onsite wastewater treatments systems and is eligible for coverage under the OWTS Policy Waiver of WDRs.

SUSTAINABLE GROUNDWATER MANAGEMENT ACT

For purposes of the Sustainable Groundwater Management Act, the California Department of Water Resources identifies the following groundwater basins in Inyo County, along with priority, near the discharge location within the Lahontan Region.

Priority	Groundwater Basin Inyo County
Very Low	Middle Amargosa Valley (6-020)

Source: <https://gis.water.ca.gov/app/bp2018-dashboard/>

PUBLIC OUTREACH/INPUT

Water Board staff discussed rescission of the WDRs with Fred Conboy, President of the Board of Directors at the Amargosa Opera House, Inc. Nathan Robison, Principal Engineer of Robison Engineering provided Water Board staff with requested documentation related to decommissioning of the ponds and installation of the new septic tank systems on December 30, 2021. Additionally, Water Board staff confirmed with Inyo County staff that the newly installed septic tank system and leach field were approved and are now monitored under the Inyo County LAMP.

The Tentative Board Order was sent to a mailing list of interested parties, and no comments were received.

RECOMMENDATION

Water Board staff recommends adoption of the Board Order, as proposed.

ENCLOSURES	ITEM	BATES NUMBER
1	Board Order No. R6V-2022-PROPOSED	6-3

ENCLOSURE 1

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

**BOARD ORDER NO. R6V-2022-PROPOSED
WDID NO. 6B140102001**

**RESCISSION OF WASTE DISCHARGE REQUIREMENTS
BOARD ORDER NO. 6-96-155**

FOR

AMARGOSA OPERA HOUSE, INC.

Inyo County

The California Regional Water Quality Control Board, Lahontan Region (Water Board) finds:

1. Facility Description

Amargosa Opera House (Facility) is located at 608 Highway 127, Death Valley Junction, approximately 19 miles east of Death Valley and 23 miles north of Shoshone, in Inyo County. The Facility collects, treats, and disposes of approximately 1,500 gallons per day (gpd) of domestic wastewater from a 15-unit motel. The Facility is designed for a maximum of 8,000 gpd.

Previously, wastewater was disposed to two unlined sewage ponds, which have since been decommissioned. The Facility has installed septic tanks and subsurface leach lines that will be overseen by Inyo County's Local Area Management Plan (LAMP) and Inyo County staff.

2. Discharger

Currently, operations are overseen by Fred Conboy, Director of the Amargosa Opera House, Incorporated (Inc.). For the purposes of this Board Order (Order), the Amargosa Opera House, Inc., is referred to as the "Discharger."

3. Permit History

The Water Board adopted Board Order No. 6-96-155 on November 8, 1996, which replaced previously established waste discharge requirements (WDRs). The prior WDRs for the Facility were Board Order No. 6-82-22, adopted on February 11, 1982.

4. Reason for Action

The Discharger has decommissioned the existing surface wastewater disposal ponds and installed conventional septic tank systems to increase capacity from 8,000 to 10,000 gpd. Onsite wastewater discharges under 10,000 gpd are eligible for a waiver of WDRs in accordance with the State Water Resource Control Board's Onsite Wastewater Treatment System Policy and the Inyo County LAMP. The approved septic treatment system consists of a total of five septic tanks

(one 3,000-gallon tank, three 2,000-gallon tanks, and one 1,000-gallon grease interceptor tank system) with discharge to one leach field.

The sewage ponds were allowed to evaporate and covered with a mounded soil cap in place. The wastewater discharges from the septic systems will be overseen by Inyo County staff under the Inyo County LAMP, thus no longer requiring individual WDRs.

5. California Environmental Quality Act

Rescission of the WDRs is exempt from the provisions of the California Environmental Quality Act (Public Resources Code section 21000, et seq.) in accordance with the California Code of Regulations, title 14, section 15321 (a)(2), Enforcement Actions by Regulatory Agencies.

6. Notification of Interested Parties

The Water Board has notified the Discharger and interested parties and agencies of its intent to rescind Board Order No. 6-96-155. No comments were received during the public review period for the rescission order.

7. Public Meeting

The Water Board, in a public meeting, heard and considered all comments pertaining to the rescission of Board Order No. 6-96-155.

IT IS HEREBY ORDERED THAT pursuant to the California Water Code, sections 13260 and 13263, Board Order No. 6-96-155 is hereby rescinded except for enforcement purposes.

I, Michael R. Plaziak, Executive Officer, do hereby certify that the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, Lahontan Region, on June 8, 2022.

MICHAEL R. PLAZIAK, PG
EXECUTIVE OFFICER